

THE CORPORATION OF THE COUNTY OF PRINCE EDWARD

BY-LAW NO. 16-2022

**A BY-LAW TO GOVERN THE PROCEEDINGS OF THE MUNICIPAL COUNCIL
OF THE CORPORATION OF THE COUNTY OF PRINCE EDWARD AND ITS
BOARDS/COMMITTEES AND THE CONDUCT OF ITS MEMBERS AND THE
CALLING OF MEETINGS**

WHEREAS Parliamentary Procedures are rooted in principles designed to ensure the fair and efficient disposition of business before a deliberative body; and

WHEREAS The Municipal Act, 2001 provides that municipalities may pass by-laws respecting accountability and transparency of the municipality; **WHEREAS** Section 238 (2) of the Municipal Act, 2001, S.O. 2001. c. 25, as amended, requires that every Municipality shall pass a Procedure By-law for governing the calling, place and proceedings of meetings;

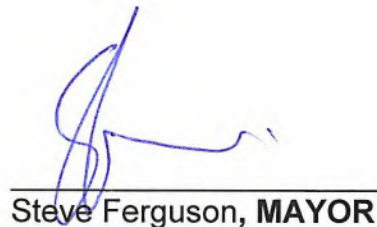
WHEREAS Council finds it appropriate to repeal and replace By-Law 4402-2019, as amended.

NOW THEREFORE the Municipal Council of The Corporation of the County of Prince Edward enacts as follows:

1. **THAT** the Corporation of Prince Edward County Council adopt the "The County's Procedural By-Law" attached hereto as Schedule 'A'
2. **THAT** this By-law come into full force and effect on February 22, 2022.

Read a first, second and third time and finally passed this 8th day of February, 2022.


Catalina Blumenberg, **CLERK**


Steve Ferguson, **MAYOR**





TheCounty[™]
PRINCE EDWARD COUNTY + ONTARIO

**CORPORATION OF THE
COUNTY OF PRINCE EDWARD
RULES OF PROCEDURE**

"The County's Procedural By-law"

AS ADOPTED BY BY-LAW NO. 16-2022

PASSED: February 8, 2022

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PART 1 – DEFINITIONS

For purposes of this By-law, the following definitions shall apply:

- 1.1. "Addendum" - A listing of the items to be added to a published agenda.
- 1.2. "Acting Mayor/Chair and Vice-Chair Schedule" - The Acting Mayor and Chair/Vice-Chair Monthly Schedule means the Councillor identified for the month in accordance with the schedule, or another member of Council who may be assigned to preside over Committee of the Whole, and Planning Committee meetings and fulfill the duties identified in section 3.4.
- 1.3. "Advisory Committee" - Any advisory or other committee, subcommittee or similar entity established by Council. An advisory committee is made of a group of appointed residents, and Council Members that are appointed by Council for the purpose of providing recommendations on a specific matter. Committees have a clearly defined terms of reference document which outlines the mandate and parameters for committee activity. Committees are accountable to Council for its actions through the appropriate Committee Reports on Council agendas.
- 1.4. "Agenda" - The order in which business is conducted at a meeting. Also, referred to as "Orders of the Day".
- 1.5. "Chief Administrative Officer" - The Chief Administrative Officer of the County as referred to in Section 229 of the Municipal Act, 2001.
- 1.6. "County" - The Corporation of the County of Prince Edward.
- 1.7. "Clerk" - The Clerk or, Deputy Clerk of The Corporation of the County of Prince Edward as appointed pursuant to Section 228 of the Municipal Act, or designate.
- 1.8. "Closed Session" - A meeting of Council from which members of the public shall be excluded, and shall be held in accordance with the provisions of the Municipal Act and this By-law.
- 1.9. "Commission" - The Community Economic and Development Commission as established by Council under Section 196 of the Municipal Act as a Local Board.
- 1.10. "Committee of the Whole" - Council sitting as a committee where:
 - (i) members consider and debate matters in an environment that procedurally is more relaxed than the formal portion of a Council Meeting; and
 - (ii) substantive motions adopted therein are not deemed to represent the final decision of Council until confirmed by resolution of Council.

- 1.11. Consent Agenda - A listing of consent items that are repetitive or routine in nature being presented to Council, Committee of the Whole, and Planning for its consideration.
- 1.12. "Council" - The Municipal Council of the County.
- 1.13. "Councillor" - A person elected or appointed as a Member of Council.
- 1.14. "Communication Device" - Includes a cellular phone, pager, tablet, smart phone, computer with a link to the Internet, or any other similar piece of technological equipment used for communications and research purposes.
- 1.15. "Council Information Package" - The information package provided to Council on a bi-weekly basis, including but not limited to correspondence, resolutions from other municipalities, and other levels of government for the purposes of sharing information to Council.
- 1.16. "Director" - A Director of the County, or their designate.
- 1.17. "Deputation" - A person or group of persons desiring to verbally present information or to make a request to Council or an advisory committee/local board.
- 1.18. "Electronic Participation" - Includes telephone, video, audio conferencing or other interactive method whereby Members, staff and the public are able to hear the Member(s), staff and public participating by electronic means and the Member(s) participating by electronic means are able to hear other Members, staff and the public.
- 1.19. "Inaugural Meeting" - The first meeting of Council after a regular election.
- 1.20. "Live Streaming" - A method of providing video over the internet in real time to anyone who has high-speed internet access. The video stream can be saved and archived allowing those with internet access the ability to view recordings at their convenience.
- 1.21. "Local board" - A Local Board as defined in Section 1(1) and Section 223.1 of the Municipal Act, as amended.
- 1.22. "Mayor" - The head of Council, and includes the Acting Mayor when the Acting Mayor is acting in place of the Mayor.
- 1.23. "Meeting" - Any regular, special or other meeting of Council, Committee, a local board or of either of them, where:
 - (iii) a quorum of members is present, and,

- (iv) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.
- 1.24. "Member" - A Member of Council, including the Mayor, or a Member of a Local Board, or Advisory Committee.
- 1.25. "Motion" - A proposal to be considered by Council, Committee, Commission or Local Board to adopt, amend, or otherwise deal with a matter, and which is moved and seconded and is subject to debate. When a Motion is adopted, it becomes a Resolution.
- 1.26. "Pecuniary Interest" - A direct or indirect Pecuniary Interest within the meaning of the Municipal Conflict of Interest Act, as may be amended.
- 1.27. "Petition of the majority of Members" - To make a formal written request of the majority of Members to call a meeting.
- 1.28. "Presiding Officer" - The person Chairing the meeting.
- 1.29. "Point of Order" - A statement made by a Member during a Meeting regarding a departure from or contravention of the rules and procedures contained in this By-law.
- 1.30. "Point of Privilege" - The raising of a question that concerns a Member, or all of the Members of Council, when a Member believes that the rights, immunities or integrity of Council as a whole have been impugned.
- 1.31. "Presentation" - A presentation to the County.
- 1.32. "Public Meeting" - A Meeting held to hear public input, as may be prescribed by legislation, or where public input is sought on a matter.
- 1.33. "Quorum" - A majority of the members.
- 1.34. "Recorded Vote" - The recording by the Clerk, or designate of the name and vote of every Member on any matter or question.
- 1.35. "Rules" - The rules of procedure and order as set out in this By-law.
- 1.36. "Resolution" - A decision of Council, may include a formal expression of opinion or intention.
- 1.37. "Vice-Chair" - A Member of Council, a Committee or Local Board who has been appointed to act in the place and stead of the Chair when such Chair is absent from a meeting for any cause and who shall exercise all the rights, power and authorities of the Chair.

- 1.38. "Working Day" - Any working day (Monday to Friday inclusive) excluding statutory holidays, and any other day on which the County has elected to be closed for business.
- 1.39. "Working Group" - A special purpose group of limited duration, appointed by Council, reporting to a local board or Committee to consider a specific matter, task, or project and which may be dissolved automatically upon submitting its final report to the board or Committee, unless otherwise directed by Council, or outlined in the Terms of Reference of the working group.

PART 2 - GENERAL

Purpose

- 2.1. The Municipality hereby establishes its Procedure By-law in accordance with the Municipal Act, 2001, S.O. 2001, c. 25, as amended. This By-law establishes Council's structure and rules of procedure for Meetings of Council and its Local Boards and Committees (referred to as the "Procedural By-law").

Applicability

- 2.2. The rules in this By-law apply to all proceedings of Council, Local Boards and Committees and must be observed at all times. In the event of conflict between this By-law and legislation, the provisions of the legislation prevail to the extent of the conflict.

Rules of Order not Covered

- 2.3. For purposes of interpreting this By-law or in determining a proper course of action for matters that may arise that are not specifically contemplated in the Municipal Act, another Act as the case may be, or this by this By-law, the 12th edition of Robert's Rules of Order shall be referred to.

Accessibility

- 2.4. The County shall comply with the requirements of the Web Content Accessibility Guidelines (WCAG) 2.0 Level AA in accordance with section 14 of the Integrated Accessibility Standards (O. Reg. 191/11 under the Accessibility for Ontarians with Disabilities Act, 2005) on all agendas, minutes and information.

PART 3 - DUTY OF MEMBERS

3.1. Role of Council

It is the role of Council to:

- (i) represent the public and to consider the well-being and interests of the municipality;
- (ii) develop and evaluate the policies and programs of the municipality;

- (iii) determine which services the municipality provides;
- (iv) to ensure that administrative policies, practices and procedures are in place to implement the decisions of council;
- (v) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- (vi) to maintain the financial integrity of the municipality; and
- (vii) to carry out the duties of council under this or any other Act.

3.2. Role of Head of Council (Mayor)

- (1) It is the role of the head of Council:
 - (i) to act as chief executive officer of the municipality;
 - (ii) to preside over Council meetings so that its business can be carried out efficiently and effectively;
 - (iii) to provide leadership to Council;
 - (iv) without limiting clause (iii), to provide information and recommendations to the council with respect to the role of council described in clauses 224 (d) and (d.1) of the Municipal Act;
 - (v) to represent the municipality at official functions;
 - (vi) to be an ex-officio Member of all Committees and shall be entitled to vote and participate;
 - (vii) to carry out the duties of the Mayor under this By-law, the Municipal Act, Emergency Management & Civil Protection Act; and all other applicable Acts; and
 - (viii) to authenticate by signature all Minutes and By-laws.
- (2) As chief executive officer, the Head of Council shall:
 - (i) uphold and promote the purposes of the municipality;
 - (ii) promote public involvement in the municipality's activities;
 - (iii) act as representative of the municipality both within and outside the County, and promote the municipality locally, nationally and internationally; and
 - (iv) participate in and foster activities that enhance the economic, social and environmental well-being of the County and its residents.
- (3) The Mayor or Acting Mayor, may assign or delegate ceremonial functions to another Member of Council in their absence.

3.3. Duty of Members

- (4) It is the duty of Members to:
 - (i) Attend all Council Meetings, prepare for meetings, including reviewing meeting agendas and background information prior to the meeting;
 - (ii) speak to only the subject under debate;
 - (iii) vote on all motions before Council unless prohibited from voting by law;
 - (iv) observe the Rules at all meetings;
 - (v) work through the Presiding Officer at meetings;
 - (vi) support Council;
 - (vii) attend meetings of committees and local boards to which the Member has been appointed by Council;
 - (viii) carry out the duties set out in the Municipal Act and all other applicable statutes; and,
 - (ix) act in accordance with their Declaration of Office.
- (5) No Member shall divulge any information to any person that pertains to any aspect of any discussion or direction of Council that was given or provided at a Closed Meeting of Council.
- (6) Should any Member be unable to perform any of their duties for an extended period of time, the Member shall advise the Council forthwith. Except for an absence permitted by subsection 259(1.1) of the Municipal Act. A member must seek authorization of Council pursuant to s. 259(1) if their absence is greater than three consecutive months, otherwise their office becomes vacant.
- (7) Exception, clause 3.3(3) does not apply to vacate the office of a member of council who is absent for 20 consecutive weeks or less if the absence is a result of the member's pregnancy, the birth of the member's child, or the adoption of a child by the member.

3.4. Acting Mayor

- (1) The Acting Mayor shall act in the absence of the Mayor in the following circumstances:
 - (i) when the Office of Mayor is vacant;
 - (ii) when the Mayor is absent due to illness, or scheduling conflict;
 - (iii) when the Mayor is absent from the County;
 - (iv) when the Mayor refuses to act; or
 - (v) when the Mayor declares a conflict of interest.

- (2) The Acting Mayor shall preside as the Chair for Committee of the Whole and Planning Committee Meetings, in accordance with the monthly Chair/Vice-Chair and Acting Mayor schedule.
- (3) The Acting Mayor has, and may exercise all the rights, powers, and authority of the Mayor as Head of Council in the Mayor's absence, as defined in Section 241 and 242 of the Municipal Act, the Emergency Management & Civil Protection Act, and any other applicable legislation.

3.5. Disclosure of Pecuniary Interest

- (1) Prior to a particular matter being addressed, members shall declare any pecuniary interests they may have, and the general nature thereof, in connection with that matter pursuant to the Municipal Conflict of Interest Act, as amended.
- (2) A Member will provide to the Clerk, or designate, a written statement of the Member's pecuniary interest(s). The statement must include a description of the general nature of the pecuniary interest(s) and a reference to the agenda item or items to which the statement relates.
- (3) Where the interest of a Member has not been disclosed by reason of the Member's absence from the Meeting(s) at which the matter was discussed, the Member shall disclose the interest and otherwise comply with Section 3.5 of this By-law at the first Meeting attended by the Member after the Meeting(s) at which the item was discussed, pursuant to the Municipal Conflict of Interest Act.
- (4) The Clerk, or designate shall maintain a registry of statements filed and declarations recorded for public inspection to be posted on the County's website.

3.6. Role of Clerk

- (1) The Clerk or designate shall be present at all Meetings of Council.
- (2) The Clerk shall be responsible for the management and coordination of Meeting agendas and related resolutions, By-laws, correspondence and records, and allow for public access to the same in accordance with the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act, and other pertinent legislation.
- (3) The Clerk, or designate is authorized to make corrections for typographical or minor administrative errors to agendas, minutes and By-laws.

3.7. Communication Device

- (1) Each member shall place any communication devices on an inaudible setting during any open or closed meeting, with the exception of assistive devices for people with disabilities or authorized devices which facilitate the official duties of Members of Council and staff related to the agenda of the current meeting.

- (2) Members should make every effort to refrain from sending or receiving electronic communication during Meetings, though it may sometimes be necessary to send or receive urgent/emergency communications.

PART 4 - MEETINGS

4.1. Meeting Place

- (1) Meetings shall be held in the Council Chambers located in Shire Hall, Picton, 332 Main Street. Despite the foregoing, the Mayor may authorize a regular or special Meeting to be held at a location other than the Council Chambers, in accordance with s. 4.3 Notice of Meetings.
- (2) Where the Council Chambers are not available for a meeting, the Mayor shall designate another location that is accessible to the public for purposes of holding Meetings in accordance with s. 4.3 Notice of Meetings.
- (3) Meetings may also be held electronically, as authorized by the Mayor, or Presiding Officer in the case of Committee and Local Board meetings, in consultation with the Clerk in accordance with s. 4.3 Notice of Meetings.

4.2. Meeting Schedule

- (1) Prior to November 15 of every year, Council approves a Meeting schedule of Council Committee of the Whole, and Planning Committee for each calendar year, which may be amended. The Meeting Schedule shall be available to the public on the County's website.

4.3. Notice of Meetings

- (1) Notice of Regular Council, Committee of the Whole and Planning Committee Meetings shall be provided through:
 - (i) release of a meeting agenda, with accompanying documentation by the Clerk, three (3) working days prior to the date of the scheduled meeting; and
 - (ii) posting of the time, place, and date of the meeting on the County's website.
- (2) Upon release of a meeting agenda, the Clerk shall:
 - (i) maintain copies of the meeting agenda in the office of the Clerk for review by members of the public; and
 - (ii) post the meeting agenda on the County's website.
- (3) A minimum of forty-eight (48) hours notice shall be provided to Members, and the public to the holding of a special meeting, which shall be given by release of the meeting agenda.

- (4) Notwithstanding any other provision of this By-law to the contrary, a Meeting may be held to deal with an emergency pursuant to The County's Emergency Plan - Incident Management System, provided the Clerk has endeavoured to notify the Members, and public about the meeting in the most expedient manner.
- (5) Notwithstanding any other provision of this By-law, on urgent and extraordinary occasions, the Mayor may authorize the holding of a regular or special Meeting at a location outside the County boundaries, or electronically.

4.4. Inaugural Meeting of Council

- (1) The Inaugural Meeting of Council shall be held at 7:00 p.m. on the first Tuesday in December, following the commencement of the new Term of Council, in accordance with the Municipal Elections Act.
- (2) At the Inaugural Meeting, Members shall take the Declaration of Elected Office.

4.5. Regular Council Meetings

- (1) Regular open Council Meetings shall be held Tuesdays bi-weekly, and commence at 7:00 p.m. except as may be otherwise authorized by the Mayor, in accordance with s. 4.3 Notice of Meetings.
- (2) Closed Council Meetings, when required shall be held no earlier than 4:30 p.m. on the day of an existing regular Council Meeting. Following the closed meeting, Council will recess to start the open meeting portion of the agenda at 7:00 p.m.

4.6. Regular Planning Committee Meetings

- (1) Regular Planning Committee meetings shall be held monthly on the third Wednesdays, and commence at 7:00 p.m. except as may be otherwise authorized by the Mayor in accordance with s. 4.3 Notice of Meetings.

4.7. Regular Committee of the Whole Meetings

- (1) Regular Committee of the Whole Meetings shall be held Thursdays bi-weekly, during the same week as the regular scheduled Council meetings.
- (2) Regular Committee of the Whole Meetings shall commence at 1:00 p.m. except as may be otherwise authorized by the Mayor in accordance with s. 4.3 Notice of Meetings.

4.8. Special Council, Planning Committee and Committee of the Whole Meetings

- (1) Special Council, Planning and Committee of the Whole Meetings may be held from time to time and may be initiated by:
 - (i) the Mayor; or

- (ii) a petition of the majority of the Members.
- (2) The date, time of commencement and place of a special Meeting shall be set by the Mayor or by petition of the majority of the Members.
- (3) No business except the business dealing directly with the items listed on the meeting agenda shall be transacted at a special Meeting.

PART 5 - GENERAL PROVISIONS

5.1. Open Meetings

- (1) Meetings shall be open to the public and no person shall be excluded therefrom except for improper conduct.
- (2) The Mayor or Presiding Officer may direct that members of the public vacate the Council Chambers, or meeting premises if their behaviour is deemed to be disruptive to the business at hand. The Mayor or Presiding Officer may unilaterally suspend the Meeting until order is restored.
- (3) Applicable meetings of Council, Committee of the Whole, Planning Committee and Community Economic and Development Commission meetings will be broadcast through live streaming in accordance with Appendix '1' attached hereto and forming part of this By-law.
- (4) Council may permit Members of the public or media to record the proceedings of meetings in keeping with the County's live streaming policy by a Resolution of Council passed by a simple majority to permit the recording.

5.2. Quorum

- (1) A majority of the whole number of the Members is necessary to form a quorum, except as may otherwise be authorized pursuant to the provisions of the Municipal Conflict of Interest Act.
- (2) If no quorum is present within fifteen (15) minutes after the time appointed for a meeting, the Clerk shall record the names of the Members present and the meeting shall stand adjourned until the date of the next such regular meeting, or until a special Meeting is called to deal with the matters on the Meeting agenda.

5.3. Seating at Meetings

- (1) The Mayor shall assign Councillors seats for meetings, and Members shall assume assigned seats for all meetings.
- (2) The Mayor may change the seating order at any time.

5.4. Committee of the Whole

- (1) Council may, by resolution, move into Committee of the Whole at any point during a Council meeting.
- (2) The rules governing the Council as set out in this By-law shall be observed at the meetings of Committee of the Whole, and Planning insofar as they are applicable.

5.5. Presiding Officer – Council (Regular, Planning Committee and Special)

- (1) Except as otherwise provided in this By-law, the Mayor shall preside at all Council Meetings.
- (2) If the Mayor is absent from a meeting or does not attend within 15 minutes of the time a quorum is present, the Acting Mayor, shall preside for the meeting or until the arrival of the Mayor.
- (3) The Mayor, or Acting Mayor may designate another member as the Presiding Officer during any part of a meeting of the Council.
- (4) While presiding, the Acting Mayor shall have all the powers of the Presiding Officer.
- (5) In the absence of the Mayor and Acting Mayor, the Members present shall elect a Chair for the meeting.

5.6. Presiding Officer – Committee of the Whole (Regular and Special)

- (1) The Acting Mayor, in accordance with the monthly schedule shall preside at all Committee of the Whole Meetings.
- (2) If the Acting Mayor is absent from a meeting of the Committee of the Whole, or does not attend within 15 minutes of the time a quorum is present, the Vice-Chair shall preside. If the Vice-Chair is also absent, the Mayor may designate another member as Presiding Officer for any meeting or during any part of any meeting of the Committee of the Whole.
- (3) While presiding, the Deputy Chair shall have all the powers of the Presiding Officer with respect to chairing the meeting.
- (4) In the absence of the Mayor and Acting Mayor, and Vice-Chair the Members present shall elect a Deputy Chair for the meeting.

5.7. Closed Meetings

- (1) Notwithstanding Section 5.1, a meeting or part of a meeting may be closed to the public in accordance with Section 239 (2), (3) and (3.1) of the Municipal Act, in accordance with Appendix 3 attached hereto and forming part of this By-law.

- (2) For any meeting at which there are items to be considered in a Closed meeting, the public agenda for that meeting shall identify the subsection(s) of the Municipal Act, or other applicable legislation, and nature of the topic which authorizes each item to be considered at the Closed meeting.
- (3) A Meeting or part of a Meeting shall not be closed to the public during a vote except where permitted by law including, without limitation, Section 239(6) of the Municipal Act, which allows a Meeting to be closed to the public during a vote pursuant to sections 239 (2) or (3) and the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the County or persons retained by or under a contract with the Municipality.
- (4) The Motion to rise from “Closed” shall include the time that Council, or the Committee arose.
- (5) The Clerk shall record without note or comment all resolutions, decisions and other proceedings at a Meeting of Council, or the Committee when it is closed to the public.
- (6) Members shall ensure that confidential matters discussed during closed Meetings are kept confidential.

5.8. Meeting Agendas

- (1) The Clerk shall prepare a meeting agenda for each meeting in consultation with the CAO, and Mayor or Presiding Officer, as the case may be, what matters may be included on an agenda.
 - (i) in the case of a Regular Council, Committee of the Whole and Planning Committee, no less than three working days prior to such meeting; and
 - (ii) in the case of special Council, special Planning Committee, special Committee of the Whole Meetings, no less than 48 hours before the hour appointed for the holding of such meeting.
- (2) After the meeting agenda has been prepared, with the exception of agendas for Closed Meetings, the Clerk shall make the meeting agenda available to the Members, the public, and shall:
 - (i) email the agenda to all Members, and applicable staff; and
 - (ii) post the meeting agenda on the County’s website.

5.9. Meeting Minutes

- (1) The Clerk or designate shall prepare and maintain minutes of all Council, Planning Committee, Committee of the Whole and special meetings, Local Boards and Committees in accordance with s. 228 (c) of the Municipal Act.

- (2) The Clerk shall maintain a record of all minutes of meetings in the Clerk's office that shall be signed by the Presiding Officer and the Clerk upon approval of the same by Council, which, with the exception of minutes of Closed Meetings, shall be posted on the County's website and available for public viewing within 7 working days.

5.10. By-laws

- (1) Every By-law passed by Council shall:
 - (i) be signed by the Mayor and the Clerk;
 - (ii) be sealed with the County seal; and
 - (iii) indicate the date of passage.
- (2) The Mayor and Clerk shall have the authority to sign and seal all By-laws, agreements, applications or other documents related to matters which have been approved by Council.

5.11. Council Members Placing Items on Agenda

- (1) If a member of Council wishes to have an item or motion placed on the agenda for discussion at a meeting, the member shall notify the Clerk in advance and provide an outline of the issue, their concern and a draft recommended motion to be considered at the subsequent meeting of the body. Any item for inclusion on an agenda must be within the scope of Council.
- (2) Members shall make their intent to bring forward a matter public, under the Announcement section in advance of the Council or Committee of the Whole Meeting when the matter will be on the applicable agenda, unless it is a time sensitive and urgent matter.

5.12. Correspondence and Petitions

- (1) Correspondence and Petitions requiring a Council decision shall:
 - (i) be submitted to the Clerk for inclusion on the appropriate agenda;
 - (ii) if received following the agenda deadline, be forwarded by e-mail to all members of Council ; and
 - (iii) shall form part of the public record.
- (2) Every correspondence and petition shall be legibly written and shall not contain any obscene or improper matter or language and shall be signed by at least one person and filed with the Clerk. The Clerk shall not accept any correspondence or petition that contains any obscene or improper language, as determined by the Clerk in consultation with the Mayor.

- (3) Any correspondence from municipalities, local boards outside of the County of Prince Edward and other levels of government shall:
 - (i) be included on the Information Package listing which is circulated bi-weekly to each Member of Council; and
 - (ii) be placed on the agenda for a meeting of the Council or Committee of the Whole, only at the request of a member of Council, Chief Administrative Officer or Director.

5.13. Addendum Items

- (1) Additions to the agenda for a Meeting may only be for matters of a time sensitive and urgent nature and require a majority approval of the members present.

5.14. Statutory or other Public Meetings

- (1) Where Council is required under the Planning Act, or another Act, in accordance with the Notice provisions of this By-law, to hold a public meeting, or otherwise has resolved to hold a public meeting, such a meeting may be conducted at a Regular or special Council or at a Regular or special Committee of the Whole Meeting.
- (2) Public meetings shall be incorporated in the meeting agenda as appropriate.

5.15. Adjournment

- (1) All meetings shall adjourn after three hours unless there is a motion to extend the time by a majority vote, unless a meeting has been expressly scheduled for an extended period.
- (2) Any further extensions of time shall be in one-hour increments and shall require a majority vote of the Members present at the meeting.
- (3) In the instance of a grave disorder arising during a meeting, adjournment shall be possible at any time.

5.16. Waiving the Provisions of the Procedure By-law

No provision of this By-law shall be waived except by an affirmative vote of the majority, for each incidence of suspension of the rules.

The suspension shall only apply to the procedure(s) or rule(s) which are stated within the motion to suspend and only during the meeting in which such motion was introduced.

5.17. Electronic Participation

- (1) A member of Council, a Committee or Local Board may participate electronically in open or closed meetings.

- (2) Any such member shall be counted towards quorum of members present at any point in time and shall be able to vote; as permitted by the Municipal Act.
- (3) Pursuant to the Municipal Conflict of Interest Act, as amended, members who have declared a pecuniary interest regarding a matter being discussed, and are participating electronically, shall disconnect and leave the electronic meeting and not participate in any way with respect to the matter in question.
- (4) The Clerk shall advise the Member(s) when to re-connect to the meeting, as appropriate.
- (5) Members are requested to notify the Clerk twenty-four (24) hours in advance of any Meeting at which they intend to participate electronically.
- (6) Members of the public and staff may participate electronically. Members participating electronically shall make every effort to keep their camera-on through the entirety of the meeting.
- (7) Notwithstanding s. 5.17, 'electronic participation' does not exclude the necessity of advance notice of agendas and meetings times/locations for public access and must adhere to s. 4.3, meeting notice provisions.

PART 6 - DEPUTATIONS

- (1) Any person may, by notice to the Clerk, request an opportunity to address the members of the Council or Committee on any matter within the jurisdiction of the County. Deputations may participate in-person, or electronically.
- (2) Every request to be listed on an agenda as a deputation shall be received by the Clerk five (5) working days prior to a meeting and shall include:
 - (i) the complete name of the person requesting the opportunity to be a deputation;
 - (ii) the reasons for the deputation; and
 - (iii) a brief summary of their comments or presentation to the Clerk prior to making a deputation four (4) working days prior to the meeting by noon for inclusion on the agenda.
- (3) Any material submitted from a deputation related to a public meeting of Council or Committee shall form part of the public record and shall added to the County's website.
- (4) A matter on a meeting agenda, may be:
 - (i) referred for appropriate action.
- (5) No person presenting a deputation shall:

- (i) speak disrespectfully of any person;
 - (ii) use offensive words or unparliamentarily language;
 - (iii) speak on any subject other than the subject for which he received approval to address; or
 - (iv) disobey the rules of order or a decision of the Presiding Officer.
- (6) The deputation shall last for no more than ten (10) minutes.
- (7) Notwithstanding subsection (7) above, if a speaker has not completed the presentation within the time allotted, the Council may by motion determine if the extension shall be allowed by immediate vote in which case the time shall be extended for such reasonable time as the Council may so determine.
- (8) After a deputation has completed the presentation, members shall each have the opportunity to ask a question of the deputation without debate. When all members who have indicated a desire to ask questions have been given the opportunity to do so, the deputation shall withdraw from the place designated to make submission.
- (9) The Presiding Officer may curtail any deputation, any questions of a deputation or debate during a deputation, for disorder or for any other breach of this By-law and, should the Presiding Officer rule that the deputation is concluded, the deputation shall withdraw immediately from the place designated to make submissions as specifically directed by the Presiding Officer.
- (10) Council, local boards and Committee Members may pose questions to staff following a Deputation, for clarification purposes.
- (11) Deputations are not permitted to address Council, local board or committee on a matter upon which Council has already decided the matter within the previous twelve (12) months, unless the matter is before Council for a decision.
- (12) Where a particular matter is expected to generate a large number of deputations, the Mayor or a majority of Members of Council by petition, may call a special meeting to afford deputations an opportunity to address the Council or Committee of the Whole.

PART 7 - PRESENTATIONS

- (1) Presentations shall be permitted by staff, consultants, senior levels of government and other organizations with respect to ceremonial and any matter as determined by the Mayor and or CAO.
- (2) There are no prescribed time limits to presentations.

PART 8 - REGULAR AND SPECIAL COUNCIL MEETINGS

8.1. Order of Business

- (1) The Clerk shall cause to be prepared for Regular and special Council Meetings a meeting agenda that shall conform to the following order of business:
 1. Call to Order
 2. Traditional Land Acknowledgement Statement
 3. Disclosure of Pecuniary Interest and the General Nature Thereof
 4. Confirmation of Agenda
 5. Closed Meeting
 6. Report from Closed Meeting
 7. Announcements
 8. Presentations
 9. Deputations
 10. Comments from the Audience (on items on the agenda)
 11. Items for Consideration
 12. Items for Consent
 13. By-laws
 14. Confirmatory By-law
 15. Adjournment
- (2) Council shall dispense with the business of Council in the order by which it is presented in the meeting agenda, but Council may by consent change the order of business.

8.2. Announcements

- (1) The Mayor shall read all submitted proclamations under the announcement section of Council agendas. All proclamations shall also be posted to the County's website.
- (2) Under Announcements, Members may verbally introduce information respecting special events, meetings, notices, and notices of future Council motions, resolutions, and other matters that are considered to be of general interest to the community.

8.3. Adoption of Minutes

- (1) Council shall adopt the minutes of previous Council Meetings by a single resolution at the next regular meeting.
- (2) Where any Member identifies an error in the minutes of a previous Council Meeting, the Member shall so advise the Clerk to correct the minutes prior to approval, and the Clerk shall so note such change in the minutes.

8.4. Comments from the Audience

- (1) During the Comments from the Audience portion of the meeting, any person may address members of Council on any matter that is listed on the agenda by notice to the Clerk by noon on the day of the meeting.
- (2) The time allotted to Comments from the Audience at the meeting will be limited to no more than 30 minutes in total.
- (3) Notwithstanding subsection (2) above, Council may by motion determine if an extension of the time allotted shall be allowed by immediate majority vote, in which case the time shall be extended for such reasonable time as the Council may so determine.
- (4) A person addressing Council shall be limited to speaking not more than 3 minutes.
- (5) Once all registered comments have spoken, the Mayor or Presiding Officer shall ask if anyone present wishes to speak, and they shall be limited to speaking not more than 3 minutes.
- (6) After the person has provided their comments, members shall have an opportunity to ask questions of the speaker for clarification purposes only, and without debate.

8.5. Items for Consideration

- (1) Under Items for Consideration, Council shall consider items that are:
 - (i) referred or deferred from a previous Council, Planning Committee or Committee of the Whole;
 - (ii) matter(s) requested to be placed on the agenda by a Member of Council in accordance with Section 5.11; and
 - (iii) other matters for consideration.

8.6. Items for Consent

- (1) Under Items for Consent, Council shall consider the reports of the Committee of the Whole, Committees and Boards reporting directly to Council, and other reports deemed to be repetitive or routine in nature.
- (2) Any member, before the motion is voted on, shall identify any items contained on the items for consent which they wish to speak to and the matter shall be extracted from the consent agenda to be dealt with separately.
- (3) In the event that a member discloses a pecuniary interest on a motion that is included in the Items for Consent, that motion shall be removed and dealt with separately and in the order in which the item appears on the agenda.

8.7. By-laws

- (1) Under By-laws, the meeting agenda shall list all proposed By-laws to be placed before Council for consideration.
- (2) By-laws may be given first, second and third readings in a single motion.

8.8. Confirmatory By-law

- (1) Council shall adopt a confirmatory By-law respecting the actions taken by Council with respect to each report, motion, resolution or other action taken by Council at a Council Meeting, and such By-law may be given three readings.

PART 9 – PLANNING COMMITTEE MEETINGS

9.1. Order of Business

- (1) The Clerk shall cause to be prepared for Regular and Special Planning Committee Meetings, a meeting agenda that shall conform to the following order of business:
 1. Call to Order
 2. Confirmation of Agenda
 3. Disclosure of Pecuniary Interest and the general nature thereof
 4. Statutory Public Meetings Pursuant to the Planning Act
 5. Consent Agenda - Items for Consideration
 6. Items for Consideration
 7. Adjournment
- (2) Planning Committee shall dispense with the business of Planning Committee in the order by which it is presented in the meeting agenda, but Planning Committee may, by consent, change the order of business.
- (3) The Acting Mayor, in accordance with the monthly schedule shall preside as the Chair for Planning Committee meetings.
- (4) All by-laws pertaining to Planning Committee matters will be enacted at the next available Council meeting.

9.2. Statutory Public Meetings Pursuant to the Planning Act

- (1) Committee shall consider matters where a Public Planning Meeting is required to hear applications under the Planning Act. The Chair shall note for those in attendance that persons wishing to appeal decisions on Planning Matters may be required to demonstrate that they have made written submissions to Council, or oral Submissions at a public meeting.
- (2) The Chair shall call each item listed on the Committee Agenda for which a Public Meeting is required under the Planning Act and shall determine:

- (i) if there any person or persons in attendance at the public meeting wish to make oral submissions to Planning Committee with respect to an application that is the subject of a public meeting;
- (ii) if the applicant is present and wishes to make any oral submissions to Council at the public meeting;
- (iii) if County Staff wish to present any supplemental information with respect to a report on the application at the public meeting;
- (iv) if any member of Council wishes to discuss or further consider the application that is the subject of the public meeting, ask any questions of staff or any other persons, or provide direction to staff with respect to the application that is the subject of a public meeting;
- (v) if there are pre-registered deputations, with the necessary accommodations or if any member of Planning Committee, County Staff, the applicant or any person in attendance at the public meeting wishes to discuss or provide oral submissions on an application that is the subject of a public meeting, the Chair shall order that the matter and recommendations be deferred to the end of Agenda item 6, items for consideration, without a vote; and
- (vi) if there are no pre-registered deputations and that no member of Planning Committee, County Staff, the applicant or any person in attendance at the public meeting wishes to provide further oral submissions on an application that is the subject of a public meeting, then the Chair shall order the matter and recommendations to be added to the Consent Agenda under for consideration under Agenda item 5, without a vote.

9.3. Consent Agenda - Items for Consideration

- (1) The Committee Consent Agenda shall consist of the following items that do not have presentations or deputations:
 - (i) Reports and recommendations from Staff, including Reports and Recommendations on matters for which a public meeting is required added pursuant to subsection 9.2(2), above;
 - (ii) Correspondence to the Committee; and
 - (iii) Items of a timely nature.
- (2) The Chair shall call for members of Planning Committee, including the Chair, to identify any items on the Committee Consent Agenda which they wish to speak to, and any such matters shall be extracted from the Committee Consent Agenda and added to the end of Agenda item 6, Items for Consideration, without a vote.
- (3) In the event that a member discloses a pecuniary interest on a motion that is included in the Committee Consent Agenda, that item shall be removed and dealt with separately and added to the end of Agenda item 6, Items for Consideration, without a vote.

- (4) The Chair shall then call for a motion to approve all remaining items and any associated recommendations on the Committee Consent Agenda which have not been extracted pursuant to subsections 9.3(2) or 9.3(3), above, which may then be approved without debate as a single motion.
- (5) Notwithstanding subsection (1) any matter on the agenda can be deferred or referred by motion of Planning Committee.

9.4. Items for Consideration

- (1) Staff reports on applications under the Planning Act and matters deferred/referred pursuant to subsection 9.2(2), above, or from previous Planning Committee Meetings and oral submissions related to these matters will be considered under Items for Consideration.
- (2) Items approved under CAO delegated authority By-Law 98-2020, as amended that were pulled for discussion by a Member, and other reports, identified by the CAO.
- (3) Notwithstanding subsection (1) any matter on the agenda can be deferred or referred by motion of Planning Committee.
- (4) Applications for which a public meeting is required under the Planning Act deferred to Items for Consideration pursuant to subsection 9.2(2), above, from a previous Planning Committee Meeting, from Committee of the Whole, or from Council will be heard during the applicable portion of the meeting.

9.5. Oral Submissions at Planning Committee

- (1) Any person who attends a public meeting required by the Planning Act may address the Planning Committee on any item listed on the agenda without the provision of notice.
- (2) Notwithstanding any other section of this By-law, the applicant, or a person representing an applicant with respect to an application that is the subject of a public meeting required by the Planning Act, shall be limited to speaking for a total of not more than ten minutes. Planning Committee may extend the ten-minute time period by a majority vote of the Council Members present without debate.
- (3) Any other person in attendance at a public meeting required by the Planning Act representing public comments shall be limited to speaking not more than five minutes per person, per application. Planning Committee may extend the five-minute time period by a majority vote of the Council Members present without debate.
- (4) Notwithstanding any provision of this by-law, persons attending a public meeting shall be permitted to provide oral submissions to Council as part of a public meeting required by the Planning Act without providing any advance notice.

- (5) Before the Committee deals with or otherwise disposes of any item for which a public meeting is required under the Planning Act, the Chair shall inform all persons attending the public meeting that in order to maintain the right to appeal decisions on certain Planning Act matters to the Ontario Land Tribunal, a person may be required to show that they have made written submissions to Council or oral submissions at a public meeting, and ensure that no person in attendance who has not done so wishes to provide oral submissions.
- (6) Persons may not make an oral submission before Council or Committee of the Whole on a matter that is, or was before the Planning Committee.

9.6. Adjournment

Refer to section 5.15

PART 10 – REGULAR AND SPECIAL COMMITTEE OF THE WHOLE MEETINGS

10.1. Order of Business

- (1) The Clerk shall cause to be prepared for the Regular Committee of the Whole Meetings a meeting agenda that shall conform to the following order of business:
 1. Call to Order
 2. Confirmation of Agenda
 3. Disclosure of Pecuniary Interest and the General Nature Thereof
 4. Deputations
 5. Comments from the Audience (on items listed on the agenda)
 6. Items for Consideration
 7. Items for Consent
 8. Closed Meeting
 9. Adjournment
- (2) Committee of the Whole shall dispense with the business of Committee of the Whole in the order by which it is presented in the meeting agenda, but Committee of the Whole may, by consent, change the order of business.
- (3) The Acting Mayor, in accordance with the monthly schedule shall preside as the Chair for Committee of the Whole Meetings.

10.2. Comments from the Audience

Refer to section 8.4

10.3. Items for Consideration

- (1) Under items for Consideration, Committee shall consider:
 - (i) staff reports; and

- (ii) staff reports and matters from previous Committee of the Whole meetings.

10.4. Items for Consent

- (1) Under Items for Consent, Committee shall consider reports deemed to be repetitive or routine in nature.
- (2) Any member, before the motion is voted on, shall identify any items contained on the items for consent which they wish to speak to and the matter shall be extracted from the consent agenda to be dealt with separately.
- (3) In the event that a member discloses a pecuniary interest on a motion that is included in the Items for Consent, that motion shall be removed and dealt with separately.

PART 11 – CLOSED MEETINGS

- (1) At any point during a meeting, Council or a Committee may close a meeting or part of a meeting to the public in accordance with s. 239 of the Municipal Act, as amended, provided that the resolution states the intention to close the meeting, the grounds for closing the meeting and the general nature of the matters to be considered.
- (2) Unless otherwise determined by the Clerk, closed meetings shall be scheduled at the beginning of the meeting of the regular or special meeting of Council, and shall recess at least ten minutes prior to the time scheduled for the commencement of the regular or special meetings.
- (3) Unless otherwise determined by the Clerk, closed meetings shall be scheduled immediately after the completion of the open regular or special Committee of the Whole meeting.
- (4) Any matters not completed at the recess of the closed meeting shall be continued at the conclusion of the open meeting, or placed on the next closed meeting agenda.
- (5) Upon completion of the closed meeting:
 - (i) the Members shall immediately reconvene in open session; and
 - (ii) the Presiding Officer of the closed meeting shall report the results thereof.

11.1. Order of Business

The Clerk shall prepare for the use of the Members at Closed Meetings an agenda that shall conform to the following order of procedure:

- 1. Call to Order
- 2. Disclosure of Interest and the General Nature Thereof
- 3. Questions regarding Closed Meeting Minutes of previous meetings

4. Items for Consideration
5. Motion to return to open session meeting

11.2. Opening Procedure for Closed Meetings

Before a meeting is closed, a motion shall be made in open session and carried identifying:

- (i) the fact of the holding the closed meeting;
- (ii) the general nature of the items to be discussed; and
- (iii) the subsection(s) of the Municipal Act, which authorizes each item to be considered at the Closed meeting.

11.3. Disclosure of Pecuniary Interest at Closed Meetings

Any Member shall, prior to any consideration of any matter at a Closed Session meeting, disclose any pecuniary interest and the general nature thereof in accordance with the provisions of section 3.5.

11.4. Procedures for Closed Meetings

- (1) The rules governing the procedure of Council and the conduct of Members shall be observed in Closed Session meetings.

11.5. Investigator Reports

- (1) Where Council is in receipt of a report from the ombudsman or an investigator reporting their opinion that a Meeting or part of a Meeting appears to have been closed to the public contrary to the provisions of Section 239 of the Act or the provisions of this By-law, Council shall pass a Resolution confirming how it intends to address the report.

PART 12 – RULES OF PROCEDURE

12.1. Duties of the Presiding Officer

- (1) It shall be the duty of the Presiding Officer to:
 - (i) ensure that a quorum is established and maintained throughout the course of the meeting;
 - (ii) open the meeting by taking the Chair and calling the Members to order;
 - (iii) announce the business before Council in the order in which it is to be acted upon;
 - (iv) receive and submit, in the proper manner, all motions presented by the Members;

- (v) put to a vote all motions which are duly moved, or arise in the course of proceedings, and to announce the result;
- (vi) decline to put to a vote all motions that infringe upon the Rules;
- (vii) restrain the Members, within the Rules, when engaged in debate;
- (viii) enforce on all occasions the observance of order and decorum among the Members;
- (ix) order any person persisting in breach of the Rules to vacate the meeting place in accordance with the Rules;
- (x) receive all messages and other communications and announce them to the Council;
- (xi) authenticate, by signature when necessary, all By-laws, resolutions, and minutes of Council;
- (xii) inform Council, when necessary or when referred to for that purpose, of a ruling on a point of order or a point of personal privilege;
- (xiii) represent and support Council declaring its will, and implicitly obeying its decisions in all things;
- (xiv) ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of Council;
- (xv) recess the meeting where necessary in accordance with the Rules;
- (xvi) call for adjournment of the meeting when the business is concluded; and
- (xvii) adjourn the meeting without question, or suspend the meeting to a time to be named, in the case of a grave disorder.

12.2. Rules of Decorum

- (1) No Member shall:
 - (i) use offensive words or language in or against any Member or to speak disrespectfully of any Member;
 - (ii) speak on any subject other than the subject in debate;
 - (iii) criticize any decision of the Council except for the purpose of moving that the question be reconsidered;
 - (iv) disobey the Rules; or
 - (v) disobey the rulings of the Presiding Officer or of the Council on questions respecting the interpretation or application of the Rules except for the purpose of appealing the decision in accordance with the Rules.
- (2) No Member shall speak until recognized by the Presiding Officer.

- (3) When the Presiding Officer is putting a motion to a vote, no Member shall leave or make a disturbance.
- (4) If any Member desires to leave a meeting prior to the adjournment thereof and not return, the Member shall so advise the Presiding Officer and the Clerk, and the Member's departure shall be recorded in the minutes.
- (5) Should a quorum be lost due to the departure of one or more Members prior to the adjournment of a meeting, the Clerk or designate shall declare the meeting adjourned.
- (6) The Presiding Officer may declare a recess at any point during a meeting to enable any unusual circumstance or condition that has arisen to be addressed.
- (7) The Presiding Officer shall recess the meeting for a minimum of ten minutes after two (2) hours have passed, unless there is unanimous consent to continue without such.

12.3. Rules of Procedure Respecting Motions

- (1) The Presiding Officer shall not permit debate on a motion or put a motion to vote until the motion is formally seconded.
- (2) When a motion is presented, it shall be read by the Mover of the Motion or the Clerk when directed by the Presiding Officer, before debate.
- (3) A motion that has been duly seconded may be withdrawn subject to the following provisions:
 - a) A motion can only be withdrawn by the mover with the consent of the seconder; and
 - b) Withdrawal of a motion shall be in order at any time during debate.
- (4) A motion containing two or more distinct proposals may be divided at the request of a Member, and each part considered separately.
- (5) A main motion shall receive disposition before any other motion can be considered, except in respect of matters listed below and according to the listed priorities, namely:
 - (i) to defer the motion under consideration to a definite date;
 - (ii) to defer the motion under consideration indefinitely;
 - (iii) to refer the motion under consideration to a committee or staff for a report;
 - (iv) to amend the motion under consideration;
 - (v) to put the question (to end debate on the motion under consideration);

- (vi) to recess; and
 - (vii) to adjourn.
- (6) A motion to recess:
- (i) is permissible when there is business for consideration;
 - (ii) shall specify the length of time of the recess;
 - (iii) is not debatable except with regard to the length of the recess;
 - (iv) shall be amendable with respect to the length of the recess; and
 - (v) is not in order when a Member is speaking or during a vote.
- (7) A motion to adjourn:
- (i) is not amendable;
 - (ii) is not debatable;
 - (iii) is not in order when a Member is speaking or during a vote; and
 - (iv) when resolved in the negative, cannot be made again until the Presiding Officer has deemed sufficient business has been conducted in the intervening time.
- (8) A motion to defer:
- (i) may or may not state a definite time or date as to when the matter shall be further considered;
 - (ii) shall state the reasons for the deferral;
 - (iii) shall apply to the main motion and to any motions to amend the main motion that are on the table;
 - (iv) is not debatable except with regard to the appropriateness and terms of the deferral motion; and
 - (v) is not amendable except with regard to the terms of the deferral.
- (9) A motion to refer:
- (i) shall include the reasons for the referral;
 - (ii) may or may not include the time or conditions under which the matter is to be returned for consideration;
 - (iii) is not debatable except with regard to the appropriateness and terms of the referral motion; and
 - (iv) is not amendable except with regard to the terms of the referral.
- (10) A motion to amend:

- (i) shall be relevant to the main motion;
 - (ii) shall not be directly contrary to or propose a direct negative to the main motion;
 - (iii) shall be debatable;
 - (iv) shall not itself be amended more than once; and motions to amend shall be put to a vote in reverse order from which motions to amend are put forward, and should the motion to amend be carried, the main motion shall then be considered as amended; and
 - (v) Friendly amendments: Notwithstanding the foregoing, a motion to amend shall not be required where the mover and seconder of the main motion agree to reword the main motion to accommodate a proposed amendment.
- (11) A motion to call the vote:
- (i) is not permissible until every Member present has had the opportunity to speak to the question at least once;
 - (ii) is not amendable; and
 - (iii) is not debatable; and upon adoption, the Presiding Officer shall forthwith put the main motion and all amendments thereto to a vote.
- (12) A motion to move into Committee of the Whole or a motion for the Committee of the Whole to rise and report shall not be amendable or debatable.
- (13) No dilatory motion shall be entertained by the Presiding Officer, including:
- (i) any motion made subsequent to a motion that was lost that is substantially the same as the lost motion where, in the opinion of the Presiding Officer, the motion is made for the purpose of delay or to frustrate; or
 - (ii) any motion made that is absurd or frivolous, or that can not be effected;
- (14) Any Member who wishes to introduce a motion that is contrary to a motion that has been adopted shall employ the reconsideration procedures as set out in Part 12.5 of this By-law.

12.4. Voting on Motions

- (1) No vote shall be taken in a meeting by ballot or by any other method of secret voting.
- (2) The Presiding Officer shall be entitled to vote on any question, but is not required to vote unless:
 - (i) a Member has requested a Recorded Vote; or
 - (ii) the votes of all other Members present produces an equality of votes.

- (3) Immediately preceding the taking of the vote on a motion, the Presiding Officer may read the motion or request the Clerk to read the motion in the form introduced and shall do so if requested by a Member, and the motion shall be stated in the form in which it will be recorded in the minutes.
- (4) After a motion is put to a vote by the Presiding Officer, no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.
- (5) A member can request that a motion containing separate proposals be dealt with separately, a separate vote shall be taken upon each proposal contained in a motion.
- (6) The manner of determining the decision of Council on a motion shall be by show of hands, and the Presiding Officer shall determine the adequacy of the show of hands, and upon being satisfied with the adequacy of the show of hands, the Presiding Officer shall declare the results of the vote by stating that the motion is carried or that the motion is lost, as appropriate.
- (7) Where a Member elects not to vote, and abstains, the action shall be considered to be a negative vote to the motion.
- (8) Any motion on which there is a tie vote shall be deemed to be lost.
- (9) During a meeting, if any Member disagrees with the declaration of the Presiding Officer that a motion has been carried or lost, the Member, immediately after the declaration by the Presiding Officer, may appeal the declaration and request that a Recorded Vote be taken, whereupon the Clerk shall poll the Council.
- (10) During a meeting, when a Member present requests a Recorded Vote on a motion, all Members present shall vote when polled by the Clerk, commencing with the Member who requested the recorded vote, by verbally indicating in favour of or opposed to, and the Clerk shall record the results of the vote in the minutes.
- (11) A Member may request a Recorded Vote immediately prior to, or immediately subsequent to the taking of a vote on a motion.

12.5. Rules of Procedure Respecting Reconsideration of a Matter

- (1) A motion to reconsider may be made by any Member, and shall require a majority vote of the Members present and voting on the Motion, and:
 - (i) is not debatable; however, the mover and seconder of a Motion to Reconsider may provide a brief and concise statement outlining the reasons for proposing such reconsideration;
 - (ii) is not amendable;

- (iii) shall not be in order if the action approved in the Motion to Reconsider cannot be reversed or if the original Motion has been implemented, resulting in a legally binding commitment that is in place on the date that a Motion to Reconsider is being debated;
 - (iv) shall be submitted in writing to the Clerk and form part of the agenda, when possible; and
 - (v) may be brought forward only twice in the twelve (12) month period from the date the Motion or matter was first decided.
- (2) If a Motion to Reconsider carries, reconsideration of the decided matter shall be the next order of business. Debate on the matter being reconsidered shall proceed as though it had never previously been considered.
 - (3) When a matter previously decided is brought before a succeeding Council, it shall be deemed new business and not a matter of reconsideration.
 - (4) A notice of reconsideration from the Ontario Land Tribunal (or any replacement thereof) shall not be deemed a reconsideration of a Council decision for the purposes of this By-law.

12.6. Rules of Debate

- (1) Every Member, prior to speaking to any question or motion, shall so indicate to the Presiding Officer through the raising of a hand of their desire to speak, and no Member shall speak until recognized by the Presiding Officer as having the floor.
- (2) When two or more Members raise their hands to indicate their desire to speak, the Presiding Officer shall determine who was the first to so indicate, and shall designate such Member as having the floor, and the subsequent Members who shall have the floor and the order of same, and the determination of the Presiding Officer in such respect shall not be subject to appeal.
- (3) All Members and Officials who are called upon to speak during a debate shall direct their comments and questions to the Presiding Officer.
- (4) When a Member is speaking, no other Member shall interrupt except to rise on a point of order or a point of personal privilege.
- (5) Any Member may request the Presiding Officer to read the motion under discussion at any time during debate, but such request shall not be made so as to interrupt another Member while speaking.
- (6) A member may initially speak on an item of business or motion for a maximum of three (3) minutes.
- (7) No member shall speak more than once on an item of business except to give an explanation, until every member who desires to speak on that item has spoken.

- (8) Any member, including the mover of the motion, wishing to speak on an item of business a second time may do so for a further maximum three (3) minutes.
- (9) Any member desiring to speak more than twice on the motion shall do so only at the discretion of the Presiding Officer.
- (10) A member may ask a question only for the purpose of obtaining information relating to the matter under discussion and said question must be stated concisely and asked only of the Presiding Officer, or through the Presiding Officer.
- (11) The mover may request the right to be the last member to speak on the motion.
- (12) The Presiding Officer shall appoint another Member to act as Presiding Officer:
 - (i) while temporarily being absent from the meeting; or
 - (ii) if they wish to put forward a motion.
- (13) When the Presiding Officer calls for the vote on a motion, each Member shall remain seated until the result of the vote has been declared by the Presiding Officer, and during such time no Member shall speak to any other Member or make any noise or disturbance.
- (14) In all proceedings of a meeting the Presiding Officer shall decide and rule upon all matters pertaining to the Rules.

12.7. Point of Order

- (1) A Member may raise a point of order at any time, including interrupting another Member who has the floor, to bring Council's or Committee's attention to:
 - (i) any breach of the Rules;
 - (ii) a deviation from the matter under consideration noting that the current discussion is not within the scope of the motion on the table; and
 - (iii) any other informality or irregularity in the proceedings of Council or Committee.
- (2) When a Member rises on a point of order, the Member shall ask leave of the Presiding Officer to raise the point of order and the Presiding Officer shall grant such leave, following which the Member shall state the point of order, and the Presiding Officer shall decide on the point of order and state their ruling on the matter.
- (3) Upon the raising of a point of order, no further discussion on the main issue shall be conducted until the Presiding Officer has decided and stated their ruling on the point of order.
- (4) Upon hearing the point of order, a Member shall only address the Presiding Officer for the purpose of appealing the Presiding Officer's ruling to Council or Committee.

- (5) If no Member appeals, the ruling of the Presiding Officer shall be final.
- (6) If a Member appeals the Presiding Officer's ruling on the point of order to Council or Committee, the Member shall have the right to give reasons for the appeal, following which the Presiding Officer shall have the right to reply with reasons, and the Council or Committee shall decide without further debate and the decision of Council or Committee shall be final.

12.8. Point of Personal Privilege

- (1) A Member may rise at any time on a point of personal privilege where such Member feels that their integrity, or the integrity of the Council, or the integrity of a Committee, or the integrity of anyone present at the meeting has been called into question by another Member or by anyone present at the meeting.
- (2) When a Member rises on a point of personal privilege, the Member shall ask leave of the Presiding Officer to raise the point of personal privilege and the Presiding Officer shall grant such leave, following which the Member shall state the point of personal privilege, and the Presiding Officer shall decide on the point of personal privilege and state their ruling on the matter.
- (3) Upon the raising of a point of personal privilege, no further discussion on the main issue shall be conducted until the Presiding Officer has decided and stated their ruling on the point of personal privilege.
- (4) Where the Presiding Officer rules that a breach of personal privilege has taken place, they shall demand that the offending Member or individual apologize and failing such apology shall require the Member or individual to vacate the meeting for the duration of the meeting as provided for in Part 12.9 of this By-law.
- (5) With the exception of providing an apology, the Member shall only address the Presiding Officer for the purpose of appealing the Presiding Officer's ruling of a breach of privilege.
- (6) If no Member appeals, the ruling of the Presiding Officer shall be final.
- (7) If a Member appeals the Presiding Officer's ruling on the point of personal privilege, the Member shall have the right to give reasons for the appeal, following which the Presiding Officer shall have the right to reply with reasons, and the Council or Committee shall decide if the ruling of the Presiding Officer is sustained without further debate and the decision of Council or Committee shall be final.

12.9. Expulsion for Improper Conduct

- (1) The Presiding Officer, where a warning or ruling has not been heeded, may expel any Member or person from the meeting place for improper conduct at the meeting, which for purposes of this Section shall include:

- (i) violation of the Rules;
 - (ii) interruption of the proceedings of Council or Committee;
 - (iii) making of disruptive noise or visible gestures;
 - (iv) campaigning for any political cause or outcome; or
 - (v) any other activity that impedes the conduct of the meeting.
- (2) Where the Presiding Officer expels any Member or person from the meeting, such Member or person shall vacate the meeting place forthwith.

PART 13 - ADVISORY COMMITTEES AND LOCAL BOARDS

13.1. Local Boards

- (1) Every local board shall adopt a procedure by-law to govern the calling, place and proceedings of meetings of the local board as required pursuant to the provisions of the Municipal Act, or another Act as the case may be, but until the local board has adopted a procedure by-law, the provisions of this By-law shall apply with the necessary adjustments.

13.2. Committees

- (1) All committees the County shall observe this By-law.

13.3. Committees of Council

- (1) Council may, from time to time, establish advisory, special and other Committees consisting of such members as Council may determine, to carry out such duties and responsibilities as may be set out in terms of reference approved by Council.
- (2) Council may, from time to time, establish working groups consisting of such members as Council may determine, in collaboration with Committee to take up a specific task or assignment, where the term of such committee is limited to the time required to complete, or evaluate as the case may be, the specific task or assignment.
- (3) Should any committee neglect or refuse to give due attention to any matter before it, the Council may, by resolution, discharge such committee and appoint another committee in its place, or disband the committee in its entirety.
- (4) Persons appointed to the committees are appointed for such term as defined by Council by resolution. Council may rescind any appointment at any time.
- (5) Should any member of the committee fail to attend three (3) successive meetings thereof without being authorized to do so by resolution of the committee, the committee may certify such failure and thereupon the membership of such person

on the committee shall be recommended to Council to be terminated and the Council, may appoint another member in their place.

- (6) All Committees have a clearly defined terms of reference document which outlines the mandate and parameters for committee activity. Committees are accountable to Council for its actions through the appropriate Committee Reports on Council agendas.
- (7) Council members appointed to a committee are voting members and form part of the members quorum.

13.4. Meetings of Committees

- (1) All meetings of committees shall be open to the public, except that committees may hold a Closed meeting or move into a Closed meeting to deal with matters that pursuant to s. 239 of the Municipal Act.
- (2) The person designated in the terms of reference for a committee as responsible for administrative support, herein referred to as the Committee Secretary, shall be responsible for preparing meeting agendas, issuing notice as required by this By-law, and preparation of meeting minutes.
- (3) The Committee Secretary, in collaboration with the CAO, Clerk, and Chair shall prepare the meeting agenda and provide the same to members of the committee, and to any member of the public, in accordance with section 5.8.
- (4) The Committee Secretary shall prepare minutes of all meetings of committees, in accordance with the provisions of section 5.9.
- (5) Minutes of all committees shall be circulated to all members of Council through the applicable Council agenda and posted on the website.

13.5. Presiding Officer for Committees and Local Boards

- (1) Council may designate the Chair of any committee, or allow the committee to elect a Chair from its members.
- (2) Where Council has not appointed a Chair, at the first meeting of each committee, the committee shall elect from its members a Chair for a one-year term, and the committee may at its discretion elect a Vice-Chair from its members for a one-year term.
- (3) The duties of the Chair, or in the absence of the Chair the Vice-Chair, the committee may designate any other member to preside over the meeting.

PART 14 - CONDUCT OF THE AUDIENCE

- (1) Members of the public who constitute the audience in the Council Chamber, or other such place where a Meeting is held in accordance with this Procedural By-law, during a Meeting, inclusive of electronic meetings shall respect the decorum of Council, maintain order and quiet and may not:
 - (i) address Council, or Committee without permission;
 - (ii) interrupt any speaker or action of the Members or any person addressing Council or Committee;
 - (iii) behave in a disorderly manner; or
 - (iv) make any noise or sound that proves disruptive to the conduct of the Meeting.
- (2) Placards, signs, posters, etc. or any advertising devices shall not be permitted in the Council Chambers, or any other location in which a Meeting is being conducted.
- (3) The Mayor or Presiding Officer may request that a member or members of the public vacate the Council Chambers or any other location in which Council, or Committee may conduct their business if their behaviour is deemed to be disruptive to the business at hand.

PART 15 – INTERPRETATION

15.1. Severability

- (1) 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 shall continue to be in full force and effect.

PART 16 – ADMINISTRATION

- (1) This By-law shall be administered by the Clerk, and designate.
- (2) By-law Number 4402-2019, as amended is hereby repealed.
- (3) This By-law shall come into full force and effect on the date of its passing.
- (4) The short title of this By-law is the “County Procedural By-law”.

Appendix 1 to By-law 16-2022

LIVE STREAMING POLICY AND PROCEDURE

POLICY

Regular and special meetings of Council, Committee of the Whole, Planning Committee, and Community Economic and Development Commission (CEDC) meetings held in the Council Chambers, or another applicable location shall be livestreamed.

The following meetings shall be exempt from live streaming:

- Proceedings of the Police Services Board and all Advisory Committees and working groups of Boards and Committees; and
- All closed session meetings.

PROCEDURE:

- 1) Members of the public or media may record the proceedings of meetings in keeping with the County's live streaming policy.
- 2) In accordance with the *Municipal Act*, minutes of meetings are to be recorded without note or comment by the Clerk or designate. The approved written minutes shall be the official record of all meetings.
- 3) Links will be created on the County's meeting management website to allow access to all live streamed meetings and posted on the County's YouTube Channel.
- 4) Uploaded electronic files will be stored and archived subject to the County's Records Retention By-law, as amended. Files will be presented where possible to ensure that AODA – Ontario Regulation 191/11 to meet accessibility compliance in accordance with WCAG 2.0 Level AA.
- 5) Access to recorded proceedings shall be in compliance with the *Municipal Freedom of Information and Protection of Privacy Act*.
- 6) Video files from live streaming that are on the internet are part of the public realm and as such are subject to alteration by a member of the public with no municipal control over such alterations. The County assumes no liability associated with any alterations that are made by a member of the public on the internet.
- 7) Signage shall be posted in the Council Chambers to advise members of the public that meetings are being broadcasted, recorded and available on the internet.
- 8) A notation will be added to all Council, Committee of the Whole, Planning Committee, and CEDC agendas to make presenters and members of the public aware that proceedings are being broadcasted, recorded and available on the internet.
- 9) The Presiding Officer shall make a statement at the commencement of Council, Committee of the Whole, Planning Committee, and CEDC Commission meetings to make presenters and members of the public aware that proceedings are being broadcast, recorded and available on the internet.

Appendix 2 to By-law 16-2022

VOTING PROCESS FOR ELECTING AN ACTING MAYOR, CHAIR, VICE CHAIR, AND OTHER OFFICERS OF COUNCIL A COMMITTEE OR LOCAL BOARD

Note this voting process will also be followed in the event that the Mayor's seat becomes vacant after March 31st in the year of a regular election as per the *Elections Act 1996, section 65(2)* and the *Municipal Act Section 263(1)*.

- The Clerk, Deputy Clerk or Recording Secretary shall conduct the Election of Office.
- The Election of Office for an Acting Mayor as noted above shall be conducted at a Council Meeting.

Step 1 – Nominations from the Floor

Members of Council, Committee or Local Board may nominate a member for Office (Nominations do not require a seconder, but it's not out of order for members to second a nomination to show their endorsement).

A person can nominate themselves.

Step 2 – Upon a member being nominated – the Clerk, Deputy Clerk or Recording Secretary will ask if the member nominated wishes to stand or decline the nomination.

Step 3 – With no further nominations being brought forward, the Clerk, Deputy Clerk or Recording Secretary will ask for a Motion to Close the Nominations.

Step 4 – Voting for a Member for Office, each Member of Council, Committee or Local Board shall vote only once for a Nominee in a round of voting, starting with the last nomination put forward.

If there are (2) Two Nominees for an Office, then the Nominee who received the majority of votes by a show of hands will be declared to Office by a Motion.

Tie Votes:

If the situation arises that both Nominees receive the same number of votes, then their names will be written on a piece of paper and placed in a box for a draw to be completed by the Clerk, Deputy Clerk or Recording Secretary. The result of the draw is final with the Nominee drawn being elected to Office.

If there are (3) Three or more Nominees for an Office, the Clerk or Recording Secretary will take a vote by a show of hands, starting with the last nomination put forward, and continue with the voting until the vote has been taken on the first Nominee.

The Nominee with the least number of votes is dropped from the next round of voting.

This voting process is repeated, with the Nominee who receives the least number of votes eliminated in each round, until such time as there are only (2) two Nominees to be considered for the Office. The Nominee who receives the majority of votes by a show of hands will be declared to Office by a Motion.

If the vote taken results in a tie vote, then the names of the (2) two Nominees are written on a piece of paper and placed in a box for a draw to be completed by the Clerk, Deputy Clerk or Recording Secretary. The result of the draw is final with the Nominee being declared to Office.

Step 5 – Motion to Confirm the Appointment to Office – if no Tie Vote for Office

The Clerk, Deputy Clerk or Recording Secretary will ask for a Motion to appoint the Nominee with the most votes, to the Office for which the election was held.

Note: Steps 1 to 5 are to be repeated for each Office to be elected.

Step 6 – By-law to be Enacted

A By-law shall be enacted to Appoint an Acting Mayor, for the Office of Mayor as a result of the Mayor's seat becoming vacant after March 31st in the year of a regular election.

Appendix 3 to By-law 16-2022

MEETINGS

Meetings open to public

239 (1) Except as provided in this section, all meetings shall be open to the public. 2001, c. 25, s. 239 (1).

Exceptions

- (2) A meeting or part of a meeting may be closed to the public if the subject matter being considered is,
- (a) the security of the property of the municipality or local board;
 - (b) personal matters about an identifiable individual, including municipal or local board employees;
 - (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
 - (d) labour relations or employee negotiations;
 - (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
 - (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
 - (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
 - (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
 - (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board. 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26.

Other criteria

- (3) A meeting or part of a meeting shall be closed to the public if the subject matter being considered is,
- (a) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
 - (b) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) of this Act, or the investigator referred to in subsection 239.2 (1). 2014, c. 13, Sched. 9, s. 22.

Educational or training sessions

(3.1) A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:

1. The meeting is held for the purpose of educating or training the members.
2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee. 2006, c. 32, Sched. A, s. 103 (1).

Resolution

(4) Before holding a meeting or part of a meeting that is to be closed to the public, a municipality or local board or committee of either of them shall state by resolution,

- (a) the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting; or
- (b) in the case of a meeting under subsection (3.1), the fact of the holding of the closed meeting, the general nature of its subject-matter and that it is to be closed under that subsection. 2001, c. 25, s. 239 (4); 2006, c. 32, Sched. A, s. 103 (2).

Open meeting

(5) Subject to subsection (6), a meeting shall not be closed to the public during the taking of a vote. 2001, c. 25, s. 239 (5).

Exception

(6) Despite section 244, a meeting may be closed to the public during a vote if,

- (a) subsection (2) or (3) permits or requires the meeting to be closed to the public; and
- (b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under a contract with the municipality or local board. 2001, c. 25, s. 239 (6).

Record of meeting

(7) A municipality or local board or a committee of either of them shall record without note or comment all resolutions, decisions and other proceedings at a meeting of the body, whether it is closed to the public or not. 2006, c. 32, Sched. A, s. 103 (3).

Same

(8) The record required by subsection (7) shall be made by,

- (a) the clerk, in the case of a meeting of council; or
- (b) the appropriate officer, in the case of a meeting of a local board or committee. 2006, c. 32, Sched. A, s. 103 (3).

Record may be disclosed

(9) Clause 6 (1) (b) of the *Municipal Freedom of Information and Protection of Privacy Act* does not apply to a record of a meeting closed under subsection (3.1). 2006, c. 32, Sched. A, s. 103 (3).