



County of Oxford

Procedure By-law

COUNTY OF OXFORD

BY-LAW NO. 5852-2016

BEING a By-law to establish County Council Procedures for governing the proceedings of the Council, the conduct of its members and the calling of meetings of the County Council of the County of Oxford and to repeal Procedure By-law No. 5532-2013.

WHEREAS, Section 238 of the *Municipal Act, 2001*, S.O. 2001, C. 25, provides that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings.

AND WHEREAS, County Council is desirous of repealing Procedure By-law No. 5532-2013 and on September 14, 2016 adopted CAO Report No. 2016-12 to repeal and replace the By-law in accordance with amendments contained within the Report.

NOW THEREFORE, the Council of the County of Oxford enacts as follows:

1. That the proceedings of the Council and its Committees, the calling and the place of meetings shall be governed by the provisions and regulations contained in this By-law.
2. That Schedule "A" is attached hereto and forms part of this By-law.
3. That this By-law may be cited and referred to as the "County of Oxford Procedure By-law".
4. That By-law No. 5532-2013 is hereby repealed.
5. That this By-law shall come into force and be effective on the date of third and final reading thereof.

READ a first and second time this 28th day of September, 2016.

READ a third time and finally passed this 28th day of September, 2016.

"David Mayberry"

DAVID MAYBERRY, WARDEN

"Brenda J. Tabor"

BRENDA J. TABOR, CLERK

COUNTY OF OXFORD

BY-LAW NO. **6007-2018**

BEING a By-law to amend By-law No. 5852-2016, a By-law establishing County Council Procedures for governing the proceedings of the Council, the conduct of its members and the calling of meetings of the County Council of the County of Oxford.

WHEREAS, Section 238 of the *Municipal Act, 2001*, S.O. 2001, C. 25, provides that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings.

AND WHEREAS, County Council is desirous of amending Procedure By-law No. 5852-2016 and on March 14, 2018 adopted CAO/Clerk Report No. CAO 2018-04 which outlined proposed amendments.

NOW THEREFORE, the Council of the County of Oxford enacts as follows:

1. That Schedule "A", forming part of By-law No. 5852-2016, be amended by implementing the proposed amendments as outlined in CAO/Clerk Report No. CAO 2018-04 adopted by County Council on March 14, 2018.
2. That Amended Schedule "A" is attached hereto and forms part of this By-law.

READ a first and second time this 28th day of March, 2018.

READ a third time and finally passed this 28th day of March, 2018.

"David Mayberry"

DAVID MAYBERRY,

WARDEN

"Brenda J. Tabor"

BRENDA J. TABOR,

CLERK

COUNTY OF OXFORD

BY-LAW NO. 6023-2018

BEING a By-law to further amend By-law No. 5852-2016, as amended by By-law No. 6007-2018, a By-law establishing County Council Procedures for governing the proceedings of the Council, the conduct of its members and the calling of meetings of the County Council of the County of Oxford.

WHEREAS, Section 238 of the *Municipal Act, 2001, S.O. 2001, C. 25*, provides that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings.

AND WHEREAS, County Council is desirous of amending Procedure By-law No. 5852-2016, as amended by By-law No. 6007-2018, and on May 23, 2018 adopted CAO/Clerk Report No. CAO 2018-09 which outlined proposed amendments.

NOW THEREFORE, the Council of the County of Oxford enacts as follows:

1. That Schedule "A", forming part of By-law No. 5852-2016, as amended by By-law No. 6007-2018, be amended by implementing the proposed amendments as outlined in CAO/Clerk Report No. CAO 2018-04 adopted by County Council on May 23, 2018.
2. That Amended Schedule "A" is attached hereto and forms part of this By-law.

READ a first and second time this 23rd day of May, 2018.

READ a third time and finally passed this 23rd day of May, 2018.

"David Mayberry"

DAVID MAYBERRY, WARDEN

"Brenda J. Tabor"

BRENDA J. TABOR, CLERK

COUNTY OF OXFORD

BY-LAW NO. 6211-2020

BEING a By-law to amend By-law No. 6023-2018, a By-law establishing County Council Procedures for governing the proceedings of the Council of the County of Oxford.

WHEREAS, Section 238 of the *Municipal Act, 2001, S.O. 2001, C. 25*, provides that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings.

AND WHEREAS, it is deemed necessary and expedient to amend Procedure By-law No. 6023-2018.

NOW THEREFORE, **the Council of the County of Oxford enacts as follows:**

1. THAT Section 3.3.2 be amended to read as follows: Notwithstanding Section 3.3.1, the Council shall not meet in regular session on the fourth Wednesday for each of the months of July, August and December, nor during the months of April and May in the year 2020, unless otherwise provided for by resolution of the Council;
2. THAT Section 3.6.6 be added and read as follows: Notwithstanding Sections 3.1 and 3.6.5, during any period where a provincial or municipal emergency has been declared to exist in all or part of the municipality under the *Emergency Management and Civil Protection Act*, a member of a council, of a local board or of a committee of either of them may participate electronically in a meeting and be counted in determining whether or not a quorum of members is present at any time during the meeting. This section shall apply to a meeting that is held in open session or closed to the public.
3. THAT these amendments to Procedure By-law No. 6023-2018 are hereby declared to be part of that By-law as though written therein.
4. THAT this By-law shall come into full force and effect upon passing.

READ a first and second time this 25th day of March, 2020.

READ a third time and finally passed this 25th day of March, 2020.

"Larry G. Martin"

LARRY G. MARTIN, WARDEN

"Chloé J. Senior"

CHLOÉ J. SENIOR, CLERK

COUNTY OF OXFORD

BY-LAW NO. 6249-2020

BEING a By-law to amend By-law No. 6023-2018, a By-law establishing County Council Procedures for governing the proceedings of the Council of the County of Oxford.

WHEREAS, Section 238 of the *Municipal Act, 2001*, S.O. 2001, C. 25, provides that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings.

AND WHEREAS, it is deemed necessary and expedient to amend Procedure By-law No. 6023-2018.

NOW THEREFORE, **the Council of the County of Oxford enacts as follows:**

5. THAT Section 3.6.5 be amended to read as follows: Members of council, of a local board or of a committee of either of them may participate electronically in a meeting which is open or closed to the public and be counted in determining whether or not a quorum of members is present subject to technology that promotes transparency with public viewing access; and member participation at the discretion of the Chair.
6. THAT this amendment to Procedure By-law No. 6023-2018 be hereby declared to be part of that By-law as though written therein.
7. THAT this By-law shall come into full force and effect upon passing.

READ a first and second time this 4th day of August, 2020.

READ a third time and finally passed this 4th day of August, 2020.

"Larry G. Martin"

LARRY G. MARTIN, WARDEN

"Chloé J. Senior"

CHLOÉ J. SENIOR, CLERK

By-law No. 5852-2016
Schedule “A”
as Amended by
By-law No. 6007-2018
and
By-law No. 6023-2018

**RULES OF ORDER AND PROCEDURES GOVERNING OXFORD COUNTY COUNCIL
AND ITS COMMITTEES, THE CALLING OF MEETINGS
AND THE CONDUCT OF ITS MEMBERS**

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1. DEFINITIONS

- 1.1 “Act” means the *Municipal Act, 2001 S.O. 2001, Chapter 25*, as amended from time to time.
- 1.2 “Ad Hoc Committee” means a committee, sub-committee or similar entity of which at least 50 per cent of the members are also members of Council, appointed by Council to review and report on a specific issue. Once the final report is delivered and a resolution of the Council is adopted concerning the specific issue, the Ad Hoc Committee is automatically dissolved.
- 1.3 “Business day” means the days of the week in which the Council or Committee shall conduct its business transactions and hold its meetings, excluding Saturday and Sunday or statutory holidays.
- 1.4 “Chair” means the position of the person appointed to preside, or presiding at, a meeting, whether that person is the regular presiding officer or not.
- 1.5 “Clerk” means the person duly appointed, by By-law pursuant to Section 228 of the *Act*, as the Clerk of the County.
- 1.6 “Closed Session” means a meeting of the Council or Committee that is not open to the public, pursuant to Section 239 of the *Act*.
- 1.7 “Committee” means any advisory or other committee created by Council, of which at least one member is also a member of Council, which is established under any Act with respect to the affairs or purposes of one or more municipalities.
- 1.8 “Committee of the Whole” means all members present sitting in Council. The purpose of this committee is to enable the Council to give detailed consideration to a matter under conditions of freedom approximating that of a committee. When sitting as Committee of the Whole, the results of votes taken are not final decisions of the Council, but have the status of recommendations which the Council is given the opportunity to consider further and which it votes on finally under its regular rules.
- 1.9 “Confidential matter” means those items of business discussed in *Closed Session*.
- 1.10 “Council” means the elected members of the County when they sit in deliberative assembly.
- 1.11 “County” means the County of Oxford.
- 1.12 “Deputy Warden” means the member of Council appointed, by By-law or resolution, pursuant to Section 242 of the *Act*, to act in the place of the head of Council (Warden) when the head of Council is absent or refuses to act or, when the office of the head of Council is vacant, and while so acting such member has all the powers and duties of the head of Council.
- 1.13 “Enclosure” means the part of the Council Chamber that is physically separate from the public gallery that accommodates Council members, staff and media seating.

- 1.14 “Ex-officio Committee Member” means a member has the right, but not the obligation, to participate in the proceedings of the committee, and is not counted in determining the number required for a quorum or whether a quorum is present at a meeting. Cannot attend a committee meeting if by attending a quorum of Council is created.
- 1.15 “Meeting” means an event wherein business is transacted for any regular or special purpose by the Council or local board, or a committee or sub-committee of either of them, as the case may be, where,
(a) a quorum of members is present, and
(b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, local board or committee.
- 1.16 “Member” means a candidate duly elected to hold office with the County of Oxford, pursuant to the Municipal Elections Act, 1996, S.O. Chap. 32, as amended; or, a person appointed by the Council to a Committee.
- 1.17 “Motion for Division of the Assembly” means a motion made after the Chair has stated the *Question*, requiring a vote, either about to be taken on a *Question*, or any other motion under consideration, or a vote previously taken and the results announced by the Chair, to be taken again by rising of each member present, and does not include a vote by show of hands.
- 1.18 “Personal Privilege” means a motion to *Raise a Question of Privilege*, of an urgent nature, that affects a right or privilege of the Council, Committee or of an individual member.
- 1.19 “Point of order” means a statement made by a member during a meeting, drawing to the attention of the Chair a breach of the rules of procedure.
- 1.20 “Privileged Motion” means a motion that does not relate to pending business, but that does relate to special matters of immediate and overriding importance which, without debate, should be allowed to interrupt the consideration of anything else. A Privileged Motion involves one of the five following motions, listed in ascending order of precedence: *Call for the Orders of the Day*, *Raise a Question of Privilege*, *Recess*, *Adjourn*, and *Fix the Time to Which to Adjourn*.
- 1.21 “Quasi-Judicial Board” means a local board or committee that has been delegated Council’s decision-making powers; for example, the Land Division Committee.
- 1.22 “Question” means a motion that has been appropriately placed before the Council or Committee. Only once duly recognized by the Chair and “on the floor” can a motion be debated and put to a question of the members for proper resolution (*Question On the Floor*).
- 1.23 “Quorum” means, in the case of Council, a majority of members (6) representing at least one-half of the lower-tier municipalities (4), pursuant to Section 237 of the *Act*. In the case of a Committee of Council, a majority of the whole number of members of the Committee, including the Chair.
- 1.24 “Rules of Procedure” means the rules and regulations provided in this By-law and, where necessary, Robert’s Rules of Order (Newly Revised).

- 1.25 “Recorded vote” means a vote taken on a matter of business, whereupon the Clerk duly notes the name of each member present and their vote in the minutes, as provided for in Section 246 of the *Act*. Section 246(2) specifically notes that a failure to vote by a member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.
- 1.26 “Secretary” means the person responsible for recording the Minutes of Council or committee meetings, the preparation of the agenda and the preparation of any resulting correspondence, as delegated by the Clerk.
- 1.27 “Steering Committee” means any advisory body, roundtable or other body Council establishes to advise on specific areas of interest, with members of the public and staff making up more than 50 per cent of the membership and Council members or other elected officials making up the rest.
- 1.28 “Substantive Motion” means any original main motion that introduces a substantive question as a new subject for the consideration of the Council, except one of the following:
1. to refer;
 2. to amend;
 3. to lay on the table;
 4. to postpone indefinitely or to another day certain; or,
 5. to adjourn.
- 1.29 “Warden” means the head of Council and the Chief Executive Officer of the County of Oxford, pursuant to Section 225 of the *Act*.

2. GENERAL PROVISIONS

- 2.1 The short title of this By-law is the “Procedure By-law.”
- 2.2 The rules and regulations contained in this By-law shall be observed in all proceedings of the Council and Committees appointed by Council. The rules and regulations contained herein that are discretionary and not mandatory under Statute may be temporarily suspended by a majority vote of the Council or Committee members present.
- 2.3 In respect to questions or concerns regarding these rules and regulations, the decision of the Chair presiding shall be final, subject to only an appeal to the Council, pursuant to Section 4.2.3. In the case of a conflict concerning the application of these rules, “Robert’s Rules of Order (Newly Revised)” may be consulted as an interpretative aid.
- 2.4 All meetings of the Council of the County of Oxford and all meetings of the Committees of Council shall be open for attendance by the public, except in the case of a *Closed Session*, as noted in Section 12.1.

3. COUNCIL MEETINGS

- 3.1 *PLACE*

The meetings of the Council of the County of Oxford shall be held at the Council Chamber adopted and used by the Council from time to time for such purpose, pursuant to Section

236 of the Act, with allowance that *Closed Session* may be held in an adjacent room to the Council Chamber. In the case of an emergency, Council may hold its meetings and keep its public offices at any convenient location within or outside the municipality.

3.2 *INAUGURAL MEETING*

The Inaugural Meeting of the municipal Council of the County of Oxford after a regular election held pursuant to Sections 3, 4 and 5 of the *Municipal Elections Act*, S.O. 1996, Chap. 32, shall be held on the Tuesday immediately preceding the second Wednesday of December at 7:30 o'clock in the evening. This Inaugural Meeting will be only for the purposes of Filing of Certificates, presenting Declarations of Office and Oaths of Allegiance, and electing the Warden and Deputy Warden pursuant to the provisions of Sections 4.1 and 5.1.

Note: *Municipal Elections Act*, 1996, S.O. 1996, c. 32 – Subsection 6 (1) - The term of all offices to which this Act applies is four years, beginning on November 15 in the year of a regular election. Subsection 6 (1.1) - Despite subsection (1), with respect to the 2018 election, the term of all offices to which this Act applies shall begin on December 1, 2018 and end on November 14, 2022.

3.3 *REGULAR COUNCIL MEETINGS*

3.3.1 After the Inaugural Meeting, the Council shall meet in regular session on the second Wednesday of every month, commencing at 9:30 o'clock in the morning, and on the fourth Wednesday of every month, commencing at 7:00 o'clock in the evening, unless otherwise provided for by resolution of the Council.

3.3.2 Notwithstanding Section 3.3.1, the Council shall not meet in regular session on the fourth Wednesday for each of the months of July, August and December, unless otherwise provided for by resolution of the Council.

3.3.3 The Clerk shall cause the public notice of regular meetings to be published on the County's Website at the beginning of each calendar year, allowing two weeks prior to the first regular meeting.

3.3.4 If such Council meeting day is a public or civic holiday, the Council shall meet at the same hour the next following business day which is not a public or civic holiday unless otherwise provided for by resolution of Council.

3.3.5 As soon after the time appointed for a meeting of the Council as a quorum is present, the Warden shall assume the Chair and call the meeting to order.

3.4 *SPECIAL COUNCIL MEETINGS*

3.4.1 In addition to regular meetings, special meetings of the Council shall be held upon resolution of the Council, or written direction signed by the Warden or Deputy Warden in the absence of the Warden, whichever the case may be, delivered to the Clerk. The purpose of the special meeting can be to inquire or report on any matter considered of interest to the Council. The resolution or written direction will state the date, time and purpose of such meeting.

3.4.2 The Warden may, at any time, summon a special meeting of the Council on forty-eight (48) hours' notice to the members. The Warden shall summon a special meeting of the Council when requested to do so in writing by a majority of the members. In the absence

of the Warden, a special meeting may be called by the Clerk on a written requisition from the majority of the members of Council.

- 3.4.3 Notice of special meetings shall be given to all members of the Council in writing and such notice shall be delivered to each member electronically, personally, or delivered to their home or place of business at least forty-eight (48) hours before the hour set for such meeting. The notice shall state the business to be considered at such special meeting.
- 3.4.4 No business other than that stated in the notice shall be considered at such special meeting, except with the unanimous vote of the members present.
- 3.4.5 If a matter arises which, in the opinion of the Chief Administrative Officer in consultation with the Warden, is considered to be of an urgent or time sensitive nature, or which could affect the health or well-being of the residents of the County, or if a state of emergency is declared, or if so advised by a Provincial Ministry, the notice requirements of this by-law may be waived and the Clerk shall make his/her best effort to provide as much notice as is reasonable under the circumstances.

3.5 *ABSENCE OF WARDEN AND/OR DEPUTY WARDEN*

- 3.5.1 In case the Warden does not attend within fifteen (15) minutes after the time appointed for a meeting of Council, the Deputy Warden shall call the meeting to order and preside as Chair.
- 3.5.2 In case the Deputy Warden is unable to attend the meeting, the members will, by resolution duly moved and seconded, appoint a Chair. While so presiding, the Chair shall have all the powers of the head of Council.
- 3.5.3 Should the Warden or Deputy Warden, as the case may be, arrive after the meeting has been called to order, the presiding officer shall relinquish the position of the Chair to the Warden, or Deputy Warden as the case may be, immediately after the current item of business on the Council Orders of the Day is considered or otherwise disposed.

3.6 *ABSENCE OF A COUNCIL MEMBER OTHER THAN THE WARDEN OR DEPUTY WARDEN*

- 3.6.1 If a person who is a member of the council of an area municipality and a member of County Council is **unable to act** as a member of those councils **for a period exceeding one month**, the council of the respective area municipality may appoint one of its members as an alternate member of County Council to act in place of the member until the member is able to resume acting as a member of those councils. This subsection does not authorize the appointment of an alternate head of Council of the County.
- 3.6.2 If the offices of a person who is a member of council of both an area municipality and the County **becomes vacant** and the vacancies will not be filled for a period exceeding one month, the council of the respective area municipality may appoint one of its members as an alternate member of County Council until the vacancies are filled permanently. This subsection does not authorize the appointment of an alternate head of Council of the County.
- 3.6.3 The council of an area municipality may appoint one of its members as an **alternate member** of County Council to act in place of a person who is a member of the councils of

the area municipality and the County when the person is unable to attend a meeting of County Council for any reason. This subsection does not allow for more than one alternate member during the term of council unless the seat of the member who has been appointed as an alternate member becomes vacant then another of its members may be appointed; the appointment of an alternate member to act in place of an alternate member appointed under subsection 3.6.1 or 3.6.2; or the appointment of an alternate head of Council of the County.

3.6.4 When an alternate member is appointed under subsection 3.6.1 or 3.6.2 or 3.6.3 the following rules will apply:

1. The area municipality will advise County Council of any appointment in writing providing a certified appointment resolution.
2. An alternate member shall take the Oath of Office, administered by the Clerk, prior to taking their seat on County Council.
3. An alternate member shall not represent a County Councillor at an Inaugural meeting, or any County board or agency.
4. An alternate member may, in the absence of the County Councillor, participate at meetings of County Council, its committees and information sessions.
5. Upon notice under subsections 3.6.1 and 3.6.2, the County Councillor's compensation and expense reimbursement eligibility will cease and will be provided to the alternate member in the same manner.
6. An alternate member, appointed at the discretion of an area municipality under subsection 3.6.3, shall not receive compensation and expense reimbursement by the County for any meetings of County Council they are required to attend in the absence of the County Councillor.
7. An alternate member, appointed under subsection 3.6.3, shall not be eligible to be reimbursed for attendance at conventions, seminars, or training.
8. An alternate member, appointed under subsections 3.6.1, 3.6.2, and 3.6.3, while acting in their capacity, shall be governed by all applicable policies of the County such as but not limited to the Council Code of Conduct.
9. An alternate member, appointed under subsections 3.6.1 and 3.6.2, shall have access to applicable support resources such as but not limited to the County's Integrity Commissioner.
10. A County Councillor requesting an alternate member, under subsection 3.6.3, to act in their place at a meeting will advise the County Clerk's office by email forty-eight hours in advance of the meeting to enable the alternate member access to Closed Session items.

3.6.5 Members of council, of a local board or of a committee of either of them may participate electronically in a meeting which is open or closed to the public and be counted in determining whether or not a quorum of members is present subject to technology that promotes transparency with public viewing access; and member participation at the discretion of the Chair.

3.7 *NO QUORUM PRESENT*

Within one-half (1/2) hour after the time appointed for the meeting of the Council, if a *quorum* is not present, the Clerk shall record the names of the members of Council present and the meeting shall be deemed adjourned until the next regular meeting day, subject to the provisions of Section 3.3.2.

3.8 *PECUNIARY INTEREST*

As required by any Statute of the Province, at the commencement of a meeting, or prior to considering a Motion under New Business, or at the first meeting attended thereafter, if a member is absent from the meeting, a member shall disclose any direct or indirect pecuniary interest and state the general nature of such interest and it shall be recorded by the Clerk in the minutes. In the case of items to be discussed in a *Closed Session*, the member shall leave the meeting and shall take no action to participate in, or influence, the vote of the other members when said item is to be resolved by Council.

Note: Changes to the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50 will come into effect on March 1, 2019 which will include an exception when considering a penalty; a requirement for a written statement regarding disclosure; rules regarding member influence; and a requirement to establish a registry.

3.9 *MEETING CANCELLATION*

3.9.1 When it is deemed to be advisable, the Warden is authorized to change the date and/or time of, or cancel, the next regular Council meeting subject to agreement of the majority of the members of Council, having been polled by the Clerk.

3.9.2 In the case of a local board or committee, the Chair is authorized to change the date and/or time of, or cancel, the next regular meeting subject to agreement of the majority of the members of the local board or committee, having been polled by the Secretary.

4. WARDEN

4.1 *ELECTION*

Section 233 of the *Act* requires the Council to appoint the head of Council ("Warden") at its first meeting. No other business of Council shall be conducted until the head of Council is confirmed.

For the appointment of the Warden, the following regulations and procedures shall be followed:

4.1.1 The Warden shall be elected by open vote during the Inaugural Meeting of Council.

4.1.2 Each member of Council shall have one vote and shall not abstain from voting.

4.1.3 The Clerk will preside over the election.

4.1.4 In advance of accepting any nominations, the Clerk shall announce the name of a person in attendance at the Inaugural Meeting, but not a member of Council, who will draw ballots to decide on any equality of votes. The person may be a local judge.

4.1.5 Each nomination motion shall be in writing, and duly seconded.

4.1.6 Where more than one nominee stands for election, a vote shall be taken.

4.1.7 To be elected as Warden, a nominee shall obtain a vote of the majority of the members present.

- 4.1.8 In conducting the vote, the Clerk shall call the names of the members alphabetically and each member shall, after their name is called, verbally indicate the name of the nominee they are supporting.
- 4.1.9 If there are more than two nominees who agree to stand and, if upon the first vote, no nominee receives the majority required for election, the name of the nominee receiving the least number of votes shall be dropped from the ballot. The Council shall proceed to vote anew and so continue until either:
1. a nominee receives the majority required for election at which time such nominee shall be declared elected; or
 2. if it becomes apparent by reason of an equality for the least number of votes that one nominee cannot be dropped, then the Clerk shall place the names of the candidates with the least votes on equal size pieces of paper in a box and one name shall be drawn by the person chosen in accordance with Section 4.1.4 and the name of that nominee shall be dropped from the ballot.
 3. and further, once the nominee to be dropped has been decided, all the remaining nominees, including the leading candidate(s), will be placed on the next ballot.
- 4.1.10 In the case of an equality of votes for Warden where only two nominees remain, the successful nominee shall be determined by the Clerk who will place the names of the nominees on equal size pieces of paper in a box and one name shall be drawn by the person chosen in accordance with Section 4.1.4 and that nominee shall be the successful candidate.
- 4.1.11 When a nominee has received a majority vote of Council, there shall be no further ballots.
- 4.1.12 The successful nominee, upon being named Warden by the Clerk, shall take an oath of office prior to taking any further action in this capacity as head of Council and Chief Executive Officer. This oath is to be administered by a Judge or the Clerk.

4.2 *DUTIES*

- 4.2.1 It shall be the duty of the Warden or other duly appointed presiding officer:
1. to act as Chief Executive Officer of the Municipality;
 2. to preside as Chair over Council meetings so that its business can be carried out efficiently and effectively;
 3. to provide leadership to the Council;
 4. to provide information and recommendations to the members of Council with respect to Council's role to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
 5. to provide information and recommendations to the members of Council with respect to Council's role to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
 6. to represent the municipality at all official functions;
 7. to carry out the duties of the head of Council under the *Act* or any other Statute of the Province;
 8. to open the meeting of Council by taking the Chair and calling the members to order;

9. to announce the business before the Council in the order in which it is to be acted upon;
10. to receive, in the proper manner, all motions presented by the members of Council and to submit these motions as questions for proper debate;
11. to put to a vote all questions which are duly moved and seconded, or necessarily arise in the course of proceedings and to announce the results;
12. to decline to put to a vote motions which infringe upon the Rules of Procedure;
13. to restrain the members, within the Rules of Procedures, when engaged in debate;
14. to enforce on all occasions the observance of order and decorum among the members and those before Council;
15. to call by name any member persisting in breach of the Rules of Procedure, thereby ordering the member to vacate the meeting place;
16. to receive all messages and other communications and announce them;
17. to authenticate by his or her signature, when necessary, all By-laws and Minutes of the Council;
18. to inform the members of the Council, when necessary or when referred to for the purpose, on any point of order;
19. to represent and support the Council, declaring its will and implicitly obeying its decisions in all matters;
20. to ensure that the decisions of the Council are in conformity with the laws and By-laws governing the activities of the Council;
21. may be ex-officio a member of all committees of the Council;
22. to perform all other duties as defined by Council;
23. to adjourn the meeting without question in the case of grave disorder arising during the meeting, or suspend the sitting of Council, until a time to be named by the Warden; and,
24. to adjourn the meeting when the business of Council is concluded.

4.2.2 The Warden may, without leaving the Chair, speak to any question under consideration and prior to the question being disposed of by Council.

4.2.3 When the Warden is called upon to decide a point of order or procedure, the Warden shall state the rule or authority applicable to the case, and make a ruling, if necessary in consultation with the Clerk; and, if an objection is made to the ruling by at least two members, the Warden shall submit said ruling to a vote of Council, without debate, in the following words:

“SHALL THE RULING OF THE CHAIR BE SUSTAINED?”,

and the decision of the Council shall be final.

4.2.4 When two or more members concurrently request to speak on an issue, the Warden shall name the member who is first to be heard and the other member(s) shall have the privilege of speaking thereafter in the order named by the Warden.

4.2.5 The Warden, except when disqualified to vote by reason of pecuniary interest or any other Statute of the Province, may vote on consideration of a motion for *Division of the Assembly*, and may vote with the other members on all questions.

4.2.6 When the Warden sees fit to exercise the right to vote on any question before the Council, the Warden may explain the vote.

4.2.7 As Chief Executive Officer of the County, the Warden shall:

1. uphold and promote the purposes of the municipality;
2. promote public involvement in the municipality's activities;
3. act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
4. participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.

5. DEPUTY WARDEN

- 5.1 Prior to the appointment of a Deputy Warden, the term of office for Deputy Warden will be decided by open vote during the Inaugural Meeting or a regular Meeting of Council. If the term is decided to be less than the full term of the present Council, nomination dates will be decided by open vote during the Inaugural Meeting of Council.
- 5.2 The appointment of a Deputy Warden will be in accordance with Section 4.1, with the necessary substitutions.
- 5.3 The Warden cannot be nominated or stand for appointment to the position of Deputy Warden.
- 5.4 The duties of the Deputy Warden are the same as noted in Section 4.2, but can only be exercised when the Warden is absent or refuses to act or his/her office is vacant, pursuant to the *Act* or any other Statute of the Province.
- 5.5 The duties of the Deputy Warden may include other duties as defined by Council.

6. ORDER OF BUSINESS

The order of business for the regular meetings of Council shall be as follows:

1. Call to Order
2. Approval of Agenda
3. Disclosures of Pecuniary Interest and the General Nature Thereof
4. Adoption of Council Minutes of Previous Meeting
5. Public Meetings
6. Delegations and Presentations
7. Consideration of Delegations and Presentations
8. Consideration of Correspondence
9. Reports from Departments (including presentations)
10. Unfinished Business
11. Motionsdeleg
12. Notice of Motions
13. New Business / Enquiries / Comments
14. Closed Session (agenda shall state the general nature of matters to be dealt with in closed session)
15. Consideration of Matters Arising from the Closed Session
16. By-laws (including Confirming By-law)
17. Adjournment

7. RULES OF CONDUCT OF MEMBERS

7.1 A member shall not:

1. speak disrespectfully of the Reigning Sovereign, of any member of the Royal Family, of the Governor-General of Canada, of the Lieutenant-Governor of any Province, of any member of the Senate, of any member of the House of Commons of Canada, or any member of the Legislative Assembly of the Province of Ontario.
2. speak on any subject other than the subject under debate;
3. criticize any decision of the Council or Committee, except for the purpose of moving in accordance with the provisions of Section 9.11 that the question be reconsidered;
4. disturb the Council or Committee by any disorderly deportment or conduct;
5. use profane or offensive words or insulting expressions;
6. disobey the rules of the Council or Committee or a decision of the Chair or the Council or Committee on points of order or on the interpretation of the Rules of Procedure;
7. leave their seat or make any noise or disturbance while a vote is being taken or until the result is declared.

7.2 A member shall:

1. obtain the permission of the Chair to speak, prior to speaking to a question or motion;
2. have the right to speak first in debate, if he or she is the author of the *Question on the Floor* or other motion under consideration;
3. when intending to introduce a motion, do so immediately, but may preface the motion with a few words of explanation, of which such words must not become a speech;
4. when intending to amend a prepared motion, shall, prior to introducing the motion, preface the motion by explaining how the prepared motion has been altered, in a manner that does not become a speech;
5. when more than one member addresses the Chair at the same time, allow the Chair to name the member entitled to speak first, but may make a motion to change the priority of the speakers;
6. when they are called to order by the Chair, immediately cease speaking unless allowed to explain;
7. obey the ruling of the Chair, subject to appeal to the Council or Committee in accordance with Section 4.2.3.

7.3 If the Chair desires to leave the position of the presiding officer before adjournment and fails to call some member to the position of the presiding officer, the Council or Committee may appoint a member to preside over the meeting until the business of the meeting is finished.

7.4 No person other than Council members, representatives or employees of the County and representatives of the news media shall be allowed to come within the Council enclosure or to speak from the gallery during the meetings of Council without permission of the Chair.

8. RULES OF DEBATE IN COUNCIL

8.1 Every member, prior to speaking to any question or motion, shall rise from his or her seat and address the Chair.

- 8.2 Every member present at a meeting of the Council when a question is put to vote (*Putting the Question*), shall vote thereon unless prohibited by any Statute of the Province, in which case the Clerk shall so record in the minutes.
- 8.3 If any member present at a meeting of the Council when a question is put to a vote and a recorded vote is taken, does not vote, he or she shall be deemed as voting in the negative except where he or she is prohibited from voting by any Statute of the Province, pursuant to Sec. 246(2) of the *Act*.
- 8.4 If a member disagrees with the announcement of the Chair that a question is carried or lost the member may, but only immediately after the declaration of the result by the Chair, object to the Chair's declaration and request a recorded vote to be taken or make a motion for *Division of the Assembly*.
- 8.5 When a recorded vote is requested, either before or after the vote but before proceeding with the next item of business, the Clerk shall call the names of each member in alphabetical order starting with the name of the member so requesting, and the Clerk shall record the name and vote of every member on any matter or question.
- 8.6 When the Chair calls for the vote on a question, each member shall occupy his or her seat and shall remain in his or her place until the result of the vote has been declared by the Chair, and during such time no member shall speak to any other member or make any noise or disturbance.
- 8.7 When a member is speaking no other member shall pass between the speaker and the Chair, or interrupt the speaker except to raise a point of order.
- 8.8 Any member may require the *Question on the Floor* or motion under discussion to be read at any time during the debate but not so as to interrupt a member while speaking.
- 8.9 No member shall speak more than once to the same question without leave of the Council, except that a reply shall be allowed to be made only by a member who has presented the motion to the Council, but not by any member who has moved an amendment or a procedural motion.
- 8.10 No member shall speak to the same question, or in reply, for longer than four (4) minutes, without leave of Council.
- 8.11 A member may ask a question only for the purpose of obtaining information relating to the matter under discussion and such question must be stated concisely and asked only through the Chair.
- 8.12 Notwithstanding Section 8.11, when a member has been recognized as the next speaker, then immediately before speaking, such member may ask a question of or through the Chair on the *Question on the Floor* or matter under discussion but only for the purpose of obtaining information, following which the member may speak.
- 8.13 The following matters and motions with respect thereto may be introduced orally without written notice and without leave, except as otherwise provided by these Rules of Procedure:

1. a point of order;
 2. a privileged question;
 3. presentation of a petition;
 4. to adjourn;
 5. to lay on the table;
 6. to put the *Question on the Floor* to a vote.
- 8.14 The following matters and motions with respect thereto may be introduced without notice and without leave, but such motions shall be in writing signed by the mover and seconder, except as otherwise provided by these Rules of Procedure:
1. to amend;
 2. to suspend the Rules of Procedure;
 3. to postpone indefinitely;
 4. to postpone to a certain time;
 5. to go into the Committee of the Whole.
- 8.15 In all cases not listed in Sections 8.13 and 8.14, during the proceedings of the Council or in the Committee of the Whole, the matter or motion shall be decided by the Chair who may, if necessary, consult with the Clerk, subject to an appeal to the Council upon a point of order, in accordance with Section 4.2.3.

9. MOTIONS AND AMENDMENTS

9.1 NOTICE(S) OF MOTION

- 9.1.1 Notice of all new motions, except motions listed in Sections 8.13 and 8.14, shall be given in writing and duly signed at a meeting of Council or Committee, but shall not be debated until the next regular meeting of Council or Committee unless such motion is delivered to the Clerk or Committee Secretary at least six (6) full business days preceding the date of the meeting at which such motion is to be introduced; and such motion shall be printed in full on the Agenda for that meeting of the Council or Committee and each succeeding meeting until the motion is considered or otherwise disposed.
- 9.1.2 Notwithstanding Section 9.1.1, during Council's review and consideration of annual business plans and budgets, all amending motions shall be tabled in writing and duly signed as Notices of Motion to be debated at the Budget meeting specifically identified for budget debate. The Clerk will ensure that all such motions are printed in full on the Agenda for the meeting when debate is scheduled to occur.
- 9.1.3 When a member's *Notice of Motion* has been called from the Chair for two (2) successive meetings and not duly considered or otherwise disposed, it shall be dropped from the Agenda unless the Council or Committee otherwise decides.
- 9.1.4 If, at the third meeting, such *Notice of Motion* is put to a question by the Chair and not considered or otherwise disposed, it shall be deemed to have been withdrawn.
- 9.1.5 Any motion may be introduced without notice if the Council, without debate, dispenses with the notice requirements of Section 9.1, on the affirmative vote of at least two-thirds of the members present and voting.

9.2 *MOTION TO BE SECONDED*

A motion must be formally seconded before the Chair *States the Question* and can put the *Question* to a vote, or before the Clerk can record the motion and its result in the minutes.

9.3 *STATING THE QUESTION*

9.3.1 When a motion is presented in Council in writing, it shall be read aloud by the Chair.

9.3.2 Notwithstanding Section 9.3.1, at his or her discretion, the Chair may choose not to read the motion aloud.

9.3.3 When a motion is presented in Council orally, it shall be stated by the Chair and recorded by the Clerk before debate can occur.

9.4 *MOTION ULTRA VIRES*

A motion in respect of a matter which is beyond the jurisdiction of the Council or Committee shall not be in order.

9.5 *QUESTION ON THE FLOOR*

9.5.1 After a motion is stated by the Chair it shall be deemed to be in the possession of the Council or Committee but the motion may, with the permission of the Council, be withdrawn by the mover and seconder at any time before the *Question* is put or any amendment(s) made thereto.

9.5.2 A *Question on the Floor* for decision must duly be considered or otherwise disposed before any other motion can be received, except motions in respect of matters listed in Section 8.13.

9.5.3 A motion to refer a *Question On the Floor* to Committee of the Whole, a Committee of Council or an Advisory Body shall preclude all amendments of the main question until the motion to refer is duly considered or otherwise disposed.

9.6 *PREVIOUS QUESTION*

9.6.1 A motion for the *Previous Question* is the motion used to bring the Council to an immediate vote on one or more pending *Questions*. It has the effect of closing debate and preventing any further amendment of the *Question On the Floor*. It does not prevent the making of any *Privileged Question*, nor does it prevent a special order set for a particular hour from interrupting the pending business.

9.6.2 A motion for the *Previous Question* only can be moved using the following words:

“THAT THE QUESTION NOW BE PUT.”

9.6.3 A motion for the *Previous Question* cannot be proposed when an amendment, pursuant to Section 9.7, is under consideration.

9.6.4 A motion for the *Previous Question* is not allowed in Committees.

9.7 AMENDMENTS

9.7.1 A motion to *Amend* shall adhere to the following rules:

1. be presented in writing (*Primary Amendment*) and duly seconded;
2. be relevant or germane to the *Question On the Floor*;
3. not be used to amend something previously adopted;
4. not be worded such as to propose a direct negative of the *Question On the Floor*;
5. be duly considered or otherwise disposed of by Council or Committee before a previous amendment of the same question;
6. be amended only once (*Secondary Amendment*), and any further amendment must be to the main question;
7. be put to a vote in the reverse order to that in which it is so moved; and,
8. may be used to separate and dispose of distinct parts of a question.

9.8 PRIVILEGED MOTION

A *Privileged Motion* shall receive the immediate consideration of the Chair and when resolved the *Question On the Floor*, so interrupted, shall be resumed at the point where it was suspended.

9.9 DIVISION OF A QUESTION

A motion to *Divide* the *Question On the Floor*:

1. can be applied only when the main *Question* can be divided properly into parts that can be considered and acted upon if none of the other parts is adopted, and where the effect of adopting all the other parts will be exactly the same – no more, no less – as adoption of the main *Question*;
2. takes precedence over the main *Question*, or related amendments, but it cannot be made while an amendment to the main *Question* is pending;
3. is out of order when another member has the floor;
4. must be seconded;
5. is not debatable; and,
6. cannot be reconsidered.

9.10 MOTION TO ADJOURN

9.10.1 A motion to *Adjourn* shall always be in order, except as provided in Section 9.10.2

9.10.2 A motion to *Adjourn* is not in order when:

1. a member is speaking to the *Question On the Floor*;
2. a member has already indicated to the Chair that he or she desires to speak to the *Question On the Floor*;
3. proposed during a vote or during the verification of a vote; or,
4. proposed immediately following the affirmative resolution for the *Previous Question*.

9.10.3 A motion to *Adjourn* a regular meeting of Council must state the time at which the next session or meeting of Council is to be held.

9.10.4 A motion to *Adjourn* the final regular meeting of Council's term, wherein unfinished business remains at the time of adjournment, has the effect of causing said unfinished business to fall to the ground. Such business may be introduced at the next session of Council, however, the same as if it had never been brought up.

9.11 *RECONSIDERATION*

9.11.1 The purpose of reconsidering a vote is to permit correction of hasty, ill-advised, or erroneous action, or to take into account added information or a changed situation that has developed since the taking of a vote.

9.11.2 No discussion of a main question, once resolved, shall be allowed unless reconsidered.

9.11.3 After any question has been resolved, except a motion not subject to debate or one of indefinite postponement, any member who voted in the majority may make a motion for *Reconsideration* thereof.

9.11.4 A motion for *Reconsideration* shall include a statement by the mover of at least one valid reason why the main *Question*, so previously decided, must be reconsidered by Council.

9.11.5 No *Question* previously decided shall be reconsidered more than once.

10. **VOTING ON MOTIONS**

10.1 Immediately preceding the taking of the vote, the Chair shall state the *Question On the Floor* in the form introduced, in the precise form in which it will be recorded in the minutes.

10.2 After a *Question On the Floor* is stated by the Chair, 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.

10.3 Only members present when the *Question On the Floor* is stated by the Chair shall be entitled to vote on the question.

10.4 The manner of determining the decision of the Council or Committee on a *Question On the Floor* shall be decided prior to the vote being taken and at the discretion of the Chair, unless otherwise decided by Council or Committee, and may be by voice, show of hands, rising or otherwise, but shall never be by secret ballot, pursuant to Section 244 of the *Act*.

10.5 Whenever the vote in consideration of the *Question On the Floor* results in a tie, the question shall be deemed to have been resolved in the negative, except in the election of the Warden or Deputy Warden, whereupon the provisions of Section 4.1.9 shall apply.

11. **BY-LAWS, DELEGATIONS AND MINUTES**

11.1 *BY-LAWS*

11.1.1 Every By-law, previous to it being adopted by Council, shall receive three readings.

11.1.2 It shall be the duty of the Clerk to revise all By-laws after the first reading and after such revision, the Clerk shall initial same and certify on the said By-laws that the same are correct, and at every succeeding stage of such By-law, the Clerk shall be responsible to ensure the By-law correctness, should amendments be made thereto.

11.1.3 Upon the final reading and passing of any By-law, the same shall be numbered and certified by the signatures of the Warden and the Clerk and the seal of the County and the Clerk shall certify same with the date thereof at the foot of the By-law.

11.2 *DELEGATIONS AND PRESENTATIONS*

Persons desiring to present information on matters of fact, or to make a request of Council or Committee, shall notify the Clerk or Committee Secretary in advance of the meeting which they propose to attend, and may be heard by the Council/Committee, but shall be limited in speaking to a period of not more than fifteen (15) minutes, provided that a deputation consisting of more than five persons shall be limited to two speakers subject to a total limitation of fifteen (15) minutes; and provided further that Council or Committee may, by motion, lengthen the time for hearing of delegations.

11.3 *MINUTES*

11.3.1 The minutes of the Council or Committee shall consist of:

1. a record of the place, date and time of meeting;
2. the name of the Chair, a record of all members present, and the names of those absent;
3. the reading, if requested, correction and adoption of the Minutes of prior meetings;
4. all other proceedings of the meeting without note or comment.

11.3.2 At the close of each meeting or session, the Clerk or Committee Secretary will transcribe the proceedings of such meeting in the minute book and immediately after the Approval of the Agenda at the next meeting of Council or Committee, the minutes of the previous meeting shall be considered so that any errors therein may be corrected, and the Chair shall then sign such minutes in open Council or Committee. The Clerk or Committee Secretary shall ensure that a copy of the minutes of each meeting is delivered to each member of the Council or Committee at least forty-eight (48) hours prior to the next meeting of Council or Committee.

11.3.3 When a matter or *Question On the Floor* is referred from one meeting to the next, the Clerk or Committee Secretary shall record it as unfinished business and ensure the matter is brought forward as Unfinished Business before the Council or Committee at its next meeting.

12. **CLOSED SESSIONS**

12.1 A meeting, or part of a meeting, may be closed to the public (*Closed Session*) if the subject matter being considered is one or more of the following:

1. the security of the property of the County or a local board;
2. personal matters about an identifiable individual, including County or local board employees;

3. a proposed or pending acquisition or disposition of land by the County or local board;
 4. labour relations or employee negotiations;
 5. litigation or potential litigation, including matters before administrative tribunals, affecting the County or local board;
 6. the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 7. a matter in respect of which Council, a board, a committee or other body may hold a closed meeting under another Act;
 8. for the purpose of educating or training the members so far as the matter is not dealt with in a way that materially advances the business or decision-making of the Council, local board or committee;
 9. an ongoing investigation respecting the County, a local board or a municipally-controlled corporation by the Ombudsman of Ontario, a locally-appointed Ombudsman, or an appointed Closed Meeting Investigator;
 10. 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;
 11. 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;
 12. 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
 13. 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.
- 12.2 Meetings closed to the public must be closed by a motion to “Proceed into *Closed Session*” with the said motion, duly seconded and passed, stating the general nature of the matter(s) to be considered at the *Closed Session*.
- 12.3 Where the public is excluded from a meeting, or portion thereof, no vote may be taken except a vote on a procedural matter or for the giving of directions or instructions to officers, employees or agents of the County or persons retained by or under contract with the County.
- 12.4 The number of times a member may speak to any question shall not be limited during a *Closed Session*, provided that no member shall speak more than once until every member who desires to do so shall have spoken.
- 12.5 A member present at a *Closed Session* shall, prior to consideration of any matter, declare any pecuniary interest, direct or indirect, and the general nature thereof; and said member shall leave the *Closed Session*, or part thereof, during which the matter is under consideration. Said declaration shall be recorded in the minutes.
See Note at Section 3.8
- 12.6 The minutes for a *Closed Session* shall include the following:
1. the time and place of the meeting;
 2. those members in attendance and the presiding officer;

3. disclosures of pecuniary interest, if any, but not the general nature thereof; and
 4. directions given to officers, employees or agents of the County or persons retained by or under contract with the County.
- 12.7 A motion to adjourn a *Closed Session* shall always be in order and be decided without debate, except when a member is in possession of the floor.
- 12.8 Upon rising from a *Closed Session*, the Chair shall announce the result of the vote as it is to be recorded in the minutes.

13. COMMITTEE OF THE WHOLE

- 13.1 A member may motion to move into the Committee of the Whole in the following instances:
1. wherever questions will be asked of staff;
 2. where reports are being made by someone from outside of the Council;
 3. at any time when free discussion of an item is desired and the Council so decides.
- 13.2 The Warden, or Chair, may request the Deputy Warden, or another member in the case of the absence of the Deputy Warden, to assume the Chair of the Committee of the Whole.
- 13.3 The Rules of Procedure and the Rules of Conduct of Members shall be observed insofar as they are applicable, provided that:
1. the number of times of speaking on any question shall not be limited;
 2. no member shall speak more than once, except to make an explanation, until every member who desires to speak has spoken.
- 13.4 The proceedings of the Committee of the Whole shall not be entered into the minutes.
- 13.5 The report of the Committee of the Whole will be presented by the Chair of the Committee of the Whole, who presided at that time, in the form of recommendations to the Council. Said recommendations can then be given further consideration and properly disposed of by Council.
- 13.6 A motion to “rise and report” shall be decided without debate.
- 13.7 A motion to “rise without reporting” shall always be in order and shall take precedence over any other motion and, if carried, the subject referred to the Committee shall be deemed to have been disposed of in the negative, subject however to its *Reconsideration* if Council should so decide. The next order of business shall then proceed therewith.

14. COMPOSITION AND DUTIES OF COMMITTEES OF COUNCIL

- 14.1 Council may at any time, on motion of a member duly considered and agreed to in the affirmative, strike a Committee, Quasi-Judicial Board, Ad Hoc Committee or Steering Committee, as the case may be, to consider and report on any matter or to perform any special service within the spheres of jurisdiction of the County, pursuant to Section 11 of the *Act*. Unless specifically provided for in the striking resolution and/or by-law, such committee shall dissolve as soon as the services for which that committee was appointed are performed.

- 14.2 For every Committee and Quasi-Judicial Board established by Council, Council shall adopt a terms of reference, and this terms of reference shall be reviewed with each term of Council and prior to any new committee appointments.
- 14.3 The terms of reference adopted by Council under 14.2 above must include the:
1. composition of the committee, including term of office for lay appointments if the term does not coincide with the term of Council;
 2. committee mandate;
 3. specific duties, including delegated duties (if any); and
 4. requirement for a term report to provide a status update on the activities and accomplishments of the committee.
- 14.4 The powers and duties of Committees, Quasi-Judicial Boards, Ad Hoc Committees and Steering Committees shall be pursuant to the striking resolution and/or by-law of Council as adopted, giving direction, but shall not include the decision-making authority of Council, pursuant to Section 11 of the *Act*, except in the case of a Quasi-Judicial Board, or as otherwise explicitly provided for in the striking resolution and/or by-law.
- 14.5 Unless Council specifically sets out in the striking resolution and/or by-law, or unless legislation provides otherwise, the term of office for member appointments to committees shall coincide with the term of Council.
- 14.6 Unless the terms of reference provide otherwise, or unless legislation provides otherwise, the term of office for lay appointments to committees shall coincide with the term of Council or until their successors are appointed.
- 14.7 Lay appointments to Committees, Quasi-Judicial Boards, Ad Hoc Committees and Steering Committees shall be in accordance with the following procedure:
1. Where non-elected members (lay persons) are required to serve on any Committee, Quasi-Judicial Board, Ad Hoc Committee or Steering Committee, Council shall instruct the Clerk to publicly advertise these positions in consultation with the Manager of Strategic Communication and Engagement or designate.
 2. If an interview(s) with the applicant(s) is required with the Council or Striking Committee, said interview(s) will take place in a *Closed Session* of Council or the Striking Committee. A recommendation to the Council will be brought forward in a timely manner to ensure the composition of the Committee, Quasi-Judicial Board, Ad Hoc Committee or Steering Committee, as the case may be, is established by resolution and/or by-law.
- 14.8 A majority of the members of a committee is necessary to constitute a quorum.
- 14.9 The provisions of Section 3.7 apply if no quorum is present, with the necessary substitutions.
- 14.10 The *Order of Business* of meetings of Committees, Quasi-Judicial Boards, Ad Hoc Committees and Steering Committees shall be pursuant to Section 6 with the necessary substitutions and omissions.

- 14.11 The *Rules of Conduct* of the members of Committees, Quasi-Judicial Boards, Ad Hoc Committees and Steering Committees shall be pursuant to Section 7.
- 14.12 The *Rules of Debate* for Committees, Quasi-Judicial Boards, Ad Hoc Committees and Steering Committees shall be pursuant to Section 8, with the necessary substitutions, except Sections 8.9 and 8.10 shall not apply to limit the ability of or time allowed for any member to speak to a question or item under discussion.
- 14.13 Motions and Amendments thereto shall be considered in accordance with Section 9.
- 14.14 All decisions of the Committees, Ad Hoc Committees and Steering Committees shall be in the form of recommendations to Council, except as otherwise explicitly provided by Council resolution and/or by-law striking the committee, and shall be forwarded by the Secretary to the Clerk for inclusion in the Agenda of the next meeting of Council.
- 14.15 An employee of the County shall be the Secretary of the Committee, Quasi-Judicial Board, Ad Hoc Committee or Steering Committee and shall act as a resource person in a non-voting capacity.
- 14.16 No member will participate in a Committee, Quasi-Judicial Board, Ad Hoc Committee or Steering Committee meeting electronically.

15. WORKSHOPS AND INFORMATION SESSIONS

Workshops and information sessions are informal and broad discussions among a quorum or non-quorum of members with the assistance of staff and, as appropriate, with guests. Workshops and information sessions will be held at a location to be determined and made public. Sessions of this nature are for the purpose of educating or training the members and to seek Council insight and feedback. At no time shall a workshop or information session materially advance the business or decision-making of the Council, local board or committee.

16. REPEAL OR AMENDMENT OF THIS BY-LAW

- 16.1 This By-law is not to be amended or repealed except by a majority of all members of Council present.
- 16.2 No amendment or repeal of this By-law is to be considered at any meeting of the Council unless notice of the proposed amendment or repeal has been given at a previous regular meeting of the Council.

17. MISCELLANEOUS

For the purposes of this By-law, words used in the present tense include the future tense; words in singular number include the plural and words in the plural include the singular number; and, the word "shall" is mandatory.