

TOWN OF DESERONTO

BY-LAW NO 03-2023

Being a Bylaw to establish the procedures for governing, the calling, place and proceedings of meetings and the provision of notice for meetings for the Town of Deseronto.

WHEREAS, Section 238 (2) of the Municipal Act, S.O. 2001, c. 25, as amended, requires that every municipality and local board shall pass a procedure bylaw for governing the calling, place and proceedings of meetings; and

WHEREAS pursuant to Section 9 subsection (1) of the Municipal Act 2001, S.O. 2001, c.25 every Council may pass By-laws to govern the conduct of its members; and

WHEREAS the Council of the Corporation of the Town of Deseronto deems it expedient to pass such a by-law;

NOW THEREFORE the Council of the Corporation of the Town of Deseronto enacts the following:

1. This bylaw may be referred to as the "Procedural Bylaw" of the Town of Deseronto.
2. The following pages represent all the rules and other matters through which the meetings of Council and the Committees thereof shall be regulated.
3. The attached Appendices shall comprise part of this by-law, however amendments may be made to these Appendices from time to time by a resolution of Council without an amendment to this bylaw.
4. That bylaw 12-19 being a bylaw to provide for governing the proceedings of the Council, the conduct of members and the calling of meetings be hereby repealed in its entirety.
5. This By-law shall be deemed to have come into effect following third reading and adoption by the Council of the Corporation of the Town of Deseronto.

This By-law having been read a first, second and third time is hereby adopted this 11th day of January, 2023.

MAYOR

CLERK

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Definitions

For the purpose of this Bylaw, the following words shall have the meaning associated therewith.

Term	Definition
Announcement	Written statements containing information, updates or functions of the Council or committees included in the agenda package.
Chair	The person presiding at a meeting, most commonly being the Mayor or Deputy Mayor
Clerk	The Clerk or designate for the Town of Deseronto
Closed Meeting	Any meeting closed to the public
Committee	Any advisory or other Committee of Council, where at least 1 member of Council is a member and present at all meetings of the Committee
Corporation	The Corporation of the Town of Deseronto
Council	The Council of the Corporation of the Town of Deseronto
Delegation	A person(s) addressing Council or a Committee at a meeting for the purpose of making a request or recommendation
Ex officio	The Mayor is a member on all Committees and he/she is entitled to receive all notices and relevant information and may participate in the discussion as well as vote and shall not be considered part of a quorum.
Head of Council	The Mayor or Deputy Mayor, Acting Mayor or Chair, in the absence of the Mayor
Holiday	Any holiday as defined in Section 1 of the Retail Business Holidays Act, R.S.O. 1990, Chapter R30
Investigator	A person appointed by the Corporation to consider requests for investigation of a closed meeting
Main Motion	A question to be considered by Council or Committee which is moved, seconded, presented, read by the Chair and is subject to debate
Majority	More than half of the Members present and voting on an issue
Meeting	Any regular, special or other meeting of Council or a Committee thereof
Member	A Member of Council or a Committee as the case may be
Modified Rules of Debate	The rules of debate as identified herein modified to provide for less structure during a meeting with the intent to promote further debate and for greater consideration of alternatives to an issue being considered at a meeting of a committee
Municipal Act	The Municipal Act, 2001, S.O. 2001, c. 25, as amended
Presentation	A person(s) providing information to Council or Committee at a Meeting on an issue that in the opinion of the presenter could have a broad

Term	Definition
	impact on the Town or a portion thereof
Point of Order	A call by any Member of Council to call attention to: any breach of the Rules of Debate of Council; any defect in the constitution of any meeting of the Council; the use of improper, abusive or offensive language; that the matter under discussion is not within the scope of the proposed motion; or any other informality or irregularity in the proceedings of Council
Point of Privilege	A statement calling attention to a matter where the integrity of an individual or the entire Council is perceived to be in question
Quorum	The minimum number of members of Council or a Committee that must be present at a meeting in order to conduct the business of the Council or a Committee
Recorded Vote	The recording of the name and vote of every Member present on any matter or question
Recording Officer	A person appointed by the Town Manager, Clerk, Council or the Committee to record the Minutes of a Meeting
Resolution	A motion that has been voted upon by Council or a Committee
Special Circumstances	A situation or the threat of an impending situation, which may cause a considerable harm to persons and/or property, that may affect the environment, that may cause the disruption of work, or the loss or maintenance of an essential service
Statutory Meeting	Where in passing a by-law under the Planning Act, a council is required by the provisions of an official plan to afford any person an opportunity to make representation in respect of the subject-matter of the by-law
Town Manager	The Town Manager or designate of the Town of Deseronto

1) General Provisions

- 1.1) Where a situation exists that is not addressed within the provisions of this bylaw respecting the matters for which this bylaw was adopted, Roberts Rules of Order shall prevail.
- 1.2) In the event of any conflict between the provisions of this Bylaw and those contained in any of the authorities set out previously, the provisions of this Bylaw shall apply.
- 1.3) Subject to the Municipal Act, the rules established in this Bylaw shall be the rules governing the proceedings of the Council and its Committees.
- 1.4) An amendment, suspension or repeal of this Bylaw shall be considered at any Meeting of Council, where Notice of the proposed amendment, suspension or repeal was given at a previous Regular Meeting of Council. Council may not waive such Notice.
- 1.5) Notice will be provided to the public by posting on the Municipal website and upon posting within the municipal office five (5) days prior to the meeting. In addition, other methods of Notice may be provided by the Clerk.
- 1.6) Members shall at all times conduct themselves in accordance with the requirements of the *Municipal Conflict of Interest Act, R.S.O. 1990*, including any subsequent amendments, revisions and regulations thereto.
- 1.7) Any procedure under this By-Law which is discretionary and not mandatory under statute may be suspended with the consent of a majority of the members present.
- 1.8) The proceedings at every regular and special meeting of Council shall be confirmed by by-law so that every decision of the Council at that meeting and every resolution passed there at shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.
- 1.9) Following an election or appointment to Council the Clerk shall provide each new member of Council with a copy of this by-law including any amendments thereto.

2) Notice Of Meetings

- 2.1) The Clerk shall give notice of each meeting to all residents of the Municipality by posting on the Town of Deseronto web site and at the municipal office a notice which lists:
 - a) the type of Meeting
 - b) date and time of Meeting
 - c) location of Meeting
- 2.2) The Clerk shall give Notice of each Meeting to all members of Council and to other persons as the Clerk deems advisable.

3) Meetings Of Council

3.1) **Inaugural Meetings**

- a) The Inaugural Meeting of Council, after a Regular Municipal Election, shall be held no later than the first Monday of December at 6:30 p.m.

3.2) **Regular Meetings**

- a) Regular Meetings of Council shall be held in the Town Hall at 331 Main Street, Deseronto as follows:
 - (i) on the Second and Fourth Wednesdays of each month at 6:30 p.m. except
 - (ii) For the months of July, August and December only one meeting will be held on the 2nd Wednesday of the month at 6:30 pm.
- b) Any Regular Meetings of Council extending past 10:00 p.m. may only continue by a motion adopted and carried by a majority vote by Council.

3.3) **Special Meetings**

- a) The Head of Council or Town Manager or Clerk shall summon a special meeting upon receipt of a petition of the majority of the Council Members for the purpose and at the time, date and place noted in the petition.
- b) Unless otherwise noted in a petition or summons a special meeting shall be held in the Town Hall.
- c) The only business to be dealt with at a Special Meeting of Council is that which is given in the Notice of the Meeting as to be provided by the Clerk by either direct telephone contact or written notice delivered electronically a minimum of 48 hours prior to the time set for the special meeting.
- d) The Clerk shall give 48 hours notice of each Special Meeting to the public by posting on the Municipal Web Site a Notice which lists:
 - (i) the type of Meeting
 - (ii) date and time of Meeting
 - (iii) location of Meeting
 - (iv) the issue(s) to be discussed
- e) In the event of a *Special Circumstance* as herein defined, a Special Meeting may be held as soon as practicable to Members of Council, and Notice may be given in the most practical and expeditious manner as determined by the Clerk.

3.4 **Closed Meetings**

- a) 239. (1) Except as provided in this section, all meetings shall be open to the public. 2001, c. 25, s. 239 (1).
Exceptions
(2) 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) labour relations or employee 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 a council, board, committee or other body may hold a closed meeting under another Act. 2001, c. 25, s. 239 (2).

Other criteria

(3) A meeting or part of a meeting shall be closed to the public if the subject matter being considered is,

- (a) 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
- (b) 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 this Act, or the investigator referred to in subsection 239.2 (1). 2014, c. 13, Sched. 9, s. 22.

Educational or training sessions

(3.1) 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.
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. 2006, c. 32, Sched. A, s. 103 (1).

Resolution

(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,

- (a) the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting; or
- (b) in the case of a meeting under subsection (3.1), the fact of the holding of the closed meeting, the general nature of its subject-matter and that it is to be closed under that subsection. 2001, c. 25, s. 239 (4); 2006, c. 32, Sched. A, s. 103 (2).

Open meeting

(5) Subject to subsection (6), a meeting shall not be closed to the public during the taking of a vote. 2001, c. 25, s. 239 (5).

Exception

(6) Despite section 244, a meeting may be closed to the public during a vote if,

- (a) subsection (2) or (3) permits or requires the meeting to be closed to the public; and
- (b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under a contract with the municipality or local board. 2001, c. 25, s. 239 (6).

- b) A closed meeting of Council shall be considered a separate and distinct meeting from a regular or special meeting and when a closed meeting is intended to be held in conjunction with another meeting of Council, the other meeting shall be suspended prior to the commencement of the closed meeting.

- c) No Member, Officer or employee of the Corporation shall disclose the content of the matter or substance of the deliberations of a closed meeting, unless expressly authorized to do so by Council as required by law.
- d) The Town Manager and Clerk shall be present at all closed meetings unless a designate is assigned.

3.5 Statutory Meetings

- a) Notice of a statutory public meeting shall be conducted in accordance with the provisions of the legislation for which the meeting is to be held.
- b) The Mayor shall preside at all Statutory Meetings, however, in the absence of the Mayor the Deputy Mayor shall preside.
- c) In the absence of the Mayor and the Deputy Mayor, the meeting shall be adjourned.
- d) Notwithstanding any other provision contained herein, at a legislated public meeting, the Statutory Powers Procedure Act shall apply.
- e) The Chair or his/her designate shall provide information relating to the purpose or issue for which a Statutory public meeting is being held following the commencement of the meeting.
- f) All persons who have an interest in the matter for which the public meeting is being held shall be provided an opportunity to speak or to make a presentation at the meeting.
- g) Any person who wishes to speak at a legislated public meeting shall whenever possible limit their presentation to ten minutes, however whenever additional time is necessary for a person to present any information relating to the matter for which the public meeting is being held, this provision shall not limit that person from completing that presentation.
- h) The Chair shall ensure that all information presented pertains to the matter for which the legislated public hearing was called.
- i) The Chair shall provide one notice to any person who refuses to limit his/her presentation to the matter for which the legislated public meeting is called, following which, the Chair shall end the presentation without further notice to the presenter.
- j) All persons presenting information or expressing any comments or concerns shall direct these to the Chair.
- k) No bylaw or decision respecting the matter for which the legislated public meeting is held shall be adopted at the time of the meeting, however, such a bylaw or decision shall be adopted or made at the next regular meeting of Council.
- l) If as a result of information presented or otherwise produced at a legislated public meeting, Council is of the opinion that additional information is required, Council may hold additional Statutory Meetings on the same matter to gather or otherwise present this information.

- m) Any significant change to the information presented at a legislated public meeting shall require a second legislated public meeting to inform the public of the proposed change.

4) Role of Chair

It shall be the role of the Chair to:

- a) open the Meeting by taking the Chair and calling the Members to order.
- b) announce the business before Council in the order in which it is to be acted upon.
- c) 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.
- d) decline to put to a vote motions that infringe upon the rules of procedure.
- e) designate the Member who has the floor when two (2) or more Members wish to speak at the same time.
- f) ensure that Members when speaking restrain themselves to the matter at hand, failing which the Chair shall demand the Member to end speaking immediately;
- g) restrain the Members within the rules of order when engaged in debate.
- h) enforce on all occasions order and decorum.
- i) call by name any Member persisting in breach of the rules of order of the Council and order the Member to vacate the Council Chambers.
- j) authenticate by signature all Bylaws, Resolutions and Minutes of the Council.
- k) inform the Council, when necessary or when referred to for the purpose, on a Point of Order.
- l) represent and support the Council, declaring its will and implicitly obeying its decisions in all things.
- m) ensure that the decisions of Council are in conformity with the laws and Bylaws governing the activities of the Municipal Corporation.
- n) adjourn the Meeting without the question being put in the case of grave disorder arising in the Council Chambers.
- o) order any individual or group in attendance at the Meeting to cease and desist any behaviour which disrupts the order and decorum of the Meeting, and to order the individual or group to vacate the Council Chambers where such behaviour persists.
- p) adjourn the Meeting when the business is complete.
- q) vote on all motions before Council unless the matter being considered is a matter for which the Chair has previously declared a pecuniary or other interest therein.

5) Agenda and Minutes of Meetings

- a) The Clerk or designate shall have prepared and distributed to all Members in either printed or electronic format, an Agenda as set out in the attached Schedules together with all documents or other information relevant to the items identified on the agenda.
- b) The Clerk or designate is responsible for the creation of Agendas for all Meetings of Council.
- c) The business of Council shall, in all cases, be taken up in the order in which it stands upon the Agenda, or unless otherwise decided by a majority of Council.
- d) At each regular meeting, the Minutes of the preceding meeting(s) shall be submitted for adoption and, once approved by a majority of Members present, shall be signed by the Chair and the Clerk.

- e) The Clerk is authorized to make minor deletions, additions or other changes in form to any Resolution or Bylaw before it is signed or sealed for the purpose of ensuring complete implementation of the actions of Council forming the subject matter.

6) Call To Order

- a) Within ten (10) minutes after the hour appointed for a Meeting, and if the Head of Council does not attend, the Deputy Mayor shall call the Members to order if a quorum is present, and shall preside during the Meeting or until the arrival of the Head of Council. Where the Head of Council has advised the Clerk or Town Manager that he / she will not be at the Meeting the Deputy Mayor or designate will be advised as soon as practicable.
- b) If no quorum is present within fifteen (15) minutes after the hour appointed for a Meeting, the Clerk shall record the names of those present and the Meeting shall stand adjourned until 6:30 p.m. of the following day which is not a Holiday, Saturday or Sunday. If no quorum is present at the rescheduled Meeting, the Meeting shall stand adjourned until the next Regular Meeting.
- c) A Member shall contact the Clerk or Town Manager to advise that he / she will not be present at the Meeting.
- d) If the Clerk or Town Manager have been notified by a sufficient number of Members prior to the scheduled Meeting that there will be no quorum; the Clerk may cancel any Meetings of Council or Committees. The Clerk shall post the Notice of Cancellation on the Municipal Office Door as soon as practicable and post notice of cancellation on the Municipal Website together with information relating to the re-scheduled date and time of the cancelled meeting.

7) Conduct Of Members

Appendix E

“Policy Document”

8) Delegations And Presentations

- a. A person who would like to appear as a Delegation or make a Presentation at a Meeting of Council shall submit to the Clerk by 10:00 am on Thursday prior to a Council Meeting information on the matter to be discussed in accordance with the following:
 - i. Date of submission
 - ii. Name of presenter(s)
 - iii. The name of any organization or association represented
 - iv. Civic address and/or location of the lands owned by the presenter in the Town when applicable
 - v. Contact information including telephone and/or email when applicable
 - vi. Nature of business (additional information to be submitted as required)
- b. Upon receipt of the request, the Clerk shall decide whether a Staff Report is required, and when a Staff report is required, the Clerk shall provide copy of the information to the appropriate Staff member.
- c. Upon receipt of a request the Clerk shall as soon as practical, provide or confirm a date for the information to be presented to Council.
- d. The subject matter of the Delegation or the Presentation must be a matter within municipal jurisdiction.

- e. A Delegation shall have ten (10) minutes to address Council. Members or Officers may ask questions, or seek additional information from the presenter beyond the ten (10) minute time limit.
- f. A Presentation requested by Council shall not be bound by a prescribed time limit providing the issue has a broad impact on the Municipality.
- g. Council need not make a decision in response to a Delegation/Presentation during or directly following the Delegation/Presentation. Members of Council or a Committee may seek clarification from the presenter(s), but need not enter into a debate or discussion on the subject matter.
- h. The Clerk shall have the discretionary authority to determine whether sufficient detail has been provided and to request additional information as required from the presenter or an employee of the Corporation.
- i. The Clerk shall have the authority to determine the Meeting at which a Delegation/Presentation will be scheduled, while having regard to time sensitive issues and shall advise the Delegation or Presenter accordingly.
- j. The Clerk reserves the right to deny a request for a Delegation/Presentation when the proposed subject matter includes content which:
 - i. falls within Section 239 of The Municipal Act;
 - ii. is subject to The Municipal Freedom of Information and Protection of Privacy Act; or
 - iii. is not within municipal jurisdiction.

9) Motions And Order Of Putting Questions

- a. All Motions must be properly moved and seconded.
- b. Notwithstanding Section 13 of this Bylaw, Motions may be introduced orally, pertaining to the following:
 - i. a Point of Order or Point of Personal Privilege;
 - ii. a Motion to defer;
 - iii. a Motion to commit (referral);
 - iv. a Motion to withdraw a Motion before the Chair;
 - v. a Motion to recess;
 - vi. a Motion for the previous question which shall not be passed without a majority vote of all Members;
 - vii. a Motion that the Council adjourn into Closed Session, and/or to rise and report to Council;
 - viii. a Motion to separate a question;
 - ix. a Motion to continue a Council Meeting beyond 10:00 p.m.;
 - x. a Motion to adjourn a Meeting.
- c. After a Motion is read or stated by the Chair, it shall be deemed to be in possession of the Council and can be withdrawn before decision or amendment, only with leave of Council expressed by a Motion put forth by the mover of the original Motion.
- d. A Motion properly before Council for decision, must receive disposition before any other Motion can be received except a Motion to amend, defer (adjourn debate) for the previous question, to adjourn a Meeting, to extend the hours of closing proceedings, to commit (referral) or on a matter of a quorum.

- e. A Motion to amend:
 - i. must be moved and seconded;
 - ii. shall receive disposition of Council before a previous amendment on the question;
 - iii. the question shall be allowed only once;
 - iv. shall be relevant to the question to be received.

- f. A Motion for the previous question (to call the question):
 - i. cannot be amended;
 - ii. on the main Motion, cannot be proposed when there is an amendment under consideration;
 - iii. shall preclude all amendments of the main question;
 - iv. when resolved in the affirmative, the question is to be put forthwith without debate or amendment;
 - v. can only be moved in the following words, "That the question be now put".

- g. A Motion to adjourn the Council Meeting:
 - i. shall always be in order, except as provided in this Section, and shall be put immediately without debate;
 - ii. when resolved in the negative, cannot be made again until after some intermediate proceeding has been completed by Council;
 - iii. is not in order when a Member is speaking, nor during the verification of a vote;
 - iv. cannot be amended; and

- h. A Motion to defer:
 - i. shall always be in order, except as provided in this Section and shall be put immediately;
 - ii. shall be debated only on the date or time to which the item will be deferred;
 - iii. when resolved in the negative, cannot be made again until after some intermediate proceeding has been completed by Council;
 - iv. is not in order when a Member is speaking, nor during the verification of a vote; and

- i. A Member may request a recorded vote on a Motion prior to, or immediately following the vote being taken.

- j. After a question is finally put by the Chair, no Member shall speak to the question, nor shall any other Motion be made until after the vote is taken and the result has been declared.

- k. If a Member disagrees with the declaration of the Chair on the result of a vote, such Member must object immediately after such declaration, and request that the vote be retaken, and when so requested, the Chair shall have the vote retaken.

- l. Debate shall be restricted to each proposal in its turn when a question has been separated upon the agreement of Council.

- m. The manner of determining the decision of Council on a Motion shall be indicated by visual or vocal means as declared by the Chair, except for recorded votes.

- n. Upon the request of a recorded vote, the Chair shall be the last person to present his/her vote.

- o. Upon enactment, every Bylaw shall be endorsed by the Chair and the Clerk with the date of enactment thereof and the Corporate Seal shall be affixed thereto.

10) Reconsideration

- a. Only a Member who voted on the prevailing side of an original decision may bring forward a motion for reconsideration.
- b. An issue shall not be brought back for reconsideration more than once following the original decision and then only if it can be demonstrated that new information has arisen since the time of the original decision or information considered during the original decision was in error.
- c. All Members of Council that are not otherwise excluded participating in a vote, shall be present at a meeting when a motion is introduced for reconsideration.
- d. A motion for reconsideration where there has been no commitment by any person or corporation arising from a previous decision, must be approved by not less than two-thirds of the Members eligible to vote on the matter for reconsideration.
- e. A motion for reconsideration where there has been a commitment by a person or corporation whether financial or otherwise, and arising from a previous decision, must be approved by a unanimous vote by those Members eligible to vote on the matter for reconsideration.

11) Rules Of Debate

- a. Any question on which there is an equality of votes shall be deemed to be negative.
- b. If any Member present at a Meeting of Council does not vote when a question is put, he / she shall be deemed as voting in the negative, except where he / she is prohibited from voting by statute or disqualified by reason of a Declared Interest.
- c. Any Member who is not disqualified from voting by any Act may request that a recorded vote be taken prior to, or immediately subsequent to the taking of a vote.
- d. Upon a recorded vote being requested by a Member on any matter or question, the Clerk shall ask those Members voting in favour of the question to indicate in a vocal or visible manner until their vote has been recorded. The Clerk shall then ask those Members voting in opposition to the question to indicate in a vocal or visible manner until their vote has been recorded. Any Member who does not indicate his / her vote at the time of a recorded vote shall be deemed to be voting in the negative.
- e. Every Member speaking on any question or Motion shall address the Chair.
- f. When two (2) or more Members wish to speak, the Chair shall designate the Member who is to have the floor and the Member, who in the opinion of the Chair, first requested to speak shall have the floor.
- g. A Member who has introduced a motion may provide a background as to why the motion is being introduced, however the background shall not be more than 5 minutes in duration. Upon completion of the background to the motion, the

Chair shall ask for a Member to second the motion. Once the motion is seconded by a Member, the Chair shall ask for questions or comments with respect to the motion firstly, from the Member that seconded the motion and secondly from all other Members. Any Member recognized by the Chair may speak to the Motion but the speaking to the Motion by any individual Member shall not be more than 5 minutes in duration. The Member who introduced a motion may provide a response to all questions or comments arising from the discussion of the motion by other Members however the response shall not be more than 5 minutes in duration following which the motion shall be put to the vote.

- h. A Member may speak a second time to a question, upon the concurrence of the Members present, but only if the question has not yet been put to a vote, and the Member shall be permitted an additional three (3) minutes, after which the Member who has made the Motion being debated, shall be granted a final reply which shall be limited to three (3) minutes.
- i. Notwithstanding the responsibilities of the Chair as provided herein, no Member shall interrupt the Member who has the floor, except to raise a Point of Order or a question of quorum.
- j. To raise a Point of Order, the Member shall ask leave of the Chair to raise a Point of Order, and after a leave is granted, shall state the Point of Order to the Chair and the Chair shall then state and decide upon the Point of Order; and
 - i. thereafter, the Member shall address only the Chair for the purpose of appealing to Council from the decision of the Chair; and
 - ii. if no Member appeals, the decision of the Chair shall be final; and
 - iii. Council, if appealed to, shall decide the question, without debate, and its decision shall be final.
- k. Any Member shall at any time ask leave of the Chair to raise a Point of Privilege, and after a leave is granted, shall state the Point of Privilege being exercised and the reasons in support of this point of privilege
- l. Where the Chair has deemed the remarks identified by the point of privilege questioned the integrity of another Member, or the Council, the Chair shall request the person who made the remarks to withdraw such remarks and publicly apologize for the remarks subject to the point of privilege.
- m. No person except Members and Officers of the Corporation shall be allowed to come to the Council table during the sittings of Council without permission from the Chair or Council.
- n. When the Chair is putting a question, Members shall remain in their seat and make no noise or disturbance.
- o. When a Member is speaking to an issue, Members shall remain in their seat and make no noise or disturbance.

12) Modified Rules Of Debate

- a. The modified rules of debate shall apply to Committee Meetings.
- b. When the modified rules of debate are in effect the following provisions shall apply:

- i. Open debate shall be allowed between Members at any time, however each member shall extend the courtesy to each other Member to ensure that all Members are provided the opportunity to participate in the debate, to raise questions, and to offer solutions to the matter being debated;
- ii. Members are not limited to the number of times that a Member may speak to any matter being considered;
- iii. The Chair shall control the debate when the debate is being expanded to include matters not subject to the debate or when no new information is being provided as a result of the debate;
- iv. The Chair shall encourage the identification of new or different suggestions to address the matter being debated;
- v. Questions may be raised directly by any Member to another Member, to Staff or any other representative of the Town;
- vi. Open discussion shall be encouraged between Members respecting the intent and the words used in any motion to address the matter being discussed;
- vii. Where a motion has been initiated, any Member wishing to support the motion may request a rewording of that motion and where accepted by the mover, the motion may be put to a vote;
- viii. The Clerk may at any time during the development of a motion ask the mover or seconder for a verification of the words used in respect to a motion;
- ix. Visitors not recognized as a delegation at a meeting may be recognized by the Chair to provide comment or suggestions on the matter being considered for a single time only and any further requests for comments or suggestions shall require recognition by the Chair.
- x. A motion to reconsider a matter is not required to bring a matter upon which a motion has been approved at a previous meeting, however, any request for reconsideration shall arise only when new information has become available or it has been learned that information previously provided was in error.
- xi. The Chair may declare the meeting adjourned at the completion of business without a motion from the Members;

13) **Bylaws**

- a. A bylaw shall be used, but not limited to, implement policy, memorandums of understanding, agreements or to implement regulatory controls.
- b. No Bylaw, except a Bylaw to confirm the proceedings of Council, shall be presented to Council unless:
 - i. the subject matter thereof has been requested through a motion of Council;
 - ii. the subject matter is a requirement of law; or
 - iii. the bylaw is accompanied by a Staff report which identifies the reason for the bylaw.

- c. A bylaw may be deferred to a subsequent meeting upon approval of two thirds of those Members present and eligible to vote on the bylaw.
- d. The Clerk shall be authorized to make minor corrections to any bylaw resulting from technical or typographical errors prior to the bylaw being signed.
- e. Every bylaw passed by Council shall contain the original signatures of the Mayor and the Clerk and sealed with the seal of the Corporation.

14) Council Access To Information

- a. Members of Council shall have access to information through the Town Manager or Clerk in order to fulfill their mandate as a Member, provided he/she is not prohibited by statute from having such information.
- b. Original files and documents shall not be removed from the care and control of the Clerk and shall not be removed from the Municipal Office except when such files and documents are under the care and the control of the Clerk
- c. All Members of Council will be provided with consistent information in a timely manner.
- d. The development of a Staff Report or any matter that requires the extensive use of Staff resources shall be approved by Council prior to the request for information being completed.

APPENDIX "A"

GOVERNANCE MODEL

Structure Of Council

- One Mayor elected at large
- One Deputy Mayor elected at large
- Three Councillors elected at large

Mandate

To provide responsible, accountable and transparent government on matters within their jurisdiction.

Section 224 of the Municipal Act, 2001 outlines the role of the municipal council:

"224. It is the role of council,

1. to represent the public and to consider the well-being and interests of the municipality
2. to develop and evaluate the policies and programs of the municipality
3. to determine which services the municipality provides
4. to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council (d.1) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality
5. to maintain the financial integrity of the municipality and
6. to carry out the duties of council under this or any other act."

Accountability and transparency are paramount in maintaining public trust in council and in the management of the municipality.

Section 224 of the act explicitly includes accountability and transparency as part of the role of council. Councillors are, of course, accountable to the public every four years through municipal elections, but it is important that procedures and policies be clearly set out and accessible, and that the day-to-day operations of the municipality be transparent.

Section 270 of the Municipal Act, 2001 requires municipalities to have policies on:

- sale and disposition of land
- hiring of employees
- procurement of goods and services
- when and how notice is provided to the public
- how they try to ensure accountability and transparency to the public
- delegation of powers and duties

Section 270 also requires local boards to have policies with respect to sale and deposition of land, hiring of employees, and procurement of goods and services.

APPENDIX "B"

REGULAR MEETING OF COUNCIL AGENDA

The Corporation Of The
Town of Deseronto
Regular Meeting of Council

Agenda

1. Call to Order
2. Adoption of Agenda
3. Disclosure of Pecuniary Interest
4. Approval of Minutes
5. Delegations/Presentations
6. Unfinished Business
7. Variance Report
8. Approval of Accounts
9. Department /Staff Reports (with appropriate sub-headings)
10. Committee/Board Meeting Minutes
11. Action Items
12. Information Items
13. Notices of Motion
14. By-laws
15. Announcements
16. Closed Session (if required)
17. Instruction to Staff
18. By-law to Confirm the Proceedings of Council
19. Motion to Adjourn

APPENDIX "C"

SPECIAL MEETING OF COUNCIL AGENDA

The Corporation Of The
Town of Deseronto
Special Meeting of Council
Agenda

1. Call To Order
2. Approval Of Agenda
3. Disclosure of Pecuniary Interest
4. Purpose of Meeting
5. By-law to Confirm the Proceedings of Council
6. Adjournment

APPENDIX "D"

CLOSED MEETING OF COUNCIL AGENDA

The Corporation Of The
Town of Deseronto
Closed Meeting of Council
Agenda

1. Call To Order
2. Approval Of Agenda
3. Disclosure of Pecuniary Interest
4. Approval of Closed meeting minutes
5. Specific Exemption To Be Considered
6. Adjournment

APPENDIX "E"

STATUTORY MEETING OF COUNCIL AGENDA

The Corporation Of The
Town of Deseronto
Statutory Meeting of Council
Agenda

A meeting called in accordance with (Specific Legislation) to consider a matter relating
Municipal Statute Law.

1. Call To Order
2. Approval Of Agenda
3. Disclosure of Pecuniary Interest
4. Purpose/Issue For Which Meeting Is Being Held
5. Persons Listed For a Presentation
6. Persons Not Listed Agenda but who wish to speak to the issue
7. Actions Arising From the Statutory Meeting
8. Adjournment

Request to Address Council

If you would like to appear as a delegation before the Town of Deseronto Council, you must complete this form and submit it to the Municipal Office. Please note that the deadline for the delegation requests is no later than 10:00am on the Thursday preceding the meeting.

Name of Individual(s): _____

Name of Organization: _____

Email: _____

Phone number: _____

Reason for delegation request: _____

Attach a copy of speaking notes or presentation.

Please submit the completed application to:

Municipal Office

By email: gmaracle@deseronto.ca

By Fax: 613-396-3141

To be completed by Municipal staff:

Meeting Date: _____

APPENDIX "G"

CODE OF CONDUCT COUNCIL MEMBERS

Policy Document – By-law 17-19