

## THE MUNICIPALITY OF NORTH PERTH

BY-LAW NO. 33-2007

### **“Being a By-law for governing the calling, place and proceedings of meetings of the Municipal Council for the Municipality of North Perth”**

WHEREAS 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;

AND WHEREAS Council deems it expedient to pass such a by-law;

NOW THEREFORE Council of the Municipality of North Perth hereby enacts as follows:

#### 1. DEFINITIONS

In this By-Law,

- (1) “Municipality” means the Municipality of North Perth;
- (2) “Clerk” means the position appointed pursuant to Section 228 of the *Municipal Act*;
- (3) “Committee” means a Committee of Council and includes standing committees, special committees, and sub-committees;
- (5) “Committee of the Whole” means a majority of Council members sitting in Committee;
- (6) “Corporation” means the Municipality of North Perth;
- (7) “Council” means the Council of the Municipality of North Perth;
- (8) “Councillor” means a person elected or appointed as a Member of North Perth Council but does not include the Mayor or Deputy Mayor, for the purposes of this by-law only;
- (9) “Day” does not include Saturday, Sunday or a Holiday;
- (10) “Deputy Clerk” means the position appointed pursuant to Section 228 of the *Municipal Act*, and has all the powers and duties of the Clerk;
- (11) “Deputy Mayor” means the person elected or appointed as the Deputy Mayor;
- (12) “Department Head” means the official responsible for a department within the Corporation;
- (13) “Holiday” means a holiday as defined by the *Interpretation Act, R.S.O. 1990, Chapter I.11*, as amended, in reference to statutory Holidays;
- (14) “Mayor” means the Mayor as the Presiding Officer, or in the absence of the Mayor, the Deputy Mayor or, in the absence of both, another Member of Council appointed as the Presiding Officer in accordance with the provisions of this by-law;
- (15) “Member” means a Member of the Municipal Council of the Municipality of North Perth.
- (16) “Motion” shall mean a Resolution of Council or a Recommendation of a Committee that is under debate By Council or a Committee.
- (17) “Privilege” means the raising of a question which concerns a Member of Council, or the Council collectively, when a Member believes that their rights, immunities or integrity or the rights, immunities or integrity of Council as a whole have been questioned;

- (18) "Point of Order" means a statement made by a Member of Council during a meeting thereof drawing to the attention of the Mayor a breach of the Rules of Procedure;
- (19) "Presiding Officer" means the head of council at a regular or special meeting of Council, or Committee of the Whole Council meeting;
- (20) "Procedural Motion" means any motion concerning the manner or time of consideration of any matter before the Council as opposed to the substance thereof, and includes, without limitation, the following:
  - (a) to extend the time of the meeting;
  - (b) to refer;
  - (c) to lay on the table;
  - (d) to postpone indefinitely or to a certain day;
  - (e) to adjourn;
  - (f) to move the question to put; or
  - (g) to suspend the Rules of Procedure;
- (21) "Quorum" means the majority of the members of Council necessary to form a Quorum. The Quorum for a Municipality of North Perth Council meeting is six Members of Council.
- (22) "Recorded Vote" shall mean the recording of the name and vote by every member voting on any matter or question during a Council meeting.
- (23) "Rules of Procedure" means the rules and regulations provided in this By-law;
- (24) "Substantive Motion" means any motion other than a Procedural Motion.

## 2. INTENT OF BY-LAW

- (1) The rules and regulations hereinafter provided shall govern the proceedings of the Council and the Committees thereof. Any part or parts of this By-law may be suspended if agreed upon by a majority of the Members present unless the part or parts is prescribed by statute or law;
- (2) All Points of Order of procedure not provided for in these Rules shall be decided in accordance with Robert's Rules of Order and the Mayor shall submit the ruling without debate.
- (3) The rules contained in the By-law shall be observed with the necessary modifications, in every Committee
- (4) Any part or parts of this by-law may be suspended by a vote with the consent of two-thirds majority of the council present unless the part or parts is prescribed by statute or law.

## 3. LOCATIONS, MEETING TIMES AND NOTICE

- (1) The inaugural meeting of Council in an election year shall be held on the first Monday in December at 7:00 p.m., in the Municipality of North Perth Council Chambers, located at 330 Wallace Avenue North, Listowel;
- (2) The first item of business at the inaugural meeting shall be the election of one of the duly elected members of Council to sit with the Mayor and Deputy-Mayor on County Council. Nomination will be in the form of the individual Council Member declaring his/her intent to stand for election for the position of County Councillor. If more than one candidate stands for the position a secret ballot will be conducted from amongst the Council Members to determine the successful candidate. If more than two candidates are nominated a full majority of Members present must be obtained in order for the candidate to be successful. If after the vote is taken no candidate has a majority of votes then the Member with the lowest number will be deleted from the list and a second ballot will be taken. In case of a tie the decision will be decided by lot conducted by the Clerk;

(3) Regular meetings of the Council shall be held in the Municipality of North Perth Council Chambers, located at 330 Wallace Avenue North, Listowel, on the first and third Mondays at 7:00 p.m. in each month, except for the months of July and August, or if that day be a Holiday on the following Monday. The dates of meetings of Council for the months of July and August may be altered as determined by Council at the meeting preceding such meetings. All regular meetings shall be open to the public;

4) Notice of Council meetings shall be given by publication of future meetings in previous agendas and posting of meeting agendas on the Municipality website prior to the meeting and by publication of Council meetings in local newspapers having general circulation in the area. In the case of special meetings notice shall be given by posting of the agenda on the Municipality website as soon as is practicable after notice of the special meeting has been given and any other notification that is permitted within the timeframe;

#### 4. SEATING

(1) The Deputy Mayor shall be assigned the seat on the Mayor's immediate right. Councillors shall be assigned seats at Council by the Clerk, alphabetically in a clockwise fashion commencing from the Mayor's extreme right;

(2) When a vacancy occurs in the Council the person elected or appointed to fill such vacancy shall be seated alphabetically by surname commencing at the right of the Deputy Mayor.

(3) Council may establish alternate seating arrangement by motion passed by a majority vote.

#### 5. MEETINGS OF COUNCIL & COMMITTEES

(1) At the hour appointed, when a Quorum is present, the Mayor shall call Council to order and if a Quorum is not present within fifteen (15) minutes after the hour appointed the meeting shall be cancelled;

(2) All regular Council meetings, Committee of the Whole Council meetings and special meetings of Council shall be open to the public, but a meeting or any part thereof may be closed to the public 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 for municipal or local board purposes;
- (d) labour relations or employee negotiations;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the Municipality or local board;
- (f) the receiving of 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 has authorized a meeting to be closed under another Act;
- (h) related to consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act* if Council or Committee or board is the head of an institution for the purposes of that Act;

- (i) the educating or training of Council or a Committee or a local board and at the meeting, and no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council, Committee or local board.
- (3) No meeting of Council or Committee of the Whole Council shall be in held in the absence of the Clerk or designate;
- (4) All votes of Council shall be open to the public except those votes taken during a meeting or part thereof that is closed to the public in accordance with Section 19 of this By-law and if said vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Municipality, Committee or local board or persons retained by or under contract with the Municipality, Committee or local board or to rise from closed session;
- (5) Before holding a meeting or part of a meeting that is to be closed to the public, Council or a Committee or a local board shall state by resolution the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting;
- (6) With the exception of the Inaugural Session, no person but a Member or municipal staff shall be allowed to approach the Council during a Session of Council without the permission of the Mayor or Council or unless given deputation status as described in Section 16;
- (7) Every meeting of Council shall be deemed to be adjourned at the hour of 11:00 p.m. save and except with the unanimous consent of Council;

## 6. SPECIAL MEETINGS OF COUNCIL

- (1) A special meeting of Council shall be convened:
  - (a) upon being petitioned by the Mayor; or;
  - (b) upon receipt of the petition of the majority of the Members of Council;
- (2) Upon receipt of the petition set out in Subsection (1)(b), the Clerk shall summon a special meeting for the purpose(s) and at the time mentioned in the petition;
- (3) Once received by the Clerk, no Member may add or remove his or her name from a petition filed under this section;
- (4) Notice of all special meetings of the Council setting forth the matters to be considered at such special meeting shall be given to all Members of the Council either:
  - (a) by delivery to the residence or place of business of the Member, including by electronic mail, not less than twelve hours in advance of the time of the meeting to the Member, by telephone or as is otherwise practical within the circumstances; and/or
  - (b) by personal service to the Members, not less than twelve hours in advance of the fixed time for the meeting;
- (5) Despite this section, on urgent and extraordinary occasions, with the consent of two-thirds of all the Members of Council, recorded in the minutes, an emergency special meeting of the Council may be called by the Mayor without notice to consider and deal with such urgent and extraordinary matters.
- (6) In the absence of the Mayor, the Deputy Mayor shall preside. In the absence of the Mayor and Deputy Mayor the members present may elect a Presiding Officer from among themselves.

(7) The only business to be dealt with at a Special Meeting is that which is listed in the Notice of the Meeting.

7. ROLE OF THE MAYOR

- (1) It is the role of the Mayor as head of council:
  - (a) to Act as Chief Executive Officer of the Municipality as per Section 226 of the *Municipal Act*;
  - (b) to preside over Council meetings so that its business can be carried out efficiently and effectively;
  - (c) to provide leadership to Council;
  - (d) to represent the Municipality at official functions;
  - (e) to carry out the duties of the head of council under any Act; and
  - (f) to provide overall leadership to the Community Control Group in responding to an emergency as detailed in the Emergency Response Plan for the Municipality of North Perth.

8. ROLE OF COUNCIL

- (1) It is the role of Council:
  - (a) to represent the public and consider the well-being and interests of the Municipality;
  - (b) to develop and evaluate the policies and programs of the Municipality;
  - (c) to determine which services the Municipality provides;
  - (d) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
  - (e) to ensure the accountability and transparency of the operations of the Municipality, including the activities of the senior management of the Municipality;
  - (f) To maintain the financial integrity of the Municipality; and
  - (g) to carry out the duties of Council under any Act.

9. CONDUCT OF MEMBERS

- (1) Every Member, prior to speaking, shall address the Presiding Officer, shall confine his/her remarks to the question and shall not use any indecorous or offensive language and shall avoid personalities;
- (2) Should more than any one Member at one time wish to address the Presiding Officer, the Presiding Officer shall name the Member who is to speak first;
- (3) No person other than the one proposing a question (who shall have leave to reply) shall speak more than once without leave of the Presiding Officer, unless it is to explain their remarks which have been misunderstood, and then the Member shall not introduce any new matter;
- (4) The Chair may call a member to order while speaking, whereupon the Member called to order shall be silent on the matter and shall not further speak until the point of order is determined, unless it be to appeal the decision of the Presiding Officer;

- (5) When the Presiding Officer is putting a question, no Member shall walk out of, or across the Council Chamber, nor when a Member is speaking shall any other Member hold discourse or interrupt the speaker except to a question of order, nor pass between the speaker and the Presiding Officer.

10. AGENDA

- (1) The Clerk shall, under the direction of the Mayor, prepare and have printed for the use of the Members at the regular meetings of Council an agenda under the following headings:

- (a) Opening;
- (b) Adoption of the agenda;
- (c) Declaration of a pecuniary interest – as defined in the *Municipal Conflict of Interest Act*. Where a Member has a pecuniary interest in any matter, including that of a spouse, child or parent and is present at a meeting of Council or Committee at which the matter is the subject of consideration, the Member:
  - (i) shall, prior to any consideration of the matter at the meeting, verbally disclose the interest and its general nature;
  - (ii) shall not, at any time, take part in the discussion, or vote on any question in respect of the matter;
  - (iii) shall not, at any time, attempt, either on his or her own behalf or while acting for, by or through any other person, in any way whether before, during or after the meeting to influence the voting on any such question;
  - (iv) shall immediately leave the meeting or part of the meeting during which the matter is under consideration and remain absent from it where the matter is under consideration during closed session; and
  - (v) where the interest of a Member has not been disclosed by reason of the Member's absence from a meeting wherein the matter was discussed, the Member shall disclose the interest at the next Council or Committee meeting attended by the Member.
- (d) Adoption of previous minutes;
- (e) Deputations/public meetings;
- (f) Reports;
- (g) Finance;
- (h) Unfinished business;
- (i) New business;
- (j) Reading of By-laws;
- (k) Other;
- (l) Confirmatory By-law;
- (m) Adjournment;
- (n) Council Information – to include all resolutions requesting support from other municipalities and requests for annual parades and special events.

- (o) Council correspondence – to include communications and petitions addressed to the Mayor and Council all other correspondence.

11.

ORDER OF BUSINESS

- (1) The business of the Council shall be considered in the order set forth on the agenda, provided however that the Mayor, with approval of the Council, may vary the order of business to better deal with matters before the Council;
- (2) Agenda additions - shall include matters that were not able to be shown on the agenda but which the Clerk has deemed to be of a status requiring Council to act upon, including motions for which notice or recommendation has not been given prior to the meeting and shall be presented at the meeting but shall not include matters requiring a financial commitment by Council unless agreed to by a majority of Council;
- (3) The Council shall not consider any by-law not listed on the agenda;
- (4) Communications received after the day prior to a meeting of Council may, with the approval of the Mayor, be distributed at said meeting. Any communications so distributed shall be recorded in the minutes;
- (5) Notice of regrets from Members unable to attend a Council meeting shall be in writing or may be by phone call to the Clerk's Department, Mayor or Deputy Mayor.

12.

CONSENT AGENDA

- (1) Upon the adoption of a motion to permit the consideration of the reports of the Committee of the Whole Council, or standing Committees, the Mayor will proceed through the recommendation in the reports to determine if it is the will of the Council that the recommendations be adopted without debate or questions;
- (2) During the progression through the agenda in accordance with Subsection (1), no debate, questions or recorded votes shall be permitted but declarations of interest and dissents may be recorded;
- (3) Any Member may require that a recommendation be debated or subject to questions;
- (4) The Mayor shall declare whether each recommendation is carried or will be subject to debate;
- (5) Upon completion of the progression through the agenda in accordance with Subsection (1), Council shall then proceed to consider, in accordance with the agenda, the recommendations that have not yet been adopted.

13.

MINUTES

- (1) Minutes must be kept at all Council and local board/Committee meetings (open and closed). For meetings of Council, the minutes must be made by the Clerk. For meetings of local boards or Committees, minutes are to be made by the appropriate officer. The minutes are to be recorded without note or comment.
- (2) Minutes shall record:
  - (a) the place, date and time of meeting;
  - (b) the name of the Presiding Officer and the record of the attendance of the Members;
  - (c) the reading, if requested, correction and confirmation of the minutes of prior meetings;
  - (d) declarations of interest;

- (e) the motions considered and votes taken by Council; and
  - (f) all the other proceedings of the meeting without note or comment;
- (3) If the minutes have been delivered to the Members of the Council then the minutes shall not be read, and a resolution that the minutes be confirmed shall be in order;
- (4) After the minutes have been confirmed they shall be signed by the Mayor and by the Clerk.

#### 14. COMMUNICATIONS AND PETITIONS

- (1) Every communication, including a petition designed to be presented to the Council, shall be legibly written or printed, shall not contain any impertinent or improper matter or language, shall include a name and address, and shall be signed by at least one person and filed with the Clerk;
- (2) The Clerk shall list on the agenda every communication delivered to the Clerk by Wednesday at 4:30 p.m. prior to the regular meeting of Council;
- (3) All communications on any subject within the jurisdiction of a Committee of Council shall be referred to the appropriate Committee without any motion or debate unless otherwise ordered by Council unless the subject matter of the communication or petition has been considered by Council or will be considered at the meeting where the communication or petition is submitted.
- (4) Any member of Council may ask the Clerk to place any communication, petition or resolution that is included in the Council Package on the next agenda of Council.

#### 15. DEPUTATIONS/PUBLIC MEETING

- (1) Individuals or groups wishing to appear before Council at any Council or Committee meeting shall advise the Clerk in writing, not later than 4:30 p.m. on the Wednesday prior to the meeting and the Clerk may make a determination as to deferral of deputations to a subsequent meeting and/or set the time taking into account the matters on the agenda and the convenience of the group or individual. The Mayor in consultation with the Clerk may refuse a deputation to be placed on the agenda and/or refer to the appropriate department or Committee. A written brief outlining the subject matter of the presentation shall be provided to the Clerk at the time of the request to appear and shall clearly state the nature of the business to be discussed;
- (2) An individual or deputation may be heard by leave of the Presiding Officer of Council but shall be limited in speaking to not more than ten minutes except that a delegation consisting of more than five persons shall be limited to two speakers each limited to speaking not more than ten minutes;
- (3) All prescribed public meetings in accordance with the *Municipal Act, Planning Act* and other applicable Acts will be placed on the regular Council meeting agenda.

#### 16. COMMITTEE OF THE WHOLE COUNCIL

- (1) All of the requirements of this By-law shall apply with necessary modifications to all Committees and boards appointed by the Municipality of North Perth;
- (2) The Council shall establish and act as Committee of the Whole Council and meet the second Monday of each month at 7:00 p.m. or such other time as the Council may select at a previous Council meeting. The fourth Monday of each month only if required at the call of the Presiding Officer. The Committee of the Whole Council shall consider all operations and policies of the Municipality and act in an advisory capacity and make recommendations to Council;

- (3) The Presiding Officer of the Committee of the Whole Council shall be the Mayor. The Mayor shall be ex-officio a Member of any Committee of the Council;
- (4) All matters referred to any Committee shall be considered at a meeting to be called by the Mayor, or in his absence by the Deputy Mayor, at the request of any Member of the Committee and the rules of the Council shall be observed at such meeting, so far as applicable;
- (5) All recommendations of the Committee of the Whole Council shall be presented to the Council, filed in a book kept for that purpose and shall be signed by the Presiding Officer, but any Member shall have the right to have it noted therein, that he/she objected to the report or to any part thereof.

17. READING OF BY-LAWS AND RELATED PROCEEDINGS

- (1) When introduced, every by-law shall be in typewritten form and shall be complete;
- (2) The Clerk shall endorse on all by-laws enacted by Council the dates of the several readings, if any, thereof;
- (3) Every by-law which has been enacted by the Council shall be numbered, dated, sealed and shall be deposited in the office of the Clerk for safekeeping;
- (4) The first, second and third reading of all by-laws will be done simultaneously unless the by-law requires provisional adoption due to legislation or request of a Council member.
- (5) All by-laws enacted by the Council shall be printed, paged, indexed and bound up in a separate volume for the year in which they are passed.

18. CLOSED MEETINGS

- (1) Whenever it shall be moved and carried that the Council or standing Committee convene in closed meeting, the Presiding Officer shall preside over the meeting;
- (2) A meeting or a part of a meeting may be closed to the public if the subject matter being considered is in accordance with Section 5(2) of this by-law;
- (3) A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act*;
- (4) Before holding a meeting or part of a meeting that is to be closed to the public, Council shall state by resolution;
  - (a) the fact of holding of the closed meeting and;
  - (b) the general nature of the matter to be considered at the closed meeting;
- (5) A meeting shall not be closed to the public during the taking of a vote, unless:
  - (a) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Municipality or persons retained by or under contract with the Municipality.
- (6) The Rules of Procedure of Council shall apply in closed meetings of Council;
- (7) If any disorder should arise in the closed meeting, the Presiding Officer shall immediately terminate or recess the meeting and any business not completed may be further considered in a closed meeting of Council duly called.
- (8) All deliberations while in the closed Meeting shall remain confidential unless otherwise approved by Council in open Council.

19. MOTIONS

- (1) Introducing motions -Any motion may be introduced without notice if the Council without debate, dispenses with notice on the affirmative vote of at least two-thirds of the members present and voting;
- (2) Seconding – A motion must be formally seconded before the Presiding Officer can put the question or a motion be recorded in the minutes;
- (3) Presentation of Motion by Presiding Officer – When a motion is presented in Council in writing, it shall be stated by the Presiding Officer before debate;
- (4) Amendment – A motion to amend:
  - (a) shall be presented in writing and must add or delete from the original motion;
  - (b) shall receive disposition of Council before a previous amendment or the question;
  - (c) shall not be further amended more than once provided that further amendment may be made to the main question;
  - (d) shall be relevant to the question to be received;
  - (e) shall not be received proposing a direct negative to the question;
  - (f) may propose a separate and distinct disposition of a question;
  - (g) shall be put in the reverse order to that in which it is moved.

20. VOTING ON MOTIONS

- (1) Questions Stated -Immediately preceding the taking of the vote, the Presiding Officer may state the question in the form introduced and shall do so if required by a Member except when a motion for the previous question has been resolved in the affirmative. He/she shall state the question in the precise form in which it will be recorded in the minutes;
- (2) No Interruption After Question –When the vote is called for 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;
- (3) Unrecorded Vote –All votes shall be by show of hands, except when a Recorded vote is requested.
- (4) Recorded Vote - When a Member present requests a recorded vote, all Members present at the Council or Committee meeting must vote in alphabetical order, unless otherwise prohibited by statute. The names of those who voted for and others who voted against shall be noted in the minutes. A request for a recorded vote can be made immediately prior or immediately subsequent to the taking of the vote. A Recorded Vote shall be taken and the results declared by the Clerk.

21. RULES OF DEBATE

- (1) Every Member prior to speaking to any question of motion shall be recognized by the Presiding Officer. When two or more Members rise to speak, the Presiding Officer shall designate the Member who has the floor who shall be the Member who, in the opinion of the Presiding Officer, rose first. Every Member present at a meeting of the Council when a question is put shall vote thereon unless prohibited by a statute;
- (2) If any Member at a meeting of the Council when a question is put and recorded vote taken does not vote, he/she shall be deemed as voting in the negative except where he/she is prohibited from voting by statute;

- (3) If a Member disagrees with the announcement of the Presiding Officer that a question is carried or lost he/she may, but only immediately after the said declaration is made, appeal the declaration and request that a recorded vote be taken;
- (4) When the Presiding Officer calls for the vote on a question, each Member shall occupy his/her seat and shall remain in his/her place until the result of the vote has been declared by the Presiding Officer, and during such time no Member shall speak to any other Member or make any noise or disturbance;
- (5) When a Member is speaking no other Member shall interrupt him/her except on a point of order, and during such time no other Member shall speak to any other Member or make any noise or disturbance;
- (6) Any Member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking;
- (7) No Member shall speak more than once to the same question without the leave of the Council, except that a reply shall be allowed to be made only by a Member of the Council who has presented the motion to the Council;
- (8) No Member, without leave of the Council, shall speak to the same question, or in reply, for longer than ten (10) minutes;
- (9) When a Member has been recognized as the next speaker, then immediately before speaking such Member may ask a question of the Presiding Officer or an official of the Municipality on the matter under discussion, but only for the purpose of obtaining information, following which the Member shall speak;
- (10) The following matters and motions with respect thereto may be introduced orally without written notice and without leave, except as otherwise provided by these Rules of Procedure:
  - (a) point of order or personal privilege;
  - (b) presentations and petitions should be presented in writing;
  - (c) to lay on the table;
  - (d) to postpone indefinitely or to a day certain;
  - (e) to move the previous question;
- (11) The following motions may be introduced without notice and without leave, but such motion shall be in writing and signed:
  - (a) to refer;
  - (b) to adjourn;
  - (c) to amend;
  - (d) to suspend the Rules of Procedure;
- (12) Except as provided in Subsection 22(10) all motions shall be in writing and signed by the mover and the seconder.
- (13) In all un-provided cases in the proceedings of the Council or in the Committee of the Whole Council, the matter shall be decided by the Presiding Officer, subject to an appeal to the Council upon a Point of Order.

22. RECONSIDERATION

- (1) A motion to reconsider a decided matter shall only be introduced by a Member who voted with the majority on the original Motion during that existing term of Council. Before accepting a Motion to reconsider, the Presiding Officer may ask the member to confirm that he voted with the majority on the issue in question. A Motion to reconsider a decided matter shall require the approval of at least two-thirds (7 members) of the Whole Council;
- (2) A motion to reconsider:
  - (a) is not debatable;
  - (b) is not amendable;
  - (c) cannot be considered if the action approved in the motion cannot be reversed;
  - (d) suspends action on the motion to which it applies until it has been decided;
- (3) Each Member of Council shall be responsible for making a determination on how the Member voted on a specific matter. The Clerk shall not record or note in the minutes how a Member votes unless a request for a recorded vote has been made;
- (4) No motion shall be reconsidered more than once during a period of twelve months following the date on which the question was decided;
- (5) No debate on a motion to reconsider a decided matter shall be permitted; however the mover of a motion to reconsider may provide or may make a brief and concise statement outlining the reasons for proposing such reconsideration;
- (6) If a motion to reconsider is decided in the affirmative at a meeting, then consideration of the original matter shall become the next order of business;
- (7) When a question is brought before a succeeding Council, it shall be deemed to be new business and not a matter of reconsideration.

23. SPECIAL PROCEDURES

- (1) When Council is required to hold a public meeting under the *Planning Act*, the public meeting will be held prior to a regular Council or Committee meeting or a special meeting of Council. The Mayor or his designate will act as Presiding Officer for the public meeting. The Council meeting will convene immediately following the public meeting. No Council business may be conducted during the course of the public meeting;
- (2) When Council is required to hold a court of revision, under the *Assessment Act*, the *Drainage Act* or the *Local Improvement Act*, the said meeting shall be held prior to the regular Council or Committee meeting to permit holding of the court of revision. A resolution shall name the Presiding Officer for the court of revision and provide for the reconvening of the Council meeting immediately following the adjournment of the court of revision. No business, other than that pertaining to the court of revision, may be conducted until Council is reconvened.

24. TIME

- (1) Time, in this by-law, shall be governed by eastern standard time, except that eastern daylight saving time shall govern when it is in use in the Municipality.

25. RECORDING EQUIPMENT

- (1) At the meetings of Council or a Committee, the use of cameras, electric lighting equipment, flash bulbs, recording equipment, television cameras and any other device of a mechanical, electronic or similar nature used for transcribing or recording proceedings by auditory or visual means by members of the public, including accredited and other representatives of any new media whatsoever, may be permitted and shall be subject to the approval and/or direction of the Mayor or Committee Presiding Officer unless otherwise decided by the Council or a Committee.

26. COMMUNICATION DEVICES

- (1) At the meetings of Council, the use of cellular phones, audible pagers or any other similar communication device is only permitted in the gallery section of the Council chambers;

27. REPEAL

- (1) By-law No. 150-AD-2000 is hereby repealed;
- (2) This By-law shall not be amended or repealed except by a majority vote of all Members of the whole Council;

28. EFFECT

This By-law shall be deemed to have come into force on the 19<sup>th</sup> day of November, 2007.

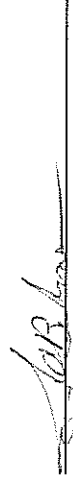
SHORT TITLE

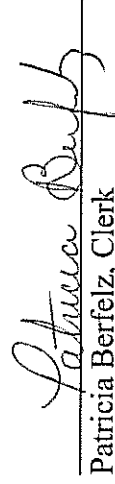
This By-law may be referred to as either the "Procedure By-law" or the "Rules of Procedure".

**READ A FIRST AND SECOND TIME THIS 19<sup>th</sup> day of November, 2007.**

**READ A THIRD TIME AND FINALLY PASSED THIS 19<sup>th</sup> day of November, 2007.**

SEAL

  
Julie Behrns, Deputy Mayor

  
Patricia Berfelz, Clerk