

# **The Corporation of The Township of Amaranth**

## **By-law Number 80 - 2022**

### **Being a By-Law to govern the proceedings of the Council of The Corporation of the Township of Amaranth**

**Whereas**, section 238(2) of The Municipal Act, 2001, S.O. 2001, c.25 requires every municipality to adopt a procedure by-law for governing the calling, place and proceedings of meetings and providing for public notice of meetings; and

**Whereas** the Council of the Corporation of the Township of Amaranth deems it advisable to enact a new By-law to govern the proceedings of Council, the conduct of its members and the calling of meetings and to provide for procedures and statutory requirements in accordance with the Act, and to repeal the previous By-law 61-2018, as amended;

**Now Therefore the Council of The Corporation of the Township of Amaranth enacts as follows:**

#### **Part I – General**

##### **1. Short Title**

This by-law shall be known as the Procedure By-law.

##### **2. Principles**

The proceedings of the Council and its committees, the conduct of the members and the calling of meetings shall be governed by the provisions of Provincial Legislation and the rules and regulations contained in this by-law. This by-law sets out processes that are open, transparent and accountable to the public. In the context of Council proceedings, these principles are accomplished by: (a) Ensuring the decision-making process is understood by the public and other stakeholders; (b) Providing access to information and opportunities for input by the public and other stakeholders consistent with the requirements of this by-law and other statutory requirements; and (c) Exercising and respecting individual and collective roles and responsibilities provided for in this Procedure By-law and other statutory requirements.

Except as provided herein, the rules of parliamentary procedure as contained in Robert's Rules of Order shall be followed for governing the proceedings of Council and its committees and the conduct of its members. The principles of parliamentary law governing Council meetings include: (a) the majority of Members have the right to decide; (b) The minority of Members have the right to be heard; (c) All members have the right to information to help make decisions, unless otherwise prevented by law; (d) All members have a right to an efficient meeting; (e) All members have the right to be treated with respect and courtesy; and (f) All members have equal rights, privileges and obligations.

Despite subsection 1.1, the rules and regulations contained in this by-law may be suspended by a vote of two-thirds of the members present and voting.

##### **3. Interpretation**

Wherever this by-law refers to a person or thing with reference to gender or the gender neutral, the intention is to read the by-law with the gender applicable to the circumstances.

References to items in the plural include the singular, as applicable.

The words "include", "including", and "includes" are not to be read as limiting the phrases or descriptions that precede or follow them.

Headings and the index are included for ease of reference only and are not to be used as interpretation aids.

Specific references to laws in this by-law are meant to refer to the current laws applicable within the Province of Ontario as at the time the by-law was enacted, and as they are amended from time to time. In all cases, the reference includes the statute, as amended from time to time, including successor legislation.

#### **4. Definitions**

- a) "CAO/Clerk" means the Chief Administrative Officer/Clerk of the Township of Amaranth.
- b) "Chair" means the person presiding at the Meeting. The Chair shall be the Mayor, or in the Mayors absence, the Deputy Mayor and in the absence of the Mayor and Deputy Mayor the Members of Council shall determine the Chair.
- c) "Clerk" means the Clerk of the Township of Amaranth as appointed pursuant to Section 228 of the Municipal Act, as amended, which position can be combined with other positions.
- d) "Committee" means a committee, Board, Task Force or other body established by the Council with the exception of Local Boards.
- e) "Consent Agenda" means a list of items on the Agenda, all of which may be adopted by one motion of Council or Committee, by any of which may be transferred to the regular agenda for consideration upon the request of a Member.
- f) "Council" means the Council of the Corporation of the Township of Amaranth.
- g) "Day" does not include Saturday, Sunday or a holiday.
- h) "Delegation/Presentation" means a person or group of persons who are not members of Council or staff of the Township who have requested and are permitted to address Council.
- i) "Deputy Mayor" means the Deputy Head of Council for the Township of Amaranth.
- j) "Holiday" means a holiday as defined by the Legislation Act, S.O. 2006, c. 21, Schedule F.
- k) "Inaugural Meeting" means the council meeting following a regular municipal election, at which declarations of office are administered.
- l) "Mayor" means the Mayor as Head of Council, or in the absence of the Mayor, the Deputy Mayor or, in the absence of both, another member of Council appointed by Council.
- m) "Municipal Act" means the Municipal Act, 2001, S.O. 2001, c.25.
- n) "Notice" means notice that includes the time and place of a meeting and, in the instance of a Special Meeting, shall include the purpose of the meeting and whether the meeting was called by the Mayor, CAO or upon request of the majority of the members of Council. The form, manner and times when notice will be provided to the public regarding specific by-laws and the holding of certain meetings will be given in accordance with the Municipal Act, 2001, Township By-laws or any other applicable legislation.
- o) "Notice of Motion" means notice, including the name of the mover, advising Council that the motion described therein will be brought at a subsequent meeting.

- p) "Pecuniary Interest" means relating to or connected with money pursuant to relevant conflict of interest legislation.
- q) "Point of Order" means a Member bringing attention to: (a) any breach of the rules of order pursuant to this by-law; (b) the use of improper, offensive or abusive language; (c) notice of the fact that the matter under discussions not within the scope of the proposed motion; (d) any other informality or irregularity in the proceedings of council.
- r) "Privilege" means the raising of a question which concerns a member of Council, or the Council collectively, when a member believes that their rights, immunities or integrity or the rights, immunities or integrity of Council as a whole have been impugned.
- s) "Procedural Motion" means any motion concerning the manner or time of consideration of any matter before the Council as opposed to the substance thereof, and includes, without limitation, the following:
  - i. To extend the time of the meeting;
  - ii. To commit or refer;
  - iii. To table;
  - iv. To postpone to a certain day;
  - v. To adjourn;
  - vi. To move the question be put; or
  - vii. To suspend the Rules of Procedure.
- t) "Quorum" means a majority of the Members of Council shall constitute a quorum. A quorum of any of the committees appointed by the council/local board shall be a majority of its members. Unless a quorum is present within one-half hour after the time appointed for the meeting of the council/local board, there shall be no meeting thereof until the next regular day of meeting, unless in the meantime, a special meeting is called. The Clerk/Secretary shall record the names of such members as are present.
- u) "Rules of Procedure" means the rules and regulations provided in this by- law.
- v) "Special Meeting" shall mean meetings summoned under Section 240(a) or (b) of the Act, having the same privileges as a Regular Council Meeting, a quorum is required.
- w) "Substantive Motion" means any motion other than a Procedural Motion.
- x) "Treasurer" means the Treasurer of the Township of Amaranth as appointed pursuant to Section 286(1) of the Municipal Act, as amended, which position can be combined with other positions.
- y) "Voting Period" means the time during which electors can vote in a municipal election year, including advance voting.

## **Part II – Duties and Conduct**

### **5. Duties of the Chair**

The Chair of the meeting is responsible for::

- a) presiding at all meetings;
- b) open the meeting by calling all members to order;
- c) putting to a vote on all motions which are duly moved and seconded, and to announce the result of the vote;
- d) declining to put to a vote any motion which contravenes this Procedural By-Law;
- e) enforcing the rules of order in this Procedure By-Law and decorum among the Members and the public;

- f) enforce on all occasions the observance of order of all Members in accordance with the rules of Procedure when engaged in debate;
- g) When a Member persists, following several reminders in breaching the Rules of Procedure and disrupting the business of Council, ordering the Member to vacate the Council chambers for the duration of the meeting;
- h) to provide information to members on any matter touching on the business of the Township;
- i) represent and support the Council, declaring its will and implicitly obeying its decisions in all things;
- j) ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of Council;
- k) to lead on all occasions with the observance of order and decorum, in a manner that is respectful to delegations, fellow members and staff;
- l) adjourn the meeting when business is concluded;
- m) adjourn the meeting, without question, in the case of grave disorder arising in the Council Chamber.;
- n)
- o) to authenticate, by his/her signature when necessary, all By-laws and Resolutions.
- p) The Code of Conduct, as amended from time to time applies.

## **6. Conduct of Members**

Any Code of Conduct or Ethics applicable to Members of Council adopted by Council shall apply during a meeting held pursuant to this by-law.

The Members are responsible for, where applicable:

- a) attending scheduled meetings;
- b) carefully considering and making decisions about meeting business, including seeking information and advice from staff prior to and during a meeting;
- c) respecting and following the rules of order, the Chair's final ruling, and Council's decision
- d) participating in a meeting and not interrupting, unless to raise a Point of Order or Point of Personal Privilege, as set out in this by-law;
- e) to vote on all matters unless prohibited by law;
- f) advising the Chair or Clerk of any absences;
- g) to respect the Rules of Procedure. Respecting the confidentiality of matters discussed in Closed Session and not disclosing the subject or substance of these discussions unless authorized to do so;
- h) Observe and obey the Code of Conduct at all times.

No Member shall:

- i) use offensive words or unparliamentary language in or against the Council or against any member of staff or the public;
- j) speak on any subject other than the subject in debate;
- k) criticize any decision of the Council or continue to debate the matter after it has been decided, except for the purpose of moving that the question be reconsidered;
- l) disobey the Rules of Procedure or a decision of the Chair or of the Council on questions of order or practice or upon the interpretation of the rules of the Council;
- m) disclose any information that is deemed to be confidential pursuant to the Municipal Freedom of Information and Protection of Privacy Act.

Where a Member persists in any disobedience of the Rules of Procedure after having been called to order by the Chair, the Chair shall forthwith put the question, no amendment, adjournment or debate being allowed, "that such Member be ordered to leave his/her seat for the duration of the meeting of the Council", but if the Member apologizes he/she may be permitted to retake his/her seat.

The Code of Conduct, as amended from time to time applies.

## **7. Clerk**

The Clerk or Deputy Clerk shall be present at all meetings of Council.

The Clerk or the Clerk's designate shall be responsible for the management and co-ordination of meeting agendas and related resolutions, by-laws, minutes, correspondence and records and allow for public access to same in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, RSO 1990 c. M. 56 and other pertinent legislation.

## **8. Council/Staff Relations**

Both Council and Staff shall work hard at fostering a climate of mutual respect and recognize the mutual goal is to serve the Municipality.

Members of Council shall be respectful of the fact that staff work for the Municipality as a corporate body and are charged with making recommendations that reflect their professional expertise and corporate perspective, without undue influence from any individual member or group of members of Council.

In addition, members shall be respectful of the fact that staff carry out directions of Council and administer the policies of the Municipality, and are required to do so without undue influence from any individual member or group of members of Council.

## **Part III – Meetings**

### **9. Inaugural Meeting**

The inaugural meeting of Council following an election shall be held on November 15 or the first Wednesday following November 15 in the year of a regular election at 6:00 p.m. in the Council Chambers of the Administration Building and the order of business shall be as follows: (a) Call to Order by Municipal Clerk (b) Declarations of Office in the order of Councillors, Deputy Mayor and Mayor (c) Mayors Inaugural Address (d) Statements by Deputy Mayor and Councillors (e ) Confirmatory By-law (f) Adjournment

After the inaugural meeting, the Council shall meet in the Council Chambers of the Administration Building on the first Wednesday of the month at 10:00 a.m. and the third Wednesday of the month at 6:00 p.m. except (a) unless another time is ordered or (b) unless another location is ordered.

### **10. Open Meetings**

All meetings must be open to the public.

### **11. Closed Meetings (In Camera)**

Notwithstanding Section 9 above, a meeting may be closed to the public pursuant to Section 239 (2) of the Municipal Act, 2001 as amended from time to time.

Before all or part of a meeting is closed to the public, the body proposing to hold the meeting shall state by Resolution:

- a) the fact of holding of the closed meeting;
- b) the general nature of the matter to be considered at the closed meeting;

Subject to subsection 10.1 a meeting shall not be closed to the public during the taking of a vote unless the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Municipality or local board, or persons retained by or under contract with the Municipality or local board.

A motion to move out of closed session shall be passed in order for the meeting to be resumed in open session.

No matter or item other than the matter(s) referred to in the public resolution may be discussed.

If Council, the committee or local board wishes to discuss an item not contained within the motion to move into a closed session, they shall rise from the first closed session and in open session move a further motion in accordance with Section 239 (2) of the Municipal Act, 2001 as amended from time to time.

## **12. Special Meetings**

The Mayor or Clerk shall summon a Special Meeting upon receipt of a petition of the majority of the Council Members for the purpose and at the time and date mentioned in the petition.

The Special Meeting shall be held not sooner than 48 hours following the summons or receipt of the petition, as the case may be, and that the Clerk shall, if practical provide written notice. It is not practical to give written notice, notice may be given by telephone, text, email or personal contact of a Special Meeting immediately following receipt of the summons or petition. The notice for a Special Meeting shall specify the purpose for which the Meeting is convened and not business shall be disposed of at a Special Meeting of the Council except that to which such notice relates.

## **13. Calendar of Meetings**

The Clerk or designate shall prepare a schedule of meetings for the forthcoming year in December for the upcoming year.

In the event that a regular meeting shall fall upon a holiday, the meeting shall be held at the same hour on the day immediately following the holiday that is not a Saturday, Sunday or holiday. No notice need be given of this change of date and it shall be deemed to be a regular meeting.

## **14. Regular Meeting Times**

The regular meetings of Council shall be held at 10:00 a.m. on the first Wednesday of the month and at 6:00 p.m. on the third Wednesday in each month unless otherwise changed by Council.

A meeting shall adjourn no later than 11:00 p.m. unless a Motion waiving this Section is passed by a majority vote of Members of Council present. If the Council meeting is not finished by 11:00 p.m. and this Section is not waived, the meeting will reconvene at the call of the Chair.

Despite clause 12.1 for the months of January, July, August, and December, only one Council meeting shall be held on the second Wednesday of the month at 12:30 p.m., or as determined by Council. July and August to alternate and not be both in the same year.

Despite clause 12.1 regular meetings of council shall not occur during the Voting Period in the year of an election.

## **15. Place of Meetings/Electronic Participation**

Meetings of Council shall be held in the Council Chambers and/or the Municipal Facility situated at 374028 6<sup>th</sup> Line, Amaranth, or at such other place as is specified in the agenda, in a location that is accessible pursuant to the requirements of the Accessibility for Ontarians with Disabilities Act.

During an emergency existing in all or part of the municipality declared either by the province or by the local municipality under Section 4 or 7.01 of the *Emergency Management and Civil Protection Act*, the Township shall allow for electronic participation of Council members in both open and closed Council meetings, and

such members shall be counted in determining whether or not a quorum of members is present; and

Remote participation in open and closed meetings of Council by members of Council and staff is permitted on any electronic device platform that is deemed suitable by the Clerk. All votes shall be recorded votes in the case of remote participation by any member.

#### **16. Persons within Council Chambers**

No person, except members of Council and appointed officials of the Township, shall be allowed to approach the Council table during the meetings without the permission of the Chair.

No person, except members of Council and appointed officials of the Township, shall place on the desks of the members or otherwise distribute any material unless such person has received the approval of the Chair or Clerk, and said material is to be provided to both Council and the Clerk.

#### **17. Open Forum**

Open Forum allows for comments from the public relating to matters appearing on the agenda. The first 10 (ten) minutes of any regular Council meeting will be set aside for Open Forum. During this time any individual may address Council to voice concern or provide information on subjects of municipal concern. No decision shall be made as a result of comments made during Open Forum. Council may consider comments made during Open Forum when deliberating the issue if/when the item arises on the regular Council. No motions shall be presented as a result of comments made during Open Forum other than during the Notice of Motion section on the agenda. Members and staff shall not be engaged in debate or discussion during Open Forum.

#### **18. Recording Equipment and Electronic Devices**

All meetings will be recorded by the Clerk and the recording available for open meetings to the public.

All electronic devices including cellular telephones shall be placed in silent mode in Council Chambers and all other locations during the course of Meetings held in accordance with this By-law.

#### **19. Public Notice of Meetings**

Public notice shall be given for all meetings of Council by means of the municipal website with inclusion of each meeting listed in the calendar and the posting of the agenda.

#### **20. Statutory Public Meetings**

Such meetings shall be held on the third Wednesday of a month or such other date and time as determined by the Clerk with notice as set out in applicable legislation.

#### **21. Emergency Meetings**

In the event of a bona fide emergency, a meeting may be held as soon as practicable following receipt of the summons or petition as outlined in 12 Special Meetings as the case may be and notice may be given by telephone, text, email or personal contact until contact is made as determined by the Clerk.

#### **22. Calling a Meeting to Order**

As soon after the hour fixed for the holding of the meeting of the Council as a quorum is present, the Mayor or Chair shall take the chair and call the meeting to

order.

### **23. Absence of the Mayor**

The Deputy Mayor of the Municipality shall be the Acting Mayor and exercise the powers of the Office of the Mayor in the absence of the Mayor. If the Mayor does not attend within 5 minutes after the time appointed for the meeting, the Clerk shall call the Members to order and if a quorum is present the Deputy Mayor shall preside over the meeting until the arrival of the Mayor. In addition, the Members of Council may appoint another presiding officer from among themselves for the purpose of Charing a particular meeting.

### **24. Arrival and Departure of Members**

Late arrivals and early departures will be noted in the minutes.

If a Member arrives late at a meeting, any prior discussion shall not be reviewed without the unanimous consent of all Members present.

### **25. No Quorum**

If no quorum is present thirty minutes after the time appointed for a meeting, the Clerk shall record the names of the Members present and the meeting shall stand adjourned in accordance with Council direction or at the call of the Chair.

### **26. Unfinished Business – Quorum Lost**

If during the course of a meeting quorum is lost, then the meeting shall stand adjourned and not ended, to reconvene in accordance with Council direction or at the call of the Chair.

If in the Mayor's opinion it is not essential that the balance of the agenda be dealt with before the next regularly scheduled meeting, then the Mayor shall announce that the unfinished business will be taken up at its next regularly scheduled meeting.

### **27. Cancellation of a Meeting**

Council may cancel a regular meeting by motion of Council and/or the Mayor may cancel a meeting if it is in his/her opinion appropriate due to weather or an emergency.

## **Part IV – Order of Proceedings – Agendas and Minutes**

### **28. General Rules Regarding Council Agendas**

Prior to each regular meeting, the Clerk or designate shall prepare an agenda of all the business to be brought before such meeting.

No report shall be placed on the Council agenda unless it was first authorized by the CAO/Clerk or designate.

Added Items (Late Submissions), any petition, communication or application not included on the agenda must be submitted prior to the start of the meeting and may be considered at Council's discretion by passing a motion that the matter be considered.

Each agenda, insofar as practicable will contain all reports, motions and by-laws to be considered.

The Accountability and Transparency Policy, pursuant to by-law 95-2007 as amended from time to time applies.



## **29. Agenda Delivery**

A final agenda shall be distributed electronically to the members of council and made public no later than the Friday immediately preceding the meeting.

In the event of a holiday, draft and final agenda delivery shall be delayed by one day if required.

## **30. Order of Business – Council**

The following headings shall make up the Council agenda:

- 1) Call to Order
- 2) Land Acknowledgement
- 3) Approval of Agenda
- 4) Disclosure of Pecuniary Interest and General Nature Thereof
- 5) Approval of Minutes
- 6) Open Forum
- 7) Delegations/Presentations (pre-registered)
- 8) Public Meetings(Statutory and Non-Statutory)
- 9) Unfinished Business Matters Arising from minutes/Matters arising from delegations
- 10) Planning Department
- 11) Public Works Department
- 12) County Council Business
- 13) Committee Reports
- 14) General Business and Correspondence Consent Agenda
- 15) Treasury report (\*accounts not to be included for review as budget is adopted)
- 16) Added Items (Late Submissions)
- 17) New Business
- 18) Notice of Motions
- 19) Closed Meeting
- 20) By-Laws
- 21) Confirming By-law
- 22) Adjournment

The order of business may be altered by the Clerk during preparation of the Agenda to improve the efficiency of the meeting.

The business of the Council shall in all cases be taken up in the order in which it stands upon the agenda, unless otherwise decided by Council.

## **31. Declaration of Pecuniary Interest**

Every member of Council shall declare any pecuniary interest with respect to any item of business in accordance with the Municipal Conflict of Interest Act, as amended from time to time. Any Member of Council who declares a pecuniary interest shall be required to leave the meeting, whether a closed or open session is being held.

At the meeting at which the member discloses an interest, the member shall file a written statement of the interest and its general nature with the Clerk or the Secretary of the Committee or Local Board, as the case may be.

The member shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

## **32. Minutes**

Minutes of a meeting shall be approved as soon as practicable.

Minutes shall record:

- a) the place, date and time of meeting;
- b) the names of the presiding officer or officers and the record of the attendance of the members;
- c) the reading, if requested, correction and confirmation of the minutes of prior meetings;
- d) declarations of interest;
- e) the motions considered and votes taken by Council; and
- f) all the other proceedings of the meeting without note or comment.

If the minutes have been delivered to the members of the Council then the minutes shall not be read, and a resolution that the minutes be adopted shall be in order.

After the minutes have been adopted they shall be signed by the Mayor and by the Clerk.

The Clerk or designate shall act as the Recording Secretary for Council meetings, including Statutory Public Meetings and Special Education Sessions.

### **33. Delegations/Presentations**

A person or group wishing to make a Delegation/Presentation to Council shall submit a request to the Clerk or designate in writing no later than 4:30 p.m. the Wednesday preceding the meeting and such request shall state the nature of the business and the names of the persons in the delegation/Presentation. A copy of the presentation must be provided for inclusion in the package.

The Clerk shall acknowledge receipt of the request and place the matter on the next appropriate Council Agenda.

Delegations/Presentations at the Council Meeting shall be limited to fifteen (15) minutes. The duration may be extended by majority vote specifying the additional time. Such question shall be decided by the Council without debate.

A maximum of three presentations per meeting will be scheduled by the Clerk or designate.

A person who is unable to attend a Council meeting may arrange for another person to appear as a deputation on such person's behalf and to read aloud a prepared statement pertaining to an item listed on the Council agenda.

Members may ask questions of clarification.

An organized body wishing to address Council as a deputation shall be limited to a maximum of fifteen (15) minutes regardless of the number of representatives of that group.

Where deputations have appeared on an item on the Council agenda, the item shall be brought forward for consideration immediately after the deputations have been heard.

Presenters may only present once every 12 months on the same topic.

### **34. Open Forum**

The Open Forum Register shall be made available 15 minutes prior to the Council meeting for sign up and collected by the Clerk. Members of the public are required to sign the register prior to the beginning of the meeting which allows them the opportunity to speak and also acknowledges they understand the protocol for Open Forum. No person will be permitted to sign up after the register has been collected.

No individual may speak more than once at any meeting, and no individual shall speak longer than three (3) minutes. The Chair may curtail the time or excuse any individual from speaking if the topic is unduly repetitious. The Chair may adjust the order of the

speakers to allow for a broad range of topics during the allotted time;

Any comments made during Open Forum shall not form part of the Council minutes. The general nature of the comments and the number of speakers may be indicated in the minutes. The register shall be placed in the Council agenda file.

When called upon by the Chair, the questioner will identify themselves by name and address the question to the Chair. The speaker is limited to one question.

Questions will be responded to with a brief response from the Chair who may also request a response from staff or other Council Members. A written response can be issued depending on the specifics of the question.

Questions shall only be made in respect of matters within Council's purview and jurisdiction while maintaining decorum in keeping with the following four principles:

- a) Treatment of every person with dignity, understanding and respect;
- b) Behaviour that is not discriminatory;
- c) Actions free of harassment or bullying;
- d) Protection of privacy.

### **35. By-laws**

Every by-law presented to Council shall have three readings. Unless required to the contrary to comply with the provisions of any Act of Statutory procedure, all by-laws shall be given first, second and third reading at one meeting in a single motion.

The Clerk is hereby authorized to make such minor deletions, additions or other changes in form to any by-law before same is signed and sealed, for the purpose of ensuring correct and complete implementation of the actions of Council forming the subject matter of the by-law and members shall be advised by the Clerk of such changes by written notice.

The proceedings at every regular and special meeting shall be confirmed by by-law so that every decision of the Council and every resolution passed at that meeting shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.

### **36. Communications**

Every communication, including a petition designed to be presented to the Council, shall be legibly written or printed, shall not contain any impertinent or improper matter or language and be filed with the Clerk.

Minutes of local boards and community organizations having Council representation shall be listed and received under Committee Reports.

Correspondence, including names and addresses, addressed to Council or directed to a Statutory Public Meeting become part of the public record and may be published in a report, agenda or minutes.

### **37. Notice of Motions**

Notice of a Motion must be given at a previous Council meeting. Such notice should contain the general topic and action to be considered. The complete motion will be provided in writing to the Clerk or designate for inclusion in the agenda for the meeting at which it will be considered.

### **38. Adjournment**

At the conclusion of the agenda seeing no other business, the Chair shall deem the meeting adjourned by resolution to the next regularly scheduled meeting or as determined by Council.

## **Part V – Motions and Voting**

### **39. Moved and Seconded**

All motions shall be made in writing and be moved and seconded.

No member shall speak to any motion until it is first read by the Chair, and the mover is entitled to speak first thereon if the member so elects.

A motion or amendment thereto, may not be withdrawn without the consent of the mover and seconder.

The Chair may vacate the chair in order to move or second a motion and shall resume the chair following the vote on the matter.

Whenever the Chair is of the opinion that a motion or resolution is contrary to the Rules of Procedure, the Chair shall rule the motion or resolution out of order.

A motion or resolution which requires the exercise of a power or powers by Council which are not within its jurisdiction, shall not be in order.

All motions shall commence with the words "Be It Resolved That".

All motions may be supported or opposed by the mover and seconder.

### **40. Address the Chair**

Every member speaking on any question or motion shall address the chair.

### **41. Order of Speakers**

When two (2) or more members wish to speak, the chair shall designate the member who has the floor who shall be the member who, in the opinion of the chair, first requested to speak.

### **42. Final Speaker**

A member who has made a motion and/or amendment to such motion shall be permitted the final reply.

### **43. Severability of Question**

Upon the request of any member, and when the Chair is satisfied that a question under consideration contains distinct proposals, the vote upon each proposal shall be taken separately.

### **44. Voting Procedure**

Each Member present and voting shall announce or indicate his or her vote upon the motion openly and individually by show of hands and no vote shall be taken by ballot, or any other method of secret voting.

Every Member present at a meeting when a question is put shall vote, unless prohibited by statute, in which case it shall be so recorded.

If any Member at a meeting when a question is put does not vote, he or she shall be deemed as voting in the negative except where prohibited from voting by statute. If a Member is abstaining from voting, same must be declared as a conflict of interest and will not constitute quorum when voting. Members not participating in the vote will be removed from the meeting.

When the Chair calls for a vote on a question, each member shall occupy his or her

seat and shall remain in his or her seat until the result of the vote has been declared by the Chair, and during such time no member shall speak to any other member or make any noise or disturbance.

After a question is put by the Chair, no member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.

#### **45. Recorded Vote**

A request by a member for a recorded vote shall be made immediately prior to the commencement of the vote being taken or immediately thereafter, prior to proceeding to the next item on the agenda.

When a recorded vote is requested, or is otherwise required, the Clerk shall call the names and record the vote commencing with the Deputy Mayor, council members in alphabetical order, and the Mayor shall vote last.

#### **46. Tie is Lost**

If there is a tie vote on any question, the vote shall be deemed to have been lost.

#### **47. Consent Motions**

When preparing the agenda for Council meetings, the Clerk may identify items which are considered to be routine and non-controversial under the heading "Consent Motion", which matters may be considered by Council as a summary matter in one motion rather than as separate items, unless a member of Council otherwise requests.

Any member, before the consent motion is voted on, may add or remove any number of items of business from the consent motion.

In the event that a member declares a conflict of interest on an item that is included in the consent motion, that item shall be removed from the consent motion and dealt with separately

Items removed from the consent motion at the request of a member of Council will be considered under "New Business".

#### **48. Secondary Motions**

The following matters and motions may be introduced orally without notice and without leave, except as otherwise provided by the Rules of Procedure:

- a point of order or privilege;
- to move the question be put;
- to adjourn.

The following motions may be introduced without notice and without leave, except as otherwise provided by the Rules of Procedure:

- to refer;
- to table, or to postpone, or postpone to a certain day;
- to amend;
- to suspend the Rules of Procedure;
- any other procedural motion.

#### **49. Order of Consideration**

When a question is under consideration, no motion shall be received except a procedural motion or a motion to amend.

Procedural motions shall be considered immediately upon receipt and shall have precedence and may be subject to debate as follows:

- to extend the time of the meeting (not debatable);
- to move the question be put (not debatable);
- to commit or refer (debatable);
- to table (not debatable);
- to postpone to a certain day (debatable)
- to adjourn (not debatable);
- any other procedural motion (debatable).

#### **50. Motion to Amend**

An amendment shall be relevant and germane to the principle of the report or motion under consideration.

A motion to amend may propose a separate and distinct disposition of a question provided that such altered disposition continues to relate to the same issue which was the subject matter of the question.

Amendment motions shall be put in the reverse order to the order in which they are moved.

#### **51. Motion to Rescind**

A motion to rescind requires a two-thirds majority and is not in order if action on the original motion has already been taken which cannot be undone.

#### **52. The Question Be Now Put**

A motion that the question be now put shall preclude all further amendments of the question. When resolved in the affirmative, the question and all amendments thereto are to be put forward without debate or further amendment.

Such motion cannot be moved by a member who has already debated the question.

#### **53. Motion to Lay on the Table**

A motion to lay on the table with some condition, opinion, or qualification added to the motion to table shall be deemed to be a motion to postpone.

The matter tabled shall not be considered again by the Council until a motion has been made to take up the tabled matter at a subsequent meeting.

A motion to take up a tabled matter is not subject to debate or amendment.

A motion that has been tabled and not taken from the table for six months shall be deemed to be withdrawn, and cannot be taken from the table.

#### **54. Motion to Postpone**

A matter postponed to a definite date shall be considered first over all other business on such date.

A motion to postpone without a definite date shall be treated as if it was a motion to lay on the table.

#### **55. Reconsideration of a Matter**

If a matter has been previously considered, it shall not be reconsidered by such body within six months after the meeting at which it was originally considered, without the consent of at least two-thirds of the members present.

“Considered” shall mean those matters for which the members of a meeting have decided to act or not act upon, and shall not include the mere receipt of information where no action has been sought or taken.

A motion to reconsider must be moved by a member of the prevailing side when the matter was first considered.

## **Part VI – Rules of Debate**

### **56. Rules of Debate**

No member shall speak more than once, except if requested to give an explanation, until every member who desires to speak, has spoken.

When a member is speaking, no other member shall pass between that member and the Chair, or interrupt him or her, except to raise a point of order or a point of personal privilege.

A member may speak to the same question for a maximum of five minutes, and, with leave of the Council, may be granted an extension.

When an item is being discussed and one member has the floor a member may ask a question only for the purpose of obtaining information necessary for a clear understanding thereof.

All questions shall be stated succinctly and questions shall not be used as a means of making statements or assertions.

Questions may be asked through the Chair of the previous speaker, staff, a delegation or presenter.

A member may not ask a question if the Chair rules that such question, in substantially similar form and content, has already been asked and answered.

### **57. Points of Order or Points of Privilege**

A member may interrupt the person who has the floor to raise a point of order when such member feels that there has been a deviation or departure from the rules of procedure and upon hearing such point of order, the ruling of the Chair shall be final unless the member appeals the ruling to Council which shall decide the question “that the decision of the Chair be sustained” without debate upon a majority vote of the Members present.

A member may rise at any time on a point of personal privilege where such member feels that personal integrity or the integrity of the Council has been impugned by another member and upon hearing such point, the ruling of the Chair shall be final unless the member appeals the ruling to Council which shall decide the question “that the decision of the Chair be sustained” without debate upon a majority vote of the Members present.

Where the Chair recognizes that a breach of privilege has taken place, the Chair shall cause the offending member to apologize, and failing such apology shall require such member to vacate the Council Chamber for the duration of the meeting.

Any member may appeal the decision of the Chair to the Council which shall decide the question “that the decision of the Chair be sustained” without debate upon a majority vote of the Members present.

## **Part VII – Committees, Task Forces and External Boards**

### **58. Internal Committees or Task Forces**

Council may create, appoint and dissolve any committee or task force by by-law

including Terms of Reference. Where no specific rules of procedure are specified, these Rules of Procedure shall apply.

**59. Council Representation on External Boards**

The Township of Amaranth shall be represented on all external board and committees for whom appointments are sought or required at the discretion of Council.

At the beginning of each term of Council, the Mayor shall request with the assistance of the Clerk or designate a list of boards and committees each member of Council is interested in serving on for their Council term.

The Mayor shall submit for Council consideration a list of external boards and committees accompanied by one or more members to be appointed to each of these bodies. The list may be debated at time of consideration.

Appointments shall be made by by-law for the Council term.

**Part VIII – Vacancies**

**60. Appointments to Vacancies**

Where a vacancy occurs in the office of a member of Council and the vacancy is to be filled other than by an election, the Council shall appoint a person who has consented to accept the office.

If more than one candidate is nominated for appointment to fill such vacancy, a vote shall be taken by the Clerk.

The Clerk shall record the name of each member of Council and the name of the candidate for which the member is voting. The results shall be declared by the Clerk.

**Part IX – Other Matters**

**61. Conflict with any Other By-law**

In the event of any conflict between any provisions of this by-law and any other by-law hereto are passed; the provisions of this by-law shall prevail.

**62. Repeal**

That By-law 61-2018 is hereby repealed.

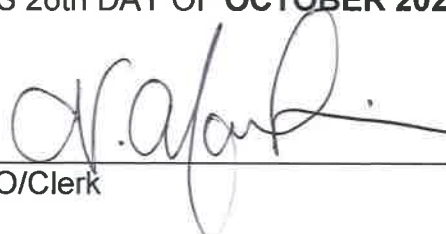
**63. Effective Date**

That this By-law shall come into full force and effect on the date of final passage hereof at which time all By-laws and/or resolutions that are inconsistent with the provisions of this By-law and the same are hereby repealed or rescinded insofar as it is necessary to give effect to the provisions of this By-law. This By-law shall be reviewed yearly if required and no later than the third year of any Council term.

BY-LAW READ A FIRST AND SECOND TIME THIS 26th DAY OF **OCTOBER 2022.**

BY-LAW READ A THIRD TIME AND PASSED THIS 26th DAY OF **OCTOBER 2022.**

  
\_\_\_\_\_  
Deputy Mayor

  
\_\_\_\_\_  
CAO/Clerk