

Procedural By-Law Review – Proposed Additions for Council Rep Comments

There are several administrative/housekeeping changes to the formatting/layout of the by-law. Further, several the proposed changes/additions are to formalize current practice and provide transparency/clarity on process. New wording is highlighted in the bylaw, while wording to be removed is stroked through.

Mayor Finch and Councillor Neeb were appointed Council representatives and participated in the review process, Resolution 484-2021.

Current Wording	Proposed Changes	Rational	Council Rep Comments
Definitions (section 2 current bylaw)			
Additions	<p>“Act” means the Municipal Act, 2001, c.25 as amended or replaced from time to time.</p> <p>“Ad Hoc Committee” means a committee appointed by Council from time to time, to act on a temporary or singular issue and shall be discontinued by Council when their recommendations upon the specified initiative or matter have been provided, and dealt with by Members of Council and further recommendations are no longer required.</p> <p>“Advisory Committee” means a committee created by Council, to act in an advisory capacity to Council on a specific subject during the full term of Council</p> <p>“By-law” means an enactment, in a form approved by Council, passed for the purpose of giving effect to decisions or proceedings of Council.</p> <p>“Confirming By-law” means a by-law passed at the conclusion of Council meetings, confirming the actions of Council taken at that meeting and any previous meetings which did not have a confirming by-law, in respect of each resolution and other actions taken, so that every decision of Council at that meeting shall have the same force and effect as</p>	Administrative/Housekeeping – when referred to throughout the by-law definitions assist with providing clarity and context. Some additions relate to recommended changes/updates to the bylaw.	No concerns identified.

	<p>if each and every one of them had been the subject-matter of a separately enacted by-law.</p> <p>“Council” means the Municipality’s elected representatives, comprised of the Mayor and Councillors whom were elected by registered voters or who have been appointed by virtue of vacancy.</p> <p>“Councillor” means a Member of Council, other than the Mayor.</p> <p>“Electronic Device” means computers, cellphones, smartphones, personal digital assistants, smartwatches, tablets, voice recorders, cameras or any other similar device.</p> <p>“Electronic Participation” shall mean a member who is not physically present but participates via electronic means of communication in any open or closed Council or committee meeting via electronic means and has the same rights and responsibilities as if they were in physical attendance, including the right to vote, shall count towards a quorum of members and adheres to legislative requirements.</p> <p>“Local Board” means a local board of the Municipality as defined in the Municipal Act.</p> <p>“Majority” means, for the purpose of voting, unless otherwise specified, more than half of the Members of Council or committee present at the vote and not prohibited by statute from voting.</p> <p>“Motion” means a proposal, moved by a member and seconded by another member, for the consideration of Council or a committee.</p>		
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	<p>“New Business” means information that has not been previously presented to Council for consideration or for information not previously presented or considered during the original debate and vote on a decided matter. The information must be new, credible, otherwise not known nor available at the time of the original presentation or decision. What constitutes New Information shall be determined by the Clerk and/or CAO, whose decision is final and binding.</p> <p>“Notice of Motion” means advance notice to members of a matter on which Council will be asked to take a position</p> <p>“Open Meeting” means a meeting which is open to the public.</p> <p>“Presentation” means information presented to Council or committee in person by an individual or group on an issue which does not require any action to be taken by Council or committee, including but not limited to recognizing achievements, consultant, auditor and insurer presentations, staff presentations that do not accompany a report on the Agenda.</p> <p>“Rules of Procedure” means the rules and procedures set out in this by-law.</p> <p>“Regular Meeting” means a meeting of Council or committee held at the times and dates specified in this by-law and approved by Council or committee as part of an annual calendar.</p>		
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	<p>“Special Meeting” means a separate meeting of Council or committee held at a time different than a regular meeting as approved by Council or committee and which is focused on one or more particular and specific items or subjects.</p> <p>“Workshop” means a meeting of Council or committee convened for the purpose of educating or training the members, for providing the members with information and/or advice, or to solicit input from the members.</p>		
General Rules (section 3 current bylaw)			
Throughout this by-law, the words “he” and “his” shall, where appropriate; be deemed to read “she” and “her”.	Include “they” and “them”	Administrative: Inclusivity/Modernization.	No concerns identified.
Where this by-law is silent on a procedural matter the proceedings shall be regulated in accordance with Robert's Rules of Order, Newly Revised, 12 th Edition	<p>Replace with:</p> <p>The governing legislation, the Procedural By-law, or any standing or special rules of order adopted by the Municipality of South Huron shall govern the procedures of the Council. Where inconsistencies exist, the current edition of “Robert’s Rules of Order, latest Edition” shall be the parliamentary authority, which governs the proceedings of the Municipality of South Huron.</p>	Administrative/Housekeeping: Provides further clarity and identifies latest version	No concerns identified.
Any part or parts of this by-law may be suspended by a vote with the consent of Council Members present, unless the part(s) is prescribed by statute or law.	<p>Addition, add the following:</p> <p>No provision of this by-law shall be suspended except by an affirmative vote of at least two-thirds of the eligible voting Members present for each incidence of suspension of the rules.</p>	Administrative Housekeeping and Best Practices: Provide clarity by identifying voting requirement to suspend the rules, defining scope of suspension, limitations and calculation for vote.	No concerns identified.

	<p>The calculation of two-thirds vote shall be rounded upwards to the next highest (full) decimal.</p> <p>The suspension shall only apply to the procedure(s) or rules(s) which are stated within the motion to suspend and only during the meeting in which such motion was introduced.</p> <p>The following procedure(s) or rule(s) cannot be suspended:</p> <p>i)No other business in special meetings; ii)Majority of members for quorum.</p>		
Council Meetings (Section 4 current bylaw)			
Inaugural Meetings shall be held on the first Monday in December following a Regular Municipal Election at 7:00 p.m. In case of inclement weather, the Inaugural Meetings shall be held on the first suitable day following, at the same hour, and Notice shall be given on the Municipal website and posted at the Municipal Office	Third Monday in November, 6:00 p.m.	<p>Administrative/Housekeeping: Legislative Changes for date of commencement for term of Council.</p> <p>Consistency: 6:00 p.m is time for all other Regular council meetings</p>	No concerns identified.
Addition	<p>Orientation Meeting</p> <p>Orientation meetings of the Council, shall be considered as an information meeting to newly elected Members of Council in order to provide Members with the general process of what an elected Member could reasonably expect such as but not limited to; the Inaugural meeting process; how many committees they may be appointed to; process of a council meeting; protocol; corporate policies; code of</p>	Administrative/Transparency: To provide transparency for the public as to what occurs in the orientation meeting of Council.	No concerns identified.

	<p>conduct; payroll; overview of the budget process, and another matter the Administration may deemed required.</p> <p>At the meeting, no Member shall 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.</p>		
The Committee of Adjustment shall meet when required in conjunction with Regular Council meetings.	The Committee of Adjustment shall meet when required at the times and dates approved by Council as part of an annual calendar.	Administrative/Housekeeping: For clarify, Council sets alternate monthly Council meetings for planning meetings (both Public and Committee of Adjustment) annually as part of the annual calendar.	No concerns identified.
Order of Business	<p>New items proposed - highlighted</p> <ul style="list-style-type: none"> a) Call to Order, O Canada & Land Acknowledgement b) Amendments to the Agenda, as Distributed and Approved by Council c) Disclosure of Pecuniary Interest and The General Nature Thereof d) Presentation (if any) e) Delegations (if any) f) Public meeting (if any) g) Minutes h) Councillor Board and Committee Reports i) Staff Reports j) Deferred Business k) Notices of Motion l) Items for discussion arising from previous meetings m) New Business n) Mayor & Councillor Comments and Announcements o) Communications p) Closed Session (if any) 	<p>a)Administrative/Housekeeping/Modernization: Current agenda includes the Land Acknowledgement approved by Council.</p> <p>d) Matching current process</p> <p>j) Removal of Deferred business section – deferred business is considered under Items for discussion arising from previous meetings</p> <p>l) Council Feedback/Transparency: Items for discussion arising from previous meetings proposed for items either at the request of a member of Council or because they include a delegation. To provide clarity and transparency of process and from Council input, this item has been added to provide a process for Communications, Delegations and New Business to be considered at the next meeting.</p> <p>m) Administrative/Transparency: New Business proposed as noted in feedback, to</p>	No concerns identified.

	<p>q) Report From Closed Session (if any)</p> <p>r) By-Laws</p> <p>s) Confirming By-Law</p> <p>t) Adjournment</p>	<p>formalize current process, to provide transparency for current procedure to receive new business identified by Council (current practice has been that any new business from Council has been brought forward under Mayor & Councillor Comments and Announcements.</p> <p>Moved public meeting item (other than Planning) after presentation/delegation – allows individuals to leave meeting after presentation complete</p>	
<p>Amendments to the Agenda – Deadline</p> <p>The deadline for receipt of added materials by the Clerk for addition to the regular Council Agenda shall be 12 noon on the business day prior to the Council Meeting.</p>	<p>In addition add the following paragraph:</p> <p>Any correspondence received by the Clerk that is specific to an agenda item after the agenda has been published shall endeavour to be circulated to all members and applicable staff as soon as practical prior to the meeting and uploaded to the agenda.</p>	<p>Administrative: To match current process</p>	<p>No concerns identified.</p>
<p>The calling of a Special Meeting shall be in accordance with the Notice provisions in Section 5 of this by-law.</p>	<p>In addition add the following:</p> <p>Upon the calling of a special meeting the Clerk shall give notice to all members, not less than 96 hours prior to the time fixed for the meeting of the:</p> <ul style="list-style-type: none"> i. time; ii. place; and iii. business to be considered. <p>On emergency or extraordinary occasions, the Mayor may call an emergency Council meeting without the notice provided in the Notice provisions of this By-Law.</p>	<p>Administrative/Transparency: Provides process</p>	<p>No concerns identified.</p>
<p>Public Statutory Meetings</p> <p>Whenever possible, regular meeting dates and times have been established</p>	<p>Replace with the following:</p> <p>Public Regular/ Meetings – Designated Time</p>	<p>Administrative/Housekeeping: Provides further clarity and matches current process. Public Planning meetings are set by Council</p>	<p>No concerns identified.</p>

as follows: Public meetings – second Monday of the month for 6:00 p.m.	<p>Whenever possible, regular meeting dates and times have been established as follows:</p> <ul style="list-style-type: none"> a) Public Meetings shall meet when required at the times and dates in accordance with the schedule of meetings of Council and the Committees of Council as approved by Council. b) Public Meetings, if required, can meet in conjunction with the Regular scheduled Council Meetings. c) Includes statutory public meetings <p>January, July and August – Exception to meetings Notwithstanding the provisions of Sections 4.2.4 and 4.4. of this By-law, there shall be one meeting of Council in the months of January, July and August in accordance with the schedule of meetings of Council and the Committees of Council as approved by Council.</p>	calendar on alternate Council Mondays annually. Public meetings under other Acts such as Drainage Act or Municipal Act are generally held when required in conjunction with regularly scheduled Council meeting. Clarification of January, July and August having one scheduled meeting set annually.	
Addition	<p>Workshop</p> <p>Council Workshops shall be held as set by Council.</p> <p>Council Workshop will meet when time is required for training, discussions with other levels of government and outside agencies, workshops on complex matters or strategic planning.</p> <p>At the meeting, no Member shall 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. Delegations are not permitted at Council Workshops</p>	Addition/Transparency: Currently Council calls a Committee of the Whole for these discussions when required. The workshop provides information to Council/Public regarding items to be discussed in workshops.	No concerns identified.
Closed Session 4.5.1 All meetings of Council shall be open to the public except as provided	Replace with	Transparency/Best Practices: Clarification as to legislated reasons for going into Closed Session.	No concerns identified.

<p>for in Section 239(2), Section 239(3) and Section 239(3.1) of the Act and set out in Appendix A to this by-law.</p>	<p>Closed – to public – In Camera – meeting subject matters</p> <p>A meeting or part of a meeting of the Council or its standing committees may be closed to the public if the subject matter being considered is:</p> <p>(a) The security of the property of the municipality or local board;</p> <p>(b) Personal matters about an identifiable individual, including municipal or local board employees;</p> <p>(c) A proposed or pending acquisition or disposition of land by the municipality or local board;</p> <p>(d) Labour relations or employee negotiations;</p> <p>(e) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;</p> <p>(f) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;</p> <p>(g) A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;</p> <p>(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;</p>		
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	<p>(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;</p> <p>(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</p> <p>(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. 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26.</p> <p>Other criteria</p> <p>(l) A request under the <i>Municipal Freedom of Information and Protection of Privacy Act</i>, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or</p> <p>(m) An ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the <i>Ombudsman Act</i>, an Ombudsman referred to in subsection 223.13 (1) of this Act, or the investigator referred to in subsection 239.2 (1). 2014, c. 13, Sched. 9, s. 22.</p> <p>Educational or training sessions</p>		
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	<p>(n) 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:</p> <p>1. The meeting is held for the purpose of educating or training the Members.</p> <p>2. At the meeting, no Member shall 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. 2006, c. 32, Sched. A, s. 103 (1).</p>		
Confidential copies of all documents and reports shall be distributed to Council Members prior to the Closed Session.	<p>Addition of the following to the current clause:</p> <p>Members are to ensure that confidential matters disclosed to them during meetings closed to the public, are kept confidential. Any Member, who contravenes the confidentiality clause, may be subject, by majority vote of the Council, to penalties in accordance with the adopted “Code of Conduct” policy.</p>	Best Practices: Provides council with further specifics of consequences of actions if closed session protocol not followed.	No concerns identified.
Addition	<p>Add to Closed Session section</p> <p>When Council does not enter a Closed Session within six months of the date of the last closed session, the minutes of that closed session shall be deemed approved and further approval of those closed meeting minutes are not required.</p>	Solicitor Opinion: closed meeting minutes should be approved as soon as reasonably practicable and not appropriate to have a long timeframe before which the closed minutes are approved and adopted. Suggested a six-month timeframe to do so would be about the maximum amount of time that a municipality would want to have the approval of the closed minutes outstanding. No requirement in <i>Municipal Act</i> for adoption of minutes.	No concerns identified.
Members and Staff shall respect the confidentiality of all matters disclosed to them and materials provided to them during Closed Sessions.	<p>In addition, add the following:</p> <p>All electronic devices other than those required for the meeting are to be turned off while attending a Closed Session.</p>	Modernization/Best Practices: Consideration for electronic, remote and hybrid meetings.	No concerns identified.

<p>Electronic Participation at Meetings</p> <p>Current:</p> <ul style="list-style-type: none"> a) Subject to the provisions of Section 238 of the Municipal Act, 2001, as amended, and/or current South Huron Procedural By-law, the Municipality of South Huron shall allow electronic participation by Members of Council, Boards and Committees in the manner and to the extent set out in this section of the by-law. i. Participation by electronic means shall be allowed at all Council, Board, Committee meetings that are open to the public, provided Council provides authority by resolution. ii. There shall be no restriction on how often each member shall be allowed to participate by electronic means. iii. A member participating in a meeting by electronic 	<p>Removed current provisions and propose replacement as follows:</p> <ul style="list-style-type: none"> a) Subject to the provisions of Section 238 of the Municipal Act, 2001, as amended, and/or current South Huron Procedural By-law, the Municipality of South Huron shall allow electronic participation by Members of Council, Boards and Committees in the manner and to the extent set out in this section of the by-law. i. Local Boards and other Council Committees may participate physically in person, by telephone or other electronic video teleconferencing means. There shall be no restriction on how often each member shall be allowed to participate by electronic means unless otherwise provided for in established Council approved Terms of Reference for each Committee or Local Board. ii. All members of Council shall be given the opportunity attend and participate electronically in five (5) meetings requiring a quorum of Council and educational and training sessions, per calendar year, at the discretion of the Chair or designate. Separate meetings on the same day will be considered individually for example a Public meeting and a Regular meeting on the 	<p>Administrative/Addition from Council Feedback: To remove the current procedure from the body of the by-law. Proposed replacement wording based on Council feedback to limit the number of meetings Council members can attend electronically, while providing ability for some exemptions to the provision. Council feedback to allow Boards and Committees flexibility as per their Terms of Reference or Procedure By-Laws.</p>	<p>No concerns identified.</p>
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<p>means shall be considered to be present at such meeting and be counted towards quorum as permitted by legislation.</p> <p>iv. Members shall be permitted to vote when participating by electronic means.</p> <p>v. The Chair and Clerk or designate must be present in person at a meeting located as per the Meeting provisions of this By-Law.</p> <p>vi. When the Chair is participating in a meeting by electronic means, another member shall chair the meeting as set out in Meeting provisions of this Bylaw.</p> <p>vii. Members may participate in closed sessions by electronic means as permitted by legislation.</p> <p>viii. Members must notify the Clerk prior to the meeting</p>	<p>same day would be considered two meetings for the purpose of determining the number of meetings attended in person.</p> <p>a. Council may pass a resolution to allow a member to participate electronically past the five (5) meetings set out above.</p> <p>iii. The Mayor and Clerk, or designates shall attend and participate physically in person at all meetings requiring a quorum of Council and educational and training sessions. If the Mayor is participating by electronic means, another member shall chair the meeting as set out in Meeting provisions of this Bylaw.</p> <p>iv. That while every effort shall be made by Members to attend meetings physically in person for all meetings requiring a quorum of Council and educational and training sessions, during the following circumstances there shall be no restrictions to electronic meeting participation as identified in clause ii above.</p> <p>a. It is not safe or possible to attend an in-person meeting due to a natural weather event;</p>		
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<p>of their intent to participate electronically.</p> <p>ix. 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 participate in the meeting.</p> <p>x. The Clerk has the delegated authority to amend these processes as required.</p>	<p>b. Health and safety restrictions as determined by the CAO in consultation with the Mayor or Municipality of South Huron Emergency Control Group;</p> <p>c. Restrictions or guidelines set out by Huron Perth Public Health, the Ontario Provincial Police or the Province of Ontario; or</p> <p>d. The activation of the Emergency Control Group or a declared emergency by any level of government or health unit.</p> <p>v. Exceptions to the above circumstances shall be provided at the discretion of the Chair providing the ability for staff, the public and/or members to participate in a meeting via telephone or other electronic video teleconferencing means, if deemed appropriate.</p> <p>vi. Members shall advise the Mayor and Clerk, or designates, as soon as practicable and at least 24 hours prior to the scheduled meeting of his/her intent to participate electronically. Upon approval, staff will accommodate electronic participation on a best effort basis and subject to available resources</p>		
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	<p>that may be required for the delivery of competing essential municipal services. All attempts will be made to ensure meetings are live streamed and recorded.</p> <p>vii. Members participating electronically will count towards quorum and have the ability for full participation including ability to vote in both public and closed session (in-camera) meetings. Voting may take place by way of roll call, or in an alternate method authorized by the Chair, ensuring that Members and the public are aware of how each member votes.</p> <p>viii. If a member participating remotely must leave the meeting for any length of time wherein they are not able to participate in the discussion or vote, the member shall immediately inform the Clerk (or recording secretary) of their absence that will be acknowledged in the minutes, and further advise the Chair. Any vote taken during their absence, would only include the members present and indicate that member’s absence during the vote. Should a Member participating in the meeting remotely not make their vote known at the time the vote is called and has not advised the Clerk (or recording secretary) of their</p>		
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	<p>absence, the vote shall be considered an abstention and therefore deemed as a negative vote.</p> <p>ix. In the event of a technical failure during the meeting, a recess of not more than 10 minutes can be taken to allow staff to reinstate the electronic participation. If a member can no longer participate by electronic means it will not affect the validity or continuation of the meeting or decisions. If a quorum is lost, the meeting will be deemed to be adjourned.</p> <p>x. 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 participate in the meeting.</p> <p>xi. Electronic participants are permitted to participate in Closed Session (In-Camera) session meetings only for the purpose of a meeting held while under the circumstances provided for in Section 5 of the By-Law. In the case that Members participate electronically in closed sessions, all Members must attest to the fact that they recognize they will be in a closed session and are able to ensure confidentiality.</p>		
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	<p>xii. Despite any other provisions of this by-law, during a Declared Emergency:</p> <p>a. Meetings may be conducted by any means, whether in person or electronic, provided they meet conditions required within the Municipal Act, 2001, as amended or other applicable law;</p> <p>b. Regular and Special Meetings of Council and its' Committees, may be held outside of the South Huron Council Chambers in order to provide space for health or safety protocols required of the Emergency insofar as the location chosen is fully accessible to persons with disabilities.</p>		
Notice of Meetings (Section 5 current bylaw)			
The Clerk shall ensure that Notice of each Regular Meeting of Council is provided to the Members of Council and the public at least ninety-six (96) hours in advance of said meeting	No changes	Staff requested input from Council in survey.	No change suggested.
Communications, Delegations and Petitions (Section 6 current bylaw)			
Communications and petitions addressed to the Mayor and Council shall be listed on the Agenda or included in a Council Information Package.	No changes	Staff requested input from Council in survey.	Discussion on leaving all communication items on the agenda for transparency. No change was suggested.

Addition	<p>Any action or resolution required by Council relating to a communication, delegation or petition item will be by resolution, to the next Council Meeting under Items for Discussion arising from previous meetings.</p> <p>Items of an urgent/emergent nature that have a timeline associated with the matter that does not allow for it to be considered at the next Council meeting may be actioned by resolution of 2/3 Council.</p>	Administrative/Best Practices/ Council Input: To provide process for items discussed at meeting to be dealt with and/or considered at next meeting. This will provide Council more time to consider as noted from the input. The exclusion provided for suspending the rules provides flexibility if Council deems necessary.	No concerns identified.
Delegations shall be limited in speaking to not more than ten (10) minutes in total per person, per group or per organization. A delegation consisting of five or more Members shall be limited to two (2) speakers.	No changes	Staff requested input from Council in survey.	No concerns identified.
Addition	Every petition to be presented to the Council must follow the Submitting Petition Guidelines, which is available by contacting the Clerk.	Administrative/Transparency: Provides transparency of process on submission of petitions to Council.	
Addition	The Municipality of South Huron does not accept requests for Proclamations	Administrative/Transparency: Current practice is that Council does not currently accept proclamations. Provide staff ability to advise individual immediately that not accepted rather than providing to Council on an agenda and then advising public member.	No concerns identified.
Addition	<p>Conduct of Public Delegations and comments during Public Meetings</p> <p>Members of the public and delegations in attendance at a meeting, shall not:</p> <p>i)address Council or committee without permission; ii)bring food or beverage, with the exception of water, into the Council Chamber or meeting room unless so authorized; iii)engage in any activity or behaviour or make any</p>	Administrative/Best Practices/Transparency: Provides further clarification to council, staff and public on behavior at council meetings	Request for tools and consequences to be added.

	<p>audible noise that could affect the Council or committee deliberations, including clapping, shouting, jeering or any other form of disorderly conduct; or iv)bring any signs or placards into, or hand out any brochures, pamphlets, buttons or literature in the Council Chambers without submitting to the Clerk prior to 4:30 pm the day of that meeting for approval.</p> <p>No person shall make detrimental comments, or speak ill of, or malign the integrity of staff, the public, Mayor, Deputy Mayor, Members of Council or committee</p> <p>It shall be the duty of the Chair to adjourn the meeting without the question being put or to suspend or recess the sitting for a time to be named if considered necessary because of grave disorder arising in the meeting. The Mayor or other Presiding Officer may expel any person for improper conduct at a meeting.</p>		
Addition	<p>Presentations</p> <p>Presentations recognizing achievements shall be heard at the beginning of the Council Meeting.</p> <p>Where a staff or third party presentation accompanies an item on an agenda, the staff report may be placed under the presentation for discussion for consideration immediately after the presentation has been made.</p> <p>Council shall hear any presentation for information purposes only, and presentations shall be limited to a maximum of ten (10) minutes. a) Exceptions of the ten (10) minute time frame are provided to the Municipal Auditor upon its annual</p>	<p>Administrative: Separates Public Delegations from Staff reports/ specific individuals that provide presentations for Council Consideration and for commendations (ie. Auditor/Insurer, Drainage Engineer). This matches current process especially if two delegations are already confirmed in the agenda.</p> <p>Council has the authority to extend the 10 minute time limit if necessary</p>	No concerns identified.

	<p>presentation of The Corporation's Financial Statement.</p> <p>On any given scheduled Council meeting, there shall be a maximum of three (3) combined presentation(s) and/or delegation(s) permitted.</p>		
Minutes (section 7 current bylaw)			
Addition	<p>Minutes of the last regular meeting of Council and of all Special or Emergency Council meetings held subsequent to the last regular meeting, shall be included in the agenda and may be adopted by Council without having been publicly read at the meeting at which the question of their adoption is considered. By prior distribution of the minutes to all Members, it is understood that the minutes have been read.</p>	<p>Administrative/Transparency/Best Practice: Matches current process and identifies that minutes have been deemed read.</p>	No concerns identified.
Addition	<p>Recording of the Proceedings</p> <p>Council and Committee Meetings are to be recorded by video and live streamed, whenever practical, to increase public accessibility to such meetings and enhance accountable local government. Video recordings of Meetings may not always be available due to equipment malfunctions and/or an alternate location to hold such Meeting and shall not be relied upon as the official record of the Meeting.</p> <p>The use of audio and video recording equipment by the public or the media will be permitted if it is not disruptive to the Meeting. The location of such recording equipment shall be at the discretion of the Chair.</p>	<p>Administrative/Transparency/Modernization: Important to note and clarify that recordings of meetings are not official record of meeting, the minutes are and to provide the public guidance for recording equipment in session.</p>	No concerns identified.

Addition	<p>Request for Clarification</p> <p>Members are encouraged to contact the CAO and appropriate Department Head prior to a Meeting to raise questions or clarify issues relevant to a matter on the Agenda. Members shall not give direction to staff except through majority vote. This serves to provide staff with time to prepare to address the question or clarification at the meeting, and staff will endeavour to respond prior to meeting should time permit.</p>	Administrative: Best Practices/Transparency: Current process and reflects Council-Staff Relationship Policy.	No concerns identified.
Role of the Mayor as Head of Council and Role of Council (section 9 current bylaw)			
<p>Role of the Mayor as Head of Council and Role of Council</p> <p>9.1. The roles of the Mayor and of Council shall be as per the Municipal Act, as amended, outlined in Appendix “A” attached to this by-law.</p> <p>9.2. When presiding over Council meetings, the Head of Council shall:</p> <p>a) Open the meeting of Council by taking the chair and calling the Members to order;</p> <p>b) Announce the business before the Council in the order in which it is to be acted upon;</p> <p>c) Receive and submit, in the proper manner, all motions presented by the Members of Council;</p> <p>d) Put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, noting ayes and nays, and to announce the result;</p>	<p>9.1. The roles of the Mayor and of Council shall be as per the Municipal Act, as amended, outlined in Appendix “A” attached to this by-law. below:</p> <p>Remove current wording and appendix and use the following:</p> <p>It is the role of the Mayor:</p> <ul style="list-style-type: none"> a) Act as Chief Executive Officer of the Municipality b) To preside over Meetings of Council so that its business can be carried out efficiently and effectively; c) To provide leadership to the Council d) Without limiting clause (c) above, to provide information and recommendations to the Council with respect to the role of Council described below e) To represent the Municipality at official functions f) To act as Council’s representative when dealing with other levels of government, their agencies and the private sector, unless otherwise delegated; and 	Administrative/Best Practices/Modernization: includes Council role.	No concerns identified.

<p>e) Vote on motions; f) Decline to put to vote motions that infringe the rules of procedure; g) Restrain the Members, within the rules of order, when engaged in debate; h) Enforce on all occasions the observance of order and decorum among the Members; i) Receive all messages and other communications and announce them to the Council; j) Authenticate, by his signature when necessary, all by-laws, resolutions, and minutes of the Council; k) Inform the Council, when necessary or when referred to for the purpose, on a point of order or usage; l) Represent and support the Council, declaring its will, and implicitly obeying its decision in all things; m) Adjourn the meeting when the business is concluded; n) Adjourn the meeting without question in the case of grave disorder arising in the Council Chamber.</p>	<p>g) To carry out the duties of the head of council under the Municipal Act, 2001 or any other Act, including but not limited to</p> <ol style="list-style-type: none"> 1) Uphold and promote the purposes of the Municipality 2) Promote public involvement in the Municipality's activities 3) Act as the representative of the Municipality both within and outside the municipality and promote the Municipality locally, nationally and internationally, and 4) Participate in and foster activities that enhance the economic, social and environmental well-being of the Municipality and its residents. <p>It is the role of Council:</p> <ol style="list-style-type: none"> a) To represent the public and to consider the well-being and interest of the Municipality; b) To develop and evaluate the policies and programs of the Municipality; c) To determine which services the Municipality provided in accordance with applicable legislation d) To ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council; e) To ensure the accountability and transparency of the operations of the Municipality including the activities of the Senior Management of the Municipality; f) To maintain the financial integrity of the Municipality and; 		
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	<p>g) To carry out the duties of Council under the Municipal Act, 2001 or any other act</p> <p>No member has the authority to direct or interfere with the performance of any work being carried out by an employee, agent or contractor of the Municipality. Each employee is responsible only to his/her or their superior officer and CAO as established in the formal organization structure of the Municipality.</p>		
If the Mayor desires to leave the chair for the purpose of taking part in the debate or for any other reasons, the Deputy Mayor shall sit in his place until he resumes the chair.	<p>In addition, add the following: If the Deputy Mayor is not available, the Clerk will ask for a vote to appoint a chair for said meeting.</p>	Administrative/Best Practice: This provides clarity and process for when the Deputy Mayor is absent.	No concerns identified.
Motions (section 13 current bylaw)			
All Notices of Motion shall be in writing, signed by the mover and filed with the Clerk.	<p>In addition, add the following: Prior to filing with the Clerk, Council may submit the proposed notice of motion in writing to the CAO</p>	Administrative/Best Practice: The CAO reviews and approves the completed agenda with the Clerk prior to publishing of the agenda. This follows current process so staff is aware at the meeting that a Notice of Motion will be submitted to Council.	Identified that CAO is good resource for Notice of Motion background.
Reconsideration (section 15 current bylaw)			
If a motion to reconsider is decided in the affirmative at a meeting, then consideration of the original matter shall become the next order of business.	<p>In addition, add the following: 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.</p> <p>If Council passes a resolution and adopts the same matter by by-law, only the resolution may be reconsidered. If the decision resulting from the reconsideration warrants, the by-law will be amended or repealed accordingly.</p>	Administrative/Best Practice/Transparency – expansion of current process for transparency and clear process. Provides clarity on OLT reconsiderations not being considered a reconsideration of a Council decision.	No concerns identified.

	<p>Only a Member of Council who voted with the majority in respect of a previous decision or who was absent from the vote or was not a Member of Council at the time may move or second a motion for reconsideration.</p> <p>A motion to reconsider must be carried in the affirmative by a vote of two- thirds of the entire Council.</p> <p>If a motion to reconsider is decided in the affirmative:</p> <p>i) the reconsideration effectively returns Council to just prior to the original Council decision.</p> <p>ii) reconsideration of the original motion shall then be the next order of business unless the motion specifies a future date.</p> <p>A notice of reconsideration received from the Ontario Land Tribunal shall not be deemed a reconsideration of a Council decision.</p>		
Enactment of By-Laws (section 16 current bylaw)			
<p>Enactment of By-Laws:</p> <p>Every By-law shall receive three separate readings before being passed.</p> <p>The first and second reading of a by-law shall be decided in a single motion, without amendment or debate. By-laws may be addressed in a consent agenda, with the first and second readings for all by-laws addressed by a</p>	<p>Possible change to process only:</p> <p>Procedural By-Law provides for consent agenda for enactment of by-laws, with first and second readings as a single motion and third and final readings as a single motion.</p>	<p>Administrative/Modernization/Transparency: Council has the provisions in the current by-law for this process change.</p>	<p>No concerns identified with changing process to match current by-law.</p>

single motion, and the third and final reading for all by-laws addressed in a single motion.			
Committees (section 17 current bylaw)			
Addition:	<p>Committee of the Whole</p> <p>Committee of the Whole meetings shall be held to discuss in a less formal setting, matters that are under consideration and to which the matter is then referred to Council at its Regular meeting for action.</p>	Administrative/Transparency: Provides clarification to Council and Public on COW discussions and process.	No concerns identified.
<p>Special Purpose Committees:</p> <p>The duties of Special Purpose Committees, appointed by Council By-Law or Resolution, shall report to Council on any matters relating to their terms of reference or that have been referred to them.</p>	<p>Change to</p> <p>Special Purpose, Ad Hoc Committees & Task Forces:</p> <p>The duties of Special Purpose Committees, Ad Hoc Committees and Task Forces, appointed by Council By-Law or Resolution, shall report to Council on any matters relating to their terms of reference or that have been referred to them.</p> <p>Add in addition to the above paragraph:</p> <p>Each Committee shall be given a clear mandate and well-defined terms of reference which will include among other things, the composition, reporting relationship, resources available to the Committee and, if required, a defined time frame.</p> <p>Once the Committee has filed its report with the Council and Members have dealt with the matter</p>	Administrative/Transparency: These entities as appointed by Council are all bound to follow procedural bylaw and other legislative requirements.	No concerns identified.

	referred to the Special Purpose, Ad Hoc Committees & Task Forces, on presentation of its final report to the Members of Council, it automatically ceases to exist.		
Addition	<p>Members of Council</p> <p>Members of Council may attend Meetings of any advisory committee of which they are not members:</p> <p>i) their attendance does not count towards quorum; and ii) they do not have the privilege of voting; and iii) they may not address the Committee without the permission of the chair.</p> <p>There are not to be more than three (3) members of Council present at any Committees of Council including but not limited to Special Purpose Committee, Ad Hoc Committee, Advisory Committee or Task Force in order to prevent Council quorum.</p>	Administrative/Modernization: Bylaw currently only recognizes the Mayor attending. This clarifies parameters and roles of the rest of Council members at Committee meetings.	No concerns identified.
Disclosures of Pecuniary Interest and General Nature Thereof (section 18 current bylaw)			
Members shall be required to comply with and disclose as required by the Conflict of Interest Act.	<p>Add following:</p> <p>A Registry shall be kept by the Municipal Clerk on every written statement made by Members of Council the general nature of the declared interest, the Registry shall be available for public inspection.</p>	Administrative/Transparency: Legislative requirement and is current practice and registry is available on the website.	No concerns identified.
Miscellaneous (items not currently referred to in bylaw – will have header in draft bylaw)			
Addition:	<p>New Business</p> <p>A Member of Council may introduce any matter or motion during the New Business portion of the Meeting.</p>	Council Input/Transparency/Best Practice: New item/process recommended as currently any new business and sets a standard practice for Council, while providing flexibility to consider an issue at the current meeting, if deemed necessary.	No concerns identified.

	<p>Members may have regard to the following guidelines:</p> <ul style="list-style-type: none"> a) Members are encouraged to raise operational matters prior to the Meeting through the CAO; b) Members are discouraged from raising substantive policy matters, in particulate consideration of corporate policies or by-laws; c) Providing notice of motion is encouraged; and d) Motions without prior notice may be considered under New Business if the matter has a statutory time requirement, and emergency or is time sensitive. <p>A motion moved without prior notice, shall:</p> <ul style="list-style-type: none"> a) Identify the nature of the motion and identify the nature of the urgency and the reason for not referring the item to the next regularly scheduled Council meeting; b) A motion dealing with a time sensitive issue item shall require the approval of 2/3 of members c) In the interest of being accountable and transparent, where a member of Council would like to present an item of business in this section, it is recommended that they contact the Chief Administrative Officer in advance so that the item can be placed on the published agenda. 		
No change recommended, provided for information only.	<p>Council Consent Agenda</p> <p>(a) The Council consent agenda shall consist of the following items that do not have presentations or delegations:</p> <ul style="list-style-type: none"> i. reports from staff; 	Split comments received in Council Survey so no recommended changes at this time.	Reviewed and Interest shown but feel that more discussion is needed.

	<ul style="list-style-type: none"> ii. <ul style="list-style-type: none"> a. reports for information purposes only b. reports requesting direction correspondence for the direction of Council, which may include: <ul style="list-style-type: none"> a. correspondence for which a policy decision or approval of Council is required; b. correspondence accompanied by a recommendation from staff; and iii. items of a timely nature. <p>(b) Council Members shall identify any items contained on the consent agenda which they wish to speak to and the matter shall be extracted from the consent agenda to be dealt with separately under items for discussion.</p> <p>(c) The balance of items on the consent agenda, which have not been extracted, shall be voted on in one motion.</p>		
Electronic/Hybrid Meetings	No change proposed	<p>Comments received during Council consultation asking for process to be reviewed.</p> <p>Modernization: Having Electronic/Hybrid meetings provides Council, staff, delegates, and presenters opportunity to participate in meeting remotely.</p>	No concerns identified.
Addition	Quick Reference Motions Table – attached as appendix 1 to proposed By-Law	For guidance and transparency.	No concerns identified.
Addition	Closed Meeting Protocol – attached as appendix 2 to proposed By-Law	For guidance and transparency.	No concerns identified

Administrative Changes – there are several administrative changes throughout the bylaw specifically relating to formatting (titles/indexing/reading order), modernization and housekeeping items (current practice)