



**THE CORPORATION OF THE TOWN OF SMOOTH ROCK  
FALLS**

**BY-LAW No. 2025-14**

**Being a by-law to Govern the Calling, Place, and Proceedings of Meetings of  
Council, and the Conduct of Members, Staff, and Attendees at Council  
Meetings.**

**WHEREAS** Section 238(2) of the *Municipal Act, 2001*, as amended states that every Municipality and local board shall pass a Procedural By-Law for governing the calling, place, and proceedings of meetings;

**AND WHEREAS** if there is a conflict between this By-Law and the *Municipal Act, 2001*, the latter shall prevail.

**NOW THEREFORE** Council of the Corporation Town of Smooth Rock Falls enacts as follows:

1. **THAT** the proceedings be conducted in accordance with the *Rules of Procedure* attached hereto and referred to as Schedule "A";
2. **THAT** Schedule "A" attached hereto form part of this By-law;
3. **THAT** this By-law may be known as the "Procedural By-Law";
4. **THAT** By-Law No. 2023-06 and By-Law No. 2024-28 are hereby repealed;
5. **THAT** this By-Law shall come into force and effect upon final passage.

**READ** a first time this 17<sup>th</sup> day of March 2025.

**MAYOR**

Patrick Roberts

**MUNICIPAL CLERK**

Nathalie Vachon

**READ** a second time this 7<sup>th</sup> day of April, 2025.

**MAYOR**

Patrick Roberts

**MUNICIPAL CLERK**

Nathalie Vachon

**READ** a third time and finally passed this 7<sup>th</sup> day of April, 2025.

**MAYOR**

Patrick Roberts

**MUNICIPAL CLERK**

Nathalie Vachon





# Procedural By-Law - Rules of Procedure for the Calling, Place, and Proceedings of Meetings of Council

Schedule "A" to By-Law 2025-14

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## SECTION 1 – DEFINITIONS

In this By-Law:

**“Acting Chair”** refers to the Councillor or Committee Member temporarily appointed to assume the duties of the Chair in their absence.

**“Ad Hoc Committee / Sub-Committee”** refers to a committee established by Council for the purpose of reviewing a specific issue, matter, or project. The committee is dissolved upon the completion of its assigned tasks and the submission of its findings and recommendations.

**“Addendum”** A supplementary document issued after the agenda has been published, providing additional information, amendments, or clarifications to agenda items. An addendum does not introduce new business but serves to enhance or modify existing items on the agenda.

**“Agenda”** refers to the official list of items scheduled for discussion and decision at a Meeting.

**“Attendee”** refers to any individual present at a Meeting who is not a Member of Council, a Committee Member, or a Staff member.

**“By-Law”** refers to a legislative enactment, in a form approved by Council, that formalizes decisions or proceedings of Council in accordance with the authority granted under an Act.

**“Chief Administrative Office (CAO)”** refers to the individual appointed by the Municipality pursuant to Section 229 of the *Municipal Act, 2001* and other applicable legislation, responsible for overseeing the administration and operations of the municipality.

**“Chair / Presiding Officer”** refers to the individual responsible for presiding over a Meeting. In the case of Council, this role is fulfilled by the Mayor, Deputy Mayor, or, in their absence, a Councillor appointed by a majority of those present.

**“Clerk”** refers to the municipal official responsible for fulfilling the duties prescribed under Section 228 of the *Municipal Act, 2001* and other applicable legislation.

**“Closed Session”** refers to a Meeting or portion of a Meeting that is not open to the public, in accordance with Section 239 of the *Municipal Act, 2001*.

**“Committee”** refers to any Committee established by Council, including, but not limited to, Ad Hoc Committees and any Sub-Committees thereof.

**"Confidential Item"** includes the following:

- (a) any matter designated as "confidential" by Staff or any information of a confidential nature that has not been lawfully disclosed to the Public by the Municipality, introduced at a Public Meeting, or made available through a public information session.
- (b) any record pertaining to a matter for which a Meeting or part of a Meeting may or must be closed to the Public pursuant to the *Municipal Act, 2001* or this By-Law.
- (c) any matter that qualifies for exemption from disclosure or is protected from disclosure under the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56* (MFIPPA).
- (d) any matter that the Municipality is legally prohibited from disclosing due to contractual obligations, legislation, or any other lawful authority.

**"Confirmatory By-Law"** refers to a By-Law enacted at the conclusion of a Council Meeting to formally confirm the decisions and actions taken by Council at the Meeting, granting them the same force and effect as if each decision had been enacted through a separate By-Law.

**"Conflict of Interest"** is as defined under the *Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M.50*.

**"Corporation"** refers to the Corporation of the Town of Smooth Rock Falls.

**"Correspondence"** encompasses all forms of written communication, including but not limited to letters, memoranda, notices, emails, faxes, petitions, brochures, and newspaper or magazine articles.

**"Council"** refers to the elected governing body of the Corporation of the Town of Smooth Rock Falls, consisting of the Mayor and Councillors.

**"Councillor"** refers to an individual elected or lawfully appointed to serve on the Council of the Corporation of the Town of Smooth Rock Falls, excluding the Mayor.

**"Debate"** refers to a formal discussion on the merits of a question or Motion, including deliberation on whether the proposed action should be taken.

**"Defer"** means to postpone consideration of a main Motion by Council until a specified future Meeting.

**"Delegation"** refers to an individual or organization appearing before Council to address a specific item within the body's jurisdiction.

**"Deputy Mayor"** refers to a Councillor appointed by Council, in accordance with municipal policies, to assume the duties of the Mayor in their absence.

**"Electronic Meeting"** refers to a Meeting in which one or more Members participate remotely through electronic communication rather than being physically present.

**"Emergency"** refers to a situation that, in the opinion of Council, presents an immediate threat to the Municipality's safety, security, or operations.

**"Emergency Meeting"** refers to a Meeting convened without prior written notice due to time constraints, in order to address an urgent matter requiring immediate attention from the Municipality.

**"Head of Council"** refers to the Mayor or, in the Mayor's absence, the Deputy Mayor.

**"Local Board"** refers to a board or commission as defined under the *Municipal Act, 2001*, as amended, including but not limited to the Public Utilities Commission, Police Services Board, Health Services Board, and Public Library Board.

**"Mayor"** refers to the elected or appointed Head of Council. In the absence of the Mayor, the Deputy Mayor assumes the role, and in the absence of both, another Member of Council is appointed in accordance with the *Municipal Act*.

**"Meeting"** refers to any duly convened gathering of Council, a Committee, or a Sub-Committee, held at the designated time and place with proper notice, for the purpose of conducting municipal business. This includes Regular, Special, Emergency, Closed, or any other officially recognized Meetings.

**"Member"** refers to an individual elected or appointed to serve on Council, including the Mayor, or as a Member of a Committee.

**"Member-Elect / Mayor-Elect"** refers to an individual who has been elected as a Member of Council, including the Mayor, but whose term of office has not yet commenced.

**"Minutes"** refers to the official written record of the proceedings of a Meeting, prepared by the Clerk, without commentary or personal observations.

**"Motion"** refers to a formal recommendation submitted for Council's consideration. A Motion is subject to debate and a vote by Council, and once approved, it becomes a Resolution.

**"Municipal Act"** refers to the *Municipal Act, 2001*, c. 25, as amended, and any successor legislation.

**"Municipality / Town"** refers to the Corporation of the Town of Smooth Rock Falls.

**"Notice of Motion"** refers to a formal notification by a Member of Council indicating their intent to introduce a Motion for debate at a future Meeting.

**"Officers"** refers to individuals holding positions of authority within the Municipality, such as the Clerk, Treasurer, Chief Building Official, Fire Chief, and Integrity Commissioner, with defined rights and responsibilities as prescribed by statute or By-Law.



“**Order of Business**” refers to the prescribed sequence in which items are introduced and addressed during a Meeting.

“**Pecuniary Interest**” refers to a direct or indirect financial interest as defined under the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended.

“**Point of Order**” refers to a statement made by a Member of Council to draw attention to a violation of the rules, an omission, a procedural error, or a mistake, requesting a ruling from the Chair to address the issue.

“**Point of Privilege**” refers to a request made by a Member to obtain an immediate ruling and action from the Chair concerning the comfort, convenience, rights, or privileges of Council or an individual Member. It may also include a request to introduce a Motion of urgent nature while other business is pending.

“**Presentation**” refers to information formally presented to Council by Staff, an individual, or a group.

“**Quorum**” refers to the minimum number of Members required to be present at a Meeting to lawfully conduct business, which constitutes a majority of the Members of Council or a Committee.

“**Recess / Break**” refers to a temporary suspension of a Meeting for a specified period of time.

“**Recorded Vote**” refers to the formal documentation in the Minutes of a Meeting, listing each Member’s name alongside their vote on a Motion.

“**Report**” refers to a written submission prepared by the Chief Administrative Officer, Clerk, Department Heads, Staff, or a Committee, subject to approval by the Chief Administrative Officer and/or Clerk.

“**Resolution**” refers to a Motion that has been formally approved by Council.

## SECTION 2 – GENERAL PROVISIONS

### 2.1 Application and Interpretation

- 2.1.1 The rules and procedures established in this By-Law shall govern the proceedings of Council and its Committees, ensuring the orderly and efficient conduct of business at all applicable Meetings.
- 2.1.2 The Chair, with the guidance and support of the Clerk, shall have the authority to interpret and enforce the provisions of this By-Law, subject to the right of appeal in accordance with the applicable procedures.
- 2.1.3 Where procedural matters of Council or its Committees are not expressly governed by the *Municipal Act*, the *Municipal Conflict of Interest Act*, or this By-Law, the most recent edition of *Robert’s Rules of Order* shall apply.

- 2.1.4 Any reference in this By-Law to a provincial statute shall be deemed to include all amendments thereto, as well as any successor legislation.

## 2.2 Supremacy of Legislation

- 2.2.1 In the event of a conflict between the provisions of this By-Law and the *Municipal Act, 2001* or any other applicable legislation, the provisions of the *Municipal Act* and/or such legislation shall prevail to the extent of the conflict.

## 2.3 Suspension of Rules and Procedures

- 2.3.1 The rules and procedures contained in this By-Law may be suspended by a two-thirds majority vote of the Members present and voting at a Council Meeting.
- 2.3.2 The suspension of rules shall apply only to the specific rule(s) or procedure(s) stated in the Motion to suspend and shall be limited to the duration of the Meeting in which the Motion was introduced.
- 2.3.3 Notwithstanding Subsection 2.3.1, the following rules and procedures shall not be suspended:
- (a) The requirement of Quorum at Meetings;
  - (b) The Special meeting provisions outlined in Subsection 6.4. of this By-Law;
  - (c) The Motion to Reconsider rules set out in Subsection 14.11 of this By-Law;
  - (d) Any rules or procedures prescribed by legislation.

## 2.4 Rules of Construction

- 2.4.1 In this By-Law, the term "shall" shall be interpreted as mandatory.
- 2.4.2 Words used in the singular shall include the plural, and words denoting gender shall be inclusive of all genders.

# SECTION 3 – ROLES AND RESPONSIBILITIES

## 3.1 Role of Council

### 3.1.1 Responsibilities of Council

Council, in exercising its authority, shall:

- (a) Represent the Public and consider the well-being and interests of the Town;
- (b) Develop and evaluate municipal policies and programs;
- (c) Determine the services provided by the Town;
- (d) Ensure administrative policies, practices, and procedures are in place to implement Council's decisions effectively;
- (e) Uphold accountability and transparency in municipal operations, including oversight of senior management;

- (f) Maintain the financial integrity of the Town; and
- (g) Fulfill all statutory duties of Council as prescribed under the *Municipal Act, 2001* and other applicable legislation.

### 3.1.2 Committee Structure

Council shall determine the establishment, composition, mandates, and reporting structure of all Committees, subject to applicable legislative requirements.

### 3.1.3 Prohibition on Individual Direction

No Member shall have the authority to direct or interfere with the duties of municipal Staff, temporary workers, contractors, or consultants performing work on behalf of the Town.

## 3.2 Role of the Mayor

### 3.2.1 Duties of the Mayor

As Head of Council, the Mayor shall:

- (a) Act as Chief Executive Officer of the Town, and in that capacity shall:
  - i. Uphold and promote the Town's purpose and strategic direction;
  - ii. Foster public engagement in municipal affairs;
  - iii. Represent the Town at official functions, both locally and beyond, promoting its interests at regional, national, and international levels; and
  - iv. Support initiatives that enhance the Town's economic, social, and environmental well-being.
- (b) Preside as Chair of Council Meetings, ensuring business is conducted efficiently and effectively;
- (c) Provide leadership and strategic direction to Council;
- (d) Present information and recommendations to Council regarding its legislative role, as outlined in Subsection 3.1 of this By-Law;
- (e) Act as the official spokesperson for the Town on matters discussed in Closed Session until those matters are reported at an Open Meeting; and
- (f) Fulfill statutory duties assigned to the Head of Council under the *Municipal Act, 2001* and other applicable legislation.

## 3.3 Role of the Deputy Mayor

### 3.3.1 Appointment and Rotation

Each Councillor shall serve as Deputy Mayor for a three-month term, commencing on November 15 each year. The Councillor elected with the most votes shall serve the first term, followed by the next highest vote-getter, continuing in sequence until the end of the Council term.

### 3.3.2 Authority in Absence of the Mayor

If both the Mayor and the serving Deputy Mayor are unable to fulfill their duties, the next Councillor in the established rotation shall be appointed as Chair for the Meeting.

### 3.3.3 Responsibilities of the Deputy Mayor

The Deputy Mayor shall:

- (a) Preside over Council Meetings in the Mayor's absence, assuming all associated powers and duties; and
- (b) At the Mayor's request, assume the Chair during a Meeting, with all powers and responsibilities of the Mayor while acting in that capacity.

### 3.3.4 Delegated Authority

Pursuant to Section 23.1 of the *Municipal Act, 2001*, the Deputy Mayor is delegated authority to act when the Mayor is unable or unwilling to perform duties, or when the office is vacant. This includes:

- (a) Representing the Town at meetings or events;
- (b) Signing legal documents as authorized under Subsection 15.1.6 of this By-Law; and
- (c) Performing any other functions required to fulfill the obligations of the Mayor.

## 3.4 Role of the Chair (Presiding Officer)

### 3.4.1 Responsibilities of the Chair

The Chair shall preside over Meetings to ensure business is conducted fairly, efficiently, and in accordance with the rules established in this By-Law. The Chair shall:

- (a) Maintain order and decorum throughout the Meeting;
- (b) Rule on procedural matters without debate or comment;
- (c) Address Points or Order and Points of Privilege as they arise;
- (d) Receive and submit Motions for debate and voting, ensuring compliance with this By-Law;
- (e) Decline to put to a vote any Motion that is non-compliant, ensuring compliance with this By-Law, the *Municipal Act, 2001*, or is outside the jurisdiction of Council.
- (f) Announce the results of votes on all Motions;
- (g) Expel or exclude individuals from the Meeting if they violate the rules of conduct in this By-Law;
- (h) Authenticate, by signature, all applicable By-Laws, Resolutions, and Minutes
- (i) Adjourn, suspend, or recess a Meeting when maintaining order is not possible;
- (j) Recess the Meeting as required or close the Meeting when business is concluded; and
- (k) Preside over the Meeting with fairness and impartiality at all times.

### 3.5 Role of the Chief Administrative Officer (CAO)

#### 3.5.1 Responsibilities of the CAO

The Chief Administrative Officer shall:

- (a) Provide general management and oversight of the Municipality’s administration, ensuring efficient and effective operations;
- (b) Implement all policies, programs, and directives established by Council;
- (c) Offer professional advice and recommendations on municipal matters, including policies, programs, and operational concerns, to support informed decision-making; and
- (d) Perform any other duties assigned by Council.

### 3.6 Role of the Municipal Clerk

#### 3.6.1 Responsibilities of the Clerk

The Municipal Clerk shall:

- (a) Record, without note or comment, all resolutions, decisions, and proceedings of Council Meetings to ensure an accurate and complete official record;
- (b) Prepare and distribute Meeting Agendas and related materials;
- (c) Maintain official records, including original copies of By-Laws and Minutes, as required by law;
- (d) Ensure public access to municipal records while ensuring compliance with the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA);
- (e) Certify documents and administer oaths, affidavits and declarations as required;
- (f) Serve as the head of the Town for purposes of *MFIPPA*, ensuring compliance with privacy and access laws; and
- (g) Fulfill all other duties as prescribed under the *Municipal Act, 2001*, other applicable legislation, or as directed by Council.

#### 3.6.2 Delegation of Authority

The Clerk may delegate, in writing, any of their powers and duties to another individual, except to a Member of Council.

#### 3.6.3 Retained Authority

Despite any delegation, the Clerk retains the right to continue exercising the delegated powers and duties.

### 3.7 Role of Staff

#### 3.7.1 Responsibilities of Municipal Staff

Municipal Staff shall:

- (a) Provide administrative, technical, and operational support to ensure efficient service delivery;

- (b) Offer professional advice and reports to Council to support informed decision-making;
- (c) Implement policies, programs, and directives established by Council;
- (d) Engage with residents, businesses, and stakeholders in accordance with municipal policies and best practices while ensuring transparency, responsiveness, and accountability in service delivery;
- (e) Conduct themselves with integrity, impartiality, and professionalism, adhering to the Municipality’s Code of Conduct and ethical standards; and
- (f) Perform any additional duties assigned by the CAO or designated supervisors.

### 3.8 Role of the Public

#### 3.8.1 Responsibilities of the Public

Members of the public shall:

- (a) Attend Meetings that are open to the public;
- (b) Participate in Meeting by requesting to appear as a delegation, following the procedures outlined in this By-Law;
- (c) Conduct themselves with respect and decorum, refraining from disruptive behaviour, including heckling, shouting, or inappropriate gestures.
- (d) Submit written correspondence on municipal matters, which may be included in the public agenda at the Clerk’s discretion; and
- (e) Adhere to all municipal By-Laws, policies, and procedures when engaging with Council, Committees, and municipal Staff.

## SECTION 4 – CONDUCT AT MEETINGS

### 4.1 Addressing Members

- 4.1.1 All Members of Council, except the Mayor, shall be addressed as “Councillor (Surname)”. The Mayor shall be addressed as “Mayor (Surname)” or “Your Worship”.

### 4.2 Conduct of Members, Staff, and Attendees

#### 4.2.1 General Conduct

No person shall:

- (a) Disrupt a Meeting through disruptive or distracting behaviour, including engaging in private conversations;
- (b) Use belittling, derogatory, offensive, or insulting language, including profanity or unparliamentary expressions, against Council, any Member, Staff, guest, or individual;
- (c) Disobey or disregard the rules of procedure outlined in this By-Law;
- (d) Leave their seat or cause a disturbance while a vote is being taken;
- (e) Speak without first being recognized by the Chair;
- (f) Deviate from the subject under debate; or

- (g) Display signs or placards, applaud, heckle, or engage in any behaviour that disrupts the proceedings, including unauthorized telephone conversations.

#### 4.2.2 Attendee Participation

An Attendee shall not participate in a Meeting unless they are listed on the Agenda as a Delegation or Presentation and shall comply with all rules and procedures of this By-Law.

#### 4.2.3 Respect for Speakers

No Member shall interrupt another Member who is speaking, except to raise a Point of Order or a Point of Privilege.

#### 4.2.4 Leaving the Meeting

No Member shall leave the Meeting permanently without first advising the Chair or the Clerk.

### 4.3 Use of Electronic Devices and Recording Equipment

#### 4.3.1 General Restrictions

No Council Member or Staff shall use cell phones or electronic devices during Meetings, except as permitted under this By-Law.

#### 4.3.2 Permitted Use of Electronic Devices

The following exceptions apply:

- (a) Use of the calendar or calculator functions;
- (b) The Clerk may use a cell phone to communicate with individuals scheduled for delegations or presentations; and
- (c) The Clerk may use a cell phone to facilitate communication with a Council Member participating remotely.

#### 4.3.3 Recording Equipment

Recording devices shall not be permitted unless their use is publicly disclosed to all Member of Council prior to recording.

## SECTION 5 – COMMITTEES

### 5.1 General Provisions

#### 5.1.1 Application of By-Law to Committees

The rules and procedures governing Council Meetings, as set out in this By-Law, shall apply to all Committees, including conduct expectations for Members.

### 5.1.2 Suspension of Rules and Procedures

The rules and procedures outlined herein may not be suspended by a majority vote of Committee Members present and voting at a Meeting.

## 5.2 Mayor as Ex-Officio Member

### 5.2.1 Participation and Voting Rights

The Mayor is an ex-officio Member of all Committees unless specifically appointed as a regular Member. As an ex-officio Member:

- (a) The Mayor is entitled to vote on all matters; and
- (b) The Mayor shall not be counted toward quorum.

## 5.3 Council Appointments to Boards and Committees

### 5.3.1 Appointment Process

- (a) Council shall appoint Members to various Boards, Committees, and Special Purpose Bodies for the term of Council at the Inaugural Meeting, unless specified by an Act or Resolution.
- (b) Appointments shall be made by Council Resolution.

### 5.3.2 Reporting to Council

- (a) Appointed Members may provide verbal or written reports on the activities of the Board, Committee or Special Purpose Body at a Council Meeting.
- (b) All Meeting Minutes shall be submitted to the Clerk or designate for inclusion in a Regular Council Meeting Agenda.

## SECTION 6 – TYPES OF MEETINGS

### 6.1 Inaugural Meeting of Council

#### 6.1.1 Timing and Scheduling

The Inaugural Meeting of Council shall be held on the first day of the new Term of Office following a general election. If this date falls on a weekend or statutory holiday, the Meeting shall take place on the first business day thereafter.

#### 6.1.2 Administration of Oath

No business shall be conducted at the Inaugural Meeting until all Members have taken the Declaration of Office and Oath of Allegiance, and have formally acknowledged their commitment to the Council Code of Conduct.



## 6.2 Regular Meetings of Council

### 6.2.1 Meeting Schedule and Location

Regular Meeting of Council shall be held on the first and third Monday of each month at 6:30 p.m. in Council Chambers located at 142 First Avenue or at an alternative location specified in the Meeting Agenda. Meetings may also be conducted electronically, as permitted under this By-Law and applicable legislation.

### 6.2.2 Changes to Meeting Schedule

Council may, by Resolution, alter the date, time, or location of a Regular Meeting, provided that adequate notice is posted and published in accordance with this By-Law.

### 6.2.3 Meeting Duration

All Meetings shall automatically adjourn at 9:30 p.m. unless a Motion to extend is unanimously passed before the time limit expires.

### 6.2.4 Meetings Following a General Election

Following a municipal election, Council shall meet only as necessary at the discretion of the Mayor and Clerk, until the new Term of Office takes effect.

## 6.3 Meeting Schedule

### 6.3.1 Annual Meeting Schedule

The Clerk or designate shall present a proposed Meeting Schedule for approval by December 31<sup>st</sup> each year, outlining the dates of all upcoming Regular Meetings of Council.

### 6.3.2 Classification of Meetings

Any Meeting not included in the approved Meeting Schedule shall be classified as a Special Meeting of Council.

A rescheduled Regular Meeting shall not be considered a Special Meeting.

### 6.3.3 Validity of Meetings

Lack of notice or failure to comply with the notification provisions of this By-Law shall not invalidate a Meeting or any decisions made by Council at that Meeting.

## 6.4 Special Meeting of Council

### 6.4.1 Calling a Special Meeting

The Mayor may call a Special Meeting of Council at any time by directing the Clerk to issue a Notice of Meeting to Members and the public, with a minimum of twenty-four (24) hours' notice.

#### 6.4.2 Special Meeting Called by Council

Upon receipt of a petition from a majority of Members, the Clerk shall schedule a Special Meeting for the requested purpose and notify all Members and the public at least twenty-four (24) hours in advance.

#### 6.4.3 Agenda for Special Meetings

Only items listed on the Agenda for a Special Meeting shall be considered and decided upon by Council.

### 6.5 Emergency Meetings of Council

#### 6.5.1 Calling an Emergency Meeting

The Mayor or designate may call an Emergency Meeting without giving twenty-four (24) hours' notice, provided the Clerk makes reasonable efforts to notify all Members as soon as possible. If an in-person Meeting is not feasible, an Emergency Meeting may be held by any practicable means, including electronically.

#### 6.5.2 Scope of Emergency Meetings

Only matter directly related to the Emergency shall be discussed.

#### 6.5.3 Location of Emergency Meetings

In the event of an Emergency, Meetings may be held at any suitable location inside or outside the Municipality, including electronically.

#### 6.5.4 Notification Requirements

Notice of Emergency Meetings shall be given to Members through oral and/or email notification.

Public notice shall be posted on the Municipal website and at designated public locations and may be issued after the Meeting if necessary.

### 6.6 Electronic Meetings

#### 6.6.1 Authority to Hold Electronic Meetings

Pursuant to Section 236(1) of the *Municipal Act, 2001*, Council may conduct Electronic Meetings that are open to the public via a livestreamed internet-based platform or, in the absence of internet service, via telephone conference or other electronic means.

#### 6.6.2 Considerations for Electronic Meetings

Council may hold an Electronic Meeting in response to circumstances that preclude in-person attendance, such as:

- (a) Public health and safety concerns (e.g., epidemics, pandemics, or emergencies);  
or

(b) Other extraordinary situations.

The rationale for holding an Electronic Meeting shall be recorded in the Meeting Minutes.

#### 6.6.3 Public Access to Electronic Meetings

The access details (e.g., web link, phone number) shall be published on the Municipality's website and included in the Meeting Agenda. If the website is unavailable, alternative means of public notification shall be used.

#### 6.6.4 Recording of Electronic Meetings

All open session portions of Electronic Meetings shall be recorded.

#### 6.6.5 Participating and Voting

Members participating electronically shall be counted toward quorum at any time during the Meeting. They may also participate in Closed Session Meetings, subject to the applicable provisions of the *Municipal Act, 2001* and any other relevant legislation or municipal policies.

A Member participating electronically is entitled to vote on all matters before Council. The Mayor or designate may chair the Meeting electronically, and the Clerk may administer the Meeting electronically. Meetings shall proceed regardless of whether some or all Members and/or the Clerk are participating remotely.

For Electronic Meetings, the Open Session shall be recorded.

## SECTION 7 – CLOSED SESSIONS

### 7.1 General Provisions

#### 7.1.1 Public Access to Meetings

All Meeting of Council and its Committees shall be open to the public, except as permitted under this By-Law and in accordance with Section 239 of the *Municipal Act, 2001*.

#### 7.1.2 Exclusion from a Meeting

A person may be excluded from a Meeting only under the following circumstances:

- a) Improper conduct, as determined by the Chair; or
- b) Where the subject matter being considered qualifies for a Closed Session under Section 239 of the *Municipal Act, 2001*.

#### 7.1.3 Electronic Closed Sessions

Closed Session may be conducted electronically, provided that Quorum is met, and the Clerk or designate is present to record the proceedings.

## 7.2 Timing of Closed Session

### 7.2.1 Scheduling of Closed Sessions

All Closed Sessions shall take place within a Regular or Special Meeting of Council. Where possible, Closed Sessions shall be scheduled at the end of the Meeting unless the nature of the agenda requires it to occur earlier, as determined by the Clerk in consultation with the Chair.

## 7.3 Authorization for Closed Sessions

### 7.3.1 Resolution to Enter Closed Session

Before moving into a Closed Session, Council must pass a Resolution in open session, stating:

- (a) That Council will be entering a Closed Session;
- (b) The general nature of the matters to be considered; and
- (c) The specific provision(s) of the *Municipal Act, 2001* under which each item qualifies for a Closed Session.

## 7.4 Introduction of New Business in Closed Session

### 7.4.1 Restrictions on Additional Agenda Items

New business cannot be introduced in a Closed Session unless it was identified in the Resolution authorizing the session.

If a Member wishes to introduce a new matter, Council must first return to open session and pass a new Resolution disclosing the purpose of re-entering Closed Session.

## 7.5 Confidential Materials for Closed Sessions

### 7.5.1 Distribution and Access

The Clerk or designate shall distribute Closed Session materials through the restricted access portion of the Town's Council Portal. Members requiring copies shall notify the Clerk or designate, specifying the required materials.

## 7.6 Voting in Closed Sessions

### 7.6.1 Permissible Closed Session Votes

Voting during a Closed Session is permitted only for the following matters:

- (a) Procedural motions;
- (b) A Motion to rise and report, introducing a recommendation for open session; and

- (c) Providing direction to Staff, agents of the Town, or external contractors retained under contract with the Town.

## 7.7 Records of Closed Sessions

### 7.7.1 Documentation of Proceedings

The Clerk or designate shall attend all Closed Sessions and record the proceedings without note or comment. The record shall include:

- (a) The subject matter(s) discussed;
- (b) The specific provision(s) of the *Municipal Act, 2001* authorizing the Closed Session;
- (c) A list of Members and Staff in Attendance;
- (d) Any declarations of Pecuniary Interest;
- (e) The disposition of each matter; and
- (f) The starting and concluding times of the session.

### 7.7.2 Restrictions on Notetaking

No Member, Staff, or other attendee, except the Clerk or a designated Staff member, shall take notes during a Closed Session.

### 7.7.3 Storage and Access to Closed Session Minutes

Minutes of Closed Sessions shall be circulated at the next Closed Session for approval. They shall be stored in a secure and confidential location under the Clerk's custody and made accessible only:

- (a) To those present at the Closed Session;
- (b) As approved by Council; or
- (c) As required by law.

## 7.8 Reporting from Closed Sessions

### 7.8.1 Statement upon Returning to Open Session

Upon reconvening in open session, the Chair shall provide a general statement confirming:

- (a) The matters discussed in Closed Session; and
- (b) Any declarations of Pecuniary Interest made during the session.

## 7.9 Confidentiality of Closed Session Discussions

### 7.9.1 Prohibition on Disclosure

No Member, Staff, or other attendee shall, without Council approval, disclose or distribute any reports, materials, or discussions from a Closed Session to any person or external body.

### 7.9.2 Obligation to Maintain Confidentiality

Members and Staff have a personal and legal obligation to maintain the confidentiality of Closed Session materials and discussions and shall not use such information to the detriment of the Town.

### 7.9.3 Ongoing Confidentiality Obligation

The duty to maintain confidentiality extends beyond the term of office for Members and beyond employment for Staff. Any unauthorized disclosure before or after departure from office or employment shall constitute a breach of confidentiality.

## SECTION 8 – NOTICE OF MEETINGS

### 8.1 General Provisions

#### 8.1.1 Notice Requirements

The Clerk shall provide notice of all Meetings to Council Members, Staff and the Public in accordance with this By-Law.

#### 8.1.2 Meeting Agenda as Notice

The Meeting Agenda shall serve as the official notice of the Meeting.

#### 8.1.3 Distribution of Meeting Packages

Council Meeting packages shall be made available to Members and the public no later than 4:00 p.m. on the Thursday, or at least four (4) days prior to the scheduled Meeting.

#### 8.1.4 Effect of Unforeseen Posting Delays

Failure to post the Agenda on the Municipal website due to unforeseen circumstances shall not affect the validity of the Meeting or any decisions lawfully made.

### 8.2 Cancellation of Meetings

#### 8.2.1 Authority to Cancel a Meeting

A Meeting may be cancelled by the Chair, in consultation with the Clerk, under the following instances:

- (a) Quorum cannot be achieved;
- (b) By Council Resolution;
- (c) Due to an unforeseen significant event; or
- (d) The Meeting is no longer required.

## 8.2.2 Definition of Unforeseen Significant Events

An unforeseen significant event includes, but is not limited to:

- (a) Safety concerns affecting participants, including severe weather conditions (e.g., snowstorms, highway closures);
- (b) Disruptions to essential services, such as loss of heat, electricity, or water;
- (c) Unavailability of the Clerk or Deputy Clerk, making record-keeping impractical;
- (d) A declared state of emergency;
- (e) The absence of a required participant, rendering the Meeting ineffective; and
- (f) The Meeting becoming redundant or unnecessary.

## 8.2.3 Notification of Cancellation

The Clerk shall notify Council Members, relevant Staff and the public as soon as possible using the most expedient communication method available.

# SECTION 9 – QUORUM

## 9.1 General Provisions

### 9.1.1 Definition of Quorum

A majority of Members shall constitute Quorum, unless otherwise specified by this By-Law or applicable legislation.

### 9.1.2 Minimum Quorum Requirement

For Council Meetings, Quorum shall mean three (3) Members. Quorum must be maintained at all times for a Meeting to proceed.

### 9.1.3 Notification of Absence

Members unable to attend a Meeting shall notify the Clerk in advance.

## 9.2 Lack of Quorum Before Meeting

### 9.2.1 Adjournment Due to Lack of Quorum

If Quorum is not present fifteen (15) minutes after the scheduled start time, the Meeting shall be automatically adjourned until the next Regular Meeting, unless a Special Meeting is called sooner. The Clerk shall record the names of all Members present.

## 9.3 Commencement of Meeting

### 9.3.1 Call to Order

As soon as Quorum is established following the scheduled start time, the Chair shall call the Meeting to order.

## 9.4 Member Leaving a Meeting

### 9.4.1 Late Arrival / Early Leave

If a Member arrives after a Meeting has commenced or leaves before adjournment, the Clerk shall record the time of arrival or departure in the minutes. A Member who anticipates leaving early should inform the Chair at the beginning of the Meeting. Before departing, the Member must notify the Chair and receive acknowledgment. The departure of a Member shall not disrupt the proceedings, and quorum requirements must be maintained in accordance with this By-Law and applicable legislation.

## 9.5 Loss of Quorum During a Meeting

### 9.5.1 Temporary Recess

If Quorum is lost during a Meeting, the Chair shall direct the Clerk to call a recess for up to fifteen (15) minutes, or until Quorum is restored, whichever occurs first.

### 9.5.2 Adjournment Due to Continued Lack of Quorum

If Quorum is not restored within fifteen (15) minutes, the Meeting shall be automatically adjourned, and the Clerk shall record the names of all Member present at the time Quorum was lost.

### 9.5.3 Effect on Meeting Business

The Confirmatory By-Law shall validate all decisions made prior to the loss of Quorum. Any unfinished business shall be deferred to the next Regular Meeting, unless a Special Meeting is called sooner.

## 9.6 Loss of Quorum Due to Pecuniary Interest

### 9.6.1 Special Quorum Provision

If Quorum is lost because a Member declares a Pecuniary Interest, the remaining Members shall be deemed to constitute Quorum, provided that at least two (2) Members remain eligible to vote on the matter.

# SECTION 10 – PECUNIARY/CONFLICT OF INTEREST

## 10.1 Responsibility of Members

### 10.1.1 Duty to Identify and Disclose

Each Member is responsible for identifying and disclosing any Pecuniary Interest or Conflict of Interest, whether direct or indirect, in any item or matter before Council or a Committee.



## 10.2 Required Actions

### 10.2.1 Disclosure of Interest

If a Member has a Pecuniary Interest or Conflict of Interest, whether personally or through another party, and is present at a Meeting where the matter is under consideration, they shall, in accordance with the *Municipal Conflict of Interest Act*:

- (a) Disclose the interest and its general nature before any discussion occurs, and when possible, upon receipt of the Agenda;
- (b) Refrain from participating in discussions or voting on the matter;
- (c) Not attempt to influence voting on the matter before, during, or after the Meeting; and
- (d) File a Declaration of Pecuniary Interest/Conflict of Interest form with the Clerk, either prior to, during, or immediately following the Meeting.

### 10.2.2 Prohibition on Seeking Advice

Members shall not seek advice regarding a potential Pecuniary Interest or Conflict of Interest from:

- (a) Municipal Staff;
- (b) Other Members of Council; or
- (c) The Town Solicitor.

### 10.2.3 Prohibition on Offering Opinions

Staff, Members of Council, and the Town Solicitor shall not provide an opinion on whether a Member has a Pecuniary Interest or Conflict of Interest.

## 10.3 Conflict of Interest in Closed Session

### 10.3.1 Additional Requirements for Closed Session

If a Member has a Pecuniary Interest or Conflict of Interest in a Matter discussed in a Closed Session, they shall:

- (a) Disclose the interest in accordance with Subsection 10.2; and
- (b) Immediately leave the Meeting for the duration of the discussion on that matter.

## 10.4 Disclosure Following an Absence

### 10.4.1 Requirement to Disclose at Next Meeting

If a Member was absent from a Meeting where a matter involving their Pecuniary Interest or Conflict of Interest was discussed, they shall:

- (a) Disclose the Pecuniary Interest or Conflict of Interest at the first Meeting they attend following their absence; and
- (b) Comply with Subsection 10.2.

## 10.5 Non-Compliance

### 10.5.1 Effect on Validity of Meeting

Failure of one or more Members to comply with Subsection 10.2 shall not affect the validity of the Meeting or any decisions made regarding the matter.

## 10.6 Record of Disclosure

### 10.6.1 Recording of Declarations

The Clerk shall document all Pecuniary Interest or Conflict of Interest disclosures made by Members, and these records shall be included in the Minutes of the Meeting.

## 10.7 Public Registry of Declarations

### 10.7.1 Maintenance and Public Access

The Clerk shall establish and maintain a public registry of all written declarations. The registry shall be made available for public inspection in a manner determined by the Clerk.

# SECTION 11 – AGENDA AND ADDENDUM

## 11.1 General Provisions

### 11.1.1 Order of Business

The business of Council shall, in all cases, be considered in the order in which it appears on the Agenda, unless otherwise directed by Council.

### 11.1.2 Amendments to Order of Business

Changes to the order of business require an affirmative vote of the majority of Member present. A Motion to amend the order shall not be amended or debated.

### 11.1.3 Placement of Business Items

The Clerk shall determine the appropriate Meeting for the consideration of business items in accordance with this By-Law.

### 11.1.4 Postponement of Agenda Items

If additional information or reports are required for Council to review an item, the Clerk may postpone its placement on the Agenda.

### 11.1.5 Implementation Challenges

If Staff are unable to implement a Council directive as instructed, the Clerk shall notify Council as soon as possible and seek further direction.

### 11.1.6 Attendance of the Clerk and Staff

The Clerk shall attend all Council Meetings, including Closed Sessions.

Staff have a statutory duty to provide advice to Council. Accordingly, staff, particularly Officers and Department Heads, are expected to attend Council Meetings and provide professional advice as required to support informed decision-making.

## 11.2 Inaugural Meeting Agenda

11.2.1 The Clerk shall prepare the Agenda for the Inaugural Meeting of Council in the following order:

- (a) Call to Order (Clerk)
- (b) Swearing in Ceremony – Declaration of Office and Oath of Allegiance
- (c) Inaugural Address (Mayor)
- (d) Councillor Remarks
- (e) Regular Agenda Items
- (f) Adjournment

## 11.3 Regular Meeting Agenda

11.3.1 The Clerk shall prepare the Agenda for Regular Council Meetings as follows:

- (a) Call to Order
- (b) Indigenous Land Acknowledgement
- (c) Disclosure of Pecuniary Interest/Declaration of Conflict of Interest
- (d) Approval of Agenda
- (e) Adoption of Minutes of Previous Meeting(s)
- (f) Petitions, Delegations and Presentations
- (g) Business Arising from Minutes
- (h) Mayor's Report
- (i) Reports from Committees and Municipal Officers
- (j) Correspondence
- (k) Resolutions
- (l) By-Laws
- (m) Other Business
- (n) Announcements
- (o) Council Question Period
- (p) Public Question Period
- (q) Closed Session (if required)
- (r) Business Arising from Closed Session
- (s) Adjournment

Minor modifications to this format may be made without requiring an amendment to this By-Law.

## 11.4 Special and Emergency Meeting Agenda

11.4.1 The Clerk shall prepare the Agenda for Special and Emergency Meetings as follows:

- (a) Call to Order
- (b) Indigenous Land Acknowledgement
- (c) Disclosure of Pecuniary Interest/Declaration of Conflict of Interest
- (d) Approval of Agenda
- (e) Petitions, Delegations and Presentations
- (f) Other Business
- (g) Closed Session (if required)
- (h) Business Arising from Closed Session
- (i) Adjournment

Minor modifications to this format may be made without requiring amendment to this By-Law.

## 11.5 Ad Hoc, Standing, and Sub-Committee Agenda

11.5.1 The Secretary of the Committee shall prepare the Agenda for Ad Hoc, Standing, and Sub-Committee Meetings as follows:

- (a) Call to Order
- (b) Disclosure of Pecuniary Interest/Declaration of Conflict of Interest
- (c) Approval of Agenda
- (d) Adoption of Minutes of Previous Meeting(s)
- (e) New and Other Business
- (f) Adjournment

Minor modifications to this format may be made without requiring an amendment to this By-Law.

## 11.6 Preparation and Approval of Addendum

### 11.6.1 Amendments After Agenda Distribution

After the Agenda has been distributed, the Clerk, in consultation with the Chair, may add items to the Agenda by issuing an Addendum, which shall be presented at the Meeting.

### 11.6.2 Approval of Addendum

Approval of the Addendum requires an affirmative vote by the majority of Members present at the Meeting.

## 11.7 Submission Deadlines for Agenda Materials

### 11.7.1 Deadline for Agenda Items

All items for inclusion on the Agenda must be submitted to the Clerk by 12:00 p.m., seven (7) days prior to the scheduled Meeting. If this deadline falls on a statutory holiday, submissions shall be due by 12:00 p.m. on the next business day.

### 11.7.2 Deadline for Reports

All reports for inclusion in the Meeting package shall be finalized and submitted to the Clerk by 12:00 p.m., five (5) days prior to the scheduled Meeting.

## 11.8 Unfinished Business

### 11.8.1 Carrying Forward Outstanding Matters

Any unfinished business from the Agenda or Addendum that is not addressed at a Meeting shall be placed on the Agenda for the next Regular Meeting, unless a Special Meeting is called sooner.

# SECTION 12 – MEETING RULES AND PROCEDURES

## 12.1 Call to Order

12.1.1 The Chair shall call the Meeting to order in accordance with Subsection 9.3 of this By-Law.

## 12.2 Approval of Agenda

### 12.2.1 Consent of Council

Council must approve the Agenda, including any additions or withdrawals of listed items.

### 12.2.2 Addendum Items

Approval of the Addendum items shall be addressed in one Motion, unless a Member requests the separation of specific items for individual consideration. The Addendum, excluding any separated items, shall be voted on first, followed by individual votes on the separated items.

## 12.3 Meeting Minutes

### 12.3.1 Preparation and Content

The Clerk shall prepare the Minutes of each Meeting, which shall include:

- (a) Date, time, and location of the Meeting;
- (b) Names of the Chair, Members, Staff, and others in attendance (e.g., presenters, members of the public upon request);

- (c) Declarations of Pecuniary Interest;
- (d) Approval or amendment of previous Minutes;
- (e) Results of any Recorded Votes; and
- (f) Summary of all proceedings.

#### 12.3.2 Adoption of Minutes

The Minutes shall be submitted to Council for adoption at the next Regular Meeting or as soon as reasonably practicable.

#### 12.3.3 Authentication of Minutes

Once adopted, the Minutes shall be signed by the Chair and Clerk.

### 12.4 Delegations & Presentations

#### 12.4.1 Requests to Appear

Individuals or organizations wishing to appear before Council shall submit a Delegation Request Form (Appendix C) to the Clerk by 12:00 p.m., seven (7) days prior to a Regular Meeting. The Clerk may waive this requirement if deemed to be in the Public interest.

#### 12.4.2 Submission of Materials

Delegations must submit their presentation materials and speaking notes to the Clerk by 12:00 p.m., five (5) days prior to the Meeting. These shall be retained as part of the official record.

#### 12.4.3 Scheduling of Delegations

The Clerk shall determine the order and number of delegations at a Meeting, with a general limit of two (2) delegations per Meeting.

#### 12.4.4 Time Limits

Each delegation shall be limited to ten (10) minutes, followed by a question period for Members.

- (a) If the delegation consists of more than one person, a maximum of two speakers may present, each limited to five (5) minutes.
- (b) The second speaker shall not repeat the previous speakers' points and must present only new or additional information.

#### 12.4.5 Restrictions on Delegations

Delegations shall:

- (a) Provide information or make requests but not engage in debate with Members or Staff.
- (b) Speak only on the topic outlined in their request.
- (c) Not present on the same subject more than once in twelve (12) months, unless providing new information.

- (d) Conduct themselves in accordance with Section 4 of this By-Law.

Delegations shall not be permitted to speak on:

- (a) Labour relations or Staff negotiations;
- (b) Notices of Motion;
- (c) Litigation or tribunal proceedings that are active, expected, or concluded;
- (d) Matters outside the jurisdiction of Council; or
- (e) Any Closed Session topics.

#### 12.4.6 Authority to Decline Requests

The Clerk may:

- (a) Decline a request if the individual has failed to follow established procedures or governing legislation.
- (b) Refer the matter to Staff instead of bringing it before Council.

### 12.5 Correspondence

#### 12.5.1 Public Availability of Correspondence

Correspondence addressed to Council or relevant to Town matters shall be included in the Agenda.

#### 12.5.2 Restrictions on Correspondence

Correspondence shall not be accepted if it:

- (a) Relates to a matter previously addressed by Council within the last twelve (12) months.
- (b) Contains defamatory allegations, confidential personnel matters, or is improper.
- (c) Is unsigned, anonymous, or lacks a return address.

Electronic correspondence must include a valid email address, sender's name, and mailing address.

Personal or contact information of individuals may be redacted for Public viewing at the Clerk's discretion.

All correspondence must be submitted to the Clerk by 12:00 p.m., seven (7) days prior to the next Regular Meeting.

## 12.6 New and Other Business

### 12.6.1 Purpose of New and Other Business

This section allows Members or Staff to bring forward updates, community announcements, and other relevant matters that has not previously been considered by Council.

### 12.6.2 Submission Requirements

Items must comply with this By-Law and be submitted before the deadline specified in Subsection 11.7.

## 12.7 Council Question Period

### 12.7.1 Purpose and Transparency

The Council Question Period provides Members of Council with the opportunity to seek clarification on municipal matters by directing inquiries to Staff. This process ensures:

- (a) Efficient communication between Council and Staff;
- (b) Transparency by allowing the public to hear both questions from Council and responses from Staff; and
- (c) Accountability, ensuring Staff provide timely and accurate responses.

### 12.7.2 Submission and Processing of Questions

#### ***Pre-Submission of Questions***

To facilitate thorough responses, Members of Council may submit written questions to the CAO and Clerk by 4:00 p.m. on the Thursday prior to the scheduled Council Meeting.

#### **Process:**

- (a) All submitted questions will be directed to the appropriate Staff member by the CAO or Clerk.
- (b) Staff prepare responses in advance to ensure accurate and complete answers at the Meeting.
- (c) If additional time is required for research, Council will be advised during the Meeting, and a response will be provided at the next Regular Council Meeting under the Council Question Period Section.

#### ***Questions Raised During the Meeting***

Recognizing that not all inquiries can be pre-submitted, Council Member may also pose questions directly during the Council Meeting under the Council Question Period section.



**Process:**

- (a) Staff shall provide an immediate response if they are certain of the answer.
- (b) If Staff requires additional time to research the inquiry:
  - i. The question will be recorded
  - ii. Council will be informed that a formal response will be provided via email.
  - iii. The response will also be included in the next Regular Council Meeting Agenda under the Council Question Period section.

12.7.3 Rules and Time Allocation

***Time Limit***

A maximum of fifteen (15) minutes shall be allocated to the Council Question Period at each Regular Meeting.

***Limit on Number of Questions***

Each Council Member shall be limited to two (2) questions per Meeting to ensure fairness.

If time permits, and all Member have had their opportunity, additional questions may be considered.

***Moderation and Decorum***

The Mayor, as Head of Council, shall moderate the session to ensure:

- (a) Questions are relevant to municipal matters.
- (b) Proper decorum is maintained at all times.
- (c) Questions are respectful and appropriate in accordance with the conduct rules outlined in Section 4 – Conduct at Meetings.

***Recording and Follow-Up***

All questions and responses shall be recorded in the Minutes.

Any deferred responses shall be presented in the next Council Meeting Agenda for public record.

12.8 Public Question Period

12.8.1 Purpose and Transparency

The Public Question Period provides residents with the opportunity to pose questions directly to Council, fostering transparency and engagement in municipal decision-making. This forum allows for two-way communication

between Council and the public while ensuring that questions remain relevant, respectful, and within municipal jurisdiction.

## 12.8.2 Rules and Procedures

### ***Time Limit and Order of Business***

- (a) A maximum of fifteen (15) minutes shall be allocated for the Public Question Period at each Regular Meeting.
- (b) This section shall immediately follow the Council Question Period on the Agenda, ensuring a structured flow of discussion.
- (c) The Chair has discretion to curtail the session if necessary to proceed with scheduled municipal business.

### ***Guidelines for Submitting and Asking Questions***

- (a) Members of the public may ask questions directly at the Meeting; no prior submission is required.
- (b) Questions must be directed through the Chair and may be addressed to any Council Member or Staff.
- (c) A questions must be a question – statements, opinions, or speeches will not be permitted.
- (d) Each individual may ask a maximum of two (2) questions per Meeting.
- (e) Questions must pertain to municipal matter within Council's jurisdiction.
- (f) Questions must be respectful and appropriate in accordance with the rules of decorum outlined in Section 4 – Conduct at Meetings.

### ***Moderation and Response***

- (a) The Chair shall recognize each questioner and direct the question to the appropriate Council Member or Staff best suited to respond.
- (b) More than one Council member or Staff may contribute to the response if necessary.
- (c) If the appropriate Council Member or Staff is unable to provide an immediate response, the question shall be noted, and the questioner will be advised that a formal response will be provided at the next Regular Council Meeting under the Public Question Period section.
- (d) The Chair has discretion to decline questions that:
  - i. Are repetitive, have already been addressed, or were discussed in previous Meetings.
  - ii. Are outside the jurisdiction of the Municipality.
  - iii. Contain defamatory, offensive, or improper content.

### ***Recording and Follow-Up***

All questions and responses shall be recorded in the Meeting Minutes for public reference.

Deferred responses shall be included in the next Regular Meeting Agenda under the Public Question Period section.

## **SECTION 13 – POINTS OF ORDER AND POINTS OF PRIVILEGE**

### **13.1 General Provisions**

#### **13.1.1 Raising a Point of Order or Point of Privilege**

A Member may raise a Point of Order or Point of Privilege at any time, except during the verification of a vote. When raised, the Chair shall:

- (a) Interrupt the matter under discussion;
- (b) Request the Member to state the basis for the Point of Order or Point of Privilege; and
- (c) Rule on the matter immediately, without debate.

#### **13.1.2 Procedure for Raising a Point**

A Member wishing to raise a Point of Order or Point of Privilege shall:

- (a) Request permission from the Chair to speak;
- (b) Upon recognition, state the reason for raising the Point, without introducing any Motion or engaging in argument; and
- (c) Limit their remarks to a maximum of one (1) minutes.

#### **13.1.3 Finality of the Chair's Ruling**

The Chair's decision on a Point of Order or Point of Privilege is final, unless appealed by a Member or the Clerk.

- (a) If the Chair's ruling is appealed, Council shall decide the matter immediately, without debate, by a Majority vote of Members present.

### **13.2 Points of Privilege**

#### **13.2.1 Definition and Purpose**

A Point of Privilege may be raised when a Member's rights, privileges, or integrity (or those of Council collectively) are affected.

### 13.2.2 Right to Propose a Motion

If the Chair determines the matter qualifies as a Point of Privilege, the Member shall be permitted to propose a Motion in relation to that Point.

## 13.3 Points of Order

### 13.3.1 Definition and Purpose

A Point of Order may be raised when a Member perceives that the rules of procedure, as set out in this By-Law, are being violated.

### 13.3.2 Stating a Point of Order

A Member raising a Point of Order shall:

- (a) Clearly state the alleged procedural violation at the time of occurrence; and
- (b) Reference the specific section of this By-Law that has been violated.

## 13.4 Suspension of Discussion for Points of Order or Privilege

### 13.4.1 Ceding the Floor

When a Point of Order or Point of Privilege is raised, the Member speaking shall immediately stop until the Chair has ruled on the matter.

# SECTION 14 – MOTIONS

## 14.1 General Motion Procedures

### 14.1.1 Consideration of Public Input Before Motion

When members of the public are scheduled to speak on a matter, no Motion shall be received until all delegations have been heard. Once a Motion has been duly moved and seconded, no further public participation shall be permitted on that item during the Meeting.

### 14.1.2 Requirements for a Motion

A Motion at a Council Meeting must:

- (a) Be formally moved and seconded before debate can occur.
- (b) Be recorded in the Minutes.
- (c) Be submitted in writing, including the names of the mover and seconder.

### 14.1.3 Voting on Motions

- (a) Every member present shall vote on each Motion unless they have declared a Pecuniary Interest.
- (b) Voting shall be conducted by show of hands.

- (c) Abstaining from a vote shall be deemed a negative vote, unless the Member is excused due to a declared Pecuniary Interest.
- (d) The Chair shall vote on all Motions.
- (e) A tie vote shall be considered defeated.
- (f) When a Motion contains distinct recommendations, a Member may request a separate vote on each proposal.
- (g) No vote shall be conducted by secret ballot, except where permitted or required by law.

#### 14.1.4 Debate on Motions

- (a) Once a Motion is moved and seconded, it shall immediately be open for debate.
- (b) Each Member may speak once per round of discussion, with a limit of three (3) questions per round.
- (c) Member may speak for a maximum of ten (10) minutes per item.
- (d) After all Members have spoken, a Member may request to speak again, subject to Council's consensus, for an additional five (5) minutes.
- (e) No further debate shall be permitted once the Chair calls the vote.

#### 14.1.5 Clarifications and Challenges

Any Member may request that a Motion under debate be repeated by the Chair or Clerk for clarification.

If a Member disagrees with the Chair's announcement of the result, they may immediately object and request that the vote be retaken.

### 14.2 Priority of Motions

- 14.2.1 When a Motion is under consideration, no other Motion shall be received except a Motion to:
- (a) Adjourn;
  - (b) Extend the Meeting;
  - (c) Recess;
  - (d) Close debate;
  - (e) Defer; or
  - (f) Amend

### 14.3 Motion Requirements

#### 14.3.1 Requirement for Mover and Second

A Motion must be moved and seconded before debate can commence. A Member who moves a Motion may still vote against it during the vote. Similarly, the seconder is not obliged to support the Motion and may also vote against it.

#### 14.3.2 Motion by the Chair

If the Chair wishes to propose a Motion, they shall relinquish the Chair until the vote has been taken.

### 14.4 Notice of Motion

#### 14.4.1 Submission and Processing

A Notice of Motion must be submitted in writing, including the mover's name, before it can be added to the Agenda. Once submitted to the Clerk, it cannot be modified. Notice of Motion shall be listed on the Agenda in the order they are received.

#### 14.4.2 Introducing a Notice of Motion at a Meeting

When introduced during a Meeting, the Clerk shall read the Notice of Motion into the record. A seconder is not required, and no debate shall take place at that time.

### 14.5 Withdrawal of Motion

14.5.1 Once a Motion appears on the Agenda, the Motion is considered in Council's possession. It may only be withdrawn before an amendment or decision with Council's consent.

### 14.6 Motion to Adjourn

14.6.1 Meetings shall adjourn at 9:30 p.m. unless extended by a majority vote. A Motion to Adjourn takes precedence over all other Motions and shall be voted on immediately. If carried, the Meeting adjourns at once, regardless of the stage of proceedings. If defeated, another Motion to Adjourn cannot be made until the current item under discussion has concluded.

### 14.7 Motion to Extend the Meeting

14.7.1 A Meeting may be extended by passing a Motion to Extend with a majority vote of Members present, with a separate Motion required for each additional hour. If a Motion to Extend is not passed, the Meeting shall proceed directly to By-Laws at the 2-hour, 55-minute mark. This Motion cannot be amended or debated.

### 14.8 Reconsideration of a Motion

#### 14.8.1 Conditions for Reconsideration

A Motion for Reconsideration may only be introduced when new information has come forward that could impact the decision, there was an error in documentation presented during the original debate, or incorrect statements were made that may have influenced the outcome. Only a Member who voted with the majority on the original Motion may introduce a Motion for Reconsideration.

#### 14.8.2 Restrictions of Reconsideration

A Motion for Reconsideration may only be introduced once within a twelve (12) month period from the date the original Motion was decided. It shall not be permitted if the original Motion has already been implemented, resulting in legally binding commitments.

### 14.9 Recorded Votes

#### 14.9.1 Requesting and Conducting a Recorded Vote

Any Member may request a Recorded Vote before or immediately after the vote has been taken. When a Recorded Vote is called, the Clerk shall first call on the Member who requested the vote, followed by all other Members in alphabetical order. The Clerk shall record and tabulate the votes, announcing the results once all votes have been cast. The Minutes shall reflect the names of the Members present and their respective votes as For, Against, Abstained, or Absent.

#### 14.9.2 Effect of Abstention or Tie Vote

A Member who abstains from voting when present and eligible shall be deemed to have voted against the Motion, with their abstention recorded as such. A tie vote shall be considered defeated, unless otherwise provided by statute.

## SECTION 15 – BY-LAWS

### 15.1 Approval and Enactment of By-Laws

#### 15.1.1 Listing and Identification

Each By-Law shall be listed on the Council Agenda with:

- (a) A By-Law number (if finalized); and
- (b) A brief description outlining its purpose.

If the By-Law is in draft form, no identifying number is required.

#### 15.1.2 Formatting and Attachments

- (a) All By-Laws shall be presented in typewritten form.
- (b) Any agreements or schedules associated with a By-Law shall be attached, unless:
  - i. Prohibited by legislation; or
  - ii. Required to protect the Corporation's privacy.
- (c) Portions of agreements or schedules may be redacted from the public record as required.

15.1.3 Reading and Passage of By-Laws

By-Laws require three readings before passage. However, Council may, at its discretion, consolidate all three readings and pass the By-Law at the same Meeting through a single Resolution.

15.1.4 Deferral for Further Review

If a majority of Council Members wish to conduct further review of a proposed By-Law, adoption may be deferred to a subsequent Council Meeting.

15.1.5 Referral for Review

A proposed By-Law may be referred for further review and comment to a Department Manager, Committee, Clerk, or Municipal Solicitor before proceeding.

15.1.6 Execution of Approved By-Laws

Upon passage, a By-Law shall be signed by the Mayor and Clerk (or their designates), affixed with the Corporation’s official seal, and dated as of the day of its approval.

15.1.7 Authority for Minor Corrections

The Clerk shall have the authority to make minor technical or typographical corrections to a By-Law before it is signed, provided such corrections do not alter its substance or intent.

15.1.8 By-Laws and policies shall be reviewed and updated as required by legislation, or as required due to special circumstances.

15.2 Confirmatory By-Law

15.2.1 Authority and Purpose

At the conclusion of each Council Meeting, a Confirmatory By-Law shall be passed to formally ratify all Resolutions and actions taken during the Meeting.

15.2.2 Legal Effect of Confirmatory By-Law

The Confirmatory By-Law shall provide that every Resolution and action approved by Council during the Meeting shall have the same force and effect as if each item had been enacted through a separate By-Law.

**SECTION 16 – LEGAL PROVISIONS**

16.1 Severability (Ultra Vires Provisions)

16.1.1 Partial Invalidity Does Not Affect Entire By-Law

If any provision of this By-Law, including any schedule or part thereof, is determined by a court of competent jurisdiction to be ultra vires (beyond legal



authority) or otherwise invalid, such determination shall not affect the validity of the remainder of the By-Law and the remaining sections shall continue in full force and effect.

## 16.2 Distribution and Accessibility of the Procedural By-Law

### 16.2.1 Distribution to Members of Council

Following a municipal election, the Clerk shall provide each newly elected or returning Member of Council with a copy of this Procedural By-Law, including all amendment.

### 16.2.2 Public Access to Procedural By-Law

A copy of this By-Law, including all amendments, shall be made available to the public on the Municipality’s website and upon request at the Municipal Office.

## SECTION 17 – ENACTMENT AND REVIEW

### 17.1 Regular Review of Procedural By-Law

#### 17.1.1 Mandatory Review Every Term of Council

The Clerk shall initiate a review of this By-Law at least once per Term of Council. Earlier reviews may be conducted as deemed necessary by the Clerk or Council.

### 17.2 Amendments and Repeal to this By-Law

#### 17.2.1 Process for Amendment or Repeal

No amendment or repeal of this By-Law shall be considered by Council unless:

- (a) Formal notice of the proposed amendment or repeal has been given at a prior Council Meeting;
- (b) The amendment or repeal is discussed and considered at a subsequent Regular Meeting; and
- (c) The amendment or repeal is adopted in accordance with legislative requirements.

#### 17.2.2 Effect of Amendments or Repeal

- (a) Any amendment or repeal of this By-Law shall not affect the validity of actions taken under its authority prior to such changes.
- (b) Once repealed, this By-Law shall be immediately replaced by the new By-Law governing Council’s procedures.