

THE CORPORATION OF THE TOWNSHIP OF THE SABLES-SPANISH RIVERS

BYLAW NUMBER 2021 – 10

Being a Bylaw to Govern the Proceedings of Council,
the Conduct of its Members and the Calling of Meetings

WHEREAS Section 238 of the Municipal Act, R.S.O. 2001, as amended provides that every municipality shall pass a procedure bylaw for governing the calling, place and proceedings of meetings;

AND WHEREAS it has been deemed expedient to enact said bylaw;

NOW THEREFORE The Council of the Corporation of the Township of Sables-Spanish Rivers ENACTS AS FOLLOWS:

1. SHORT TITLE:

This Bylaw shall be cited as the “Procedural Bylaw.”

2. DEFINITIONS:

- 2.1 “Body” means the members of all groups, including the members of the municipal Council and Committees and Boards, elected or otherwise, if representing the municipal Council, unless the Committee or Board are authorized by statute to establish their own procedure and have done so;
- 2.2 “Clerk” means the Clerk-Administrator and/or statutory designate for the Corporation of the Township of Sables-Spanish Rivers;
- 2.3 “Committee” means any advisory or other committee, subcommittee or similar entity representing the municipal Council, including the full Council;
- 2.4 “Committee of the Whole” means Council sitting in Committee;
- 2.5 “Council” means the Council of the Corporation of the Township of Sables-Spanish Rivers;
- 2.6 “Electronic Participation” means a council member who participates in a meeting from a remote location by such electronic means or services as determined by the Clerk, has the same rights and responsibilities as if he or she were in physical attendance, including that they shall count towards a quorum of members and shall be permitted to participate in any portion of a meeting which is closed to the public;
- 2.7 “Head of Council” means the Mayor or statutory designate for the Corporation of the Township of Sables-Spanish Rivers;
- 2.8 “In Camera or Closed Session” shall be considered synonymous and means Council or a Committee sitting in closed session; that is not open to the public;
- 2.9 “Meeting” means any regular, special or other meeting or a council, of a local board or of a committee of either of them, where,
a) a quorum of members is present, and
b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee;
- 2.10 “Member” means a member of the Council or a Committee of Council;
- 2.11 “Motion or Resolution” shall be considered synonymous and means a record of decisions or wishes of Council;
- 2.12 “Municipal Act” means the Municipal Act, S.O. 2001 c.25, as amended and any successor legislation thereto, referred to herein as “*the Act*”;
- 2.13 “Municipal Conflict of Interest Act” (MCIA) means regulations under the Municipal Conflict of Interest Act, R.S.O 1990, c.M.50 as amended, and where members shall declare any pecuniary interest in common with electors within the area of jurisdiction and/or where the matter under consideration affects only part of the area of jurisdiction;
- 2.14 “Municipality” or “Township” shall be considered synonymous and means the Corporation of the Township of Sables-Spanish Rivers;

- 2.15 "Presiding Officer" shall be the person presiding at a meeting of Council or its committees;
- 2.16 "Public Meeting" means a portion of a meeting for either public hearings on a planning matter or a matter added to the agenda to allow for public participation;
- 2.17 "Quorum" means a majority (more than half) of the whole number of members. Where a member has or members have declared a pecuniary interest pursuant to the Municipal Conflict of Interest Act, the remaining number of members shall be deemed to constitute a quorum, provided such number is not less than two;
- 2.18 "Recorded Vote" means the recording of the name and vote of every member on any matter of question.

3. GENERAL PROVISIONS:

- 3.1 The rules and regulations contained in this bylaw shall be observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business by the Council and its Committees and Boards. Any part or parts of this bylaw may be suspended if agreed upon by a majority of the members present, unless the part or parts are prescribed by statute or law.
- 3.2 The members shall, in all matters and under all circumstances, be guided by and shall have regard to the Municipal Conflict of Interest Act, R.S.O. 1990.
- 3.3 Provincial law or statutes shall prevail where statutes or amendments thereto are more restrictive than set out in this bylaw.
- 3.4 The use of audio, or video recording equipment (electronics) during a meeting that is not closed to the public is permitted providing it is not disruptive to the conduct of the meeting and that Council is advised it is being used. Any and all audio/video recordings recorded other than by the municipality under any circumstances, shall not be deemed to be the official records.

4. ROLL OF HEAD OF COUNCIL

It is the role of the Mayor as Head of Council to:

- 4.1 act as chief executive officer of the Township;
- 4.2 preside over Council meetings so that its business can be carried out efficiently and effectively;
- 4.3 provide leadership to Council;
- 4.4 provide information and recommendations to the Council with respect to the roll of Council;
- 4.5 represent the Township at official functions;
- 4.6 carry out the duties of Head of Council under this bylaw, the Municipal Act, 2001 and any other Act.

5. ROLL OF COUNCIL

It is the role of Council to:

- 5.1 represent the public and to consider the well-being and interests of the Township;
- 5.2 develop and evaluate the policies and programs of the Township;
- 5.3 determine which services the Township provides;
- 5.4 ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
- 5.5 ensure the accountability and transparency of the operations of the Township, including the activities of the senior management of the Township;
- 5.6 maintain financial integrity of the Township; and
- 5.7 carry out the duties of Council under this bylaw, the Municipal Act, 2001 and any other Act.

6. COUNCIL MEETINGS

- 6.1 The Inaugural Meeting of Council, after a municipal election, shall be held at the Council Chambers of the Township office at 11 Birch Lake Road, Massey, on the first Tuesday of December at 7:00 p.m.

- 6.2 After the Inaugural Meeting, each Regular Meeting of Council shall be held at the Council Chambers of the Township office at 11 Birch Lake Road, Massey on the second and fourth Wednesday of each month, at 6:00 p.m.
- 6.3 Except as otherwise provided by the Municipal Act or other statute, Council may, by resolution, dispense with, or alter the time, day or place of any meeting in which case notice shall be posted at the Township office and on the Township website, advising of the place and time.
- 6.4 When the day for a Regular Meeting of Council is a statutory or civic holiday, the Council shall hold the meeting at the designated hour; on the work day before, which is not a statutory or civic holiday, or call of the Chair.
- 6.5 Meetings of Council, Committees and Committee of the Whole shall be open meetings.
- 6.6 The Head of Council may at any time, summon a Special Meeting of Council. Upon receipt of a petition of the majority of the Members of Council, the Clerk shall summon a Special Meeting for the purpose and at the time mentioned in the petition, to be held in the Council Chambers, or at any other place as designated. The only business to be dealt with at a Special Meeting is that which is listed in the notice of the meeting.
- 6.7 Meetings called as a result of a lack of quorum shall be called as Special Meetings, following the provisions of subsection 6.6.
- 6.8 The Head of Council or the majority of the Members of Council may at any time, call an emergency meeting. In the event of a bona fide emergency the meeting may be as soon as practicable following receipt of the summons or petition by the Clerk, and notice may be given by telephoning the Members or spouses thereof or personal contact as determined by the Clerk.
- 6.8.1 For the purpose of the emergency meeting, before any business is conducted, a resolution of the Council must be passed recognizing that the emergency exists, stating same and its possible consequences if the meeting was not held. An emergency is a situation where health or life is threatened, or serious financial loss is anticipated, and;
- 6.8.2 For the purpose of this emergency meeting, the concurrent votes of the majority of the Members of Council are required, not the majority of those at the Meeting.
- 6.9 Council Meetings shall be audio/video recorded as our available technology allows, and posted to the municipal website, with the exception of the Closed Session portion of the meeting,
- 6.9.1 All closed sessions of Council will be audio and where possible video recorded for the sole purpose of conducting investigations undertaken by the Ombudsman, Integrity Commissioner, Closed Meeting Investigator or a Judge, and shall not be used for any other purpose;
- 6.9.2 Recordings of closed sessions shall be stored on an external electronic device to be kept secure in the office of the Clerk. Restricted and controlled access by the Clerk or designate ensure that only those privileged to view or listen to the closed session meeting recordings is able to do so.
- 6.10 During any period where an emergency has been declared to exist in all or part of the municipality under Section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*,
- 6.10.1 a Member can participate electronically in the public meeting and may be counted in determining whether or not a quorum of members is present at any point in time;
- 6.10.2 a Member can participate electronically in a meeting that is closed to the public;
- 6.10.3 where the municipal council chambers building is not open to the public for health and safety purposes, the meeting shall be audio-recorded and available on the Township website;
- 6.10.4 the attached PROTOCOLS FOR MEETING ETIQUETTE- ELECTRONIC PARTICIPATION, shall be followed for purposes of this section and shall form part of this bylaw as Schedule 'A', and it shall be amended as required without an amendment to this bylaw.

6.11 ELECTRONIC PARTICIPATION – OPTIONAL

- 6.11.1 Electronic meeting participation may be conducted pursuant to Section 238 of the Municipal Act in accordance with this section and the established Protocols for Meeting Etiquette –Electronic Participation, Schedule ‘A’ to this bylaw, and shall be amended as required;
- 6.11.2 Any Member who is not physically present in the location where a meeting takes place is permitted to participate electronically in both open and closed session and shall have the same rights to speak and vote as if the Member were physically present;
- 6.11.3 All Members who participate electronically shall be counted in determining whether a quorum of Members is present;
- 6.11.4 Any Member who wishes to participate electronically shall, in writing, advise the Clerk as soon as possible in advance of the meeting. It shall be at the Clerk’s discretion if there is enough advance notice to accommodate the request using an electronic means;
- 6.11.5 The Clerk shall be required to be physically present in the location where the meeting with electronic participation takes place;
- 6.11.6 The Presiding Officer shall canvass Members participating electronically about their intention to speak to a matter on the floor and will notify each Member when it is his or her turn to speak;
- 6.11.7 Voting shall occur via the “recorded vote” process;
- 6.11.8 If the electronic participation technology fails during the meeting for any member, that member shall attempt to call back in to the meeting. If this fails, the meeting will continue with a notation made in the meeting minutes, as long as a quorum of members is still present;
- 6.11.9 Where any conflict of interest is declared pursuant to the Municipal Conflict of Interest Act, in closed session, the Member shall disconnect from the meeting but may reconnect when the matter being discussed in closed session is finished;
- 6.11.10 If the majority of Members are not physically present in the location where the meeting is taking place, delegations shall participate electronically, subject to provisions of Section 8 – Delegations/Deputations;
- 6.11.11 The Presiding Officer is authorized to adjust any provisions of this Bylaw made impossible by the features and functionality of the electronic means or service used to permit electronic participation.

6.12 ELECTRONIC PARTICIPATION – FULL MANDATORY

Full electronic participation by Members may be considered, as required under the following circumstances. The Clerk shall give notice to the Members and the public as soon as practical before the next Regular Meeting, but no later than by 2:00 p.m. on the day of the meeting and shall contact scheduled delegations to participate electronically. Notice shall also be posted on the municipal website.

- 6.12.1 When it is not safe or possible to attend an in-person meeting due to a natural weather event, as determined by the Mayor in consultation with the Clerk;
- 6.12.2 Health and safety considerations as determined by the Mayor in consultation with the Clerk;
- 6.12.3 Restrictions or guidelines set out by the Public Health Sudbury and District, the Ontario Provincial Police or the Province of Ontario, or;
- 6.12.4 The activation of the Emergency Control Group or a declared emergency by any level of government or health agency.
- 6.12.5 Delegations shall participate electronically, subject to provisions of Section 8, Delegations/Deputations.

- 6.13 Notwithstanding the foregoing, Council Procedural Bylaw shall continue to apply to an Electronic Meeting held pursuant to Section 6, except that any Provincial legislation or order shall prevail to the extent of any conflict.

7. NOTICE OF MEETING / AGENDAS

- 7.1 The Clerk shall give notice of each Regular and Special Meeting of Council and of each Committee meeting to the members of Council and to the heads of each department concerned with such meeting.
- 7.2 Public Notice of meetings shall be given by posting the meeting schedule on the Township's website at the beginning of each calendar year, and on the front door of the Township office, except when unable to do so, pursuant to sections 6.6 and 6.7. The meeting schedule shall include the date, time and location of Council and Committees or Boards. The meeting schedule is subject to change as necessary. The agenda for Council will be posted on the Township's website on the Friday before the Regular Meeting.
- 7.3 Notwithstanding the above, failure to post an agenda on the Township's website shall not affect the validity of the meeting or any lawful action taken there at.

8. DELEGATIONS / DEPUTATIONS

- 8.1 Individuals or groups wishing to appear before Council at a Regular Meeting shall advise the Clerk not later than 12:00 p.m., on the Friday prior to the Meeting. Delegations must submit their request in writing and provide the Clerk with any background information that may be beneficial during the delegate's presentation. The Clerk may make a determination as to a deferral of delegations to a subsequent meeting or a Committee or Committee of the Whole meeting.
- 8.2 Individuals or groups listed on the agenda or are otherwise approved to appear before Council shall be limited to not more than fifteen (15) minutes except that a delegation consisting of more than five (5) persons shall be limited to two (2) speakers, each limited to speaking not more than ten (10) minutes.
- 8.3 Delegations shall be provided with the Delegation Process, attached as Appendix 'B', upon submission of request to address Council/Committee.
- 8.4 Notwithstanding the provisions of sections 8.1 and 8.2, Council may, at its sole discretion, entertain delegations with less notice as the circumstances may warrant.
- 8.5 Participation of delegations shall be subject to sections 6.9, 6.11 and 6.12.

9. CONSENT AGENDA

- 9.1 A consent agenda allows Council to approve all items together without individual motions. Consent agenda items are routine, procedural and operational decisions. A member of Council may request an Item to be severed from the Consent Agenda to allow debate and discuss separately. Once it has been severed by majority vote of Council the item is placed on the regular agenda. Each item contained in the Consent Agenda is recorded separately in the minutes of the meeting.
- 9.2 The Clerk shall prepare agendas of meetings as assigned, in consultation with the Head of Council.
- 9.3 The Clerk shall format agendas as follows, but modifications to the matters to be included or the order of business may be altered without requiring amendment to this bylaw:
- 9.3.1 Adoption of Minutes
 - 9.3.2 Disclosure of Pecuniary Interest and the General Nature Thereof
 - 9.3.3 Delegations
 - 9.3.4 Public Hearings
 - 9.3.5 Consent Agenda
 - 9.3.5.1 Accounts
 - 9.3.5.2 Board and Committee Reports
 - 9.3.5.3 Matters Arising from Minutes
 - 9.3.5.4 Resolutions and Bylaws
 - 9.3.6 Regular Agenda
 - 9.3.6.1 Resolutions
 - 9.3.6.2 Bylaws

- 9.3.7 In-Camera / Closed Session
- 9.3.8 Other Business
- 9.3.9 Adjournment

9.4 Council shall take up the business in the order as listed on the agenda unless otherwise determined by the Head of Council.

9.5 IN-CAMERA MATERIAL

- 9.5.1 Any relevant information or material will be circulated to members of Council and/or Committee members; and shall be returned immediately to the Clerk or designate, at the close of the in-camera session.

10. ABSENCE OF HEAD OF COUNCIL

- 10.1 The Deputy Mayor shall act in the place of the Head of Council when the Head of Council is absent or refuses to act, or the office is vacant, and while doing so, they shall exercise all of the rights, powers and authority of the Head of Council.

11. QUORUM

- 11.1 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 and the meeting shall stand adjourned until the date of the next regular meeting or until rescheduled as per subsection 6.7.
- 11.2 As soon after the hour appointed 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.
- 11.3 Members shall not leave their places until the Head of Council adjourns the meeting and vacates the Chair.
- 11.4 The proceedings of Council shall stand adjourned at the hour of 9:45 p.m., unless such proceedings be continued past that hour with the unanimous vote of all members present.

12. CONDUCT OF PROCEEDINGS

12.1 PRESIDING OFFICER

- 12.1.1 The Mayor shall act as the Presiding Officer for all Council meetings. In the absence of the Mayor, or if he or she refuses to act or if the office is vacant, the Deputy Mayor shall carry out the Mayor's duties and have all the rights, powers and authority of the Head of Council.
- 12.1.2 The Member of Council receiving the highest number of votes in the most recent municipal election shall be appointed as Deputy Mayor. This appointment may be reviewed on an annual basis, and the Mayor may provide for a revolving appointment of all members.
- 12.1.3 In the event that both the Mayor and Deputy Mayor are unable to act as Head of Council for a meeting, Council shall appoint an Acting Mayor who shall have all the rights, powers and authority of the Head of Council for the purpose of that meeting. In this instance, the Clerk shall call the meeting to order and conduct the meeting to allow Council to appoint an Acting Mayor.
- 12.1.4 The members of a Committee may appoint another Presiding Officer from among themselves for the purpose of chairing a particular meeting, if the person who ought to preside at any meeting does not attend within 15 minutes after the hour for which the meeting is to commence.
- 12.1.5 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.

12.2 DUTY OF PRESIDING OFFICER

It shall be the duty of the Head of Council or other Presiding Officer:

- 12.2.1 to open the meeting of Council by taking the Chair and calling the meeting to order;
- 12.2.2 to announce the business before the Council in the order, in which it is to be acted upon;
- 12.2.3 to receive and submit in the proper manner, all motions presented by the members of Council;
- 12.2.4 to put to a vote all motions which are moved and seconded, or necessarily arise in the course of the proceedings, and to announce the result;
- 12.2.5 to decline to put to a vote motions which infringe upon the rules of procedure;
- 12.2.6 to enforce on all occasions the observance of order and decorum among the members of Council;
- 12.2.7 to call by name any member persisting in breach of the rules of order thereby ordering the member to vacate the meeting place;
- 12.2.8 to authenticate by signature all bylaws, resolutions and minutes of Council;
- 12.2.9 to inform the Council when necessary or when referred to for the purpose, on a point of order or usage;
- 12.2.10 to recommend the members of the Council who are to serve on Committees. If deemed desirable or necessary throughout the term of Council, any member of Council, in addition to the Presiding Officer, may request a change of Council members on Committees (chair and/or members);
- 12.2.11 to represent and support the Council, declaring its will, and implicitly obeying its decision in all things;
- 12.2.12 to ensure that the decisions of Council are in conformity with the laws and bylaws governing the activities of Council;
- 12.2.13 to adjourn the meeting when the business is concluded;
- 12.2.14 to adjourn the meeting without debate, in the case of grave disorder arising at the meeting;
- 12.2.15 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 individuals or group to vacate the meeting place where such behaviour persists.

13. CONDUCT OF MEMBERS OF COUNCIL AND MEMBERS OF BOARDS/COMMITTEES

13.1 No Member shall:

- 13.1.1 use offensive words or insulting language in or against the Body or any member, staff or guest;
- 13.1.2 disturb another, or the Body, staff or guest, by any disorderly conduct disconcerting to the speaker;
- 13.1.3 speak on any subject other than the subject in debate;
- 13.1.4 resist the rules of the Body or disobey the decisions of the Presiding Officer or of the members on questions of order or practice or upon the interpretation until the next meeting and without making an apology to the Body;
- 13.1.5 leave a meeting without first obtaining permission from the Presiding Officer, and the time of departure shall be noted in the minutes;

13.1.6 be permitted to retake their seat after being order to vacate, having committed a breach of any rule of the Body, until the next meeting and without making an apology to the Body;

13.1.7 interrupt the member who has the floor except to raise a point of order.

13.2 No person shall be allowed to address the Body or speak in debate without permission of the Presiding Officer.

13.3 All members, staff and guests shall address the Body through the Presiding Officer and only when recognized to do so, unless otherwise authorized by the Presiding Officer.

13.4 The Presiding Officer shall designate the member who may speak first, when two or more members seek to address the Body.

14. MOTIONS / RULES OF DEBATE

14.1 Members of the Body may introduce without notice, any motion, unless the Body agrees by a majority vote to require notice.

14.2 Members of the Body shall formally move and second a motion, in writing, to be put forth for voting and recording in the minutes.

14.3 Members of the Body submitting a motion by way of 'notice of motion', shall give same to the Clerk not later than 12:00 p.m. on the 6th day preceding the next meeting so that the matter may be included in the agenda package.

14.4 The Presiding Officer shall read the motion, or if it is an oral motion, as per subsection 14.5, state the content of the motion.

14.5 Members may orally introduce the following motions without written notice if it is:

14.5.1 a point of order or personal privilege;

14.5.2 a presentation of petitions;

14.5.3 a request for a notice of motion;

14.5.4 to lay on the table (to defer temporarily)

14.5.5 to postpone indefinitely or to a specific day;

14.5.6 to move the previous motion (immediate vote on the main motion)

14.6 Members may introduce the following motions, but such motions shall be in writing and signed:

14.6.1 to refer;

14.6.2 to adjourn;

14.6.3 to amend;

14.6.4 to suspend the rules of procedure.

14.7 A member making a motion to amend shall present it in writing, and not propose a direct negative to the main motion.

14.8 The body shall deal with amendments, in the opposite order to which they are received, before a previous amendment or the main motion.

14.9 No member shall make an amendment to an amendment to a motion, or make an amendment that is irrelevant to the main motion.

14.10 The majority of the members must consent to a motion to be withdrawn, once read or stated by the Presiding Officer.

14.11 The Presiding Officer shall read the motion in the precise form it is to be recorded in the minutes, including any amendments to the motion immediately prior to voting on a motion.

- 14.12 No member shall speak to the motion nor shall any other motion be made until after the vote is taken and the result is declared, after a motion as amended is finally put.
- 14.13 Members shall not speak more than once to the same motion without the consent of the Presiding Officer.
- 14.14 Any member may require the motion under discussion to be read at any time during the debate but not as to interrupt a member while speaking.

15. VOTING ON MOTIONS

- 15.1 The Presiding Officer shall determine the manner of voting on an unrecorded vote, which shall be by show of hands, or at the discretion of the Presiding Officer, may be by voice, standing or otherwise.
- 15.2 The Presiding Officer shall, on a request for a recorded vote by a member before or immediately after the vote, call each name of each member present alphabetically, starting with the member who requested a recorded vote, except a member disqualified by any Act, whom shall announce their vote openly, and any failure to vote by a qualified member shall be deemed to be a negative vote and the Clerk shall record each vote.
- 15.3 The Presiding Officer, except where disqualified to vote, may vote on all motions and when doing so, shall vote last.
- 15.4 An equality of votes by the members shall be deemed to have defeated the motion, except where otherwise expressly provided in statute.

16. BYLAWS

- 16.1 Every bylaw when introduced shall be in typewritten form, when practicable, and shall contain no blanks except as may be required to conform to accepted procedure or to comply with provisions of any Act.
- 16.2 Council may debate and amend the bylaw at this time, and subsequently vote on the adoption of notice.
- 16.3 Every bylaw shall be given first and second reading by motion, without amendment or debate.
- 16.4 Every bylaw shall be given third and final reading by motion on the same day, except when requested otherwise by motion of the majority of Council present or as otherwise provided by statute.
- 16.5 The Head of Council shall sign bylaws, upon passage, and the bylaw shall be numbered and embossed with the seal of the Corporation.
- 16.6 Council may, from time to time, employ a confirming bylaw immediately prior to adjournment for the purpose of validating decisions or direction given which is minor in nature and not set out in a bylaw or resolution.

17. COUNCIL MINUTES

- 17.1 The minutes of Council as taken by the Clerk or designate shall consist of a record of all proceedings taken in Council. Pursuant to the Municipal Act, 2001, the minutes shall be a factual recount without note or comment.
- 17.2 The Clerk may delegate its duties with respect to recording minutes within a public or within a closed meeting of Council or Committee, to a staff person who has been delegated this task under section 228(4) of *the Act*;
- 17.3 Minutes of a closed session of Council or a Committee of Council shall be presented for adoption at the next closed session portion of a regular meeting of Council/Committee;
- 17.4 The adoption of the minutes is a procedural matter and does not affect the validity or affect the resolutions recorded in the minutes;
- 17.5 All minutes following adoption by Council and all bylaws passed by Council shall be kept in the Clerk's office and shall be made available during normal office hours and shall be posted on the Township website, save and except those minutes recorded during a meeting

or part thereof that was closed to the public in accordance with section 18, and subject to the provisions of any applicable bylaw, act or statute.

18. IN CAMERA MEETINGS – CLOSED SESSION

18.1 All meetings shall be open to the public, except as provided in this section if the subject matter being considered is:

18.1.1 the security of the property of the municipality or local board;

18.1.2 personal matters about an identifiable individual, including municipal or local board employees;

18.1.3 a proposed or pending acquisition or disposition of land by the municipality or local board;

18.1.4 labour relations or employee negotiations;

18.1.5 litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

18.1.6 advise that is subject to solicitor-client privilege, including communications necessary for that purpose;

18.1.7 a matter in respect of which a Council, Board, Committee or other body may hold a closed meeting under another Act;

18.1.8 information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;

18.1.9 a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

18.1.10 a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or

18.1.11 a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

18.2 A meeting or part of a meeting shall be closed to the public if the subject matter being considered is:

18.2.1 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 purposes of that Act; or

18.2.2 an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13(1) of *the Act*, or the investigator referred to in subsection 239.2(1) of *the Act*.

18.3 A meeting of a council or local board or of a commission of either of them may be closed to the public if the following conditions are both satisfied:

18.3.1 the meeting is held for the purpose of education or training the members;

18.3.2 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.

18.4 Before holding a meeting or part of a meeting that is to be closed to the public, a municipality or local board or committee of either of them shall state by resolution,

18.4.1 the fact of the holding of the closed meeting


18.4.2 the general nature of the matter to be considered at the closed meeting.

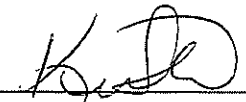
- 18.5 A meeting may be closed to the public during a vote if,
- 18.5.1 subsection 18.1, 18.2 or 18.3 permits or requires the meeting to be closed to the public, and;
- 18.5.2 the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Township, board or committee of either of them or persons retained by or under a contract with the Township.
- 18.6 The Clerk shall record all resolutions passed during a closed meeting, and shall file in a special, sealed package marked 'confidential', in the vault of the Township office. These resolutions shall be consecutively numbered with the resolutions passed at the open portion of the meeting, with a notation in the typed minutes stating the resolution number which is sealed in the confidential file. This sealed package shall only be opened in the presence of both the Head of Council and the Clerk.

19. LANGUAGE / CORRECTIONS


- 19.1 As used in the bylaw, words used in the present tense include the future, words used in the masculine and feminine gender include one another, and the singular number included in the plural and the plural the singular;
- 19.2 The Clerk is hereby authorized to make any minor modifications or corrections of an administrative, numeric, grammatic, or descriptive nature or kind to the bylaw and attachments as may be deemed necessary after the passage of this bylaw, where such modifications or corrections do not alter the intent of the bylaw.
20. The purpose and functions of committees are set out in Appendix A attached hereto.
21. The delegation process is set out in Appendix B attached hereto.
22. The Protocols for Meeting Etiquette - Electronic Participation is set out in Schedule A attached hereto.
23. Appendix A and B and Schedule A attached hereto shall form part of this Bylaw.
24. This Bylaw shall repeal Bylaws 15-23, 18-13, 19-04, 20-12 and 20-47.
25. This Bylaw shall become effective upon final passing thereof.

READ A FIRST AND SECOND TIME THIS 10TH DAY OF FEBRUARY, 2021.


 DEPUTY MAYOR G. MASSICOTTE
 FOR MAYOR - L. GAMBLE


 CLERK - K. SLOSS

READ A THIRD AND FINAL TIME AND PASSED IN OPEN COUNCIL THIS 10TH DAY OF
FEBRUARY, 2021.


 DEPUTY MAYOR G. MASSICOTTE
 FOR MAYOR - L. GAMBLE


 CLERK - K. SLOSS

COMMITTEES AND BOARDS

PUBLIC WORKS COMMITTEE

Purpose: The Public Works Committee provides guidance in planning and overseeing the projects and schedules of regular maintenance procedures and provides recommendations and policies to Council concerning the Township's public works services, including streets and roads, municipal water supply and distribution system and waste management.

Functions: The Committee is responsible for ensuring consistency with Council's policies regarding the following:

1. traffic control and signage
street sidewalks and lanes
summer and winter maintenance programs
public parking lot maintenance and snow dumping sites
streetlighting
municipal cemeteries and boat launches-general maintenance
2. the water treatment plant and distribution system
the sanitary sewer collection system and lagoon
the storm water collection system
3. solid waste collection and disposal
recycling and household hazardous waste

Agenda: Committee agendas shall be established by the Public Works Director of Operations in consultation with the Chairperson.
Committee meeting reports shall be prepared by the Public Works Director of Operations and circulated to Council for approval at the next regular Council meeting.

Composition: Shall be Committee of the Whole until such time as it is determined that Council would like to invite ratepayers to be involved in the committee. At such time the committee shall be a combination of Council members and ratepayers, as determined by Council at the commencement of each new term of Council.

PARKS & RECREATION COMMITTEE

Purpose: The Parks & Recreation Committee plans and oversees the operation and management of the Arena complex as well as other recreational facilities and parks, and provides recommendations and policies to Council. They shall review recommendations from the Recreation Coordinator in developing programs that provide safe and clean conditions for the general public and meet the needs and interests of the community.

Functions: The Committee is responsible for ensuring consistency with Council's policies regarding the following:

1. recreation facilities including
 - Massey & District Community Centre and Arena
 - Webbwood outdoor skating rink
 - parks, ball fields, playgrounds, Sauble River Park beach area
2. special events, programming and activities within the recreation department

Agenda: Committee agendas shall be established by the Recreation Coordinator in consultation with the Chairperson.
Committee meeting reports shall be prepared by the Recreation Coordinator and circulated to Council for approval at the next regular Council meeting.

Composition: Shall be Committee of the Whole until such time as it is determined that Council would like to invite ratepayers to be involved in the committee. At such time the committee shall be a combination of Council members and ratepayers, as determined by Council at the commencement of each new term of Council.

ECONOMIC DEVELOPMENT COMMITTEE

Purpose: The Economic Development Committee will develop, conduct, encourage and assist programs and initiatives to enhance the factors of productivity social development of the community; and shall provide advice and recommendations to Council.

Functions: The Committee is responsible for ensuring consistency with Council's policies regarding the following:

1. establishing a Strategic Plan for the municipality, and regular update reviews thereof
2. identify, promote and advise Council on community and economic development initiatives for the Township

Agenda: Committee agendas shall be established by the Economic Development Officer in consultation with the Chairperson.
Committee meeting reports shall be prepared by the Economic Development Officer and circulated to Council for approval at the next regular Council meeting.

Composition: Shall be Committee of the Whole until such time as it is determined that Council would like to invite ratepayers to be involved in the committee. At such time the committee shall be a combination of Council members and ratepayers, as determined by Council at the commencement of each new term of Council.

LIBRARY BOARD

Purpose: The Library Board is to provide a comprehensive, user-oriented library service which meets the needs of the community.

Functions: The Board shall operate and manage library services in accordance with the Public Libraries Act and applicable Council policies regarding the following:

1. to promote public awareness of the services available and to promote the maximum use of the library's resources, by means of the library's activities and programs
2. to provide easy access to the entire range of resources;
3. to provide economic and efficient service

Agenda: Board agendas shall be established by the Head Librarian in consultation with the Chairperson.
Board meeting reports shall be prepared by the Head Librarian and circulated to Council for approval at the next regular Council meeting.

Composition: A combination of Council members and ratepayers, as determined by Council at the commencement of each new term of Council, in accordance with the Public Libraries Act.

FINANCE COMMITTEE

The Finance Committee shall be Committee of the Whole and the Treasurer. The Committee meets on an "as-needed" basis, primarily during the municipal budget review and adoption process.

Agenda: Committee agendas shall be established by the Treasurer in consultation with the Chairperson
Committee meeting reports shall be prepared by the Treasurer and circulated to Council for their approval, if required, at the next regular Council meeting.

WALFORD COMMUNITY CENTRE BOARD

The Walford Community Centre Board is comprised of a member of Council and members of the various Walford groups who appoint their own representatives for the Board. The Board operates and maintains an outdoor skating rink and the Walford Community Centre.

PROPERTY STANDARDS COMMITTEE

The Property Standards Committee shall be comprised of the Clerks of the municipalities of the Township of Baldwin, Township of Nairn-Hyman, Township of Sables-Spanish Rivers and the Town of Espanola. The Committee meets on an "as-needed" basis, to hear any appeals received from any of these municipalities, pursuant to Section 15 of the Building Code Act.

ELECTION COMPLIANCE AUDIT COMMITTEE

Purpose: As directed by the Municipal Act, Section 81.1(1) a committee is established to review a compliance audit application made by an elector who believes on reasonable grounds, that a candidate has contravened a provision of the Municipal Elections Act respecting election campaign finances.

Functions:

1. Review compliance audit applications as submitted by ratepayer
2. Grant or reject application
3. Where application is granted, appoint an auditor
4. Review auditor's report
5. May initiate legal proceeding if contravention is determined in audit report
6. May make a finding that application was reasonable but no appearance of contravention.

Agenda: To be determined by applications as forwarded to the committee by the Clerk of the municipality for which candidate was nominated for office.

Composition: The committee shall be comprised of the Clerks of the municipalities of the Township of Baldwin, Township of Nairn-Hyman, Township of Sables-Spanish Rivers and the Town of Espanola.

DELEGATION PROCESS

Before Council Meeting

1. As per Section 8 of this bylaw, individuals or groups wishing to appear before Council at a Regular Meeting shall advise the Clerk not later than 12:00 p.m., on the Friday prior to the Meeting. Delegations must submit their request in writing and provide the Clerk with any background information that may be beneficial during the delegate's presentation. The Clerk may make a determination as to a deferral of delegations to a subsequent meeting or a Committee or Committee of the Whole meeting.
2. Delegation shall choose a spokesperson for their group to address Council.

During Council Meeting

A. Bringing a Concern Forward to Council

1. Individuals or groups listed on the agenda or are otherwise approved to appear before Council shall be limited to not more than fifteen (15) minutes except that a delegation consisting of more than five (5) persons shall be limited to two (2) speakers, each limited to speaking not more than ten (10) minutes.
2. The Chair (Mayor or presiding officer) shall recognize and welcome the delegation and invites the spokesperson to present the delegation's concern.
3. If other members of the delegation wish to speak, they shall raise their hand and when recognized by the Chair shall identify themselves and make their statement. If they wish to speak further at a later time they must again raise their hand for permission to speak.
4. Council members who wish to speak to a statement made by the delegation must also raise their hand and be recognized by the Chair.
5. At the end of the discussion the Chair shall thank the delegation and inform them that Council will consider their comments in their final discussions and decision.

B. Responding to a Change Proposed by Council

1. Chair recognizes and welcomes the delegation
2. Council shall present their proposal and reasons
3. Chair shall then address the delegation spokesperson and invite him/her to respond to the proposal
4. If other members of the delegation wish to speak, they shall raise their hand and when recognized by the Chair shall identify themselves and make their statement. If they wish to speak further at a later time they must again raise their hand for permission to speak.
5. Council members who wish to speak to a statement made by the delegation must also raise their hand and be recognized by the Chair.
6. At the end of the discussion the Chair shall thank the delegation and inform them that Council will consider their comments in their final discussions and decision.

PROTOCOLS FOR MEETING ETIQUETTE – ELECTRONIC PARTICIPATION

Staff will be present in the Council chambers or designated meeting place and shall audio/video record the public meeting. This shall be uploaded onto our YouTube account and linked to the municipal website the next day.

Prior to the meeting the public will be advised that as the municipal building is not open to the public for safety purposes, the method for which the meeting is to take place will be by electronic participation with audio or video-recording available for the public.

For any member of the public who wish to be on the agenda as a delegation, they shall provide the Clerk with a written request and detailed background information on what they wish to bring before Council. The delegate's submission will be read out loud during the meeting, for further discussion by the members.

- For electronic participation, all members shall call in using the telephone number and passcode provided or the link and connection information provided, as applicable.
- At the commencement of the meeting, roll call shall be made by the presiding officer for which members shall indicate 'HERE' or 'PRESENT'.
- In lieu of having motions signed, the presiding officer shall ask for a mover and seconder and shall continue to read the motion aloud.
- For voting on motions, each member shall speak their name and indicate 'in favour' or 'opposed'. In the event that a recorded vote is requested, the member requesting the vote shall state "recorded vote please" and verbalize their vote accordingly; the presiding officer will continue to call for votes alphabetically.
- At the end of the voting the presiding officer will indicate if the motion is carried or defeated.
- Each time a member speaks, they shall first state their name and then commence with discussion. In the event of members wanting to speak concurrently, the presiding officer will moderate.
- Amendments to the Municipal Act in 2020 provide for members to participate electronically in a closed session meeting. The Clerk shall be obligated to remind the members that they should be by themselves with no one else in the room or listening to their call. It is incumbent upon the member to acknowledge their responsibility of confidentiality and the Council Code of Conduct.
- At the time that the meeting goes into closed session, the Clerk shall make this statement, and the public recording will be turned off. The closed session portion will be recorded separately pursuant to section 6.9. Once the closed session is adjourned and the open session resumes, public recording will resume.
- Intermittently throughout the meeting, the Clerk shall call for members present by teleconference call, to ensure that there is still a quorum present.
- If the electronic participation technology fails during the meeting for any member, that member shall attempt to call back in to the meeting. If this fails, the meeting will continue with a notation made in the meeting minutes, as long as a quorum of members is still present.
- The Clerk shall record all movers, seconders, motions and their decisions, and shall compose the official meeting minutes using this record.
- Documents requiring original signatures will be held by the Clerk and signed by the presiding officer at the first opportunity.