

By-law 11-2024 Procedural By-law

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The Corporation of the Township of Howick**By-law No. 11-2024**

Being a By-law to Establish a Policy to Govern the Proceedings of Council & Committees of The Township of Howick

Whereas Section 238(2) of the Municipal Act, S.O. 2001, c. 25 as amended, requires every municipality to pass a Procedural By-law for governing the calling, place and proceedings of meetings;

And That Section 238(2.1) of the Municipal Act, S.O. 2001, c. 25 as amended, requires that the Procedural By-law shall provide for public notice of meetings;

And That the Council of The Township of Howick deems it expedient to enact a new By-law to govern the calling, place and proceedings of the Council and to provide for public notice of meetings in accordance with the Act;

And That on January 26, 2024, notice of the intention to pass a by-law respecting the calling, place and proceedings of meetings was provided on the Township's website, in accordance with Notice By-law;

Now Therefore the Council of the Corporation of the Township of Howick **hereby enacts as follows:**

1. Short Title

This By-law shall be cited as the "Procedural By-law".

2. Definitions

In this By-law:

- 2.1.** "Abstain" means a member who refuses to vote (abstain) and will be recorded as voting in the negative.
- 2.2.** "Act" means the Municipal Act, 2001, as amended from time to time.
- 2.3.** "Acting Head of Council" means the Deputy Reeve.
- 2.4.** "Addendum" means additional item(s) added to the agenda following its initial publication.
- 2.5.** "Ad Hoc Committee" means a special purpose Committee of limited duration, appointed by Council to consider a specific matter and which is dissolved automatically upon submitting its final report to Council, unless otherwise directed by Council.
- 2.6.** "Agenda" means the business to be considered at a regularly scheduled meeting, which has been circulated according to the rules of procedure.
- 2.7.** "Adjourn" means to end the meeting. This motion requires a second, is not debatable, is not amendable, requires a majority vote for adoption and cannot be reconsidered.
- 2.8.** "Adoption of Minutes" shall mean a heading on the agenda where Council approves previous Council meeting minutes by resolution;
- 2.9.** "Chair" means the person presiding at a meeting at the time that the meeting is being held, whether it be the Head of Council, Acting Head of Council or Chairperson of any Committee.

- 2.10.** “Chief Administrative Officer” means the Chief Administrative Officer/Clerk or designate of The Township of Howick, appointed by By-law.
- 2.11.** “Clerk” means the Clerk, or designate, of the Township of Howick, authorized by the Municipal Act and appointed by by-law;
- 2.12.** “Closed Session” means a meeting, or portion thereof, closed to the public in accordance with the Municipal Act, 2001, as amended. Also referred to as an “in-camera meeting”;
- 2.13.** “Code of Conduct” means a by-law to establish a Council Code of Conduct, as amended from time to time;
- 2.14.** “Committee” means Ad Hoc, Advisory or Joint Committees which may be appointed by Council from time to time, the Members of which have been appointed by Council;
- 2.15.** “Concurring Vote” means a vote of the majority of members present necessary to carry any resolution or other measure.
- 2.16.** “Conformation of Agenda” shall mean a heading on the Council agenda that relates to a resolution of Council required to confirm the items on the agenda as presented. Any additions to the agenda shall be included as a resolution to confirm the agenda as amended;
- 2.17.** “Confirmatory By-law” means a By-law passed at the conclusion of Council meetings, confirming the actions of Council taken at that meeting and any previous meetings which did not have a confirming by-law, in respect of each resolutions or other actions taken, so that every decision of Council at that meeting shall have the same force and effect as if each one of them had been the subject matter of a separately enacted by-law.
- 2.18.** “Conflict of Interest” means a pecuniary interest in common with the electors within the area of jurisdiction as defined in the Municipal Conflict of Interest Act.
- 2.19.** “Consent Agenda” means the routine, general items that are dealt with by Council without discussion, unless a member of Council requests further discussion on a particular item.
- 2.20.** “Corporation” means The Corporation of the Township of Howick.
- 2.21.** “Correspondence” includes, but is not limited to, the following: letter, memorandum, report, notice, electronic mail, facsimile, petition, etc., that may require an action or decision of Council or a Committee.
- 2.22.** “Council” means the Council of The Township of Howick.
- 2.23.** “Councillor” means a person elected or appointed as a Member of Council.
- 2.24.** “Declaration of Pecuniary Interest” means a declaration by a member of Council or Committee in advance of an item on the agenda that the member has a pecuniary interest as per the Municipal Conflict of Interest Act and shall be provided to the Clerk in writing prior to the adjournment of the meeting;
- 2.25.** “Defer” means to postpone all discussion on the matter to a future specified meeting date or after a certain event which may be established as part of the motion;
- 2.26.** “Delegate or Delegation” means a person or group of persons who address Council or a Committee on behalf of an individual or a group for the purpose of making a presentation to Council or a Committee.

- 2.27.** “Deputy Reeve” means the Member of Council who has been elected as a Deputy Reeve to act in the absence of the Reeve in accordance with this By-law and will represent the Corporation on the Council of the Township of Howick.
- 2.28.** “Division of Question” means a request by a member to have a motion containing separate questions, recommendations or amendments, be voted on in sections or parts;
- 2.29.** “Electronic Device” means computers, cellphones, smartphones, personal digital assistants, smartwatches, tablets, voice recorders, cameras or any other similar device.
- 2.30.** “Electronic Participation” means participation in a meeting by means of telephone, video, or audio conferencing or any other interactive method whereby members, staff and the public can hear the member(s) participating. Electronic participation has the same rights and responsibilities as if they were in physical attendance, including the right to vote, shall count towards a quorum of members and adheres to legislative requirements.
- 2.31.** “Emergency” means a situation or the threat of an impending situation caused by forces of nature, accidents or an intentional act that constitutes a danger of major proportions of life and property that affects public safety; meaning health, welfare and property as well as the environment and economic health of the Township, as defined in the Township’s Emergency Response Plan.
- 2.32.** “Emergency Control Group” means the officials designated to control the emergency operations for the Corporation when it becomes necessary to activate the Emergency Response Plan.
- 2.33.** “Emergency Meeting” shall mean a meeting or portion thereof which is not closed to the public for appropriate reasons as defined in Section 6 of this by-law. All meetings shall be open unless there is a valid reason for the meeting to be closed. The public may not address Council without delegation or presentation status;
- 2.34.** “Friendly Amendment” means the motion under debate is amended with the consent of the mover and seconder and without the requirement for an amending motion to be made’
- 2.35.** “Head of Council” means the Reeve of the Township (or alternate) and who shall preside at all meetings of the Council and shall represent the Township on the Council of the County of Huron;
- 2.36.** “Improper Conduct” means behaviour that is disruptive or obstructs in any way the deliberations and/or proper actions of Council or conduct that negatively affects the observance of order and respect.
- 2.37.** “Joint Committee” means a Committee established by Council where members of the Committee are appointed by Council and neighbouring municipalities as considered appropriate and may act in Advisory, Ad Hoc nature.
- 2.38.** “Lay on the Table” means to temporarily delay the pending question to consider a different item immediately. The delayed motion may be taken up again by a motion to “Take from the Table”.
- 2.39.** “Lower Tier” means any lower tier Municipality or Township in the County of Huron.
- 2.40.** “Majority” means more than half of the votes cast by members entitled to vote.

- 2.41.** “Media Advisory” means an electronic or other notice sent to a listing of media outlets, including newspapers, radio and television located within Huron and Perth Counties. This media list is maintained by the Clerk.
- 2.42.** “Meeting” means any regular, special or other meeting of Council, Local Board, or Committee where a quorum of Members are present and 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.
- 2.43.** “Member” means a Member of Council or a Committee as defined in this By-law.
- 2.44.** “Member’s Privilege” shall mean the announcement of good news stories, reminders of upcoming events or acknowledgements of recent events or training attended;
- 2.45.** “Minutes” mean a record of the proceedings of Council or Committee.
- 2.46.** “Notice of Motion” means a written notice, given by a member of Council, advising Council that the motion described therein will be brought forward at a subsequent meeting.
- 2.47.** “Order of Business” means the sequence of activities and/or discussions and decisions to be introduced and considered and shall be altered by 2/3 majority vote;
- 2.48.** “Pecuniary Interest” means a direct, deemed or indirect financial benefit of a member of Council, in accordance with Sections 2 and 3 of the Municipal Conflict of Interest Act, 1990.
- 2.49.** “Personal Privilege” or “Point of Privilege” means the raising of a question which concerns a member of Council, or the Council collectively, when a member believes that their rights, protections or integrity, or the rights, protections or integrity of Council have been challenged or attacked.
- 2.50.** “Point of Clarification” means when a member wants to clear up something that was stated. This is a statement and not a question.
- 2.51.** “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.
- 2.52.** “Point of Procedure” means a questions directed to the Chair to obtain information on a matter of parliamentary law or the rules of Council bearing on the business at hand, to assist a member of Council to make an appropriate motion, raise a point or order, understand the parliamentary situation or the effect of a motion.
- 2.53.** “Presentation” means an informal presentation or demonstration given by Township staff or a representative associated with an organization, agency, board or service partner concerning Township projects, initiatives, programs or services.
- 2.54.** “Public Meeting” or “Public Information Meeting” means a meeting of staff and Council where members of the public may attend and may be invited to make submissions to staff and is not a statutory public meeting under the purposes outlined in the Planning Act or the Municipal Act. Non-statutory public meetings do not require quorum and are for the purpose of staff to obtain comments from the public and to provide input based on the application.
- 2.55.** “Quorum” means the minimum number of required members (more than fifty percent of the membership) to be in attendance to conduct the business of the meeting and vote on any matter or question to achieve a simple majority.

- 2.56.** “Recess” means a short break taken during a meeting and is of a duration established by the Reeve or Chair.
- 2.57.** “Recorded Vote” means the recording of the name and vote of every Member of Council or a Committee who is present when the vote is called on any matter of question. When a recorded vote is requested or is otherwise required, the Clerk shall call the names and record the vote in random order.
- 2.58.** “Reeve” means the Member of Council who has been duly elected under the Municipal Elections Act as the Head of Council and will represent the Township of Howick.
- 2.59.** “Refer” means to direct a matter under discussion by Council or Committee to a staff member for further examination.
- 2.60.** “Regular Meeting” means a scheduled Council meeting.
- 2.61.** “Reports” means written documents by municipal employees, committees, consultants, solicitors or other individuals for the purpose of providing advice, alternatives and/or recommendations on various matters.
- 2.62.** “Resolution” means the formal determination made by Council or a Committee based on a motion, duly placed before a regularly constituted meeting of Council or a Committee for debate and decision, and duly passed.
- 2.63.** “Rules of Procedure” means the applicable rules and regulations provided in this By-law.
- 2.64.** “Special Meeting” means a meeting other than a regularly scheduled meeting, called pursuant to the Act or the provisions of this By-law, which is focused on one or more particular and specific items or subjects.
- 2.65.** “Statutory Public Meeting” shall mean a meeting called to fulfill a statutory requirement of an Act. Information is presented and public input is encouraged. A quorum is not required. Separate minutes shall be kept if a public meeting is included within a regular Council meeting. Minutes are to be received for information at the next available regular Council meeting and signed by the Chair and the Clerk;
- 2.66.** “Township” means the Township of Howick.
- 2.67.** “Two-Thirds Vote” means the affirmative vote of at least two-thirds of the members present at a meeting and eligible to vote;
- 2.68.** “Working Group” shall mean a group appointed by Council who have a defined purpose and mandate to allow residents with knowledge and experience in a particular subject area to provide input on a specific issue. The mandate of a working group will be related to an important matter in the community that is of a minimally controversial nature in the Township and shall have at least one (1) member of Council representation as a voting member.

3. Authority

- 3.1** The *Municipal Act, 2001* provides that the Council may determine its own rules of procedure for meetings. The following set of rules shall be in effect upon their adoption by the Council until such time as they are amended or new rules adopted.

4. General Rules

- 4.1.** The Rules and Regulations contained in this By-law shall be observed in all proceedings of the Council and shall be the Rules and Regulations for the order and dispatch of business in Council and Committees.
- 4.2.** Any procedure under this By-law that is discretionary and not mandatory under statute may be suspended by a 2/3 vote of all Members present.
- 4.3.** With a 2/3 vote of all Members present, the Rules of Order may be temporarily suspended during a Council meeting to permit extended debate on a specific item of business.
- 4.4.** In any case for which provision is not made in these Rules and Regulations, the procedure to be followed shall be as near as may be that followed in the most current official edition of Roberts Rules of Order.

5. Meetings

5.1. Location of Meetings

All meetings of the Council shall take place in the Council Chambers at 44816 Harriston Road, Gorrie, ON. Notwithstanding the foregoing that meetings be held in the Council Chambers, the Council shall determine, at their discretion, other locations from time to time for meetings as deemed necessary.

5.2. Inaugural Meeting

- a) Following a regular Municipal Election, the Inaugural Meeting shall take place on a date set by the Clerk of the Township and in compliance with the Municipal Elections Act.
- (b) In the case of inclement weather, the Inaugural Meeting shall be held electronically, or rescheduled to the first suitable day following, at the same hour and at the discretion of the Clerk in consultation with the CAO and Reeve Incumbent.
- (c) The order of business for the Inaugural Meeting shall be as follows:
 - 1. Call to Order by the Clerk
 - 2. Declaration of Oath of Office
 - 1. Reeve
 - 2. Deputy Reeve
 - 3. Members of Council
 - 3. Reeve's Inaugural address
 - 4. Other ceremonial proceedings as deemed by Council to be necessary or desirable for the meeting;
 - 5. Confirming By-law
 - 6. Adjournment
 - 7. Reception

5.3 Regular Meetings

- (a) Regular meetings shall be held every third Tuesday, unless otherwise stated in the approved Schedule of Meetings.

- (b) Council shall by motion on or before their last meeting scheduled in December, determine meeting dates for the following year and shall advertise accordingly. Regular meetings shall alternate between being held at 9:00 a.m. or 7:00 p.m.
- (c) Council may, by resolution, alter the date and/or time of a regular meeting provided that adequate notice of such change has been posted and/or published.
- (d) The Clerk, with the approval of the Reeve, may cancel a meeting of Council when, in their opinion, there is sufficient cause to do so.
- (e) The Clerk, with approval of the Reeve, may change a meeting to an electronic format, if there is sufficient cause to do so.
- (f) No meeting of Council is a properly constituted meeting unless the Clerk or their designate is present. Should the Clerk or their designate need to be absent during the meeting, some other person shall be appointed in writing by the Clerk to act during the absence as per the *Municipal Act 2001, c.25, s.228 (4)*.

5.4 Special Meetings

- (a) The Reeve may, at any time, call a special meeting of Council or upon receipt of a petition of the majority of the Members of Council, the Clerk shall call a special meeting of Council for the purpose and at the time mentioned in the petition.
- (b) No business may be transacted at a special meeting other than that specified in the notice or agenda.

5.5 Emergency Meetings

- (a) In the event of an emergency or extraordinary situation as determined by the Reeve or the CAO, a meeting may be held as soon as practical following receipt of a summons. The summons may be given in a manner as determined by the Clerk.
- (b) In accordance with Section 238(3) of the Municipal Act, 2001, during any period where an emergency has been declared to exist in all or part of the Township under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, a Member of Council or Committee may participate electronically in a meeting which is open to the public to the extent and in the manner set out in this By-law and may be counted in determining whether or not a quorum of Members is present at any point in time and a Member of Council or Committee can participate electronically in a meeting that is closed to the public.
- (c) The Clerk or designate, has the delegated authority to institute and modify measures to facilitate public participation in an open meeting that is being conducted by electronic means and to take measures to facilitate the participation of Members of Council and the public in a manner similar to other provisions contained in this By-law for regular meetings of Council and Committee.

5.6 Closed Session – Council and Committees

- (a) All meetings of Council shall be open to the public except as provided for in Section 239(2), 239(3), and 239(3.1) of the Municipal Act, S.O. 2001.
- (b) For purposes of this section, a meeting not open to the Public shall be called a “Closed Session”.

- (c) The published agenda for Council or a Committee shall indicate the fact that a Closed Session meeting is required. The agenda will provide as much detail as possible regarding the nature of business to be conducted in Closed Session without jeopardizing the intent of Section 239 of the Municipal Act, 2001.
- (d) Before holding a meeting or part of a meeting that is to be closed to the public, the Council or Committee shall state, by resolution, the fact of the holding of the closed meeting and the general nature of the matter to be considered and specify the staff or others not directly elected to Council or Committee that shall remain for the Closed Session.
- (e) A meeting shall not be closed to the public during the taking of a vote except when the meeting is for a purpose of procedural matter or giving directions or instructions to officers, employees or agents of the Corporation or persons retained by or under contract with the Corporation.
- (f) When a Closed Session comes to an end Council and/or the Committee shall report to the open session the nature of the Closed Session meeting and provide as much information to open session without jeopardizing the intent of Section 239 of the Municipal Act, 2001.
- (g) When a Closed Session is necessary, it will be a requirement that the minutes be prepared and approved at the next scheduled Closed Session.
- (h) The Clerk shall be responsible for maintaining a confidential copy of all original documentation distributed relating to closed sessions, and for keeping confidential minutes of all Closed Sessions.
- (i) Subject to the provisions of this Section, Council may hear delegations in Closed Session.
- (j) It shall be the responsibility of Council, Committees and staff to respect the confidentiality of all matters disclosed to them and materials provided to them during Closed Sessions that are required to be kept confidential.
- (k) Electronic recording of the proceedings of Council or a Committee Closed Session is strictly prohibited.

5.7 Education and Training Sessions

- (a) The Council may decide, at a meeting open to the public, to convene an informal gathering of its members to receive and discuss information or advice of a general nature involving subject matters of interest to the members, at a time and place designated at that time by the Council.
- (b) The Council, in deciding to convene an Education & Training Session, shall designate the general purpose or purposes for which the session is to be held.
- (c) An Education & Training Session may be held at any place designated by the Council at the time at which it makes its decision to convene the session, whether it is within the boundaries of the Township or elsewhere.
- (d) All Members of Council respectively are entitled to attend the session, together with designated staff or consultants retained by the Township, but the Council, in deciding to convene the session, may decide to exclude the public therefrom.

- (e) No motion, resolution, by-law, debate, agreement in principle, consensus, report, recommendation, or other action or decision may be proposed, discussed, decided upon, adopted, taken or made at an Education & Training Session.
- (f) The Clerk or Recording Secretary shall take notes describing in general terms each subject matter dealt with at the Education & Training Session.
- (g) The notes taken shall, after the conclusion of the session, be maintained as a public record under the control of the Clerk.

5.8 Committees

- (a) Special or Ad Hoc or Joint Committees may be established from time to time by Council to consider a specific matter.
- (b) The format of the agenda will be like that of Council with permission to remove certain sections.
- (c) Terms of Reference shall be adopted for every Committee.
- (d) The Reeve is an "Ex Officio" Member of every Committee of Council. The Reeve will not be considered part of the Committee quorum. The Committee, exclusive of the Reeve, may by resolution, permit the Reeve to vote on matters before the Committee.
- (e) The Terms of Reference shall establish (at least) the following:
 - (i) The purpose, goal and authority of the Committee;
 - (ii) Member composition;
 - (iii) Term of Membership, if required;
 - (iv) Citizen representation and requirements, if required;
 - (v) Qualifications, experience, of subject matter representatives;
 - (vi) The location, date, time and frequency of meetings;
 - (vii) The staff responsible for providing support, advise and expertise to the Committee;
 - (viii) Term of the Committee (if required)
 - (ix) A Recording Secretary for the Committee;
 - (x) Approval authority of agendas and minutes;
 - (xi) Cancellation procedures;
 - (xii) The rules and regulations to be observed in all proceedings of the Committee for the order and conduct of business therein;
- (f) The Chairperson, staff or designate, which support the Committee shall ensure:
 - (i) Recommendations to Council are brought forward in a timely fashion;
 - (ii) Minutes are brought forward for information or approval, as required; and
 - (iii) Facilitate clear communication with Council.

- (g) Council may appoint representatives to serve on any outside Board or Committee, or any other body to which Council is required or empowered to appoint a representative. Appointments to such Boards/Committees may be a Member of Council or shall be a person appointed from amongst its ratepayers and/or residents.
- (h) At the first Regular Meeting of Council, the Reeve shall:
 - (i) Appoint Council Members to various Committees and Boards;
 - (ii) Council appointments to Committees and Board shall be reviewed by the Reeve mid-term and any changes shall be announced;
- (i) At the first Regular January Meeting of a New Council, the Council shall:
 - (i) Appoint Citizen Members to various Committees and Boards;
 - (ii) The appointment will be for the term length as determined by the Committee's Terms of Reference.

6. Notice of Meetings

6.1. Notice for Regular Council Meetings

- (a) Prior to the first meeting in each calendar year, Council shall establish a schedule of all regular Council meeting dates. The schedule shall include the date, time and location of the meetings and shall be posted on the municipal website at the beginning of each year. The meeting schedule is subject to change as necessary.
- (b) Notwithstanding the above, the published agenda shall be considered as adequate notice of Regular Meetings of Council, except for meetings held on a day or at a time other than as provided for in the approved schedule. The agenda shall include the date, time and place of the meeting.
- (c) The Clerk shall ensure that a copy of the agenda for each Regular Council meeting is posted for public viewing on the municipal website no later than 4:30 p.m. on the Friday preceding the scheduled meeting.
- (d) If it is determined by the Clerk, in consultation with the Reeve, a regular meeting may be switched from physical participation to electronic. Notice of the location change shall be posted on the Municipal Website and social media. All Members shall be contacted by the Clerk as soon as possible regarding the format change.

6.2. Notice for Special Council Meetings

- (a) The Clerk shall ensure that notice of each special meeting of Council is provided to each Member of Council at least forty-eight (48) hours in advance of the said meeting or as soon as practicable. The Clerk shall provide notice of such meeting by posting for public viewing on the municipal website a copy of the agenda for the special meeting.

6.3. Notice for Emergency Council Meetings

- (a) The forty-eight (48) hours' notice may be waived in the case of an emergency or extraordinary situation, as may be determined by the Reeve (or alternate);

- (b) An emergency meeting may be called by the Reeve or in the absence of the Reeve, the Emergency Control Group or CAO;
- (c) In such case, the Clerk, or designate, shall attempt to advise the Members of Council about the call of the emergency meeting as soon as possible and in the most expedient manner available and endeavor to confirm receipt by Council Members of the emergency meeting notification;
- (d) For the purpose of notice, notice shall be posted on the Municipal website;
- (e) Where proper notice was not possible due to the circumstances of the emergency, the Clerk will endeavor to make the fact of the meeting public as soon as possible after the meeting has taken place.

6.4. Notice for Committee Meetings

- (a) Notice of meetings indicating the date, time and location for Committee meeting shall be posted on the Municipal website 48 hours prior to the meeting. All other requirements for notice indicated in this By-law shall be adhered to by the Committee.

6.5. General Meeting Notice Provisions

- (a) Lack of receipt of notice by any Member shall not affect the validity of holding the meeting nor any action taken at the meeting.
- (b) The business of a meeting shall be taken upon the order in which it stands in the agenda, unless otherwise decided by Council or the Committee.
- (c) The notice requirements set out in this By-law are minimum requirements only, and the Clerk may give notice in an extended manner if in the opinion of the Clerk, the extended manner is reasonable and necessary in the circumstances.

6.6. Meetings – Inclement Weather

- (a) If weather, road or other conditions beyond the control of Council prevent the holding of any Regular, Special, Ad Hoc Committee or Inaugural meeting, the said meeting shall be held electronically or at the same time and day of the following day. If postponed, the postponement may continue until such time as the condition preventing the holding of the meeting has passed.
- (b) Consultation will take place between the Reeve and Clerk regarding meeting cancellations or transitions to electronic format. The final decision will be made by the Reeve.

6.7. Notice of Cancelled or Electronic Meeting

- (a) Where a meeting has been cancelled or moved to electronic format for any reason, notice of the cancellation/changed meeting shall be in the same form as notice for the meeting was made and followed by a telephone or email confirmation. In the case of a Council meeting, the Clerk, or designate, shall be responsible for giving notice. In the case of a Committee, the Recording Secretary is responsible for giving notice.
- (b) Every effort will be made to notify all Members of Council or the Committee and members of the public who have identified that they plan to attend.

- c) The Clerk shall provide notice of cancellation/change in format to Council, staff, local media and all other interested parties as soon as possible in advance of the meeting via telephone, website, local radio and/or posting signs at the meeting site. If the meeting is moved to electronic format a link to the meeting will be provided by the Clerk to all participants and Members.

6.8. Postponement of Meetings

- (a) Any regular meetings of the Council may be postponed to a day named in:
 - i. A notice by the Reeve or the Deputy Reeve of Council given through the Clerk's Office and twenty-four (24) hours in advance of the regular meeting; or
 - ii. A resolution of Council passed by the majority of the members.
- (b) Where a meeting has been postponed for any reason, notice of the postponed meeting shall be in the same form as notice for the meeting was made. In the case of a Council meeting, the Clerk, or designate, shall be responsible for giving notice. In the case of a Committee, the Recording Secretary is responsible for giving notice.
- (c) Every effort will be made to notify all Members of Council or the Committee and members of the public who have identified that they plan to attend.
- (d) The Clerk shall provide notice of postponement to Council, staff, local media and all other interested parties as soon as possible in advance of the meeting.

7. Calling of Meetings to Order and Quorum

- (a) The Reeve or the Chair shall call the Members to order as soon after the hour fixed for holding of the meeting a quorum is present.
- (b) A majority of all Members of Council or the Committee shall constitute a quorum and be necessary for the transaction of business.
- (c) If a quorum is not present one-half ($\frac{1}{2}$) hour after the time appointed for the commencement of the meeting, the Clerk, or designate, or the Committee Recording Secretary, shall indicate that no quorum is present and record the names of those members in attendance and they shall adjourn to the appointed time for the next scheduled meeting;
- (d) If during a meeting, a quorum is lost, the Reeve or Chair shall declare that the meeting shall stand recessed temporarily or be adjourned until the date of the next regular meeting or other meeting called in accordance with the provisions of this By-law. A quorum is not considered lost if a number of Members who, by reason of the provisions of Municipal Conflict of Interest Act, are disabled from participating in a meeting is such that at that meeting the remaining Members are insufficient to constitute a quorum, the remaining Members shall be deemed to constitute a quorum, provided such number is not less than two.
- (e) If in the event of a declared emergency, Council is not able to achieve quorum then they may enact the use of the Emergency Governance Committee.
- (f) If Members are not going to be in attendance or are going to be late for a meeting, they shall contact the Clerk or the Committee's Recording Secretary in advance of the meeting.

8. Role of Council

8.1 Role of Council

It is the role of Council, per Section 224 of the Municipal Act, 2001, as amended to:

- a) To represent the public and to consider the well-being and interests of the municipality;
- b) To develop and evaluate the policies and programs of the municipality;
- c) To determine which services the municipality provides;
- d) To ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
- e) To ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- f) To maintain the financial integrity of the municipality; and
- g) To carry out the duties of Council under the Municipal Act or any other Act.

8.2 Preparing for Meetings

Members of Council shall 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.

8.3 In Advance of Meetings

Members of Council shall make technical inquiries from staff regarding materials supplied in advance of the meeting.

8.4 Request for Substantive Reports

Requests for substantive reports shall be by Council motion which shall identify the objectives of the report.

8.5 No Direction or Interference

No Member shall have the authority to direct or interfere with the performance of any work for the Corporation.

8.6 While in a Meeting

While in a Council meeting of any sort, Councillors shall follow the following rules, as well as those outlined in the Code of Conduct:

- (a) Councillors shall only speak when recognized by the Reeve or Chair.
- (b) Councillors shall only speak respectfully of His Majesty the King or any Member of the Royal Family, Governor-General, Lieutenant-Governor General or any Member of the Senate, the House of Commons of Canada or the Legislative Assembly of Ontario.
- (c) Members shall not use indecent, offensive or insulting language in or against any Council or Councillor, staff, public or any other person. Further, no Member will publish any derogatory or demeaning comment or opinion of Council, staff or member of the public.

- (d) Members shall only speak to the question in debate.
- (e) Members shall not debate any prior determination of the Council or Committee except to conclude such remarks with a motion to rescind or reconsider such determination.
- (f) Members shall not interrupt or disturb any Member who has the floor except to raise a point of order.
- (g) Members shall not disturb a meeting by disorderly conduct or comments.
- (h) Members shall not leave their seat or make noise or cause a disturbance while a vote is being taken or until the result is declared.
- (h) Members shall not leave the meeting when they do not intend to return without first advising the Reeve or Chair.
- (i) Members shall abide by the rules of Council or the Committee, obey the decisions of the Council or Committee on questions of order or practice or upon the interpretations of the Rules of Order by the Council or Committee.
- (j) In the events that a Member of Council or a Committee persists in a breach of the rules of this By-law, after having been called to order by the Reeve or Chair, the Reeve or Chair shall put the question "shall the Member be ordered to leave their seat for the duration of the meeting?". The Council or Committee shall vote on the question and the question is not debatable.
- (k) If the Council or Committee decides the question set out above is in the affirmative by a majority vote of the Members, the Reeve or Chair shall order the Member to leave their seat for the duration of the meeting.
- (l) If the Member apologizes, the Reeve or Chair, with the approval of Council, may permit him/her to resume their seat.
- (m) If a Member does not leave their seat after being ordered to do so by the Reeve or Chair and if the Member does not apologize then the Reeve or Chair shall seek appropriate assistance.
- (n) Members must occupy their chairs while a vote is being taken and the results are being declared.
- (o) Members may require the question or motion under discussion to be read at any time during the debate, but not to interrupt a Member while speaking.
- (p) Every Member present shall vote when a question is put on the floor unless a Pecuniary Interest has been declared.
- (q) Municipal Councillors shall officially be addressed as Councillor, Deputy Reeve as Deputy Reeve and Reeve as Reeve.

9. Role of Head of Council

It is the role of the Head of Council, per Section 225 of the Municipal Act, 2001, as amended, to:

- a) Act as chief executive officer of the municipality;
- b) To preside over council meetings so that its business can be carried out efficiently and effectively;
- c) To provide leadership to the Council;

c.1) without limiting clause c), to provide information and recommendations to the Council with respect to the role of Council described in clauses 224 (d) and (d.1);

d) To represent the municipality at official functions; and

e) To carry out the duties of the head of Council under the Municipal Act and any other Act.

10. Role of Head of Council as Chief Executive Officer

It is the role of the Head of Council, per Section 226.1 of the Municipal Act, 2001, as amended, to:

a) Uphold and promote the purposes of the municipality;

b) Promote public involvement in the municipality's activities;

c) Act as the representative of the municipality both within and outside the municipality and promote the municipality locally, nationally and internationally; and

d) Participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.

11. Absence of the Reeve

(a) If the Reeve is absent; has a conflict under the Municipal Conflict of Interest Act; refuses to act; or the office becomes vacant, the Deputy Reeve shall act in the place and stead of the Reeve, and while so acting the Deputy Reeve may exercise all the rights, powers and authority of the Reeve.

(b) For the purposes of the Howick Emergency Management Plan if the Reeve is unavailable, the Deputy Reeve shall be the alternate.

(c) In the absence of both the Reeve and the Deputy Reeve, and if a quorum is present, the Council shall elect a Chair from amongst its Members present. While presiding, the Member appointed by the Council shall have all the powers of the Reeve for the purpose of conducting the meeting.

12. Emergency Governance Committee

a) Section 23 of the Municipal Act, 2001 regulates the delegation of legislative and quasi-judicial powers.

b) In a declared emergency and where the decision-making capability of a Township may be compromised or where normal protocols may be impossible to meet, the Corporation may establish an Emergency Governance Committee to act in place of the Council.

c) The Emergency Governance Committee will only be formed if at least three Members of the total five (5) Member Council are incapacitated through death, injury or illness and are unable to exercise their powers due to the inability to meet quorum.

d) The Emergency Governance Committee is delegated the authority by Council to exercise its normal legislative, quasi-judicial and administrative powers, subject to the limitations of the Municipal Act, 2001, with such delegated authority to only be exercised:

- i. For the duration of an emergency which has been declared by the Reeve or their designate, in accordance with the Corporation's Emergency Management Plan;
 - ii. For Council's normal decision-making processes, and not for the management or co-ordination of emergency response activities;
 - iii. Until a quorum of Council can be achieved.
- e) The Committee, wherever practicable, will conduct its meetings in accordance with this Procedure By-law.

13. Conduct of Proceedings for Council and Committees

- a) As soon after the hour of the meeting as there shall be a quorum present, the Reeve or Chair shall call the meeting to order.
- b) The Reeve or Chair shall announce the business before the Council or Committee in the order in which it is to be acted upon.
- c) The Reeve or Chair shall receive and submit, in the proper manner, all motions presented by the Members.
- d) The Reeve or Chair shall preserve order and decorum and decide questions of order subject to an appeal to the Council or the Committee and this decision may be overruled by a majority vote.
- e) The Reeve or Chair shall put to vote all questions which are regularly moved and seconded or necessarily arise during proceedings, and to announce the result.
- f) The Reeve or Chair shall authenticate by signature, when necessary, all By-laws, Minutes and documents authorized by Council or the Committee.
- g) The Reeve or Chair shall represent and support the Council or Committee declaring its will and obeying its decision in all things.
- h) The Reeve or Chair shall ensure that the decisions of Council or the Committee are in conformity with the laws and By-laws governing the activities of the Corporation.
- i) The Reeve or Chair shall adjourn the meeting when business is concluded.
- j) The Reeve or Chair shall adjourn the meeting without question in the case of grave disorder arising in the meeting space.
- k) The Reeve or the Chair shall ensure that the members of the public who constitute the audience in the Council Chamber or Meeting Rooms:
 - i. maintain order and quiet;
 - ii. address Council or the Committee only with the permission of the Reeve or Chair;
 - iii. do not interrupt any speech or action of the Members or any other person addressing Council or the Committee;

- iv. to order any individual or group in attendance at the meeting to cease and desist any behaviour which disrupts the order and decorum of the meeting and to order the individual or group to vacate the Council Chambers or Meeting Room and where such behaviour persists, with a majority vote of Council, recess the meeting and seek appropriate assistance to restore order;
 - v. no person, except Members and Officers of Council be permitted to come within the hall during a Council or Committee meeting, without first gaining permission of the Reeve or Chair;
 - vi. to turn off or set to silent mode, all electronic devices; and
 - vii. use approved recording, broadcasting or streaming devices respectfully, and should the Reeve or Chair direct it, move or cease to use said devices. In the event the individual is noncompliant, the Reeve or the Chair shall request the individual leave the room.
- l) All meetings may be audio and/or visually recorded, broadcast and/or streamed publicly by the Township, except for proceedings of meetings closed to the public.

14. Declaration of Pecuniary Interest

A 'pecuniary interest' is defined in the Municipal Conflict of Interest Act. Where a Member of Council or a Committee has a pecuniary interest in any matter, including that of a spouse, child or parent and is present at a meeting of Council or Committee at which the matter is the subject of consideration, the Member:

- a) shall, prior to any consideration of the matter at the meeting, verbally disclose the interest and the general nature;
- b) shall submit to the Clerk, or designate, prior, or immediately following, the Council meeting, the Declaration of Pecuniary Interest Form;
- c) shall not, at any time, take part in the discussion, or vote on any question in respect of the matter;
- d) shall not, at any time, attempt, either on their own behalf or while acting for, by or through any other person, in any way whether before, during or after the meeting to influence the voting on any such question;
- e) shall, where the meeting is not open to the public, immediately leave the meeting room during which the matter is under consideration;
- f) where the interest of a Member has not been disclosed by reason of the Member's absence from a meeting wherein the matter was discussed, the Member shall disclose the interest at the next Council or Committee meeting attended by the Member.

15. Agendas

15.1 Regular Council Meeting Agendas

- (a) The Clerk or their designate shall prepare the agenda for all Council Meetings consisting of the following "Order of Business":
 - 1. Call to Order
 - 2. Confirmation of the Agenda
 - 3. Disclosure of Pecuniary Interest

4. Adoption of Minutes
5. Public Meetings/Hearings
6. Delegations and/or Presentations
7. Consent Agenda
8. Planning
9. Municipal Drains
10. Staff Reports
11. Committee and Board Reports
12. Correspondence
13. Unfinished Business
14. Council Reports
 - 14.1 Council Member Reports
 - 14.2 Requests by Members
 - 14.3 Notice of Motions
 - 14.4 Announcements
15. Other Business
16. By-laws
17. Closed Session and Reporting Out
18. Confirmatory By-law
19. Adjournment

- (b) The agenda shall be available to Members of Council by 4:30 p.m. on the Friday preceding the meeting to which it pertains.
- (c) The business of Council shall be taken in the order in which it stands upon the agenda, unless otherwise decided by the majority of Council.
- (d) Any Member may bring before Council or a Committee any business that they believe should be deliberated upon by Council or the Committee.
- (e) The Clerk may change the order of business when preparing the agenda as deemed necessary.

15.2 Special or Emergency Council Meeting Agendas

- (a) The Clerk, where reasonably possible, shall cause an agenda to be prepared, in the following order, for the use of Members at Special or Emergency Meetings of Council:
 - Declaration of Pecuniary Interest
 - Consideration of Business
 - Adjournment
- (b) The minutes of a Special or Emergency meeting shall be ratified at the next regular meeting of the Council.

16. Minutes – Council and Committee

- (a) Minutes of Council or a Committee, whether it is closed to the public or not, shall record:
 - (i) the date, time and place of the meeting;
 - (ii) the record of attendance of the Members;
 - (iii) the correction and adoption of the minutes of prior meeting(s);
 - (iv) each item considered and the decisions;
 - (v) all the other proceedings of the meeting without note or comment, whether it is closed to the public or not; and
 - (vi) a list of other business items discussed.
- (b) After the minutes have been adopted, they will be signed by the Reeve or Chair and by the Clerk or Recording Secretary.
- (c) The Clerk shall ensure that the Minutes of the preceding Regular Meeting and any Emergency or Special Meeting are circulated along with the agenda package.
- (d) Unless a reading of the minutes of a Council or a Committee meeting is requested by a Member, such minutes shall be approved without reading if the Clerk or Recording Secretary previously circulated each Member with a copy and has previously posted the same.
- (e) The minutes of all Council meetings (except for Closed Session meetings) shall be posted on the municipal website for public inspection with the release of the next agenda package.
- (f) The minutes shall be filed once adopted by the Council.

17. Presentations/Delegations/Petitions – Council and Committee

- a) Any delegation wishing to appear before the Council or Committee on Municipal business shall make a formal request to the Clerk or Recording Secretary in writing by utilizing the required Council Delegation Request Form. The request shall be submitted no later than 12:00 p.m. on the Wednesday preceding the meeting. At the discretion of the Clerk, the Delegation will be scheduled to make a presentation to a Regular Council Meeting or Committee meeting.
- b) Any communication or correspondence that is to be presented to Council or Committee shall be legibly written, typed, or printed and shall not contain any obscene or defamatory language and shall be filed with the Clerk or Recording Secretary no later than 12:00 p.m. on the Wednesday preceding the meeting.
- c) If a request to be heard is received after the agenda is published, it must be approved by the Reeve or Clerk before it will be added to the agenda.
- d) The Clerk or Recording Secretary may, upon receipt, refer any communication to a Department Head without the prior consideration of Council or the Committee.
- e) After a delegation has been heard at a Council or a Committee meeting and it is felt that a further meeting on the same topic is warranted, the Council or Committee may recommend and shall determine the time and date of such further delegation.

- f) The Reeve, Chair or Clerk has the discretion to limit, refuse or reject delegations on repetitive topics, or topics that are deemed to be frivolous.
- g) No delegation shall appear before Council more than once in a six-month timeframe, on the same subject matter, unless there has been a proven significant change in the subject matter.
- h) Each person or group addressing the Council or a Committee shall give their name and, shall limit their address to ten (10) minutes, and an additional ten minutes will be provided for questions and comments from Council to the Delegation. Where a Delegation consists of a group of people, it shall be limited to two (2) speakers, each limited to speaking not more than five (5) minutes, for a total of ten (10) minutes. All remarks shall be addressed to Council or Committee as a body and not to any individual Member thereof.
- i) No person, other than Members of Council or a Committee and the person having the floor, shall be permitted to enter any discussion, either directly or through the Members of Council or a Committee. No questions shall be asked to the Delegation, Council Members or Committee, except through the Reeve or Chair.
- j) A delegation requesting to speak for more than ten (10) minutes will only be permitted by prior approval of the Reeve, Chair or Clerk.
- k) Where a delegation is making a request for support of Council that has financial implications, the request shall be referred to staff for research and report to a future meeting of Council or Committee.
- l) Interested parties, or authorized representatives, may address the Council or Committee by written communication regarding any matter concerning the Corporation's business or over which the Council or Committee has control at any time by direct mail or email or by addressing the Clerk or Recording Secretary and such written communication will be distributed to the Members.
- m) Anyone requesting to speak at a public meeting or to appear as a delegation must attend in person. Virtual attendance will only be considered in extenuating circumstances at the discretion of the Reeve and Clerk.
- n) Delegates must:
 - i. Speak respectfully of any person;
 - ii. Not use offensive language;
 - iii. Not speak on any subject other than the subject for which they have received approval to address Council;
 - iv. Not disobey the rules of procedure or any decision of the Chair or Council on any other procedural matters.
- o) The Reeve or Chair may end any delegation, any questions of a delegate or debate during a delegation for disorder or any other breach of this by-law, and if the Reeve or Chair rules that the delegation is concluded, the person or persons appearing shall withdraw.

18. Reports of Departments

Reports of Departments shall be received by the Clerk no later than 12:00 p.m. on the Wednesday preceding the Council meeting.

19. By-laws

- a) Council shall be provided with a copy of all By-laws which are on the agenda for consideration. Council shall not consider any By-law not listed on the agenda. Every By-law shall receive three readings prior to it being passed. Nothing shall prevent Council from giving all three readings to a By-law at one sitting of Council;
- b) Every By-law enacted by Council shall be numbered and dated and shall be sealed with the seal of the Corporation and signed by the Clerk and Reeve and shall be filed by the Clerk for safekeeping;
- c) A By-law shall deem to have been read upon the title or heading or short description thereof being read or taken as read unless a Member of Council requires the By-law or any portion thereof to be read in full;
- d) All amendments to any by-laws approved by Council shall be deemed to be incorporated into the By-law and if the by-law is enacted by Council, the amendments shall be recorded by the Clerk;
- e) The Clerk shall be permitted to make minor clerical, typographical or grammatical corrections to any Council or Committee record or documentation, including but not limited to: by-laws, motions, resolutions, agendas and/or minutes. Said corrections are to be made to ensure correct and complete implementation of the decisions and actions of Council or Committee.
- f) The proceedings at every regular meeting shall be confirmed by By-law, (known as the Confirmatory By-law), so that every decision of the Council and every resolution passed at that meeting shall have the same force and effect as if each one of them had been the subject matter of a separate By-law duly enacted.

20. Notice of Motion

- a) A Member may introduce a motion regarding a matter that would not otherwise be considered by Council by:
 - i. delivering a copy of the motion to the Clerk no later than 12:00 p.m. on the Wednesday prior to the meeting; or
 - ii. verbally or in writing, at a regular Council meeting, but shall not be debated until the next regular Council meeting.
- b) The Clerk upon receipt of the Notice of Motion shall print the motion (including the name of the mover) in full on the agenda for the next regular meeting of the Council as requested by the mover.
- c) A Notice of Motion does not require a seconder to be included in the agenda.
- d) A Notice of Motion shall not be considered or otherwise disposed of by Council unless the mover of the motion attends the meeting or the mover has consented for Council to proceed with the disposition of the motion in their absence. A Notice of Motion that has been called for by the Reeve at two meetings of the Council but has not been proceeded with shall be removed from the agenda unless otherwise directed by the Council.
- e) A Motion normally requiring a Notice of Motion may be introduced without notice if Council, without debate, dispenses with the requirement for Notice on the affirmative vote of at least two thirds of members present and voting.
- f) A Council member shall only request one Notice of Motion per Council meeting.

21. Requests by Members

- a) Members shall be permitted to spend a maximum of three minutes each to make statements which are intended for the purpose of sharing information about events/activities/functions and general work of Members and to request reports from staff on various issues.
- b) A majority vote of Council will be required to request reports from Staff.
- c) Reports required as a result of a motion of Council will be brought forward to a future meeting of Council at the discretion and scheduling of the Clerk and relevant Department Head.

22. Adjournment

- a) Council shall adjourn any regular or special session of Council if still in session after a duration of four (4) hours, unless otherwise determined by a resolution of Council passed by the majority of the Members.
- b) Every meeting of Council shall be deemed to be adjourned at the hour of 10:00 p.m. save and except with a resolution of Council.

23. Motions

- a) The following matters and motions may be introduced orally, without written notice and without leave, except as otherwise provided by these rules and shall receive disposition of Council upon receipt:
 - i. a point of order or personal privilege;
 - ii. presentation of petitions;
 - iii. to lay on the table (to defer temporarily);
 - iv. to defer (postpone indefinitely or to a specific day); and
 - v. to move the previous question (immediate vote on the main motion).
- b) The following motions may be introduced without notice and without leave:
 - i. to refer;
 - ii. to adjourn;
 - iii. to amend; and
 - iv. to suspend the Rules of Procedure.
- c) A motion must be proposed and seconded before the question can be put on a motion and recorded in the minutes.
- d) When a motion is presented to the Council or a Committee, in writing, it shall be read, or, if it is an oral motion, stated by the Reeve or Chair.
- e) After a motion is read or stated by the Reeve or Chair, it shall be deemed to be in possession of Council or the Committee but may, with the permission of Council or the Committee, be withdrawn at any time before decision or amendment.

24. Order of Consideration

- a) When a question is under consideration, no motion will be received except a procedural motion or a motion to amend;
- b) Procedural motions will be considered immediately upon receipt and will have precedence and are subject to debate as follows:

- i. To extend the time of the meeting (not debatable);
- ii. To move the question be now put (not debatable);
- iii. To refer (debatable) (amendable);
- iv. To lay on the table (not debatable) (not amendable);
- v. To defer indefinitely or to a day certain (debatable);
- vi. To adjourn (not debatable); and
- vii. Any other procedural motion (debatable).

25. Voting

- a) Every Member of Council shall have one vote.
- b) Every Member of Council present at a Council Meeting when a question is put, shall vote thereon, except where they are disqualified to vote by reason of a pecuniary interest or is absent from the Council Chamber or Meeting room when the question is put.
- c) Upon the request of any member and when the Reeve or Chair is satisfied that a matter under consideration contains distinct proposals, the vote upon each proposal shall be taken separately, called a Division of Question;
- d) All decisions of Council shall require a majority vote except as otherwise set out in this By-law;
- e) All votes shall be announced openly, as carried or defeated, by the Reeve or Chair.
- f) On an unrecorded vote, the manner of determining the decision on a motion shall be at the discretion of the Reeve or the Chair and may be by show of hands.
- g) The Reeve or Chair shall require a recorded vote to be taken on any question upon request of a Member if such request is made prior to commencement of the voting or immediately thereafter. When a Member present requests a recorded vote, all Members present at the meeting shall vote, unless otherwise prohibited. The Member requesting the recorded vote shall be the first to vote. Thereafter, the Clerk shall call the vote in a manner that provides for a random order and the Members shall respond YAY or NAY when called upon. The names of those who voted for and those voted against shall be noted in the minutes.
- h) In accordance with Section 246 of the Municipal Act, 2001, 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.
- i) Except where expressly provided in Statute, any question on which there is an equality of votes shall be deemed to be defeated. The Reeve or the Chair shall declare the vote on all questions and should their declaration be stated by any Member to be in doubt, the Reeve or the Chair shall require the vote to be retaken in an alternative manner and the results of this vote shall be final.
- j) Members shall not speak to the same motion without the consent of the Reeve or the Chair and at the end of the debate a motion for closure may be made by the Reeve or the Chair.
- k) Amendments shall be put in the reverse order to that in which they are moved. Only one amendment shall be allowed to an amendment. Amendments shall receive disposition of Council before a previous amendment or the question.

26. Amendment

- a) Only one motion to amend an amendment to the question will be allowed at one time and any further amendment must be to the main question.
- b) A motion to amend:

- i. Will be relevant and not contrary to the principle of the report or motion under consideration;
- ii. May propose a separate and distinct disposition of a question provided that such altered disposition continues to relate to the same issue which was the subject matter of the question; and
- iii. Will be put in the reverse order to the order in which it is moved.

27. Reconsideration

- a) Any Member who voted in the majority may at the same meeting, or at a subsequent meeting move for a reconsideration of a resolution under "Other Business".
- b) A Member who is absent at the time a vote is taken on a motion which subsequently becomes a subject of a motion for reconsideration, shall be deemed for the purpose of reconsideration to have voted with the majority.
- c) A motion for reconsideration may be seconded by any Member who voted on the original motion either for or against.
- d) A motion for reconsideration shall be made in writing and no discussion of the main motion shall be allowed unless the motion for reconsideration is approved by a vote of the majority of the Members present.
- e) A motion to reconsider an amendment to the main motion may not be submitted, however, the main motion as amended may be submitted for reconsideration.
- f) A motion may be reconsidered at any time during the term of the Council that passed the motion, by a majority vote of the Members present.
- g) A motion to reconsider after the term of Council can be initiated by any Member of Council and a motion may be reconsidered in accordance with the provisions majority vote of the Members present.

28. Rules of Debate

- a) Every Member prior to speaking to any question or motion shall raise their hand and obtain permission from the Reeve or Chair to speak. When two or more Members wish to speak, the Reeve or Chair shall name the Member who has the floor and shall be the Member, who, in the opinion of the Reeve or Chair raised their hand first.
- b) When a Member is called to order they shall cease speaking unless allowed to explain, and the ruling of the Reeve or Chair shall be obeyed, subject to the appeal to the Council or Committee, but without debate.
- c) No Member shall speak more than once to the same question without the leave of the Council or Committee or until all other Members have had the opportunity to speak to the question a first time, except in explanation of a material part of their speech which may have been misconstrued, and in doing so, they are not to introduce a new matter.
- d) With 2/3 vote of all Members present, Council may temporarily suspend the Rules of Order to permit an extended debate on a specific item of business.
- e) During the extended debate, the Reeve or Chair may permit Members to speak to the item of business more than one time, but in the order which they have requested permission to speak).

- f) During the extended debate, the Reeve or Chair will maintain order. If in the opinion of the Reeve or Chair the need for extended debate has ended or the debate is no longer orderly, the Reeve or Chair may end the extended debate and return to the regular Rules of Order.
- g) If the Reeve or Chair desires to leave the Chair for the purpose of taking part in the debate or for any other reasons, the Deputy Reeve or Vice Chair shall assume the Chair in their place until they resumes the Chair.
- h) The Reeve or Chair may answer questions and comment in a general way without leaving the Chair, but if they wish to make a motion or speak to a motion taking a definite position and endeavoring to persuade the Council or Committee to support that position, then they shall first leave the Chair.
- i) The Reeve or Chair does not need to vacate the Chair to simply state support or opposition to a motion on the floor.
- j) When the Reeve or Chair calls for the vote on a question, each Member shall occupy their seat until the result for the vote has been declared by the Reeve or Chair, and during such time no Member shall walk across the room to speak to any other Member or make any noise or disturbance.
- k) When a Member is speaking, no other Member shall pass between them and the Chair or interrupt them except to raise a point of order.
- l) Any Member may require the question or motion under discussion to be read at any time during the debate but not to interrupt a Member while speaking.

29. Points of Order and Privileges

- a) No vote shall be taken by ballot or any other method of secret voting, and every vote so taken is of no effect, in accordance with Section 244 of the Municipal Act, 2001.
- b) Unless otherwise authorized by the Reeve or Chair, all Members, staff and guests shall address Council through the Reeve or Chair and only when recognized to do so.
- c) When two or more Members indicate simultaneously that they wish to speak, the Reeve or Chair shall name the Member who is to speak first.
- d) The Reeve or Chair shall maintain order and decide questions of order.
- e) The Council, if appealed to, shall decide the question without debate and its decision shall be final.
- f) If the Member who made the motion claims the floor and has not already spoken on the question, they are entitled to be recognized in preference to other Members.

30. Procedural Appeal

- a) Any Member may raise a point of order.
- b) When a member rises on a point of order, point of privilege or point of personal privilege, the member shall ask leave of the Chair to explain the point. After leave is granted, the member shall state the point to the Chair and then remain silent until the Chair has ruled upon the point.
- c) The Reeve or Chair shall decide all questions of order and the decision of the Reeve or Chair shall be final, subject to appeal, with the Reeve or Chair retaining the option of putting any question or order to Council or a Committee and in such instances the decision of Council or a Committee shall be final. Upon appeal of any decision of the Reeve or Chair, the question of order shall be decided by Council or the Committee and the decision shall be final.

31. Rules of Order

"Roberts Rules of Order" shall govern the proceedings of the Council in all cases unless they conflict with these rules.

32. Suspension and Amendment of These Rules

32.1 Suspension of these Rules

- a) Any provision of these rules may be temporarily suspended by a 2/3 vote of Council. The vote on any such suspension shall be taken by show of hands and entered upon the record.
- b) With a 2/3 vote of Council, the Reeve or Chair may temporarily relax the rules of order to permit additional discussion on an item of business.

32.2 Amendment to these Rules

These rules may be amended, or new rules adopted by a 2/3 vote of all Members of Council, provided that the proposed amendments or new rules shall have been introduced into the record at a prior Council meeting.

33. Recording Equipment

At the meetings of Council or Committee, the use of cameras, electric lighting equipment, flash bulbs, recording equipment, television cameras and any other device of a mechanical, electronic or similar nature used for transcribing or recording proceedings by auditory or visual means by members of the public, including accredited and other representatives of any new media whatsoever, may be permitted and shall be subject to the approval and/or direction of the Reeve or Chair unless otherwise decided by the Council or a Committee.

34. Communication Devices

- a) Council, staff and anyone situated in the gallery (including members of the media), shall turn all electronic devices to non-audible, silent etc. during the entire Committee or Council meeting in Council Chambers;
- b) Members of Council and staff at the Council table will limit the use of electronic devices during all delegations and presentations during any meeting;
- c) At any time during any meeting, at the discretion of the Reeve or Chair of the meeting, use of electronic devices may be prohibited if there is audio or video interference.

35. Validity and Severability

It is hereby declared that notwithstanding any section, subsections, clause, paragraph or provision of the By-law or parts thereof, may be declared by a court of competent jurisdiction to be invalid, unenforceable, illegal or beyond the powers of Council to enact, such section or sections or parts thereof shall be deemed to be severable and shall not affect the validity or enforceability of any other provisions of the By-law as a whole or part thereof and all other sections of the By-law shall be deemed to be separate and independent therefrom and enacted as such.

36. Amendments or Repeal

- a) That By-law 17-2020 is hereby repealed.

- b) This By-law will not be amended or repealed except by:
 - i. A two-thirds vote; and
 - ii. Appropriate notice being provided in accordance with the Township of Howick Notice Policy.
- c) Notwithstanding Section 36.2.2, Council may waive notice of the Township of Howick's Notice Policy by simple majority.

37. Effect

This By-law will come into force and take effect on the final passing thereof.

Read a first and second time this 20th day of February, 2024.

Read a third and finally passed this 20th day of February, 2024.

Reeve, Doug Harding

Clerk-Administrator, Caitlin Gillis