



TOWNSHIP OF SCUGOG

PROCEDURE BY-LAW

BY-LAW NUMBER 66-18

Passed by Council on the 10th Day of December, 2018

Amendments:

By-Law Number	Date Passed	Amendment
35-19	March 25, 2019	Section 7.12 – Pecuniary Interest
21-20	March 23, 2020	Section 5 – Added 5.25
27-20	April 27, 2020	Section 1 – Definitions Section 5.25 – Added Public Meetings
40-20	June 29, 2020	Section 1 – Definitions Section 5.26 – Added Electronic Participation at Meetings Section 6 – Amended Order of Business (6.1, 6.2, 6.3, 6.4) Section 7 – Amended Consideration of Business (7.1.1, 7.12.1, 7.21.1)
25-21	June 28, 2021	Section 7 – Amended Closed Session Meetings (7.2 & 7.7, 7.2.1 & 7.2.2) Section 7.27 (d) – Amended to add CII Section 7.19 – Added 7.19 (f)(f) Delegations after Agenda Deadline
43-21	September 27, 2021	Section 5.26 – Amended Electronic Participation at Meetings

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THE CORPORATION OF THE TOWNSHIP OF SCUGOG

BY-LAW NUMBER 66-18

BEING A BY-LAW TO GOVERN THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SCUGOG AND ITS COMMITTEES AND BOARDS

WHEREAS Section 238 of the *Municipal Act, 2001, S.O. 2001*, provides that every municipal Council shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

AND WHEREAS Section 238(2.1) of the *Municipal Act, 2001, S.O. 2001*, requires that the procedure by-law provide for public notice of meetings;

AND WHEREAS the Council of the Corporation of the Township of Scugog deems it advisable to enact a new By-Law to govern the proceedings of Council, the conduct of its members and the calling of meetings and to provide for procedures and statutory requirements in accordance with the Municipal Act;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SCUGOG Enacts As Follows:

Section 1 - Definitions

For the purposes of this By-Law, the following definitions shall apply and have the following meanings:

- 1.1 **“Act”** means the Municipal Act, 2001, c. 25, as amended or replaced from time to time.
- 1.2 **“Acting Head of Council”** – shall mean the member delegated by the Head of Council or delegated by Council resolution to act from time to time in place and stead of the Head of Council and may also be referred to as the “Acting Mayor”.
- 1.3 **“Ad Hoc Committee”** – shall mean a special purpose committee of limited duration, appointed by Council to consider a specific matter and which is dissolved automatically upon submitting its final report to Council, unless otherwise directed by Council.

- 1.4 **“Addendum”** – shall mean any addition to a completed written agenda or addition to an item on the agenda. Changes in motions or resolutions following discussion on an agenda item are not considered an Addendum.
- 1.5 **“Advisory Committee(s)”** – shall mean a committee or committees established by Council for the purpose of providing advice to Council on a specific matter or ongoing operation.
- 1.6 **“Alternate Member”** – shall mean a Member of a lower-tier council in the Regional Municipality of Durham, who has been appointed by the lower-tier council to act as a substitute Member on Regional Council when another Member of that lower-tier Council is unable to attend a Regional Council meeting.
- 1.7 **“By-Law”** – shall mean an enactment, in a form approved by Council, passed for the purpose of giving effect to a decision or proceedings of Council.
- 1.8 **“Chair” (Presiding Officer)** – shall mean the Member who presides at a Council or Committee meeting.
- 1.9 **“Chief Administrative Officer (CAO)”** – shall mean the Chief Administrative Officer or designate duly appointed by the Township as per Section 229 of the *Municipal Act, 2001*, as amended.
- 1.10 **“Clerk”** – shall mean the Municipal Clerk or designate duly appointed by the Township as prescribed in Section 228 of the *Municipal Act, 2001*, as amended.
- 1.11 **“Closed Meeting” or “In-Camera”** – shall refer to a Meeting, or part of a Meeting of Council, which is closed to the public in accordance with Section 239 of the *Municipal Act, 2001*, as amended.
- 1.12 **“Confirming By-law”** – shall mean a by-law passed for the purpose of giving general effect to previous decisions or proceedings of Council.
- 1.13 **“Consent Agenda”** – shall mean the portion of the Agenda comprised of the Adoption of the Minutes, Reports, Correspondence and By-laws that are approved in a single motion without debate subject to the agreement of all Members. Should a Member wish to discuss an item, they would request the item be extracted from the consent agenda and that item would be discussed separately.
- 1.14 **“Council”** – shall mean the Council of the Corporation of the Township of Scugog.

- 1.15 **“Delegation”** – shall mean a person or group who has made a written request to address Council or Committee and may also be referred to as a “Deputation”.
- 1.16 **“Deputy Head of Council”** – shall mean the Member of Council appointed as the Deputy Head of Council, by By-Law in accordance with Section 242 of the Municipal Act, 2001, as amended and may also be referred to as the “Deputy Mayor”.
- 1.17 **“Electronic Participation at Meetings”** Per By-Law 42-20
- a) With the permission of the Mayor and subject to any limits or restrictions imposed by statute, a Member of Council may participate electronically in a meeting.
 - b) With the permission of the Chair and subject to any limits or restrictions imposed by statute, a Member of a local board or committee may participate electronically in a meeting.
 - c) If a Member of Council is permitted to participate electronically, the Township Clerk shall be notified immediately and at least 1 business day prior to the meeting.
- 1.18 **“Emergency”** means 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*, as amended; Per By-Law 27-20
- 1.19 **“Emergency Management Act”** means the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E. 9, as amended; Per By-Law 27-20
- 1.20 **“Friendly Amendment”** – means the motion under debate is amended with the consent of the mover and seconder and without the requirement for an amending motion to be made.
- 1.21 **“General Purpose & Administration Committee (GPA)”** – shall mean all of the Members of Council sitting in committee and shall report to and make recommendations to Council. Duties of the GPA Committee are set out in Attachment #1 to this By-Law.
- 1.22 **“Head of Council”** – shall mean the Head of Council as defined by Section 225 of the Municipal Act, 2001, as amended and may also be referred to as the “Mayor”.
- 1.23 **“Local Board”** – shall mean a local board as defined by the *Municipal Act, 2001*, as amended.

- 1.24 **“Majority”** – shall mean more than half the Members present, or:
- i) If 7 Members present: 4
 - ii) If 6 Members present: 4
 - iii) If 5 Members present: 3
 - iv) If 4 Members present: 3
- 1.25 **“Meeting”** – shall mean any regular, special or other meeting of Council or a Standing Committee where a quorum of members is present and members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council or Standing Committee.
- 1.26 **“Member(s)”** – shall mean an individual or individuals elected or appointed to the Council or a Committee, including any Advisory Committee, Ad Hoc Committee, or Local Board.
- 1.27 **“Municipal Act, 2001”** – shall mean the Municipal Act, 2001, S.O. 2001, c.25, as amended or replaced from time to time.
- 1.28 **“Municipal Conflict of Interest Act”** – shall mean the Municipal Conflict of Interest Act, R.S.O. 1990, c.M.50, as amended or replaced from time to time.
- 1.29 **“Municipal Freedom of Information and Protection of Privacy Act”** – shall mean the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended or replaced from time to time.
- 1.30 **“Municipality”** – shall mean the Corporation of the Township of Scugog.
- 1.31 **“Notice of Motion”** - shall mean a written motion respecting a substantive matter not on the agenda which is received by the Clerk from a Member for inclusion on the agenda.
- 1.32 **“Parliamentary Inquiry”** – shall mean an inquiry regarding the Rules of Procedure made by a Member during the course of a meeting.
- 1.33 **“Pecuniary Interest”** – shall have the same meaning as the term has in the Municipal Conflict of Interest Act.
- 1.34 **“Petition”** – shall mean a document requesting Council’s consideration of a matter that contains more than ten (10) signatures and does not include an electronic web-based document.

- 1.35 **“Planning Act”** – shall mean the Planning Act, R.S.O. 1990, c.P.13, as amended or replaced from time to time.
- 1.36 **“Planning and Community Affairs Committee (PCA)”** – shall mean all of the Members of Council sitting in committee and shall report to and make recommendations to Council on Planning matters and matters affecting the community. Duties of the PCA Committee are set out in Attachment #2 to this By-Law.
- 1.37 **“Point of Order”** – shall mean an inquiry made by a Member of Council regarding an alleged contravention of the Rules of Procedure made by a Member during the course of a meeting.
- 1.38 **“Public Information Session/Open House”** – shall be held for the purpose of presenting proposals and issues, educating and informing and/or receiving input.
- 1.39 **“Public Meeting (Statutory)”** – shall be a meeting in accordance with the Planning Act or any other Act, for which notice has been given and during which any person in attendance shall be provided an opportunity to make representation in respect of the matter for which the Public Meeting is held.
- 1.40 **“Question of Privilege”** – shall mean a statement by a Member calling attention to a matter where the personal comfort or integrity of an individual or the entire Council or Committee is perceived to be in question.
- 1.41 **“Quorum”** - shall mean the number of Members required to be present in the meeting room, in order that business may be conducted. In the case of Council, PCA and GPA, quorum shall constitute a majority of the Members being 4 of the 7 Members.
- 1.42 **“Recorded Vote”** – shall mean a written record of the name and vote of every Member present when the vote is called on any matter or question, which is conducted by the Clerk.
- 1.43 **“Regular Meeting”** – shall mean a meeting held in accordance with the schedule of meetings as adopted by Council.
- 1.44 **“Rules of Procedure”** – shall mean the procedures and rules established to govern meetings of Council and Committees as set out in this By-Law.
- 1.45 **“Special Meeting”** – shall mean a meeting not scheduled in accordance with the approved schedule of meetings as adopted by Council.
- 1.46 **“Staff”** – shall mean employee(s) of the Township.

- 1.47 **“Standing Committee”** – shall mean either the General Purpose and Administration Committee (GPA) or the Planning and Community Affairs Committee (PCA) of Council.
- 1.48 **“To Adjourn”** – shall mean to end a Meeting.
- 1.49 **“To Amend”** – shall mean to alter a motion in a germane manner.
- 1.50 **“To Call the Vote”** – shall mean to stop debate and immediately proceed to vote on the motion.
- 1.51 **“To Defer”** – shall mean to postpone all discussion on a matter until a future date or time, which is established as part of the motion.
- 1.52 **“To Receive”** – shall mean to acknowledge the receipt of a matter before Council, with no expectation of any future action being taken.
- 1.53 **“To Recess”** – shall mean to take a short break or suspend a Meeting for a specified length of time.
- 1.54 **“To Refer”** – shall mean to direct a matter under discussion by Council to Staff or Advisory Committee for further examination or review.
- 1.55 **“To Table”** – shall mean to postpone a matter without setting a definite date for future discussion of a matter.
- 1.56 **“Township”** – shall mean the Corporation of the Township of Scugog.
- 1.57 **“Two-Thirds Majority”** – shall mean Two-Thirds (2/3) of the Members present, and not disqualified from voting on a particular matter, or:
- i) 2/3 of 7: 5
 - ii) 2/3 of 6: 4
 - iii) 2/3 of 5: 4
 - iv) 2/3 of 4: 3
- 1.58 **“Upper Tier Council”** – shall mean the Council of the Regional Municipality of Durham.
- 1.59 **“Website”** – shall mean the Township’s website address at www.scugog.ca.

Unless the context otherwise requires, in this Procedure By-law the words used in the male gender shall include the female gender and the singular includes the plural and vice versa.

Section 2 - Purpose

- 2.1 This By-law establishes the Rules of Procedure for Council and its Committees and may be referred to as the “Procedure By-law”, “Rules of Procedure” or “Procedural By-law”.

Section 3 - Principles

- 3.1 The principles of openness, transparency and accountability to the residents of Scugog guide the Township’s decision-making process. In the context of Council and other Committee proceedings, this is accomplished by:
- a) Ensuring the decision-making process is unlikely to cause confusion and is being conducted without malice;
 - b) Respecting the right of the majority to decide and the minority to be heard; and,
 - c) Providing access to information and opportunities for input by the public and other stakeholders.
- 3.2 A specific statement or rule in this By-law has greater authority than a general one.
- 3.3 If there is a conflict between two or more rules in this By-law, or if there is no specific rule on the matter, the Chair will rule subject to the right of Council/GPA/PCA to appeal the ruling, and in such a case the procedure to be followed will be determined by a majority of members present.
- 3.4 In the event of conflict between the provisions of this By-Law and legislation, the legislation shall prevail.
- 3.5 All members have:
- a) A right to an efficient Meeting;
 - b) The right to be treated with respect and courtesy; and
 - c) equal rights, privileges and obligations.

Section 4 - Council and Committee Structure

- 4.1 Council shall be comprised of seven (7) members including the Mayor, Regional Councillor, and one (1) Councillor from each of the five (5) wards.
- 4.2 At the first meeting of Council or as soon thereafter as is practical, Council shall appoint a Member to act as a Deputy Mayor in the absence of the Mayor. During any such absence of the Mayor, the Deputy Mayor shall exercise all of the powers and responsibilities of the Mayor under this By-law or any other by-law or

statute. The appointment of the Deputy Mayor may be for the term of Council or for any such shorter term.

- 4.3 The Mayor shall Chair all Council, GPA and PCA meetings and in his or her absence, the Deputy Mayor shall Chair. In the absence of the Mayor and Deputy Mayor, the Acting Mayor shall Chair.
- 4.4 Council hereby establishes a GPA and PCA Committee which shall be comprised of all Members of Council and which shall make recommendations to Council. Council may consider any matter without referring it to the GPA or PCA Committee.
- 4.5 The Mayor shall carry out the responsibilities set forth in the Municipal Act, 2001, Section 225 which includes but is not limited to calling the meeting to order, preside during Presentations and Delegations, and chair the meeting.
- 4.6 The GPA Committee may consider delegations, correspondence, Staff reports more particularly set out in Attachment #1 to this by-law.
- 4.7 The PCA Committee shall be mandated with holding public meetings and any other planning and development matter or matter deemed to require public consultation and such other matters as may be referred to the PCA Committee by Council. The PCA Committee shall consider all reports submitted to it by the CAO or Director of a Department or their designate, for items which fall under the mandate of the PCA Committee more particularly set out in Attachment #2 to this by-law.
- 4.8 Council may establish by resolution various Advisory Committees, quasi-judicial bodies and Ad Hoc Committees, as required by legislation or otherwise. Upon establishment of such a committee or body, the Mayor shall nominate, and Council shall ratify by a majority vote, one or more Council Members to serve on the committee or body, provided that the number of Council Members is not equal to or greater than Quorum. The Mayor shall be ex-officio on all Committees save and except if the Mayor's presence would result in a Quorum of Council.
- 4.9 Members of Council appointed as a liaison for each Advisory Committee or other board/authority are required to attend meetings, take part in meetings and report to Council and shall not be eligible to act as Chair or Vice Chair.
- 4.10 When an Ad-Hoc Committee is established by Council, the Mayor shall nominate the members of that Committee which shall be confirmed by resolution of Council. Reports shall be provided to Council on an ongoing basis and once this task has been completed, they will present a final report to Council. Once this is completed, the Committee shall be deemed to be dissolved, unless otherwise determined by Council.

Appointment of Alternate Member to Upper Tier Council

- 4.11 Council may appoint one of its Members as an Alternate Member of the Upper Tier Council to act in place of any Regional Councillor when they are unable to attend a meeting of the Upper Tier Council for any reason, subject to the following limitations:
- a) No more than one Alternate Member may be appointed during the term of Council;
 - b) Notwithstanding Section 4.11(a), if the seat of the appointed Alternate Member becomes vacant, Council may appoint another of its members as an Alternate Member for the remainder of the term of Council;
 - c) Council may not appoint an alternate for the Alternate Member; and
 - d) When acting in their capacity as an Alternate Member on the Upper Tier Council, the Alternate Member shall adhere to all policies, procedures, practices, and codes of conduct established by the Upper Tier Council.

Section 5 – Calling of Meetings

Inaugural Meeting

- 5.1 The Inaugural Meeting of Council shall be held at 1:30 p.m. on the first Monday in December after a regular election.

Council, GPA Committee and PCA Committee Meetings

- 5.2 Regular Meetings shall be held in the Council Chambers at the Municipal Office and in accordance with the schedule of meetings as prepared by the Clerk and approved by Council.
- 5.3 The meeting schedule shall be based on a three week rotation as follows, with adjustments made for public holidays and conferences usually attended by Council and Staff:
- a) GPA meeting on the 2nd Monday of the month, with the open session starting at 1:30 p.m. and closed session starting before 1:30 p.m. as required;
 - b) PCA meeting on the 3rd Monday of the month, with the open session starting at 6:30 p.m. and closed session starting before 6:30 p.m. as required; and
 - c) Council meeting on the 4th Monday of the month, with the open session starting at 6:30 p.m. and closed session starting before 6:30 p.m. as required.
- 5.4 The Mayor or his/her designate may approve holding a Meeting anywhere in the Township or in a neighboring municipality provided that notice of the Meeting and location is provided in accordance with this By-law.

July/August Meetings

- 5.5 Notwithstanding the provisions of this By-Law, there shall be no scheduled meetings during the month of July or August unless previously approved by Council.

Special Meetings

- 5.6
- a) The Mayor may at any time call a Special Meeting; or
 - b) Upon receipt of a petition from a majority of the Members of Council, the Clerk shall call a Special Meeting for the purpose and the time mentioned in the petition.

Notice to Members

- 5.7 The schedule of meetings prepared by the Clerk and approved by Council in conjunction with the published agenda shall be considered adequate notice for a Regular Meeting.
- 5.8 The Clerk shall ensure that the agenda for each Regular Meeting be made available no later than 8:30 a.m. on the Thursday preceding a Regular Meeting.
- 5.9 The Clerk shall deliver notice of a Special Meeting of Council to each Member personally or leave notice at his or her residence or place of business by telephone or electronic mail at least twenty-four (24) hours before the time set for such Special Meeting. The notice shall specify the business to be transacted and the published agenda shall constitute such notice.
- 5.10 The twenty-four (24) hours' notice required by Section 5.9 may be waived in the case of an emergency as may be determined by the Mayor, his/her alternate or the CAO.
- 5.11 Notice for statutory Public Meetings shall be as prescribed and in accordance with Section 5.18.

Notice to Media and Public – Regular Meetings

- 5.12 The Clerk shall provide notice to the public and media of all Regular Meetings by:
- a) Publishing the annual schedule of meetings once adopted by Council on the Township's official website and by providing copies upon request;
 - b) Publishing the monthly schedule in the Township bulletin in the weekly newspaper;
 - c) Posting the agenda on the Township's official website;

- d) By sending an electronic notice of the publication of the agenda to those members of the media and members of the public who have requested that they be placed on the circulation list.

Notice to Media and Public – Special Meetings

- 5.13 The Clerk shall provide notice to the public and media of all Special Meetings of Council by:
 - a) Time permitting, publishing notice of the Special Meeting in the Township's bulletin in the weekly newspaper;
 - b) Posting the Special Meeting agenda on the Township's official website;
 - c) Providing copies to members of the media and members of the public who have requested that they be placed on the circulation list.

Cancellation/Postponement

- 5.14 Any meeting may be cancelled or rescheduled to a day, time and place set out in a written notice from the Clerk, sent to each Member at least twenty-four (24) hours before the scheduled date of the meeting.
- 5.15 The Mayor may, if it appears that inclement weather or like occurrence will prevent the Members from attending a meeting, postpone, reschedule or cancel that meeting by advising the Clerk and as many Members, media and interested parties as can be reached.

Failure to Meet Notice Provisions

- 5.16 Failure to meet the notice provisions for a meeting provided for in this By-law shall not affect the validity of holding the meeting nor any action taken at the meeting.

Recording of Meetings

- 5.17 With the exception of the Municipality and any publicly available broadcaster, the audio or video recording of a meeting is not permitted unless authorized by the Clerk and shall not be conducted in a manner that interferes with proceedings of the meeting.

Public Meetings, Hearings or Information Sessions whether statutory or otherwise

- 5.18 Council may from time to time conduct public meetings, hearings or other information sessions for any purpose, giving such notice as may be deemed necessary, required by legislation or the Township's Notice By-Law as amended from time to time.

- 5.19 Any person may speak for no more than five (5) minutes to the topic for which a public meeting has been called.
- 5.20 The Mayor shall chair all public meetings, but at his or her sole discretion may request that the meeting be chaired by another member of Council.

Education & Training Sessions

- 5.21 An Education & Training Session shall not be deemed to be a meeting and shall not be subject to the Rules of Procedure.
- 5.22 The Council, in deciding to convene an Education & Training Session, shall designate the general purpose or purposes for which the session is to be held as permissible under Section 239 of the Municipal Act, 2001.
- 5.23 At the meeting, no member shall discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council.
- 5.24 The Clerk shall take notes describing in general terms each subject matter dealt with at an Education & Training Session.

Electronic Participation During Emergencies Per By-Law 21-20

- 5.25 For purposes of quorum during an emergency:
- a) During any period where an emergency has been declared to exist in all or part of the Township under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*, members of Council and local boards may participate electronically in Standing Committee, Board and Council meetings, and *Public Meetings (Statutory)*. Amended per By-Law 27-20
 - b) A member of Council, of a local board or of a committee of either of them who is participating electronically in a meeting as described in section 5.2.5(a) may be counted in determining whether or not a quorum of members is present at any point in time.
 - c) A member of Council, of a local board or of a committee of either of them can participate electronically in a meeting that is closed or open to the public.
 - d) Members shall provide sufficient notice to the Clerk of their intent to electronically participate in a meeting to ensure the proper technology is enabled to make electronic participation available.

- e) Where the Rules of Procedure conflict with the need to facilitate electronic participation, the Chair shall have the authority to modify the Rules of Procedure to ensure Members can effectively participate electronically in the meeting.
- f) In the event that members of the public are not permitted to attend a meeting *and Public Meetings (Statutory)* *Per By-Law 27-20* due to the emergency and electronic participation of the public cannot be facilitated, the public will be requested to provide their comments in writing to the Clerk prior to the meeting.

Electronic Participation at Meetings *Amended Per By-Law 43-21*

5.26 For purposes of electronic participation at meetings:

- a) Electronic participation may be allowed for a member of Council, of a local board or of a committee of either of them in accordance with Section 238 (3.1) of the Municipal Act; for greater clarity this includes Advisory Committees, GPA, PCA, Council and local board meetings. Members participating electronically may count towards determining whether a quorum of members is present and may participate in a meeting which is closed to the public.
- b) Where the Rules of Procedure conflict with the need to facilitate electronic participation, the Chair, in consultation with the Clerk, shall have the authority to modify the Rules of Procedure to ensure Members can effectively participate in the meeting.
- c) The Clerk, in consultation with the Chair, shall establish practices and procedures for electronic participation.
- d) Members must notify the Clerk prior to the meeting of their intent to participate electronically.
- e) Members will be required to audibly indicate their presence at the start of the meeting, or they will be noted as absent.
- f) All votes during a meeting where some or all members are participating electronically shall be recorded votes, unless otherwise determined by the Chair.

- g) Should the Clerk believe that delegations and presentations can be facilitated through electronic participation, the public will be requested to provide their comments in writing to the Clerk prior to the meeting and the comments will be distributed to members of Council. The remainder of the regular rules for presentations and delegations as set out in this by-law shall apply.
- h) The Clerk may provide for electronic participation of Staff, including electronic participation of the Clerk.
- i) If deemed necessary and appropriate, all members of Council, the Clerk, staff and the public may participate electronically.

Section 6 - Order of Business – Council, GPA and PCA Meetings

Council Meeting Agenda

- 6.1 The Municipal Clerk shall cause to be prepared an agenda under the following headings for the use of the Members at the regular Meetings of Council. Council shall deal with matters in the order listed on the agenda, unless otherwise decided by the majority of the Members present:
- 1) Call to Order
 - 2) Disclosure of Pecuniary Interest and Nature Thereof in Closed Session
 - 3) Closed Session
 - 4) Rise from Closed Session *per By-Law 42-20*
 - 5) Call Open Session to Order and Moment of Silence
 - 6) Matters from Closed Session
 - 7) Disclosure of Pecuniary Interest and Nature Thereof
 - 8) Announcements from Council and Staff
 - 9) Presentations and Delegations
 - 10) Consent Agenda
 - i. Adoption of the Minutes of Previous Meeting
 - ii. Reports (to include a Regional Report on a monthly basis and the recommendations from GPA and PCA Committees)
 - iii. Correspondence (regarding an item on the Agenda)
 - iv. By-Laws
 - 11) Items for Separate Discussion *per By-Law 42-20*
 - 12) Items Extracted from Consent
 - 13) Notices of Motion
 - 14) New Business / General Information
 - 15) Closed Session (if needed)
 - 16) Confirming By-Law
 - 17) Adjournment

GPA Meeting Agenda

6.2 The Municipal Clerk shall cause to be prepared an agenda under the following headings for the use of the Members at the regular Meetings of the GPA Committee. Council shall deal with matters in the order listed on the agenda, unless otherwise decided by the majority of the Members present:

- 1) Call to Order
- 2) Disclosure of Pecuniary Interest and Nature Thereof in Closed Session
- 3) Closed Session
- 4) Rise from Closed Session **per By-Law 42-20**
- 5) Call Open Session to Order and Moment of Silence
- 6) Matters from Closed Session
- 7) Disclosure of Pecuniary Interest and Nature Thereof
- 8) Announcements from Council and Staff
- 9) Presentations and Delegations
- 10) Consent Agenda
 - i. Adoption of the Minutes of Previous Meeting
 - ii. Reports
 - iii. Correspondence
- 11) Items Extracted from Consent
- 12) New Business/General Information
- 13) Closed Session (if needed)
- 14) Adjournment

PCA Meeting Agenda

6.3 The Municipal Clerk shall cause to be prepared an agenda under the following headings for the use of the Members at the regular Meetings of the PCA Committee. Council shall deal with matters in the order listed on the agenda, unless otherwise decided by the majority of the Members present:

- 1) Call to Order
- 2) Disclosure of Pecuniary Interest and Nature Thereof in Closed Session
- 3) Closed Session
- 4) Rise from Closed Session **per By-Law 42-20**
- 5) Call Open Session to Order and Moment of Silence
- 6) Matters from Closed Session
- 7) Disclosure of Pecuniary Interest
- 8) Announcements from Council and Staff
- 9) Adoption of Minutes of Previous Meeting
- 10) Public Meeting
- 11) Presentations and Delegations
- 12) Reports
- 13) Correspondence

- 14) New Business / General Information per By-Law 42-20
- 15) Closed Session (if needed)
- 16) Adjournment

Special Meeting Agenda

- 6.4 The Clerk, when it is reasonably possible, shall cause an agenda to be prepared, in the following order, for the use of Members at a Special Meeting:
- a) Call to Order
 - b) Disclosure of Pecuniary Interest & Nature Thereof
 - c) Closed Session
 - d) Rise from Closed Session per By-Law 42-20
 - e) Matters from Closed Session
 - f) Delegations
 - g) Consideration of business for which notice was given per By-Law 42-20
 - h) By-Laws
 - i) Confirming By-law
 - j) Adjournment
- 6.5 No business may be transacted at a Special Meeting other than that specified in the notice or agenda.

Quorum

- 6.6 If there is no Quorum present within fifteen (15) minutes after the time fixed for holding the meeting, the Clerk shall call the roll and take down the names of the Members present and the meeting shall immediately stand adjourned until the next Regular Meeting.
- 6.7 If during the course of a Council meeting, a Quorum is lost, the Chair shall declare that the meeting shall stand recessed temporarily or be adjourned until the date of the next Regular Meeting or Special Meeting called in accordance with the provisions of this By-Law.
- 6.8 If members are not going to be in attendance or are going to be late for a meeting, they shall contact the office of the Clerk in advance of the meeting.

Amended Agenda

- 6.9 After delivery of the Council agenda, the Clerk may amend the agenda by way of an addendum and amended agenda by adding or deleting matters from the prepared agenda in consultation with the Mayor and CAO.
- 6.10 In the interest of transparency, late/separate circulations and revised or amended agendas are to be avoided wherever possible. However, where

necessary, revised/addendum agendas will be circulated to members by electronic mail and posted on the Township website as soon as possible and not later than 4:30 p.m. on the Friday before the meeting.

Section 7 – Consideration of Business

Call to Order and Moment of Silence

7.1 The Mayor or his/her designate shall call the meeting to order when there is a Quorum present after the time set for the meeting and ask those present to stand and observe a moment of silence. If the Mayor does not attend within fifteen minutes after the time set for the Meeting and a quorum is present, the Deputy Mayor shall preside over the Meeting and shall exercise all duties and responsibilities of the Mayor as outlined in this Procedure By-law until the Mayor is present at the Meeting and is able to perform his responsibility to assume the chair. If the Deputy Mayor is also not present within fifteen minutes after the time set for the Meeting and a quorum is present, the Clerk, or designate, shall call the Meeting to order and the Members present shall appoint an Acting Mayor who shall act as Chair of the Meeting until the arrival of the Mayor or Deputy Mayor, whoever is the first to arrive and is able to assume the chair.

7.1.1 During a Council meeting and the Mayor or Chair for the meeting may also read the acknowledgement of traditional treaty lands. **Per By-Law 42-20**

Closed Session Meeting

7.2 A meeting or part of a meeting may be closed to the public in accordance with Section 239 of the Municipal Act, if the subject matter being considered is:

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

- h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or 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. *Per By-law 25-21*

7.2.1 A meeting or part of a meeting shall be closed to the public in accordance with Section 239 of the Municipal Act, if the subject matter being considered is:

- a) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
- b) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) of this Act, or the investigator referred to in subsection 239.2 (1). *Per By-law 25-21*

7.2.2 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 Members discusses or otherwise deals with any matter in a way that materially advance the business or decision-making of the Council. *Per By-law 25-21*

7.3 The Chair of every Closed Session meeting shall be the Mayor. In the absence or unavailability of the Mayor, the Chair shall be the Deputy Mayor. In the absence or unavailability of the Deputy Mayor, the Chair shall be the Acting Mayor.

7.4 The Clerk or designate shall remain in the room for all closed sessions.

7.5 Before holding a Meeting or part of a Meeting that is to be closed to the public, the following shall be stated by public resolution:

- a) The fact of holding the Closed Session;
 - b) The general nature of the matter to be considered;
 - c) The specific provision of the Municipal Act, 2001 under which the meeting in Closed Session is permitted.
- 7.6 Upon passage of a motion under Section 7.5, all members of the media and public shall be required to leave the room. The Clerk shall remain, and any members of Staff, Township consultants, or delegations may be requested to remain.
- 7.7 A meeting shall not be closed to the public during the taking of a vote, except where a closed meeting is permitted in accordance with Section 239 of the Municipal Act, 2001 and this procedural by-law and the vote is for a procedural matter or for giving direction or instructions to officers, employees, or agents of the Township of Scugog or persons retained by or under a contract with the Township of Scugog. *Per By-law 25-21*
- 7.8 The Clerk shall record without note or comment all resolutions, decisions and other proceedings during a closed session.
- 7.9 The Clerk shall distribute all confidential reports and material for Closed Sessions in a secure manner. If a member of Council determines that they have a Conflict of Interest in relation to a particular item, they shall advise the Clerk and shall not attend that portion of the meeting.
- 7.10 Members shall ensure that confidential matters disclosed to them and materials provided to them during closed sessions are kept confidential. Members shall return confidential material to the Clerk or his/her designate for destruction.

Disclosure of Pecuniary Interest and Nature Thereof

- 7.11 Members shall disclose any pecuniary interest and the general nature thereof in any matter listed on the agenda in accordance with the Municipal Conflict of Interest Act. It is the responsibility of the Member to identify and disclose any pecuniary interest. Members shall not request the Clerk or other Staff member to provide advice or comment on whether a Member has a pecuniary interest.
- 7.12 The Member shall disclose the pecuniary interest including the general nature thereof, prior to any consideration of the matter and shall not take part in the discussion or vote on the matter, and shall not attempt, in any way, whether before or after the meeting, to influence the vote, except if the matter under consideration is whether to suspend the remuneration paid to a member under section 223.4 (5) or (6) of the Municipal Act, the member may take part in the attempt to influence the voting on any question in respect of the matter, however, the member is not permitted to vote on any question in respect of the matter.

- 7.12.1 Notwithstanding sections 7.11 and 7.12, when a Member declares on a matter at a Council meeting, later in the meeting when the confirming by-law is on the floor, the Member's declaration is understood and the Member may participate in the vote on the confirming by-law and is not required to submit another declaration of interest form. Further, if the Member declares on a matter at a meeting and at a subsequent meeting the minutes of the entire meeting are on the floor for adoption, the Member's declaration is understood and the Member may participate in the vote on adopting the minutes and is not required to submit another declaration of interest form, provided that the matter the Member declared on is not further discussed or amended in any way. per By-Law 42-20
- 7.13 Where the meeting is not open to the public, in addition to declaring the conflict, the Member shall immediately leave the Meeting or part of the Meeting during which the matter is under consideration.
- 7.14 Where a Member is absent from a Meeting which includes a matter on which they have a pecuniary interest, the Member shall disclose the interest at the next Meeting they attend.
- 7.15 The disclosure of pecuniary interest shall be recorded in the minutes of the Meeting, and where the Meeting was open to the public, the general nature of such disclosure.
- 7.16 At a meeting at which a member discloses a pecuniary interest, or as soon as possible afterwards, the member shall file a written statement of the interest and its general nature with the Clerk of the municipality or the secretary of the committee or local board, as the case may be.

Announcements

- 7.17 Members and Staff may announce or comment on community events and activities.

Presentations

- 7.18 Presentations shall be limited to 15 minutes, except with the permission of the Chair, and to the following:
- a) Civic recognition/awards;
 - b) Presentations from other government organizations;
 - c) Presentations from Township Staff or consultants.

Municipal audio visual equipment may be used to assist presenters, provided that permission has been obtained for use of such equipment from the Clerk, or designate. A delegate's audio visual materials must be provided to the Clerk, or designate, no later than the close of business the Thursday preceding the Meeting. Electronic presentations will not be installed once the meeting has begun.

Delegations / Public Hearings

7.19 The following rules and procedures shall be followed for delegations appearing before Council.

- a) Delegations shall appear at the GPA or PCA Committee, as appropriate, first rather than Council, except:
 - i) where the delegate wishes to address Council with respect to a matter which is on the Council agenda at which the delegate wishes to speak;
 - ii) the matter is of an urgent nature that there is insufficient time to direct the delegate to a Committee; or
 - iii) the delegate cannot be accommodated at a Committee Meeting.
- b) Anyone wishing to appear before Council shall advise the Clerk by 4:30 p.m. on the Tuesday prior to the meeting. The request to appear shall be in writing and shall state in detail the nature of the matter to be presented.
- c) The Clerk shall give due consideration to the length of the agenda and the number of delegations and shall recommend to the requester the earliest possible date their delegation may be accommodated. A maximum of four (4) delegations shall be allowed per meeting unless otherwise approved by the Mayor to deal with matters of an urgent nature.
- d) Only the designated spokesperson(s), which shall be no more than two people, may speak on the matter and for not more than five (5) minutes in total.
- e) The Clerk shall keep account of the time expended by the delegate(s) and at the completion of the allotted time, the Mayor shall advise the individual to cease.
- f) Delegates shall respect the decorum and Rule of Procedures in accordance with this By-law and shall not:
 - i) Speak disrespectfully of any person;
 - ii) use offensive words;
 - iii) speak on any subject other than the subject for which they have given notice to address Council/Committee;
 - iv) disobey the decision of the Chair;
 - v) enter into debate with Members; or
 - vi) appropriate any unused time allocated to another Delegation or Presenter.

Failure to do so will result in the delegation being curtailed and possible expulsion from the meeting.

- f) f) Where a delegation request is received after the Agenda Deadline and the matter is included on an agenda for a meeting, the request will be added to the Amended Agenda for the applicable meeting if written notice to the Clerk is received by 2:00 p.m. on the Friday before the meeting.

Where a delegation request received after the Agenda Deadline and the matter is not included on the agenda for the meeting, then the request will not be placed on the immediate agenda but rather referred to a future Agenda.

Per By-law 25-21

- g) A delegation not listed on the agenda shall not be heard without the consent of at least a Two-Thirds Majority of the Members present.
- h) Council may refuse to hear delegations when, in the opinion of Council, the subject of the presentation is beyond the jurisdiction of the municipality.
- i) Municipal audio visual equipment may be used to assist delegates, provided that permission has been obtained for use of such equipment from the Clerk, or designate. A delegate's audio visual materials must be provided to the Clerk's Department no later than the close of business the Thursday preceding the Meeting. Electronic presentations will not be installed once the meeting has begun.
- j) Members of Council shall only ask questions for clarification from delegates and shall not engage in any debate with delegates.
- k) Where there is no accompanying Staff report dealing with the specific subject of the Delegation, the matter may be received or referred to Staff . All other motions require a 2/3 majority vote of Council for approval.
- l) Delegations shall be restricted to speaking to matters they have requested to speak about and that is listed on the agenda.
- 7.20 For matters which are more properly within the responsibility of Staff, the Clerk shall notify the proposed delegate that the delegation shall not be listed on the agenda, and shall direct the proposed delegate to the appropriate department. The delegation shall not be listed on an agenda until Staff has had the opportunity to address the matter.
- 7.21 A delegation appearing before Council or Committee shall not be placed on an agenda to discuss the same matter within six (6) months of the last appearance, unless otherwise approved by the Mayor.
- 7.21.1 The Township Clerk shall not place a delegation on the agenda, unless it has been requested by the Township, where the subject matter:
- a) Involves past, current, or pending litigation;
 - b) Involves past, current, or pending insurance claims;
 - c) Involves administrative complaints that have not been reported and investigated through the administrative process; or
 - d) Is contrary to the provisions of the Municipal Freedom of Information and Protection of Privacy Act. per By-Law 42-20

Adoption of the Minutes and Business Arising out of the Minutes

- 7.22 The Council, GPA and PCA Minutes as prepared and circulated with the agenda shall be adopted subject to revision of errors and omissions.

After the Minutes have been adopted, they shall be signed by the Mayor and Clerk and sealed with the seal of the Corporation.

The minutes shall be drafted by the Clerk to record:

- a) The place, date and time of the Meeting;
 - b) The name of the Chair and the attendance of the Members and Senior Staff;
and
 - c) Each matter considered and the formal disposition of the matter without note or comment.
- 7.23 Upon being prompted by the Chair, Members may discuss business arising out of the minutes, limited to any matter listed in the minutes for the purpose of clarification or receiving a status update.
- 7.24 All other Minutes including Advisory Committee, Steering Committee, Ad Hoc Committee and Boards etc. shall be received for information, unless a Member moves another resolution in relation to the Minutes.

Reports

- 7.25 All GPA and PCA Committee Reports, the Region of Durham Council Highlights and a verbal report from the Regional Councillor shall be listed under this section of the agenda.
- 7.26 Staff Reports shall be directed to the GPA or PCA Committee, as appropriate, except where the matter is associated with an item on the Council Agenda or is of such an urgent nature that there is insufficient time to direct the report to a Committee.

Correspondence

- 7.27
- a) Correspondence addressed to Council that relates directly to a Staff function may be sent directly to the appropriate Director for response or action.
 - b) Correspondence that may be of interest to Members of Council, seek Council support or require Council direction and do not fall under subsection (a) above, may be included in the GPA or PCA agenda unless it is a matter that is already on the Council agenda or of such an urgent nature that there is no time to include it on a committee agenda. Correspondence not seeking Council support or

direction, including reports from Durham Region shall not be placed on the agenda unless requested by a Member of Council.

c) If, in the opinion of the Clerk, the correspondence contains any obscene or improper content or language, addresses a matter that has already been decided by Council, or does not bear sufficient relevance to local governance or matter affecting or of interest to the Township, the Clerk at his/her discretion may exclude the item from the agenda. Each piece of correspondence shall be signed by at least one person giving their name and mailing address.

d) The Municipal Clerk shall prepare a Council Information Index (CII) containing correspondence received or prepared by staff for Council's information.

The deadline for information to be included on the CII is 9:00 a.m. on Friday.

The CII shall be delivered electronically every Friday to members of Council and shall be posted to the Township's website.

A Member of Council may request, in writing to the Clerk, that an item on the CII be included on the next appropriate GPA, PCA or Council agenda, as determined by the Clerk.

The item will be included on the agenda of the appropriate agenda if submitted to the Clerk prior to the agenda deadline and not restricted under any clause in this procedural by-law. For clarity purposes, it will not be an added item to an agenda that has already been circulated. [By-law 25-21](#)

e) Every communication, written or otherwise, addressed to Council and included on an agenda and considered in open session shall be received as public information subject to the Municipal Freedom of Information and Protection of Privacy Act.

7.28 An organizer of a public petition may submit the petition for inclusion on the Council agenda. That person shall provide his or her name, address and telephone number along with the petition. Any communication with respect to the petition will be with the organizer of the petition only.

7.29 Motions to receive a petition, refer the matter to Staff for consideration or direct Staff to report back to Council, are proper in regard to a petition, without prior notice. Any other motion related to a Petition shall not be in order.

7.30 The Township Clerk shall refuse to place a petition on the agenda where the subject matter:

a) Involves current or pending litigation;

- b) Involves insurance claims;
- c) Involves administrative complaints that have not been reported and investigated through the administrative process;
- d) Is beyond the jurisdiction of Council; or
- e) Is contrary to the provisions of the Municipal Freedom of Information and Protection of Privacy Act.

7.31 Signatories to a petition are deemed to have waived any expectation of privacy as a result of the record being created for review by the general public.

7.32 Petitions shall contain the printed name, signature and some contact information of the individuals signing it. Signatures without contact information shall be redacted by the individual or group submitting the Petition or it will not be accepted by the Township Clerk nor presented to Council.

7.33 No petition shall be considered valid and accepted by the Township Clerk without the name and contact information of the person(s) responsible for the contents and submission of the Petition to the Township.

By-Laws

7.34

- a) Every By-Law shall be introduced upon motion by a Member, and any number of By-Laws may be introduced together in one motion. Council shall, at the request of a Member, deal separately with any By-Law.
- b) All amendments to any By-Law approved by the Council shall be deemed to be incorporated into the By-Law and shall be inserted therein by the Clerk.
- c) Every By-Law shall receive three readings prior to it being passed. All three readings may be passed under one motion.
- d) Every By-Law enacted by Council shall be numbered and dated and shall be sealed with the seal of the Corporation and signed by the Clerk and Mayor and shall be deposited in the Office of the Clerk for safekeeping.

Notices of Motion

7.35

- a) A Member desiring to introduce a subject for discussion by Council shall provide a Notice of Motion in writing to the Clerk no later than 4:30 p.m. on the Tuesday prior to a Regular Council Meeting, which does not include a GPA or PCA meeting. The Notice of Motion shall be seconded prior to being placed on the Council agenda.
- b) The Clerk shall place the Notice of Motion on the Council Agenda. The Notice of Motion may be discussed and dealt with by Council unless a Member requests that the matter be dealt with at the next Regular Council Meeting which does not include a GPA or PCA meeting.

New Business / General Information

7.36 This section shall contain items which a Member may introduce, which were not circulated with the Agenda and which, due to their nature or time-sensitivity cannot be properly presented at a subsequent Meeting of Council or Committee. Members may raise questions regarding matters that may be appropriate for Staff comment in the form of immediate response or subsequent follow-up. To introduce a matter requiring Council direction, first requires approval of 2/3 of the Members present. Upon approval of 2/3 of the Members present the Member may introduce their motion. Motions to receive or refer to Staff are in order and may be passed with a simple majority. All other motions require a 2/3 majority vote of Council for approval.

Confirming By-law

7.37 The proceedings of every Regular and Special Meeting of Council shall be confirmed by by-law so that every decision of Council and every resolution passed at that meeting shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.

Adjournment

7.38

- a) No item of business shall be considered at a GPA Committee meeting after 5:30 p.m. local time, unless a majority of the Members present enact a resolution to extend the time.
- b) No item of business shall be considered at a meeting of Council or PCA Committee after 10:30 p.m. local time, unless a majority of the Members present enact a resolution to extend the time.
- c) Unfinished business shall be adjourned to the next Regular Meeting.

Section 8 - Duties of Chair and Members

Duties of the Chair

8.1 The Chair shall:

- a) Maintain order and preserve decorum;
- b) Rule on all procedural matters;
- c) Receive and submit to a vote all motions presented by the Members that do not contravene the Rules of Procedure;

- d) Decline to put to a vote motions which do not comply with the Rules of Procedure, or which are not within the jurisdiction of Council;
 - e) Announce the results of the vote on any motions presented for a vote;
 - f) Expel or exclude from any meeting any person whom the Chair feels has exhibited improper conduct at the meeting;
 - g) Adjourn or suspend the meeting if he or she considers it necessary because of grave disorder; and
 - h) Adjourn the meeting when business is concluded or recess the meeting as may be required.
- 8.2 The Mayor shall wear the Chain of Office at all Council meetings.
- 8.3 The Chair shall vote on all motions.
- 8.4 The Chair may answer questions and comment in a general way, but if the Chair wishes to participate in debate, make a motion, speak to a motion under consideration or leave the chair for any other reason, the Chair shall first delegate the duties to the Deputy Mayor or alternate, until the matter has been dealt with or is able to resume his or her duties as Chair.

Duties of Members

- 8.5 It shall be the duty of Members to:
- a) Attend all meetings of Council or committee to which they have been elected or appointed;
 - b) Prepare for meetings, including reviewing meeting agendas and background information prior to the meeting;
 - c) Speak only to the subject under debate;
 - d) Observe and respect the Rules of Procedure as detailed in this By-law;
 - e) Work through the Chair on all matters;
 - f) Support Council by accurately communicating the decision of Council even if they disagree with the majority decision;
 - g) Carry out the duties set out in the Municipal Act, 2001, as amended and all other applicable statutes; and
 - h) Act in accordance with the Declaration of Office.
- 8.6 Should any Member be absent from Council meetings for three consecutive months or be unable to perform any of their duties for an extended period of time, the Member shall advise the Mayor and Council forthwith.
- 8.7 In accordance with Section 259(1) of the Municipal Act, 2001, the office of a Member becomes vacant if the member is absent from the meetings of Council for three successive months without being authorized to do so by a resolution of

Council. This section does not apply to a member who is absent for 20 consecutive weeks or less if the absence is a result of the member's pregnancy, the birth of the member's child or the adoption of a child by the member.

8.8 Members shall abide by the Code of Conduct in representing the Township.

Section 9 – Meeting Decorum

Conduct of Members

9.1 No member shall:

- a) Use offensive words, inappropriate actions or un-parliamentary language.
- b) Speak disrespectfully of any member of the Royal Family, the Governor General, the Lieutenant Governor, the Head of the Government of Canada and the Province of Ontario, Council, any municipality, any Member or any official or employee of the Township;
- c) Engage in private conversation while in the Council meeting or use electronic devices including cellular phones.
- d) Leave his or her seat or make any noise or disturbance while a vote is being taken and until the result of the vote is announced;
- e) Where a matter has been discussed in Closed Session, and where the matter remains confidential, disclose a confidential matter or the substance of deliberations at a Closed Session, except to the extent that Council has previously released or disclosed the matter in public;
- f) Disobey the rules of Council or a decision of the Chair or of Council on questions of order or practice.

In case a Member persists in any such disobedience, after having been called to order by the Chair, the Chair shall order the member to vacate the Council Chambers or room in which the Meeting is being held and shall not recognize that Member, except for the purpose of receiving an apology from the Member tendered at that Meeting or any subsequent Meeting.

Conduct of Members of the Public in Attendance

9.2 Members of the public in attendance at a meeting shall refrain from public outburst, shouting, or behaviour intended to disrupt the debate, discussion and/or general proceedings. Placards, signs, posters, etc. or any advertising devices shall not be permitted. The Mayor or Chair may request that a member or members of the public vacate the premise if their behaviour is deemed to be disruptive to the business at hand. The Mayor or Chair may unilaterally suspend the meeting until order is restored.

- 9.3 Only Members of Council and the Municipal Staff shall be permitted to enter the Council floor during the sitting of Council or Committee without the permission of the Mayor or Chair.
- 9.4 No person, other than a Member of Council or the Municipal Staff, shall, before or during a Meeting, place on the desks of Members or otherwise distribute any material whatsoever unless such person is so acting with the approval of the Mayor or Chair.

Section 10 - Rules of Order, Motions and Voting

Rules of Order

- 10.1 In the event that the proceedings of Council or its Committees are not provided for in this By-Law, the Clerk shall reference Robert's Rules of Order for guidance on the question.
- 10.2 To address Council, a Member shall request to speak and be recognized by the Chair before speaking.
- 10.3 When two or more Members indicate their desire to speak at the same time, the Chair shall designate the order of speakers.
- 10.4 No Member shall speak for longer than five (5) minutes on a question without the Chair's permission.
- 10.5 No Member shall speak more than twice to the same question without the Chair's permission, except that a reply to a question posed by a Member may be permitted by the Chair.

Procedural Inquiries

- 10.6 Any Member may require a motion or question under discussion to be read at any time during the debate but not so as to interrupt the Member speaking or obstruct the debate.
- 10.7 When a Member is speaking, no other Member shall interrupt the Member speaking except to direct to the Chair a Parliamentary Inquiry, Point of Order or Question of Privilege.

Parliamentary Inquiry

- 10.8 A Member may request that the Chair provide information regarding the Rules of Procedure. The Chair or Clerk shall provide the information requested.

Point of Order

- 10.9 A Member may bring a breach of the Rules of Procedure to the Chair's attention by raising a Point of Order. The Chair shall immediately rule on the Point of Order.

Any Member wishing to challenge the ruling of the Chair must do so immediately following the ruling. The Member has the right to state his/her case, and the Chair has the right to reply. Upon being challenged, the Chair shall immediately put the question "That the decision of the Chair be sustained" to a vote of Council. The decision of the Majority shall be final. If the Member does not appeal immediately thereafter to Council or Committee, as the case may be, the decision of the Chair shall be final.

Question of Privilege

- 10.10 A Member may raise a Question of Privilege where such Member feels that the personal comfort, health, safety, rights or integrity of his/her own person or anyone present at the meeting has been called into question.
- a) Upon hearing such a Question of Privilege, the Chair decides and states his/her ruling on the matter by either requesting that the matter be rectified (i.e. raising or lowering temperature or decreasing or increasing speaker volume) or demanding an apology from the offending Member.
 - b) Upon demanding an apology, the offending Member shall either apologize, vacate the meeting, or appeal the Chair's ruling.
 - c) If the offending Member intends to challenge the ruling of the Chair, the offending Member must do so immediately following the ruling. The Member has the right to state his/her case, and the Chair has the right to reply. Upon being challenged, the Chair shall immediately put the question "That the decision of the Chair be sustained" to a vote of Council. The decision of the Majority shall be final. If the Member does not appeal immediately thereafter to Council or Committee, as the case may be, the decision of the Chair shall be final.

Motions

- 10.11 A motion shall be moved and seconded before the Chair shall put the question or motion on the floor for consideration and a vote. If no Member seconds the motion, the motion shall not be on the floor for consideration and therefore it shall not be recorded in the minutes except in the case of a Notice of Motion.

- 10.12 A Member may move a motion in order to initiate discussion and debate and that Member may vote in opposition to the motion. A Member seconding a motion may vote in opposition to the motion.
- 10.13 After a motion is moved and seconded at a meeting, it may not be withdrawn without the consent of the mover.
- 10.14 When a motion is presented in a Meeting, it shall be read by the Member or the Chair. If the wording of a motion is printed in the agenda as either a separate item or as part of a report, it need not be read in its entirety unless requested to do so by a Member, but shall be deemed to have been read for the purposes of introducing the motion.
- 10.15 No Member shall speak to any motion until it is properly moved and seconded and the mover is entitled to speak first if the Member so elects. If debated, the motion may be read before being put.

Ultra Vires

- 10.16 A motion in respect of a matter which is ultra vires of the jurisdiction of the Council shall not be in order.

Specific Motions:

Motion to waive or suspend the rules of procedure

- 10.17 The Rules of Procedure shall be observed in all proceedings of Council and its Committees, except that the Rules of Procedure may be suspended by a Two-Thirds Majority vote of the members present.

A motion to suspend the Rules of Procedure shall not be debatable or amendable.

Motion to Recess

- 10.18 A motion to recess is not debatable, shall specify the length of the recess, and may only be amended with respect to the length of the recess.

Despite the aforementioned, the Chair may also call a recess for no more than 15 minutes without requiring a motion.

Motion to Adjourn

- 10.19 A motion to adjourn a meeting is not debatable and shall always be in order except when:

- a) Another Member is in possession of the floor;
- b) A vote has been called;
- c) Members are voting; or
- d) A Member has indicated to the Chair his or her desire to speak on the matter before the meeting.

A motion to adjourn shall take precedence over any other motion and shall be put immediately without debate.

Motion to Call the Question

10.20 A Member may request the Chair call the question by presenting a motion that the question “now be put to a vote”. A motion to call the question is not debatable or amendable, must be seconded, not permitted in committees and cannot be proposed when there is an amending motion under consideration except for the purpose of moving that the amending motion be put to a vote.

If supported by a two-thirds Majority of the Members present, the original question is immediately put to a vote without debate. A Member who moved a motion to call the question shall not be allowed to speak to the question again if the motion is decided in the negative.

Motion to Table

10.21 A motion to table shall not be amended or debated and shall apply to the motion and any amendments under debate when the motion to table is made.

If the motion to table carries, the Motion is tabled until a Majority of Members present vote to lift the tabled motion. A motion that has been tabled at a previous Meeting cannot be lifted from the table unless notice thereof is given prior to the Meeting.

Motion to Defer

10.22 A motion to defer or any amendment to it is debatable and shall include:

- a) The time period within which consideration of the matter is to be deferred;
and
- b) Whatever explanation is necessary to demonstrate the purpose of the motion to defer.

Motion to Refer

10.23 A motion to refer or any amendment to it is debatable and shall include:

- a) The name of the Township Department, committee or person to whom the matter is to be referred; and
- b) The terms for referring the matter and the time or period, if any, on or within which the matter is to be returned.

Motion to Amend

10.24 A motion to amend:

- a) Shall be open to debate and shall be relevant to the main motion; and
- b) Shall not propose a direct negative to the main motion.

Only one motion to amend the main motion shall be on the floor at any one time.

10.25 A Member may suggest an amendment to the main motion, and if accepted by the mover and seconder, the amendment shall be considered friendly and be incorporated into the main motion as if the motion had originally been moved with the friendly amendment incorporated.

A friendly amendment shall be ruled out of order if there is a motion to amend on the floor or if the main motion has been previously amended through a motion.

Motion to Divide the Question (Split Votes)

10.26 Upon the request of any Member, and when the Chair is satisfied that a matter under consideration contains distinct proposals, the vote for each proposal shall be taken separately.

10.27 A vote on the main motion, as amended, may be split for the purpose of complying with the *Municipal Conflict of Interest Act*.

Motion to Rescind

10.28 A motion to rescind shall be provided to the Clerk for inclusion on the agenda and shall be added as a Notice of Motion. A motion to rescind a previous action of Council requires a two-thirds (2/3) majority vote of the Members present and voting and is for a matter that has previously been passed by Council.

10.29 A motion to rescind is not in order when action has been taken on the order of Council which it cannot undo. The part of an order of Council which has not been acted upon, however, may be rescinded.

Motion to Amend Something Previously Adopted

10.30 A motion to amend something previously adopted shall be provided to the Clerk for inclusion on the agenda and shall be added as a Notice of Motion. A motion

to amend something previously adopted by Council requires a two-thirds (2/3) majority vote of the Members present and voting and is for a matter that has previously been passed by Council.

- 10.31 A motion to amend something previously adopted is not in order when action has been taken on the order of Council which it cannot undo. The part of an order of Council which has not been acted upon, however, may be amended.

Reconsideration of a Matter

- 10.32 A motion to reconsider shall be provided to the Clerk for inclusion on the agenda and shall be added as a Notice of Motion. After Council determines the final outcome of a matter, such matter shall not be reconsidered within six (6) months unless there is a motion to reconsider the matter and it carries by a Two-Thirds majority vote of the Members present and voting.
- 10.33 Debate on a motion to reconsider must be confined to reasons for or against the subject of the reconsideration.
- 10.34 No discussion of the main substantive motion shall be allowed until the motion for reconsideration is carried. If a motion to reconsider is decided in the affirmative, the debate on the question to be reconsidered may proceed as though it previously had never been voted on. Any subsequent motion may be passed by a simple majority vote.
- 10.35 Where a decision of the Local Planning Appeal Tribunal (LPAT) results in a planning matter being referred back to Council for reconsideration, the matter shall be placed as soon as practicable on the Council meeting agenda following the referral from LPAT. The provisions of Sections 10.32, 10.33 and 10.34 shall not apply to any planning matter referred back to Council for reconsideration from LPAT.

Voting

Order of Votes

- 10.36 Motions relating to an item under consideration shall be voted on in the following order:
- a) Motion to waive or suspend the Rules of Procedure
 - b) Motion to recess
 - c) Motion to adjourn
 - d) Motion to call the question
 - e) Motion to table
 - f) Motion to defer

- g) Motion to refer
- h) Motion to amend
- i) Main motion

Actions During Votes

10.37 When the Chair calls for the vote on a question each Member shall occupy his or her seat and shall remain in place until the result of the vote has been declared by the Chair.

Failure to Vote Deemed Negative

10.38 If any Member present does not vote when a question is put, he or she shall be deemed to vote in the negative except where the Member is prohibited from voting by statute.

Majority Vote

10.39 All decisions of the meeting shall require a Majority vote to be passed in the affirmative except as otherwise set out in this By-Law or legislation.

Tie Vote

10.40 Any motion that receives a tie vote shall be deemed to have been decided in the negative.

Method of Voting

10.41 A Member shall vote by raising a hand or otherwise indicating the Member's vote, except where a recorded vote is requested. The Chair shall announce the result of all votes taken.

Recorded Vote

10.42 A request by a Member for a recorded vote shall be made prior to the commencement of the vote being taken or immediately thereafter.

Members shall vote at the call of the Clerk, starting with the Member who called for the recorded vote and continuing in alphabetical order. The Mayor shall always vote last.

No vote taken at a GPA or PCA Meeting shall be a recorded vote and any vote previously taken during that Meeting may be reconsidered by Council.

Section 11 - Administrative Authority of the Clerk

- 11.1 The Clerk shall be authorized to make minor corrections to any by-law, minutes or other Council document to eliminate technical or typographical errors.

Section 12 - Proclamations

- 12.1 The Council recognizes the symbolic gesture of endorsing special days, weeks, or a month in support of various community groups and their causes.
- 12.2 Pursuant to the Township of Scugog “Proclamations and the Flying of Flags” and “Delegation of Powers and Duties” policies, the Mayor has been delegated the authority to approve all requests for proclamations received by the Municipality.
- 12.3 Notice of proclamations from the Mayor’s office will be circulated by email to each Member for their information.
- 12.4. The Township shall not subsidize any costs related to advertising other than to include a notice in the Township of Scugog Bulletin Board.
- 12.5 Council, having delegated the administration of proclamations, shall not hear delegations related to proclamation requests.

Section 13 - Review of Procedure By-Law

- 13.1 Council shall review the Procedure By-Law within the first six (6) months of the first year of each term of Council.

Section 14 - Review of Code of Conduct for Members of Council

- 14.1 Council shall review the Council Code of Conduct within the first six (6) months of the first year of each term of Council.

Section 15 - Severability

- 15.1 Each and every one of the provisions of this By-Law is severable and if any provisions of this By-Law should, for any reason, be declared invalid by any Court, it is the intention and desire of Council that each and every one of the then remaining provisions hereof shall remain in full force and effect.

Section 16 - Corporate Seal

- 16.1 That the impression of the Corporate Seal shown hereunder is hereby approved and adopted by this Council as the Corporate Seal of the Corporation of the Township of Scugog.

16.2 The Mayor and Clerk are hereby authorized to sign and affix the impression of the Corporate Seal to every by-law of the municipality in accordance with Section 249 of the *Municipal Act, 2001*.

Section 17 – Repeal of By-Law Number 87-17

17.1 By-Law Number 87-17 is hereby repealed in its entirety.

Read a First, Second and Third time and finally passed this 10th day of December, 2018.

Attachment #1 to By-law #

Terms of Reference General Purpose & Administration Committee

1. To consider and report to Council on all matters brought before it by the CAO and/or Clerk in respect of the administration and operations of the Municipality.
2. In accordance with (1) above, to consider all reports from Staff, as reviewed by the applicable Director and CAO, in respect of the following:
 - the preparation of the annual budget and all proposed capital expenditures which may involve the issue of debentures, budget forecasting, economic appraisals of proposed developments, financial impacts of various programs and the management of investments;
 - to prepare estimates of the proposed revenue and expenditures for the year and monthly reports to be presented to Council for consideration;
 - to consider and recommend to Council all Collective Agreements and other personnel matters;
 - to consider and recommend to Council the annual Downtown Port Perry BIA budget through the Corporate Services component;
 - to consider and recommend to Council all matters in connection with the erection and maintenance of Corporate Buildings;
 - to consider and report to Council on all by-laws and legal matters that have been referred by Council save and except legal matters that relate to planning and development matters;
 - to consider and recommend to Council on the establishment, management and control of recreational facilities;
 - to consider and recommend to Council on the establishment and maintenance of public parks and playgrounds;
 - to consider and recommend to Council the establishment of cultural and recreational programs;
 - to consider and recommend to Council the annual Scugog Memorial Public Library Budget through the Parks, Recreation & Culture Component;

- to consider and recommend to Council on all matters in connection with fire protection as provided by the Fire Department of the Corporation;
 - to consider and recommend to Council on the administration and application of fire by-laws of the Corporation including the enforcement thereof;
 - to consider and recommend to Council from time to time programs to attract economic development to the municipality;
 - to consider and recommend to Council on all matters that are the responsibility of the municipality's Community Services Department save and except the Operations Division;
 - to consider and recommend to Council on all matters respecting the provision of municipal off-street and on-street parking;
 - to consider and recommend to Council on matters respecting Advisory Committees; and
 - to consider and recommend to Council the award of contracts, tenders, request for proposal's etc.
3. To consider and report to Council on any other matter or matters affecting the operations or administration of the Municipality, including the procedures of the Committee and Council and the organization of civic administration.

Attachment #2 to By-law #

Terms of Reference Planning and Community Affairs Committee

1. To consider and report to Council on all matters brought before it by the CAO and/or Clerk in respect of the planning and development of the Municipality.
2. In accordance with (1) above, to consider all reports from Staff, as reviewed by the applicable Director and CAO, in respect of the following:
 - to hold public meetings required under the Planning Act and make recommendations to Council;
 - to consider and recommend to Council on all matters of planning relating to zoning by-laws, amendments to Official Plans, plans of subdivision, district plans, secondary plans, special studies and where applicable, the municipality's position in regard to minor variance and land severance applications;
 - to consider and report to Council on all by-laws and legal matters that relate to planning and development matters;
 - to consider and recommend to Council the engagement of consultants with respect to the planning and development of the municipality;
 - to consider and recommend to Council the engagement of consultants regarding studies pertaining to roads, streets and traffic, storm drainage, etc.;
 - to consider and recommend to Council on all matters respecting proposed developments, boundary agreements, street naming and on all proposed road openings and closings and by-laws related thereto;
 - to hear delegations from anyone, where the subject matter is not applicable to a GPA meeting and not an item on a Council agenda;
 - to consider and recommend to Council on environmental assessments;
 - to consider and recommend to Council on all traffic issues including stop signs, traffic calming, maximum speed on Township roads, the Highway Traffic Act etc.;
 - to consider and recommend to Council on all matters that are the

responsibility of the Operations Division of the Community Services Department; and

- to consider any matters referred to the Committee by Council.