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Corporation of the Township of Gillies
By-Law no. 2024-04

Being a by-law to govern the proceedings of council, the conduct of its members and the calling of meetings, and to repeal previous Procedural By-laws.

Whereas the *Municipal Act, 2001*, c. 25 s. 5(1) provides that the powers of a municipal corporation are to be exercised by its Council;

Whereas the *Municipal Act, 2001*, c. 25 s. 5 (3) provides that the powers of every council are to be exercised by by-law;

Whereas the *Municipal Act*, S.O. 2001, c. 25, s. 238 (2) requires municipalities to adopt a procedural by-law to govern the calling, place and proceedings of meetings;

Whereas section 238 (2.1) of the *Municipal Act, 2001* provides that the procedural by-law shall provide for public notice of meetings

Now therefore the Council for the Township of Gillies enacts as follows:

1.0 Definitions

1.1 “Act” means the *Municipal Act, 2001*.

1.2 “Acting Reeve” means to act on behalf of the Reeve when not available. Acting Reeves are appointed by by-law at the beginning of each term.

1.3 “By-law” means a local law. A by-law is enacted by Council to exercise a power provided by legislation. It is the most formal document used for complex and legal matters providing authority and direction for the Corporation to act on its own affairs.

1.4 “Clerk” means the person who has been appointed by the Council to fulfil the duties of a municipal clerk (as set out in the Act) for the Municipality.

1.5 “Closed Meeting” also known as “In Camera” means a meeting or part of a meeting that is closed to the public in accordance with the *Municipal Act, S.O., 2001*, s. 239.

1.6 “Committee” means any committee of Council, Advisory, Ad Hoc or other committee, sub-committee, or similar entity composed of one or more members of Council.

1.7 “Chair” means the Reeve or Acting Reeve of the Township or the presiding member of a Committee.

1.8 “Council” means the Council of the Township of Gillies.

1.9 “Deputations” means a maximum of two persons representing a group, who wish to provide information to Council.

1.10 “Electronic Participation” means the participation of a Council member in a meeting via an electronic device.

1.11 “Emergency” means a sudden, unexpected or impending situation that poses an immediate risk to health, life, damage to property, environment and/or interference with the normal activities of a person or corporation

which, therefore, requires immediate attention/action.

- 1.12 “Head of Council” means the Reeve of the Corporation of the Township of Gillies.
- 1.13 “Materially Advances” means to “substantially”, measurably or identifiably advance a matter/issue forward.
- 1.14 “Meeting” means any Regular, Special or other meeting of council, or a committee or either of them, where:
 - i) a quorum of members is present; and
 - ii) Members discuss or otherwise deal with any other matter in a way that may materially advances the business or decision-making of Council.
- 1.15 “Member” means a person duly elected or appointed to serve on Council or a committee of Council for the Township of Gillies.
- 1.16 “Minutes” means the record of the proceedings of a Meeting and shall be kept in a safe manner.
- 1.17 “Municipality” means the Corporation of the Township of Gillies.
- 1.18 “Pecuniary Interest” (Disclosure of Interest) means a pecuniary interest, direct or indirect, in any matter within the meaning of the Municipal Conflict of Interest Act.
- 1.19 “Public Meeting” means a Meeting held to hear public input, as may be prescribed by legislation, or where public input is sought on a matter.
- 1.20 “Quorum” means the majority of the eligible voting Members of Council.
- 1.21 “Recorded Vote” means the recording of the name and vote of every Member on any matter or question where any Member requests that the vote be recorded.
- 1.22 “Resolution” is a motion once it has been passed.
- 1.23 “Rules of Procedure” (Rules of Order) means the applicable procedural rules and rules of conduct contained in this By-law. The proceedings of Council and its Committees, the conduct of Members, and the calling of Meetings will be governed by the rules and regulations contained in this By-law. Where a matter being considered by Council arises that is not covered in this By-law, Robert’s Rules of Order (latest edition) shall apply.

2.0 Role of Council

As defined within the *Municipal Act, 2001*, 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) ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
- v) ensure the accountability and transparency of the operations of the Municipality;
- vi) maintain the financial integrity of the municipality; and
- vii) carry out the duties of Council under this or any other Act.

3.0 Role of the Head of Council

As defined within the *Municipal Act, 2001*, it is the role of the Head of Council to:

- i) act as the Chief Executive Officer of the Municipality;
- ii) preside over Council meetings so that its business can be carried out efficiently and effectively;
- iii) provide leadership to Council;
- iv) without limitations, to provide information and recommendations to the Council with respect to the role of Council described in section 2 (iv) above;
- v) carry out the duties of the Head of Council under this or any other Act.

The Head of Council, as Chief Executive Officer shall:

- i) uphold and promote the purposes of the municipality;
- ii) promote public involvement in the municipality's activities
- iii) act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, provincially and nationally;
- iv) participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.

4.0 Duties of the Reeve or Chair

It shall be the duty of the Reeve or Chair,

- i) to open the Meeting by taking the chair and calling the Members to order;
- ii) to announce the business before Council in the order in which it is to be acted upon;
- iii) to receive and submit, in the proper manner, all motions presented by the Members;
- iv) to put to vote all questions which are moved and seconded, or necessarily arise in the course of the proceedings, and to announce the result;
- v) to decline to put to vote motions which infringe the rules of procedure;
- vi) to enforce on all occasions the observance of order and decorum among the Members;
- vii) to call by name any Member persisting in breach of the rules or order of the Council, thereby ordering the Member to vacate the Council chambers;
- viii) to receive all messages and other communications and announce them to the Council;
- ix) to authenticate, by his/her signature, when necessary, all by-laws, resolutions and minutes of the Council;
- x) to inform the Council, when necessary or when referred to for the purpose, on a point of order or usage;
- xi) to represent and support the Council, declaring it's will, and implicitly obeying its decisions in all things;
- xii) to ensure that the decisions of Council conform to the laws and by-laws governing the activities of the Council;
- xiii) to adjourn the Meeting when the business is concluded;
- xiv) to adjourn the Meeting without question in the case of grave disorder arising in the Council chamber;
- xv) to order any individual or group in attendance at the Meeting to cease and desist any behaviour that disrupts the order and decorum of the Meeting and to order an individual or group to vacate Council Chambers where such behaviour persists.

- 5.0 Committees of Council, Advisory and Ad Hoc Committees
- 5.1 Appointments
Committees of Council, Advisory and Ad Hoc Committees may be appointed by Council at any time of the year as deemed necessary for consideration of matters within its jurisdiction. Appointments may consist of Members of Council and members of the public. Members of Council appointed to Committees must report to Council on Committee business on a regular basis.
- 5.2 Rules of Procedure
All Rules of Procedure outlined in this by-law shall apply to all Committees of Council, Advisory and Ad Hoc Committees.
- 5.3 Notification of Meetings
Meetings of Advisory Committees shall be held as determined by the appointed Chair of each advisory Committee, at a public location acceptable to the Members. The Chair shall give oral or written notification of the date, time and location of the Meeting to the Clerk, who shall post notice of the Meeting on the Municipal Website at least 24 hours prior to the holding of the Meeting.
- 5.4 Cancellation of Meetings
Upon oral or written notification given to the Clerk by the Chair, a Meeting may be cancelled as long as notice of the cancellation can be posted on the Municipal Website by the Clerk at least 4 hours prior to the intended start time of the cancelled Meeting.
- 5.5 Chair
The Chair, or an alternate Council Member who is a Member of the Committee, shall preside at all Meetings.
- 5.6 Committee Quorum
At least one council Member and one non-council Member must be present for quorum. If there is no quorum present within 15 minutes of the start time of the Meeting, the Meeting shall stand adjourned until rescheduled by the Chair, within the notice provisions of subsection 17 (a) of this by-law.
- 6.0 Meetings
- 6.1 Orientation for New Councillors
An orientation Meeting shall be held with new Members of Council. This Meeting shall allow the Clerk to provide new Members with an overview of the expectations of their elected office (e.g., inaugural Meeting, Committee expectations, process of Council, protocols at Meetings, Procedural By-law, review of policies, finance and a general overview of the Corporations' role and function).
- As appropriate and required, orientation Meetings / Education sessions shall be offered for new Members of Council on topics relevant to the Township's business. As appropriate and required, orientation Meetings / Education sessions shall be offered for all Members of Council on topics relevant to the Township's business. If any Council Member does not agree to an orientation/education session they shall, in writing with a date and signature, provide the Clerk with notice that they choose not to attend such training.
- 6.2 Inaugural Meeting of Council
The Inaugural Meeting of Council shall be in accordance with the

Municipal Elections Act.

6.2.1 Declaration of Office

All members of Council shall take the Declaration of Office or Alternate Option for Indigenous Persons prior to participating in any Meeting of Council.

6.2.2 Inaugural Agenda

The Inaugural Agenda shall include:

- i) Clerk call the meeting to order
- ii) Declaration of Office
- iii) Reeve's Inaugural Address
- iv) Reports – Administrative Matters
- v) Adjournment

6.3 Regular Meetings

6.3.1 Meeting Schedule

Regular Council Meetings shall be in accordance with the Procedural By-law. The Clerk shall provide Council with a copy of the schedule prior to the beginning of each year.

6.3.2 Meeting Locations

Regular Council Meetings shall be held in the Council Chambers of the Township of Gillies Municipal Office.

6.3.3 Cancellation of Meetings

The Clerk, in consultation with the Reeve, has the authority to cancel any Regular Meeting if it is determined there is no sufficient business to be conducted, provided notification has been given at a prior Meeting or within twenty-four (24) hours of the Meeting.

6.3.4 Time of Meeting

All Regular Meetings of Council shall be held in three-week intervals beginning May 13, 2024, and commence at 6:30 P.M. unless otherwise determined by Council.

6.3.5 Time of Meeting – Exception

Notwithstanding Section 6.3.4;
Meetings held in January will begin on the third Monday of the month.

6.3.6 Time of Meeting – Curfew

No new item of business may be dealt with at a Council Meeting after 10:00 PM, unless a resolution to extend the time has been passed.

6.3.7 Time of Meeting – Holiday

When the day for a Regular Meeting of Council is a public or civic holiday, Council shall, unless decided otherwise, meet at the same hour and place on the following day that is not a public or civic holiday.

6.3.8 Meeting to be Open to the Public

Meetings of Council shall be open to the public except as provided in the Act.

6.3.9 Notice of Regular Meeting

Notice of Regular Meetings shall be posted on the Township Website.

- a) The meeting agenda shall be posted online for members of the public.

6.3.10 Agenda: Regular Meeting

- i) Call to Order
- ii) Confirmation of the Agenda
- iii) Declaration of Pecuniary Interest
- iv) Adoption of Minutes
- v) Visitors and Deputations
- vi) Finances and Accounts
- vii) Municipal Reports (added to agenda when applicable)
 - Road/Landfill Reports
 - Fire Department Reports
 - Administrative Reports
 - Council Reports
 - Chief Building Official Reports
 - Any other Municipal Reports
- viii) Correspondence
- ix) Unfinished Business
- x) New Business
- xi) By-Laws
- xii) Closed Session
- xii) Adjournment

A copy of the Agenda shall be posted on www.gilliestownship.com by five (5) P.M. on the Friday preceding a Regular Meeting of Council, however, it is recognized that although all best efforts are made to meet this deadline there may be delays from time to time.

6.4 Special Meetings

In addition to regularly scheduled Meetings, the Reeve may at any time call a Special Meeting of Council by providing direction to the Clerk stating the date, time and purpose of the Special Meeting. Forty-eight hours (not including weekends or holidays) of written public notice shall be given.

In addition, The Clerk shall summon a Special Meeting of Council upon receipt of a petition of the majority of the Council Members for the purpose of and at the time and date in the petition. Forty-eight hours (not including weekends or holidays) of written public notice shall be given.

6.4.1 Agenda: Special Meeting

- i) Call to Order
- ii) Confirmation of the Agenda
- iii) Disclosure of Interest
- iv) Visitors and Deputations
- v) Finances and Accounts
- vi) Staff Reports
- vii) Closed Session
- viii) Adjournment

6.4.2 Restriction of Business stated on Agenda

The only business to be dealt with at any Special Meeting of Council shall be that stated in the notice/agenda of the Meeting.

6.4.3 Special Meeting – Location

Special Meetings will be held at the Township of Gillies Municipal Office in the area designated for Council Chambers, unless otherwise determined by Council.

6.5 Emergency Meetings

6.5.1 Call of Emergency Meetings without 48 hours' Notice

Notwithstanding this section the Reeve may, in the event of an emergency, call an emergency Meeting of Council without giving the

twenty-four (24) hours written notice of the Meeting, provided that the Clerk has diligently attempted to advise all Members of Council and relevant staff immediately upon being advised of the Reeve's intention to hold an emergency meeting.

6.5.2 Meeting Location

In the case of an emergency, Council in its sole discretion may hold its Meetings and keep its public offices at any convenient location within or outside the municipality.

6.5.3 Emergency Meeting Business

The only business to be dealt with at an Emergency Meeting shall be business dealing directly with the emergency or extraordinary situation.

6.5.4 Lack of Notice

The lack of receipt of a notice or, or an agenda for, an Emergency Meeting by any Member shall not affect the validity of the Emergency Meeting or any action taken.

6.6 Closed Meetings

6.6.1 Following of Rules

The Procedural By-law shall apply during Closed Meetings.

6.6.2 Resolution – Enter Closed Meeting

Members may, by Resolution, close a Meeting or part of a Meeting to the public in accordance with section 239 of the *Municipal Act 2001*.

6.6.3 Identification of Specific Section

The Clerk shall have the Closed Meeting agenda prepared, identifying the subject and qualifying section in accordance with Section 239 of the Act, under which each matter is to be considered in the Closed Meeting.

6.6.4 Agenda

The Clerk shall prepare a digital agenda and distribute the contents to Council. Contents shall be password protected; the password will be distributed to Council separately from the notice of digital agenda. All closed session material shall be deleted from council and the Clerks email. All deleted documents on the Clerk and Councils (email and computer trash can) computer shall be deleted. Any chat logs stored on Council's computer or tablet as a result of online meetings shall be deleted. The Clerk shall follow the retention schedule for the record keeping of closed material. Physical Closed Session documents will be kept in a locked and confidential location under the control of the Clerk. Digital Closed Session documents will be kept under the control of the Clerk and not in a location accessible to staff or the public.

6.6.5 Record of Meeting

The Clerk shall record without note or comment all procedural matters, direction at a Closed Meeting. Minutes shall be circulated by the Clerk at the following Closed Meeting for adoption.

6.6.6 Closed to Whom

For the purpose of a Closed Meeting, the meeting shall be closed to any person not appointed or elected to Council or a Committee. The Clerk may invite any person deemed appropriate for a specific item of business, to the closed portion of the meeting.

6.6.7 Additional Items for Discussion

Discussion during a Closed Meeting shall be limited to that stated by

Resolution. Additional items require public notice by Resolution in an Open Meeting to hold a Closed Meeting to discuss the additional item(s).

6.6.8 Procedural Matters – Giving Direction/Instructions

A Meeting shall not be closed to the public during the taking of a vote except as provided by the Act. Votes may only be taken for procedural matters, giving direction or instructions to staff or agents or others.

6.6.9 Confidentiality of Information

Council and/or Committee Members, staff and invited guests shall keep confidential any information:

- i) Disclosed or discussed at a Meeting that was Closed to the public. Obligation to keep information confidential applies even after the Member ceases to be a Member.
- ii) Received in confidence verbally in preparation of the Closed Meeting.

6.7 General Rules of Meeting

6.7.1 Rules of Procedure

Rules of procedure shall be provided for in this by-law and where not provided, as near as may be to that followed under the current revised version of Robert's Rules of Order.

6.7.2 Attendance

- i) Every Member of Council is required to attend all Meetings. The Clerk and necessary Department Heads will attend Council Meetings.
- ii) Notice of absence is to be provided to the Clerk prior to the regular meeting.

6.7.3 Members of Council – Municipal Staff

No Member, at any meeting, shall speak disrespectfully of, nor shall they use offensive language against any Member of Council, Committee(s) of Council, Municipal Staff, or any member of the public at a Meeting.

6.7.4 Vacating Seat During Meeting

A Member shall not leave their seat or the Meeting at any time without advising the Chair. Such absence, including the length of time absent, shall be recorded.

6.7.5 Apparel at Meeting – Dress Code

- i) The Dress Code for Members and staff is defined by the Corporate Dress Code Policy.
- ii) In addition to the Corporate Dress Code Policy, wearing of any hats, other than for religious purposes, are strictly forbidden by any Member or staff person. No Member or staff person shall wear clothing with offensive pictures, slogans, profane language statements or clothing that promotes causes, infringe on a person's human rights, or could be perceived or misconstrued as advertising of any entity.
- iii) No Member of the Public shall wear any apparel with offensive pictures, slogans, profane language statements or clothing that promotes causes, infringes on a person's human rights, or could be perceived or misconstrued as advertising of any entity.

7.0 Agenda

7.1 Regularly Scheduled Meetings

The Clerk shall deliver an agenda, including all associated reports and notice of a Closed Meeting to each member for each Meeting three (3) days preceding the date of the Council Meeting. The agenda cover sheet shall be posted on the Township Website.

7.2 Special Meetings

The Clerk shall circulate an agenda, including reports and notice of Closed Meeting for each Meeting to Council Members twenty-four (24) hours in advance of the Meeting. The agenda shall be posted on the Township Website.

7.3 Copy of Agenda

Any person may be provided, upon request to the Clerk, with a printed copy of the agenda package except that of the Closed Meeting, subject to fees as stated in the Fees and Charges By-law. The timeline to produce the material will vary depending on staff availability, typically a turnaround period will be 5 to 7 business days from date of request.

7.4 Order of Business

The business of the Council shall in all cases be taken up in the order in which it stands upon the agenda unless otherwise decided by the consensus of Council.

- i) Call to Order
- ii) Confirmation of Agenda - no material is provided, however, at this point in the Meeting, the assembly may pass a resolution to add to or subtract from the agenda, or to re-arrange the order of business to be presented. Any items added to the agenda will be included under the appropriate heading.
- iii) Disclosures of Interest - no material is provided, however, at this point in the Meeting, Members may declare pecuniary interests as provided for in the *Municipal Conflict of Interest Act*, or they may declare ethical or other interests in accordance with conscience.
- iv) Adoption of Minutes of Previous Meetings - the agenda will include draft minutes of prior Meetings.
- v) Visitors and Deputations - the agenda will list those persons who are scheduled to appear before Council.
- vi) Finances and Accounts - the payroll and account reports will be presented for adoption by Council, and any administrative reports of a financial nature, including budget presentations or variance reports, will be listed.
- vii) Reports - the agenda will include the general reports of municipal staff, Committees, Members, volunteers, and Council. These reports may be written or verbal. Council reports are limited to items that relate to Council duties.
- viii) Correspondence - the agenda will include any correspondence received by email, webmail, courier, delivery, or regular letter post, which requires or seeks action by the Council. Any correspondence so received that does not require a decision of Council such as, but not limited to, minutes from outside boards and agencies will be placed in a physical file for Council to review at their leisure. A Member may request the Clerk to place an item out of the Correspondence file onto the Agenda no later than the Wednesday prior to the meeting date.
- ix) Unfinished Business - the agenda will include reports or follow-up items relating to matters of previous business that are ongoing before the Council (or Committee, as applicable). This is also the section of the agenda where the Clerk will include any motions to reconsider prior decisions.

- x) New Business - any new municipal items for Council's consideration will be listed under this heading. Council may add New Business items to the agenda prior to approval of the agenda in an emergency or urgent situation.
- xi) By-laws - Council will consider by-laws presented. The full text of by-laws for passage will be included in the agenda package under this section.
- xii) Closed Session - Council (or Committee) will move into closed session to consider matters in accordance with Section 239 of the Act. The agenda will list the general reason, or reports, or memoranda presented, which are considered to be confidential. The Closed agenda package will include these reports and shall be treated as confidential documents.
- xiii) Adjournment - The Chair can adjourn a meeting without a motion if the time limit is met or if the agenda is complete. In addition, there does not need to be a motion to adjourn if there is imminent danger to the attendees. The agenda package will not contain information under this section.

8.0 Quorum – Call to Order

8.1 Quorum – Call to Order

If there is quorum at the time set for the start of the Meeting, the Chair shall call the Meeting to order.

8.2 No Quorum – Meeting Adjourned

In the event that a Quorum is not present within fifteen (15) minutes after the designated start time of the Meeting, the chair shall call the Meeting to order, announce the absence of Quorum, and immediately adjourn the Meeting. The Clerk shall record the names of the Members present and the Meeting shall stand adjourned.

8.3 Council Meeting – Reeve Absent

In the case where a Quorum is present at a Council Meeting and the Reeve has not attended within fifteen (15) minutes after the time appointed, the Deputy Reeve shall preside until the arrival of the Reeve and shall have all powers of the Chair for the purpose of chairing the Meeting.

8.4 Council Meeting – Deputy Reeve – Absent

In the absence of both the Reeve and Deputy Reeve, an Acting Chair shall be appointed by the Clerk, from among the Members present and they shall preside until the arrival of the Reeve or Deputy Reeve and shall have all the powers of the Chair for the purposes of Chairing the Meeting.

8.5 Meeting Adjourned – Not ended

If during the course of a Meeting Quorum is lost not relating to section 8.6, the meeting shall stand recessed. However, if a quorum is not regained within 10 minutes the meeting shall stand adjourned.

8.6 Quorum Lost – Pecuniary Interest

In accordance with the *Municipal Conflict of Interest Act*, **Section 7 (1)** then quorum is lost as a result of declarations of pecuniary interest by one or more Members, the remaining Members shall be deemed to constitute quorum, provided the number is not fewer than two.

9.0 Electronic Participation

As a result of passing Bill 197 by the Province of Ontario, the Municipal Act was amended to include electronic participation.

- i) Quorum – Members attending via electronic means are considered present and shall be counted for the purposes of quorum at the commencement and at any point during the meeting.
- ii) Closed Session – An electronic Meeting may include a Closed Meeting and shall be conducted in the absence of the public.
- iii) Public Notice – A public notice of an Electronic Meeting shall include sufficient information as to provide the public with a means to electronically access the open session meeting of such Electronic Meeting, in addition to any other applicable detailed notice requirements required by the Notice By-law.
- ix) After putting a motion to vote, the Member participating by Electronic Means will be required to identify verbally how he or she wishes to vote.
- xiii) The Chair will canvass the Member participating by Electronic Means about their intention to speak to a matter on the floor and will notify the Member when it is his or her turn to speak.
- xiv) A Member participating by Electronic Means shall inform the Chair of his or her intentions to leave the meeting either on a temporary or permanent basis.
- xv) A Member participating by Electronic Means will be deemed to have left the meeting when they are no longer electronically connected to the meeting.

10.0 Disclosure of Pecuniary Interest

10.1 Member of Council

To determine possible Pecuniary Interest, the Member may consult with their personal solicitor. Members must be in compliance with the Municipal Conflict of Interest Act.

10.2 Disclosure of Pecuniary Interest

Declaration of interest by a Member of Council must be disclosed before the matter is considered at the Meeting, or as soon as the Member becomes aware that a conflict exists. Such disclosures of interest shall be made publicly by stating the conflict aloud, recorded in the Minutes, and provide the Clerk with a written statement. The written statement may be provided electronically to the Clerk after the meeting.

10.3 Discussion, Vote or Influence

A Member declaring a pecuniary interest about an agenda item, must leave the room, not take part in the discussion, vote or attempt to influence the voting before, during or after the meeting.

10.4 Closed Session

A member declaring pecuniary interest in Closed Session must be absent for that portion of the meeting.

10.5 Documentation of Disclosure of Interest

The Clerk must note the disclosure of pecuniary interest in the minutes as well as establish a registry of declarations recorded that shall be available for public inspection.

11.0 Deputations

11.1 Deputation – First come – First served – Limit of two

A maximum of two separate deputations shall be permitted at any Regular Meeting, unless otherwise approved by Council. Deputations are not necessarily on a first come first served basis. The purpose of the deputation is to hear the person(s) matter and Council typically does not make any decisions during the delegation process.

11.2 Deputation – Notice Prior to Meeting

Persons wishing to address Council shall make a written application that includes the reason(s) they wish to speak to Council and include the name(s) of those who will be speaking no later than 4:00 p.m. seven (7) business days prior to the Council meeting. All information must be received by the Clerk no later than the Wednesday prior to the meeting to be included in the Council Agenda Package. All best efforts will be made for attendance at the next scheduled meeting however, there is no guarantee.

11.3 Deputation Refused – Clerk

The Clerk is given the authority to refuse deputations under the following circumstances:

- i) The request along with all material being presented to Council is not submitted within the stated time limits in section 10.2;
- ii) The subject matter is deemed to be beyond the jurisdiction of Council;
- iii) The issue is specific to a matter properly held in a Closed Meeting, pursuant to Section 239 of the *Municipal Act, 2001*.
- iv) The subject matter or delegation is repetitive or redundant in nature within the current term of Council.
- v) The subject matter is related to an upcoming public meeting, whether scheduled or not.
- vi) The subject matter is in relation to a public meeting has already taken place.
- vii) The subject matter is a matter of litigation or potential litigation.
- viii) The subject matter is to complain about municipal staff.
- ix) The Clerk and Reeve together, reserve the right to refuse or defer any deputation at any time.

11.4 Restrictions on Deputations

Presenters shall not:

- i) Address Members directly without permission;
- ii) Interrupt any speaker or action of the Members, or any other person addressing the Members;
- iii) Speak disrespectfully of any person;
- iv) Use offensive, obscene or defamatory language, gestures or images;
- v) Promote hate, harassment, or violate the Ontario Human Rights Code, corporate policies and/or procedures;
- vi) Disclose private or confidential information;
- vii) Discuss topics outside of their intended delegation
- viii) Discuss matter related to ongoing enforcement investigations, litigation or potential litigation or any matter which is currently before any court or tribunal affecting the Municipality;
- ix) Put into question the personal or professional integrity of a staff member of the Municipality;
- x) Disobey a decision of the Chair; and
- xi) Enter into cross debate with other presenters, staff, or Members of Council.

11.5 Deputation – Violation

If a Deputation is in breach of the rules, the Chair may request the termination of a presentation and/or restrict attendance at future meetings.

11.6 Deputation – Time Limit

All deputation shall be permitted a maximum of fifteen (15) minutes to make the presentation unless Council directs otherwise. The Clerk will provide a timer for Council and the Delegate to follow.

10.7 Matter Brought Forward

In the event that the subject brought forward to the Members at a Meeting by the Deputation is also dealt with in any other item listed on the agenda, the Chair may call for a motion to amend the Order of Business so that the item may be brought forward for discussion at the same time as the consideration of the Deputation item.

12.0 Minutes

12.1 Record of Meeting: the Minutes of a Meeting of Council shall record:

- i) The date, place and time of the Meeting;
- ii) The name of the Chair and the attendance of the Members present at the call of the Meeting;
- iii) Arrival and departure of Members after the call of the Meeting.
- iv) A Member who has declared a Pecuniary Interest on a matter or question and the nature thereof, as appropriate;
- v) All motions approved;
- vi) Other proceedings of Council without note or comment;
- vii) Time of Adjournment.

12.2 Approval of Minutes

The draft Minutes of Regular Meetings, Special Meetings and other Meetings held will ideally be presented for final approval at the next regularly scheduled Meeting of Council, however, it is understood that delays happen.

12.3 Amendments to Minutes

If any Member disagrees with any item printed in the Minutes, that Member shall state their objection and the reason, therefore. The Members shall determine the accuracy of the Minutes and the Clerk shall note in the Minutes of the present meeting both the existing text, and changes requested, and make the necessary amendments to the Minutes being adopted. If amendments are required, the motion put by the Chair shall be to adopt the Minutes as amended.

12.4 Clerk Authorized to Make Corrections

The Clerk shall be authorized to make minor corrections to the Minutes resulting from technical or typographical errors provided the intent of the Minutes is not changed prior to the Minutes being signed.

12.5 Signature for Authentication

The Chair and the Clerk shall authenticate the Minutes with their signatures.

12.6 Adopted Minutes

The adopted Minutes of each Meeting of Council shall be posted on the Township's website as soon as practicable.

13.0 By-laws

13.1 Introduction of By-law

- i) A by-law may be introduced in draft form for Council information and input for consideration of enactment at a subsequent Meeting and this does not constitute as a reading of the by-law.
- ii) Every by-law shall be introduced upon motion by a Member of Council, specifying the title of the by-law and general nature thereof.
- iii) Every by-law when introduced shall be in typewritten format and shall contain no blanks except such as may be required to conform to accepted procedure or to comply with provisions of any legislation and shall be complete with the exception of the number and date thereof.
- iv) No by-law shall be presented to Council for enactment unless the

subject matter has been considered and approved by Council, or unless it is a by-law that must be enacted annually under any legislation.

- v) Any proposed or draft by-law may be referred to a Committee, department head, or officer for review and comment, including the solicitor for the Municipality.

13.2 Reading of By-law

- i) Every by-law shall require only one reading prior to it being enacted and passed, unless requested otherwise by motion of the majority of the Members present or as otherwise provided in law to have more than one reading.
- ii) If it has been determined by motion or law that a by-law is to have three readings, the first and second reading of a by-law shall be received without amendment or debate.
- iii) If Council so determines, a by-law may be considered as being read. Also, Council may permit the presentation of a synopsis in place of a complete reading of a by-law.

13.3 By-law Passed

Upon passage, by-laws shall be numbered, signed by the Reeve and the Clerk, embossed with the seal of the Municipality, embedded in the by-law book and deposited by the Clerk in the Municipal office for safekeeping.

13.4 Clerk Authorized to Make Corrections

The Clerk shall be authorized to make minor corrections to any By-laws resulting from technical or typographical errors provided the intent of the By-laws are not changed prior to the By-law being signed.

14.0 Motions and Notices of Motions/Rules of Debate

14.1 Notices of Motions

- i) Notice of motions, except those listed in Sections 14.2 (xiv) and (xv) of this by-law, shall be given in writing to the Clerk not later than 4:30 PM on the Wednesday preceding the next regular Meeting so that the matter may be included in the Council agenda package.
- ii) When a notice of motion has appeared on two successive agendas and has not been proceeded with, it shall be dropped from the agenda unless Council otherwise decides.

14.2 Voting on Motions

- i) When a motion is presented to Council in writing, it shall be read, or, if it is an oral motion, it shall be stated, by the Reeve before debate.
- ii) A motion must be formally seconded before the question can be put or a motion be recorded in the minutes.
- iii) A motion to amend a motion that is on the floor shall:
 - (a) be presented in writing or verbally;
 - (b) be dealt with by Council before a previous amendment or the main motion;
 - (c) not be further amended more than once provided that further amendment may be made to the main motion;
 - (d) be relevant to the main motion;
 - (e) not propose a direct negative to the main motion.
- iv) Once read or stated by the Reeve, a motion may not be withdrawn without the consent of the majority of the Members.
- v) Immediately prior to voting on a motion, the Reeve shall state the question in the precise form it is to be recorded in the minutes, including any amendments to the question. Where the motion

- appears as text in a report, a summary of the question may be read.
- vi) After a motion as amended is finally put, no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the result is declared.
 - vii) On an unrecorded vote, the manner of determining the decision on a motion shall be at the discretion of the Reeve and may be by voice, show of hands, standing or otherwise. Every Member present, except a Member who is disqualified from voting by any Act, shall vote openly. If any Member does not vote, or abstains to vote, they shall be deemed as voting in the negative.
 - viii) If a Member present at a Meeting at the time of a vote requests immediately before or after the taking of the vote that the vote be recorded, each Member present, except a Member who is disqualified from voting by any legislation, shall, announce his or her vote openly, and the Clerk shall record each vote.
 - ix) The Reeve, except where disqualified to vote, may vote on all questions and when so doing, shall vote last.
 - x) Any question on which there is a tie vote shall be deemed to be lost, except where otherwise provided by any legislation.
 - xi) No vote shall be taken by ballot or any other method of secret voting and every vote so taken is of no effect.
 - xii) Any Member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.
 - xiii) The following matters and motions may be introduced orally without written notice and without leave, except as otherwise provided by these rules of procedure:
 - (a) a point of order or personal privilege;
 - (c) to lay on the table; (to defer temporarily)
 - (d) to postpone indefinitely or to a specific day;
 - (e) to move the previous question (immediate vote on the main motion).
 - xiv) The following motions may be introduced without notice and without leave, such motions shall be presented in writing or verbally:
 - (a) to refer;
 - (b) to adjourn;
 - (c) to amend.
 - xv) Except as otherwise permitted in this by-law, motions shall be introduced in writing. Where a motion arises out of a report, the report fulfills the writing requirement.
 - xvi) The Clerk and other staff may introduce matters to be dealt with by motion subject to the notice provisions set out in this by-law.

15.0 Adjournment

15.1 Adjournment – Motion – At Request of the Chair

The Chair can adjourn a meeting without a motion if the time limit is met or if the agenda is complete. In addition, there does not need to be a motion to adjourn if there is imminent danger to the attendees.

16.0 Receiving Correspondence and Other Communication

- i) All correspondence addressed to Members of Council shall be considered public information, except as prohibited by legislation.
- ii) All correspondence addressed to Members of Council shall be legible, signed and dated by the author(s). Correspondence that does not include the above or that includes any illegible or defamatory allegations or derogatory remarks shall not be included as correspondence to respond to and returned to the author.

- iii) Where correspondence has been requested to be included on a Meeting agenda from a member of the public, if the request is in compliance with S. 7.4 (viii) and S. 11.4 (iii to ix), it shall be placed on the agenda.
- iv) Where correspondence has been requested to be included on a Meeting agenda or at the request of a Member to the Clerk, correspondence is placed on the agenda for consideration the rules under Section 11.4 (iii to ix) apply.
- v) Council's receipt of correspondence does not constitute endorsement by the Township of the correspondence or its contents or any recommendations contained, or action advocated therein.

17.0 Reconsideration

17.1 Reconsideration – Subject To

Any proposal to reconsider, amend or rescind a previous decision of Council made within its current term shall require a motion of reconsideration.

- i) A motion for reconsideration shall not be in order if Council is made aware that the question or By-law has been implemented resulting in a legally binding commitment as of the date the motion to reconsider is moved unless otherwise deemed permissible;
- ii) A motion to reconsider a previous decision of Council made earlier in a meeting: a) may be presented at any time prior to the meeting's adjournment by any member who voted in the majority when the decision was made; b) may not be applied to a decision to postpone indefinitely; and c) requires an affirmative vote of the majority of the members present.
- ii) A motion to reconsider a previous decision of Council at a subsequent meeting: a) may only be introduced by a member who was present at the meeting and voted in the majority when the decision was made or who was not present at the meeting when the decision was made; b) will be introduced as a notice of motion for consideration; and c) requires an affirmative vote of the majority of members present.
- iv) Where the motion to reconsider is approved, reconsideration will become the next order of business unless the motion to reconsider included direction to postpone reconsideration to a definitive date. such motion must be supported by the majority vote of Council Members present.
- v) Once an item has been given reconsideration it shall not be given reconsideration within a 12-month period.

17.2 Revote

Any Member of an assembly may request that Members undertake a re-vote on any decision made at the same Meeting. Each matter of business may be subject to a re-vote only once during each Meeting. A request for a re-vote does not require a seconder.

17.3 Rescission Upon Request

Any Member of an assembly may request that a resolution passed at a prior Meeting be rescinded, provided the minutes of that Meeting have not as yet been approved. The Member requesting the rescission shall do so at the time the minutes are presented for approval. No seconder is required for a rescission motion under this subsection. Each resolution may be subject to a rescission motion only once during each Meeting. Any Member of the assembly may request a new report relating to a resolution that has been rescinded, however, that report will not be produced unless a resolution of Council (or Committee, as applicable) approves. Without a resolution of Council (or Committee, as applicable),

- the assembly shall not, during its current term of office, re-consider a matter for which a resolution has been rescinded.
- 17.4 Amendment Upon Request:
Any Member of the assembly may request that a resolution passed at a prior Meeting be amended, provided the minutes of that Meeting have not as yet been approved. The Member requesting the amendment shall do so at the time the minutes are presented for approval. No seconder is required for an amendment motion under this subsection. Each resolution may be subject to a rescission motion only once during each Meeting. Any Member of the assembly may request a new report relating to a resolution that has been rescinded, however, that report will not be produced unless a resolution of Council (or Committee, as applicable) approves.
- 17.5 Rescission or Amendment by Motion:
Any Member of the assembly may request that a resolution already passed and approved be rescinded or amended, however, such a request requires a mover and seconder, and must be included in the agenda for the Meeting at which the motion is to be considered. The mover and seconder shall provide notice to the Clerk that they will bring the motion at the next regular Meeting of Council on or before 11:00 a.m. on the Wednesday prior to that Meeting, in order to enable the Clerk to include it in the agenda for that Meeting.
- 17.6 By-laws:
Decisions undertaken by By-law may only be reconsidered through formal amendments to the by-law, which require a report from Administration. A Member of Council wishing to have Council amend a by-law may bring a motion (with a seconder) requesting a report relating to the request.
- 17.7 Decision of Previous Council
These rules do not apply when a motion pertains to a decision of a previous Council.
- 18.0 Points of Order and Privilege
- 18.1 Raise a Point of Order
A Member may interrupt the person who has the floor to raise a Point of Order when such Member feels there has been:
- i) A deviation or departure from this Procedural By-law; or
 - ii) A deviation from the matter under consideration and the current discussion is not within the scope of the proposed motion.
- 18.2 Chair's Rule
The Chair shall preserve order and decide questions of order.
- 18.3 Appeal
The Council, if appealed to, shall decide the question without debate and its decision shall be final.
- 18.4 Final Decision with No Appeal
If no Member appeals, the decision of the Chair is final.
- 19.0 Conduct of Members of Council
- 19.1 No Member Shall:
- i) use offensive words or language in or against Council or any Member;
 - ii) speak on any subject other than the subject in debate;
 - iii) criticize any decision of Council except for the purpose of moving that

the question to be reconsidered; or disobey the rules of Council or a decision of the Chair or of Council on question of order or practice or upon the interpretation of the rules of Council;

- iv) Speak about an identifiable business or individual in a negative or promotional way;
- v) Contravene the *Human Rights Code*.

19.2 Members Shall:

- i) Come prepared to every Meeting by having read all the material supplied, including agendas and staff reports to facilitate discussion and the determination of action at the Meeting. This also includes having your electronic devices sufficiently charged and ready for use. Whenever possible, the Members shall make inquiries of staff regarding materials supplied in advance of the Meeting; and not have the authority to direct or interfere with the performance of any work by Administration. All inquiries shall be directed to the Clerk.

20.0 [Amendment of By-law](#)

20.1 Repeal

No repeal of this By-law shall be considered at any Meeting of Council unless notice of intention of the Proposed repeal has been given.

20.2 Amendments

From time to time, amendments to this By-law, or any part thereof, may be considered at any Meeting of Council provided notice is given at a prior Meeting of Council.

21.0 Severability

21.1 Provisions – Severable

The provision of this By-law is severable. If any provisions, section or word is held to be invalid or illegal, such invalidity or illegality shall not affect or impair any of the remaining provisions, sections or words.

21.2 Conflict

Where the terms of any By-law passed prior to this By-law conflict with this By-law, the terms of this by-law shall prevail.

22.0 Repeal

All previous Procedural By-laws are hereby repealed in their entirety; and further, any by-law inconsistent with this by-law is hereby repealed.

23.0 Effective Date

This by-law shall become effective upon date of enactment.

Hereby enacted and passed this 22nd day of April 2024.

The Corporation of the Township of Gillies

Reeve

Clerk