



The Corporation of the Municipality of South Huron

By-Law #76-2017

Being a By-Law to amend Schedule “B” to By-Law #79-2015, being a By-Law to establish rules of procedure for the meetings of Council, Council Committees and Boards of the Corporation of the Municipality of South Huron

Whereas Section 238(2) of the *Municipal Act, 2001, S.O. 2001, Chapter 25*, as amended, provides that every Council shall adopt a Procedural By-Law for governing the calling, place and proceedings of meetings; and

Whereas Section 239(1) of the *Municipal Act, 2001, S.O. 2001, Chapter 25* provides that all meetings shall be open to the public, except as provided by exemptions in this section; and

Whereas Subsection 239 (2) of the *Municipal Act, 2001, S.O. 2001, Chapter 25* is amended on January 1, 2018 by proclamation of the Lieutenant Governor to include additional meetings or part of a meeting that may be closed to the public for the consideration of certain subject matter; and

Whereas Council of The Corporation of the Municipality of South Huron deems it desirable to amend the Procedural By-Law to incorporate these changes;

Now therefore be it resolved that the Council of the Corporation of the Municipality of South Huron hereby enacts as follows:

1. That section 2.13 of By-Law #79-2015, South Huron Procedural By-Law be amended by replacing the definition of “meeting” to:

““meeting” shall mean any regular, special or other meeting of a council, of a local board or of a committee of either of them, where;

- (a) A quorum of members is present, and
 - (b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.”
2. That By-law #79-2015, South Huron Procedural By-Law be amended by replacing Schedule “B” with a revised Schedule “B” and attached hereto as Schedule “B” to By-law 76-2017;

3. That this by-law shall come into force and take full effect on January 1, 2018 and supersede any other by-laws and/or resolutions inconsistent with the provisions set out herein.

Read a first and second time this 18th day of December, 2017.

Read a third time and finally passed this 18th day of December 2017.

Maureen Cole, Mayor

Genevieve Scharback, Clerk

Appendix B to By-Law #79-2015 and By-Law 76-2017
Municipal Act, 2001, section 239(1), 239(2) and 239(3)

239. (1) Except as provided in this section, all meetings shall be open to the public.

(2) A meeting or part of a meeting may be closed to the public if the subject matter being considered is,

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

(3) A meeting or part of a meeting shall be closed to the public if the subject matter being considered is,

- (a) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
- (b) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) of this Act, or the investigator referred to in subsection 239.2 (1).

(3.1) A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:

1. The meeting is held for the purpose of educating or training the members.
2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.