

**THE CORPORATION OF THE MUNICIPALITY OF NORTH DUNDAS**

**BYLAW No. 2025-06 – PROCEDURE BYLAW**

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## ***A Bylaw of The Corporation of the Township of North Dundas to Govern Proceedings of Council and its Committees***

**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;

**AND WHEREAS** the *Municipal Act, 2001*, c. 25 S. 5 (3) provides that the powers of every Council are to be exercised by bylaw;

**AND WHEREAS** the *Municipal Act, 2001*, c. 25, S. 238 (2) requires every Municipality and local board to pass a procedure bylaw for governing the calling, place and proceedings of meetings;

**AND WHEREAS** Council of the Corporation of the Township of North Dundas deems it necessary to set rules and regulations with regard to Council proceedings.

**NOW THEREFORE** the Council of The Corporation of the Township of North Dundas enacts as follows:

### **1.0 SHORT TITLE**

This Bylaw shall be referred to as the "Procedure Bylaw".

### **2.0 DEFINITIONS**

**Act** means *the Municipal Act, S.O. 2001, c.25*. as amended or replaced from time to time

**Ad Hoc Committee** means a committee created by Council with a defined set of responsibilities and term, to report directly to Council on a specific matter.

**Advisory Committee** means a committee created by Council with a defined set of responsibilities providing advice directly to Council.

**Alternate Member of Council** means a Member of Council appointed to serve as a Member of County Council when one of the County Council representatives is unable to attend a meeting for any reason.

**Bylaw** means an enactment, in the form approved by Council, passed for the purpose of giving effect to decisions or proceedings of Council.

**CAO** shall mean the Chief Administrative Officer of the municipality.

**Clerk** shall mean the Clerk or designate.

**Closed Session** (in camera) means a meeting or part of a meeting of Council or a Committee that is closed to the public as permitted in the Act.

**Committee** means Committee of the Whole, advisory committee or other committee, subcommittee or similar entity appointed by Council.

**Committee of the Whole** means a meeting of the whole Council in committee format for discussion purposes.

**Consent Agenda** means a listing of items and motions under one resolution presented to Council for approval without debate and with no delegation or presentation.

**Council** means the Township's elected representatives, comprised of the Mayor, Deputy Mayor and Councillors.

**County Council Representatives** shall be the Mayor and Deputy Mayor.

**Declared Emergency** means any period during which an emergency has been declared in all or part of the Township of North Dundas under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*.

**Delegation** means a maximum of two people representing a group, who wish to provide information to Council/Committee(s).

**Electronic Participation** means a Council Member who participates remotely in any open or closed Council or Committee meeting via electronic means in accordance with this bylaw.

**Mayor** means the head of Council.

**Materially Advances** shall mean to substantially, measurably or identifiably advance a matter/issue forward.

**Meeting** shall mean any regular, special or other meetings of Council of a Committee meeting where:

- i. a quorum of Members is present; and,
- ii. Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, local boards or Committees.

**Member** means, according to the circumstances, a Member of Council, including the mayor, or a Member of a Committee, including the Presiding Officer.

**Motion** means a proposal, moved by a member and seconded by another Member, for the consideration of Council or a Committee.

**Notice of Motion** means a notice, given by a member, for insertion in the current agenda, or the agenda of a subsequent meeting.

**Open Meeting** means a meeting which is open to the public.

**Presiding Officer** means the person presiding over a meeting, who is charged with the responsibility to decide questions and points of order or practice, preserve order and maintain decorum in the proceedings of Council or Committee.

**Principal or Main Motion** means a motion to consider any subject that is brought before Council for its consideration. Principal or main motions yield to privileged and subsidiary or secondary motions.

**Privileged Motion** means a motion that, due to its importance, takes precedence over all other questions and is not debatable.

**Public Meeting** means a meeting held pursuant to the *Planning Act* or other legislation where statutory notice is required.

**Quorum** means a majority of the Members.

**Ratification Bylaw** means a bylaw passed at every Council meeting confirming the actions of Council taken at that meeting.

**Resolution** means a motion that has carried.

**Rules of Procedure** means the rules and procedures set out in this bylaw.

**Regular Meeting** means a meeting of Council or Committee held at the times and dates specific in this bylaw and approved by Council or Committee as part

of an annual calendar.

**Special Meeting** means a separate meeting of Council or Committee held at a time different than a regular meeting as approved by Council or Committee(s) and which is focused on one or more particular and specific items or subjects.

**Subsidiary or Secondary Motion** means a motion which affects the disposition of a principal motion. Subsidiary or secondary motions take precedence over principal or main motions and must be decided before the principal motion can be acted upon.

**Township** means the Township of North Dundas.

## **3.0 PURPOSE AND PRINCIPLES**

### **3.1 Purpose**

- a) Council shall observe the rules of procedure contained in this bylaw Where a matter being considered by Council arises that is not covered in this bylaw, "Robert's Rules of Order" (latest edition) shall apply. In so far as possible, all rules of procedure outlined this bylaw shall apply to Committees.
- b) Committees act in an advisory capacity only and that unless decision-making has been delegated by Council, motions presented at the Committee level should be deemed proposals and recommendations respectively.

### **3.2 Principles**

- a) Each Member has the right to:
  - (i) one vote, subject to the declaration of pecuniary interest,
  - (ii) information to help make decisions, unless otherwise prevented by law,
  - (iii) an efficient meeting; and,
  - (iv) be treated with respect and courtesy.
- b) No item shall be placed on an Agenda with respect to a matter which is not within the jurisdiction of Council or Committee. The Mayor and/or Presiding Officer, in consultation with the Clerk, will determine if a matter is within the jurisdiction of Council or Committee.
- c) In the event of conflict between the provisions of this bylaw and the Act, or any other legislation, the provisions of the legislation shall prevail.
- d) All meetings of Council may be audio and/or visually recorded, broadcast and/or live streamed publicly by the municipality.
- e) If the public is allowed to attend the meeting and the broadcast fails at any time due to technical difficulties, the meeting will continue.
- f) If the public is not allowed to attend the meeting in person due to an emergency, and the live stream fails due to technical difficulty the meeting shall stand adjourned either until the next regular meeting or until a special meeting is called to deal with the matters remaining from the adjourned meeting.

### **3.3 Suspension of Rules**

- a) No provision of this bylaw shall be suspended except by an affirmative vote of at least two-thirds of the Members of Council present for each incidence of suspension of the rules:
  - (i) two-thirds of 5 members = 4 members
  - (ii) two-thirds of 4 members = 3 members
  - (iii) two-thirds of 3 members = 2 members

- b) The suspension shall only apply to the procedure(s) or rule(s) which are stated within the motion to suspend and only during the meeting in which such motion was introduced.
- c) The following procedure(s) or rule(s) cannot be suspended:
  - (i) restriction to add other business in special meetings; and,
  - (ii) majority of Members for quorum.

## **4.0 GENERAL**

### **4.1 Quorum and Commencement of Meetings**

- a) As soon as there is a quorum present, the Mayor shall call the Members to order. In the absence of the Mayor or Presiding Officer, the Deputy Mayor shall act as the presiding officer until the arrival of the Mayor.
- b) In the absence of both the Mayor and the Deputy Mayor, a Presiding Officer shall be appointed from among the Members present and shall preside until the arrival of the Mayor or Deputy Mayor.
- c) If no quorum is present fifteen minutes after the time scheduled for a meeting of Council, the Clerk shall record the names of the Members present and the meeting shall stand adjourned until the date of the next regular meeting or a special meeting in accordance with Section 5.3.
- d) If at any time during a meeting quorum is lost, the meeting shall automatically be recessed until a quorum is re-established. If the loss of a quorum continues for fifteen minutes, the meeting shall stand adjourned either until the next regular meeting or until a special meeting is called to deal with the matters remaining from the adjourned meeting.

### **4.2 Disclosure of Pecuniary Interest/Conflict of Interest**

- a) To determine a possible pecuniary interest, the Member shall consult and be in compliance with the *Municipal Conflict of Interest Act*.
- b) Declaration of pecuniary interest by a Member must be disclosed before the matter is considered at the meeting.
- c) Member(s) shall provide a written statement of the pecuniary interest and details of the general nature of the interest.
- d) A Member declaring a pecuniary interest in an Agenda item, must not take part in the discussion, vote, or attempt to influence the voting before, during or after the meeting.
- e) The Clerk must note the disclosure of pecuniary interest in the minutes and the registry of declarations available to the public.
- f) A Member of Council declaring a pecuniary interest in a closed session item, must be absent for that portion of the closed session.
- g) Member(s) may also declare a general conflict of interest pursuant to the code of conduct for Council in the same manner as a pecuniary interest above.

## **5.0 MEETINGS**

### **5.1 Inaugural Meeting**

- a) The inaugural meeting of a newly elected Council shall take place following the October election. Time and location to be determined.
- b) All Members of Council shall take the declaration of office, sign his/her oath and sign the "Code of Conduct" for Council prior to participating in any meeting of Council.
- c) After all declarations are completed, the Clerk will deem the Council organized and ask Council to take their assigned seats for the inaugural meeting.
- d) The inaugural Agenda shall include:
  - (i) Call to order
  - (ii) Comments from each Council Member
  - (iii) Closing remarks - Mayor
  - (iv) Adjournment
- e) No business except as stated above shall take place at the inaugural meeting of Council.

### **5.2 Regular Council Meeting**

#### **5.2.1 General**

- a) Meetings of Council shall be held at council chambers, 636 St. Lawrence Street, Winchester, ON or at such other location designated by Council.
- a) Regular council meetings held during business hours will commence at 1:00 pm. Regular Council meetings held after business hours will commence at 4:30 pm and will not exceed three (3) hours in length unless otherwise ordered by resolution.
- b) A proposed meeting schedule will be presented by the Clerk to Council for approval by resolution by December of each year. The schedule of meetings as approved by Council will be posted on the Municipality's website and other social media platforms.
- c) Council reserves the right to dispense with or alter the time, day or place of any regular meeting and/or to add additional regular meetings with 48 hours' notice. Any changes shall be posted on the Township's website.
- d) The CAO and/or Clerk, in consultation with the Mayor, have the authority to cancel any meeting of Council due to inclement weather conditions. Notice of cancellation shall be posted within the municipal office in public access areas and on the Municipality's website and social media platforms with as much notice as is reasonable under the circumstances.

#### **5.2.2 Agenda**

- a) The Clerk shall prepare for the use of the Members at the regular meetings of Council an agenda under the following headings as required:
  - (i) Call to order
  - (ii) Adoption of agenda

- (iii) Declarations of pecuniary interest
- (iv) Adoption of minutes
- (v) Public meeting
- (vi) Staff reports
- (vii) Consent agenda
- (viii) Items for consideration
- (ix) Notice(s) of motion
- (x) Boards and committees
- (xi) Ratification bylaw
- (xii) Council Comments
- (xiii) Unfinished Business
- (xiv) Notice of Motion(s)
- (xv) Closed session
- (xvi) Open session
- (xvii) Adjournment

- b) Requests for proclamations will not be endorsed by the Council of the Township and therefore will not appear on the agenda.
- c) The business of Council shall be considered in the order set forth on the agenda unless otherwise decided by Council. Any undisposed matters will be placed on the agenda for the next regular meeting.

### **5.2.3 Report and Agenda Deadlines**

- a) The Clerk manages the administrative process to support the preparation, publication and distribution/public access to agendas and agenda items.
- b) All staff reports shall be completed and approved by the Directors by 8:00 am on the ninth (9th) business day preceding the meeting date. Incomplete reports shall be rejected by the Clerk.
- c) To support the process for agenda preparation, all reports shall be approved by the CAO or designate by noon on the fifth business day preceding the meeting date to be included on the agenda. Reports not approved by this time shall be moved to the next regular meeting date.
- d) Agendas shall be prepared and made available to Members either by paper or electronic transmission no later than four (4) business days prior to the meeting. Exceptions will be allowed when preparation of the agenda falls in a week providing only four (4) business days due to a statutory holiday.
- e) The agenda as described above shall be posted on the Township's website at least two (2) calendar days prior to the meeting.
- f) Notwithstanding Sections 5.2.3 (b) and 5.2.3 (c), after circulation of the agenda, the CAO may approve additional items of an urgent nature for the Clerk to prepare and circulate an addendum to the agenda. Additional items shall meet at least one of the following items:
  - (i) Government/agency deadlines
  - (ii) Legal implications
  - (iii) Contractual implications
  - (iv) Financial implications



- (v) Urgent matter(s)
- f) An addendum may be circulated to Council up to and including the day preceding the scheduled meeting.

#### **5.2.4 Consent Agenda**

- a) Consent agenda may include the following items that do not have presentations or delegations:
  - (i) Receipt of the minutes
  - (ii) Procurement items that are within the approved budget
  - (iii) Communications addressed to Council
  - (iv) Information reports requested by Council through motions
  - (v) Items as directed by the CAO or Clerk
  - (vi) Ratification bylaw
- b) Members shall identify any items contained on the consent agenda which they wish to speak to and the matter shall be extracted from the Consent Agenda to be dealt with separately under Items for Consideration.
- c) In the event that a Member declares a pecuniary interest on an item that is included on the consent agenda, that item shall be considered under items for consideration.
- d) Items on the consent agenda or the balance of the items, as the case may be, shall be adopted in one motion.

#### **5.2.5 Items for Consideration**

- a) Items for consideration shall consist of the items that have been identified from within the consent agenda and all other matters on the agenda requiring a decision of Council or Committee.
- b) New items of an urgent nature may be considered if in the opinion of Council, they require an immediate decision of Council or Committee.

#### **5.2.6 Boards and Committees**

At each regular meeting, Members of Council shall have the opportunity to report on their respective Committee activity or recent activities undertaken and of interest to the community.

#### **5.2.7 Notice(s) of Motion**

- a) Every notice of motion shall be delivered to the Clerk (7) seven full business days preceding the date of the meeting at which such motion is to be introduced; and such motion shall be printed in full in the agenda for that meeting of the Council or Committee.
- b) A written notice of motion to reopen a matter may be dealt with at the same meeting at which notice is first given if they pertain to a matter included in the agenda.
- c) Any Member who wishes to introduce a motion at a regular meeting of Council pertaining to a matter not included in the agenda (other than a routine matter) must do so by notice of motion verbally; such motion shall be for consideration at the next regular meeting of Council or a subsequent meeting of Council to be identified by the mover.

### **5.3 Special and Emergency Meetings**

- a) The Mayor may at any time call a special meeting of Council by providing written directions to the Clerk stating the date, time and purpose for the special meeting.
- b) A majority of Councillors may, at any time, petition the Clerk to call a special meeting of Council by providing a written petition to the Clerk stating the date, time and purpose for the special meeting.
- c) Notice of all special meetings of Council shall be given to the Members at least 24 hours before the time of the meeting through the Clerk's office. The only business to be dealt with at a special meeting is that which is listed in the notice of the meeting.
- d) In the event of a bona fide emergency the Mayor may call a meeting of Council without giving twenty-four (24) hours' notice of the meeting, provided that the Clerk has diligently attempted to advise all members of Council immediately upon being advised of the intention to hold an emergency meeting.
- e) The only business to be dealt with at an emergency meeting shall be respecting that emergency. The meeting may be held at public offices kept at any convenient location within or outside the Municipality. The Clerk or designate shall make his/her best efforts to provide as much notice as is reasonable under the circumstances.
- f) The Clerk may prepare and use a shortened agenda for special and emergency meetings.

### **5.4 Closed Session**

#### **5.4.1 General**

- a) A meeting or part of a meeting may be closed to the public in accordance with Sections 239 (2), (3) and (3.1) of the Act. A closed meeting, when required, may be scheduled within a regular, special, emergency or committee of the whole meeting as outlined in the agenda.
- b) Prior to holding a closed session, Council or Committee shall state by resolution in an open session that Council or Committee will be holding a closed session, the subject matter and the permitted closed session exemption under the Act.
- c) Discussion during a closed session shall be limited to that stated by resolution prior to holding the closed session. Additional items require public notice by resolution in open session prior to holding the closed session to discuss additional items.
- d) Closed sessions may be video-taped and/or recorded by the Clerk. All recordings are to remain in the possession of the Clerk and shall be properly secured.
- e) All Members, staff and invited guests shall keep confidential any information disclosed or discussed at a session that was closed to the public, received in confidence verbally in preparation for the closed session meeting or by any other means ( e.g. email, secure link, by hand).
- f) All documents handed out during a closed session shall be initialed and returned to the Clerk at the end of the closed session.

#### **5.4.2 Closed Session Voting**

- a) In relation to a matter considered in a closed session Council or Committee may only vote:
  - (i) on procedural motions,
  - (ii) on motions to rise, report and introduce a proposed recommendation on an open meeting agenda; or,
  - (iii) to give directions to staff or a third party of the Township.
- b) Votes held in closed session shall be by a show of hands unless a recorded vote is requested by a Member in accordance with the regulations contained in the Act.

#### **5.4.3 Reporting in Open Session**

- a) The Presiding Officer shall report out in an open session immediately following the closed session and summarize the actions taken in the closed session, as necessary.
- b) Matters discussed in a closed session which require a decision will be brought forward to an open session of Council or Committee.

#### **5.4.4 Resolution from Closed Session Investigator**

- a) If an investigation of a closed session is completed, the investigator's report will be considered by Council during an open regular session and a resolution passed to address recommendations resulting from the investigation.

### **5.5 Public Meetings**

- a) Public meetings shall consider matters where a meeting is required to hear applications under the *Planning Act* or to obtain public input for other purposes.
- b) A public meeting pursuant to the *Planning Act* may be called for an alternate date and time provided adequate notice is given.
- c) As appropriate, planning public meetings may be held within the agenda of a regular meeting.
- d) Staff shall give legislated notice of items on any agenda for a statutory public meeting in accordance with the applicable legislation.

### **5.6 Electronic Meetings**

- a) Any Member of Council may participate in any open or closed regular, special, public or committee of the whole meeting electronically and be counted for the purpose of establishing quorum for up to 3 meetings in a calendar year. Thereafter, the consent of the Mayor is required.
- b) Notwithstanding Section 5.6(a), Members of Council may participate electronically for more than three (3) consecutive meetings without seeking the Mayor's consent in a declared emergency.
- c) Motions shall not be required to be in writing during an electronic meeting.
- d) Each Member present, except a Member who is disqualified from voting by any Act, shall vote with a show of hands when participating electronically, provided all Members of Council can be seen by each other and any livestream observers during a vote, otherwise each

Member shall announce their vote verbally when called.

- e) Members must provide the Clerk forty-eight (48) hours' notice of their intent to participate electronically, to ensure the proper technology is enabled, unless extraordinary circumstances apply.
- f) A Member who joins a meeting via electronic participation partway through the meeting shall advise the Presiding Officer and Clerk of their attendance at the meeting.
- g) A Member who is participating electronically in a meeting who, for any reason will no longer be attending the meeting prior to adjournment, shall advise the Presiding Officer and Clerk of their absence from the meeting.
- h) In accordance with Section 4.2 and pursuant to the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended, Members who have declared a pecuniary interest regarding a matter being discussed and are participating electronically shall turn their camera and microphone off and not participate in any way where the subject matter of their declaration of conflict of interest is discussed.
- i) Any Member participating electronically may not have any other person present with them when in closed session and they may be asked to demonstrate they are alone.

## **6.0 COMMITTEES**

### **6.1 General**

- a) The Mayor shall, ex officio, be a Member of all Committees and be entitled to vote at all meetings thereof. All Members of Council may attend the meetings of standing or special Committees and may, with the consent of the Committee, take part in the discussion, but shall not be entitled to vote.
- b) Any Member may recommend, the establishment of a special committee or ad hoc committee to study, evaluate, negotiate, investigate, prepare a special report, or make recommendations for the resolution of a specific matter or issue.
- c) Ad hoc and special committees shall be established by motion and such motion shall contain the general nature the issue(s) to be addressed by the committee.
- d) An ad hoc or special committee shall be automatically dissolved once its work is complete and recommendations have been reported to Council or upon the dissolution by Council of such Committee, or at the end of the term of Council.
- e) The Committee shall report to Council from time-to-time, as often as the interests of the municipality may require, all matters connected with the duties imposed on them respectively and to recommend such action by Council in relation thereto as may be deemed necessary and expedient. All Committee recommendations shall be referred to Council before becoming effective.

### **6.2 Committee of the Whole**

- a) Committee of the whole (COTW) is the participation of all Councillors of the Township in a Committee meeting where Councillors consider questions with greater freedom of

debate. When sitting as COTW, the results of consensus taken in open session are not final decisions of Council. Rather, the results have the status of recommendations which Council is given the opportunity to consider further at a formal Council meeting under its regular rules (exception: direction given in closed session).

- b) The Clerk shall use a simplified Agenda for the COTW meetings which may include the following:
  - (i) Call to order
  - (ii) Approval of the Agenda
  - (iii) Disclosure of pecuniary interests and general nature thereof
  - (iv) Approval of minutes
  - (v) Delegations
  - (vi) Staff reports
  - (vii) Discussion of additional Items
  - (viii) Unfinished business
  - (ix) Closed session
  - (x) Open session
  - (xi) Ratification bylaw
  - (xii) Adjournment by
- c) The agenda shall be posted to the Township website at least two (2) calendar days prior to the meeting.

## **7.0 COUNTY COUNCIL**

- a) The Mayor and Deputy Mayor shall become Members of Council of the United Counties of Stormont, Dundas and Glengarry upon:
  - (i) certification from the Clerk of the lower tier; and,
  - (ii) taking the declaration of office for the position at the upper tier.
- b) The Councillor chosen by a vote of North Dundas Council Members shall become the alternate Member of Council of the United Counties of Stormont, Dundas and Glengarry upon:
  - (i) certification from the Clerk of the lower tier; and,
  - (ii) taking the declaration of office for the position at the upper tier.
- c) Where the alternate Member is unwilling or unable to serve as alternate Member, Council may appoint a substitute alternate Member to represent the township as the alternate Member of Council of the United Counties of Stormont, Dundas and Glengarry.
- d) The alternate Member of Council shall exercise all the rights of a Member of Council of the United Counties of Stormont, Dundas and Glengarry, solely for the meeting so attended where either of the Mayor or Deputy Mayor are not able to attend.
- e) The alternate Member of Council shall adhere to the provisions of the United Counties of Stormont Dundas and Glengarry procedural bylaw.

## **8.0 ROLE AND CONDUCT**

### **8.1 Council and Committee Members Conduct**

- a) Business casual attire during regular scheduled Council meetings (i.e. dress pants or skirts, professional shirts or sweaters, neckties optional) is recommended. When sitting as COTW, when attending virtual meetings, or other Committee/working group meetings, or

during warmer weather, Members may wear more casual attire.

- b) Council Members shall govern themselves according to Council's "Code of Conduct" policy.
- c) The presiding officer shall preserve order and rule on points of order and privilege.
- d) All Members shall not disobey the rules or decisions of Council or a decision of the Mayor or Presiding Officer on points of order or privilege, or upon the interpretation of the rules of procedure.
- e) Every Member desiring to speak shall indicate so in order to be recognized by the presiding officer.
- f) Every Member, on being recognized, shall remain seated in his or her place and address themselves to the Presiding Officer.
- g) No Member shall, without leave of Council or Committee:
  - (i) speak to an issue for more than five (5) minutes (cumulative),
  - (ii) use offensive words or speak disrespectfully of the Mayor, Members of Council, Committee, staff or the public,
  - (iii) speak on any subject other than the subject under debate; or,
  - (iv) speak in contempt of any decision of the Council or Committee;
- h) A Member called to order by the presiding officer shall immediately cease further comment or disruptive behaviour. If a Member persists in such disobedience after having been called to order by the presiding officer, the Member may be ordered by the presiding officer to leave his or her seat for the meeting. In case of an adequate apology being made by the Member they may, by way of majority vote of the Members present, be permitted to take their seat.
- i) The Member may appeal the call to order to the Council or Committee. The Council or Committee, if appealed to, shall decide on the case without debate and by way of a majority vote of the Members present. If there is no appeal, the decision of the presiding officer shall be final.
- j) In the event that a Member refuses to vacate their seat, the presiding officer may request that the Member be removed by the Clerk and/or staff as required, and the police may be called for assistance as necessary.

## **8.2 Electronic Devices**

- a) Each Member shall place any electronic devices on an inaudible setting during any open or closed meeting.
- b) No Member shall use an electronic device or recording device to broadcast, record or otherwise publish or distribute audio or video of any open or closed meeting, nor photographs of any closed meeting.

## **8.3 Rules of Debate**

- a) Every Member, prior to speaking, shall be recognized by the Mayor or Presiding Officer. Every Member present at a meeting of Council when a question is put, shall vote thereon unless prohibited by statute.
- b) When the presiding officer calls for the vote on a question, each Member shall occupy his/her seat and shall remain in his/her place until the result of the vote has been declared by the presiding officer, and during such time no Member shall speak to any other Member or make any noise or disturbance. Without limiting the generality of the

foregoing, no Member shall communicate with any other Member during a debate or vote by electronic means or receive communications from any other person by electronic means.

- c) When a Member is speaking, no other Member shall interrupt him/her except to raise a point of order.
- d) 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.
- e) When two or more Members seek to address Council, the Mayor shall designate the Member who may speak first.

#### **8.4 Integrity Commissioner**

The appointed integrity commissioner will report to Council and is responsible for performing in an independent manner the functions assigned by the township with respect to:

- a) The application of the “Code of Conduct” for Members of Council and the “code of conduct” for Members of local boards or of either of them; and,
- b) The application of any procedures, rules and policies of the township and local boards governing the ethical behaviour of Members of Council and of local boards or either of them.

#### **8.5 Member Vacancy and Attendance**

- a) A Member of Council may resign from office by notice in writing filed with the Clerk.
- b) A Member is permitted to be absent from meetings for 20 consecutive weeks or less if it is a result of a Member’s pregnancy, the birth of the Member’s child or adoption of a child by the Member.
- c) The office of a Member of Council becomes vacant if the Member has been absent from meetings of the Council for three (3) successive months without being authorized to do so by a resolution of Council unless otherwise permitted by the Act.
- d) If a vacancy occurs in the office of a Member of Council, as per the Act, Council shall fill the vacancy by:
  - (i) appointing a person who has consented to accept the office if appointed; or,
  - (ii) holding a by-election to fill the vacancy in accordance with *the Municipal Elections Act, 1996*; or,
  - (iii) appointing the non-elected candidate who, during the last municipal election obtained the second most votes after the candidate whose seat is declared vacant, to fill the vacancy.

### **9.0 MOTIONS AND VOTING**

#### **9.1 Motions**

- a) The actions and decisions of Council shall be presented and decided upon by way of motions or resolutions duly introduced, seconded, debated and voted upon.
- b) All motions must be formally seconded before they can be considered or recorded in the minutes.
- c) After a motion has been moved and seconded, it shall be deemed to be in the possession of Council or Committee. Council or Committee

may consent to the withdrawal of the motion at any time before amendment or decision.

- d) All motions presented to Council in writing or orally shall be stated by the Mayor, Presiding Officer or Clerk before debate.
- e) A motion in respect of a matter which is not within the jurisdiction of the Council or Committee shall not be in order. The Mayor or Presiding Officer, in consultation with the Clerk, will determine if the matter is within the jurisdiction of Council or Committee.
- f) A “friendly amendment” may be allowed by the Mayor or Presiding Officer as an amendment to a motion under debate that is perceived by all Members present as an enhancement to the original motion, often only as a clarification of the motion’s intent.
- e) When a motion is under consideration, no other motion shall be received unless it is a motion:
  - (i) To refer the motion to Committee, Council, staff or any other person or body. A motion to refer:
    - a) is open to debate,
    - b) is amendable; and,
    - c) shall preclude amendment or debate of the preceding motion.
  - (ii) To amend the motion. A motion to amend:
    - a) is open to debate,
    - b) shall not propose a direct negative to the main motion,
    - c) shall be relevant to the main motion,
    - d) is subject to only one further amendment, and any amendment more than one must be to the main motion; and,
    - e) if more than one, shall be put in the reverse order to that in which they were moved, and shall be decided or withdrawn before the main motion is put to the vote.
  - (iii) To defer the motion. A motion to defer:
    - a) is not open to debate,
    - b) is not subject to amendment; and,
    - c) applies to the main motion and any amendments thereto under debate at the time the motion to defer is made.
  - (iv) To adjourn. A motion to adjourn:
    - a) is not open to debate,
    - b) is not subject to amendment; and,
    - c) shall always be in order.
  - (v) To call a vote. A motion to call a vote on the motion:
    - a) cannot be amended,
    - b) cannot be proposed when there is an amendment under consideration,
    - c) when resolved in the affirmative, shall be followed by voting on the motion, without further debate or amendment of the motion,
    - d) when resolved in the negative, shall be followed by resumption of debate; and,
    - e) shall always be in order.
- f) Whenever the Mayor or Presiding Officer is of the opinion that an amending motion is contrary to the main motion, the Mayor or Presiding Officer shall apprise the Members thereof immediately. A



Member of Council or Committee may appeal the ruling of the Mayor or Presiding Officer to Council or Committee by expressing a point of order.

- g) Once all motions relating to the main motion have been dealt with, and once the main motion is put to a vote, there shall be no further discussion or debate and the motion shall be immediately voted on.
- h) A motion may be voted against by the mover and seconder.

## **9.2 Voting:**

- a) After a question is finally put by the Mayor or Presiding Officer no Member shall speak to the question nor shall any other motion be made until the vote is taken and the result has been declared.
- b) When one or more motions have been made, the order of the vote shall be as follows:
  - (i) to defer the motion,
  - (ii) to refer the motion,
  - (iii) upon the amendments in the reverse order to that in which they were moved, dealing with an amendment to an amendment immediately before the amendment it proposes to amend; and,
  - (iv) then, upon the main motion or upon the main motion as amended, if any amendments have been carried.
- c) Except as otherwise provided, every Member of Council or Committee shall have one vote.
- d) Any motion on which there is a tie vote shall be deemed to be defeated, except where otherwise provided by any Act.
- e) 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.
- f) When the motion under consideration contains distinct clauses, and a Member has requested to vote on each distinct clause, then a vote shall be taken separately on each clause, including each clause added by way of an amendment.
- g) Unless otherwise requested by a Member, no vote is required for the following motions:
  - (i) adjournment,
  - (ii) extend the adjournment time,
  - (iii) recess; and/or
  - (iv) moving out of a closed meeting.
- h) No vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect. Proxy voting is not permitted.

## **9.3 Recorded Vote:**

- a) If a Member disagrees with the announcement of the results of the vote by the Mayor or Presiding Officer, he/she may object immediately to the declaration and require that the Members be polled individually.
- b) Voting shall be done by a show of hands unless there has been a request for a recorded vote or unless a recorded vote is required by the Act. Where a vote is taken for any purpose, a Member may request immediately prior or immediately subsequent to the taking of the vote, that the vote be recorded.
- c) When a Member requests a recorded vote, the Clerk shall call the

name of each Member present and eligible to vote and record their response. At the conclusion of the vote the Clerk shall inform the Mayor or Presiding Officer of the outcome of the vote and record it in the minutes. A request for a recorded vote can only be made immediately before or after the taking of the vote.

#### **9.4 Reconsideration:**

- a) A substantive resolution, bylaw or any question or matter that has previously been adopted by Council may be reconsidered by Council subject to the following:
  - (i) a notice of motion, moved by a Member on the prevailing side, must be introduced according to the procedures for notice of motion,
  - (ii) such motion must be supported by a majority vote of the Members of the whole Council before the matter to be reconsidered can be debated,
  - (iii) once a vote to reconsider is passed the matter being reconsidered shall immediately be put on the floor as a resolution as if it had not been voted on previously; and,
  - (iv) a vote to reconsider shall not be considered more than once in any twelve-month period.
- b) These rules do not apply when a motion pertains to a decision of a previous Council.

#### **10.0 POINT OF ORDER**

- a) A Member may raise a point of order at any time if they consider that there has been a departure from or contravention of the rules, procedures or accepted practices of Council, whereupon the Mayor or Presiding Officer shall:
  - (i) interrupt the matter under consideration,
  - (ii) ask the Member raising the point of order to state the substance of and the basis for the point of order; and
  - (iii) rule on the point of order immediately without debate by Council or Committee.
- b) A Member of Council or Committee may appeal the ruling of the Mayor or Presiding Officer to Council or Committee which will then decide on the appeal, without debate, by way of a majority vote of the Members present. If there is no appeal, the decision of the Mayor or Presiding Officer shall be final.

#### **11.0 POINT OF PRIVILEGE**

- a) A Member may raise a point of privilege at any time if they consider that their integrity, the integrity of Council or the Committee as a whole or staff has been impugned, whereupon the Mayor or Presiding Officer shall:
  - (i) interrupt the matter under consideration,
  - (ii) ask the Member raising the point of privilege to state the substance of and the basis for the point of privilege; and,
  - (iii) rule on the point of privilege immediately without debate by Council or Committee.
- b) A Member of Council or Committee may appeal the ruling of the Mayor or Presiding Officer to Council or Committee.
- c) If there is no appeal, the decision of the Mayor or Presiding Officer shall be final. If there is an appeal, Council or Committee shall vote on the motion without debate by way of a majority vote of the Members present and its decision shall be final.
- d) Where the Mayor or Presiding Officer considers that the integrity of any

Township employee has been impugned or questioned, the Mayor or Presiding Officer may permit staff to make a statement to Council or Committee.

## **12.0 READING OF BYLAWS AND PROCEEDINGS THEREON**

- a) Every bylaw shall be introduced by written motion and shall be considered to have been read a first, second and third time short. At the discretion of Council, or as otherwise required by legislation, a bylaw may be read a first and second time, with third reading postponed until later in the meeting, or subsequent meeting of Council.
- b) Debate shall be limited to the subject matter of the bylaw.
- c) The Clerk shall be responsible for the correctness of all bylaws should they be amended at a Council meeting.
- d) Every bylaw passed by Council shall:
  - (i) be signed by the Mayor, or the presiding officer,
  - (ii) be signed by the Clerk or designate,
  - (iii) be sealed with the township seal; and,
  - (iv) indicate the date of passage.
- e) The Clerk shall be authorized to make minor corrections to any bylaw resulting from technical, formatting or typographical errors provided the intent of the bylaw is not changed .
- f) At all meetings of Council, a ratification bylaw shall be brought forward, be taken as read a first, second and third time short and finally adopted without debate.

## **13.0 PETITIONS AND COMMUNICATIONS FROM THE PUBLIC**

- a) Every communication, including a petition designed to be presented to Council, shall be legibly written or printed and shall not contain any obscene, defamatory or improper language and shall be signed by at least one person and filed with the Clerk.
- b) A petition or communication may be introduced at a Council meeting with the consent of Council expressed by motion.
- c) All correspondence addressed to Council shall be directed through the Clerk and considered public information, except as prohibited by legislation.
  - (i) correspondence may consist of the following items:
  - (ii) resolution support requests
  - (iii) correspondence received that may be of interest to Members of Council
  - (iv) intergovernmental communications
  - (v) items available in the Clerk's office
- d) Correspondence will be circulated by the Clerk or designate to Members weekly. Through the Clerk, Members may request correspondence items be placed on the appropriate Council agenda for discussion.
- e) Council's receipt of correspondence does not constitute endorsement by the Township of the correspondence or its contents or any recommendations contained, or actions advocated therein.

## **14.0 DELEGATIONS**

- a) A maximum of three delegations shall be permitted at any regular meeting

on a first-come first served basis.

- b) Persons wishing to address Council shall make written application to the Clerk prior to 12:00 noon 10 days preceding the regular meeting (not including weekends or holidays), or as otherwise provided for in the notice of the meeting. Such application shall contain the subject matter to be discussed, all information to be presented to Council, and the name, address and telephone number of a spokesperson chosen by the delegation to make the presentation.
- c) Delegations shall be limited to one appearance, unless providing additional information.
- d) The CAO or Clerk in consultation with the Mayor may refuse delegations under the following circumstances:
  - (i) The request is not submitted within the stated time limits;
  - (ii) The subject matter is deemed to be beyond the jurisdiction of Council;
  - (iii) The issue is specific to a matter properly held in closed session;
  - (iv) Requests/issues where there is no perceived benefit for the Township of North Dundas.

The decision to refuse a delegation shall be circulated to the rest of Council. Should any member wish to discuss this decision they shall request the Clerk to place the delegation request on the next Regular Meeting Agenda under Council Comments, or refer the decision to a Committee of the Whole for discussion.

- e) Delegations taking the same position on a matter shall be encouraged to select a spokesperson(s) to present their views collectively.
- f) Delegations shall be limited to the subject matter indicated in their application for a delegation.
- g) Applications for delegations shall not be received after the deadline established in s. 14 (b) of this Bylaw. Notwithstanding, if a matter is listed on the agenda to which anyone is desirous of providing information to the Members, the person shall notify the Clerk prior to the Monday preceding the meeting and shall provide a brief in writing to the Clerk at the time the request is made so that it may be circulated to the Members.
- h) Delegations 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) Display or have in their possession picket signs or placards in Council Chamber or meeting room;
  - (iv) Speak disrespectfully of any person;
  - (v) Use offensive words;
  - (vi) Disobey a decision of the Presiding Officer;
  - (vii) Enter into cross debate with other delegations, staff, Members or the Presiding Officer.
- i) Delegation shall be permitted a maximum of 10 minutes to make the presentation.
- j) Delegations shall state their name(s) and make their presentation to the Members.
- k) In the event that the subject brought to the Members at a meeting by a delegation is also dealt with in any other item listed on the Agenda, the Presiding Officer 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 delegation item.

- l) Upon completion of a presentation by a delegation, any dialogue between Members and the delegate shall be limited to Members asking questions for clarification and obtaining additional, relevant information only. Questions from Members shall be addressed by the spokesperson to the best of their ability. Members shall not enter into debate with the delegation respecting the presentation.
- m) Council will defer any decision or action on information received from a delegation to a subsequent meeting of Council.

## **15.0 CONDUCT OF PUBLIC**

- a) Members of the public in attendance at a meeting, shall not:
  - (i) address Council or Committee without permission,
  - (ii) bring food or beverage, with the exception of water, into the Council chamber or meeting room unless so authorized,
  - (iii) engage in any activity or behaviour or make any audible noise that could affect the Council or Committee deliberations, including clapping, shouting, jeering or any other form of disorderly conduct,
  - (iv) bring any signs or placards into, or hand out any brochures, pamphlets, buttons or literature in the Council chambers, or
  - (v) use an electronic device or recording device to broadcast, record or otherwise publish or distribute audio or video of any meeting, nor take photographs of any meeting.
- b) No person shall make detrimental comments, or speak ill of, or malign the integrity of staff, the public, Mayor, Members of Council or Committee.
- c) If a person persists with inappropriate behaviour after having been called to order by the Mayor or Presiding Officer, the person(s) may be ordered by the Mayor or Presiding Officer to leave the meeting. In the event that any person refuses to leave when ordered to do so, the Mayor or Presiding Officer may request that the Member be removed as required, and the police may be called for assistance as necessary.

## **16.0 MINUTES**

- a) The minutes of Council as taken by the Clerk, or designate, shall consist of a record of all proceedings taken in the Council meeting and shall include:
  - (i) the place, date and time of meeting,
  - (ii) the name of the Presiding Officer and the Members in attendance,
  - (iii) arrival and departure of Members after the call of the meeting
  - (iv) Member who has declared a pecuniary interest on the matter or questions and the nature thereof,
  - (v) all motions,
  - (vi) other proceedings of Council without note or comment; and,
  - (vii) time of adjournment.
- b) The Clerk shall be authorized to make minor corrections to minutes, resulting from technical, formatting or typographical errors provided the intent is not changed.
- c) The approved minutes of a meeting will form the official record of the meeting. Any audio, video or other recording of the meeting shall not be considered an official record.
- d) The adopted minutes of each meeting of Council shall be posted to the Township's website.

**17.0 AMENDMENT OF PROCEDURE BYLAW**

- a) No repeal of this bylaw shall be considered at any meeting of Council unless notice (verbal or written) of intention of the proposed repeal has been given.
- b) From time-to-time amendments to this bylaw, or any part thereof, may be considered at any meeting of Council provided notice (verbal or written) is given prior to the meeting.

**18.0 SEVERABILITY**

The provisions of this bylaw are 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 of this bylaw.

**19.0 REPEAL OF PREVIOUS BYLAW**

That Bylaw No. 2023-02, as amended, is hereby repealed.

**20.0 EFFECTIVE DATE**

This bylaw shall become effective upon the date of enactment.

**PASSED AND ENACTED  
THIS 12TH DAY OF MARCH, 2025**

Signed copy on file

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TONY FRASER  
MAYOR

Signed copy on file

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NANCY JOHNSTON  
CLERK