

**Corporation of the  
County Of Grey**

**Procedural By-Law  
5003-18**

Adopted by Grey County Council

2018

Corporation of the County Of Grey  
By-Law Number 5003-18  
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# Corporation of the County Of Grey

## By-Law Number 5003-18

### A By-Law to Govern the Proceedings of Council

#### And its Committees

WHEREAS Section 238 of The Municipal Act, 2001 as amended provides that a Council will pass a procedure by-law for governing the calling, place and proceedings of meetings;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE COUNTY OF GREY HEREBY ENACTS AS FOLLOWS:

<b>1. Interpretation</b>		
Use of Pronouns	1.1	Throughout this By-law, the words “he” and “his” will, where appropriate be deemed to read “she” and “her”.
Definitions	1.2	<p>In this By-law,</p> <ul style="list-style-type: none"><li>a) “Act” means the Municipal Act, 2001 S.O. 2001, c25, as amended, replaced or re-enacted from time to time.</li><li>b) “Alternate Member” means the Member from the same lower tier municipality and in the case of the Warden it will mean Deputy Warden.</li><li>c) “CAO” means the person appointed as the Chief Administrative Officer of the Corporation of the County of Grey;</li><li>d) “Chair” means the person presiding at a Meeting;</li><li>e) “Clerk” means the person appointed as the Clerk of the Corporation of the County of Grey;</li><li>f) “Closed Meeting” means a meeting, or portion of a meeting, closed to the general public</li><li>g) “Committee” means any subcommittee, advisory committee, ad hoc committee or</li></ul>

- task force established by Council;
- h) "Committee of the Whole" means all of the Members Present at Council sitting in committee;
  - i) "Committee Chair" means the person who is appointed as the Chair of a Committee;
  - j) "Committee Vice Chair" means the person appointed as the Vice Chair of a Committee;
  - k) "Council" means the Council of the Corporation of the County of Grey;
  - l) "County" means the Corporation of the County of Grey;
  - m) "Debate" means a discussion to put forth reasons for or against, in which a difference of opinion is expressed.
  - n) "Director" means the person appointed as Director of the Corporation of the County of Grey;
  - o) "Delegate" means the presenter for the Delegation in attendance at Council or Committee;
  - p) "Delegation" means an address to Council or a Committee at the request of a person wishing to speak;
  - q) "Deputy Warden" means the most immediate Past Warden. In the event there is no Member who previously held the office of Warden, a Deputy Warden will be elected;
  - r) "Emergency Meeting" means a Meeting of Council called pursuant to Section 8.1 of this By-law;
  - s) "In writing" will mean handwritten, typewritten or electronically displayed;
  - t) "Majority vote" means an affirmative vote of more than one-half of the Members Present and voting;
  - u) "Meeting" means a meeting of Council or a Committee where:
    - a. A quorum of members is present, and
    - b. Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-

making of the Council or Committee.

- v) "Member" as it relates to Council and committees means a councillor of the Corporation of the County of Grey and for other Committees as defined in 1.2(g) will mean a person elected or appointed to the Committee;
- w) "Motion to defer" means a motion to delay consideration of a matter until later in the same Meeting or at a future Meeting of Council or a Committee;
- x) "Motion to receive" means a motion to acknowledge the particular item, report or recommendation under consideration and to have it placed in the records of Council with no additional action being taken;
- y) "Motion to refer" means a motion to dispose of a question under consideration, with or without any proposed amendment, in order to seek consideration by, and, if deemed desirable, one or more reports from any designated Committee, body or official;
- z) "Motion to table" means a motion to postpone without setting a definite date as to when the matter will be considered again;
- aa) "Past Warden" means the Member who most recently held the office of Warden prior to the incumbent Warden;
- bb) "Point of order" means a question by a Member with the view of calling attention to any issue relating to the Procedural By-law or the conduct of Council's business or in order to assist the Member in understanding Council's procedures, making an appropriate motion, or understanding the effect of a motion;
- cc) "Point of privilege or personal privilege" means a question by a Member who believes that another Member has spoken disrespectfully towards that Member or another Member or who considers that his or her integrity or that of a Member or County

		<p>official has been impugned or questioned by the Member;</p> <p>dd)“Present” means physically in attendance at the Meeting;</p> <p>ee)“Presentation” means an address to Council or Committee at the request of Council, a Committee or staff;</p> <p>ff) “Quorum” as it relates to Council and its Committees will consist of more than 50% of the applicable Members except in circumstances referred to in Sections 10.4, 17.4 and 27.20 of this By-law in which event the quorum will be as determined by Sections 10.4, 17.4 and 27.20.</p> <p>gg)“Recorded vote” means a written record of the name and vote of every Member voting on the matter or question and is weighted in accordance with the County of Grey Act, 1993 other than motions that require a two-thirds vote;</p> <p>hh)“Registry” means a registry maintained by the municipality for the purposes of disclosures of pecuniary interest by Members indicating the general nature of the disclosure;</p> <p>ii) “Resolution” means the decision of Council or Committee on any motion;</p> <p>jj) “Special Meeting” means a Meeting of Council called pursuant to Section 7.1 or 7.2 of this By-law;</p> <p>kk)“Two-thirds vote” means an affirmative vote of at least two-thirds of the Members Present; and</p> <p>ll) “Warden” means the person who is elected or acclaimed the head of Council.</p>
	<h2>2. Application</h2>	
General	2.1	<p>The rules of procedure set out in this By-law will govern all proceedings of Council, Committee of the Whole and its Committees. Any part or parts of this By-law may be suspended if agreed upon by Two-</p>

		thirds vote.
Statutory Requirements	2.2	Notwithstanding anything in this By-law, where Council or a Committee convenes for the purpose of holding a hearing as required by any statute, the provisions of the statute and the Statutory Powers Procedure Act, as applicable, will govern the proceedings.
Rules of Order not Covered	2.3	All points of order or procedure not provided for in this By-law will be decided in accordance with Robert's Rules of Order and the Chair will submit the ruling without Debate.
	<b>3. Locations, Meeting Times and Notice</b>	
Date of Inaugural Session	3.1	Council will, in accordance with this By-law, hold its first Meeting on the first Tuesday in December at 7:30 PM.
Council Meeting Dates & Locations	3.2	Council will meet on established meeting dates and times. Meetings of Council will be held at the Council Chambers at the County Administration Building in the City of Owen Sound, or in such other location as may be determined by the Warden.
Notice to Members	3.3	Notice of Meetings including agendas, minutes and supporting documentation will be sent to the Members by electronic mail, regular mail, or courier. Notice may also be provided by telephone or personal contact in case of an emergency.
Notice to Media and Public	3.4	Notice of Meetings will be given to the public by posting agendas on the County's website. Notice of Meetings will be posted as soon as practical after being established by Council. Agendas will be posted at least three days prior to the Meeting and in the event an agenda is amended it will be reposted with a notation advising that the agenda has been amended.



	<b>4. Membership on Council</b>	
Certificate of Election	4.1	No person will take a seat on Council until the Clerk has received their certificate of election from the clerk of the lower tier municipality as established by Section 232(4) of the Act.
Declaration of Office	4.2	In accordance with the provisions of Section 232(1) of the Act, no person will take a seat on Council until the person takes the declaration of office in the form established for that purpose.
	<b>5. Election of Warden</b>	
Term of Office	5.1	The term of office of the Warden will be one year.
Presiding Officer	5.2	The election of the Warden will be conducted by the Clerk.
Nominations	5.3	Nominations will be received until Council, by motion, closes the nominations.
Candidates Stand for Election	5.4	Once nominations have been closed, the Clerk or presiding officer will determine the willingness of each candidate nominated to stand for election.
Nominators to Speak	5.5	Each mover and seconder of those candidates who stand for election will be entitled to speak once in support of their candidate. Each speaker will be given a maximum of five minutes.
Candidates to Speak	5.6	Each candidate who stands for election may make a Presentation to Council, not to exceed five minutes in duration.
Secret Ballot	5.7	The election of the Warden will be by secret ballot under the authority and direction of the Clerk or other presiding officer.
Number of Votes	5.8	Pursuant to the provisions of the Act, each Member of Council will have one vote for the purpose of

		election of the Warden.
Scrutineer	5.9	The CAO and Clerk will be scrutineers by virtue of their office. In addition, each candidate will select a scrutineer.
Tie for Lowest Number of Votes	5.10	If no candidate for Warden receives a majority of the votes cast, the candidate receiving the fewest votes will be eliminated from the next secret ballot. In the case of a tie for the fewest votes, there will be a second vote of the candidates that tied to determine which candidate will be eliminated from the ballot.
Equality of Votes	5.11	In the case of an equality of votes for Warden, the successful candidate will be determined by the Clerk or presiding officer placing the names of the candidates who received an equal number of votes, on equal size pieces of paper in a box and one name will be drawn by a person named by the Clerk. The successful candidate will be the one whose name is drawn.
<b>6. Meetings of Council</b>		
Protocols for Beginning Session	6.1	At the hour appointed, when a Quorum is Present, the Clerk will call Council to Order and all Members, staff, and the public will remain standing while the Warden assumes the Chair.
Open Meetings	6.2	All regular and Special Meetings of Council will be open to the public unless the subject matter to be considered relates to those items outlined in Section 9.
Notice to Media and Public	6.3	Notice for closed Meetings of Council will be posted as soon as practical after being established on the County's website. Agendas and supporting documentation will be posted as soon as practical prior to the Meeting and in the event an agenda is amended, it will be re-posted with a notation advising that the agenda has been amended.

Access in Chambers by the Public	6.4	With the exception of the Inaugural Meeting, no person but a Member or support staff will be allowed to come within the Bar of Council during a Meeting of Council without permission of the Warden or Council.
Recording of Meetings	6.5	County Council meetings may be audio/video recorded by the County in order to provide greater availability of Council discussions and decisions to the public. These may be posted on the County's website.
<b>7. Special Meetings of Council</b>		
Warden's Request	7.1	The Warden may at any time summon a Special Meeting.
Request by Members	7.2	The Clerk will, upon receipt of a written petition of the majority of the Members, call a Special Meeting for the purpose and time mentioned in the petition.
Responsibility for Notice	7.3	The office of the Clerk will provide all Members with at least forty-eight hours' notice of a Special Meeting.
Minimum Notice	7.4	Minimum Notice will consist of a telephone message to all Members followed by an electronic notice and agenda.
Items of Business	7.5	The only business to be dealt with at a Special Meeting is that which is identified in the notice of the Meeting.
Validity of Meeting	7.6	The lack of receipt of a notice or of an agenda for a Special Meeting by any Member will not affect the validity of the Meeting or any action taken at or as a result of discussions made at said meeting.
Notice to Media and Public	7.7	Notice for Special Meetings will be posted as soon as practical after being established on the County's website. Agendas and supporting documentation will be posted as soon as practical prior to the

		Special Meeting and in the event an agenda is amended, it will be re-posted with a notation advising that the agenda has been amended.
	<b>8. Emergency Meetings of Council</b>	
Warden's Authority	8.1	Notwithstanding any other provision of this By-law, an Emergency Meeting may be called by the Warden without written notice to deal with an emergency or extraordinary situation, provided that an attempt has been made by the Clerk to notify the Members about the Meeting as soon as possible and in the most expedient manner available.
Items of Business	8.2	No business except business dealing directly with the emergency or extraordinary situation will be transacted at the Emergency Meeting.
Validity of Meeting	8.3	Lack of receipt of a Notice or of an Agenda for an Emergency Meeting by any Member will not affect the validity of the Meeting or any action taken at or as a result of discussions made at said meeting.
Notice to Media and Public	8.4	Notice and supporting documentation will be posted on the County's website as soon as practical.
	<b>9. Closed Meetings</b>	
Closed Meetings-Optional	9.1	Meetings may be closed if they relate to any of the following: <ul style="list-style-type: none"> <li>a) the security of the property of the municipality or local board;</li> <li>b) personal matters about an identifiable individual, including municipal or local board employees;</li> <li>c) a proposed or pending acquisition or disposition of land by the municipality or local board;</li> <li>d) labour relations or employee negotiations;</li> <li>e) litigation or potential litigation, including</li> </ul>

		<p>matters before administrative tribunals, affecting the municipality or local board;</p> <p>f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;</p> <p>g) a matter in respect of which a council, board, committee or other body may hold a closed Meeting under another statute,</p> <p>h) the Meeting is held for the purpose of educating or training the Members and at the Meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of Council, local board or Committee.</p> <p>i) Information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency or any of them.</p> <p>j) 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.</p> <p>k) 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.</p> <p>l) 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.</p>
<i>Closed Meetings-Mandatory</i>	9.2	Meeting will be closed for an ongoing investigation respecting the municipality, local board or a municipally-controlled corporation by the

		Ombudsman of Ontario, a locally appointed Ombudsman or an appointed closed meeting investigator. Council must also pass a resolution on how to address a closed meeting investigation report.
	<b>10. Quorum for Council</b>	
Quorum	10.1	As soon as a Quorum is Present after the scheduled commencement time for a Meeting, the Chair will call the Meeting to order.
No Quorum at Beginning	10.2	If a Quorum is not Present at a Council Meeting within thirty minutes after the scheduled commencement time, the Clerk, will record the names of the Members Present and all business on the agenda will be carried forward to the next meeting.
Loss of Quorum During Meeting	10.3	If a Quorum is lost during a Council Meeting then the Meeting will stand adjourned if quorum is not re-established within fifteen minutes and all unfinished business will be carried forward to the next Meeting.
Municipal Conflict of Interest Act	10.4	Notwithstanding Section 10.3 where the number of Members, who by reason of the provisions of the Municipal Conflict of Interest Act, are prohibited from participating in a Meeting is such that, at that Meeting, the remaining Members are not of sufficient number to constitute a Quorum, then the remaining number of Members will be deemed to constitute a Quorum.
	<b>11. Council Agenda</b>	
General	11.1	The Clerk, in consultation with the Warden, will have prepared and delivered to the Members, a minimum of three days prior to the Meeting of Council, an agenda including reports and proposed by-laws for their review and consideration in accordance with

		Section 3.3 of this By-law.
Correspondence Referred to Committees	11.2	Correspondence will be referred by the Clerk to Council or the applicable Committee as deemed appropriate.
Agenda Headings	11.3	The agenda will include the following headings: <ul style="list-style-type: none"> <li>a) Call to Order</li> <li>b) O Canada</li> <li>c) Roll Call</li> <li>d) Disclosure of Pecuniary Interest</li> <li>e) Adoption of Minutes of Previous Council and Committee of the Whole Meeting</li> <li>f) Business Arising from the Minutes</li> <li>g) Presentation of Reports</li> <li>h) By-laws – Motion to Introduce and Motion to Adopt</li> <li>i) Good News and Celebrations</li> <li>j) Adjournment</li> </ul>
Authority to Adjust Agenda Items	11.4	The Clerk will have the authority to adjust the order and necessity of agenda items.
<b>12. Order of Business</b>		
Agenda Order	12.1	The business of Council will be taken in the order in which it stands upon the agenda, unless agreed to by a Majority vote.
Unfinished Business	12.2	When any agenda item or items will be left undisposed of at the time of adjournment, either for want of a Quorum or otherwise, such agenda item or items will be taken up in succession as the first order of business at the next Meeting of Council.
<b>13. Council Minutes</b>		
Minute Content	13.1	The minutes of Council as taken by the Clerk, will consist of a record of all proceedings taken in the

		Council Meeting. Pursuant to the Act, the Minutes will be without note or comment.
Included in Minutes	13.2	All minutes of Committees adopted and by-laws passed by Council will be printed in an appendix to the minutes.
Delivery to Members	13.3	Minutes of Council will be prepared by the Clerk and provided to the Members within four days.
Council Revisions	13.4	All changes made to minutes, reports and by-laws by Council will be recorded by the Clerk.
<b>14. Duties of the Warden</b>		
Responsibilities	14.1	<p>In addition to the responsibilities of the head of council as set out in the Act, it will be the duty of the Warden:</p> <ul style="list-style-type: none"> <li>a) to preserve order and decorum and decide all questions of order, subject to an appeal to Council;</li> <li>b) to receive and submit, in the proper manner, all motions presented to the Members of Council;</li> <li>c) to put to vote all questions which are properly brought before Council or necessarily arise in the course of proceedings, and to announce the results;</li> <li>d) to rule on all procedural matters, without Debate or comment;</li> <li>e) to 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;</li> <li>f) to restrain the Members, within the rules of order, when engaged in Debate;</li> <li>g) to call by name any Member persisting in breach of the rules of order of Council and the Warden may order the Member to vacate the Council Chambers;</li> <li>h) to adjourn or suspend the Meeting if the</li> </ul>



		<p>Warden considers it necessary because of grave disorder;</p> <p>i) to authenticate by signature all by-laws, resolutions and minutes of Council;</p> <p>j) to represent and support Council, declaring its will and implicitly obeying its decisions in all things.</p>
Expulsion	14.2	The Warden may expel or exclude from any Meeting any person or Member whom the Warden feels has exhibited improper conduct at the Meeting.
Warden to Participate in Discussion	14.3	When the Warden wishes to comment on any question before Council, he may call a Member to the chair and then present his views from the floor. The Warden will refrain from taking part in any discussions while in the chair.
Absence of Warden and Deputy Warden	14.4	In the absence of the Warden and the Deputy Warden, the Clerk will convene the Meeting until a Chair is chosen by Council. The Chair so chosen will preside during such absence and will, while in the Chair, have vested in him all the powers as given by this By-law to the Warden as the case may be with respect to the role of presiding at meetings.
Voting	14.5	The Warden may vote on any matter at his discretion with the exception of a Recorded vote at which time voting is required.
<b>15. Duties of the Deputy Warden</b>		
Duties of the Deputy Warden	15.1	<p>The Deputy Warden will fulfill the responsibilities of the Warden in his absence as outlined in Section 14 including presiding over a meeting and having all powers vested in him as given by this By-law including:</p> <ul style="list-style-type: none"> <li>• Chairing of meetings</li> <li>• Representation of Warden at Warden's request</li> <li>• Signing of documents in Warden's absence if time sensitive.</li> </ul>

	15.2	The Deputy Warden will fulfill the responsibilities of a Member as outlined in Section 16 as the case may be with respect to the role of presiding at meetings
	<b>16. Duties of Members</b>	
Legislative Responsibilities	16.1	<p>It is the role of Council:</p> <ul style="list-style-type: none"> <li>a) to represent the public and to consider the well-being and interests of the municipality;</li> <li>b) to develop and evaluate the policies and programs of the municipality;</li> <li>c) to determine which services the municipality provides;</li> <li>d) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;</li> <li>e) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;</li> <li>f) to maintain the financial integrity of the municipality; and</li> <li>g) to carry out the duties of Council under the Act or any other statute.</li> <li>h) to represent and support Council, declaring its will and implicitly obeying its decisions in all things.</li> </ul>
Prohibitions	16.2	<p>No Member will:</p> <ul style="list-style-type: none"> <li>a) speak disrespectfully of any member of Federal or Provincial parliaments, Council, any member municipality, any Member or any official or employee of the County;</li> <li>b) use offensive words or unparliamentary language;</li> <li>c) engage in private conversation while in the Council Meeting or use electronic devices (including cellular phones) in a manner which interrupts the proceedings of Council;</li> <li>d) leave his seat or make any noise or</li> </ul>

		<p>disturbance while a vote is being taken and until the result of the vote is announced;</p> <p>e) speak on any subject other than the subject under Debate;</p> <p>f) where a matter has been discussed in closed Meeting, and where the matter remains confidential, disclose the content of the matter or the substance of deliberations of the closed Meeting;</p> <p>g) criticize any decision of Council except for the purpose of moving that the question be reconsidered; or</p> <p>h) disobey the rules of Council or a decision of the Chair or of Council on questions of order or practice or upon the interpretation of the rules of Council. In case a Member persists in any such disobedience, after having been called to order by the Warden, the Warden will not recognize that Member, except for the purpose of receiving an apology from the Member tendered at that Meeting or any subsequent Meeting.</p>
Determination of Order of Speakers	16.3	Should more than any one Member indicate the intent to address the Warden; the Warden will determine who is entitled to the floor.
Speaking	16.4	It is the discretion of the Warden for Members to stand or remain seated when addressing the Warden.
	<b>17. Disclosures of Pecuniary Interest</b>	
Method of Disclosure	17.1	<p>Where a Member, either on his own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is Present at a Meeting at which the matter is the subject of consideration, the Member will, in accordance with the Municipal Conflict of Interest Act:</p> <p>a) prior to any consideration of the matter at the</p>

		<p>Meeting, disclose the Member's interest and the general nature thereof and file a written statement of the interest and its general nature thereof with the Clerk;</p> <p>b) Members may take part in the discussion of, but not vote on any question in respect of the matter if the matter is related to the consideration of a penalty to the member under Section 223.4 (5) or (6) of the Municipal Act.</p>
Absence – Disclosure at Next Meeting	17.2	Where the interest of a Member has not been disclosed by reason of the Member's absence from a particular Meeting, the Member will disclose the Member's interest and otherwise comply at the first Meeting of Council or Committee, as the case may be, attended by the Member after the particular Meeting.
Record of Disclosure	17.3	A Member will be responsible to a) disclose general nature and b) submit details in writing to the Clerk. Such details will become part of the public record. The Clerk will record in reasonable detail the particulars of any disclosure of pecuniary interest made by a Member, and this record will appear in the minutes of that Meeting.
Changes to Quorum	17.4	Where there are members who, by reason of the provisions of the <i>Municipal Conflict of Interest Act</i> , are unable to participate in a meeting, the remaining number of members will be deemed to constitute a quorum.
	<h2><b>18. Delegations and Members of the Public</b></h2>	
Request for Delegation	18.1	Any person desiring to present information orally on matters of fact or to make a request of Council will give notice and disclose the subject matter to the Clerk not less than ten days preceding the Council and/or Committees. Meeting at which such person

		desires to be heard.
Request in Writing	18.2	Any person who is scheduled to appear as a Delegate before Council and/or Committee of the Whole will submit to the Clerk written and/or electronic documentation pertaining to the Delegation not less than seven days preceding the Council Meeting.
Exceptions to Ten Days' Notice Requirement	18.3	Exceptions to the ten days' notice required in Section 18.1 may be approved by the Clerk.
Delegates Generally Before Committee	18.4	Delegates will generally be heard by Committee of the Whole or sub-committee if appropriate rather than Council and the Clerk will direct where the Delegation will be received.
Time Limits	18.5	Each Delegation will be limited to ten minutes for their presentation and discussion of the matter. Extensions to these limits will be at the discretion of the Warden.
Addressing the Warden	18.6	All Delegates will address the Warden from the podium and will state their name and whom they represent.
Behaviour	18.7	No Delegate will: <ul style="list-style-type: none"> <li>a) speak disrespectfully of any person;</li> <li>b) use offensive language;</li> <li>c) speak on any subject other than the subject for which he has received approval to address Council;</li> <li>d) disobey the rules of procedure or a decision of the Warden or Council.</li> </ul>
Curtailement of Time	18.8	The Warden may curtail any Delegation, any questions of a Delegation or Debate during a Delegation for disorder or any other breach of this By-law; and, if the Warden rules that the Delegation is concluded, the person or persons appearing will withdraw.

Discussion	18.9	<p>Following completion of a Delegation, discussion between Members and the Delegate(s) will be limited to Members asking questions to clarify information or acquire necessary additional information.</p> <p>Members will not enter into Debate with the Delegates respecting the presentation.</p>
Conduct	18.10	<p>Members of the public who constitute the audience at a Meeting, will:</p> <ul style="list-style-type: none"> <li>a) only address Council or Committee with permission;</li> <li>b) not bring signage, placards, banners into Meetings nor wear any type of disguise during a Meeting;</li> <li>c) be permitted to record an open committee or council session via audio or video recordings</li> <li>d) refrain from any activity or behaviour that would adversely affect Council deliberations; and</li> <li>e) return to seating Behind the Bar of Council and refrain from further speaking once Delegation is complete.</li> </ul>
Expulsion	18.11	<p>The Warden may cause to be expelled and excluded any member of the public, who creates any disturbance or acts improperly, during a Meeting of Council. If necessary, the Warden may call upon the Clerk to seek the appropriate assistance from security or police officers.</p>
Refusal of Delegation	18.12	<p>The Clerk, in consultation with the Warden, may refuse a Delegation if it is determined that the Delegation is repetitious or the subject matter is not within the jurisdiction of the County.</p>
<b>19. Rules of Debate</b>		
Recognition of Member	19.1	<p>To address Council, a Member will request to speak, be recognized by the Chair and direct all comments</p>

		through the Warden.
Speaking	19.2	Prior to speaking to any question or motion, each Member will be recognized by the Warden.
Order of Speakers	19.3	When two or more Members indicate their desire to speak at the same time, the Warden will designate the order of speakers.
Interruptions	19.4	When a Member is speaking, no other Member will interrupt the Member speaking except to raise a Point of order or a Point of privilege or personal privilege.
Read Motion	19.5	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.
Five Minutes	19.6	No Member will speak for longer than five minutes on a question without Council's permission.
Speak Once	19.7	No Member will speak more than once to the same question without Council's permission, except that a reply will be permitted only from a Member who has presented the main motion.
Questions	19.8	A Member may ask a question only for the purpose of obtaining information relating to the matter under discussion and the question will be stated succinctly and asked only of the Warden, the previous speaker, the CAO, Director and their designates.
Points of Order, Privilege	19.9	When a Member rises on a Point of order, or a Point of privilege or personal privilege, the Member will ask leave of the Warden to raise the point. After leave is granted, the Member will state the point to the Warden and then remain silent until the Warden has ruled upon the point.
Warden to Rule on Point	19.10	The Warden's ruling is final unless it is challenged.
Challenge	19.11	Any Member may challenge the ruling of the

		Warden immediately following the ruling.
Decision Final	19.12	In the event a Member challenges the ruling, Council will vote on the ruling immediately without Debate.
Idem	19.13	Council's Majority vote is final if the Warden is challenged.
<b>20. Motions</b>		
Jurisdiction	20.1	A motion or notice of motion in respect of a matter which is not within the jurisdiction of Council will not be in order and will not be considered by Council.
Disclosure of Subject Matter	20.2	Members giving notice of motion will disclose the subject matter of the motion.
Motions for which Notice has not been given	20.3	Motions for which notice has not been previously given shall be only considered if agreed upon by two-thirds vote.
Withdrawal of Motions	20.4	After a motion has been proposed and seconded, and placed in the hands of the Warden, it will be considered to be in the possession of Council but may be withdrawn with the consent of the mover and the support of a Majority vote.
Oral Motions	20.5	The following may be introduced orally without written notice and without leave of Council: <ul style="list-style-type: none"> <li>a) presentation of petitions;</li> <li>b) a Motion to waive or suspend the rules of procedure;</li> <li>c) a Motion to recess;</li> <li>d) a Motion to adjourn;</li> <li>e) a Motion to call the question;</li> <li>f) a Motion to divide the question;</li> <li>g) a Motion that Council resolve itself into Committee of the Whole;</li> <li>h) a Motion to receive an item;</li> <li>i) a Motion to table an item;</li> <li>j) a Motion to lift from the table;</li> </ul>



		<ul style="list-style-type: none"> <li>k) a Motion to refer;</li> <li>l) a Motion to defer;</li> <li>m) a simple amendment, and</li> <li>n) a Motion to adopt a recommendation.</li> </ul>
Motion for Closed Meetings	20.6	<p>Motions to go into closed session will:</p> <ul style="list-style-type: none"> <li>a) only be considered for matters falling under Section 9 and will be in accordance with Section 239 of the Municipal Act as amended;</li> <li>b) state the reason for going into a closed meeting along with a general description of the matter being discussed;</li> <li>c) only be considered if agreed upon by vote of Two-thirds support if the motion wasn't identified on the agenda.</li> </ul>
Motions to be Seconded	20.7	A motion will be moved and seconded before being open for discussion and consideration.
Motion to Refer Takes Precedence over Amendments	20.8	A Motion to refer, until it is decided, will precede all amendments of the main question.
Mover May Vote in Opposition	20.9	A Member may move a motion in order to initiate discussion and Debate and that Member may vote in opposition to the motion. A seconder of a motion may vote against the motion.
<b>21. Specific Motions</b>		
Recess	21.1	A motion to recess is not debatable.
Adjourn	21.2	<ul style="list-style-type: none"> <li>a) A motion to adjourn the Council Meeting is not debatable, must be seconded and will always be in order except: <ul style="list-style-type: none"> <li>i. when another Member is in possession of the floor;</li> <li>ii. when a vote has been called;</li> <li>iii. when the Members are voting, or</li> <li>iv. when a Member has indicated to</li> </ul> </li> </ul>

		<p>the Warden his desire to speak on the matter before Council.</p> <p>b) A motion to adjourn and amendments thereto will take precedence over any other motion and will be put immediately without Debate.</p>
Call the Question	21.3	<p>a) A motion to call the question is not debatable.</p> <p>b) A motion to call the question will be put immediately without Debate.</p> <p>c) A vote on a motion to call the question requires a Two-thirds vote of support.</p> <p>d) Cannot be from the Chair</p>
Motion to Table	21.4	<p>a) A Motion to table is not amendable or debatable and will apply to the motion and any amendments under Debate when the Motion to table is made.</p> <p>b) If the Motion to table carries, in the absence of any direction from Council, the matter may not be discussed until a Member, through a notice of motion, brings it forward to a subsequent Meeting.</p>
Refer	21.5	<p>A Motion to refer, and any amendment to it, is debatable and will include:</p> <p>a) the name of the Committee or official to whom the motion or amendment is to be referred;</p> <p>b) the terms upon which it is to be referred and the time or period, if any, on or within which the matter is to be returned.</p>
Defer	21.6	<p>A Motion to defer and any amendment to it is debatable and will include:</p> <p>a) the time to, or period within which, consideration of the matter is to be deferred; and</p> <p>b) whatever explanation is necessary to demonstrate the purpose of the Motion to defer.</p>

Amendment	21.7	<ul style="list-style-type: none"> <li>a) A motion to amend is debatable.</li> <li>b) Only two motions to amend a main motion will be on the floor at any one time being a Primary Amendment and a Secondary Amendment.</li> <li>c) The Secondary Amendment will receive disposition of Council before the Primary Amendment to the question.</li> <li>d) The main Motion will not be amended more than twice before voting.</li> <li>e) It will be relevant to the question to be received.</li> <li>f) It will not be contrary to the question.</li> <li>g) It may propose a separate and distinct disposition of a question.</li> <li>h) It will be put in the reverse order to that in which it is moved-voting on the Secondary Amendment first, followed by the Primary Amendment, followed by the main motion as amended.</li> </ul>
Receive	21.8	A Motion to receive, moved after the main motion, is debatable and will be treated as an amendment to the main motion.
Substantive Motion	21.9	An amendment will be out of order if it is ruled by the Warden to be a substantive motion and not an amendment.
Consider Matter Previously Deferred	21.10	A Motion that Council consider a matter previously deferred indefinitely, or to a time which has not yet been reached, is debatable and will be presented only if Council so decides by a Two-thirds vote.
Division of the Motion	21.11	A Motion to divide the question will be in order if the parts of the motion can be easily separated to be considered and voted on as if they were distinct questions. The Chair, in consultation with the Clerk, shall determine if a motion is unable to be divided.
Reconsideration	21.12	A Motion to reconsider a resolution entered upon the minutes will only be received or put within one year

		<p>following the decision of Council if:</p> <ul style="list-style-type: none"> <li>a) notice of intention to introduce such Motion to reconsider is given in writing at a previous Meeting of Council;</li> <li>b) The request includes reasons for the request for reconsideration;</li> <li>c) The request for reconsideration is agreed upon by majority support.</li> <li>d) Only a Member who voted on the prevailing side on the original motion may request the reconsideration of a vote.</li> </ul>
Reconsideration – General	21.13	<p>A Motion to reconsider is debatable:</p> <ul style="list-style-type: none"> <li>a) no discussion of the main Motion will be allowed until the Motion for reconsideration is carried;</li> <li>b) once the question is reopened, it is reopened in its entirety unless the reopening Motion specifies otherwise;</li> <li>c) if the question is reopened, all previous decisions of Council remain in force unless Council decides otherwise; and</li> <li>d) no Motion to reconsider may, itself, be the subject of a Motion to reconsider.</li> </ul>
<b>22. Notices of Motion</b>		
Timing of Notice	22.1	A notice of motion will be given in accordance with the agenda of Committee of the Whole.
Specific Request from Council	22.2	Notwithstanding section 22.1, reports from County staff on matters previously requested by Council to be reported directly to Council and not through Committee, may be introduced with the permission of Council.
Resolution Containing a Financial Commitment	22.3	Any resolution through a notice of motion which will result in a financial commitment by the County in excess of \$5,000 will require a staff report before consideration by Committee of the Whole.

	<b>23. Voting</b>	
Order of Votes	23.1	<p>Motions relating to an item under consideration will be voted on in the following order:</p> <ul style="list-style-type: none"> <li>a) a Motion to waive or suspend the rules of procedure;</li> <li>b) a Motion to adjourn</li> <li>c) a Motion to recess;</li> <li>d) a Motion to table;</li> <li>e) a Motion to call the question</li> <li>f) a Motion to defer;</li> <li>g) a Motion to refer;</li> <li>h) a Motion to amend, in reverse order of its being placed; then</li> <li>i) a Motion to postpone indefinitely</li> <li>j) the main Motion.</li> </ul>
Members Will Vote	23.2	<p>Every Member Present at a Meeting of Council where a question is put will vote on the question, unless prohibited by statute, in which case the Clerk will so record.</p>
Warden to State the Question	23.3	<p>Immediately preceding the taking of a vote, the Warden may state the question, if requested, in the precise form in which it will be recorded in the minutes.</p>
Method of Voting	23.4	<p>A Member will vote by raising a hand or otherwise indicating the Member's vote, except where a recorded vote is requested.</p>
Actions During Vote	23.5	<p>When the Warden calls for the vote on a question:</p> <ul style="list-style-type: none"> <li>a) each Member will occupy his seat and will remain in place until the result of the vote has been declared by the Warden; and</li> <li>b) during this time no Member will walk across the room or make any other motion or speak to the question or to any other Member or make any noise or disturbance.</li> </ul>

No Vote Deemed Negative	23.6	If any Member Present does not vote at a Meeting of Council where a question is put, he will be deemed to vote in the negative except where the Member is prohibited from voting by statute.
Warden	23.7	The Warden may vote on any question and will vote in the case of recorded votes.
Majority Vote	23.8	All decisions of Council will require a Majority vote except as otherwise set out in this By-law.
Equality of Votes	23.9	Any motion that receives a tie vote will be deemed to have been decided in the negative.
Two-Thirds	23.10	The following decisions of Council require a Two-thirds vote: <ul style="list-style-type: none"> <li>a) a Motion to consider a report or by-law that does not relate to a matter listed on the agenda;</li> <li>b) a Motion to consider a matter previously deferred indefinitely or to a time or eventuality that has not been reached or occurred under Section 21.10 of this By-law;</li> <li>c) A Motion to call the question</li> <li>d) a Motion to suspend the provisions of this By-law under Section 2.1 of this By-law.</li> </ul>
Recorded Vote	23.11	A request by a Member Present at the Meeting for a recorded vote will be made prior to the commencement of the vote being taken or immediately thereafter. When a recorded vote is requested by a Member, the Clerk will record the name and vote of every Member on any question using call of the roll for order of voting.
Warden to Announce Results of Vote	23.12	The Warden will announce the result of the vote.
Request for Further Vote	23.13	If a Member doubts the results of a vote as announced by the Warden, the Member may call for the vote to be taken again and the Warden may request that the Members will vote again.

	<b>24. By-laws</b>	
Introduction	24.1	Every by-law will be introduced by Motion or leave specifying the title thereof, on recommendation of an adopted report or by an order from Council.
Three Readings	24.2	Every by-law will have three readings prior to being passed.
By-laws Taken as Read	24.3	By-laws will be taken as read for the first, second and third readings unless otherwise decided by a Majority vote.
Pass at One Meeting	24.4	A by-law may be passed through all its stages and be finally passed at one Meeting.
Confirmatory	24.5	On an annual basis, Council will consider a by-law to approve and confirm the proceedings of every Meeting of Council and every decision of Council in that year and to deem that every resolution thereof will 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.
Amendments	24.6	All amendments to any by-laws approved by Council will be deemed to be incorporated into the by-law and if the by-law is enacted by Council, the amendments will be recorded by the Clerk.
Authorization	24.7	Every by-law, once passed, will be dated and duly signed and sealed by the Warden and the Clerk.
	<b>25. Meetings of Committee of the Whole</b>	
At Council	25.1	The Committee of the Whole may convene immediately after each Meeting of Council and will report to Council.
Chair	25.2	The Warden will sit as Chair and will preside over

		Committee of the Whole.
Duties of Chair	25.3	The Chair of the Committee of the Whole will maintain order in Committee.
Procedure	25.4	The rules governing the procedure of Council and the conduct of Members will be observed in Committee of the Whole so far as they are applicable and any motion will be required to be seconded.
Debate on a Question	25.5	In debate, each Member has the right to speak twice on the same question on the same day but cannot make a second speech on the same question as long as any Member who has not spoken on that question desires the floor. A Member who has spoken twice on a particular question on the same day has exhausted their right to debate that question for that day.
Responsibility to Act on Recommendations	25.6	No action will be taken on Committee recommendations until approved by Council unless: <ul style="list-style-type: none"> <li>a) the responsibility has been delegated to the Committee by Council through Council's Delegation Policy; or</li> <li>b) in the case of a time-sensitive matter, the Committee has directed in its minutes that action be taken prior to Council's adoption of its minutes.</li> </ul>
Alternate Member	25.7	A lower tier municipality may appoint an alternate Member of lower tier council to temporarily replace a person who is a member of both the upper tier and lower tier council if the Member is unable to attend an upper tier council meeting. It will be only one Member appointed for the term of council.  It is the responsibility of the Member and the Alternate Member to coordinate Meeting arrangements and participation, including notification to the Clerk's Department.



	<b>26. Committee of the Whole Agenda</b>	
General	26.1	The Clerk, in consultation with the Warden, will have prepared and delivered to the Members, a minimum three days prior to the Meeting of Committee of the Whole, an agenda including reports, minutes for their review in accordance with Section 3.3 of this By-law.
Consent Agenda	26.2	A consent agenda will be used for reports, minutes or correspondence considered routine or administrative in nature. Any item on the Consent Agenda can be requested to be pulled by a Member under Determination of Items Requiring Separate Discussion. The item will then be placed at the end of the Items of Discussion portion of the agenda for consideration.
Agenda	26.3	The agenda will include the following headings: <ul style="list-style-type: none"> <li>a) Call to Order</li> <li>b) Declaration of Pecuniary Interest</li> <li>c) Delegations</li> <li>d) Determination of Items Requiring Separate Discussion</li> <li>e) Consent Agenda</li> <li>f) Items for Direction and Discussion</li> <li>g) Other Business</li> <li>h) Notice of Motion</li> <li>i) Adjournment</li> </ul>
Authority to Adjust Agenda Items	26.4	The Clerk will have the authority to adjust the order and necessity of agenda items.
	<b>27. Committees</b>	
Council's Role	27.1	Council will determine the appropriate number of Committees, their membership, mandates and reporting practices.
Sub Committee and	27.2	Appointments to some sub committees and advisory

Advisory Committee Appointments		committees will be recommended to Council through a staff report to Committee of the Whole. Other appointments will be made at Committee of the Whole by open election.
Electronic Participation at Committee Meetings	27.3	If the majority of appointments to a Committee are not Members of Council, the Terms of Reference of the Committee may provide for Quorum to be achieved using alternate forms of attendance including, but not limited to, Skype, teleconference or other electronic means.
Appointments/Nominees to Other Bodies	27.4	Appointments and nominees to other bodies will be recommended to Council through a staff report to Committee of the Whole.
Special Committees	27.5	<ul style="list-style-type: none"> <li>a) Council may, from time to time, create special Committees which will report Committee of the Whole or direct to Council;</li> <li>b) the appointments of such Committees should include a specific mandate, terms of reference, term of appointment and extension of appointment;</li> </ul>
Election of Chairs and Vice Chairs	27.6	<p>Chairs and Vice Chairs of each Committee will be elected on an annual basis.</p> <ul style="list-style-type: none"> <li>a) each candidate for Chair and Vice Chair who stands for election may make a Presentation to the Committee.</li> <li>b) Each Chair and/or Vice Chair will preside at every Meeting of their Committee, may vote on every question submitted for consideration and may require that resolutions be in writing.</li> </ul>
Warden's Membership on Committees	27.7	The Warden will be a Member of all Committees.
Committee Meeting Dates & Locations	27.8	Committees will meet on established meeting dates. Meetings will generally be held in the County Administration Building in the City of Owen Sound but may be moved to alternate locations on the recommendation of the Chair. Additional or

		Emergency Meetings may be held at the call of the Chair.
Notice to Members	27.9	Notice of Meetings including agendas, minutes and supporting documentation to the Members will be via electronic mail, regular mail, courier. Notice may also be provided by telephone or personal contact in case of an emergency.
Notice to Media and Public	27.10	Notice of Meetings will be given by posting agendas on the County's website. Notice of Meetings will be posted as soon as practical after being established by Committees. Agendas will be posted three days prior to the Meeting and in the event an agenda is amended it will be reposted with a notation advising that the agenda has been amended. In the case of Emergency Meetings, notice of the agenda will be posted as soon as practical.
General Role of Committees	27.11	The role of Committees will generally be to: <ul style="list-style-type: none"> <li>a) make recommendations to Council on matters which are in their jurisdiction;</li> <li>b) guide and request staff to provide reports on the direction and nature of policy development, fact finding, analysis and generation of public policy matters;</li> <li>c) establish mechanisms to receive further public input on public policy matters.</li> </ul>
Committee Procedures	27.12	The rules governing the procedure of Council and the conduct of Members at Council will be observed as far as they are applicable, and, subject to the specific rules for Committees set out in this section including: <ul style="list-style-type: none"> <li>a) the number of times of speaking on any question will not be limited</li> <li>b) the requirement to stand to address the Chair and utilize the microphone is waived;</li> <li>c) a Majority vote will be required to decide any matter before the Committee; and</li> <li>d) recorded votes at Committees will not be</li> </ul>

		weighted and Members will be called to vote by name in alphabetic order.
Members' Rights	27.13	Members who are not Members of a specific Committee may attend Meetings of that Committee and may, with consent of the Chair of that Committee, take part in the discussion, but will not be counted in the Quorum or entitled to make motions or to vote at these Meetings.
Absence of Chair and Vice Chair	27.14	In the event the Chair of a Committee is not in attendance at a Committee Meeting within fifteen minutes of the time appointed for the commencement of the Meeting, the Committee Vice Chair will call the Meeting to order and preside until the arrival of the Committee Chair. Should the Committee Vice Chair not be in attendance at the Meeting, those Members in attendance will appoint one of the Members to act as Committee Chair for that Meeting. Such Member will then call the Members to order and will preside until the arrival of the Committee Chair or the Committee Vice Chair.
Meeting Limitation	27.15	No Committees will meet while Council is in session.
Agendas	27.16	The Clerk's office will prepare and distribute Committee agendas.
Amended Agendas	27.17	<ul style="list-style-type: none"> <li>a) Directors and their staff who wish to submit a late report for an agenda may do so with the approval of the CAO, and in their absence, approval of the Clerk. Late reports will only be considered if determined urgent. The request to the CAO will be in writing and include the rationale and urgency for considering a late report;</li> <li>b) Notice of addition of late reports will be given in accordance with sections 27.9 and 27.10 of this By-law; and</li> <li>c) A Committee may add an item to the agenda if it is agreed to by Two-thirds vote at the beginning of the Meeting to</li> </ul>

		amend the agenda.
Delegations	27.18	<p>Any person desiring to present information to a Committee may do so subject to the following:</p> <ul style="list-style-type: none"> <li>a) the request will be in writing and the information to be presented will be on matters of fact or to make a request of the Committee;</li> <li>b) requests will be made not less than ten days preceding the Committee Meeting at which such person desires to be heard;</li> <li>c) exceptions to the ten days' notice requirement required in (b) above may be approved by the Clerk;</li> <li>d) any person who is scheduled to appear as a Delegate before a Committee is requested to submit written documentation for the Committee's consideration to the Clerk not less than seven days preceding the Committee Meeting; and</li> <li>e) the rules related to attendance, time limits, behaviour, curtailment of time and conduct of Delegations will be as set out in Section 18 of this By-law.</li> </ul>
Declarations of Pecuniary Interest	27.19	Members of Committees will adhere to Section 17 with respect to declarations of pecuniary interest in Committees.
Quorum	27.20	<ul style="list-style-type: none"> <li>a) As soon as a Quorum is Present after the scheduled commencement time of a Committee Meeting, the Chair will call the Meeting to order;</li> <li>b) Subject only to Section 27.20(c) of this By-law a Committee Meeting will only be properly constituted for the purpose of carrying on its business if a Quorum of the Members is Present;</li> <li>c) Where the number of Members, who by reason of the provisions of the Municipal Conflict of Interest Act, are prohibited from participating in a Meeting is such that, at that</li> </ul>

		Meeting, the remaining Members are not of sufficient number to constitute a Quorum, then the remaining number of Members will be deemed to constitute a Quorum.
Right to Expel	27.21	The Chair has the right to expel or exclude any person from any Meeting for improper conduct.
	<b>28. Amendments to By-law</b>	
Majority Vote	28.1	This By-law will not be amended or repealed except by a Majority vote of Council.
Severability	28.2	If a court or tribunal of competent jurisdiction declares any portion of this By-law to be illegal or unenforceable, that portion of this By-law will be considered severed from the remainder of this By-law, which will continue to be in full force and effect.
	<b>29. Conflict</b>	
Conflict with Statute	29.1	If there is any conflict between this By-law and any statute, the provisions of the statute prevail.
	<b>30. Enactment</b>	
Repeal	30.1	By-law No. 4876-14 and any amendments thereto is hereby repealed.
	30.2	This By-law will come into force and effect on the date of its enactment.

ENACTED AND PASSED this 25<sup>th</sup> day of January, 2018.

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Warden: Stewart Halliday

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Deputy Clerk: Heather Morrison