

Amended by By-law 4880-14

Corporation of the County Of Grey

Procedural By-Law 4876-14

Adopted by Grey County Council

2014

Corporation of the County Of Grey
By-Law Number 4876-14
Procedural By-Law

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**Corporation of the County Of Grey
By-Law Number 4876-14**

**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 shall 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:

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

Committee of the Whole;

- g) "Committee of the Whole" means all of the Members Present at Council sitting in committee;
- h) "Committee Chair" means the person who is appointed as the Chair of a Committee;
- i) "Committee Vice Chair" means the person appointed as the Vice Chair of a Committee;
- j) "Council" means the Council of the Corporation of the County of Grey;
- k) "County" means the Corporation of the County of Grey;
- l) "Director" means the person appointed as Director of the Corporation of the County of Grey;
- m) "Deputant" means the presenter for the Deputation in attendance at Council or Committee;
- n) "Deputation" means an address to Council or a Committee at the request of a person wishing to speak;
- o) "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 shall be elected;
- p) "Emergency Meeting" means a Meeting of Council called pursuant to Section 8.1 of this By-law;
- q) "In writing" shall mean handwritten, typewritten or electronically displayed;
- r) "Majority vote" means an affirmative vote of more than one-half of the Members Present and voting;
- s) "Meeting" means a meeting of Council or a

Committee;

- t) “Member” as it relates to Council and standing committees means a councillor of the Corporation of the County of Grey and for other Committees as defined in 1.2(f) shall mean a person elected or appointed to the Committee;
- u) “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;
- v) “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;
- w) “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;
- x) “Motion to table” means a motion to postpone without setting a definite date as to when the matter will be considered again;
- y) “Past Warden” means the Member who most recently held the office of Warden prior to the incumbent Warden;
- z) “Point of order” means a question by a Member with the view to 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;
- aa) “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 official has been impugned or questioned by the Member;

bb) "Present" means physically in attendance at the Meeting;

cc) "Presentation" means an address to Council or Committee at the request of Council, a Committee or staff;

dd) "Quorum" as it relates to Council and its Committees shall consist of more than 50% of the applicable Members except in circumstances referred to in Sections 9.4 and 24.25 of this By-law in which event the quorum shall be as determined by Sections 9.4 and 24.25.

ee) "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;

ff) "Resolution" means the decision of Council or Committee on any motion;

gg) "Special Meeting" means a Meeting of Council called pursuant to Section 7.1 or 7.2 of this By-law;

hh) "Two-thirds majority vote" means an affirmative vote of at least two-thirds of the Members Present; and

ii) "Warden" means the person who is elected or acclaimed the head of Council.

	2. Application	
<i>General</i>	2.1	The rules of procedure set out in this By-law shall govern all proceedings of Council and its Committees. Any part or parts of this By-law may be suspended if agreed upon by Two-thirds majority vote.
<i>Statutory Requirements</i>	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, shall govern the proceedings.
<i>Rules of Order not Covered</i>	2.3	All points of order or procedure not provided for in this By-law shall be decided in accordance with Bourinot's Rules of Order and the Chair shall submit the ruling without debate.
	3. Locations, Meeting Times and Notice	
<i>Date of Inaugural Session</i>	3.1	Council shall, in accordance with this By-law, hold its first Meeting on the first Tuesday in December at 7:30 PM.
<i>Council Meeting Dates & Locations</i>	3.2	Council shall meet on established meeting dates and time. Meetings of Council shall 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.
<i>Notice to Members</i>	3.3	Notice of Meetings including agendas, minutes and supporting documentation shall be sent to the Members by electronic mail, regular mail, courier or facsimile transmission. Notice may also be provided by telephone or personal contact in case of an emergency.
<i>Notice to Media and Public</i>	3.4	Notice of Meetings shall be given to the public by posting agendas and supporting documentation on the County's website. Notice of Meetings shall be

		posted as soon as practical after being established by Council. Agendas and supporting documentation shall be posted three days prior to the Meeting and in the event an agenda is amended it shall be reposted with a notation advising that the agenda has been amended.
	4. Membership on Council	
<i>Certificate of Election</i>	4.1	No person shall 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.
<i>Declaration of Office</i>	4.2	In accordance with the provisions of Section 232(1) of the Act, no person shall take a seat on Council until the person takes the declaration of office in the form established for that purpose.
	5. Election of Warden	
<i>Term of Office</i>	5.1	The term of office of the Warden shall be one year.
<i>Presiding Officer</i>	5.2	The election of the Warden shall be conducted by the Clerk.
<i>Nominations</i>	5.3	Nominations shall be received until Council, by motion, closes the nominations.
<i>Candidates Stand for Election</i>	5.4	Once nominations have been closed, the Clerk or presiding officer shall determine the willingness of each candidate nominated to stand for election.
<i>Nominators to Speak</i>	5.5	Each mover and seconder of those candidates who stand for election shall be entitled to speak once in support of their candidate. Each speaker will be given a maximum of five minutes.
<i>Candidates to Speak</i>	5.6	Each candidate who stands for election may make a Presentation to Council, not to exceed five minutes in duration.

<i>Secret Ballot</i>	5.7	The election of the Warden shall be by secret ballot under the authority and direction of the Clerk or other presiding officer.
<i>Number of Votes</i>	5.8	Pursuant to the provisions of the Act, each Member of Council shall have one vote for the purpose of election of the Warden.
<i>Scrutineer</i>	5.9	The CAO and Clerk shall be scrutineers by virtue of their office. In addition, each candidate will select a scrutineer.
<i>Tie for Lowest Number of Votes</i>	5.10	If no candidate for Warden receives a majority of the votes cast, the candidate receiving the fewest votes shall 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.
<i>Equality of Votes</i>	5.11	In the case of an equality of votes for Warden, the successful candidate shall 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 shall be drawn by a person named by the Clerk. The successful candidate shall be the one whose name is drawn.
6. Meetings of Council		
<i>Protocols for Beginning Session</i>	6.1	At the hour appointed, when a Quorum is Present, the Clerk shall call Council to Order and all Members, staff, and the public shall remain standing while the Warden assumes the Chair.
<i>Open Meetings</i>	6.2	All regular and Special Meetings of Council shall be open to the public unless the subject matter to be considered relates to: <ul style="list-style-type: none"> a) the security of the property of the municipality or local board; b) personal matters about an identifiable

		<p>individual, including municipal or local board employees;</p> <p>c) a proposed or pending acquisition or disposition of land by the municipality or local board;</p> <p>d) labour relations or employee negotiations;</p> <p>e) litigation or potential litigation, including 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, or;</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>
<i>Notice to Media and Public</i>	6.3	<p>Notice for closed Meetings of Council shall be posted as soon as practical after being established on the County's website. Agendas and supporting documentation shall be posted as soon as practical prior to the Meeting and in the event an agenda is amended, it shall be re-posted with a notation advising that the agenda has been amended.</p>
<i>Access in Chambers by the Public</i>	6.4	<p>With the exception of the Inaugural Meeting, no person but a Member or support staff shall be allowed to come within the Bar of Council during a Meeting of Council without permission of the Warden or Council.</p>
<i>Adjournment Protocols</i>	6.5	<p>On adjournment, Members shall rise and remain standing in place until the Warden leaves the chair.</p>

	7. Special Meetings of Council	
<i>Warden's Request</i>	7.1	The Warden may at any time summon a Special Meeting.
<i>Request by Members</i>	7.2	The Clerk shall, 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.
<i>Responsibility for Notice</i>	7.3	The office of the Clerk shall provide all Members with at least forty-eight hours' notice of a Special Meeting.
<i>Minimum Notice</i>	7.4	Minimum Notice shall consist of a telephone message to all Members followed by an electronic notice and agenda.
<i>Items of Business</i>	7.5	The only business to be dealt with at a Special Meeting is that which is identified in the notice of the Meeting.
<i>Validity of Meeting</i>	7.6	The lack of receipt of a notice or of an agenda for a Special Meeting by any Member shall not affect the validity of the Meeting or any action taken thereat.
<i>Notice to Media and Public</i>	7.7	Notice for Special Meetings shall be posted as soon as practical after being established on the County's website. Agendas and supporting documentation shall be posted as soon as practical prior to the Special Meeting and in the event an agenda is amended, it shall be re-posted with a notation advising that the agenda has been amended.
	8. Emergency Meetings of Council	
<i>Warden's Authority</i>	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.

<i>Items of Business</i>	8.2	No business except business dealing directly with the emergency or extraordinary situation shall be transacted at the Emergency Meeting.
<i>Validity of Meeting</i>	8.3	Lack of receipt of a Notice or of an Agenda for an Emergency Meeting by any Member shall not affect the validity of the Meeting or any action taken thereat.
<i>Notice to Media and Public</i>	8.4	Notice and supporting documentation shall be posted on the County's website as soon as practical.
9. Quorum for Council		
<i>Quorum</i>	9.1	As soon as a Quorum is Present after the scheduled commencement time for a Meeting, the Chair shall call the Meeting to order.
<i>No Quorum at Beginning</i>	9.2	If a Quorum is not Present at a Council Meeting within thirty minutes after the scheduled commencement time, the Meeting shall stand adjourned until the date of the next regular Meeting and the Clerk, shall record the names of the Members Present.
<i>Loss of Quorum During Meeting</i>	9.3	If a Quorum is lost during a Council Meeting then the Meeting shall stand adjourned and all unfinished business shall be carried forward to the next Meeting.
<i>Municipal Conflict of Interest Act</i>	9.4	Notwithstanding Section 9.3 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 shall be deemed to constitute a Quorum.
10. Council Agenda		
<i>General</i>	10.1	The Clerk, in consultation with the Warden, shall have prepared and delivered to the Members, a

		minimum of three days prior to the Meeting of Council, an agenda including reports, proposed by-laws and background information, for their review and consideration in accordance with Section 3.3 of this By-law.
<i>Correspondence Referred to Committees</i>	10.2	Correspondence shall be referred by the Clerk to Council or the applicable Committee as deemed appropriate.
<i>Agenda Headings</i>	10.3	<p>The agenda shall include the following headings:</p> <ul style="list-style-type: none"> a) Call to Order b) Adoption of Agenda c) Invitation to Non-Sectarian Prayer followed by Silent Reflection d) Roll Call e) Disclosure of Pecuniary Interest f) Adoption of Minutes of Previous Council Meeting g) Communications and Correspondence h) Notice of Motion i) Business Arising from the Minutes j) Retirement Presentations k) Deputations l) Presentation of Reports m) By-laws – Motion to Introduce and Motion to Adopt n) Business on Motion o) Good News and Celebrations p) Adjournment q) O Canada

<i>Authority to Adjust Agenda Items</i>	10.4	The Clerk shall have the authority to adjust the order and necessity of agenda items.
11. Order of Business		
<i>Agenda Order</i>	11.1	The business of Council shall be taken in the order in which it stands upon the agenda, unless agreed to by a Majority vote.
<i>Committee Minute/Report Order</i>	11.2	Committee minutes and reports shall be rotated each Meeting unless otherwise agreed to by a Two-thirds majority vote.
<i>Presentation of Minutes/Reports</i>	11.3	The Chair or designate of each Committee submitting minutes and reports shall come to the podium in the Council Chambers during discussion of those minutes and reports.
<i>Unfinished Business</i>	11.4	When any agenda item or items shall be left undisposed of at the time of adjournment, either for want of a Quorum or otherwise, such agenda item or items shall be taken up in succession as the first order of business at the next Meeting of Council.
12. Council Minutes		
<i>Minute Content</i>	12.1	The minutes of Council as taken by the Clerk, shall consist of a record of all proceedings taken in the Council Meeting. Pursuant to the Act, the Minutes shall be without note or comment.
<i>Included in Minutes</i>	12.2	All minutes of Committees adopted and by-laws passed by Council shall be printed in an appendix to the minutes.
<i>Delivery to Members</i>	12.3	Minutes of Council shall be prepared by the Clerk and provided to the Members within four days.
<i>Council Revisions</i>	12.4	All changes made to minutes, reports and by-laws by Council shall be recorded by the Clerk and the Warden shall verify the change by placing his initials in the margin.

13. Duties of the Warden

Responsibilities

13.1

In addition to the responsibilities of the head of council as set out in the Act, it shall be the duty of the Warden:

- a) to preserve order and decorum and decide all questions of order, subject to an appeal to Council;
- b) to receive and submit, in the proper manner, all motions presented to the Members of Council;
- 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;
- d) to rule on all procedural matters, without debate or comment;
- 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;
- f) to restrain the Members, within the rules of order, when engaged in debate;
- 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;
- h) to adjourn or suspend the Meeting if the Warden considers it necessary because of grave disorder;
- i) to authenticate by signature all by-laws, resolutions and minutes of Council;
- j) to represent and support Council, declaring its will and implicitly obeying its decisions in all things.

<i>Expulsion</i>	13.2	The Warden may expel or exclude from any Meeting any person or Member whom the Warden feels has exhibited improper conduct at the Meeting.
<i>Warden to Participate in Discussion</i>	13.3	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 shall refrain from taking part in any discussions while in the chair.
<i>Absence of Warden</i>	13.4	In the absence of the Warden, the Deputy Warden shall fulfill the responsibilities of the Warden and in the absence of the Deputy Warden, the Clerk shall convene the Meeting until a Chair is chosen by Council. The Chair so chosen shall preside during such absence and shall, while in the Chair, have vested in him all the powers as given by this By-law to the Warden.
<i>Voting</i>	13.5	The Warden may vote on any matter at his discretion with the exception of a Recorded vote at which time voting is required.
14. Duties of Members		
<i>Legislative Responsibilities</i>	14.1	It is the role of Council: <ul style="list-style-type: none"> a) to represent the public and to 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

		<p>municipality;</p> <p>f) to maintain the financial integrity of the municipality; and</p> <p>g) to carry out the duties of Council under the Act or any other statute.</p>
<p><i>Prohibitions</i></p>	<p>14.2</p>	<p>No Member shall:</p> <p>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;</p> <p>b) use offensive words or unparliamentary language;</p> <p>c) engage in private conversation while in the Council Meeting or use electronic devices (including cellular phones and pagers) in a manner which interrupts the proceedings of Council;</p> <p>d) leave his seat or make any noise or 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</p>

		called to order by the Warden, the Warden shall not recognize that Member, except for the purpose of receiving an apology from the Member tendered at that Meeting or any subsequent Meeting.
<i>Determination of Order of Speakers</i>	14.3	Should more than any one Member indicate the intent to address the Warden, the Warden shall determine who is entitled to the floor.
<i>Speaking</i>	14.4	It is the discretion of the Warden for Members to stand or remain seated when addressing the Warden.
15. Disclosures of Pecuniary Interest		
<i>Method of Disclosure</i>	15.1	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 shall, in accordance with the Municipal Conflict of Interest Act: <ul style="list-style-type: none"> a) prior to any consideration of the matter at the Meeting, disclose the Member's interest and the general nature thereof; b) not take part in the discussion of, or vote on any question in respect of the matter, and c) not attempt in any way whether before, during or after the Meeting to influence the voting on the matter.
<i>Closed Meetings</i>	15.2	Where a Meeting is not open to the public, in addition to complying with the requirements of the Municipal Conflict of Interest Act, the Member shall forthwith leave the Meeting or the part of the Meeting during which the matter is under consideration.
<i>Absence – Disclosure at</i>	15.3	Where the interest of a Member has not been disclosed by reason of the Member's absence from

<i>Next Meeting</i>		a particular Meeting, the Member shall 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.
<i>Record of Disclosure</i>	15.4	The Clerk shall record in reasonable detail the particulars of any disclosure of pecuniary interest made by a Member, and this record shall appear in the minutes of that Meeting.
	16. Deputations and Members of the Public	
<i>Request for Deputation</i>	16.1	Any person desiring to present information orally on matters of fact or to make a request of Council shall give notice and disclose the subject matter to the Clerk not less than ten days preceding the Council Meeting at which such person desires to be heard.
<i>Request in Writing</i>	16.2	Any person who is scheduled to appear as a Deputant before Council shall submit to the Clerk written and/or electronic documentation pertaining to the Deputation not less than seven days preceding the Council Meeting.
<i>Exceptions to Ten Days' Notice Requirement</i>	16.3	Exceptions to the ten days' notice required in Section 16.1 may be approved by the Clerk.
<i>Deputants Generally Before Committees</i>	16.4	Deputants will generally be heard by Committees rather than Council and the Clerk, may direct that a Deputation be received by a Committee prior to being received by Council or in place of Council.
<i>Time Limits</i>	16.5	Each Deputation shall be limited in speaking to not more than fifteen minutes. Extensions to these limits will be at the discretion of the Warden.
<i>Addressing the Warden</i>	16.6	All Deputants shall address the Warden from the podium and shall state their name and whom they represent.

<i>Behaviour</i>	16.7	<p>No Deputant shall:</p> <ul style="list-style-type: none"> a) speak disrespectfully of any person; b) use offensive language; c) speak on any subject other than the subject for which he has received approval to address Council; d) disobey the rules of procedure or a decision of the Warden or Council.
<i>Curtailmnt of Time</i>	16.8	<p>The Warden may curtail any Deputation, any questions of a Deputation or debate during a Deputation for disorder or any other breach of this By-law; and, if the Warden rules that the Deputation is concluded, the person or persons appearing shall withdraw.</p>
<i>Discussion</i>	16.9	<p>Following completion of a Deputation, discussion between Members and the Deputant(s) shall be limited to Members asking questions to clarify information or acquire necessary additional information.</p> <p>Members shall not enter into debate with the Deputants respecting the presentation.</p>
<i>Conduct</i>	16.10	<p>Members of the public who constitute the audience at a Meeting, shall:</p> <ul style="list-style-type: none"> a) only address Council or Committee with permission; b) not bring signage, placards, banners into Meetings nor wear any type of disguise during a Meeting; c) be permitted to record an open committee or council session via audio or video recordings d) refrain from any activity or behaviour that would adversely affect Council deliberations; and

		e) return to seating Behind the Bar of Council and refrain from further speaking once Deputation is complete.
<i>Expulsion</i>	16.11	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.
<i>Refusal of Deputation</i>	16.12	The Clerk, in consultation with the Warden, may refuse a Deputation if it is determined that the Deputation is unduly repetitious or the subject matter is not within the jurisdiction of the County.
17. Rules of Debate		
<i>Recognition of Member</i>	17.1	To address Council, a Member shall request to speak, be recognized by the Chair and direct all comments through the Warden.
<i>Speaking</i>	17.2	Prior to speaking to any question or motion, each Member shall be recognized by the Warden.
<i>Order of Speakers</i>	17.3	When two or more Members indicate their desire to speak at the same time, the Warden shall designate the order of speakers.
<i>Interruptions</i>	17.4	When a Member is speaking, no other Member shall interrupt the Member speaking except to raise a Point of order or a Point of privilege or personal privilege.
<i>Read Motion</i>	17.5	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.
<i>Five Minutes</i>	17.6	No Member shall speak for longer than five minutes on a question without Council's permission.
<i>Speak Once</i>	17.7	No Member shall speak more than once to the same

		question without Council's permission, except that a reply shall be permitted only from a Member who has presented the main motion.
<i>Questions</i>	17.8	A Member may ask a question only for the purpose of obtaining information relating to the matter under discussion and the question shall be stated succinctly and asked only of the Warden, the previous speaker, the CAO, Director and their designates.
<i>Points of Order, Privilege</i>	17.9	When a Member rises on a Point of order, or a Point of privilege or personal privilege, the Member shall ask leave of the Warden to raise the point. After leave is granted, the Member shall state the point to the Warden and then remain silent until the Warden has ruled upon the point.
<i>Warden to Rule on Point</i>	17.10	The Warden's ruling is final unless it is challenged.
<i>Challenge</i>	17.11	Any Member may challenge the ruling of the Warden immediately following the ruling.
<i>Decision Final</i>	17.12	In the event a Member challenges the ruling, Council shall vote on the ruling immediately without debate.
<i>Idem</i>	17.13	Council's Majority vote is final if the Warden is challenged.
	18. Motions	
<i>Jurisdiction</i>	18.1	A motion or notice of motion in respect of a matter which is not within the jurisdiction of Council shall not be in order and shall not be considered by Council.
<i>Disclosure of Subject Matter</i>	18.2	Members giving notice of motion shall disclose the subject matter of the motion.
<i>Referral to Committee to for Review</i>	18.3	The Warden and/or Council may name a Committee to review the content of motions before their Presentation.

<i>Resolutions Containing a Financial Commitment</i>	18.4	Any motion not contained in the agenda which will result in a financial commitment by the County in excess of \$5,000 shall be referred to the appropriate Committee prior to consideration by Council.
<i>Motions for which Notice has not been given</i>	18.5	Motions for which notice has not been previously given shall only be considered if agreed upon by Two-thirds majority vote.
<i>Withdrawal of Motions</i>	18.6	After a motion has been proposed and seconded, and placed in the hands of the Warden, it shall 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.
<i>Oral Motions</i>	18.7	<p>The following may be introduced orally without written notice and without leave of Council:</p> <ul style="list-style-type: none"> a) presentation of petitions; b) a motion to waive or suspend the rules of procedure; c) a motion to recess; d) a motion to adjourn; e) a motion to call the question; f) a motion to separate the question; g) a motion that Council resolve itself into Committee of the Whole; h) a Motion to receive an item; i) a Motion to table an item; j) a motion to lift from the table; k) a Motion to refer; l) a Motion to defer; m) a simple amendment, and n) a motion to adopt a recommendation.

<i>Motion for Closed Meetings</i>	18.8	<p>Motions to go into closed session shall:</p> <ul style="list-style-type: none"> a) only be considered for matters falling under Section 6.2 and shall be in accordance with Section 239 of the Municipal Act as amended; b) state the reason for going into a closed meeting along with a general description of the matter being discussed; c) only be considered if agreed upon by vote of Two-thirds majority support if the motion wasn't identified on the agenda.
<i>Motions to be Seconded</i>	18.9	<p>A motion shall be moved and seconded before being open for discussion and consideration. Motions under Sections 18.7 (c), (d) and (e) do not require a seconder.</p>
<i>Motion to Refer Takes Precedence over Amendments</i>	18.10	<p>A Motion to refer, until it is decided, shall precede all amendments of the main question.</p>
<i>Mover May Vote in Opposition</i>	18.11	<p>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.</p>
19. Specific Motions		
<i>Recess</i>	19.1	<p>A motion to recess is not debatable.</p>
<i>Adjourn</i>	19.2	<ul style="list-style-type: none"> a) A motion to adjourn the Council Meeting is not debatable and shall always be in order except: <ul style="list-style-type: none"> i. when another Member is in possession of the floor; ii. when a vote has been called; iii. when the Members are voting, or iv. when a Member has indicated to the Warden his desire to speak on the matter

		<p>before Council.</p> <p>b) A motion to adjourn and amendments thereto shall take precedence over any other motion and shall be put immediately without debate.</p>
<i>Call the Question</i>	19.3	<p>a) A motion to call the question is not debatable.</p> <p>b) A Member who moved a motion to call the question shall not be allowed to speak to the question again if the motion is decided in the negative.</p> <p>c) A motion to call the question shall be put immediately without debate.</p> <p>d) A vote on a motion to call the question requires a Two-thirds majority vote of support.</p>
<i>Motion to Table</i>	19.4	<p>a) A Motion to table is not amendable or debatable and shall 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>
<i>Refer</i>	19.5	<p>A Motion to refer, and any amendment to it, is debatable and shall 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>
<i>Defer</i>	19.6	<p>A Motion to defer and any amendment to it is debatable and shall include:</p> <p>a) the time to, or period within which,</p>

		<p>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>
<i>Amendment</i>	19.7	<p>a) A motion to amend is debatable.</p> <p>b) Only one motion to amend a motion shall be on the floor at any one time.</p> <p>c) It shall receive disposition of Council before a previous amendment to the question.</p> <p>d) It shall not be amended more than once before voting.</p> <p>e) It shall be relevant to the question to be received.</p> <p>f) It shall not be received proposing a direct negative to the question.</p> <p>g) It may propose a separate and distinct disposition of a question.</p> <p>h) It shall be put in the reverse order to that in which it is moved.</p>
<i>Receive</i>	19.8	A Motion to receive, moved after the main motion, is debatable and shall be treated as an amendment to the main motion.
<i>Substantive Motion</i>	19.9	An amendment shall be out of order if it is ruled by the Warden to be a substantive motion and not an amendment.
<i>Cannot be Contrary</i>	19.10	An amendment which, in effect, is nothing more than a rejection of the main motion is not in order.
<i>Consider Matter Previously Deferred</i>	19.11	A motion that Council consider a matter previously deferred indefinitely, or to a time or eventuality which has not yet been reached or occurred, is debatable and shall be presented only if Council so

		decides by a Two-thirds majority vote.
<i>Reconsideration</i>	19.12	<p>A motion to reconsider a resolution entered upon the minutes shall only be received or put within one year following the decision of Council if:</p> <ul style="list-style-type: none"> a) notice of intention to introduce such motion to reconsider is given in writing at a previous Meeting of Council; b) The request includes reasons for the request for reconsideration; c) And, the request for reconsideration is agreed upon by vote of Two-thirds majority support.
<i>Reconsideration – General</i>	19.13	<p>A motion to reconsider is debatable:</p> <ul style="list-style-type: none"> a) no discussion of the main question shall be allowed until the motion for reconsideration is carried; b) once the question is reopened, it is reopened in its entirety unless the reopening motion specifies otherwise; c) if the question is reopened, all previous decisions of Council remain in force unless Council decides otherwise; and d) no motion to reconsider may, itself, be the subject of a motion to reconsider.
20. Notices of Motion		
<i>Timing of Notice</i>	20.1	A notice of motion shall be given in accordance with the agenda of Council.
<i>Committees</i>	20.2	Any notice of motion, the subject matter of which falls within the mandate of a Committee, shall be referred directly to that Committee by Council unless Council determines that it should not be first considered by the Committee for reasons of emergency, health, safety or legal deadline.
<i>Specific Request from</i>	20.3	Notwithstanding section 20.2, reports from County

<i>Council</i>		staff on matters previously requested by Council to be reported directly to Council and not through a Committee, may be introduced with the permission of Council.
	21. Voting	
<i>Order of Votes</i>	21.1	Motions relating to an item under consideration shall be voted on in the following order: <ul style="list-style-type: none"> a) a motion to waive or suspend the rules of procedure; b) a motion to recess; c) a motion to adjourn; d) a motion to call the question; e) a Motion to receive an item; f) a Motion to table an item; g) a Motion to refer; h) a Motion to defer; i) a motion to amend, in reverse order of its being placed; then j) the main motion.
<i>Members Shall Vote</i>	21.2	Every Member Present at a Meeting of Council where a question is put shall vote on the question, unless prohibited by statute, in which case the Clerk shall so record.
<i>Warden to State the Question</i>	21.3	Immediately preceding the taking of a vote, the Warden shall state the question in the precise form in which it will be recorded in the minutes.
<i>Method of Voting</i>	21.4	A Member shall vote by raising a hand or otherwise indicating the Member's vote, except where a recorded vote is requested.
<i>Actions During Vote</i>	21.5	When the Warden calls for the vote on a question:

		<p>a) each Member shall occupy his seat and shall remain in place until the result of the vote has been declared by the Warden; and</p> <p>b) during this time no Member shall 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.</p>
<i>Split Votes</i>	21.6	Upon the request of any Member, and when the Warden is satisfied that a matter under consideration contains distinct proposals, the vote upon each proposal shall be taken separately.
<i>No Vote Deemed Negative</i>	21.7	If any Member Present does not vote at a Meeting of Council where a question is put, he shall be deemed to vote in the negative except where the Member is prohibited from voting by statute.
<i>Warden</i>	21.8	The Warden may vote on any question and shall vote in the case of recorded votes.
<i>Majority Vote</i>	21.9	All decisions of Council shall require a Majority vote except as otherwise set out in this By-law.
<i>Equality of Votes</i>	21.10	Any motion that receives a tie vote shall be deemed to have been decided in the negative.
<i>Two-Thirds</i>	21.11	<p>The following decisions of Council require a Two-thirds majority vote:</p> <p>a) a motion to consider a report or by-law that does not relate to a matter listed on the agenda;</p> <p>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 19.11 of this By-law;</p> <p>c) a motion to reconsider a question decided within the previous year under Section 19.12 of this By-law; and</p> <p>d) a motion to suspend the provisions of this By-</p>

		law under Section 2.1 of this By-law.
<i>Recorded Vote</i>	21.12	A request by a Member Present at the Meeting for a recorded vote shall 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 shall record the name and vote of every Member on any question using call of the roll for order of voting.
<i>Warden to Announce Results of Vote</i>	21.13	The Warden shall announce the result of the vote.
<i>Request for Further Vote</i>	21.14	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 shall vote again.
	22. By-laws	
<i>Introduction</i>	22.1	Every by-law shall be introduced by motion or leave specifying the title thereof, on recommendation of an adopted report or by an order from Council.
<i>Three Readings</i>	22.2	Every by-law shall have three readings prior to being passed.
<i>By-laws Taken as Read</i>	22.3	By-laws shall be taken as read for the first, second and third readings unless otherwise decided by a Majority vote.
<i>Committee of the Whole</i>	22.4	Every by-law may be considered in Committee of the Whole prior to the third reading.
<i>Debate in Committee of the Whole</i>	22.5	When a by-law is being considered in Committee of the Whole, it shall be debated clause by clause or as otherwise considered advisable by the Chair and Members of Council.
<i>Separate Vote</i>	22.6	By request of any Member, any by-law may be discussed or voted on individually.
<i>Pass at One Meeting</i>	22.7	A by-law may be passed through all its stages and

		be finally passed at one Meeting.
<i>Confirmatory</i>	22.8	On an annual basis, Council shall 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 shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.
<i>Amendments</i>	22.9	All amendments to any by-laws approved by Council shall be deemed to be incorporated into the by-law and if the by-law is enacted by Council, the amendments shall be recorded by the Clerk.
<i>Authorization</i>	22.10	Every by-law, once passed, shall be dated and duly signed and sealed by the Warden and the Clerk.
	23. Committee of the Whole	
<i>At Council</i>	23.1	The Committee of the Whole may convene at each Meeting of Council and shall report to Council.
<i>Chair</i>	23.2	The Warden shall appoint a Chair who shall preside over Committee of the Whole and may at his discretion remain in the chair.
<i>Duties of Chair</i>	23.3	The Chair of the Committee of the Whole shall maintain order in Committee.
<i>Procedure</i>	23.4	The rules governing the procedure of Council and the conduct of Members shall be observed in Committee of the Whole so far as they are applicable, provided that: <ul style="list-style-type: none"> a) a motion shall not be required to be seconded unless the motion is to amend or to add to; b) no vote shall be recorded; and c) the number of times speaking to the question is not limited as in Section 17.7.
<i>Record of Proceedings</i>	23.5	The Clerk shall record in the minutes all

		amendments to Committee minutes and by-laws as made in Committee of the Whole.
<i>Verification of Changes</i>	23.6	All changes made to reports and by-laws in Committee of the Whole shall be recorded by the Clerk and the Chair shall verify the change by placing his initials in the margin.
<i>Motion to Rise</i>	23.7	A motion in Committee of the Whole to rise or that the Chair leave the chair, with leave to sit again, shall always be in order and shall be decided without debate.
24. Committees		
<i>Council's Role</i>	24.1	Council shall determine the appropriate number of Committees, their membership, mandates and reporting practices.
<i>Standing Committee Selection</i>	24.2	<p>Standing Committee membership shall be determined as follows:</p> <ul style="list-style-type: none"> a) Members representing each lower tier municipality shall determine between themselves the standing Committees that each Member prefers to be a member of; b) the membership on standing Committees shall be equally distributed between the two Members of each lower tier municipality (i.e., in the case of four standing Committees, each Member will be appointed to two standing Committees); c) the Members shall advise the Clerk of their Committee selection; d) in the event the Members from a lower tier municipality do not agree on their individual appointments, Council shall determine the Committee appointments; e) standing Committee Members shall be appointed for one year and confirmed by by-

		law.
<i>Sub Committee and Advisory Committee Appointments</i>	24.3	Appointments to sub committees and advisory committees shall be recommended to Council by the respective standing Committee.
<i>Physical Attendance at Advisory Committee Meetings</i>	24.4	If the majority of appointments to an advisory committee are not Members of Council, the Terms of Reference of the Advisory Committee may provide for Quorum to be achieved using alternate forms of attendance including, but not limited to, Skype, teleconference or other electronic means.
<i>Appointments/Nominees to Other Bodies</i>	24.5	Appointments and nominees to other bodies shall be recommended to Council by the respective standing Committee.
<i>Task Forces and/or Special Committees</i>	24.6	<ul style="list-style-type: none"> a) Council may, from time to time, appoint task forces or special Committees which will report through a standing Committee or direct to Council; b) the appointments of such Committees should include a specific mandate, terms of reference, term of appointment and extension of appointment; c) Special Committees and task forces shall report to Council annually in advance of Committee appointments with a recommendation with regard to their continuation as special Committees or task forces, assumption of responsibilities by a standing Committee or abolishment.
<i>Election of Chairs and Vice Chairs</i>	24.7	<p>Chairs and Vice Chairs of each Committee shall be elected on an annual basis.</p> <ul style="list-style-type: none"> a) each candidate for Chair and Vice Chair who stands for election may make a Presentation to the Committee. b) the Warden shall not be eligible to be the Chair or Vice Chair of a standing Committee.

		<p>c) The Chair and Vice Chair of standing Committees may hold their respective positions for a maximum of two consecutive years per term of Council. Other Committee Chairs and Vice Chairs shall not be subject to the two-year limit.</p> <p>d) Each Chair and/or Vice Chair shall preside at every Meeting of their Committee, may vote on every question submitted for consideration and may require that resolutions be in writing.</p>
<i>Warden's Membership on Committees</i>	24.8	The Warden shall be a Member of all Committees and task forces.
<i>Committee Meeting Dates & Locations</i>	24.9	Committees shall 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.
<i>Notice to Members</i>	24.10	Notice of Meetings including agendas, minutes and supporting documentation to the Members shall be via electronic mail, regular mail, courier or facsimile. Notice may also be provided by telephone or personal contact in case of an emergency.
<i>Notice to Media and Public</i>	24.11	Notice of Meetings shall be given by posting agendas and supporting documentation on the County's website. Notice of Meetings shall be posted as soon as practical after being established by Committees. Agendas and supporting documentation shall be posted three days prior to the Meeting and in the event an agenda is amended it shall be reposted with a notation advising that the agenda has been amended. In the case of Emergency Meetings, notice of the agenda and supporting documentation shall be posted as soon as practical.
<i>General Role of</i>	24.12	The role of Committees shall generally be to:

<i>Committees</i>		<ul style="list-style-type: none"> a) make recommendations to Council on matters which are in their jurisdiction; 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; c) receive public Deputations and establish mechanisms to receive further public input on public policy matters.
<i>Responsibility to Act on Recommendations</i>	24.13	<p>No action shall be taken on Committee recommendations until approved by Council unless:</p> <ul style="list-style-type: none"> a) the responsibility has been delegated to the Committee by Council through Council's Delegation Policy; or 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.
<i>Committee Procedures</i>	24.14	<p>The rules governing the procedure of Council and the conduct of Members at Council shall be observed as far as they are applicable, and, subject to the specific rules for Committees set out in this section including:</p> <ul style="list-style-type: none"> a) the number of times of speaking on any question shall not be limited; b) the requirement to stand to address the Chair and utilize the microphone is waived; c) a Majority vote shall be required to decide any matter before the Committee; and d) recorded votes shall not be weighted and Members shall be called to vote by name in alphabetic order.
<i>Members' Rights</i>	24.15	<p>Members who are not Members of a specific Committee may attend Meetings of that Committee and may, with consent of the Chair of that</p>

		Committee, take part in the discussion, but shall not be counted in the Quorum or entitled to make motions or to vote at these Meetings, unless the attendance is in the capacity of being an Alternate Member.
<i>Alternate Attendance</i>	24.16	<p>In the event a Member is unable to attend a standing committee Meeting, he may request the Alternate Member to attend on his behalf, and the Alternate Member shall have all the rights and privileges of the Member.</p> <p>It is the responsibility of the Member and the Alternate Member to coordinate Meeting arrangements and participation, including notification to the Clerk's Department.</p>
<i>Absence of Chair and Vice Chair</i>	24.17	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 shall 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 shall appoint one of the Members to act as Committee Chair for that Meeting. Such Member shall then call the Members to order and shall preside until the arrival of the Committee Chair or the Committee Vice Chair.
<i>Meeting Limitation</i>	24.18	No Committees shall meet while Council is in session.
<i>Agendas</i>	24.19	The Clerk's office shall prepare and distribute Committee agendas.
<i>Amended Agendas</i>	24.20	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 his absence, approval of the Clerk. Late reports will only be considered if determined urgent. The request to the CAO shall be in writing and

		<p>include the rationale and urgency for considering a late report;</p> <p>b) Notice of addition of late reports will be given in accordance with sections 24.10 and 24.11; and</p> <p>c) A Committee may add an item to the agenda if it is agreed to by Two-thirds majority vote at the beginning of the Meeting to amend the agenda.</p>
<i>Deputations</i>	24.21	<p>Any person desiring to present information to a Committee may do so subject to the following:</p> <p>a) the request shall be in writing and the information to be presented shall be on matters of fact or to make a request of the Committee;</p> <p>b) requests shall be made not less than ten days preceding the Committee Meeting at which such person desires to be heard;</p> <p>c) exceptions to the ten days' notice requirement required in (b) above may be approved by the Clerk;</p> <p>d) any person who is scheduled to appear as a Deputant 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</p> <p>e) the rules related to attendance, time limits, behaviour, curtailment of time and conduct of Deputations shall be as set out in Section 16.</p>
<i>Closed Meetings</i>	24.22	<p>No Meeting of a Committee shall be held in private session except in accordance with Sections 6.2, 6.3 & 6.4.</p>
<i>Declarations of Pecuniary Interest</i>	24.23	<p>Members of Committees shall adhere to Section 15 with respect to declarations of pecuniary interest in</p>

		Committees.
<i>Quorum</i>	24.24	<p>a) As soon as a Quorum is Present after the scheduled commencement time of a Committee Meeting, the Chair shall call the Meeting to order;</p> <p>b) Subject only to Section 24.23(c) a Committee Meeting shall only be properly constituted for the purpose of carrying on its business if a Quorum of the Members is Present;</p> <p>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 Meeting, the remaining Members are not of sufficient number to constitute a Quorum, then the remaining number of Members shall be deemed to constitute a Quorum.</p>
<i>Right to Expel</i>	24.25	The Chair has the right to expel or exclude any person from any Meeting for improper conduct.
<i>Reconsideration</i>	24.26	No Committee shall reconsider any question decided by Council within a year after the Council decision nor consider any other matter which could involve a decision inconsistent with a Council decision.
<i>Committee Minutes</i>	24.27	<p>Committee minutes shall be directed as follows:</p> <p>a) standing Committee minutes shall be forwarded directly to Council for its consideration and adoption;</p> <p>b) advisory Committee and sub Committee minutes shall be directed to the appropriate standing Committee prior to being forwarded to Council;</p> <p>c) task force minutes shall be forwarded to either a standing Committee or Council in accordance with the direction of Council;</p>

		d) All minutes are to be prepared and forwarded to the Members within four days.
<i>Joint Meetings</i>	24.28	Where two or more Committees meet jointly, the Warden shall chair the joint Meeting, or at his discretion, appoint a Chair for the joint Meeting and: <ul style="list-style-type: none"> a) a Quorum for the purpose of a joint Meeting of Committees shall consist of more than 50% of the joint membership of the participating Committees, with at least one Member Present from each Committee; and b) votes or questions put to a joint Meeting of Committees shall be conducted as if both Committees involved were a single Committee and the results of each vote shall be treated as emanating from both of the Committees.
25. Amendments to By-law		
<i>Majority Vote</i>	25.1	This By-law shall not be amended or repealed except by a Majority vote of Council.
26. Conflict		
<i>Conflict with Statute</i>	26.1	If there is any conflict between this By-law and any statute, the provisions of the statute prevail.
27. Enactment		
<i>Repeal</i>	27.1	By-law No. 4821-13 and any amendments thereto is hereby repealed.
	27.2	This By-law shall come into force on the date of its enactment.

ENACTED AND PASSED this 4th day of November, 2014.

Warden: Brian Milne

Clerk: Sharon Vokes