

THE CORPORATION OF THE TOWN OF GORE BAY

BY-LAW NO. 2010-34

Being a By-Law to Provide for the Adoption of Rules of Procedure for the Municipal Council of The Corporation of the Town of Gore Bay

Office Consolidated Copy as of November 20, 2014.

WHEREAS the Municipal Act, 2001, S.O. 2001, c.25, Section 238, requires that every municipality shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

AND WHEREAS Council deems it expedient to enact such a By-Law;

NOW THEREFORE BE IT RESOLVED THAT THE CORPORATION OF THE TOWN OF GORE BAY ENACTS AS FOLLOWS:

1. DEFINITIONS:

- 1.1 “Council” means the Council of The Corporation of the Town of Gore Bay.
- 1.2 “Head of Council” means Head of Council as defined in the Municipal Act.
- 1.3 “Member” means a member of the Council or Board as defined in the Municipal Act.
- 1.4 “Clerk” means the Clerk or Deputy Clerk for The Corporation of the Town of Gore Bay or his/her designate who shall have all the powers and duties of the Clerk under this and every other Act.
- 1.5 “Meeting” means a gathering of Council or a meeting of a Committee or Board of Council for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter over which it has jurisdiction. This does not include participation at workshops or conferences.
- 1.6 “Presiding Officer” is the person presiding at meetings of Council or its Committees.
- 1.7 “Committee” means any advisory or other sub-committee or similar entity of which at least fifty percent (50%) of the members are also members of one or more councils, or local boards.
- 1.8 “Committee of Whole” means a meeting of Council in Committee format for discussion purposes.
- 1.9 “Joint Board” means any board comprised of members from two or more municipalities.
- 1.10 “In Closed Session” (In Camera) means Council sitting in closed session to discuss matters as permitted in Section 239 (2) (3) of the Municipal Act 2001.
- 1.11 “Motion and Resolution” shall be considered synonymous.
- 1.12 “Recorded Vote” means the recording of the name and vote of every member on any matter or question.
- 1.13 “Ad Hoc Committee” means a committee appointed to review and report a specific issue; once the report is delivered, the Ad Hoc Committee is automatically dissolved; includes a special committee.
- 1.14 “Quorum” means 50% plus one (1) member of Council or Committee.

1.15 “Town” means the Municipality of The Corporation of the Town of Gore Bay.

2. INTENT OF BY-LAW:

2.1 The rules and regulations hereinafter provided shall govern the proceedings of the Council and the Committees thereof. Any part or parts of this By-law may be suspended if agreed upon by a majority of the Members present unless the part or parts is prescribed by statute or law.

2.2 All Points of Order of procedure not provided for in these Rules shall be decided in accordance with Robert’s Rule of Order and the Mayor shall submit the ruling without debate.

3. COUNCIL MEETINGS:

INAUGURAL

3.1 The First or Inaugural meeting of the Council, after a regular election, shall be held on the first working day in December at the Council Chambers, in the Municipal Building, located at 15 Water Street, adopted and used by the Council from time to time for such purposes. The Inaugural Meeting of the Council shall take place at 7:30 p.m.

3.2 At the inaugural meeting, all members present shall make their declaration of office, and no regular business shall be proceeded with at this meeting.

REGULAR MEETINGS

3.3 After the Inaugural Meeting each succeeding regular meeting of Council shall be held in the Council Chambers, or at any other place within the municipality as the Council from time to time appoint, on the Second Monday of each month at 7:30 p.m.

3.4 Except as otherwise provided by the Municipal Act or other statutes, Council may, by resolution, dispense with or alter the time, day or place of any meeting in which case a notice shall be posted in the Municipal Office advising of the time and place.

3.5 When the day for a regular meeting of the Council is a public or civic holiday, the Council shall, unless the Council decides otherwise, meet at the same hour on the next day, which is not a public or a civic holiday.

3.6 Inaugural and Regular meetings of Council shall be open meetings as per Section 239(1) of the Municipal Act 2001.

3.7 A special meeting of Council may be held as outlined in Section 23 of this By-Law.

COMMITTEE/BOARD MEETINGS

3.8 Committee and/or Board meetings shall be held in the offices designated within the Municipal Building, or at any other place within the municipality as the Council from time to time appoint, on the Fourth Monday of each month at 7:30 p.m. with exception of the General Government Committee Meeting which shall be held on the fourth Tuesday of each month at 7:30 p.m. (as amended by By-law 2014-03) and the exception of the Citizen Services Committee Meeting which shall be held on the 4th Monday of each month at 5:30 p.m. (as amended by By-law 2014-20).

3.9 When the day for a regular meeting of the Committee and/or Board is a public or civic holiday, the members of the Committee or Board shall, unless the Council

decides otherwise, meet at the same hour on the next day, which is not a public or a civic holiday.

SPECIAL MEETINGS

Special Meetings of Council may be called:

- 3.10 The Head of Council may, at any time, call a special meeting of Council.
- 3.11 By the Clerk, on petition from the Majority Members of Council.
- 3.12 At the request of majority number of Members during a regular meeting.
- 3.13 All rules of procedure and conduct for regular meetings of Council shall apply.
- 3.14 Special meetings of Council will be open meetings.

CLOSED MEETINGS

- 3.15 As required in Section 239 of the Municipal Act, 2001, all meetings must be open to the public, except that a meeting or part of a meeting may be closed to the public if the subject matter being considered is:
 - a) the security of the property of the municipality or local board;
 - b) personal matters about an identifiable individual including municipal or local board employees;
 - c) a proposed or pending acquisition or disposition of land by the municipality or local board;
 - d) labor relations or employee contract negotiations;
 - e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - g) a matter in respect of which Council, board or a committee has authorized a meeting to be closed under any Act;
 - h) a matter relating to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act if the Council, board, commission or other body is the head of an institution for the purpose of the Act.

CLOSED MEETINGS FOR THE PURPOSE OF TRAINING

- 3.16 As outlined in Section 239 of the Municipal Act, 2001, a meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:
 - 1. the meeting is held for the purpose of educating or training the members, and
 - 2. at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision making of the council, local board, or committee.
- 3.17 Before holding a training meeting or part of a meeting that is to be closed to the public, Council or the Committee must pass a resolution stating the fact that a closed meeting is taking place and the general nature of its subject matter and the section of the Municipal Act that allows the meeting to be closed to the public.
- 3.18 No voting may take place at a closed meeting held for training purposes.

TOWN HALL MEETINGS

- 3.19 The purpose of a Town Hall meeting is to allow members of the public an opportunity to provide comment and input to Council as a whole.

- 3.20 The Head of Council or a majority of members of Council may request the Clerk to hold a Town Hall meeting.
- 3.21 The Head of Council or Acting Head of Council chairs the meeting.
- 3.22 The Chair may ask a staff member to provide information to the public or to answer a question raised by a member of the public.
- 3.23 No member of the public may debate with council or staff or make derogatory comments to council or staff.
- 3.24 Each member of the public may speak for up to three minutes and may not speak a second time until after everyone present has had an opportunity to speak, time permitting.
- 3.25 At least two weeks' notice must be provided in the newspaper and on the Town's website prior to the Town Hall meeting being held.
- 3.26 Meetings will be scheduled for up to two hours but may be extended upon an approved motion of council.

4. NOTICE OF MEETING

- 4.1 Notice of Council Meetings and of Committee Meetings, other than as specified in previous paragraphs, shall be given by the Clerk upon at least two days notice. Meeting Agendas will be posted at least two days prior to the meeting on the Town website, the Public Bulletin Board located at 52 Meredith Street, and on the Municipal Building entrance.
- 4.2 The Notice to Council and/or Committee/Board Members shall be accompanied by the Agenda and any matter so far as known to be brought before such meeting.
- 4.3 The Notice shall be sent electronically to Council and/or Committee/Board Members unless it is unavailable, and in such case, the Notice shall be placed in the Councillors mail file located in the Municipal Building no later than two days previous to the day of the meeting.
- 4.4 Failure to receive the notice shall not affect the validity of the holding of the meeting or any action taken thereafter.
- 4.5 Notwithstanding any other provision of this By-Law, an emergency meeting may be held, without written notice, to deal with an emergency or extraordinary situation, provided that an attempt has been made by the Clerk to notify the members about the meeting as soon as possible and in the most expedient manner available.
- 4.6 No business except business dealing directly with the emergency or extraordinary situation shall be transacted at the emergency meeting.

5. CALLING OF MEETING TO ORDER / QUORUM / ADJOURNMENT

5.1 ABSENCE OF HEAD OF COUNCIL

Subject to the provisions of the Municipal Act, in case the Head of Council does not attend within fifteen (15) minutes after the time appointed for a meeting of the Council, the Acting Head of Council shall act as Head of Council, or in the absence of the Acting Head of Council, the Clerk shall call the Members to order and an Alternate Head of Council shall be appointed from among the Members present and he/she shall preside until the arrival of the Head of Council and while so presiding the Acting Head of Council shall have all the powers of the Head of Council.

5.2. QUORUM

If no quorum is present fifteen (15) minutes after the time appointed 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 next regular meeting.

- 5.2.1 As soon after the hour fixed for the holding of the meeting of the Council, if a quorum is present, the Head of Council shall take the Chair and call the meeting to order.

5.3 ADJOURNMENT

- 5.3.1 A motion to adjourn the Council or adjourn the debate shall be in order except when a member is in possession of the floor, or when it has been decided that the vote be now taken, or during the taking of a vote. No second motion to adjourn shall be in order until an intermediate proceeding has taken place.
- 5.3.2 Members shall not leave their places on adjournment until the Presiding Officer vacates the Chair.
- 5.3.3 Council shall adjourn at the hour of 11:00 p.m. if in session at that hour, unless otherwise determined by a vote of a majority of the members present.

6. THE CONDUCT OF PROCEEDINGS AT A MEETING OF COUNCIL

6.1 PRESIDING OFFICER:

The Presiding Officer shall preside over the conduct of the meeting, including the preservation of good order and decorum, ruling on points of order and points of privilege and deciding all questions relating to the orderly procedure of the meeting. The ruling is subject to an appeal by any member of Council.

It shall be the duty of the Head of Council or other presiding officer:

- 6.1.2 To open the meeting of Council by taking the chair and calling the meeting to order.
- 6.1.3 To announce the business before the Council in the order in which it is to be acted upon.
- 6.1.4 To receive and submit, in the proper manner, all motions presented by the Members of Council.
- 6.1.5 To put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and to announce the result.
- 6.1.6 To decline to put to vote motions which infringe the rules of procedure.
- 6.1.7 To restrain the Members, within the rules of order, when engaged in debate.
- 6.1.8 To enforce on all occasions the observance of order and decorum among the Members.
- 6.1.9 To call by name any Member persisting in breach of rules of order of the Council, thereby ordering him/her to vacate the Council Chamber.
- 6.1.10 To receive all messages and other communications and announce them to Council.
- 6.1.11 To authenticate, by his or her signature, all By-Laws, resolutions and minutes of the Council.
- 6.1.12 To inform the Council, when necessary or when referred to for the purpose, in a point of order or usage.
- 6.1.13 To represent and support the Council in conformity with the laws obeying its decision in all things.
- 6.1.14 To ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of the Council.

- 6.1.15 To adjourn the meeting when the business is concluded.
- 6.1.16 To adjourn the meeting without debate, in the case of grave disorder arising in the Council Chamber.

7. CONDUCT OF MEMBERS OF COUNCIL

- 7.1.1 No Member shall speak disrespectfully of the Reigning Sovereign, or of any of the Royal Family, or of the Governor General, the Lieutenant Governor of any province, or any Member of the Senate, the House of Commons of Canada, nor of the Legislative Assembly of the Province of Ontario.
- 7.1.2 Use indecent, offensive or insulting language in or against the Council or any Member thereof.
- 7.1.3 Speak on any subject other than the subject in debate.
- 7.1.4 Criticize any decision of the Council except for the purpose of moving that the question be reconsidered.
- 7.1.5 Disobey the rules of the Council or a decision of the Presiding Officer or of the Council on questions or order to practice or upon the interpretation of the rules of the Council.
- 7.1.6 When a Member persists in any such disobedience of the aforesaid rules after having been called to order by the Presiding Officer, the Presiding Officer may forthwith put the question, no amendment, adjournment or debate being allowed, “that such Member be ordered to leave his/her seat for the duration of the meeting of the Council”. If the Member apologizes he may, by vote of the Council, be permitted to retake his/her seat.
- 7.2 No person except Members and Officers of the Council shall be allowed to approach the council seating area during the sittings of the Council without permission of the Presiding Officer or the Council upon reference.
- 7.3 When the Chair is putting the question no Member shall leave or make a disturbance.
- 7.4 A Member who wishes to leave the meeting of Council prior to adjournment shall so advise the Presiding Officer without permission of the Presiding Officer of Council and the time of departure shall be noted in the minutes.

8. AGENDA:

- 8.1 The Clerk shall have prepared and circulate 48-hours in advance of regular meeting for the use of the Members at the regular meetings of the Council, an agenda under the following headings:
 - 8.1.1 Disclosure of Pecuniary Interest; (if applicable)
 - 8.1.2 Deputation’s / Delegations;
 - 8.1.3 Minutes of the previous regular and special meetings, which have not been adopted;
 - 8.1.4 Passing of Accounts; (if applicable)
 - 8.1.5 Business Arising Out of Minutes (if applicable)
 - 8.1.6 Correspondence; (if applicable)
 - 8.1.7 Reports of Boards and Committees;

- 8.1.8 By-Laws;
- 8.1.9 New Business;
- 8.1.10 Information and Announcements;
- 8.1.11 In-Camera Session; (if applicable)
- 8.1.12 Adjournment;

8.1.13 Announcements:

Any Member who wishes an announcement to be made shall submit it verbally or in writing to the Chairperson or the Head of Council. With the approval of the latter, the Clerk shall make the announcement before adjournment. The Clerk shall ask the Member if the announcement is to be recorded in the minutes. If the reply is affirmative and a majority of Members present so agree, the announcement shall be recorded in the minutes.

- 8.2 When it appears that any matter may be more conveniently considered in Committee of the Whole, Council may, on motion, resolved into a Committee of the Whole, and the proceedings taken in Committee when adopted by Council shall be deemed to be proceedings of Council. The Head of Council may preside in the Committee of the Whole or may designate another Member to preside.
- 8.3 A Member of Council at any time prior to the preparation of the agenda, may file in writing with the Clerk an item for inclusion in the agenda.
- 8.4 The business of Council shall in all cases be taken up in the order in which it stands upon the agenda unless otherwise decided by the Council.
- 8.5 An item of business not listed on the Council Agenda cannot be introduced at a Council meeting without the approval of Council. Items of business not listed on the agenda will be introduced, with the approval of Council, under “applicable categories”.

9. MINUTES:

- 9.1 The Minutes of Council as taken by the Clerk or designate shall consist of a record of all proceedings taken in the Council. The names of those persons in attendance at the proceedings shall be recorded in the minutes. Pursuant to the Municipal Act, 2001, the Minutes shall be a factual recount without note or comment.
- 9.2 All Minutes and Committee Minutes and Reports following adoption by Council and all By-laws passed by the Council shall be kept in the Clerk’s Office and shall be made available for viewing during normal office hours and shall be posted on the Town website, save and except those minutes and reports recorded during a meeting or part thereof that was closed to the public in accordance with the Municipal Act, 2001 and subject to the provisions of any applicable by-law, act or statute.
- 9.3 Minutes of Council meetings shall be prepared by the Clerk or Committee Secretary and be made available to the members prior to the next meeting for consideration and revision and adoption at the next meeting, following which they will be made available to the public save and except those minutes and reports recorded during a meeting or part thereof that was closed to the public in accordance with the Municipal Act, 2001 and subject to the provisions of any applicable by-law, act, or statute.
- 9.4 All draft minutes, committee minutes and Council minutes shall be circulated to the members of the committee, board or council for final draft approval. Once a final draft is completed the “final draft”, being considered “unapproved minutes” will be posted to the Town website save and except those minutes recorded during a meeting or part thereof that was closed to the public in accordance with the

Municipal Act, 2001 and subject to the provisions of any applicable by-law, act, or statute. Unapproved minutes posted on the Town website shall have a disclaimer which states "All minutes posted to this site are considered unapproved minutes until approved by Council at their next regular council meeting. As Amended by By-law 2013-42

10. REPORTS

- 10.1 Committee reports shall not be received by the Council unless received by the Members in accordance with Clause 9.2 and may be recommitted to the same or a different Committee.
- 10.2 Department Heads shall submit written reports on a ~~monthly~~ quarterly (as Amended by By-law 2013-42) basis to bring Council up to date on all operations. The one page report shall include statistics from the previous month, what programs are being offered, what is planned for the future and status of capital items.

11. DEPUTATION'S / DELEGATIONS:

- 11.1 Persons desiring to present information on matters of fact or make a request of Council shall give written notice and a copy of the subject matter to the Clerk not later than 12:00 o'clock noon on the Wednesday preceding the next regular meeting of Council.
- 11.2 Persons desiring to present information verbally on matters of fact or make a request of Council shall give written notice and a copy of the subject matter to the Clerk not later than 12:00 o'clock noon on the Wednesday preceding the next regular meeting of the Council. A presentation may be heard by leave of the Presiding Officer of Council.
- 11.3 Council may allow late delegations to be included on the agenda by the majority vote of Council.
- 11.4 Any person(s) permitted to address Council shall be limited to a maximum of ten (10) minutes. Delegation of five (5) or more person shall be limited to two (2) persons speaking, not totaling more than ten (10) minutes each.

12. PETITIONS:

- 12.1 Every petition designed to be presented to the Council, shall be legibly written or printed and shall not contain any obscene or improper matter or language and shall be signed by at least one person and filed with the Clerk.
- 12.2 Every petition shall be filed with the Clerk not later than 12:00 o'clock noon on the Friday preceding the next regular meeting of the Council.
- 12.3 The Clerk shall read the substance thereof to the Council / Committee but any Member may require the reading of part or all thereof.
- 12.4 All petitions on any subject within the cognizance of a Standing Committee shall on presentation, unless otherwise disposed of by Council forthwith, be considered as referred to the appropriate Committee as the case may be without any motion or debate unless otherwise ordered by Council.
- 12.5 When, in the opinion of the Clerk, the petition or communication should first be dealt with in committee, it shall be directed to that particular body for consideration and subsequent report to Council.
- 12.6 When, in the opinion of the Clerk, a communication or petition does not warrant consideration of Council or Committee, notification in writing shall be mailed to the petitioner or sender. The communication will state that the sender may appear

before Council or Committee, who by a majority vote, can decide to hear the petitioner. The said appearance must comply with Section 11.

13. CORRESPONDENCE (COMMUNICATIONS):

- 13.1 All correspondence (communications) which is required to be brought to the attention of Council, shall be legibly written or printed and shall not contain obscene or improper matter or language and shall be signed by at least one person and filed with the Clerk. The correspondence shall be filed with the Clerk not later than 12:00 o'clock noon on the Friday preceding the next regular meeting of the Council.
- 13.2 The Clerk shall copy the correspondence and provide a copy to each member of Council.

14. UNFINISHED BUSINESS

The items listed in the order of the topics set out in the agenda of prior meetings, which have not been disposed of by Council. The date of their first appearance on the agenda is noted and repeated on each subsequent agenda until disposed of by Council, or removed from the agenda by leave of Council.

15. READING OF BY-LAWS AND PROCEEDINGS THEREON:

- 15.1 Every By-Law shall be introduced by motion by a Member of the Council specifying the title of the By-Law.
- 15.2 Every By-Law when introduced shall be in typewritten form and shall contain no blanks except such as may be required to conform to accepted procedure or to comply with the provisions of any act and shall be complete with the exception of the number and date thereof.
- 15.3 Every By-Law shall have three readings prior to it being passed.
- 15.4 The first reading of a By-Law shall be decided without amendment or debate.
- 15.5 If Council so determines, a By-Law may be taken as read.
- 15.6 The Clerk shall set out on all By-Laws enacted by Council the date of the several readings thereof.
- 15.7 When a By-Law is reported without amendment it shall be forthwith ordered read the third time or at a time as may be appointed by the Council.
- 15.8 Every By-Law enacted by the Council shall be numbered and dated and shall be sealed with the Corporation Seal and signed by the Clerk and the Mayor and shall be deposited by the Clerk in his/her office for safekeeping.

16. MOTIONS:

16.1 Notice of Motion

- 16.1.1 Councillors wishing to present notice of all new motions, except motions listed in Clause 16.11, shall be given in writing to the Clerk at least five calendar days, excluding Saturdays, Sundays and statutory holidays preceding the date of the meeting at which a motion is to be introduced. A summation of the purpose of the motion and a copy of the proposed motion shall be submitted to the Clerk in writing.

16.1.2 When a Member's notice of motion has been called from the Presiding Officer for two successive meetings and not proceeded with, it shall be dropped from the agenda unless Council otherwise decides.

16.1.3 If at the third meeting such notice of motion is called from the Presiding Officer and not proceeded with, it shall be deemed withdrawn.

16.2 Dispensing with Notice

Any motion may be introduced without notice, if the Council, without debate, dispenses with notice on the affirmation vote of at least a simple majority of the Members present and voting.

16.3 Motions

Motions shall be submitted in writing over the signature of the Mover.

16.4 Seconding

A motion must be formally seconded before the Presiding Officer can put the question or a motion to be recorded in the Minutes.

16.5 Presented in Council

When a motion is presented in Council, the Head of Council before debate shall read it.

16.6 No Jurisdiction

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

16.7 After a motion is read or stated by the Presiding Officer/Head of Council, it shall be deemed to be in possession of the Council but may, with the permission of the Council/Committee, be withdrawn at any time before decision or amendment.

16.8 A motion properly before the Council for decision must receive disposition before any other motion can be received except motions in respect of matters listed in Clause 16.11.

16.9 When a question or motion is under consideration, no further motion shall be made unless it is:

16.9.1 to amend;

16.9.2 to refer to a committee, board, or the Clerk for report;

16.9.3 to table;

16.9.4 to postpone indefinitely;

16.9.5 to postpone to a certain time;

16.9.6 to adjourn;

16.9.7 to move the previous question.

16.10 A motion to refer or defer shall take precedence over any motion or amendment, except a motion to adjourn.

16.11 A motion to refer shall require direction as to the body to which it is being referred and is not debatable.

16.12 A motion to defer must include a reason for deferral and is not debatable.

16.13 A negative motion is not considered by Council.

17. AMENDMENTS IN GENERAL

17.1 Amendment means a change in the form of the Motion. An amendment is designed to alter or vary the term of the main Motion without materially changing

its meaning. It may propose that certain words are left out, that certain words be omitted and replaced by others, or that certain words be inserted or added. Every amendment must be strictly relevant to the question being considered and requires a mover and seconder.

- 17.2 An amendment modifying a motion may be made provided it is not contrary to the main intention of the motion. An amendment relating to a different subject shall not be in order. More than one amendment may be made to the main question or motion provided that only one amendment may be made to an amendment.

18. VOTING MOTIONS:

18.1 Motion to Adjourn

A motion to adjourn shall always be in order except as provided by these rules. When resolved in the negative, it cannot be made again until after some intermediate proceedings shall have been completed by Council. It is not in order when a Member is speaking or during the verification of a vote; is not in order immediately following the affirmative resolution of a motion for the previous question.

18.2 Privilege

A motion on a matter of privilege shall receive disposition of Council forthwith upon receipt and, when settled, the question so interrupted shall be resumed from the point where it was suspended.

18.3 Motion to Divide

A motion containing distinct proposals may be divided by leave of Council.

18.4 Motion Stated

Immediately preceding the taking of the vote, the Presiding Officer may state in the form introduced and shall do so if required by a Member except when a motion for the previous question has been resolved in the affirmative. He/she shall state the motion in the precise form in which it will be recorded in the minutes.

18.5 No Interruption After Motion

After a motion is finally put by the Presiding Officer, no Member shall speak to the motion nor shall any other motion be made until after the vote is taken and the results have been declared.

18.6 Division of Vote

Members opposed to the unanimous adoption of a motion may request that the motion be declared carried on division and recorded in the minutes as such.

18.7 Vote Not Allowed

A Member not present before the result of the division on a motion is not entitled to vote on that motion.

18.8 Unrecorded Vote

The manner determining the decision of the Council on a motion shall be by the show of hands or at the discretion of presiding officer.

18.9 Recorded Vote

When a Member present requires a recorded vote, all Members present at the Council or Committee meeting must vote in alphabetical order, unless otherwise prohibited by statute. The Clerk or Presiding Officer shall record the names of those who voted for and against the motion, on the motion.

- 18.10 If a Member disagrees with the announcement of the Presiding Officer that a motion is carried or lost he/she may, but only immediately after the declaration by the Presiding Officer, appeal the declaration and request that a recorded vote is taken.

- 18.11 When the Presiding Officer calls for the vote on a motion, each Member shall occupy his/her seat and shall remain in his/her place until the Presiding Officer declares the result of the vote.

19. RECONSIDERATION:

- 19.1 After a motion has been voted upon and at the same meeting a move for reconsideration may be made in writing.
- 19.2 If such a motion to reconsider receives a seconder, it shall be open to debate, voted upon and shall require the votes of a majority of Members present to pass.
- 19.3 If a motion for reconsideration is moved at a subsequent meeting it shall be preceded by a Notice of Motion in accordance with Section 11.1 and shall require a majority vote of the Members present to carry.
- 19.4 No matter shall be reconsidered more than twice in the same calendar year.
- 19.5 A notice of motion for reconsideration of any decided matter shall not operate to stop or delay action on the decided matter unless the Council by a majority vote of the Members present shall so direct.
- 19.6 If a motion to reconsider is decided in the affirmative, such reconsideration shall become the next order of business, unless the motion calls for a future definite date; debate on the matter to be reconsidered shall proceed as though it had not previously been voted upon.
- 19.7 Debate on a motion for reconsideration must be confined to reasons for or against reconsideration only.

20. INQUIRIES NOT ON THE AGENDA

- 20.1 An item shall not be brought up unless, in the opinion of the Mayor, Presiding Officer, Chairperson, or the Clerk, the matter is of an emergency nature and should be dealt with immediately rather than be deferred to a regular meeting of the Council.

21. RULES OF DEBATE

- 21.1 Every Member prior to speaking to any motion shall address the Presiding Officer. When two or more Members wish to speak, the Presiding Officer shall designate the Member who has the floor. Every Member present at a meeting of the Council, when a motion is moved, shall vote thereon unless prohibited by statute.
- 21.2 If any Member at a meeting of Council when a motion is moved and a recorded vote taken does not vote, he/she shall be deemed as voting in the negative except where he/she is prohibited from voting by statute.
- 21.3 When a Member is speaking no other Member shall interrupt him/her except to bring up a point of order.
- 21.4 Any Member may require the motion under the discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.
- 21.5 No Member shall speak more than once to the same motion without leave of the Presiding Officer.
- 21.6 No Member, without leave of the Council, shall speak to the same motion, or in reply, for longer than ten minutes.

- 21.7 A Member may ask a question only for the purpose of obtaining information relating to the matter under discussion and such question must be stated clearly.
- 21.8 When a Member has been recognized as the next speaker, then immediately before speaking such Member may ask a question of the Presiding Officer or an Official of the municipality on the matter under discussion. The question must be only for the purpose of obtaining information, following which the Member shall speak.
- 21.9 In all matters respecting the proceeding of the Council or the Committee of the Whole, the matter shall be decided by the Presiding Officer, subject to an appeal to the Council upon a point of order.

22. POINTS OF ORDER AND PRIVILEGE:

- 22.1 The Presiding Officer shall preserve order and decide questions of order.
- 22.2 When a Member rises to a point of order, he/she shall ask leave of the Presiding Officer to raise point of order and after leave is granted, he/she shall state the point of order to the Presiding Officer who shall decide upon the point of order.
- 22.3 Thereafter, a Member shall only address the Chair for the purpose of appealing the Presiding Officer's decision to the Council.
- 22.4 If no Member appeals, the decision of the Presiding Officer shall be final.
- 22.5 The Council, if appealed to, shall decide the question without debate and its decisions shall be final.
- 22.6 Where a Member considers that his/her integrity of the Council as a whole has been impugned, he/she may as a matter of personal privilege rise at any time. The Member will do this with the consent of the Presiding Officer, for the purpose of drawing the attention of the Council to the matter.

24. SUSPENSION OF RULES

- 24.1 Any procedure required by this by-law may be suspended with consent of a majority of the Members of Council present.

25. EFFECTIVE DATE

- 25.1 This by-law shall come into force and take effect on the final date of passing thereof.
- 25.2 That any By-Law inconsistent with this by-law is hereby repealed.

READ A FIRST TIME THIS DAY OF , 2010.

READ A SECOND TIME THIS DAY OF , 2010.

READ A THIRD TIME AND FINALLY PASSED THIS DAY OF
, 2010.

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MAYOR

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CLERK