



## **CORPORATION OF THE TOWN OF HUNTSVILLE**

### **BY-LAW 2007-24**

### **A BY-LAW TO GOVERN THE PROCEEDINGS OF COUNCIL AND COMMITTEES OF COUNCIL**

**CONSOLIDATED APRIL 26, 2010**



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Council of the Town of Huntsville**

Passed: Tuesday, April 10, 2007

**CONSOLIDATED APRIL 26, 2010**

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## CORPORATION OF THE TOWN OF HUNTSVILLE

### BY-LAW NUMBER 2007-24

#### Being a By-Law to Govern the Proceedings of Council and Committees of Council

**WHEREAS** *Section 238(2) of the Municipal Act, 2001, c. 25, as amended*, requires that every municipality shall pass a Procedural By-law governing the calling, place and proceedings of meetings, including Regular, Special, Committee or other meetings of a Council;

**AND WHEREAS** the Municipal Council of the Corporation of the Town of Huntsville deems it advisable to enact a By-law to govern the proceedings of a Council, the conduct of its members and the calling and place of meetings;

**NOW THEREFORE the Council of the Corporation for the Town of Huntsville enacts as follows:**

### PART 1

#### 1.0 DEFINITIONS

In this By-law:

- 1.1 **"Ad-Hoc" Committee** means a Committee established by Council to review a specific matter and once the Committee has reported to Council with respect to its findings and recommendations, the Committee is automatically dissolved;
- 1.2 **"Advisory Committee"** means a Committee established by Council to advise on matters which Council has deemed appropriate for the Committee to consider;
- 1.3 **"Chair"** shall mean the person presiding at a Meeting whether it be the Mayor or any other Member;
- 1.4 **"Chief Administrative Officer"** means the Chief Administrative Officer (CAO) of the Corporation;
- 1.5 **"Clerk"** shall mean the Clerk of the Corporation;
- 1.6 **"Committee"** means any advisory or other committee, subcommittee or similar entity of Council;
- 1.7 **"Corporation"** shall mean the Corporation of the Town of Huntsville;
- 1.8 **"Council"** shall mean the Council of the Corporation of the Town of Huntsville;
- 1.9 **"Deputation / Delegation"** shall mean a person making a verbal presentation to Council or to a Committee, as the case may be;
- 1.10 **"Deputy Mayor"** means the Councillor appointed by Council to act in the absence of the Mayor in accordance with this By-law;
- 1.11 **"Designated Area"** shall mean the spectator areas within the Council Chambers;

- 1.12 **"Ex-officio"** means by virtue of office or position and carries with it the right to participate fully in all committee meetings and to vote unless prohibited by law, but does not count towards a quorum;
- 1.13 **"Improper Conduct"** means conduct which offers any obstruction to the deliberations of proper action of Council;
- 1.14 **"In-Camera"** means a closed session of Council, Standing Committee or an Advisory Committee Meeting which is closed to the public in accordance with the *Municipal Act*;
- 1.15 **"Inaugural Meeting"** means the first meeting of Council held after a municipal election in a regular election year;
- 1.16 **"Holiday"** shall mean any holiday as defined in the *Interpretation Act, R.S.O. 1990, c.1.11*, Boxing Day or any day proclaimed by the Mayor as a Civic Holiday;
- 1.17 **"Local Board"** does not include police services boards or public library boards;
- 1.18 **"Mayor"** means the Head of the Council acting as Chief Executive Officer of the Corporation;
- 1.19 **"Majority Vote"** means the vote of more than half of the members present and voting at a properly constituted meeting at which a quorum is present;
- 1.20 **"Meeting"** means any regular, special or other meeting of a council, of a local board or of a committee of either of them;
- 1.21 **"Member of Council"** means a person duly elected to serve on the Council;
- 1.22 **"Municipal Act"** means the *Municipal Act S.O. 2001, c. 25, as amended* and any successor legislation thereto;
- 1.23 **"Municipal Election"** shall mean a general, Town-wide municipal election held pursuant to the *Municipal Elections Act*;
- 1.24 **"Notice of Motion"**  
Signal of intent by a member to have a motion dealt with at a subsequent meeting;
- 1.25 **"Pecuniary Interest"** means a direct or indirect interest within the meaning of the *Municipal Conflict of Interest Act, R.S.O. 1990, chapter M.50 as amended*, and any successor legislation thereto;
- 1.26 **"Point of Order"** means a matter that a member of Council considers to be a departure from or contravention of the rules, procedures or generally accepted practices of Council;
- 1.27 **"Point of Personal Privilege"** means a matter that a member of Council considers to impugn their integrity of Council;
- 1.28 **"Quorum"** means the minimum number of members who must be present at the meetings for business to be legally transacted;
- 1.29 **"Recorded Vote"** shall mean the recording of the name and vote of every Member on any matter of question. In the case of a Member who has declared a pecuniary interest in the matter or question, the minutes shall reflect the Members declaration and the general nature thereof;
- 1.30 **"Regular Meeting"** means a scheduled business meeting held in accordance with the approved calendar/schedule of meetings;
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## **PART 2**

### **2.0 GENERAL**

#### **2.1 Rules – procedures observed – at all times**

The rules and regulations contained in this By-law shall be observed in all Meetings and shall be the rules and regulations for the order and dispatch of business before Council and Committees of Council and its Advisory Committees and local boards.

#### **2.2 Rules – observed – modifications – permitted**

The proceedings of the Council and its committees; the conduct of the members of Council and the calling of meetings shall be governed by the rules and regulations contained in this By-law.

#### **2.3 Parliamentary procedure – proceedings**

All points of Order of Procedure not provided for in these Rules shall be decided in accordance with Robert's Rules of Order, 10<sup>th</sup> Edition and the Mayor shall submit the ruling without debate.

#### **2.4 Rules – suspended – 2/3 consent – Council**

Any rules or procedures contained in this by-law may be suspended with the consent of two-thirds of the Council/Committee present, unless prohibited by law.

#### **2.5 Councillor – addressed**

Members of Council are to be addressed as "**Councillor** (surname inserted)".

#### **2.6 Mayor – Addressed**

The Mayor shall be addressed as "**Mayor** (surname inserted)" or as "**Your Worship**".

#### **2.7 Meetings – location – Council Chambers - exception**

All meetings of Council, Standing Committees and Advisory Committees shall take place in the Council Chambers at 37 Main Street East in the Town of Huntsville, with the exception of the Accessibility Advisory Committee which will be held in Meeting Room 1, and the Parks & Recreation Committee at the Huntsville Centennial Centre, or as otherwise designated by Council or the Chair of a Committee.

#### **2.8 Use of Audio – Video Equipment**

The use of audio and video recording equipment during a Meeting is not permitted within the designated areas unless the Chair or the majority of the Council Members permit the use of such equipment or devices and it is not disruptive to the conduct of the Meeting at which the recording privileges are granted. Any and all audio/ video recordings recorded other than by the municipality shall not, under any circumstances, be deemed to be official records.

## **PART 3**

### **3.0 ROLES AND DUTIES**

#### **3.1 Role of Mayor**

It is the role of Mayor,

- 1) to act as Chief Executive Officer of the municipality;
- 2) to preside over Council Meetings;
- 3) to provide leadership to Council;
- 4) to represent the municipality at official functions;
- 5) to carry out the wishes of Council;

- 6) to act as Council's representative when dealing with the CAO and other levels of government, their agencies and the private sector;
- 7) to carry out the duties of the head of council under this or any other Act.

**8) as Chief Executive Officer of the municipality, the Mayor shall:**

- i) uphold and promote the purposes of the municipality;**
- ii) promote public involvement in the municipalities activities;**
- iii) to promote the municipality locally, nationally and internationally;**
- iv) participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.**  
**(Amended by By-law 2007-102 – Addition)**

**3.2 Duty of Mayor**

It is the duty of the Mayor to preside at all meetings of Council, and in addition to the requirements in the *Municipal Act* shall be responsible:

- 1) to open the meeting of Council by taking the Chair and calling the meeting to order;
- 2) to receive and submit, in the proper manner, all motions presented by the members;
- 3) to put to a vote all motions and to announce the result;
- 4) to sit as an ex-officio member of any committees of Council and is entitled to vote at meetings;
- 5) decline to put motions to a vote which infringe upon the rules of procedure;
- 6) to inform the members of the proper procedure to be followed and to enforce the rules of procedure;
- 7) to enforce on all occasions, the observance of order and decorum among the members;
- 8) to call by name any member persisting in a breach of the rules of procedure and order the member to vacate the Council Chambers;
- 9) to permit questions to be asked through the Mayor of any officer of the Town for information to assist in any debate when the Mayor deems it proper;
- 10) to provide information to members on any matter relating to the business of the Town;
- 11) to authenticate by signature all by-laws, agreements and minutes of Council;
- 12) to rule on any points of order raised by members;
- 13) to represent and support the Council;
- 14) to maintain order. Where it is not possible to maintain order, the Mayor may, without any motion being put forward, adjourn the meeting to a time to be determined by the Mayor;
- 15) to adjourn the meeting when the business is concluded;
- 16) to carry out the duties of the Head of Council under the *Municipal Act* or any other Act; and,
- 17) to act in accordance with his/her Oath of Allegiance and Oath of Elected Office (*Section 225*).

**3.3 Role of Council**

It is the role of Council,

- 1) to represent the public and to consider the well-being and interests of the municipality;
- 2) to develop and evaluate the policies and programs of the municipality;

- 3) subject to legislative restrictions, develop regulations to be adopted in by-laws and resolutions for the overall benefit of the community;
- 4) to determine which services the municipality provides in accordance with applicable legislation;
- 5) to maintain the financial integrity of the municipality;
- 6) to carry out the duties of council under this or any other Act; and
- 7) to ensure accountability & transparency of the municipal operations, and of activities of Senior Management (*Section 225*).

#### 3.4 **Duty of Councillors**

It is the duty of the Councillors to attend all meetings of Council, and:

- 1) to prepare for meetings, including reviewing the agenda and background information prior to the meeting;
- 2) to speak only to the subject under debate;
- 3) to vote on all motions before the Council unless prohibited from voting by law;
- 4) to observe proper procedure and decorum at all meetings;
- 5) to state questions to be asked through the Mayor;
- 6) to support the Council;
- 7) to attend Standing Committee, Advisory Committee and Ad-Hoc Committee meetings to which the member has been appointed by Council;
- 8) to carry out the duties of Councillor under the *Municipal Act* or any other Act; and
- 9) to act in accordance with their Oath of Allegiance and Oath of Elected Office (*Section 224*).

#### 3.5 **Duty of the CAO – “Chief Administrative Officer”**

It is the duty of the Chief Administrative Officer to attend all Council Meetings, and:

- 1) to provide vision and leadership and for administration, planning, organizing, directing and controlling all municipal operations and services in accordance with municipality policies and relevant legislation;
- 2) to manage assets, business and financial health of the municipality;
- 3) to manage the relationship between the elected officials and staff;
- 4) to provide high level representation to government, media, community and public organizations;
- 5) exercise general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and
- 6) to perform such other duties as are assigned by the municipality (*Section 229*).

#### 3.6 **Duty of Clerk**

It is the duty of the Clerk to attend all Council meetings, and:

- 1) to prepare and distribute agendas for all meetings of Council in accordance with this by-law;
- 2) to record, without note or comment, all resolutions, decisions and other proceedings of the council, whether it is closed to the public or not;

- 3) if required by any member present at a vote, to record the name and vote of every member voting on any matter or question (recorded votes);
- 4) to keep the originals or copies of all by-laws and of all minutes of the proceedings of the council;
- 5) to make such minor clerical, typographical or grammatical corrections in form to any bylaw, motion, resolution and/or minutes as may be required for the purpose of ensuring correct and complete implementation of the actions of Council;
- 6) to perform other duties required under the *Municipal Act, Municipal Elections Act 1996*, or as required under any other Act;
- 7) to act as Commissioner for the municipality;
- 8) to authenticate by signature all by-laws, agreements and minutes of council;
- 9) to advise Council on parliamentary procedure; and
- 10) to perform such other duties as are assigned by the municipality (*Section 228(1) & 239 (7 & 8)*).

#### **PART 4**

#### **4.0 SCHEDULE OF MEETINGS**

##### **4.1 Inaugural Meeting – first Monday – December - time**

The Inaugural meeting of Council shall be held on the first Monday in December following a Municipal Election at the hour to be determined by the Mayor-elect.

##### **4.2 No business – Inaugural – until Declarations**

No business shall be conducted at the Inaugural Meeting of Council until the Declarations of Oath have been made by the members of Council.

##### **4.3 Regular Meetings**

The Council shall hold its regular meetings every third Monday at 7:00 p.m. in the Huntsville Municipal Council Chambers.

##### **4.4 In-Camera - time**

In-Camera meetings (closed session) shall be held at the call of the chair, as deemed necessary.

##### **4.5 Planning Act Applications – Regular Meetings**

Regular Council Meetings for the purpose of obtaining Public input on Planning Act Applications may be held at every Council Meeting, when required.

##### **4.6 Election – meeting time – November**

In the event that such a day falls on when a Municipal Election or municipal by-election is being held, the Council may meet at the same hour on the first day thereafter, unless otherwise provided by resolution of Council.

##### **4.7 Holiday**

In the event that such a day is a Holiday, the Council shall meet at the same hour on the first day thereafter, which is not a Holiday, unless otherwise provided by resolution of Council.

##### **4.8 Special – Emergency Meeting – called by Mayor**

The Head of Council, at any time, may summon a Special Meeting of Council or Emergency Meeting.

- 4.9 **Special Meeting – called by Council**  
Notwithstanding the provision of Section 4.3, the Clerk shall, upon receipt of a petition signed by a majority of the members of Council, summon a special meeting **for the purpose and at the time mentioned in the petition, to be held in the Municipal Council Chambers unless otherwise noted.** (In accordance with the provisions of the *Municipal Act, 2001, as amended, c. 25, s. 240*)
- 4.10 **Special Meetings – public offices - emergency**  
The council shall hold its meetings as set out in Section 4.8 and keep its public offices within the Huntsville Civic Centre; however, in the case of an emergency, it may hold its meetings and keep its public offices at any convenient location within or outside the municipality (*Municipal Act, 2001, as amended, c.25, s. 236(1)*).

## **PART 5**

### **5.0 NOTICE OF MEETINGS**

- 5.1 **Agendas – deemed notice**  
The Agendas shall be considered as notice of regular meetings.
- 5.2 **Agendas – delivered – in advance**  
The Clerk or the Clerk's representative shall provide each Member of Council an Agenda with support Reports for each regular meeting of Council, Standing Committees and Advisory Committees to be placed in the Councillors' mailboxes located in the Administration Department, 3<sup>rd</sup> Floor. The Agenda of the Regular Council Meeting, Standing Committees and Advisory Committees shall be provided no later than two working days before the hour appointed for the holding of such meeting.
- 5.3 **Public Notice of Meeting Schedule / Posting of Agendas (Amended by By-law 2007-102 - Addition)**  
Public Notice of meetings shall be given by posting the meeting schedule on the Town's official website at the beginning of each calendar year. The meeting schedule shall include the date, time and location of Council, Committees and Advisory Committees. The meeting schedule is subject to change as necessary. All agendas will be posted no later than 48 hours before the hour appointed for the holding of such meeting on the Town of Huntsville's website [www.huntsville.ca](http://www.huntsville.ca). **The Council and Committee Agendas will be posted outside the Council Chambers, other meeting rooms and also at the Huntsville Public Library.**
- 5.3.1 **Posting of Agendas – Failure to post (Amended by By-law 2007-102 – Addition)**  
**Notwithstanding section 5.3 above, failure to post the agenda to the Town's official website, outside the Council Chambers, meeting place; and also at the Huntsville Public Library shall not affect the validity of the meeting or any action lawfully taken thereat.**
- 5.4 **Special Meetings – notice – delivered – 24 hours prior – exception**  
Notice of a special meeting called in accordance with this by-law shall be delivered to the Members of Council by either telephone, facsimile transmission or electronic mail, to the phone number; fax number or e-mail address as provided by the members. It shall be the responsibility of the Chief Administrative Officer and/or Clerk or the Clerk's representative to forward to Members all notices and agendas for Special Council Meetings a minimum of 24 hours in advance of such Meetings.
- 5.5 **Special meetings – business specified – transacted**  
No business except the business dealing directly with the purpose mentioned in the notice shall be transacted at a Special Meeting.
- 5.6 **Emergency or disaster – notice not required**  
In the case of a disaster or emergency as defined in the Emergency Plan, an emergency meeting may be held without notice, to deal with the emergency or extraordinary situation, provided that an attempt has been made by the Chief Administrative Officer and / or Clerk or the Clerk's representative to notify the members about the meeting as soon as possible and in the most expedient manner available.

- 5.7 **Agenda – notice – not received – validity**  
Lack of receipt of a Notice or an Agenda by the members of Council shall not affect the validity of the meeting or any action lawfully taken thereat.
- 5.8 **Standing Committees / Advisory Committees – deemed notice**  
The Agenda of a Standing Committee / Advisory Committee meeting shall be considered as notice of the meeting and shall be delivered to members of Council and other appointed members.
- 5.9 **Agendas – Media (Amended by By-law 2007-102 - Addition)**  
**The Council and Committee agendas will be made available for the media on the Town Website.**
- 5.10 **Agenda – In-Camera – material (Amended by By-law 2007-102 - Addition)**  
**All In-Camera material will be circulated to members of Council and / or Committee Members on blue paper. The In-Camera material must be immediately handed back to the Clerk or designate at the close of the In-Camera session.**
- 5.11 **Agenda – In-Camera – not sent electronically (Amended by By-law 2007-102 - Addition)**  
**Agendas of an In-Camera Meeting or In-Camera Session shall not be sent electronically to members of Council.**

## PART 6

### **6.0 IN-CAMERA MEETINGS “CLOSED SESSION”**

#### **6.1 Council, Standing Committees and Advisory Committees – Closed Sessions**

All or parts of meetings may be held In-Camera in accordance with the *Municipal Act, 2001, as amended*. The In-Camera session, if required, will be held at the call of the chair. For Standing Committees and Advisory Committees, In-Camera sessions, if required, will be held at the call of the chair.

#### **6.2 Matters – In-Camera**

The only matters that may be considered In-Camera shall only be held in accordance with *Section 239* of the *Municipal Act*.

- (a) the security of the property of the municipality or local board;
- (b) personal matters about an identifiable individual, including municipal or local board employees;
- (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- (d) labour relations or employee negotiations;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act, *2001, c. 25, s. 239 (2)*;
- (h) a matter in respect of the consideration of a request under the Municipal Freedom of Information and Protection Privacy Act, if the council is designated as the Head for the purpose of that Act; *2001, c. 25, s. 239(3)*;
- (i) for the purpose of education or training the members and when there is no discussion or material advancement of the “business or decision-making of the council, local board or committee”; *2006, c.32, Sch. A, S.103 (1), s. 239(3.1)*.

**6.3 Procedure – moving into – In-Camera**

Prior to moving to In-Camera for one or more of the reasons listed in Section 6.2, the Council, Standing Committee or Sub-committee shall pass a motion in open session stating:

- 1) the fact that Council, Standing / Advisory Committee or Board is convening into In-Camera session;
- 2) the fact of the holding of the closing meeting, the general nature of its subject-matter and that it is to closed under that *subsection, 2001, c. 25, s.239(4); 2006, c. 32, Sch. A, s.103(2)*.
- 3) if closed under *s. 239(3.1)*, the resolution must also note that it is closed under that subsection.

**6.4 No votes at a closed meeting**

No votes at a closed meeting, except for when the vote is:

- 1) for giving instructions to officers, employees or agents of the Corporation or persons retained by or under contract with the Town;
- 2) for procedural matters; and
- 3) adjournment

**6.5 Minutes – Closed Session**

The Clerk or his/her designate shall record, without note or comment the proceedings of the council and all committees of council in Closed Session;

**6.6 Adoption of Closed Session Minutes (Amended by By-law 2007-102 - Addition)**

**Minutes of a Closed Session of Council or a Committee of Council shall be presented for adoption at the next Closed Session portion of a Regular Meeting of Council/Committee. The adoption of the minutes is a procedural matter and does not affect the validity or effect the resolutions recorded in the minutes.**

**6.7 Preservation of Confidentiality (Amended by By-law 2007-102 - Addition)**

**All information, documentation or deliberations received, reviewed or taken in a Closed Session is confidential. No Member or staff person shall release, make public or comment in any way information considered during a Closed Session or discuss the content of any Closed Session with persons other than Members or relevant staff members.**

**PART 7**

**7.0 COUNCIL AGENDAS / ORDERS OF THE DAY**

**7.1 Council Agendas – Composition – prepared by Clerk**

The Clerk shall prepare the Council Agendas with the Orders of the Day for Regular Council Meetings consisting of the following:

- 1.0 Adoption of the Agenda
- 2.0 Disclosure of Pecuniary Interest and the General Nature Thereof
- 3.0 Zoning By-Law Amendments – Hearings
- 4.0 Deputations and Presentations
- 5.0 Adoption of the previous Council Minutes
- 6.0 Notice of Motion
- 7.0 Reports from Committees

- 8.0 Reports from Municipal Officers
- 9.0 By-laws and Agreements
- 10.0 New Business
- 11.0 Other Business
- 12.0 Business Arising from Closed Session (if applicable)
- 13.0 Confirmation By-law
- 14.0 Adjournment

and with necessary modifications for Special and Emergency meetings.

**NOTE:** In-Camera "Closed Session", will be added to the Agenda **at the call of the chair** to be placed on the Agenda **either** after 1.0 "Adoption of the Agenda", or after 11.0 "Other Business".

**Deadline – material inclusion**

The deadline for receipt of material by the Clerk to be included on the Agenda for Regular Meetings shall be 12:00 noon on the Wednesday prior to the regular meeting.

**7.2 Order of business – as specified – exception**

The business of each meeting shall be taken up in the order in which it stands on the Agenda unless otherwise decided by a majority vote of the members present.

**7.4 Motion – to change order – not amendable – not debatable**

A motion changing the order of business shall not be amendable or debatable.

**PART 8**

**8.0 COMMENCEMENT OF COUNCIL MEETINGS - QUORUM**

**8.1 Quorum – majority – required**

The majority of members of Council and Committees shall constitute a quorum.

**8.2 Call to order – quorum present**

As soon after the hour fixed for the Meeting as there is a quorum present, the Mayor or Chair of the Committee shall take the chair and call the meeting to order.

**8.3 Quorum – time appointed - meeting**

If there is not a quorum within thirty minutes after the time appointed for the meeting, the Chair shall call the roll, the names of the members present shall be recorded and the items included on the agenda shall be included on the agenda of the next regular meeting of council or on a special meeting of council, if called for that purpose, and in the case of a Standing Committee or Advisory Committee, at the next regularly scheduled meeting.

**8.4 Quorum – lost – adjourn to reconvene – exception**

If during the course of a meeting, the quorum is lost, then the meeting shall stand adjourned to reconvene as determined by the Mayor or Chair. If in the opinion of the Mayor or Chair, it is not essential that the balance of the agenda be dealt with before the next regularly scheduled meeting, then the Mayor or Chair shall announce that the unfinished business will be considered at that time.

**8.5 Mayor – to preside – all meetings**

The Mayor, if present, shall preside at all Council Meetings.

- 8.6 **Mayor – absence – Deputy Mayor – to preside**  
In the event the Mayor does not attend the Meeting within fifteen minutes after the time appointed, the Deputy Mayor shall call the Members to order and if a quorum is present, shall preside as Chair during the Meeting or until the arrival of the Mayor.
- 8.7 **Member appointed – to preside**  
In the absence of the Mayor and Deputy Mayor, the Clerk shall be present and, if a quorum is present, shall call the Members to order. A Chair shall then be chosen by the Members present from amongst the Members and shall preside during the Meeting or until the arrival of the Mayor or Deputy Mayor.
- 8.8 **Members of Council – notify – Clerk – absence**  
Members of Council are requested to notify the Clerk when the member is aware that he/she will be absent from any meeting of Council.

## **PART 9**

### **9.0 RULES OF DEBATE AND CONDUCT**

- 9.1 **Order – decorum – maintained - Mayor**  
The Mayor shall preside over the conduct of Council meetings, including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meeting, subject to an appeal to the Council.
- 9.2 **Mayor – speaking on motion – to leave Chair**  
The Mayor may answer questions and comment in a general way without relinquishing the chair, but if he/she wishes to speak to a motion taking a position and endeavouring to persuade the Council to support that position, then he/she shall first relinquish the chair.
- 9.3 **Mayor – leaving Chair – member designated in place**  
If the Mayor desires to relinquish the chair for the purpose of taking part in the debate or for any other reason, the Mayor shall relinquish the chair to the Deputy Mayor. In the absence of the Deputy Mayor the Mayor shall designate another member to fill the Mayor's place until the Mayor resumes the chair.
- 9.4 **Speaking – recognition by Mayor - required**  
Before a member may speak to any matter, he/she shall first be recognized by the Mayor.
- 9.5 **Speaking – order - determination**  
When two or more members indicate simultaneously that they wish to speak, the Mayor shall name the member who is to speak first.
- 9.6 **Speaking – limitation – subject – maximum 5 minutes**  
When a member is speaking to a motion, he/she shall **confine** his/her remarks to the motion and in speaking shall be limited to a maximum of 5 minutes.
- 9.7 **Speaking – once only – exception – vote - reply**  
A member shall not speak more than once to any motion, unless otherwise decided by the Mayor, but the member who has made a motion shall be allowed to reply for a maximum of 5 minutes.
- 9.8 **Motion – under debate – read – at any time**  
A member may require the motion under debate to be read at any time during the debate, but shall not interrupt a member who is speaking.
- 9.9 **Disruption – Council – by member - prohibited**  
A member shall not disturb the Council by disorderly conduct or comments.

- 9.10 **Offensive language – insults - prohibited**  
A member shall not use profane or offensive words or insulting expressions.
- 9.11 **Disobedience – rules – points of order - prohibited**  
A member shall not disobey the rules of the Council or a decision of the Mayor or of the Council on points of order or on the interpretation of the rules of procedure.
- 9.12 **Leaving seat – disturbance during vote - prohibited**  
A member shall not leave his/her seat or make noise or cause a disturbance while a vote is being taken or until the result is declared.
- 9.13 **Speaking – without addressing - prohibited**  
A member shall not speak until he/she has addressed himself/herself to the Mayor or Chair.
- 9.14 **Interruption – speakers - exception**  
A member shall not interrupt a member who is speaking, except to raise a point of order or a question of privilege.
- 9.15 **Leaving meeting – not to return – Mayor informed**  
A member shall not leave the meeting when he/she does not intend to return thereto without first advising the Mayor or Chair.
- 9.16 **Disorderly conduct – member to be removed - question**  
In the event that a member persists in a breach of the rules of this By-law, after having been called to order by the Mayor, the Mayor shall put the question “shall the member be ordered to leave his/her seat for the duration of the meeting?” and such question is not debatable.
- 9.17 **Disorderly conduct – member to leave seat**  
If the Council decides the question set out in Section 9.16 of this By-law in the affirmative by a majority vote of the members, the Mayor or Chair shall order the member to leave his/her seat for the duration of the meeting.
- 9.18 **Apology – member to resume seat – by permission**  
If the member apologizes, the Mayor or Chair, with the approval of the Council, may permit him/her to resume his/her seat.
- 9.19 **Council – contact – Senior Staff – prior to meeting**  
Members of Council are encouraged to contact the appropriate Director or Manager prior to a meeting to raise questions or clarify issues relevant to a matter on the Council Agenda.

## **PART 10**

### **10.0 MOTIONS – ORDER – PUTTING MOTIONS**

- 10.1 **Motion – filed with Clerk**  
A member of Council may file a motion to be placed on the agenda with the Clerk no later than 12:00 noon on the Wednesday prior to the regular Council meeting, as deemed appropriate.
- 10.2 **Notice of Motion – filed with Clerk**  
A member of Council may file a “Notice of Motion” with the Clerk, to be noted on the agenda, of which will be deliberated at the next regular Council meeting.
- 10.3 **Motion – moved and seconded before debate**  
Motions of Council shall be moved, seconded and be received by the Chair before being debated or put to a vote.

10.4 **Withdrawal – before put - requirement**

Every motion shall be deemed to be in the possession of Council for debate after it is accepted by the Mayor, but may be withdrawn with the joint support of the mover and seconder at any time before the question is put to a vote.

10.5 **Motion – reply**

A reply shall be allowed to a Member who has made a substantive resolution, to any Member who has moved an amendment, the previous question and/or instruction to a Committee.

10.6 **Calling the Question**

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

10.7 **Decision - voting**

The manner of determining the decision of the Council or Committee of Council on a motion shall be at the discretion of the Chair and shall be by a show of hands, unless otherwise stated by the Chair and any motion shall require votes from a majority of the members present in order to be valid and binding on Council or Committees of Council.

10.8 **Motion under debate – other motions permitted**

When a motion is under debate, no other motion shall be in order except a motion:

- a) to adjourn;
- b) to proceed beyond the hour of 11:00 p.m.;
- c) to lay on the table (to set a motion aside temporarily in order to take up a more pressing matter);
- d) to put the question (to close the debate);
- e) to postpone (defer);
- f) to refer; or
- g) to amend.

10.9 **Motion to adjourn - qualifications**

A motion to adjourn shall:

- a) not be amended;
- b) not be debated;
- c) always be in order, except when a member is speaking or the members are voting.

10.10 **Adjournment – 11:00 p.m.**

All Regular Council and Standing Committee meetings shall stand adjourned when the Council has completed the business as listed on the Agenda, or upon the arrival of the hour of 11:00 p.m.

10.11 **Adjournment – extensions – reconvene – subsequent Council Meeting**

If other business on the Agenda is not completed after an extension or extensions, the meeting(s) shall reconvene at 7:00 p.m. on the subsequent regular Council Meeting or on another day and time as agreed upon by Council by majority vote.

10.12 **Motion to proceed beyond 11:00 p.m. - qualifications**

A motion to proceed beyond the hour of 11:00 p.m. shall:

- a) not be amended;
- b) not be debated; and

c) always be in order, except when a member is speaking or the members are voting.

10.13 **Motion to proceed past midnight – qualifications**

A motion to proceed past midnight and each hour thereafter shall:

a) not be amended;

b) not be debated;

c) always be in order, except when a member is speaking or the members are voting; and

d) shall require a unanimous vote of those members present or the meeting shall automatically be adjourned.

10.14 **Motion to lay on the table - qualifications**

A motion lay on the table a particular matter removes the subject from consideration until Council votes to take from the table. A matter can be tabled for a specific period of time or tabled indefinitely. A motion to take from the table is required to bring the matter back before Council for consideration. A motion to lay on the table shall:

a) not be amended;

b) not be debated; and

c) apply to the main motion and any amendments thereto under debate at the time when the motion to set aside the pending motion was made.

10.15 **Motion to postpone (defer) – to certain time - procedure**

A motion to postpone (**defer**) is used to postpone discussion for a certain period of time. A motion to postpone (defer) a matter to a certain time shall:

a) be open to debate; however, the debate must be limited to the advisability of the proposed postponement;

b) be amendable.

10.16 **Motion to refer – qualifications**

A motion to refer is used to give closer study of the subject. It is used to require a committee or staff to examine the matter under consideration in greater detail. A motion to refer a matter should include the name of the committee or official, etc. to whom the matter is to be referred and instructions respecting the terms upon which the matter is to be referred, and, shall:

a) be debatable (debate restricted to the pros and cons of making the referral);

b) be amendable; and

c) preclude amendment or debate of the preceding motion, unless the motion to refer is resolved in the negative, in which case the preceding motion shall be open to debate and amendment.

10.17 **Motion to amend - qualifications**

A motion to amend, add to, delete from, or substitute words in the main motion, shall:

a) be open to debate;

b) not propose a direct negative to the main motion; and

c) be relevant to the main motion.

10.18 **Motion to amend – main motion – one at a time**

Only one motion to amend the main motion shall be allowed at one time.

10.19 **Motion to amend – amendment – one at a time**

Only one motion to amend a motion to amend the main motion shall be allowed at one time.

10.20 **Motion – not within jurisdiction – not in order**

A motion relating to a matter not within the jurisdiction of the Council is not in order and shall not be entertained by the Mayor or Chair.

**PART 11**

**11.0 VOTING**

11.1 **Request – call the question – decision - Mayor**

A Member of Council may request that the Mayor or Chair “call the question” and the Mayor or Chair may accept or deny the request. Unless a member immediately appeals the decision to the Council, the decision of the Mayor or Chair shall be final.

11.2 **Amendment – to amendment – voted on first**

A motion to amend an amendment to a motion shall be voted on first.

11.3 **Voting - order**

Voting on the main motion and amending motions shall be conducted in the following order:

- a) a motion to amend a motion to amend the main motion;
- b) a motion, as amended, to amend the main motion; and
- c) the main motion, as amended.

11.4 **Motion to vote – immediately – after all have spoken**

A motion shall be put to a vote by the Mayor immediately after all members desiring to speak on the motion have spoken.

11.5 **Speaking – after motion – before vote announced**

After a motion is put to a vote by the Mayor or Chair, no member shall speak on that motion nor shall any other motion be made until after the result of the vote is announced.

11.6 **Mandatory vote – all members - exception**

Every member present shall vote on every motion unless the member has declared a pecuniary interest in the matter. The Mayor's or Chair's declaration of the vote shall be deemed to reflect how he/she voted on the motion.

11.7 **No vote – deemed negative - exception**

Notwithstanding the provisions of Section 11.6 of this By-law, every member who is not disqualified from voting by reason of a declared pecuniary interest shall be deemed to be voting against the motion if he/she declines or abstains from voting.

11.8 **Secret voting – prohibited**

No vote shall be taken by Council by ballot or by any other method of secret voting and every vote so taken is of no effect.

11.9 **Result – announced – by Mayor**

The Mayor or Chair shall announce the result of every vote taken as either Carried or Defeated.

11.10 **Tie vote – deemed defeated**

When a vote is taken and a tie results, the motion is deemed to be defeated.

11.11 **Recorded vote – required – when called for**

A recorded vote shall be taken when called for by any member or when required by law. The Clerk shall call upon each member of Council entitled to vote on the motion, to answer "Yea" or "Nay".

**11.12 Recorded vote – called for – before\after - vote**

A member may call for a recorded vote immediately prior to or immediately after the taking of the vote.

**11.13 Recorded vote – names – entered in minutes**

When a recorded vote is taken, the names of the members of Council who voted in support and those who voted in opposition to the motion shall be entered in the minutes.

**11.14 Recorded vote – all members to vote - exception**

All members present shall vote when a recorded vote is called for, except when they have been disqualified from voting by reason of a declared conflict or pecuniary interest.

**11.15 Voting – numbers of members - calculation**

In any vote required of the whole Council, the number of members constituting the Council shall be determined by excluding:

- a) the number of members who are present at the meeting but who are excluded from voting by reason of the *Municipal Conflict of Interest Act, R.S.O. 1990, c.M.50*, as amended, and any successor legislation thereto.

**11.16 Opposition – support – not recorded in Minutes – exception**

The Clerk shall not note dissenting votes in the Minutes, unless a request has been made by a member of Council for a recorded vote.

## **PART 12**

### **12.0 RECONSIDERATION**

**12.1 Introduction – by majority voter**

A motion to reconsider a decided matter shall only be moved by the member who voted with the majority on the original motion.

**12.2 Reconsideration – 2/3 vote – whole Council required**

A motion to reconsider a decided matter at the same meeting shall require the approval of two-thirds support of the whole Council.

**12.3 Reconsideration – subsequent meeting**

A motion to reconsider a decided matter at a subsequent meeting shall require the approval of a majority of council.

**12.4 Reconsideration - qualifications**

A motion to reconsider:

- a) is not debatable;
- b) is not amendable;
- c) cannot be considered if the action approved in the motion cannot be reversed;
- d) suspends action on the motion to which it applies until it has been decided.

**12.5 Members – responsible – determination – how voted**

Each Member of Council shall be responsible for making a determination on how the Member voted on a specific matter. The Clerk shall not record or note in the minutes how a member votes unless a request for a recorded vote has been made.

- 12.6 **Reconsideration – once – twelve months**  
No motion shall be reconsidered more than once during a period of twelve months following the date on which the question was decided.
- 12.7 **Debate – prohibited – statement of reason - permitted**  
No debate on a motion to reconsider a decided matter shall be permitted; however **the mover of a motion** may give notice at the next Regular Meeting of Council and may provide or may make a brief and concise statement outlining the reasons for proposing such **reconsideration**.
- 12.8 **Affirmative vote – original matter – next business**  
If a motion to reconsider is decided in the affirmative, then consideration of the original matter shall become the next order of business.
- 12.9 **Succeeding Council – not reconsideration**  
When a question is brought before a succeeding Council, it shall be deemed to be new business **and not a matter of reconsideration**.

### **PART 13**

#### **13.0 DEPUTATION / DELEGATION**

- 13.1 **Appearance – before Council – written request - spokesperson**  
Any person desiring to be heard must submit to the Clerk a request in writing and signed, stating the purpose of the deputation, no later than 12:00 noon on the Wednesday preceding the Council Meeting. **Only one spokesperson shall speak on behalf of a delegation** to Council.
- 13.2 **Delegations – not on Agenda**  
Following the preparation of the agenda, any person desiring to be heard on an item or subject already listed on a Council or Committee of Council agenda, must submit a request in writing and signed stating the agenda item he or she wishes to speak on, to the Clerk, no later than 12 o'clock noon on the day of the Council or the Committee of Council Meeting.
- 13.3 **Delegation – public hearing – exception**  
Delegations will be permitted from the gallery without prior registration to hear during a public hearing portion of a meeting under the provisions of the *Planning Act* or other legislation or regulation requiring a public hearing.
- 13.4 **Business – stated – related to**  
Persons addressing Council or a Committee of Council shall confine their remarks to the stated business.
- 13.5 **Delegation – time limit**  
Deputations shall limit their presentations to not more than **ten (10) minutes**, and successive extensions of five minutes may be granted. Persons requesting to appear before Council or a Committee of Council shall be advised of the time limitation in advance of their presentation.
- 13.6 **Appearance – before Council – copy of presentation**  
Persons appearing before Council shall provide a copy of their presentation to the Clerk at the meeting and the Clerk shall keep retain a copy of the presentation for an appropriate period of time.
- 13.7 **Curtail – delegation - reason**  
The Mayor or Chair may curtail any delegation, any questions of a delegation or debate during the presentation, for disorder or other breach of this by-law and if the Mayor or Chair rules that the delegation is concluded, the person or persons appearing shall withdraw from the delegation table.
- 13.8 **Limit – Deputations – Council Meetings**  
No more than two deputations shall be scheduled for any Council Meeting unless otherwise approved by the Mayor, or subject to the necessity to deal with matters of an urgent nature.

## **PART 14**

### **14.0 PETITIONS – COMMUNICATIONS**

#### **14.1 Presentation – information – legibly written – signed**

Every communication or petition intended for presentation to Council shall be legibly written or printed and shall be signed by at least one person giving his/her address.

#### **14.2 Material – distribute to Council – prohibited - unless authorized**

No person, except a member of Council or an authorized Town employee shall, before a meeting of Council, place on the desks of members or otherwise distribute any material whatsoever unless such person is acting with the approval of the Clerk.

#### **14.3 Listed – under New Business**

The Clerk shall list under New Business only those communications and petitions which pertain to matters of Council business.

#### **14.4 Language – obscene – defamatory - prohibited**

Communications or petitions containing obscene or defamatory language shall not be listed in the Orders of the Day, but shall be directed to the CAO.

## **PART 15**

### **15.0 COMMITTEE MINUTES**

#### **15.1 Minutes – completed – Standing Committee recommendations**

Minutes of Standing / Advisory Committees shall be listed in the Section on the Agenda designated for Committee Minutes for the next Regular Council meeting following the Standing / Advisory Committee meetings and the minutes shall include of the recommendations made at the Standing / Advisory Committee meetings.

#### **15.2 Minutes – adopted – confirmed – by motion**

Minutes of each Standing and Advisory Committees may be adopted by Council in a single motion and the passage of such a motion shall be taken to confirm and adopt all of the resolutions contained in the minutes, except for those resolutions dealt with or voted on separately.

#### **15.3 Resolutions – pulled – vote on separately – notification**

The Clerk or his/her designate, **requires notification** from Councillors on any Committee resolutions that are to be pulled from the Minutes and voted on separately by Council, **no later than 10:00 a.m. on the day of the Council Meeting.**

## **PART 16**

### **16.0 REPORTS FROM MUNICIPAL OFFICERS**

#### **16.1 Reports – signatures**

Reports from Municipal Officers must be signed by the writer. The signatures are required from the writer, Director / Manager, and the Director of Corporate Services in regard to financial implications. The CAO must sign all reports to Council.

#### **16.2 Reports – deadline – submitted to CAO and Mayor - approval**

Reports must be submitted to the CAO and thereafter the Mayor no later than 12:00 noon on the Wednesday before the Council Meeting for approval and signature of the CAO and approval of the Mayor.

**16.3 Reports – urgent matter – exception**

Should an urgent matter arise where a report needs to be presented to Council for approval and the deadline has passed, the approval of the Mayor and CAO is required before the Report can be placed before Council.

**16.4 Reports – added to agenda**

In conjunction to section 16.3, the writer of the report must notify the Clerk in order that the Report can be added on the motion for the adoption of the agenda and that the required motion of council is prepared for consideration.

## **PART 17**

### **17.0 ENACTMENT OF BY-LAWS**

**17.1 By-laws - introduced**

By-laws shall be introduced in the Section on the Agenda designated for the Readings of By-laws. By-laws of an urgent nature that were not included on the Regular Council Agenda prior to distribution, may be considered at a Council meeting and must be listed on the adoption of the Agenda.

**17.2 Readings – 3 – required – before enactment**

Every By-law shall receive First Reading, Second Reading and Third Reading by Council before being enacted, unless provided otherwise by law.

**17.3 Introduction – same motion – First Reading**

All the by-laws may be introduced in the same motion, duly moved and seconded, specifying the number and title of the by-law, giving them a First Reading, with no debate. Debate on amendments to the by-law may take place after the reading of the motion for Second and Third Reading.

**17.4 By-law – introduced – final form**

Every By-law introduced at a Council meeting shall be in its final form and contain no blanks, except such as may be required to conform to accepted procedure or to comply with the provisions of any Act.

**17.5 Councillor – Pecuniary Interest – By-law**

If a member of Council has a pecuniary interest on a By-law, the Clerk shall note in the minutes the member of Council and the cause of the particulars of the disclosure.

**17.6 Draft by-law – Standing Committee**

A draft by-law may be presented in writing to a Standing Committee for discussion and amendments if required, prior to its passing at a Council meeting.

**17.7 By-law - enacted - Council**

Every by-law enacted by the Council shall be numbered and shall be signed by the Mayor and Clerk, sealed with the seal of the Corporation and shall show the dates of the three readings by the Council. The Clerk shall ensure that the by-law is properly stored for safekeeping.

**17.8 By-law – Clerk – safekeeping**

Every By-law enacted by Council shall be deposited with the Clerk for safekeeping.

## **PART 18**

### **18.0 STANDING COMMITTEES – MEETINGS**

**18.1 Standing Committees – composition**

There shall be the following Standing Committees of Council. (Schedule "A" attached)

- 1) Committee of Adjustment
- 2) Economic Development Committee
- 3) Environment Committee (Amended by By-law 2007-36 - Addition)**
- 4) Finance & Administration Committee
- 5) Heritage Committee
- 6) Parks & Recreation Committee
- 7) Planning & Design Committee
- 8) Public Works Committee
- 9) Safety & Enforcement Committee

**18.2 Standing Committees – mandate**

Schedule "B" sets out the mandate for each committee. If the mandate is adopted by by-law the By-law Number will be noted as a cross-reference with the name of the Committee.

**18.3 Standing Committees – meetings – schedule**

Standing Committee meetings shall be held in the Council Chambers in accordance with Schedule "C" or, at the call of the Chair.

**18.4 Meetings – special – called by Chair**

Special meetings of a Standing Committee may be called by the Chair whenever he/she considers it necessary.

**18.5 Chairs – Vice-Chairs – members - appointment – procedure**

The Chairs, Vice-Chairs and members of the Standing Committees shall be appointed by the Mayor at the Inaugural Meeting in each term of Council of a regular municipal election year or at the 1st regular meeting of Council thereafter.

**18.6 Mayor – member – ex-officio – all standing committees**

The Mayor shall be ex officio, a member of all standing committees and entitled to vote and to make motions and amendments.

**18.7 Procedure - modifications**

The rules governing the procedure of the Council and the conduct of its members shall be observed in Standing Committee meetings, with the necessary modifications, except that:

- 1) motions do not require a seconder;
- 2) a member shall not speak more than once to a motion until every member who desires to speak has spoken once;

**18.8 Points of order – decision by Chair**

Points of order arising in Standing Committee shall be decided by the Chair, subject to an appeal by a Member of the Committee.

**18.9 Standing Committee – recommendations – to Council**

Each Standing Committee may make recommendations to Council by Report of the Standing Committee at the next regular Council meeting, unless otherwise decided.

**18.10 Standing Committee – recommendations – exception**

Notwithstanding Section 18.8 of this By-law, a Standing Committee recommendation may be dealt with by Council when the Council meeting reconvenes that same night.

**18.11 Minutes – kept – report to Council**

Minutes of Standing Committees shall be kept and the proceedings shall be recorded in the form of recommendations voted upon by the members.

**18.12 Agenda – distribution – deemed notice**

The Agendas shall be deemed notice of regular Standing Committee meetings.

**18.13 Agenda – distribution**

The Chair, through the Clerk's representative (Recording Secretary), shall cause to be delivered to each Member of Council and Committee Member an Agenda for each Standing Committee in accordance with Section 5.2. Distribution of the Agenda is deemed to be deposited in the Councillor's mail boxes and/or electronically.

**18.14 Agenda – not received – validity – not affected**

Lack of receipt of the agenda by the members shall not affect the validity of the Standing Committee meeting or any action lawfully taken thereat.

**18.15 Alternates - appointed – composition (Amended by By-law 2007-56 - Addition)**

**Where the Mayor deems it necessary, "Alternates" may be appointed by resolution of Council to represent the lay members on Standing and Advisory Committees. An Alternate can only act as a voting member of a committee in the absence of a lay member of that same committee. The Alternates are only counted in a quorum in the absence of the appointed lay member.**

## **Part 19**

### **19.0 ADVISORY COMMITTEES**

**19.1 Advisory Committees – Chairs – Vice Chairs – appointment - procedure**

The Chairs and Vice-Chairs of the Advisory Committees shall be appointed by the Mayor.

**19.2 Mayor – member – ex-officio – all advisory committees**

The Mayor shall be ex officio, a member of all Advisory Committees and entitled to vote and to make motions and amendments.

**19.3 Meetings – regular – location - exception**

Advisory Committees shall meet in accordance with the meeting schedule attached as part of Schedule "C" established.

**19.4 Meetings – special – called by Chair**

Special meetings of Advisory Committees may be called by the Chair whenever he/she considers it necessary.

**19.5 Chairs – Vice-Chairs – appointment - exception**

The Chairs and Vice-Chairs of Advisory Committees shall be appointed by the Mayor, with the exception of the Accessibility Advisory Committee. **(ACC – Terms of Reference)**

**19.6 Motions – procedure**

Motions do not require a seconder.

**19.7 Agenda – distribution – deemed notice**

The Chair, through the Clerk's representative (Recording Secretary), shall cause to be delivered to each Member of the Advisory Committee and all Council members in accordance with Section 5.2 the agenda for the meeting and the agenda shall constitute notice thereof.

19.8 **Agenda – not received – validity – not affected**

Lack of receipt of the agenda by the members shall not affect the validity of the Advisory Committee meeting or any action lawfully taken thereat.

19.9 **Minutes – taken – Recording Secretary**

The Recording Secretary provided by the Corporation shall be responsible for recording the actions and recommendations made at Advisory Committee meetings without comment and for forwarding a copy of the minutes to the Clerk.

19.11 **Meeting – conducted – exception - teleconference**

The Accessibility Advisory Committee may conduct their meetings by teleconference in order that all members can participate.

## **Part 20**

### **20.0 AD-HOC COMMITTEES**

20.1 **Ad-Hoc Committees – composition - mandate**

There shall be Ad-Hoc Committees as established by Council from time to time for consideration of specific matters within the jurisdiction of the Council. When Council establishes an Ad-Hoc Committee a mandate for the committee, as well as the composition shall be adopted. The resolution appointing the Ad-Hoc Committee shall include the name of the Ad-Hoc Committee and a sunset provision being the date by which the committee must report back to council and will cease to exist. If an Ad-Committee requires extra time the Chair must come back to Council requesting the additional time needed.

20.2 **Chairs – Vice-Chairs – appointment – procedure**

The Chairs and Vice-Chairs shall be determined and appointed by the Mayor.

20.3 **Mayor – member – ex officio – Ad-Hoc Committees**

The Mayor shall be ex-officio, a member of ad-hoc committees and entitled to vote and to make motions and amendments.

20.4 **Meetings – regular - exception**

Ad-hoc Committees shall meet in accordance with the meeting schedule established by the Ad-Hoc Committee at a location to be determined by the Chair.

20.5 **Meetings – special – called by Chair**

Special meetings of Ad-Hoc Committees may be called by the Chair whenever he/she considers it necessary.

20.6 **Motions – procedure**

Motions do not require a seconder.

20.7 **Agenda – distribution**

The Chair shall determine the method and manner of distribution of the agendas for Special Purpose Committees.

20.8 **Agenda – not received – validity – not affected**

Lack of receipt of the agenda by the members shall not affect the validity of the meeting or any action lawfully taken thereat.

## **Part 21**

### **21.0 SPECIAL PURPOSE COMMITTEES**

#### **21.1 Special Purpose Committees – composition**

There shall be Special Purpose Committees as established by Council from time to time for consideration of matters within the jurisdiction of the Council. The resolution appointing the Sub-Committee shall include the name of the Sub-Committee and a sunset provision being the date by which the committee must report back to council and will cease to exist. If a Special Purpose Committee requires extra time the Chair must come back to Council requesting the additional time needed.

#### **21.2 Chairs – Vice-Chairs – appointment – procedure**

The Chairs and Vice-Chairs shall be determined and appointed by the Mayor.

#### **21.3 Mayor – member – ex-officio**

The Mayor shall be ex officio, a member of Special Purpose Committees and entitled to vote and to make motions and amendments.

#### **21.4 Meetings – as deemed necessary**

Special Purpose Committees shall meet at a location to be determined by the Chair.

#### **21.5 Agenda – distribution – deemed notice**

The Chair, in consultation with staff, shall determine the method and manner of distribution of Agendas for Special Purpose Committees.

#### **21.6 Agenda – not received – validity – not affected**

Lack of receipt of the agenda by the members shall not affect the validity of the meeting or any action lawfully taken thereat.

#### **21.7 Special Purpose – completed - dissolved**

When a Special Purpose Committee has completed its work and submitted its report, it dissolves automatically, unless otherwise directed by Council.

## **Part 22**

### **22.0 DISCLOSURES OF PECUNIARY INTEREST**

#### **22.1 Provision of Matters**

- 1) Members of council are bound by the provisions of the Act and have personal responsibilities and duties.
- 2) The clerk shall provide each member of council with a copy of the Act prior to being sworn into Office.
- 3) A member who knows that he or she will be declaring a pecuniary interest at an upcoming meeting should notify the Clerk prior to the meeting, and
- 4) Each member of council and local board have an individual responsibility to satisfy himself or

herself as to whether he or she has a pecuniary interest in accordance with the legislation. No member of council or local board shall seek specific advice from any member of the municipal administration.

## **PART 23**

### **23.0 CONTENTS OF BY-LAW**

#### **23.1 Standing and Advisory Committees**

The contents of this By-law, which are applicable, shall apply to all Standing Committees of Council and Advisory Committees of Council.

## **PART 24**

### **24.0 CONFIRMATION BY-LAW**

#### **24.1 By-law enacted – end of meeting**

There shall be enacted a by-law at the end of each Council Meeting to confirm each recommendation contained in any Report of a Standing Committee of Council, and in respect of each motion, resolution and other actions passed and taken by the Council at the meeting, except where the prior approval of the Ontario Municipal Board or any other body or agency is required.

## **PART 25**

### **25.0 AMENDMENT TO THIS BY-LAW**

#### **25.1 Procedure suspended – majority of members**

Any procedure required by this By-law may be suspended for the duration of the meeting with the consent of a majority of the Members of the Council or Committee of Council present.

#### **25.2 Notice - no amendment or repeal**

No amendment or repeal of this By-law or any part thereof shall be considered at any Meeting of the Council unless notice of proposed amendment or repeal has been given at a previous Regular Meeting of the Council and the waiving of this notice by the Council is prohibited. A motion adding or dissolving a Committee passed at the preceding Regular Council Meeting is of sufficient notice.

#### **25.3 “Notice of Provisions” – published in local newspaper**

In accordance with the “Notice of Provisions” in the new *Municipal Act, 2001, c.25, s. 251, as amended*, no amendment or repeal of this By-law shall take place until notice is published in the local newspaper, within fourteen (14) days prior to the proposed action being taken.

#### **25.4 Proposed By-law – deferred – notice**

If the proposed by-law is not passed at the council meeting specified in the notice, but consideration of the matter is deferred, no further notice is required, if a public statement is made at the meeting that the matter has been deferred and that the municipality intends to adopt or amend the by-law at a later council meeting specified in the public statement. This also applies to any further deferrals of the matter.

## **PART 26**

**26.0 SEVERABILITY**

**26.1 Validity – By-law**

Should any section, subsection, clause, paragraph or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the provisions so declared to be invalid.

**PART 27**

**27.0 REPEAL OF PREVIOUS BY-LAW & AMENDMENTS**

**27.1 By-law – previous**

By-law 2004-15 is hereby repealed.

**PART 28**

**28.0 ENACTMENT**

**28.1 Take Force and Effect**

This By-law shall take force and effect on the final passing thereof.

**READ** a first time this 19th day of March A.D., 2007.

CLAUDE DOUGHTY  
**Mayor (Claude Doughty)**

KATHLEEN GILCHRIST  
**Clerk (Kathleen Gilchrist)**

**READ** a second and third time and finally passed this 10th day of April A.D., 2007.

CLAUDE DOUGHTY  
**Mayor (Claude Doughty)**

KATHLEEN GILCHRIST  
**Clerk (Kathleen Gilchrist)**

**SCHEDULE "A" (Amended by By-law 2008-132)**

**Standing Committees**

COMMITTEE OF ADJUSTMENT	
	Minor Variances
	Severances
	Zonings
<b>Chair</b>	Bill Beatty
<b>Vice</b>	John Davis
<b>Members</b>	Mary Jane Fletcher Brian Thompson George Young

COUNCIL REPRESENTATIVES	
<b>Accessibility Advisory</b>	<b>Emergency Planning, Fire Liaison, Police Liaison</b>
John Davis	Bill Beatty
<b>Aspdin Hall Bd.</b>	<b>G8 Summit</b>
Bill Beatty Chris Zanetti	Claude Doughty
<b>BIA Rep.</b>	<b>Huntsville Public Library</b>
Mary Jane Fletcher	John Davis
<b>Brunel Hall Bd.</b>	<b>Port Sydney Hall Bd.</b>
Mike Greaves George Young	Bill Beatty Chris Zanetti
<b>Education &amp; Health Liaison</b>	<b>Utterson Hall Bd.</b>
Fran Coleman	Bill Beatty Chris Zanetti

ECONOMIC DEVELOPMENT BR&E	
<b>Chair</b>	George Young
<b>Vice</b>	Brian Thompson
<b>Member</b>	Fran Coleman

ENVIRONMENT	
<b>Chair</b>	Mary Jane Fletcher
<b>Vice</b>	Mike Greaves
<b>Members</b>	George Young 1 – Community Environ Com. 1 – Huntsville Lakes Council

FINANCE & ADMINISTRATION	
	Algonquin Theatre Information Technology
<b>Chair</b>	Chris Zanetti
<b>Vice</b>	Fran Coleman
<b>Member</b>	Claude Doughty

CEMETERY BOARD	
<b>Chair</b>	Chris Zanetti
<b>Vice</b>	Fran Coleman
<b>Member</b>	Claude Doughty

HERITAGE	
	Archives
	Friends of Muskoka Pioneer Village
	Huntsville & Lake of Bays Railway Society
	Huntsville Train Station Society
	Muskoka Marine Museum
<b>Chair</b>	John Davis
<b>Vice</b>	Brian Thompson
<b>Member</b>	Bill Beatty

PARKS & RECREATION	
	Communities in Bloom
	Parks & Trails
	Recreation Facilities Management
	Right-of-Way Plant/Maintenance
<b>Chair</b>	Mike Greaves
<b>Vice</b>	Mary Jane Fletcher
<b>Member</b>	George Young

PLANNING & DESIGN	
	Development Applications
	Official Plan & Zoning By-law Amendments
	Signage By-law
	Site Plan Guidelines & Applications
	Urban Design Guide
<b>Chair</b>	John Davis
<b>Vice</b>	Claude Doughty
<b>Members</b>	Bill Beatty Fran Coleman Mike Greaves

PUBLIC WORKS	
	New Construction
	Summer Maintenance
	Transit
	Winter Control
<b>Chair</b>	Brian Thompson
<b>Vice</b>	Mike Greaves
<b>Member</b>	Chris Zanetti

SAFETY & ENFORCEMENT	
	Animal Control
	By-law Enforcement
	Property Standards
<b>Chair</b>	Mary Jane Fletcher
<b>Vice</b>	Bill Beatty
<b>Member</b>	Fran Coleman

PROPERTY STANDARDS	
<b>Chair</b>	Mary Jane Fletcher
<b>Vice</b>	Bill Beatty
<b>Member</b>	Fran Coleman

*\* Mayor Doughty is Ex Officio Member with voting rights on all Committees that he is not already a Standing Member thereof.*



**2008 / 2010 Town of Huntsville - Standing / Advisory Committee Structure**

## **SCHEDULE "B"**

### **MANDATES - COMMITTEES**

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#### **ACCESSIBILITY ADVISORY COMMITTEE**

The mandate of the Accessibility Advisory Committee is to advise Council in the promotion of equal opportunity for all persons, regardless of needs as well as to enable all persons to participate as fully as possible in all aspects of community life.

The Accessibility Advisory Committee will conduct research and prepare reports and recommendations for Council's review on various matters respecting the issues of persons with disabilities.

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#### **CEMETERY BOARD**

The mandate of the Cemetery Board is to generally oversee and coordinate the overall administration of municipally owned Cemeteries and for abandoned cemeteries that the Town is responsible for as legislated by the Province under the *Cemeteries Act*.

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#### **COMMITTEE OF ADJUSTMENT**

The mandate of the Committee of Adjustment is to make decisions on Consents and Minor Variances to the Zoning By-law.

The Provincial legislative basis for this Committee is the Planning Act which promotes:

- Economic development and a healthy natural environment
  - A Land use planning system led by a Provincial Policy Statement
  - A Fair and open planning process
  - Responsible local decision making
- 

#### **ECONOMIC DEVELOPMENT COMMITTEE**

The mandate of the Economic Development Committee is to create an atmosphere conducive to attracting, promoting and marketing Economic Development opportunities with Huntsville in order to maintain, expand and improve local employment opportunities and the municipal tax base, by working with existing businesses and marketing events tourism. The Committee will achieve this by working with the private section, community organizations and marketing events tourism.

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#### **ENVIRONMENT COMMITTEE**

The mandate of the Environment Committee is to preserve the natural environment, promote environmental values through education and leadership.

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#### **FINANCE AND ADMINISTRATION COMMITTEE**

The mandate of the Finance & Administration Committee is to report and make recommendations to Council on:

1. Programs relating to:
  - Financial Services
  - Information Technology
  - Human Resource Management
  - Legislative Services
  - Algonquin Theatre Operations
  - Muskoka Heritage Place Operations (excluding policy)

## **Procedural By-law 2007-24**

### **2. Matters relating to:**

- Policies involving financial management, investment, reserves, debt, procurement and risk management.
  - Policies involving effective and efficient provision of support services and systems, including information technology.
  - Policies respecting human resources, including health and safety, union/management relations, organizational plan and development and compensation administration.
  - Policies involving general procedures and administrative by-laws.
  - Oversight of internal control and financial reporting which include periodic reporting of financial results and annual year-end results.
  - Review and recommendation of the annual budget which includes preparation of budget guidelines.
  - Management of Municipal records.
- 

### **HERITAGE COMMITTEE**

The mandate of the Heritage Committee is to represent and unite the various heritage interests in our community in the preservation, presentation and promotion of local heritage.

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### **PARKS & RECREATION COMMITTEE**

The mandate of the Parks & Recreation Committee is to report and make recommendations to Council on:

- Developing goals and objectives to ensure adequate provision of parks and recreation services and facilities.
  - Policies to ensure the most effective and efficient delivery of parks and recreation services and the use of recreation facilities.
  - Determining the recreation needs and wants of the community groups and citizens of Huntsville and establish priorities for future development.
  - Assisting, encouraging and providing advisory services on request to all groups, organization or persons carrying on recreational activities in the Town of Huntsville.
  - Keeping the inhabitants of the Town of Huntsville aware of the recreational opportunities which are available and will continually interpret to the public the total community program of recreation.
- 

### **PLANNING & DESIGN COMMITTEE**

The mandate of the Planning and Design Committee is to provide advisory services to Council, Committees and ratepayers respecting development, planning and environmental matters, in the most efficient and effective manner, given the resources available. The Committee functions include making recommendations respecting:

- Access and Architectural Guidelines;
- Development Applications;
- New Zoning and Official Plan Reviews;
- Plans of Subdivision and Condominium;
- Site Plan Guidelines & Applications;
- Urban Design Guidelines; and
- others (Signage, Tree By-laws).

The Provincial legislative basis for this Committee is the Planning Act which promotes:

- Economic development and a healthy natural environment;
  - A Land Use Planning System led by a Provincial Policy Statement;
  - A fair and open planning process; and
  - Responsible local decision making.
-

**PROPERTY STANDARDS COMMITTEE**

The mandate of the Property Standards Committee is to hear appeals from an owner or occupant who has been served with an order made under subsection 15.2 (2) of the Building Code Act, S.O. 1992, and who is not satisfied with the terms or conditions of the order.

On an appeal, the committee has all the powers and functions of the officer who made the order and the committee may do any of the following things if, in the committee's opinion, doing so would maintain the general intent and purpose of the by-law and of the official plan or policy statement:

1. Confirm, modify or rescind the order to demolish or repair.
2. Extend the time for complying with the order.

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**PUBLIC WORKS COMMITTEE**

The mandate of the Public Works Committee is to provide advisory services to Council, Committees and ratepayers respecting public works matters. While recognizing that Public Safety is paramount, the Public Works Committee will attempt to strike the best balance between public safety, protecting the environment, risk minimalization, functionality and economics.

The Committee functions include making recommendations respecting:

- Road & Bridge Maintenance
- Sidewalks
- Streetlights
- Stormwater Management
- Construction and Assumption of Subdivisions;
- Traffic Management;
- Capital Construction Program; and
- Transit

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**SAFETY & ENFORCEMENT COMMITTEE**

The mandate of the Safety & Enforcement Committee is to provide advisory services to Council, Committees and ratepayers respecting public safety and enforcement matters. While recognizing that Public Safety is paramount, the Safety and Enforcement Committee will attempt to strike the best balance between public safety, protecting the environment, risk minimalization and the needs of the individual.

The Committee functions include making recommendations respecting:

- Fire Protection
  - OPP Liaison
  - By-law Enforcement
  - Property Standards Enforcement
  - Parking
-

**SCHEDULE "C"**  
**Standing Committee Meeting**  
**Location – Schedule**

(Amended by By-law 2010-46)

<u>COMMITTEE</u>	<u>LOCATION</u>	<u>MEETING SCHEDULE</u>
Accessibility Advisory Committee	PARTNERS HALL	3rd Tuesday each Month @ 2:00 p.m.
Committee of Adjustment Committee	COUNCIL CHAMBERS	3rd Tuesday each Month @ 9:00 a.m.
Economic Development Committee	COUNCIL CHAMBERS	Last Tuesday of Every Month @ 4:00 p.m. (Amended by By-law 2009-24)
Environment Committee	COUNCIL CHAMBERS	3rd Tuesday each Month @ 4:00 p.m. (Amended by By-law 2010-46)
Finance & Administration Committee	COUNCIL CHAMBERS	Thursday @ 9:00 a.m. Three Week Rotation
Heritage Committee	COUNCIL CHAMBERS	2nd Wednesday Bi-monthly @ 6:00 p.m.
Parks & Recreation Committee	COUNCIL CHAMBERS	Wednesday @ 2:00 p.m. Three Week Rotation (Amended by By-law 2009-11)
Planning & Design Committee	COUNCIL CHAMBERS	3rd Tuesday each Month @ 10:30 a.m.
Public Works Committee	COUNCIL CHAMBERS	Thursday @ 1:00 p.m. Three Week Rotation
Safety & Enforcement Committee	COUNCIL CHAMBERS	Friday @ 9:00 a.m. Three Week Rotation (Amended by By-law 2007-56)
	OR AT THE CALL OF THE CHAIR for a Special Meeting	OR AT THE CALL OF THE CHAIR for a Special Meeting