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MUNICIPALITY OF NORTH MIDDLESEX

PROCEDURAL BY-LAW

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**MUNICIPALITY OF NORTH MIDDLESEX
PROCEDURAL BY-LAW
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**Corporation of the Municipality of North Middlesex
By-law Number 022 of 2021**

Being a By-law for governing the calling, place and proceedings of meetings of the Municipal Council and Committees for the Municipality of North Middlesex.

WHEREAS

- A. The *Municipal Act, 2001*, S.O. 2001, c. 25, section 238, requires that every municipality shall pass a procedure by-law for governing the calling, place and proceedings of meetings;
- B. the Council of the Municipality of North Middlesex is desirous of amending the Procedural By-law No. 7 of 2018 , as amended, to establish revised rules of order and procedures governing Council, its members and the calling of meetings;
- C. Procedural By-law No. 7 of 2018, as amended, is hereby repealed;
- D. This By-law shall come into force and be effective on the date of the third and final reading thereof;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF NORTH MIDDLESEX ENACTS AS FOLLOWS:

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 with respect to its findings and recommendations, the committee is automatically dissolved.
- 1.2 Advisory Committee** means a committee established by Council with an on-going advisory mandate or purpose.
- 1.3 Chair** means the person presiding at a meeting whether it be the Mayor, Deputy Mayor, a member of Council, or a duly appointed member of a committee.
- 1.4 Clerk** means the Clerk, or CAO/Deputy Clerk of the Corporation of the Municipality of North Middlesex or his/her designate who shall have all the powers and duties of the Clerk.
- 1.5 Closed Session** means that part of a meeting closed to the public in accordance with the provisions of Section 239 of the *Municipal Act, 2001*.
- 1.6 Committee** means any advisory, statutory or other committee, subcommittee or similar entity of which at least 50 per cent of the members are also members of one

or more councils or local boards in accordance with section 238 of the *Municipal Act, 2001*.

- 1.7 **Court of Revision** means the Court of Revision constituted under the *Drainage Act* by the Corporation of the Municipality of North Middlesex.
- 1.8 **Corporation** means the Corporation of the Municipality of North Middlesex.
- 1.9 **Council** means the elected members of council of the Corporation of the Municipality of North Middlesex.
- 1.10 **Defer, Deferred or Deferral** when used in connection with matter or item before the Council or a Committee, means that the said matter or item is to be dealt with at the next or specified meeting of the same body.
- 1.11 **Delegation** means a person intending to address the Council or Committee on a matter.
- 1.12 **Deputy Mayor** means the member of Council elected to act in the place of the head of Council (Mayor) when the head of Council is absent or refuses to act or, when the office of the head of Council is vacant, and while so acting such member has all the powers and duties of the Head of Council.
- 1.13 **Drainage Act** means the *Drainage Act*, R.S.O. 1990, c. D.17, as amended or replaced.
- 1.14 **Electronic Meeting** means an inaugural, regular or special meeting of Council called and held in full or in part via electronic means (including, but not limited to, audio teleconference, video teleconference, or via means of the internet), and with or without in-person attendance.
- 1.15 **Electronic Hearing** means a hearing, as defined herein, called and held in full or in part via electronic means (including, but not limited to, audio teleconference, video teleconference, or via means of the internet), and with or without in-person attendance.
- 1.16 **Electronic Public Meeting** means a public meeting, as defined herein, called and held in full or in part via electronic means (including, but not limited to, audio teleconference, video teleconference, or via means of the internet), and with or without in-person attendance.
- 1.17 **Emergency** means situations or the threat of impending situations caused by forces of nature, accidents or an intentional act that constitutes a danger of major proportions to life and property that affects public safety; meaning health, welfare and property as well as the environment and economic health of the municipality, as defined in the municipality's emergency response plan, and includes but is not

limited to any period of time during which an emergency has been declared to exist in all or part of a municipality by the Mayor or the Province of Ontario under sections 4 or 7.0.1 of the *Emergency Management and Civil Protection Act, 1990*, c. E.9, as amended or replaced (the "**EMCPA**").

- 1.18 Hearing** means a hearing convened by Council, Committee or a Local Board as required by statute or by-law.
- 1.19 Inaugural Meeting** means the first meeting of Council held after a municipal election in a regular election year.
- 1.20 Local Board** does not include police services boards or public library boards.
- 1.21 Mayor** means the Mayor or, in the absence of the Mayor, the Deputy Mayor, who may be referred to as the Head of Council.
- 1.22 Member** means a member of the Council, Committee or a Local Board as the context requires.
- 1.23 Motion** means a proposal by a member to resolve and effect a decision.
- 1.24 Municipal Act** means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended or replaced.
- 1.25 Municipal Conflicts of Interest Act** means the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended or replaced.
- 1.26 Municipality** means the Municipality of North Middlesex.
- 1.27 Meeting** means any regular, special or other meetings of Council, or of certain local boards or committees, where a quorum is present and where members discuss or otherwise deal with matters in a way that materially advances the business or decision making of the relevant body.
- 1.28 Pecuniary Interest** means a direct or indirect financial interest of a member and a financial interest deemed to be that of a member, in accordance with Sections 2 and 3 of the *Municipal Conflict of Interest Act*.
- 1.29 Planning Act** means the *Planning Act*, R.S.O. 1990, c. P.13, as amended or replaced.
- 1.30 Point of Order** means an issue to which a Member calls attention to:
 - (a) Any breach of the rules of order pursuant to this Procedural By-law;
 - (b) Any defect in the constitution of any meeting;
 - (c) The use of improper, offensive or abusive language;

- (d) Notice of the fact that the matter under discussion is not within the scope of the proposed motion; or
- (e) Any other informality or irregularity in the proceeding of the meeting.

- 1.31 Point of Privilege** means a motion concerning the health, safety, rights or integrity of the Member, the Council, a Committee or anyone present at a meeting.
- 1.32 Presiding Officer** means the Mayor or Deputy Mayor or in the absence of both of them, the member appointed pursuant to section 17.0 of this by-law who during their absence, has all the powers of the Head of Council while so acting.
- 1.33 Public Meeting** means a meeting open to the public, where the public may participate in the discussion without following the procedures for delegations set out in this by-law.
- 1.34 Question** means a motion that has been placed before the Council or Committee by the statement of the Chair. Only once duly stated by the Chair and 'on the floor' can a motion be debated and put to a question of the members for proper resolution.
- 1.35 Quorum** means a majority (more than half) of the whole number of members of Council, or at least 50% of members of a Committee, except where a member has or members have declared a pecuniary interest pursuant to the *Municipal Conflict of Interest Act*, the quorum may be less than half plus one of the whole number of members but shall not be less than two.
- 1.36 Recorded Vote** means the recording of the name and vote of every Member on any matter of question, subject to the *Municipal Conflict of Interest Act*.
- 1.37 Resolution** means the decision of the Council on any motion or Committee recommendation.
- 1.38 Rules of Procedure** means the rules and regulations provided in this by-law and, where necessary, Roberts Rules of Order (Newly Revised).
- 1.39 Statutory Committee** means a committee required by legislation to be established by Council with an on-going statutory mandate or purpose.
- 1.40 Urgent Business** means an item of business that has arisen since the preparation of the agenda that is of an urgent nature and must be addressed prior to the following meeting of Council.

2.0 INTENT OF BY-LAW

- 2.1** The proceedings of Council and its Committees and its local boards, the conduct of its Members and the call of meetings shall be governed by the provisions of the

Municipal Act, 2001, the Municipal Conflict of Interest Act, and the rules and regulations contained in this By-law.

- 2.2** The rules and regulations set out in this by-law for proceedings of Council apply, insofar as practicable and unless otherwise provided herein or by by-law or statute, to proceedings of Committees and local boards of the Municipality.
- 2.3** In any case for which provision is not made in these rules and regulations, the procedure to be followed shall be as near as may be that followed in the most recent edition of Roberts Rules of Order in existence at the time shall be referred to.
- 2.4** Without limiting the generality of section 2.3, all Points of Order of procedure not provided for in the by-law shall be decided in accordance with Robert's Rules of Order and the Presiding Officer shall submit the ruling without debate.
- 2.5** Except where it is provided otherwise, any part or parts of this by-law may be temporarily suspended if agreed upon by a two-thirds (2/3) majority vote of the members present unless the part or parts is prescribed by law.
- 2.6** In this by-law, any reference to the Mayor shall mean the Mayor, or in his absence, the Deputy Mayor and, if the context requires, shall include the Chair.

3.0 INAUGURAL MEETING OF COUNCIL

- 3.1** Subject to subject to section 4.6 and section 11.3 of this By-law, the inaugural meeting of Council shall be held on the first Wednesday of December following a Municipal election, commencing at the hour of 6:00 p.m., local time, in the Council Chambers.
- 3.2** Prior to the inaugural meeting of Council in each election year, the Mayor shall determine the order of the seating of the members in the chamber.

4.0 PLACE OF MEETINGS

- 4.1** All Council meetings shall be held within the Municipality of North Middlesex or an adjacent Municipality, except as otherwise provided by this by-law.
- 4.2** Meetings of Council shall be held in the Council Chambers or at such other location within the Municipality or an adjacent municipality, as approved by Council.
- 4.3** The Clerk may provide for a meeting to be held at such other place where the Council Chambers may not be able to accommodate the number of anticipated participants.

- 4.4 When a Closed Session is listed on a Council agenda, Council may open a meeting in another room for the purpose of convening into a Closed Session.
- 4.5 An education or training session or public information meeting may be held at various facilities in the Municipality.
- 4.6 In the case of an Emergency, the Municipality may hold a meeting at any convenient location within or outside the Municipality, as specified by the Clerk.

5.0 NOTICE

- 5.1 Notice of a meeting shall be deemed to be given by making the agenda available in the office of the Clerk and by posting on the Municipality's website at least 48 hours preceding the meeting, unless otherwise provided herein or prescribed by statute or by-law.
- 5.2 The agenda shall indicate the date, time and place of the meeting and the contact information for the Clerk's Office.
- 5.3 Agendas, agenda items, and any other information required to be provided to Members in advance of a meeting, shall be provided by the Clerk to each Member in advance of the Meeting in the manner agreed upon between the Clerk and the Member.
- 5.4 Notice which is substantively given but is irregular or not otherwise in strict compliance with this By-law will not invalidate the holding of a meeting or any proceeding taken at a meeting.

6.0 REGULAR MEETINGS AND DATE CHANGES

- 6.1 Regular meetings of Council shall generally be held on the first and third Wednesday of each month, or at such time as the Council, from time to time appoints by resolution, upon adjourning and every such resolution shall be entered upon the Minutes of Council.
- 6.2 Council shall approve on or before the first meeting in October of each year, the schedule of Council meetings for the following year and include one meeting scheduled in the month of July and August unless directed otherwise.
- 6.3 The regular meetings shall be held commencing at the hour of 6:00 p.m. or as soon thereafter as a quorum of the Members of Council shall be present.
- 6.4 If a meeting date falls on a public or civic holiday the Council shall meet on the next following day which is not a public or civic holiday.

6.5 Any regular meeting of the Council may be postponed to a day and time named in a notice in writing by the Mayor given to each Member through the Clerk's office and at least two business days in advance of the regular meeting.

6.6 If a Member is unable to attend a meeting, the Member is to inform the Clerk or Chair as to the nature of the absence in order that it is recorded as personal business, other municipal business or illness.

6.7 Unless otherwise determined by Council through a motion, Council shall conclude its meeting at the hour of 10:00 p.m. if in session at that time.

7.0 SPECIAL MEETINGS

7.1 The Mayor may at any time summon a Special Meeting of the Council on forty-eight (48) hour notice to the members of Council, and shall summon a Special Meeting whenever requested in writing by a majority of the members of Council. Forty-eight (48) hour notice of all Special meetings of Council shall be given to Members through the Clerk's Office unless such notice is waived by a majority of the Members.

7.2 Any Special Meeting of Council shall be held at such time and place as the Mayor or the requisition of the members, may designate, provided such place is located in the Municipality or an adjacent Municipality.

7.3 By way of notice convening a Special Meeting the business for which the same is called shall be specified and no other business shall be considered.

7.4 Upon receipt of a petition of the majority of Members of Council, the Clerk shall summon a Special Meeting which shall be held only on at least one clear day's notice and the only matters dealt with at the special meeting shall be those set out in the petition.

7.5 One business days' notice means an intervening day between the day on which the notice was given and the day the meeting is to be held when the Municipal Offices are open.

8.0 EMERGENCY MEETINGS

8.1 Notwithstanding section 7.1 and section 7.2 above, in the event of an Emergency, a Special Meeting may be held as soon as practicable following the receipt of the summons or petition, as the case may be, at any convenient location within or outside the Municipality, and Notice may be given by telephone, facsimile, personal contact, e-mails, or posted on the Municipality's website, as determined by the Clerk.

8.2 The Clerk shall attempt to notify the public of the Emergency Meeting and publish an agenda as soon as possible and in the most expedient manner available.

9.0 PUBLIC MEETINGS (IN PERSON)

9.1 Where any statute confers a right to be heard by Council before the passing of a by-law, or where Council is by statute required to hold a public meeting before the passing of a by-law, the Clerk shall call a Public Meeting.

9.2 The Clerk may call a Public Meeting at any time where so directed by the Mayor (or Committee Chair) for the purpose of soliciting feedback from the public on issues of importance to Council. Council may also request that Town Hall Meetings be established each year at the discretion of Council or the CAO.

9.3 Notice of a Public Meeting shall meet the notice requirements of the statute under which the Public Meeting is required. If the Public Meeting is not required by statute, notice shall be provided in accordance with section 5.1 of this By-law.

9.4 Public Meetings held pursuant to the *Planning Act* shall be held, whenever practical and in accordance with the applicable Notice requirements, commencing at 6:00 p.m. on the first Wednesday of every month during a regular Council meeting

9.5 Public Meetings held pursuant to the *Drainage Act* shall be held, whenever practical and in accordance with the applicable Notice requirements, commencing at 5:45 p.m. at the second meeting of the month during or prior to a regular Council meeting.

9.6 The agenda for a Public Meeting shall generally be as follows:

1. Call to Order
2. Presentations
3.
 - i. Municipal Staff
 - ii. Applicant/Agent
4. Comments/Questions from Members of the Public
5. Comments/Questions from Members of Council
6. Adjournment

9.7 Delegations at a Public Meeting are not required to provide written submissions to the Clerk in advance of the meeting in accordance with section 20.2 of this By-law unless otherwise prescribed by legislation. However, Delegations are encouraged to provide written submissions to the Clerk in accordance with section 20.2 of this By-law in order to facilitate the efficient conduct of the meeting. The provisions set out in section 20.3, 20.4 and 20.5 do not apply to delegations at a Public Meeting.

9.8 The procedures set out in this By-law shall continue to apply to a Public Meeting held pursuant to this section, except that this section and the procedures set out in

the statute under which the Public Meeting is required, if any, shall prevail to the extent of any conflict.

10.0 HEARINGS (IN PERSON)

- 10.1** Where Council convenes for the purpose of holding a hearing as required by any statute or by-law, the provisions of the statute or by-law, and, as applicable, the *Statutory Powers and Procedures Act*, R.S.O 1990, c. S.22, as amended or replaced, shall prevail to the extent of any conflict with this By-law.

11.0 ELECTRONIC MEETINGS

- 11.1** Notwithstanding any other provision of this By-law, an inaugural, regular or special meeting of Council may be conducted by Electronic Meeting where deemed appropriate by the Mayor, in his or her sole discretion, in accordance with this section and any meeting protocol that may be adopted by Council from time to time.
- 11.2** The procedures set out in this By-law for an inaugural, regular or special meeting shall continue to apply to an Electronic Meeting held pursuant to this section, except that this section and any Electronic Meeting protocol adopted by Council, shall prevail to the extent of any conflict.
- 11.3** Where an Electronic Meeting is held, such meeting will be chaired physically from a location within the municipality or an adjacent municipality as specified by the Mayor, in his or her sole discretion, as is necessary in accordance with section 236(1) of the *Municipal Act, 2001*. In the case of an Emergency, an Electronic Meeting may be held at any convenient location within or outside the Municipality.
- 11.4** Where necessary, an Electronic Meeting may be held without physical attendance by the public.
- 11.5** Members in attendance at an Electronic Meeting shall be counted for purposes of quorum at the commencement of the meeting and at any point in time during the meeting, and shall be entitled to vote through a vote recorded by the Clerk as if the Member were attending the meeting in person.
- 11.6** An Electronic Meeting may include a Closed Session, which shall be conducted in the absence of the public.
- 11.7** The notice of Electronic Meeting shall include sufficient information to provide the public with a means to electronically access the open session of an Electronic Meeting.
- 11.8** An Electronic Meeting will permit delegations by way of electronic submission received in advance of the meeting, which shall be submitted to the Clerk prior to

the start of the Electronic Meeting in accordance with this By-law and/or any protocol adopted by Council, and shall be provided to Members participating in the meeting.

- 11.9** The Electronic Meeting Protocol attached hereto as "**Appendix A**", is hereby adopted and shall be applied to any Electronic Meeting held in accordance with this section. Amendments to the Electronic Meeting Protocol are permitted to be made by simple majority vote of Council to accommodate an effective and efficient meeting so long as any such amendments are not contrary to prevailing Provincial legislation or orders.

12.0 ELECTRONIC PUBLIC MEETINGS AND HEARINGS

- 12.1** Notwithstanding any other provision of this By-law, a Public Meeting or Hearing may be conducted electronically where deemed appropriate by the Mayor, in his or her sole discretion, including but not limited to during periods of Emergency, in accordance with this section and any electronic public meeting or hearing protocol that may be adopted by Council from time to time.
- 12.2** The procedures set out in this by-law shall continue to apply to an Electronic Public Meeting or Electronic Hearing held pursuant to this section, except that this section, the applicable statute or by-law, and any protocol adopted by Council in respect of the type of Electronic Public Meeting or Electronic Hearing being held, shall prevail to the extent of any conflict.
- 12.3** Where an Electronic Public Meeting or Electronic Hearing is held, such meeting will be chaired physically from a location within the municipality or an adjacent municipality as specified by the Mayor or Chair, in his or her sole discretion, as is necessary in accordance with section 236(1) of the *Municipal Act, 2001*. In the case of an Emergency, an Electronic Meeting may be held at any convenient location within or outside the Municipality.
- 12.4** Where necessary, an Electronic Public Meeting or Electronic Hearing may be held without physical attendance by the public.
- 12.5** Members in attendance at an Electronic Public Meeting or Electronic Hearing shall be counted for purposes of quorum at the commencement of the meeting and at any point in time during the meeting, and shall be entitled to vote through a vote recorded by the Clerk as if the Member were attending the meeting in person.
- 12.6** The notice of Electronic Public Meeting shall meet the requirements of the applicable statute and shall include sufficient information to provide the public with a means to electronically access and participate in the Electronic Public Meeting.

- 12.7 The notice of Electronic Hearing shall meet the requirements of the applicable statute or by-law and shall include sufficient information to provide participants with a means to electronically access and participate in the Electronic Hearing.
- 12.8 The *Electronic Planning Act Public Meeting Protocol* attached hereto as **Appendix "B"**, is hereby adopted and shall be applied to any Electronic Public Meeting held under the *Planning Act* in accordance with this section.
- 12.9 The *Protocol for Electronic Drainage Act Public Meeting and Electronic Meeting of the Court of Revision* attached hereto as **Appendix "C"**, is hereby adopted and shall be applied to any Electronic Public Meeting or Electronic Hearing held under the *Drainage Act* in accordance with this section.
- 12.10 Amendments to *Appendix "B"* and *Appendix "C"* are permitted to be made by simple majority vote of Council to accommodate an effective and efficient meeting so long as any such amendments are not contrary to prevailing Provincial legislation or orders.

13.0 CLOSED SESSIONS

- 13.1 Section 239 of the *Municipal Act, 2001*, requires that meetings of council, committees and local boards are to be open to the public, except for certain, specified exceptions. Subsection 239(2) sets out specific exceptions to the requirement to hold an open public meeting if the subject matter of the meeting or part of the meeting deals with:
- (a) the security of the property of the municipality or local board;
 - (b) personal matters about an identifiable individual, including municipal or local board employees;
 - (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
 - (d) labour relations or employee negotiations;
 - (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
 - (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
 - (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

- (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

13.2 A meeting shall be closed to the public if the subject matter being considered is:

- (a) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, as amended or replaced, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
- (b) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, R.S.O. 1990, c. O.6, as amended or replaced, an Ombudsman referred to in subsection 223.13 (1) of the *Municipal Act, 2001*, or the investigator referred to in subsection 239.2 (1) of the *Municipal Act, 2001*.

13.3 A meeting of Council may be closed to the public if the meeting is held for the purpose of educating or training Members and no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision making of Council.

13.4 Meetings closed to the public must be closed by a motion to "Proceed into Closed Meeting" with the said motion, duly seconded and passed, stating:

- (a) the times of the opening and closing of the closed meeting;
- (b) the fact of the holding of the closed meeting;
- (c) the general nature of the matter considered at the closed meeting;
- (d) the identity of those who are participating in the closed meeting.

13.5 For an education or training session, the motion must state the reason it is to be closed under Section 239, subsection 3.1 of the *Municipal Act, 2001*.

13.6 A meeting shall not be closed to the public during the taking of a vote, unless otherwise authorized in Section 13.1, 13.2 or 13.3 or other legislation.

13.7 Despite Subsection 13.6 above, a meeting may be closed to the public during a vote if Section 13.1, 13.2 or 13.3 permits or requires a meeting to be closed to the public and, the vote is for a procedural matter or for giving direction or instructions to officers, employees or agents of the Municipality or persons retained by or under contract with the Municipality.

13.8 Meetings which are closed to the public may be referred to as Closed Session.

13.9 The Clerk shall take minutes during a Closed Session and such minutes shall record:

- (a) the place, date, start times, and time of adjournment of the meeting;
- (b) the name of the members attending, the presiding officer and delegations the reading, if requested, correction and adoption of the minutes of the prior Closed Session;
- (c) all other proceedings of the meeting without note or comment.

13.10 Minutes taken during a Closed Session will be approved at the next Closed Session meeting of Council, insofar as practicable.

13.11 All Closed Session meetings will be audio or video recorded, insofar practicable, and filed at the Municipal office. These recordings are not for public viewing.

13.12 A member present at a Closed Session shall, prior to consideration of any matter, declare any Pecuniary Interest, direct or indirect, and the general nature thereof; and said member shall leave the Closed Meeting, or part thereof, during which the matter is under consideration. Said declaration shall be recorded in the minutes.

13.13 The number of times a member may speak to any question shall not be limited during a Closed Session, providing that no member shall speak more than once until every member who desires to do so shall have spoken.

13.14 Any matter raised by a member, while in a Closed Meeting that was not listed on the resolution to "Proceed into Closed Meeting" shall not be considered.

13.15 A motion to adjourn a Closed Session shall always be in order and be decided without debate, except when a member is in possession of the floor.

13.16 A copy of any report or document circulated as part of an agenda regarding a confidential matter shall be returned to the Clerk at the end of the meeting for destruction.

13.17 On reconvening in public session, the Chair shall accept a motion to resolve the matter publicly or alternatively advise that direction had been given to staff during the closed meeting in accordance with the *Municipal Act, 2001*.

14.0 AGENDA

14.1 The Clerk shall prepare agendas for Council meetings.

14.2 The agenda for the regular meetings of Council shall generally be as follows, but modifications to the matters included or to the order of business may be effected by the Clerk, and/or Mayor without requiring amendments to the by-law:

1. Call to Order
2. Roll Call
3. Disclosure of Pecuniary Interest
4. Minutes of previous meetings
5. Public Meetings
6. Delegations
7. Departmental Reports
8. Passing of Accounts
9. Committee reports
10. Correspondence
11. Other or Urgent Business
12. Deferred Reports and/or Decisions
13. Communications (including County Council Meeting Report)
14. Reading of Bylaws
15. Closed Meeting (under Section 239 of the *Municipal Act*)
16. Consideration of Matters Arising from Closed Meeting
17. Adjournment.

- 14.3** Business shall be considered in the order set forth on the agenda, unless otherwise determined by Council, the CAO or Clerk.
- 14.4** An agenda for a Special Meeting, Education or Training Session or Committee Meeting is not required to include all agenda headings listed in Section 14.2.
- 14.5** Communications listed upon the Agenda which are for the information of Council or which contain a request for action on the part of Council in respect of matters within the jurisdiction of Council shall be referred to the appropriate Committee or Local Board without any motion and no Member shall be allowed to speak upon and no debate shall be allowed upon such communications until a report thereon has been made by the Committee or Local Board to which it was referred, or such communications may be received or noted and filed.
- 14.6** Notwithstanding the provisions of Section 14.5 of this By-law, the procedure required may be suspended and a communication may be discussed only upon the affirmative vote of two thirds of the Members of Council present.
- 14.7** Any items appearing on the agenda and not disposed of by Council shall be noted, and shall appear in subsequent agendas until disposed of by Council, unless removed from the agenda by leave of Council.

15.0 QUORUM

- 15.1** A quorum of Council shall be the majority of the members of Council or (more than half).

- 15.2** A quorum of any of the Committees or Local Boards shall be a majority of its members unless otherwise prescribed.
- 15.3** If no quorum is present one half hour after the time appointed for a council or committee meeting, the Clerk, or recording secretary shall record the names of the members present and the meeting shall stand adjourned until the date of the next regular meeting.
- 15.4** If a quorum is lost during a meeting then the Chair shall, upon determining that a quorum is not present, request the Clerk to call for a recess for a period of fifteen minutes, or until a quorum is present, whichever is sooner.
- 15.5** If there is still no quorum after fifteen minutes, the meeting shall stand adjourned and the Clerk shall record the names of the Members present. In this case, the confirmation By-law will reflect all business validly conducted by the Council before quorum was lost. All unfinished business shall be carried forward to the next meeting of Council.
- 15.6** Where the number of members who, by reason of the provisions of the *Municipal Conflict of Interest Act*, are prohibited from participating in a Meeting is such that, at that meeting the remaining members are not of sufficient number to constitute a quorum, then the remaining number of Members shall be deemed to constitute a quorum, provided this number is not fewer than two (2).
- 16.0 DISCLOSURE OF PECUNIARY INTEREST**
- 16.1** In all matters and under all circumstances Members shall comply with, be guided by and have regard to the *Municipal Conflict of Interest Act*.
- 16.2** Where a Member has any pecuniary interest, direct or indirect, in any matter and is present at a meeting at which the matter is the subject of consideration, the Member shall, in accordance with the *Municipal Conflict of Interest Act*:
- (a) Prior to consideration of the matter at the meeting, disclose the Member's interest and the general nature thereof;
 - (b) Not take part in the discussion of, or vote on any question in respect of the matter; and
 - (c) Not attempt in any way whether before, during or after the meeting to influence the voting on the matter.
- 16.3** During a Closed Session, in addition to complying with the requirements of the *Municipal Conflicts of Interest Act*, the Member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration.
- 16.4** Where the interest of a Member has not been disclosed by reason of the Member's absence from a particular meeting, the Member shall disclose the Member's interest

and otherwise comply at the first meeting of Council, as the case may be, attended by the Member after the particular meeting.

- 16.5** The Clerk shall record in reasonable detail all the particulars of any disclosure of pecuniary interest made by a Member this record shall appear in the Minutes of the meeting by the Clerk.

17.0 PRESIDING OFFICER AT COUNCIL MEETINGS

- 17.1** The Mayor shall preside at all meetings of Council.

- 17.2** When the Mayor is absent or refuses to act, in the place and instead of the Mayor, the Deputy Mayor has and may exercise all the rights, powers and authority of the Mayor.

- 17.3** When the Mayor and Deputy Mayor is absent, the members of Council may appoint another presiding officer from among themselves for the purpose of chairing a particular meeting. The presiding officer has and may exercise all the rights, powers, authority and obligations of the Mayor.

- 17.4** The Presiding Officer shall:

- (a) open the meeting of Council by taking the Chair and calling the members to order;
- (b) announce the business before the Council in accordance with the Agenda;
- (c) make such remarks as is fitting for the information or assistance of the Council;
- (d) receive and submit, in the proper manner, all motions presented by the members of Council;
- (e) put to vote all questions, which are regularly moved and seconded, or necessarily arise in the course of the proceedings and announce the result;
- (f) require a recorded vote to be taken on any question upon request of a Member if such request is made prior to commencement of voting or immediately thereafter;
- (g) decline to put to vote motions which infringe rule of procedure;
- (h) hear and rule upon any Point of Order or usage (when the Point of Order or usage is not covered by this by-law, reference shall be made to Robert's Rules of Order);
- (i) enforce, on all occasions, the observance of order and decorum among the members;
- (j) call to order any Members persisting in breach of the rules of the Council and to order such person or persons to vacate the meeting subject to a majority vote of the Members present;
- (k) authenticate, by their signature, when necessary, all by-laws, resolutions, and minutes of the Council;

- (l) inform the Council, when necessary, or when referred to for the purpose, on a point of order or usage;
- (m) select the members who are to serve on Committee, when directed to do so, in a particular case, or, when it is made a part of their general duty by a rule of procedure;
- (n) represent and support the Council, declaring its will and implicitly obeying its decisions in all things;
- (o) ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of the Council;
- (p) designate the Member who has the floor when two or more Members wish to speak;
- (q) adjourn the meeting, when the business is concluded;
- (r) adjourn the meeting, without question, in the case of grave disorder arising at a meeting.

- 17.5** The Mayor or Presiding Officer may expel from a meeting anyone who engages in improper conduct.
- 17.6** As soon after the hour of the meeting as there shall be a quorum present, the Presiding Officer shall take the chair and the members shall be called to order.
- 17.7** The Presiding Officer may vote with the other members of the Council on all questions, except where disqualified by reason of pecuniary interest or otherwise.
- 17.8** If the Presiding desires to leave the chair for the purpose of taking part in the debate or otherwise, they shall call on one of the members to fill their place until they resume the chair.

18.0 MINUTES

- 18.1** The minutes shall record, without note or comment:
 - (a) the place, date and time of meeting;
 - (b) the names of the Presiding Officer or officers, and the Members present;
 - (c) the correction and adoption of the minutes of prior meetings, and
 - (d) all resolutions, decisions and other proceedings of Council.
- 18.2** The Clerk shall prepare minutes for all meetings of Council and receive all minutes from the secretary of all other committees.
- 18.3** The Clerk may audio record, to supplement the handwritten notes of the Clerk, the open meeting proceedings of Council or a Council workshop by audio tape, digital recording or other means of recording. The audio taped or digital recording of the proceedings are not intended to, and do not, replace the written minutes of the

proceedings of Council as adopted by resolution by Council.

- 18.4 The onus shall be upon Members attending after commencement of the meeting to inform the Clerk of their arrival in order that same may be recorded in the minutes.
- 18.5 The minutes may be adopted by Council without having been read at the meeting considering the question of their adoption.

19.0 CORRESPONDENCE AND PETITIONS

- 19.1 All correspondence or every petition to be presented to the Council shall be legibly written or printed, dated and contain a brief description of the subject matter and shall not contain any obscene or improper matter or language and shall be signed at least one person and filed with the Clerk.
- 19.2 If, in the opinion of the Mayor or Presiding Officer, the correspondence or petition contains any obscene or improper matter or language, the Mayor or Presiding Officer shall decide it should be included in the agenda for a council meeting.
- 19.3 To be placed on the upcoming regular meeting agenda, any correspondence or petition must be submitted to the Clerk no later than noon the Wednesday of the week preceding the council meeting.
- 19.4 The Clerk may, upon receipt, refer any correspondence or petition to a Committee or a Department Head without the prior consideration of Council.

20.0 DELEGATIONS AND PRESENTATIONS

- 20.1 No deputation, other than persons entitled by statute to be heard or persons invited by notice, authorized by Council shall be allowed to address the Council unless a motion to hear such deputation is passed by the affirmative vote of a majority of the Members of Council present.
- 20.2 Individuals, organizations or groups requesting to appear before Council must submit to the Clerk, in writing, the request to appear and the outline of the nature of the topic to be spoken to no later than (12:00) noon on the Wednesday prior to the Council meeting at which they wish to appear. Such written submission shall include any written information/supporting material that the person intends to present to Council and the mailing address and telephone number at which the individual, organization or group may be contacted during normal business hours. The Clerk shall place the name of the individual, organization or group and the written material provided on the Council agenda, unless:
 - (a) the Clerk is of the opinion that the purpose of the delegation is not an appropriate subject matter for that meeting;

- (b) the Clerk is of the opinion that the delegation should be deferred to the next meeting due the amount of business on the agenda at the time of the request;
 - (c) in the opinion of the Clerk, the matter should be referred to a Committee or Department Head prior to consideration by Council; or
 - (d) the subject matter is beyond the jurisdiction of Council.
- 20.3** Where a delegate has made a delegation to a Committee, a further delegation request by the delegate or a related party shall not be listed or allowed on the Council agenda, unless the delegation is bringing forward new information.
- 20.4** Delegations related to a previous decision of Council or Committee shall not be considered by Council or a Committee within 12 months following the decision of Council unless a motion to reconsider the matter is presented to Council in accordance with section 27.0 of this By-law.
- 20.5** Delegations may only appear once on a matter within six (6) months, unless a recommendation pertaining to the matter is included on the agenda within the six (6) months.
- 20.6** Agencies or local boards of the Municipality (OCWA, ABCA, YMCA) that are providing updates on activities, shall be limited in speaking for not more than 15 (fifteen) minutes for a presentation. An individual, organization or group (one designated speaker representing an organization or group) shall be limited in speaking for not more than 10 (ten) minutes. An exception to this limitation may be permitted upon a majority of Council agreeing to such exception for a period of not more than 5 (five) additional minutes.

21.0 COMMUNICATIONS

- 21.1** Members of Council may provide updates as necessary from their attendance at committee meetings and/or other meetings they attend on behalf of the Municipality.
- 21.2** The Mayor and/or Deputy Mayor may provide updates from their attendance at County Council Meetings or meetings attended on behalf of the Municipality.

22.0 EDUCATION AND TRAINING WORKSHOPS

- 22.1** Council workshop meeting dates will be established through the approval of the annual Council Meeting schedule.
- 22.2** A Council workshop shall be co-ordinated through the Clerk.
- 22.3** A Council workshop may include open meeting and closed meeting business in accordance with the rules of the Procedural By-law, Council policy and applicable legislation.

- 22.4** A Council workshop may be held as part of a Council meeting.
- 22.5** An agenda will be prepared which shall include the subject, date, time and location of the meeting and the applicable headings from a Council meeting agenda.
- 22.6** Notice of a council workshop shall be given in accordance with the rules governing Council meetings.
- 22.7** Quorum of Council is not required for a Council workshop to proceed.
- 22.8** The Clerk will prepare minutes of Council workshops summarizing the item(s) without note or comment
- 22.9** Members of the public in attendance will be permitted to observe the workshop during a public session. Delegations will not be permitted during a Council workshop
- 22.10** No Council decision shall be made at a Council workshop. A matter requiring a decision shall be reported back to Council for consideration and approval.

23.0 BY-LAWS

- 23.1** Every By-law, previous to its being adopted by Council, shall receive a first and second reading and shall be approved by resolution or motion.
- 23.2** Every By-law shall then receive a third and final reading and shall be approved by resolution or motion.
- 23.3** Every By-law passed by Council shall be numbered and dated on which the readings were given and approved.
- 23.4** Every By-law shall be under seal of the Corporation and shall be signed by the Mayor and Clerk

24.0 ADJOURNMENT

- 24.1** The Council may adjourn its meeting from time to time.
- 24.2** The Council shall adjourn at the hour of 10:00 p.m. local time, if in session at that hour, unless a motion to continue receives at least two-thirds (2/3 vote) of the majority of members present.
- 24.3** A Council meeting shall not be adjourned until a by-law confirming the proceedings of that meeting to the time of adjournment has been presented and dealt with by the Council.

25.0 CONDUCT OF MEMBERS

25.1 No Member shall:

- (a) disturb another Member, or the Council itself, by any disorderly deportment disconcerting to any Member speaking;
- (b) resist the rules of Council, or disobey the decision of the Presiding Officer or of the Council on questions of order or practice or upon the interpretations of the rules of procedure;
- (c) if a Member ignores or disregards a directive of Council, the Member shall not be recognized by the Presiding Officer and the Chair of the Committee of the whole, except for the purpose of receiving an apology tendered by that Member at that meeting or any subsequent meeting, until that Member has tendered an apology and had it accepted by Council;
- (d) speak without first being called upon by the Presiding Officer;
- (e) cause a disturbance when the Presiding Officer is putting the question (Members shall occupy their seats while the vote is being taken);
- (f) use indecent or insulting language in or against the Council or any Member thereof;
- (g) speak other than to the question in debate;
- (h) speak more than a total of 5 minutes upon the matter under discussion except with the consent of Council;
- (i) speak more than once to the same question without leave of Council except that after the last speaker, a reply shall be allowed to be made only by a Member of Council who has presented a motion to the Council, but not by any Member who has moved an amendment or a procedural motion;
- (j) speak after a motion that the vote now be taken has carried, or
- (k) where a matter has been discussed in Closed Session, and where the matter remains confidential, disclose the substance of deliberations of the Closed Meeting.

25.2 No Member shall ask a question except for the purpose of obtaining facts relating to the matter under discussion and which is necessary for a clear understanding of

the matter under discussion.

- 25.3** All questions shall be stated succinctly and questions shall not be used as a means of making statements or assertions.
- 25.4** Questions may be asked only when a Member's appointed time to speak arises.
- 25.5** When a staff member or deputation before Council has been called upon to answer a question by a Member who has the floor, any other Member may also ask a question of such official or deputation.
- 25.6** Any Member who has the floor may require the question or motion under discussion to be read.

26.0 POINT OF ORDER AND POINT OF PRIVILEGE

- 26.1** A Member may interrupt the person who has the floor to raise a Point of Order when such Member feels that there has been a deviation or departure from the rules of procedure and upon hearing such Point of Order, the ruling of the Presiding Officer shall be final unless the Member appeals the ruling to Council which shall then decide upon the question without debate.
- 26.2** A Member may raise at any time a Point of Privilege when such Member feels that his or her integrity or the integrity of the Council has been impugned by another Member and upon hearing such point, the ruling of the Presiding Officer shall be final unless the Member appeals the ruling to Council which shall then decide upon the question without debate.
- 26.3** Where the Presiding Officer recognizes that a breach of privilege has taken place, he or she shall demand that the offending Member apologize, and failing such apology shall require such Member to vacate the Council chamber for the duration of the meeting, subject to majority vote of the Members of Council present.
- 26.4** Any Member may appeal the decision of the Presiding Officer on a Point of Order or Point of Privilege to Council, and Council shall decide whether the decision of the Presiding Officer be sustained without debate upon a majority vote of the Members present, except that the Presiding Officer shall state the applicable rule prior to such question being put.

27.0 MOTIONS AND ORDER OF PUTTING FORWARD QUESTIONS

- 27.1** The following matters and motions may be introduced orally without written notice and without leave, and to be decided without debate:
 - (a) A point of order;
 - (b) A point of privilege;

- (c) A motion to adjourn;
- (d) A motion to refer;
- (e) A motion to defer;
- (f) A motion to suspend the Rules of Procedure;
- (g) A motion to table the question;
- (h) A motion to vote on the question;
- (i) A motion to divide;
- (j) A motion to enter Closed Session or to rise from Closed Session and proceed into open meeting;
- (k) A motion to postpone indefinitely or to a specific day motion to present a petition;
- (l) A motion to recess.

27.2 The following motions may be introduced without notice and without leave, but shall be in writing and signed by the mover and seconder:

- (a) A motion to amend;
- (b) A motion to table the question with direction or instructions;
- (c) A motion to refer with directions or instructions;
- (d) A motion to defer with directions or instructions.

27.3 Notice of all new motions, except those motions listed in sections 27.1 and 27.2, shall be given in writing and signed by the mover and the seconder either:

- (a) At a meeting of Council, but shall not be debated until the next regular meeting of Council; or
- (b) Delivered to the Clerk not later than the noon on the Wednesday prior to the meeting at which the motion is to be introduced.

27.4 Where notice of motion has been given under section 27.3, the motion shall be included in the agenda for the next regular meeting of Council and for each succeeding regular meeting until the motion is considered otherwise disposed of.

27.5 When a Member's notice of motion has been called from the Chair at two successive meetings and not proceeded with, it shall be dropped from the agenda unless Council decides otherwise.

27.6 A notice of motion included in the agenda may be debated by Council without having been read at the meeting.

27.7 Except as provided in section 27.1, a motion shall be in writing and signed by the mover and seconder.

27.8 A motion that requires notice under this By-law, may be introduced without notice if Council, without debate, dispenses with notice on a special majority vote. Notice in writing of all motions for introducing new matters shall be given over the signature

of the mover or the signatures of the mover and seconder and the Member shall also circulate a copy of same to all other Members of Council for their information.

- 27.9** Debate shall not be allowed on any motion or amendment until it has been properly seconded.
- 27.10** After a motion is read or has been stated by the Presiding Officer, it shall be deemed to be in the possession of Council and can only be withdrawn with the leave of the Council and upon the consent of both the mover and seconder before decision or amendment.
- 27.11** When a motion has been divided into distinct proposals for voting purposes, voting shall be restricted to each proposal in its turn.
- 27.12** No verbal notice of intent shall be given or received prior to the disposition of the motion or amendment under discussion.
- 27.13** A motion in respect of a matter which is beyond the jurisdiction of the Council shall not be in order.
- 27.14** After a question is put by the Presiding Officer, 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.
- 27.15** Subject to the provisions of the *Municipal Act, 2001*, every Member present in the Council chamber when a question is put shall vote thereon, unless otherwise legally prevented from voting thereon and any Member present who persists in not voting shall be deemed to have voted in the negative.
- 27.16** Subject to the provisions of any special or general Act, and the provisions of this By-law, all matters before Council shall be determined by a majority vote of the Members present.
- 27.17** A main motion properly before Council for decision must receive disposition before any other motion can be received except a motion:
- (a) to adjourn;
 - (b) that the vote now be taken (call the question);
 - (c) to refer (to send or send back to a Committee, board, person or department);
 - (d) to defer (postpone to a time to be named);
 - (e) to amend the amendment, or
 - (f) to amend the main motion;
- which shall have precedence in the order in which they are named.
- 27.18** A motion to adjourn the meeting:

- (a) shall always be in order except as provided and shall be put immediately without debate;
- (b) when resolved in the negative, cannot be made again on the same item;
- (c) is not in order when a Member is speaking, or during the verification of a vote;
- (d) is not in order immediately following the affirmative resolution of a motion that the vote now be taken, and
- (e) cannot be amended.

27.19 A motion that the vote now be taken:

- (a) cannot be amended;
- (b) shall apply to the motion and all pending amendments;
- (c) shall be placed immediately without amendment;
- (d) when resolved in the affirmative, the pending questions are to be put forthwith without debate or amendment;
- (e) when resolved in the negative, shall not preclude further debate or amendment and shall not be placed again on the same item;
- (f) cannot be received in any Committee except in Committee of the whole;
- (g) may be voted against by the mover and seconder, and
- (h) must have a seconder but cannot be moved or seconded by a Member who has spoken on the item in debate.

27.20 A motion to amend:

- (a) may be made verbally, but when requested by the Presiding Officer shall be confirmed in writing;
- (b) may only one amendment at a time shall be presented to the main motion and only one amendment at a time shall be presented to an amendment, and
- (c) shall be relevant to the question it proposes to amend and shall not be a direct negative of such question.

27.21 A motion to reconsider:

- (a) After any matter has been decided, any Member who voted thereon with the majority may either move for a reconsideration at the same meeting or may give notice of a motion for reconsideration of the matter at a subsequent meeting in the same calendar year, but no discussion of the question that has been decided shall be allowed until the motion for reconsideration has carried, and no matter shall be reconsidered more than once in the same calendar year.
- (b) Notwithstanding (a), no Member may move for reconsideration of an item more than once at the same meeting.

28.0 VOTING ON MOTIONS

- 28.1** One Vote: Every member of Council present at the meeting shall be entitled to vote including the Mayor/Chair who may vote, on all questions unless such member has indicated a conflict of interest under the *Municipal Conflict of Act*.
- 28.2** Unless otherwise provided in this By-law, the concurring votes of a majority of members present and voting are necessary to carry any resolution or other measure.
- 28.3** Immediately prior to voting on a motion, the Mayor or presiding officer shall state the motion as it is to be included in the minutes including any amendments to the motion.
- 28.4** All votes shall be announced openly, as carried or defeated, by the Mayor or presiding officer.
- 28.5** Tie Vote: shall be declared to be a lost vote or in the negative.
- 28.6** Failure to Vote: any failure to vote by a member who is not disqualified to vote under any other Act shall be deemed to be a negative vote.
- 28.7** Unrecorded Vote: the manner of determining the decision of Council on a motion shall be at the discretion of the Presiding Officer and may be by voice or show of hands.
- 28.9** Recorded Vote: A member of Council at the time of a vote requests immediately before or after the taking of the vote that the vote be recorded, each member present, except a member who is disqualified from voting by an Act, shall announce his or her vote openly and the clerk shall record each vote. Section 246(2) specifically notes that an abstaining member's vote, in the case of a recorded vote, shall be deemed to be a negative vote.
- 28.10** For the purposes of recorded votes, the clerk shall call the names beginning with the Councillor who requests the recorded vote and continuing with the members by alphabetical order with the exception of the mayor who will vote last. The members of council shall respond yea or nay when called upon. The names of those who voted for and those voted against shall be noted in the minutes.
- 28.11** Except as provided in subsections 233(5) and 238(5) of the *Municipal Act, 2001*, no vote shall be taken by ballot or any other method of secret voting, and every vote so taken is of no effect.

29.0 COMMITTEES

- 29.1** The procedures set out in this By-law for Council meetings shall apply to meetings of Committees insofar as practicable, except that this section, the provisions of the

Committee's creation by-law or governing statute and the Committee's terms of reference, shall prevail to the extent of any conflict.

- 29.2** The Council may establish Committees and assign duties to such Committees as it may desire, and the reports of all such Committees, unless otherwise decided by Council, shall be forwarded to the Clerk, which shall consider the same and transmit them to Council, together with its recommendations where a matter falls within the duties assigned to it by Council. All material considered by a Committee of Council shall be forwarded to Council along with the previously mentioned reports when it is practicable. Each Committee shall report the recommended disposition of any item appearing on its agenda if a Member of Council so requests prior to the closing of the Council agenda.
- 29.3** The Council at its first meeting in each year or term, or as soon as practicable thereafter, shall appoint the Members of the Committees. No more than three (3) Members may be appointed to any Committee, save and except for Committee of the Whole.
- 29.4** The Clerk or his or her designate shall call the first meeting of each Committee in each calendar year and shall preside over said meeting for the purpose of electing a Chair of the Committee.
- 29.5** Each Committee shall, at the first meeting of the Committee in the first year of the term of Council, choose from its members a Committee Chair and Vice Chair to serve in those positions for the term of Council or until their successors are appointed.
- 29.6** The frequency of meetings of a Committee shall be determined by the Committee Chair in accordance with the proper dispatch of the business entrusted to the Committee. The Chair shall call a meeting whenever requested in writing to do so by at least a majority of its members of such Committee.
- 29.7** Unless otherwise provided by a by-law passed by Council or by statute, the role of a committee shall generally be to:
- (a) Make recommendations to Council on matters under the Committee's jurisdiction;
 - (b) Guide and request staff through the Chief Administrative Officer, to provide reports on the direction and nature of policy development, fact findings, analysis and generation of possible alternatives required; and
 - (c) Receive Delegations and establish mechanisms to receive further public input on vital public policy matters.
- 29.8** Each Committee shall establish terms of reference identifying its purpose and its responsibilities as established by Council and such terms of reference shall be reviewed once a term.

- 29.9** Members of Council not on a particular Committee may attend the meetings of said Committee, but shall not be allowed to vote, nor shall they be allowed to take part in any discussion or debate, except by the permission of the majority of the members of the Committee.
- 29.11** In the absence of a decision by Council to the contrary or to terminate an appointment, Members shall be appointed to Committees by Council for the term of Council or for the term set out in such appointment, and, until their successors are appointed, unless otherwise provided by law.
- 29.12** Should the Chair neglect or refuse to call a meeting with the appropriate frequency, such neglect or refusal shall be reported to Council, and Council may remove the Chair from the position of Chair and appoint another member in his or her place.
- 29.13** Should any member of a Committee neglect or refuse to attend the properly summoned meetings of their Committee, such neglect or refusal shall be reported to Council, and Council may remove the said member or members from the Committee and appoint another member in his or her place.
- 29.14** Should any Committee neglect or refuse to give due attention to all business or matters before them, Council may be resolution discharge such Committee and appoint another in its stead.
- 29.15** Each motion at Committee shall require a mover and a seconder.
- 29.16** A Committee's recommendation shall be considered by Council as the main motion on the item under discussion and any comment or recommended amendment from the Clerk shall be considered by Council as an amendment to such main motion.
- 29.17** No vote shall be recorded, with the exception of a vote at Municipal Council, which shall be recorded at the request of any Council Member.
- 29.18** The number of times of speaking on a question at Committee shall not be limited.
- 29.19** The hours for adjournment shall not apply.
- 30.0 USE OF MOBILE DEVICES**
- 30.1** With the exception of the Fire Chief, all other cell phones, pages, radios etc. shall be switched to "off", silent or non-audible mode upon entry to the Council Chamber or meeting room.

31.0 PRESS RELEASES

- 31.1** No individual member of Council or staff shall undertake to issue press releases or claim to speak on behalf of the Council without permission granted by motion in Council or municipal by-law or other direction of Council or the CAO.

32.0 TAPING AND/OR RECORDING OF THE MEETINGS (by other than the Clerk)

- 32.1** Council meetings, not held in Closed Session, may be taped, televised or otherwise electronically or mechanically recorded by a cable television company, by any other licensed telecommunications company or by any other media in the Council Chambers or meeting room and in such a manner as not to interfere with the proceedings of the meeting.
- 32.2** Should the recording interfere with the proceedings of the meeting, the recording privileges may be withdrawn. The ruling of the Presiding Officer shall be final unless by appeal to the Council which shall decide upon the question without debate.
- 32.3** All media are to advise the Clerk at the beginning of the meeting of their intention to record.

33.0 CONFLICT WITH STATUTE

- 33.1** In case of a conflict between the procedures set out in this By-law and any statute, the provisions of the statute shall prevail.


34.0 SEVERABILITY

- 34.1** Each section of this By-law is distinct and severable. If any section of this By-law, in whole or in part, is or becomes illegal, invalid, void, or voidable by any court of competent jurisdiction, the illegality, invalidity or unenforceability of that section, in whole or in part, will not affect the legality, validity or enforceability of the remaining sections of this By-law, in whole or in part.


35.0 AMENDMENT TO BY-LAW

- 35.1** No amendment (except for minor housekeeping changes) or repeal of this By-law or any part thereof shall be considered at any meeting of Council unless notice of proposed amendment or repeal has been given at the previous meeting for its consideration and report.
- 35.2** This By-law shall come into force and be effective on the date of the third and final reading.

READ FIRST AND SECOND TIME THIS 17 DAY OF February, 2021
READ A THIRD TIME AND FINALLY PASSED THIS 17 DAY OF February, 2021



Mayor



Clerk

APPENDIX "A"

Electronic Meeting Protocol

Procedural By-law _____ shall continue to apply to an Electronic Meeting held pursuant to this Electronic Meeting Protocol (hereinafter, "**Protocol**"), and amendments to this Protocol may be permitted to be made by simple majority vote of Council to accommodate an effective and efficient meeting, so long as any such amendments are not contrary to prevailing Provincial legislation or orders.

Prior to Electronic Meeting

- The Municipality will ensure agenda material has been posted publicly.
- The Municipality will ensure that delegations have been accepted in writing.
- The method and technology used for an Electronic Meeting in Open Session or *In Camera* Session will be determined by the Chief Administrative Officer based on the resources available.

General

- Where an Electronic Meeting is held, such meeting will be chaired physically from a location within the municipality or an adjacent municipality as specified by the Head of Council or the Clerk, as the case may be, as is necessary in accordance with section 236(1) of the *Municipal Act, 2001*. In the case of an emergency, the Municipality may hold its Electronic Meeting at any convenient location within or outside the Municipality, as specified by the Head of Council or the Clerk, as the case may be.
- Council Members, Staff, Public and the Press may attend by Electronic Meeting.
- Municipal staff will ensure that Councillors, the general public, and the press are able to watch and/or hear the business to be carried out at meetings which are held in *Open Session* by using an online streaming service in order to ensure that that the meeting is open and transparent. Municipality staff will also ensure that Council Members have appropriate contemporaneous input into the meetings electronically through video and/or audio teleconference.
- Municipal staff will ensure that Councillors and necessary staff personnel are able to watch and/or hear and/or stream the business to be carried out at *In Camera Session* meetings and have appropriate contemporaneous input into the session electronically through video and/or audio teleconference.
- Meeting leadership shall be maintained by the Mayor as Chair.
- The Chair is to announce each agenda item on the floor of the meeting and shall maintain

an orderly meeting process keeping Members informed.

Member Speaking

- The Chair and Clerk will manage Member requests to speak based at the Chair's discretion to ensure all Members are able to participate in debate in keeping with meeting rules.
- The Chair will call out name of Member assigned the floor.
- Each Member will speak to Council through the Chair.
- After a Member is finished speaking, the Chair will call out name of next Member assigned to the floor.

Motions

- All motions will have a mover/second (except procedural motions) and should be provided to the Clerk in advance of Member speaking, whenever possible.
- Any introduced motion accepted by the Chair is to be read by the Chair and/or the Clerk.
- Members will be given an opportunity to speak before voting commences.

Voting

- The Voting procedures set out in section 28.0 of the Procedural By-law shall apply at an Electronic Meeting.

Member Conduct

- Each Member shall remain silent and attentive to the proceeding when not assigned the floor by Chair.
- Each Member will listen for their name to be assigned the floor to speak or to vote.
- Each Member will take directions from Chair in order to facilitate an effective, efficient and orderly meeting.

Confirming By-law

- Council shall pass a Confirming By-law for each meeting held.
- The Clerk shall post the Minutes in the normal process.

Internet and Other IT Disruptions

- If in the opinion of the Chair, an internet or other disruption to the Municipality's IT system, compromises the ability of the Municipality to conduct an Electronic Meeting in accordance

with this Protocol, the Chair shall call a recess and take such steps as necessary to address the issue and re-convene the meeting in a timely manner or, where this is not possible, take such other steps as reasonable in the circumstances.

- If a participant's internet or other IT issue compromises the ability of the participant to participate in the meeting, the Chair shall take such steps as deemed reasonable in the opinion of the Chair in the circumstances.

APPENDIX "B"

Electronic *Planning Act* Public Meeting Protocol

Procedural By-law _____ shall continue to apply to an Electronic *Planning Act* Public Meeting held pursuant to this Electronic *Planning Act* Public Meeting Protocol (hereinafter, "**Protocol**"), except that this Protocol shall prevail to the extent of any conflict. Amendments to this Protocol may be made by simple majority vote of Council to accommodate an effective and efficient meeting, so long as any such amendments are not contrary to prevailing Provincial legislation or orders.

DEFINITIONS

In this Protocol, the following definitions shall apply:

"Applicant" means a person or corporation who has submitted an application under the *Planning Act* to the Municipality which requires at least one statutory public meeting in advance of Council rendering its decision;

"Chair" means the person presiding at the meeting whether it be the Mayor, Deputy Mayor, a member of Council, or a duly appointed member of a committee;

"Clerk" means the Clerk of the Municipality.

"Comments Recess" means a brief recess at the conclusion of the written submissions portion of the meeting for the purpose of allowing members of the public who did not provide written submissions to the Clerk in advance of the meeting or those who made written submissions but did not register for the meeting as a delegate to register via video or audio teleconference to make oral submissions arising from comments made during Parts A to E of the meeting.

"Delegate" means a member of the public who has provided written submissions to the Clerk by the deadline provided for in the Notice indicating that he or she wishes to make oral submissions at the Electronic *Planning Act* Public Meeting.

"Delegate Speaker's List" means a list of members of the public who have provided written submissions to the Clerk in advance of the Electronic *Planning Act* Public Meeting and who have registered via video or audio teleconference for the purpose of making oral submissions about the land use planning matter at issue.

"Electronic Meeting Coordinator" means the person designated by the Municipality to ensure that Councillors, Staff, Public, and the Press are able to watch and/or hear the business to be carried out at a an Electronic *Planning Act* Public Meeting by using an online streaming service and that the Chair, Staff, Members and Participants have appropriate contemporaneous input into the meeting electronically through video or audio teleconference or live chat, if applicable;

"Electronic *Planning Act* Public Meeting" means a statutory public meeting required under the *Planning Act* called and held in full or in part via electronic means (including, but not limited to video or audio teleconference or via means of the internet), and with or without in-person attendance;

"Member" means a Councillor or Committee of Adjustment member for the Corporation of

the Municipality of North Middlesex;

"Notice" means the notice of statutory public meeting required under the *Planning Act*;

"Other Participants" means members of the public who have not provided written submissions in advance of the meeting and who access an Electronic *Planning Act* Public Meeting via video or audio teleconference during the Comments Recess for the purpose of making oral submissions about the land use planning matter at issue;

"Other Participant Speaker's List" means a list of members of the public who have accessed an Electronic *Planning Act* Public Meeting via video or audio teleconference for the purpose of making oral submissions about the land use planning matter at issue;

"Planning Act" means the *Planning Act*, R.S.O. 1990, c. P.13, as amended or replaced, including all Regulations thereto.

PRIOR TO AN ELECTRONIC *PLANNING ACT* PUBLIC MEETING

- The method and technology used for an Electronic *Planning Act* Public Meeting will be determined by the Chief Administrative Officer based on the resources available.
- The Municipality shall ensure Notice of the Electronic *Planning Act* Public Meeting is provided as prescribed in the *Planning Act*. In addition to information regarding the land use planning matter(s) to be discussed, such Notice shall include:
 - the web address at which the meeting will be live streamed;
 - a statement encouraging all members of the public wishing to participate in the meeting to provide written submissions in advance of the meeting identifying (a) their name, address, telephone number and email, (b) their comments on the land use planning matter at issue, and (c) whether they wish to make oral submissions at the meeting. Such statement shall include the deadline for written submissions and the email or physical address to where written submissions may be sent;
 - instructions on how to make oral submissions during the meeting via video or audio teleconference for those without access to a computer;
 - a telephone number and email address where questions about Electronic *Planning Act* Public Meeting procedures may be directed in advance of the meeting.
- The Municipality will ensure agenda material has been posted publicly.

GENERAL

- Where an Electronic *Planning Act* Public Meeting is held, such meeting will be chaired physically from a location within the municipality or an adjacent municipality as specified by the Head of Council or the Clerk, as the case may be, as is necessary in accordance with section 236(1) of the *Municipal Act, 2001*. In the case of an emergency, the Municipality may hold its Electronic *Planning Act* Public Meeting at any convenient location within or outside the Municipality, as specified by the Head of Council or the Clerk, as the case may be.

- The Municipality will ensure that Members, Staff, the Public, and the Press are able to watch and/or hear the business to be carried out at the public meeting by using an online streaming service.
- Members of the public who do not have access to a computer in order to live stream an Electronic *Planning Act* Public Meeting may contact the Clerk for instructions on how to listen to the meeting via audio teleconference.
- The Municipality will ensure that all written submissions received from members of the public are addressed at the meeting and that the Chair, Clerk, Staff, Members, Delegates and Other Participants have appropriate contemporaneous input into the meeting electronically through video or audio teleconference.
- Meeting leadership shall be maintained by the Chair.
- The Chair is to announce each agenda item on the floor of the meeting and shall maintain an orderly meeting process keeping all attendees informed.
- Those participating in the meeting will take directions from Chair in order to facilitate an effective, efficient and orderly meeting.
- Participants will listen for their name to be assigned the floor to speak.
- Participants shall direct all comments to the Chair.
- Participants shall remain silent and attentive to the proceeding when not assigned the floor by the Chair.
- Inappropriate language or conduct by participants will not be tolerated.

ELECTRONIC ACCESS FOR MEMBERS AND STAFF

- Members and Staff may access the meeting via video or audio teleconference in accordance with instructions provided by the Clerk.

ELECTRONIC ACCESS FOR DELEGATES AND OTHER PARTICIPANTS

- All members of the public are strongly encouraged to provide written submissions to the Clerk in advance of the Electronic *Planning Act* Public Meeting prior to the deadline provided for in the Notice.
- Written submissions shall include the name and address of the writer, email or telephone number at which they may be contacted and indicate whether the writer wishes to make oral submissions at the meeting.
- In advance of the meeting, the Clerk shall provide all persons who have made written submissions indicating that they would like to make oral submissions at the meeting (hereinafter "**Delegates**") with instructions on how to access the meeting via video or audio teleconference.

- Electronic access for Delegates shall open five (5) minutes prior to consideration of the application at issue and shall close upon commencement of the Report from Staff.
- Delegates accessing the meeting electronically will be asked to confirm their name, address, whether they wish to make oral submissions, and whether they are in support or opposition of an application.
- Members of the public who have not made written submissions in advance of an Electronic *Planning Act* Public Meeting (hereinafter "**Other Participants**") will have the opportunity to make oral submissions via video or audio teleconference in Part G of the meeting, unless:
 - (a) in the opinion of the CAO, such participation is not feasible or practicable; and
 - (b) the Notice of Electronic *Planning Act* Public Meeting includes a statement that only Delegates who make written submissions to the Clerk in advance of the meeting in accordance with the Notice will be heard.
- Other Participants will be able to access registration instructions by visiting the Municipality's website during the recess. Other Participants listening to (but not participating in) the meeting via audio teleconference will be asked at this time whether they wish to make oral submissions.

ORDER OF MEETING

(A) Report from Staff

- Planning staff shall provide an overview of Planning Report when called upon by the Chair.

(B) Comments from Applicant

- The Applicant shall access the meeting via video or audio teleconference in accordance with instructions provided by the Clerk.
- When called upon by the Chair, the Applicant may provide additional formation about the application not covered in the Planning Report and/or may ask questions about the Planning Report.

(C) Oral Submissions of Delegates

- Written submissions received from Delegates in advance of the meeting will be addressed by the Chair following the conclusion of the Applicant's remarks.
- Delegates who have completed electronic registration prior to the meeting shall be added to the Delegate Speaker's List.
- Delegates who have been added to the Delegate Speaker's List will wait until called upon by the Chair by name to speak. To ensure order, the Electronic Meeting Coordinator will disable Participants' audio and video capabilities until called upon by the Chair to speak.
- Oral submissions from Delegates in support of an application will be followed by oral submissions from Delegates in opposition.

- The will Chair call out the name of the Delegate assigned the floor.
- The Chair and the Clerk will manage the Delegate Speaker's List based on the Chair's discretion to ensure all Delegates are afforded the opportunity to make submissions.

(D) Written Submissions

- At the end of the Delegate Speaker's List, the Chair and Members will address any written submissions provided to the Clerk in advance of the meeting not already addressed orally by a Delegate, Clerk or Staff.
- Written comments from agencies received by Planning staff in advance of the meeting will then be addressed.

(E) Member Remarks

- Members will be asked by the Chair to make comments or ask questions at this time.
- Members will be able to make comments or ask questions at any time throughout the meeting.
- The Chair and Clerk will manage Councillors requests to speak based on the Chair's discretion to ensure all Councillors are able to participate in keeping with meeting rules.

(F) Comments Recess

- If the Municipality will be hearing from Other Participants, the Chair shall call a brief recess following Member's Remarks.
- Prior to calling the Comments Recess the Chair shall invite members of the public who have not made written submissions in advance of the meeting to make oral submissions by visiting the link posted on the Municipality's website.
- Members of the public who may be observing via audio teleconference should be asked by the Electronic Meeting Coordinator during the Comments Recess whether they would like to make oral submissions.
- The Electronic Meeting Coordinator shall ensure that electronic registration is re-opened at the commencement of the Comments Recess and that meeting registration instructions are posted to the Municipality's website contemporaneously with the commencement of the Comments Recess.

(G) Oral Submissions of Other Participants

- Other Participants who access the meeting online during the recess, or those listening via audio teleconference who have expressed a desire to make oral submissions during the recess, shall be added to the Other Participant Speaker's List.
- Other Participants added to the Other Participant Speakers List will wait until called upon by the Chair by name to speak. To ensure order, the Electronic Meeting Coordinator will disable Other Participants' audio and video capabilities until called upon by the Chair to

Speak.

- The will Chair call out name of Other Participant assigned the floor.
- The Chair and the Clerk will manage the Other Participant Speaker's List based on the Chair's discretion to ensure all Other Participants are afforded the opportunity to make oral submissions.

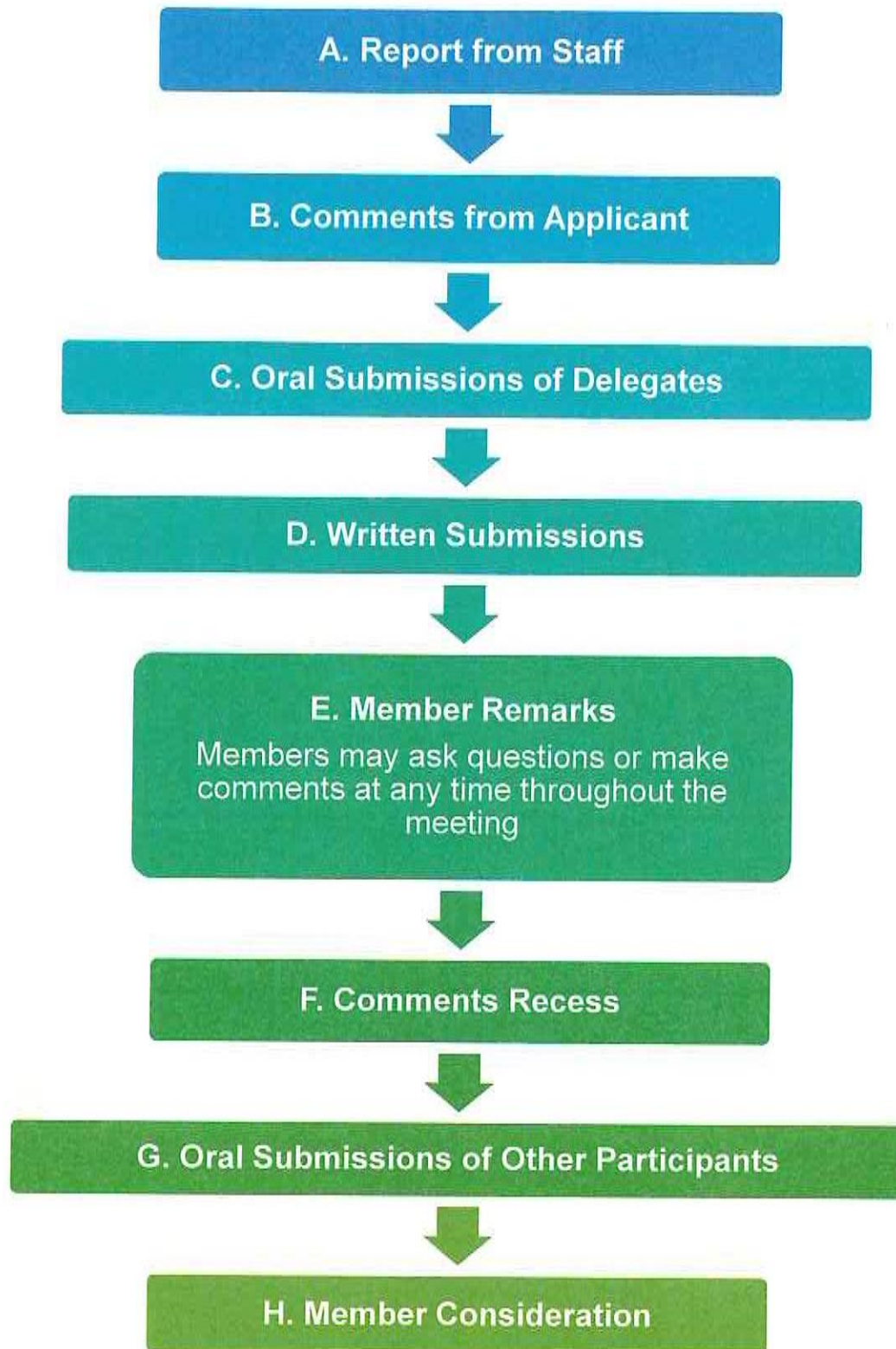
(H) Member Consideration

- Prior to the conclusion of the meeting, Members may render a decision on the application or may defer the decision to a later date.

INTERNET AND OTHER IT DISRUPTIONS

- If in the opinion of the Chair, an internet or other disruption to the Municipality's IT system, compromises the ability of the Municipality to conduct an Electronic *Planning Act* Public Meeting in accordance with this Protocol, the Chair shall call a recess and take such steps as necessary to address the issue and re-convene the meeting in a timely manner or, where this is not possible, take such other steps as reasonable in the circumstances.
- If a participant's internet or other IT issue compromises the ability of the participant to participate in the meeting, the Chair shall take such steps as deemed reasonable in the opinion of the Chair in the circumstances.

ORDER OF ELECTRONIC *PLANNING ACT* PUBLIC MEETING



APPENDIX "C"

Protocol for Electronic *Drainage Act* Public Meetings and Electronic Meetings of the Court of Revision

Procedural By-law _____ continue to apply to Electronic *Drainage Act* Public Meetings and Electronic Meetings of the Court of Revision held pursuant to this Protocol for Electronic *Drainage Act* Public Meetings and Electronic Meetings of the Court of Revision (hereinafter, "**Protocol**"), except that this Protocol shall prevail to the extent of any conflict. Amendments to this Protocol may be made by simple majority vote of Council to accommodate an effective and efficient meeting, so long as any such amendments are not contrary to prevailing Provincial legislation or orders.

DEFINITIONS

In this Protocol, the following definitions shall apply:

"Affected Landowner" means an owner of lands within the area requiring drainage described in a Petition or as determined by the Engineer, who has not signed the Petition;

"Appellant" means a Petitioner or Affected Landowner who has filed a Notice of Appeal with the Clerk prior to the Electronic Meeting of the Court of Revision;

"Chair" means the person presiding at the meeting whether it be the Mayor, Deputy Mayor, a member of Council, or a duly appointed member of a committee, or the Chair of the Court of Revision, as the context requires;

"Clerk" means the Clerk of the Municipality of North Middlesex;

"Council" means the Council of the Corporation of the Municipality of North Middlesex;

"Court of Revision" means the Court of Revision constituted under the *Drainage Act* by the Corporation of the Municipality of North Middlesex;

"Drainage Act" means the *Drainage Act*, R.S.O. 1990, c. D.17, including all in force regulations thereto, as amended or replaced.

"Electronic Meeting Coordinator" means the person designated by the Municipality to ensure that the business carried out at an Electronic *Drainage Act* Public Meeting or an Electronic Meeting of the Court of Revision can be viewed/heard by the public using an online streaming service and that the Chair, Members, Engineer, staff and Participants or Appellants, as the case may be, have appropriate contemporaneous input into the meeting electronically through video or audio teleconference;

"Electronic *Drainage Act* Public Meeting" means a meeting required under the *Drainage Act* at which Council considers a Preliminary Report or Report, as the case may be, called and held in full or in part via electronic means (including, but not limited to video or audio teleconference or via means of the internet), and with or without in-person attendance;

"Electronic Meeting of the Court of Revision" means a meeting of the Court of Revision

required under the *Drainage Act* called and held in full or in part via electronic means (including, but not limited to video or audio teleconference or via means of the internet), and with or without in-person attendance;

“Emergency” means situations or the threat of impending situations caused by forces of nature, accidents or an intentional act that constitutes a danger of major proportions to life and property that affects public safety; meaning health, welfare and property as well as the environment and economic health of the municipality, as defined in the municipality's emergency response plan, and includes but is not limited to any period of time during which an emergency has been declared to exist in all or part of a municipality by the Head of Council or the Province under sections 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*, 1990, c. E.9, as amended or replaced.

“Engineer” means an engineer appointed by Council, by by-law or resolution, to make an examination of an area requiring drainage as described in a Petition and to prepare a report in accordance with the *Drainage Act*;

“Member” means a Councillor or member of the Court of Revision for the Corporation of the Municipality of North Middlesex as the context requires;

“Notice” means a notice, in the form prescribed by the *Drainage Act*, of (a) a meeting of Council called under the *Drainage Act* at which Council will consider a Preliminary Report or Report, or (b) a meeting of the Court of Revision, as the context requires;

“Notice of Appeal” means a notice of appeal as described in section 52(2) of the *Drainage Act*;

“On-site Meeting” means an on-site meeting held in accordance with section 9 of the *Drainage Act*;

“Participant” means a Petitioner, Affected Landowner or other person or body to which Notice of an Electronic *Drainage Act* Public Meeting is provided to in accordance with the *Drainage Act* in attendance at the meeting via video or audio teleconference;

“Participant Speaker’s List” means a list of Participants in attendance at an Electronic *Drainage Act* Public Meeting via video or audio teleconference who have confirmed upon registration that they wish to make oral submissions;

“Petition” means a petition, as described in section 4 of the *Drainage Act*, in the form prescribed by the *Drainage Act*, for the drainage by means of a drainage works of an area requiring drainage;

“Petitioner” means an owner of lands within an area requiring drainage who has signed a Petition that has been filed with the Clerk in accordance with the *Drainage Act*;

“Preliminary Report” means a preliminary report as defined in the *Drainage Act*;

“Report” means a report as defined in the *Drainage Act*;

“Municipality” means the Corporation of the Municipality of North Middlesex.

**PRIOR TO AN ELECTRONIC *DRAINAGE ACT* PUBLIC MEETING OR
ELECTRONIC MEETING OF THE COURT OF REVISION**

- The Municipality shall ensure that an On-site Meeting is held in accordance with section 9 of the *Drainage Act* prior to holding an Electronic *Drainage Act* Public Meeting pursuant to this Protocol.
- In the event of an Emergency, the Municipality shall ensure that any On-site Meeting is held in accordance with any prevailing Provincial legislation or orders, including emergency orders.
- The method and technology used for an Electronic *Drainage Act* Public Meeting or an Electronic Meeting of the Court of Revision will be determined by the Chief Administrative Officer (CAO) based on the resources available.
- Where, in the opinion of the Head of Council, in consultation with the CAO Engineer and/or other such persons as deemed necessary, it would not be reasonable or practicable to hold a *Drainage Act* public meeting or meeting of the Court of Revision electronically, due to the number of Petitioners or Affected Landowners, or due to the complexity of the drainage works being considered, the Municipality shall not under any circumstances be obligated to hold an electronic meeting to consider a drainage matter and may defer consideration of a Petition until an in-person meeting can be held.
- The Municipality shall ensure Notice of the Electronic *Drainage Act* Public Meeting is provided to all prescribed persons in accordance with the *Drainage Act*. In addition to the requirements set out in the *Drainage Act*, such Notice shall include:
 - the web address at which the meeting will be live streamed;
 - the telephone number persons without access to a computer may call to listen to the meeting;
 - instructions on how to participate in an Electronic *Drainage Act* Public Meeting via video or audio teleconference; and
 - a telephone number and email address where questions about Electronic *Drainage Act* Public Meeting procedures may be directed in advance of the meeting.
- The Municipality shall ensure Notice of an Electronic Meeting of the Court of Revision is provided to all prescribed persons in accordance with the *Drainage Act*. In addition to the requirements set out in the *Drainage Act*, such Notice shall include:
 - the web address at which the meeting will be live streamed;
 - the telephone number persons without access to a computer may call for instructions on how to listen to the meeting via teleconference;
 - instructions for filing a Notice of Appeal with the Clerk; and

- a telephone number and email address where questions about Electronic Meetings of the Court of Revision may be directed in advance of the meeting.
- Upon receipt of a Notice of Appeal, the Clerk shall contact an Appellant to provide instructions on how to participate in the Electronic Meeting of the Court of Revision via video or audio teleconference.
- The Municipality will ensure agenda material has been posted publicly.

GENERAL

- Where an Electronic *Drainage Act* Public Meeting or an Electronic Meeting of the Court of Revision is held, such meeting will be chaired physically from a location within the municipality or an adjacent municipality as specified by the Head of Council or the Clerk, as the case may be, as is necessary in accordance with section 236(1) of the *Municipal Act, 2001*. In the case of an Emergency, the Municipality may hold such meetings at any convenient location within or outside the municipality, as specified by the Head of Council or the Clerk, as the case may be.
- The Municipality will ensure that the business carried out at an Electronic *Drainage Act* Public Meeting or an Electronic Meeting of the Court of Revision can be viewed/heard by the public using an online streaming service.
- Members of the public who do not have access to a computer in order to live stream an Electronic *Drainage Act* Public Meeting or an Electronic Meeting of the Court of Revision may contact the Clerk for instructions on how to listen to the meeting via audio teleconference.
- The Municipality will ensure that the Chair, Members, Engineer, staff and Participants or Appellants, as the case may be, have appropriate contemporaneous input into an Electronic *Drainage Act* Public Meeting or an Electronic Meeting of the Court of Revision through video or audio teleconference.
- Leadership at an Electronic *Drainage Act* Public Meeting or an Electronic Meeting of the Court of Revision shall be maintained by the Chair.
- The Chair is to announce each agenda item on the floor and shall maintain an orderly meeting process keeping all attendees informed.
- All those participating at an Electronic *Drainage Act* Public Meeting or an Electronic Meeting of the Court of Revision will:
 - (a) take directions from Chair in order to facilitate an effective, efficient and orderly meeting;
 - (b) listen for their name to be assigned the floor to speak;
 - (c) direct all comments to the Chair; and
 - (d) remain silent and attentive to the proceeding when not assigned the floor by the Chair.

- Inappropriate language or conduct by any person in attendance at an Electronic *Drainage Act* Public Meeting or an Electronic Meeting of the Court of Revision will not be tolerated.

ELECTRONIC ACCESS FOR THE CHAIR, MEMBERS, ENGINEER AND STAFF

- The Chair, Members, Engineer and staff may access an Electronic *Drainage Act* Public Meeting or an Electronic Meeting of the Court of Revision via video or audio teleconference in accordance with instructions provided by the Clerk.

ELECTRONIC ACCESS FOR PARTICIPANTS AT AN ELECTRONIC *DRAINAGE ACT* PUBLIC MEETING

- Electronic access for Participants to which Notice has been provided shall open five (5) minutes prior to the commencement of an Electronic *Drainage Act* Public Meeting and close at the meeting start time.
- Participants accessing a meeting electronically will be asked to confirm their name, address, and whether they wish to make oral submissions.

ELECTRONIC ACCESS FOR APPELLANTS AT AN ELECTRONIC MEETING OF THE COURT OF REVISION

- Electronic access for Appellants who have received access instructions in advance of the meeting shall open five (5) minutes prior to the commencement of an Electronic Meeting of the Court of Revision and close at the meeting start time.
- Appellants accessing a meeting electronically will be asked to confirm their name, address and that they have filed a Notice of Appeal with the Clerk prior to the meeting.

ORDER OF ELECTRONIC *DRAINAGE ACT* PUBLIC MEETING

(A) Report from Engineer

- The Engineer shall provide an overview of the Preliminary Report or Report, as the case may be.

(B) Questions and Comments from Participants

- Participants who have confirmed upon registration that they wish to make oral submissions at the meeting shall be added to the Participant Speaker's List.
- Participants added to the Participant Speaker's List will wait until called upon by the Chair by name to speak. To ensure order, the Electronic Meeting Coordinator will disable Participants' audio and video capabilities until called upon by the Chair to speak.
- Where appropriate in the opinion of the Chair, the Engineer will respond to the Participant's oral submissions.
- The Chair will call out the name of the Participant assigned the floor.

- The Chair and Clerk will manage the Participant Speaker's List based on the Chair's discretion to ensure all Participants with questions or comments are afforded the opportunity to participate.
- Once all Participants on the Participant Speaker's List have been heard, the Chair may ask if any other Participants wish to be heard.

(C) Additions or Withdrawals from Petition

- Affected Landowners present at the meeting will be asked at this time if they wish to add their name to the Petition.
- Petitioners present at the meeting will then be asked if they wish to withdraw their name from the Petition.
- In the event that an Affected Landowner or Petitioner indicates that he or she wishes to add or withdraw his or her name to or from the Petition, Council may accept such addition or withdrawal verbally, and instruct the Affected Landowner or Petitioner how to file the signed Petition or withdrawal, as the case may be, with the Clerk.
- Council shall then adjourn the matter to the next Electronic *Drainage Act* Public Meeting such that the sufficiency of the Petition may be determined prior to the decision of Council.

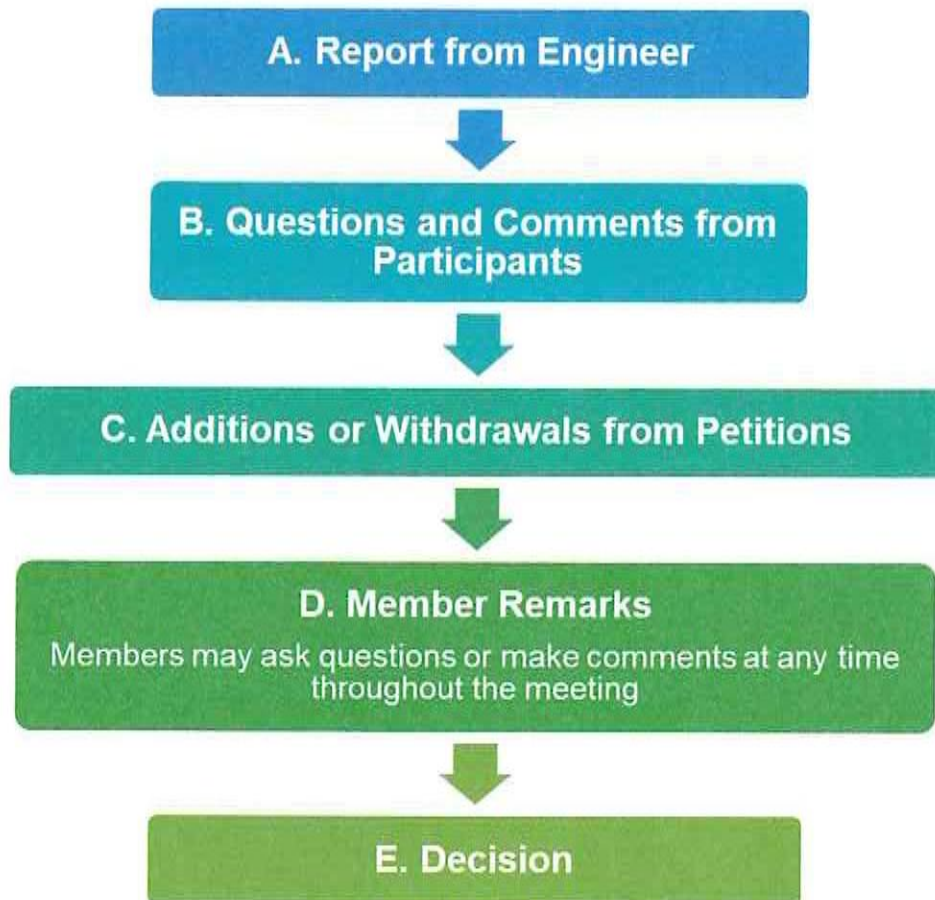
(D) Member Remarks

- Members will be asked by the Chair to make comments or ask questions.
- Members will be able to make comments or ask questions at any time throughout the meeting.
- The Chair and Clerk will manage requests by Members to speak based on the Chair's discretion to ensure all Members are able to participate in keeping with meeting rules.

(E) Decision

- Following Members Remarks, Council may adopt report, by provisional by-law.

ORDER OF ELECTRONIC *DRAINAGE ACT* PUBLIC MEETING



ORDER OF ELECTRONIC MEETING OF THE COURT OF REVISION

(A) List of Appeals

- When called upon by the Chair, the Clerk shall read out the names of the Appellants and the order in which their appeals will be heard.

(B) Report from Engineer

- The Engineer shall provide a brief report with respect to the assessments on appeal.

(C) Appellant's Submissions

- Appellants will wait until called upon by the Chair by name to speak. To ensure order, the Electronic Meeting Coordinator will disable Appellants' audio and video capabilities until called upon by the Chair to speak.
- The Chair will call out the name of the Appellant assigned the floor.
- The Appellants will orally make a case for why their land was improperly assessed.
- The Engineer may rebut the Appellant's case.

(D) Late Appeals

- The Members may agree to entertain late Appeals in accordance with section 52(2) of the *Drainage Act*.

(E) Member Questions

- Members will be asked by the Chair to make comments or ask questions at this time.
- Members will be able to make comments or ask questions at any time throughout the meeting.
- The Chair and Clerk will manage requests by Members to speak based on the Chair's discretion to ensure all Members are able to participate in keeping with meeting rules.

(F) Deliberations Recess

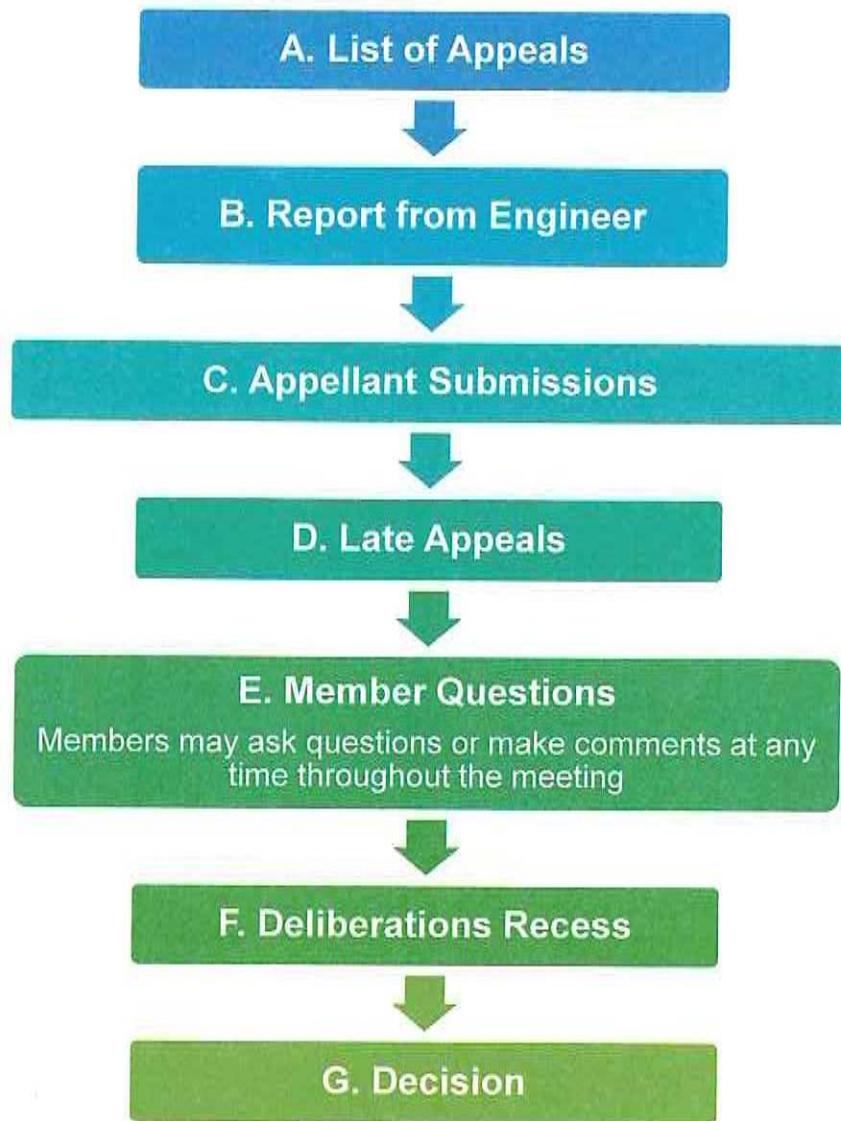
- The Chair may call a recess at this time to allow Members to deliberate.
- If the Court of Revision is considering reducing an assessment and adding it to a property whose owner is not present, then they must adjourn the Court of Revision, send notice to the absent parties to allow them to appeal the change, then reconvene in accordance with section 53 of the *Drainage Act*.

(G) Decision

- The Court of Revision may give an oral decision on each appeal prior to adjournment.

Such oral decision shall be followed by a written decision.

ELECTRONIC MEETING OF THE COURT OF REVISION FLOW CHART



INTERNET AND OTHER IT DISRUPTIONS

- If in the opinion of the Chair, an internet or other disruption to the Municipality's IT system, compromises the ability of the Municipality to conduct an Electronic *Drainage Act* Public Meeting or an Electronic Meeting of the Court of Revision in accordance with this Protocol, the Chair shall call a recess and take such steps as necessary to address the issue and re-convene the meeting in a timely manner or, where this is not possible, take such other steps as reasonable in the circumstances.
- If a participant's internet or other IT issue compromises the ability of the participant to participate in the meeting, the Chair shall take such steps as deemed reasonable in the opinion of the Chair in the circumstances.