

STAFF REPORT



TO: General Government Section of Coordinated Committee

FROM: Laura Borland, Director of Legislative Services/Clerk
Carly Murdoch, Deputy Clerk

SUBJECT: Proposed New By-Law to Govern the Proceedings Of Meetings Of Town Council and its Appointed Committees

DATE: January 19th, 2023

RECOMMENDATION

THAT the General Government Section of Coordinated Committee receive the proposed new By-Law to Govern The Proceedings Of Meetings Of Town Council and its Appointed Committees, for information;

Further, that Committee recommend to Council that a by-law be brought forward for consideration.

BACKGROUND

Section 238 of the *Municipal Act, 2001* requires that every council and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings.

Council's current procedural by-law was adopted in 2021 and was built upon a structure established in 2016, with yearly amendments in 2017, 2018, 2019 and 2020.

With the commencement of the new term of Council, Staff conducted a review of the current by-law and prepared the attached by-law which incorporates changes based on feedback from members, updated parliamentary meeting procedures, legislation, and best practices from Ontario municipalities (Appendix A). Some of the requested changes included:

* *Sections refer to those found in by-law 2021-98*

- A new governance structure, which operates as a combined Council and Committee of the Whole (Joint Committee of the Whole and Council meeting – JCAC), eliminating Coordinated Committee.
- Aligning meeting schedules with Simcoe County Council for member efficiency. Meetings to be held 2nd and 4th Thursday of each Month.
- Amendment to the start time of regular meetings in s. 4.04 from 2:00pm to 10:00am on the 2nd and 4th Thursday of each month.
- Amendment to s. 4.03 Inaugural (First) Meeting of Council to align with the start of term pursuant to the *Municipal Elections Act*.
- Creation of *Open Forum* and the removal of the Questions/Comments period s. 5.15.

- Amendment to the Consent Agenda s. 5.09 now referred to as 'Consent List' allowing members to refer items to the *Matters for Consideration* portion of the agenda for discussion.
- Amendment to the inclusion of Correspondence s. 5.08 where the Clerk determines which items require inclusion in the agenda, and which can be simply circulated to Council.
- Removal of 'Community Announcements' section previously under section 5.11.
- Removal of 'Calling of Committee Meetings' s. 5.14.
- Amendment to s. 5.12 Notices of Motion to include a new item 'Council Requested Staff Reports'.
- Amendment to s. 5.16 Adjournment, to remove the requirement of a motion to extend a meeting for those that run past 10:00pm.

In addition, the by-law has been simplified and edited for ease of use, clarity, and improving efficiency of meetings. Some flexibility has been built in to allow agenda's to be in the most efficient manner possible as well as ensuring the public has appropriate notice.

The objective of the review was to change the meeting structure to allow for rapid response by Council and Staff to changing legislative time frames (ie. Planning Act), more efficient meetings, and better use of Staff time and resources. The proposed procedural by-law and meeting structure would necessitate fewer meeting dates while simultaneously providing additional opportunities to present items for consideration and to move business forward.

The proposed by-law draft was circulated to and vetted by both the CAO and Town Legal Counsel for compliance with necessary legislation and all requested changes have been incorporated.

DISCUSSION

New Meeting Structure

Previously, Council business was conducted through a meeting structure that included both regular and special meetings of Council, Committee of the Whole meetings, and Coordinated Committee meetings. The purpose of Coordinated Committee meetings has been to consider policy and corporate issues included in the mandate of the four business sections: General Government, Community Services, Development Services, and Public Works. Committee of the Whole meetings have then been an opportunity for Council to consider policy and corporate issues, such as Budget, that were not covered in the four sections of Coordinated Committee.

Under the old structure, meetings followed the below schedule:

Council (Regular Meetings)	4 th Tuesday of each Month beginning at 7:00pm
Council (Special Meetings)	At the call of the Chair
Committee of the Whole	3 rd Thursday of each Month at 9:00am
Coordinated Committee	2 nd Thursday of each Month at 9:00am

This structure has meant that a meeting is held nearly every week of the month. Discussions and consideration for time sensitive items were often taking place during Committee of the Whole and Coordinated Committee on the 2nd and 3rd week of the month, however, recommendations of these committees were not able to be ratified until the following Council meeting, which occurred once per month. This resulted in agendas congested with reports and items and meetings that often went beyond 3 hours in length, which was especially evident for meetings of Coordinated Committee.

Under the current structure, the majority of items appearing for consideration were included on the agendas for Coordinated Committee meetings, while Committee of the Whole Meetings were held less infrequently, with only 5 sessions conducted in 2022.

Though there was ample opportunity in the monthly Committee of the Whole and Coordinated Committee meetings for Council to consider important items of business, the delay between these meetings and ratification of decisions in Council meant that in practice, time sensitive matters often involving planning or grant applications, which required immediate action, would have to be considered during a Special Meeting. In 2022, no fewer than 7 Special meetings of Council were scheduled supplementary to the approved 2022 meeting calendar.

The new by-law proposed by Staff models a more efficient governance structure adopted by Simcoe County and used by other neighbouring municipalities. In this structure, the Committee of the Whole and Council would be housed under a single agenda and meeting structure. This new meeting would be called the Joint Committee of the Whole and Council (JCAC).

Joint Committee of the Whole and Council (JCAC)	2 nd and 4 th Thursday of each month.
Special Council Meeting	At the call of the Chair

JCAC would meet typically on the 2nd and 4th Thursday of each month, during the same week as Simcoe County Council (Tuesdays), allowing Council members who serve on both Councils to better prioritize their time. The Committee of the Whole session of the agenda would begin at 10:00 a.m., with members then rising and moving to the Council session of the agenda after a 30 minute recess at the end of Committee of the Whole. The sample agenda attached shows how the meeting structure would work (Appendix B). In this structure, the meeting would open in the Committee of the Whole session, where a consent list would be voted upon and items requiring further discussion would be pulled to “Matters for Consideration” under the appropriate business unit, similar to how business would function under the previous Coordinated Committee structure.

The proposed structure would allow Council to move business forward at a much faster pace, eliminating much of the time spent waiting for Council ratification and would also be a more effective use of Staff time. Department heads and those Staff who have submitted an item for consideration are required to be in attendance at all meetings of Council. It follows then that the longer and more frequent the meetings, the greater the strain on Staff time and resources.

Open Forum

S. 5.15 of the current procedural by-law outlines the structure and procedures for the Question/Comment Period of the Council agenda. As Council currently meets only once per month, that would mean that the public would be allowed a single opportunity a month to address their questions or comments. This portion of the agenda is a 15 minute block of time restricted to regular Council meetings to allow comments from the public on an agenda item being considered that day. Members of the public are required to register for this period 10 minutes prior to the start of the meeting by providing their name, address, and agenda item number they wish to address. During this time, the Clerk would determine if their comment/question met the requirements of s. 5.15 and would either permit or disallow the question/comment. In order to be permitted, a question/comment must pertain directly to a Staff Report, Coordinated Committee Report, or By-law. The Clerk ultimately decides this matter.

Staff are proposing to amend the Questions/Comment period and instead create an "Open Forum". With the change in meeting structure to the Joint Committee of the Whole and Council meetings, members of the public will now be given two opportunities a month to address their questions/comments to Council and Staff. The Open Forum period would be 10 minutes long and would fall at the beginning of the Committee of the Whole session of the agenda. Participants would be limited to 2 minutes each, for a total of 5 possible participants.

Members of the public wishing to take part in Open Forum must register with the Clerk's department by 12:00pm, noon, the Wednesday before the meeting providing their name, address, agenda item they wish to address and their question/comment. The requirements for participation would remain the same, and the question/comment would need to pertain to an item for consideration on the current agenda.

The Open Forum structure would provide additional opportunities for members of the public to address matters with their elected officials. Rather than potentially waiting a month between items up for discussion, as items arise individuals are able to address their concerns in real time. Open Forum allows for a more structured approach to receiving comments, and ensures that persons are directed through the most appropriate and efficient process to address their concerns or receive clarification.

Consent List/Correspondence

S. 5.09 of the current procedural by-law describes the purpose and format of the Consent Agenda. Staff are proposing a similar function for the new 'Consent List' whereby both formats create an opportunity for Council to consider all of the items listed in a single omnibus motion. Items under the Consent Agenda would be grouped into the four business units used for the previous Coordinated Committee meetings. These include:

1. General Government - for Administration, Finance, and Municipal Law

- Enforcement & Licensing matters.
2. Community Services - for Fire and Emergency Services, Facilities, Recreation and Special Events, Chamber of Commerce, policing, Ministry of Natural Resources.
 3. Development Services - for planning, building and development, and economic development matters.
 4. Public Works - for parks, public works, engineering, environmental and transportation matters.

A Consent List would appear in both the Committee of the Whole and Council session of the agenda. Under the proposed amendments, should a Council member wish to consider an item separately for discussion, they would be given the opportunity to request to refer the item from the Consent List to the 'Matters for Consideration' portion of the applicable session of the agenda (for both Committee of the Whole Session and Council Session). During this period, items forwarded from the Consent list to 'matters for consideration' will also be grouped into the four business units described above to maintain alignment.

Correspondence would also be included in the Consent List for formal presentation to Council. In the proposed by-law, the Clerk would determine which items of correspondence require action and which items are considered informational. Items requiring action would be grouped into the four business sections as discussed above. Items deemed informational would instead be circulated to the necessary stakeholders and a briefing note provided to Council where appropriate. Any correspondence received may be added to the agenda at the request of any member of Council.

In the current procedural by-law s. 5.08, any correspondence addressed to Council, the Mayor, Clerk, or any other staff member intended to be brought to the attention of Council would be received for information on the agenda under 'Correspondence'. The purpose of the proposed change is to streamline the agenda by limiting the amount of routine correspondence immaterial to the items for consideration.

Elimination of Community Announcements

Under the current procedural by-law s. 5.11, during the 'Community Announcements' portion of the regular Council meeting agendas, each member of Council is permitted 2 minutes to speak to events/activities/functions and general work of members. Discussion during this portion of the agenda is not included in the minutes.

For expediency and efficiency, Staff are recommending that this section of the agenda be removed, and instead, would encourage Council members to bring any important events or activities that should be communicated to the public to town Staff to report on through the appropriate website and social media channels.

Calling of Committee Meetings

s. 5.14 of the current procedural by-law requires that the agenda include a section of the 'Calling of Committee Meetings'. During this period, the Clerk is to announce the date, time and place of any *Coordinated Committee, Committee of the Whole* or *Council meeting* currently scheduled to be held prior to the next *Regular Meeting of Council*.

Staff are recommending that this portion of the by-law and agenda be removed as the meeting schedule is published on the Town website through the Meeting and Agenda portal, as well as on the Town's Social Media channels.

Council Requested Staff Reports

In the current procedural by-law, Council members who wish to bring forward an item for Staff require to put forward a Notice of Motion. These must be made in writing and provided to the Clerk up to 48 hours prior to the next regular Council meeting. This mechanism would remain in the proposed by-law but Staff are recommending the addition of a new procedure to allow Council to have Staff bring forward a report under 'Council Requested Staff Reports'. This portion of Council session of the agenda, would allow Council members to request specific Staff to bring forward an item/report for consideration at a later meeting. The motion would require a mover and a seconder. If there is no seconder, the item is not added to the agenda. If approved, it would be added to a running list of requested staff reports to remain on the agenda until such time as they are provided. Staff would be required to provide a timeline for their deliverables.

The purpose of this amendment would be to allow Council members a more efficient way to bring forward items that, as elected officials, they deem to be important to the conduct of Town business and the community. Staff would have an easily referenced list of outstanding items and would be accountable for their deadlines. A limit of 4 reports would be permitted to be assigned to a single Director. Once a report is brought forward, the Clerk would amend the list under Council Requested Staff Reports and the Director could receive another requested report. Should a Council member wish to direct a report above the 4 already assigned to a Director, 1 report must be removed from the current list and replaced with the new report. A mover and seconder would be required to remove and replace a requested report.

CONCLUSION

Procedural rules for municipalities are traditionally modeled after accepted standards for parliamentary procedures. The Town of Wasaga Beach uses Robert's Rules of Order as its parliamentary authority.

The proposed procedural by-Law is drafted to provide tools and resources to conduct a meeting to allow for the fundamental rights of all members in a meeting as well as accountability and transparency, but also gives some flexibility to ensure efficiency of the meetings and that meeting rules are interpreted and applied consistently.

The change in meeting structure would create a more efficient model of governance, allowing Staff and Council to provide timely and meaningful responses to rapidly changing legislation and landscapes.

The Town is also holding a Public Meeting at the January 26th, 2023 Regular Meeting of Council (2:00 p.m.) to receive public comment on this matter for consideration.

Should Council recommend to adopt this proposed by-law, Staff would develop a robust implementation strategy including training for Council and Staff. The changes would also require an administrative review of current Committee Terms of Reference to ensure that the procedures therein align with the proposed new meeting structure.

Respectively Submitted,

Laura Borland
Director, Legislative Services & Clerk

Carly Murdoch
Deputy Clerk

THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW NO. 2022-xx

**A BY-LAW TO GOVERN THE PROCEEDINGS OF MEETINGS OF TOWN COUNCIL
AND ITS APPOINTED COMMITTEES, AND TO REPEAL BY-LAW 2021-98**

WHEREAS Section 238 of the *Municipal Act, S.O. 2001*, as amended, requires that every council and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings; and

WHEREAS the Council of The Corporation of the Town of Wasaga Beach desires that its governance processes and procedures facilitate, to the greatest extent possible, the understanding and participation of its citizens in the effective conduct of the Corporation's business; and

WHEREAS the Council of The Corporation of the Town of Wasaga Beach now deems it advisable to enact a new By-law to govern the proceedings of Council, the conduct of its Members and the calling of meetings, and to provide for procedures and statutory requirements and to repeal Procedural By-law 2021-98;

**NOW THEREFORE, the Council of the Corporation of the Town of Wasaga Beach
HEREBY ENACTS as follows:**

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PART 1 - PURPOSE AND PRINCIPLES

1.01 Purpose

- a) This by-law shall be used to guide the order and dispatch of business of the Council, ~~Committee of the Whole, Joint Committee of the Whole and Council Coordinated Committee~~, and of Advisory Committees and Ad hoc Committees with the necessary modifications, unless otherwise provided.

1.02 Principles

- a) Each *member* has the right to:
- ~~One~~ vote, subject to the declaration of pecuniary interest;
 - ~~Information~~ to help make decisions, unless otherwise prevented by law;
 - ~~An~~ efficient meeting; and
- ~~Be~~ treated with respect and courtesy.

PART 2 - DEFINITIONS AND APPLICATION

2.01 Definitions

'Act' means the *Municipal Act, 2001, chapter 25*, as amended;

~~'Acting Mayor' means in the absence of the Mayor, the Deputy Mayor or in the absence of the Mayor and Deputy Mayor, those present shall elect amongst themselves, an Acting Mayor for the meeting, or until the Mayor or Deputy Mayor are present.~~ **'Acting Chair'** means a designate *member* appointed by the presumptive *Chair* to preside over a meeting in whole or in part, or failing such designation, such other *member of the Council of Committee* as selected by such *Council or Committee*.

'Ad Hoc Committee' means a committee formed by *Council* for a specific task or objective, and dissolved after the completion of the task or achievement of the objective, or upon decision of *Council* that it is no longer required.

'Advisory Committee' means a special purpose *committee* established by *Council* to provide recommendations, advice and information to *Council* through the delegated Section *Committee*

'By-Law' means an enactment, in a form approved by *Council*, passed for the purpose of giving effect to decisions or proceedings of *Council*.

'CAO' means the Chief Administrative Officer of The *Corporation* of the Town of Wasaga Beach.

~~**'Chair'** means the person appointed to preside over a *meeting*, and includes the *Mayor* in the case of *Council* or *Joint Committee of the Whole* or *Council*; or any member of *Council* or a *Committee* otherwise appointed to serve as *Acting Chair*.~~

~~**'Chair'** means the person appointed to preside over a *meeting*, and includes the *Mayor* or *Acting Mayor* in the case of *Council* or *Committee of the Whole*; or any member of a *Committee* appointed to serve as *Chair*, *Co-Chair* (or *Vice Chair*).~~

'Clerk' means the *Clerk* of The *Corporation* of the Town of Wasaga Beach, or his or her designate.

'Closed Session' or **'Closed Meeting'** or **'In-Camera'** means a *meeting*, or part of a *meeting* of *Council*, *Joint Committee of the Whole and Council*, or a *Committee*, which is closed to the public as permitted by the *Municipal Act, 2001, as amended*.

'Co-Chair' means the *member* of a *Committee* as appointed by the *Committee* to act as the *Chair* in absence of the *Chair*, or when the *Chair* steps down to act as a *member*.

'Code of Conduct' means the adopted policy of conduct in force for *members* of *Council* and *local boards*

'Committee' means any advisory *committee*, *ad hoc committee*, *Coordinated Committee*, *Committee of the Whole* or other *committee*, subcommittee, board, or similar entity.

'Committee of the Whole' means a *committee* comprised of all *Members* of *Council* that reports directly to *Council*.

'Confirming By-Law' means a *by-law* passed at the conclusion of *Council* or *Joint Committee of the Whole and Council* *meetings* confirming the actions taken at a *meeting* in respect of each resolution and other actions taken, so that every decision of *Council* at that *meeting* shall have the same force and effect as if each and every one of them had been the subject-matter of a separately enacted *by-law*.

'Consent Agenda' means all items listed within a portion of an agenda to be approved by one resolution.

~~**'Coordinated Committee'** means the *Coordinated Committee* of the *Council* of the *Town* of *Wasaga Beach* comprised of the sections of *Community Services*, *General Government*, *Public Works and Development Services* or such other section as may be established by *Council* from time to time.~~

'Consent List' means a section of the Regular mMeeting agenda. Items placed on the Consent List may not require consideration, or may be received for information only, and may be approved with one resolution by Council. Council may select and move any item from the Consent List to Committee of the Whole for consideration.

'Corporation' means The *Corporation* of the Town of Wasaga Beach.

'Council' means the *Council* of the *Corporation* of the Town of Wasaga Beach.

'Council Requested Staff Report' means a matter assigned to a staff member by Council or Committee to be brought forward as a report for further consideration and/or action.

'Defer' means to postpone until later in the same *meeting* or to the next *meeting* of the same body, or to a *meeting* of the same body that is specified in the *motion* to defer.

'Deputation' or **'Delegation'** means a person or persons intending to address the *Council* or *Committee* in a matter under the delegated authority of said body.

'Electronic Participation' means participation in a *mMeeting* from a remote location by such electronic means or service as determined and provided by the *Clerk*, and "participate electronically" has a corresponding meaning.

'Local board' means a municipal service board, or any other board, commission, *committee*, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of the Town, excluding a school board, a conservation authority, and a public library board.

'Majority' means more than 50 percent of the total *mMembers* present and not prohibited by statute from voting.

'Mayor' means the elected Head of Council, or in the absence of the *Mayor*, the *Deputy Mayor*.

'Meeting' means any regular, special or other *meeting* of a *Council*, of a local board or of a *committee* of either of them, where,

- a) *Aa quorum* of *members* is present, and
- b) *Mmembers* 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*

'Member' means a person elected or appointed as a *member* of the Town *Council*, including the *Mayor*, or appointed *member* of a *Committee* or Board, as it may apply.

'Municipality' means The *Corporation* of the Town of Wasaga Beach.

'Motion' means a formal proposal that certain actions be taken.

'Notice of Motion' means an advance notice to *members* of a matter on which *Council* will be asked to take a position.

~~**'Open Forum'** means that portion of the *Joint Committee of the Whole and Council meeting* where members of the public may express their concerns or comments regarding agenda items only.~~

'Pecuniary Interest' means a direct or in-direct *pecuniary interest* within the provisions of the *Municipal Conflict of Interest Act, 1990, chapter M.50*, as amended.

~~**'Point of Order'** refers to a *motion* made at a *meeting* which seeks an immediate ruling on an alleged violation of the *rules of procedure*.~~

~~**'Point of Privilege'** refers to an urgent *motion* made at a *meeting* which seeks an immediate ruling on an alleged violation of the rights or privileges of *members as a whole*, or in regards to a negative personal remark.~~

'Public Consultation' or **'Public Information Session'** means a session held for the purpose of obtaining information from or relaying information to the public on a matter of municipal importance.

~~**'Question Period'** means the point in time during a *Council meeting* that *members* of the public may attend to address *members* with a question of an item on the Agenda.~~

'Quorum' means more than 50 percent of the total *members* of the assembly and not prohibited by statute from voting.

'Recorded Vote' means documenting in the minutes of a *Joint Committee of the Whole and Council Council meeting*, the name of each *member*, and their vote on a matter or question, in favour, opposed, or absent pursuant to Section 246.1 of the Act.

'Refer' means to *refer* or assign a specific matter or item to a *Committee*, ~~Section~~*Session*, *Business Unit*, staff or *member* for further consideration and/or action.

'Rules of Procedure' means the rules and regulations provided in this *By-Law*, and where this *By-Law* is silent, the rules and regulations provided in Robert's Rules of Order.

~~**'Point of Order'** refers to a *motion* made at a *meeting* which seeks an immediate ruling on an alleged violation of the *rules of procedure*.~~

~~**'Point of Privilege'** refers to an urgent *motion* made at a *meeting* which seeks an immediate ruling on an alleged violation of the rights or privileges of *members as a whole*, or in regards to a negative personal remark.~~

'Special Meeting' means a *meeting* of *Council* or *Committee* that is arranged outside of the normal *meeting* schedule to deal with specific item(s) of business, and includes meetings held for emergency purposes.

'Town' means The *Corporation* of the Town of Wasaga Beach.

~~**'Workshop'** means a *Special Meeting* where the purpose is to receive information, education or training and may be in an informal environment.~~

2.02 Application

- a) The *Rules of Procedure* established in this *by-law* must be observed in the proceedings of all *meetings* of *Council* and *Committees* and shall be the rules and regulations for the management of business.
- b) Notwithstanding subsection 2.02 a), the rules and regulations contained in this *By-Law* may be suspended by a two-thirds (2/3) vote of the *Council Members* present, providing that the suspension does not contravene the requirements of the *Municipal Act, 2001* or any other statute. The suspension shall only apply to the procedure(s) or rule(s) which are stated and only during the *meeting* in which the motion to suspend was introduced.
- c) No amendment or repeal of this *By-Law* or any part thereof shall be considered at any ~~*mMeeting*~~ unless notice of proposed amendment or repeal has been given at a previous ~~*mMeeting*~~ of *Council*; ~~*or Committee of the Whole*~~; ~~*or Coordinated Committee*~~.
- d) Despite the provisions of this *By-Law*, nothing in this *By-Law* shall be construed as giving authority to any *Committee* or *Council Member* to direct or interfere with the performance of any work for the *Town* and the staff in charge shall be subject only to his or her superior as established in the formal organizational structure of the *Town*.
- e) In the absence of adopted customized *rules of procedure*, all advisory, special purpose or sub-*committees* and *local boards* under the jurisdiction of the *Town* of Wasaga Beach ~~may shall~~ use the rules of order, debate and relevant provisions of this ~~*Bby-law*~~ to govern the calling and proceedings of *meetings*.
- f) The *Clerk* shall be responsible to interpret the *rules of procedure* under this ~~*Bby-law*~~ in accordance with the principles as set out in Part 1 of this ~~*Bby-law*~~.
- g) All points of order or procedure for which rules have not been provided in this ~~*Bby-law*~~ and its appendices shall be decided by the *Chair* in accordance, as far as is reasonably practicable, with the rules of parliamentary procedure as contained in Robert's Rules of Order.

PPART 3 - DUTIES & ROLES

3.01 Duties of the Head of Council (Mayor)

It is the duty of the *Mayor* to:

- ~~C~~arry out the responsibilities described in the *Municipal Act, 2001* and any other statute;
- ~~R~~epresent and support the *Council* and its decisions in all matters;
- ~~A~~uthenticate, by signature, all *by-laws*, and minutes of *Council*; and

- ~~P~~reside over all *Council* and *Committee of the Whole* meetings, unless unavailable, in which case the *Acting Mayor-Chair* shall ~~be the Chair~~ so preside.

3.02 Duties of Members of Council

It is the duty of each *member* of *Council* to:

- ~~C~~arry out the responsibilities described in the *Municipal Act*, 2001 and any other statute;
- ~~C~~ome prepared to every *meeting* by having read all the material supplied, to facilitate discussion and the determination of action at the *meeting*;
- ~~U~~phold the *by-laws* and policies of the Town of Wasaga Beach;
- ~~D~~eliberate on the business submitted to *Council*;
- ~~V~~ote on all motions unless prohibited from voting by *by-law*; and
- ~~O~~bserve and respect the *Rules of Procedure* at all *meetings*.
- ~~A~~adhere to Part 6 of this *By-law* pertaining to conduct at all *meetings*.

3.03 Duties, Authority and Power of the Chair

It is the duty of each *member* assuming the role of *Chair* of any *meeting* of *Council* ~~or~~ *Committee of the Whole* ~~Joint Committee of the Whole and Council~~ ~~or Section of Coordinated Committee~~ to:

- ~~O~~pen the *meeting* by taking the *Chair*, calling the *members* to order as soon as the time fixed for holding the *meeting* occurs and a *quorum* is present, and to adjourn the *meeting* if no *quorum* exists after 15 minutes past the time fixed for holding a *meeting*;
- ~~A~~nnounce the business before the assembly in the order in which it is to be acted upon;
- ~~E~~nsure that all items of business listed on the agenda are addressed and that the *meeting* progresses with due efficiency;
- ~~R~~eceive and put to a vote in the proper manner, all *mMotions* presented, and to announce the result;
- ~~D~~ecline to put to vote *motions* which infringe upon the rules of order or are beyond the jurisdiction of the assembly;
- ~~P~~reserve and enforce the rules of order, and ensure all *members* abide by the rules of order when engaged in debate;
- ~~C~~all by name any *member* persisting in a breach of the rules of order, thereby ordering such *member* to vacate the *meeting* place;
- ~~R~~ule on any *Points of Order* and *Points of Privilege* raised by *members*;

- ~~M~~maintain on all occasions the observance of order and decorum among the *members* and *members* of the public;
- ~~W~~where it is not possible to maintain order, adjourn the *meeting* without the necessity of any *Motion* being put, to a time named by the *Chair*;
- ~~E~~xpel or exclude any person who is guilty of improper conduct at a *meeting*;
- ~~R~~represent and support *Council* and/or ~~Committee of the Whole~~*Joint Committee of the Whole and Council* and/or ~~Section of Coordinated Committee~~, declaring ~~its~~ *its* will, and implicitly obeying ~~it's~~ *its* decisions in all things;
- ~~R~~receive all messages and other communication and announce them to the assembly if necessary;
- ~~E~~nsure that decisions of the assembly are in conformity with the laws governing the activities of the assembly;
- ~~A~~authenticate by signature when necessary all resolutions, *by-laws* and minutes; and,
- ~~A~~adjourn the *meeting* without question when the business is concluded.

3.04 Chair – Absence

- a) ~~In the event of the Mayor's absence, illness, inability, or refusal to act as Chair, a designated Member appointed by the Mayor (the designated Acting Chair) shall act as Chair during the meeting or such parts thereof as determined by the Mayor. In the event of the Mayor's~~ The designate appointed by the Mayor shall have all the rights, responsibility and authority of the Mayor as Chair while acting during the meeting.
- a) ~~The designate so appointed as Acting Chair shall have all the rights, responsibility and authority of the Mayor as Chair while acting during the meeting.~~ Chair's absence, illness, or refusal to act as Mayor/Chair, the Deputy Mayor/Vice Chair shall chair the meeting;
- b) ~~In the absence of the Mayor or Acting Chair at the outset of a meeting, the Clerk or Clerk's designate shall call the meeting to order 15 minutes after the time fixed for the meeting and ask members in attendance to elect a member to chair the meeting. The elected member chairs the meeting until the Mayor or designated Acting Chair arrives or the meeting is adjourned;~~
- b) ~~In the absence of the Mayor/Chair and the Deputy Mayor/Vice Chair, at the outset of a meeting, the Clerk/Committee Secretary or designate shall call the meeting to order 15 minutes after the time fixed for the meeting and ask members in attendance to elect a member to chair the meeting. The elected member chairs the meeting until the Mayor/Chair or Deputy Mayor/Vice Chair arrives or the meeting is adjourned;~~

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~~c) The Acting Chair appointed pursuant to the preceding provision shall also have all the rights, responsibility and authority of the Chair, while so doing.~~

~~c) The Acting Chair shall have all the rights, responsibility and authority of the Mayor/Chair, while so doing.~~

3.05 Duties of the Clerk

It is the duty of the *Clerk* to:

- ~~C~~arry out the responsibilities described in the *Municipal Act, 2001*;
- ~~R~~ecord, without note or comment, all resolutions, decisions and other proceedings of the *Council*;
- ~~R~~ecord the name and vote of every *member* voting on any matter or question if required;
- ~~A~~sssemble and produce *meeting* agendas and manage agenda deadlines;
- ~~K~~keep the originals or copies of all *by-laws* and of all minutes;
- ~~P~~erform the other duties required under this *By-Law* or under any other *Act*;
- ~~P~~rovide guidance to the *Chair* on procedural matters; and
- ~~A~~uthenticate, by signature when necessary, all *By-Laws* and Minutes

3.06 Duties of the Administration–Staff

It is the role of the staff of the municipality, under the leadership of the ~~Chief Administrative Officer~~ ~~CAO~~ to:

- ~~I~~implement *Council's* decisions and establish administrative practices and procedures to carry out *Council's* decisions;
- ~~U~~ndertake research and provide advice to *Council* on the policies and programs of the municipality; and
- ~~C~~arry out other duties required under this *By-law*, or any statute.

PART 4 - MEETINGS

4.01 General Provisions

- a) Except as provided in this ~~B~~by-law and by statute, all ~~m~~Meetings shall be open to the public.
- b) The *Mayor* may, with appropriate notice, postpone or cancel any regular *Council* or *Committee meeting*, if in consultation with the *Clerk*, it has been determined that there are insufficient agenda items for the *meeting* or if it appears that inclement

weather or like occurrence or an emergency situation will prevent the *members* from attending, or when social distancing is recommended by public health officials.

- c) Where an item of business scheduled for an agenda may require extraordinary time provisions, the *Mayor* may authorize an earlier commencement time for the *meeting* and the *Clerk* shall notify all *members* and provide public notice as soon as possible.
- d) The *Mayor* shall chair each *meeting* of *Council* and ~~*Committee of the Whole*~~*Joint Committee of the Whole and Council meeting, however, shall may pass the Chair to select members of Council appointed for Committee of the Whole sections.*
- e) ~~*Meetings of Advisory Committees, and Ad Hoc Committees, and Coordinated Committee*~~ shall be chaired by the *member* appointed as such. The *Mayor* is ex-officio on all committees.
- f) In the event that agenda ~~*material*~~ prepared for *regular* or *special meetings* of *Council*, ~~*Committee of the Whole*~~*Joint Committee of the Whole and Council*, or other *Committees* of *Council*, has not been completed prior to the adjournment of the *meeting*, all unfinished business will be considered at a reconvened session to be held on the date identified by the *members* prior to the adjournment of the *meeting*.

4.02 Public Notice of Meetings

- a) Notice of the date and time of all *regular* or *special meetings* of ~~*the Council or Council and, Committee of the Whole, and Coordinated Committee*~~*Joint Committee of the Whole and Council* may be advertised in the local newspaper, and shall be posted on the *Town* website no less than 48 hours prior to the *meeting*.
- b) Notwithstanding the above, notice of *special meetings* held for urgent or emergency purposes or *meetings* held during a time where an emergency has been declared to exist in all or part of the *Town* of Wasaga Beach, in accordance with the *Emergency Management and Civil Protection Act* shall be given as soon as practicable.

4.03 Inaugural (First) Meeting of Council

- a) The Inaugural (First) *meeting* of the new *Council* shall be held on the Thursday following the Election of a new *Council*, ~~*or the*~~*which is to be the first Thursday following the commencement of the term of Council, pursuant to the Municipal Elections Act, 1996, c. 32, Sch.*
- b) The agenda of the Inaugural *meeting* shall be limited to inauguration activities and appointment of *members* to various boards and *committees*, and any items the *Clerk* determines to be reasonable or necessary.

4.04 Regular Meetings of Council Joint Committee of the Whole and Council Meetings

- a) ~~Unless otherwise decided by Council, Regular Meetings of Joint Committee of the Whole and Council shall be held in the Council Chambers at Town Hall, 30 Lewis Street, Wasaga Beach, generally on the second Thursday and fourth Thursday of the month at 10:00 a.m. and fourth Thursday of the month at 12:00pm and shall correspond to the same week as County Council, according to the schedule set annually and approved by Council.~~
- a)b) ~~The Joint Committee of the Whole and Council shall be opened with the Committee of the Whole Session to be proceeded by the Council session, 30 minutes following the Rise and Move to Council portion of the agenda.~~
- b) ~~Notwithstanding the above, the Clerk in consultation with the Mayor, may schedule the Regular meeting to begin at a time prior to 2:00pm, should the meeting of Council include a Closed Meeting.~~
- c) ~~Council has the authority to amend any Meeting schedule at any time by resolution of Council, as required, without an amendment to this By-law.~~

4.05 Special Meetings

- a) ~~The Mayor may at any time call a special meeting of Council or Committee or upon receipt of a petition of the majority of members. The Clerk shall call a special meeting of Council or Committee for the purpose and at the time and date specified in the petition.~~
- b) ~~No Business may be transacted at a special meeting other than that specified in the notice, petition, and/or agenda.~~
- c) ~~**Workshop:** Where the purpose of a Special Meeting is to have a workshop to receive information, education or training, the Clerk in consultation with the Mayor or Chair may prepare a workshop agenda that reflects the informal setting of such a meeting. The Workshop is deemed to be a session of the Committee of the Whole, although adherence to the provisions of this Procedural By-law related to the Committee of the Whole may be relaxed at the discretion of the Mayor or Chair.~~

4.06 Committee of the Whole

- a) ~~Council members may meet as Committee of the Whole to consider policy and corporate issues not included in the mandate of a section of Coordinated Committee, or any other matter it decides.~~
- b) ~~Unless otherwise decided by Council, Committee of the Whole meetings shall be held at Town Hall, 30 Lewis Street, Wasaga Beach, generally on the third Thursday of the month at 9:00am, according to the schedule set annually and approved by Council.~~

- c) ~~Committee of the Whole~~ has the authority to amend the ~~meeting~~ schedule at any time by resolution, as required, without amendment to this ~~by-law~~.

4.07 Coordinated Committee of Council

- a) ~~Unless otherwise decided by Council, Coordinated Committee Meetings shall be held at Town Hall, 30 Lewis Street, Wasaga Beach, generally on the second Thursday of the month, starting at 9:00 a.m.~~
- b) ~~Meetings, including date and time, of Coordinated Committee of Council may also be as established by the Clerk in consultation with the CAO, where necessary, to accommodate corporate operations and meeting schedules.~~
- e) ~~The Coordinated Committee of Council shall be divided into the following sections:~~
- ~~1. General Government — responsible for Administration, Finance, and Municipal Law Enforcement & Licensing.~~
 - ~~2. Community Services — responsible for Fire and Emergency Services, Facilities, Recreation and Special Events, Chamber of Commerce, policing, Ministry of Natural Resources.~~
 - ~~3. Development Services — responsible for planning, building and development, and economic development matters.~~
 - ~~4. Public Works — responsible for parks, public works, environmental and transportation matters.~~
- d) ~~Council shall appoint a Chair and Co-Chair to each Section of Coordinated Committee for the first two years of the four year term, terminating at the last meeting in December at the end of the two year term; the Chair and Co-Chair positions will be reappointed at that time by Council for the remaining two years of the four year term — the Chair will become the Co-Chair and the Co-Chair will become the Chair.~~
- e) ~~Coordinated Committee has the authority to amend its Meeting schedule at any time by resolution, as required, without an amendment to this by-law.~~
- f) ~~If Council is required by Legislation to hold a Hearing or give interested parties an opportunity to be heard before doing any action, passing a By-Law or making a decision, Council may delegate that responsibility to a Committee of Council. Hearings shall be scheduled at the beginning of said section and shall be chaired by the appointed Chair of the section of Coordinated Committee to which the Hearing pertains to.~~
- g) ~~If the Committee of Council holds a Hearing or gives interested parties an opportunity to be heard, Council is not required to do so.~~
- h) ~~The Committee shall provide its recommendations to Council after which Council may pass the By-Law or make the decision.~~

- i) ~~In the case where a matter is urgent and decision or recommendation is required of *Committee*, a report regarding subject matter categorized under one section may be brought to another section of *Coordinated Committee*.~~

4.08 Call to Order/Quorum

- a) ~~At the scheduled *meeting* time, and as soon as there is a *quorum* present, the *Chair* shall call the *members* to order.~~
- b) ~~Unless there is a *quorum* present within fifteen minutes after the scheduled *meeting* time, the *Council* or *Committee* shall stand adjourned.~~
- c) ~~In the absence of the *Mayor* for *Council* and *Committee of the Whole*, the *Deputy Mayor* shall call the *members* to order. In the absence of both, the *Clerk* shall call the *members* to order and the *members* shall choose a *chair* from those present who shall preside over the *meeting* until the arrival of the *Mayor* or *Deputy Mayor*.~~
- d) ~~In the absence of the *Chair* of any section of *Coordinated Committee*, the *Vice Chair* shall call the *members* to order. In the absence of the *Chair* or *Vice Chair* of any section of *Coordinated Committee*, the *Clerk* shall call the *members* to order, and the *members* shall choose a *Chair* from the *members* present who shall preside over the *meeting* until the arrival of the *Chair* or *Vice Chair*.~~
- e) ~~If during the course of a *meeting*, *quorum* is lost, the *meeting* shall be adjourned.~~

4.09 Closed Meetings

- a) ~~In accordance with the provisions of the *Municipal Act, 2001*, a *meeting* or part of a *meeting* of the *Council* or its *Committees* may be closed to the public if the subject matter being considered pertains to:~~
 - 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*;~~
 - h) ~~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;~~

- i) ~~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;~~
- j) ~~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~~
- k) ~~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.~~
- l) ~~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;~~
- m) ~~an ongoing investigation respecting the municipality, a local board or a municipally controlled corporation by the Ombudsman appointed under the Ombudsman Act.~~
- n) ~~educational or training sessions, if the following 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 or Committee~~
- b) ~~Prior to holding a closed *meeting*, *Council* or *Committee* shall state by resolution in an open *meeting*:~~
 - 1. ~~The fact that the *Council* or *Committee* is convening into closed session; and~~
 - 2. ~~The general nature of the matter(s) to be considered~~
- e) ~~The *Clerk* and/or their designate shall attend all closed *meetings* and record the proceedings, including procedural *motions* and direction given to staff, without note or comment.~~
- d) ~~The *Clerk* shall distribute all confidential reports and material for closed *meetings* in sealed envelopes. All copies of confidential reports and materials are to be returned to the *Clerk* immediately following the *meeting* and then destroyed.~~

4.40068 Livestreaming and Recording

- a) In accordance with the *Municipal Act, 2001*, minutes of *meetings* are to be recorded without note or comment by the *Clerk* or designate. The approved written minutes shall be the official record of all *meetings*.
- b) ~~Meetings of Council or Committee of the Whole, and Coordinated Committee~~ the Joint Committee of the Whole and Council will be livestreamed and/or recorded, and published to a *Town* social media platform as a service to the public.
- c) Closed session Council meetings shall be audio recorded.
- d) Notwithstanding subsection 4.0640 b) and c), the *Town* shall not be responsible should technical difficulties prevent the recording of any *meeting*, or a portion thereof.
- de) Recordings published to any social media platform are part of the public realm and as such are subject to alteration by individuals that access such recordings with no municipal control over such alterations. The *Town* assumes no liability associated with any alterations that are made to published recordings.
- e) ~~Closed session Council meetings shall be audio recorded.~~

PART 5 - AGENDAS

5.01 ~~Council and Committee Agendas~~ Joint Committee of the Whole and Council Agendas

- a) The *Clerk* or designate shall have prepared all ~~Council and Committee~~ Council and Joint Committee of the Whole and Council agendas, generally using headings as listed in Appendix A.
- b) The business of *Council* or ~~Committee~~ Joint Committee of the Whole and Council shall be taken up in the order in which it stands on the agenda, unless otherwise decided by the *Chair*, the *Council* or *Committee*.
- c) The *Clerk* may prepare an addendum to the agenda to deal with urgent matters or provide supplementary information to items of business listed on the agenda.
- d) An item of business not listed on the agenda is not permitted to be introduced at a *meeting* unless authorized by a two-thirds vote of the *members* present.

5.02 Submission of Agenda Information

- a) All information to be included on aAgendas shall be delivered to the *Clerk's* Office, or designated *Committee* Secretary, by the deadline designated by the *Clerk*, which is to be the Wednesday by 12:00pm noon, 1 week prior to the meeting date, or as otherwise designated for the Clerk, for the scheduled *meeting*.
- b) Notwithstanding the above section 5.02 a), visual presentations that are for information only, or supplemental to a report on the agenda are not required to be included in the agenda, subject to the approval of the *CAO* and/or *Clerk*.

- c) It shall be the Clerk's responsibility to ensure ~~Council, and Committee of the Whole and Coordinated Committee~~ that the Joint Committee of the Whole and Council agendas are distributed to *members* of *Council* and/or *Committees* and Operating Departments, prior to the scheduled *meeting* with adequate time to review.
- d) Agendas for *meetings* of ~~the Joint Committee of the Whole and Council Council, and Committee of the Whole, Coordinated Committee~~, and other *Committees* and *meetings* of *Council* shall be posted as soon as practicable on the *Town's* website, and no later than 24 hours preceding the scheduled *meeting*.
- e) Notwithstanding the above, agendas for meetings held for emergency purposes, or for meetings held during a time where an emergency has been declared to exist in all or part of the *Town of Wasaga Beach*, in accordance with the *Emergency Management and Civil Protection Act* shall be posted as soon as practicable.

5.03 Committee of the Whole Session

- a) The *Committee of the Whole* session is a mechanism to allow freer debate and consideration of reports, by-laws, and other matters of concern for *members*.
- b) When a matter is considered during the *Committee of the Whole* session, the staff recommendation will be visible and, where applicable, a revised recommendation proposed by the *member* referring the item to the *Committee of the Whole* session. The mover and seconder shall have an opportunity to speak first to the recommendation.
- c) After the *Committee of the Whole* session has finished its deliberations, its recommendations and findings shall be presented for formal adoption by *Council*. *Council* shall adopt those recommendations and by-laws considered by the *Committee of the Whole* session in an omnibus motion, which deems those recommendations to be resolutions and by-laws, as applicable, of *Council*.
- d) The *Council* may determine from time to time such procedures for the governing of *Committee* meetings as may be determined necessary for the effective conduct and administration of the operations of the *Committee of the Whole* session.
- e) The *Mayor* may turn the chair over to any member to preside over a specific *Committee of the Whole* session. While presiding, that Chairperson has the same powers of the Head of Council with respect to the conduct of the meeting.

5.04 Call to Order and Quorum

- a) At the scheduled *meeting* time, and as soon as there is a *quorum* present, the *Chair* shall call the *members* to order.
- b) Unless there is a *quorum* present within fifteen minutes after the scheduled *meeting* time, the *Council* or *Committee* shall stand adjourned.
- c) In the absence of the *Mayor* for *Council* and *Committee of the Whole*, the *Acting Chair* shall call the *members* to order. In the absence of the prior designation of

an Acting Chair, the Clerk shall call the members to order and the members shall choose an Acting Chair from those present who shall preside over the meeting until the arrival of the Chair or any previously designated Acting Chair.

~~In the absence of the Mayor for Council and Committee of the Whole, the Deputy Mayor shall call the members to order. In the absence of both, the Clerk shall call the members to order and the members shall choose a chair from those present who shall preside over the meeting until the arrival of the Mayor or Deputy Mayor.~~

d) If during the course of a meeting, quorum is lost, the meeting shall be adjourned.

5.05 Disclosure of Interest & General Nature Thereof

a) It is the responsibility of each member to identify and disclose any pecuniary interest on any item or matter before the Council or Committee, in accordance with the provisions of the of interest legislation currently in effect.

b) Where a member has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Council or Committee at which the matter is the subject of consideration, the member shall:

1. Prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;

2. Not take part in the discussion of or vote on any question with respect to the matter; and

3. Not attempt in any way before, during and/or after the meeting to influence the voting on any such question.

a) Where a meeting is not open to the public, in addition to complying with the requirements of subsection 5.07 b), the member shall forthwith leave the meeting for the part of the meeting during which the matter is under consideration.

b) Where the interest of a member has not been disclosed by reason of his/her absence from the particular meeting, the member shall disclose the interest and otherwise comply at the first meeting of Council or Committee, as the case may be, attended by the member after the particular meeting.

The Clerk shall record the particulars of any disclosure of pecuniary interest made by the member(s) and such record shall appear in the minutes of that particular

5.06

5.03 Land Acknowledgement

Meetings of Council, Joint Committee of the Whole and Council, or their Committees may be opened with a Land Acknowledgement where appropriate at the discretion of the Chair, and this acknowledgement may be provided by any member or Council, Staff, or invited guests as determined by the Chair.

a) _____

5.07– Open Forum

- a) Open Forum allows for comments from the public relating to any item appearing on the current ~~Council~~ Joint Committee of the Whole and Council meeting agenda.
- b) All comments are to be addressed through the Mayor or Chair.
- c) Individuals requesting to speak during Open Forum shall register with the Clerk no later than 12:00pm the day before the meeting and inclusion in the meeting is at the discretion of the Clerk. ~~shall sign the 'Open Forum Register' prior to being permitted to speak to Council or a Committee during Open Forum.~~
- d) Open Forum may be made by electronic participation. In the event of any type of connection/service disruption, all other registered speakers will be provided two minutes, and then the Chair will ask the Clerk if the participant has reconnected before Open Forum is completed.
- e) Open Forum shall last no longer than ten (10) minutes. The length of time each individual has to address Council or a Committee shall be at the discretion of the Mayor or Chair, but as a general practice shall not be longer than two (2) minutes.
- f) Individuals may verbally address Council however presentation or distribution of any materials is not permitted at the meeting. Material or information for Council may be provided to the Clerk before 12:00 p.m. the day before the ~~m~~Meeting and will be reviewed by Staff and circulated to Council before the day of the ~~m~~Meeting.
- g) Members and staff shall not be engaged in a debate or discussion during Open Forum. No motions shall be made during Open Forum as a result of comments made during Open Forum other than matters of procedure as outlined in Section.
- h) During Open Forum, no member of the public shall:
 - 1. Speak disrespectfully of any person;
 - 2. Use offensive language;
 - 3. Disobey the rules of procedure or a decision of the Mayor or Chair; or
 - 4. Speak to Council about matters:
 - i. Involving current or pending litigation;
 - ii. Involving insurance claims;
 - iii. Administrative complaints that have not been reported and investigated through the appropriate process;
 - iv. Beyond the jurisdiction of Council; or
 - v. Contrary to MFIPPA.

i) Comments made during Open Forum will not form part of the ~~Minutes of mee~~Meeting minutes. Council members may request that any material received regarding Open Forum be included on the Correspondence List of a subsequent Council meeting.

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- Approval of the Agenda

- a) Council shall approve the agenda as provided by the Clerk's Department.
 - b) The Clerk, in consultation with the CAO has the discretion to add item(s) to the ~~a~~Agenda under Approval of the Agenda section, after the ~~a~~Addendum has been posted to the Town's website, where the Clerk is of the opinion that the matter is sufficiently urgent to violate the fundamental principle of providing the prescribed public notice, and the Late Submission item(s) should meet one of the following time-sensitive conditions:
 - 1. Provide additional information to an existing agenda item;
 - 2. Required to meet government/agency deadlines;
 - 3. Delay would have legal or financial implications; or
 - 4. Council/Committee direction.
 - c) All items, received after the ~~a~~Addendum has been posted, must be approved by the Clerk before consideration by Council during Approval of the Agenda.
 - d) Council shall consider the Late Submission item(s) during Approval of the Agenda and these items require a two-thirds majority vote of Council to be added, with the exception of Delegations or Notices of Motion received by the permitted deadline. Any Delegation request received after the deadline would require a two-thirds majority vote.
 - e) Items approved for addition shall be added to their respective areas of the agenda with a notation to indicate that the item has been added.
 - f) Items added under this section may be ~~t~~abled or ~~d~~Deferred to allow for adequate public notice.
- Whenever possible, the Clerk shall endeavor to circulate ~~L~~ate ~~s~~Submission items and supporting documentation to Council, Town Staff and the media by posting them on the Town Website as soon as practical, preferably in advance of the ~~r~~Regular ~~m~~Meeting.

5.03
Thereof

Disclosure of Interest & General Nature

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~~a) It is the responsibility of each member to identify and disclose any pecuniary interest on any item or matter before the Council or Committee, in accordance with the provisions of the of interest legislation currently in effect.~~

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~~b) Where a member has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Council or Committee at which the matter is the subject of consideration, the member shall:~~

~~1. _____ prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;~~

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~~2. _____ not take part in the discussion of or vote on any question with respect to the matter; and~~

~~3. _____ not attempt in any way before, during and/or after the meeting to influence the voting on any such question.~~

~~e) _____ Where a meeting is not open to the public, in addition to complying with the requirements of subsection 5.037 b), the member shall forthwith leave the meeting for the part of the meeting during which the matter is under consideration.~~

~~d) _____ Where the interest of a member has not been disclosed by reason of his/her absence from the particular meeting, the member shall disclose the interest and otherwise comply at the first meeting of Council or Committee, as the case may be, attended by the member after the particular meeting.~~

~~e) _____ The Clerk shall record the particulars of any disclosure of pecuniary interest made by the member(s) and such record shall appear in the minutes of that particular meeting.~~

5.04 Adoption of Minutes

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~~a) _____ Minutes shall record:~~

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~~1. _____ the place, date and time of meeting;~~

~~2. _____ the name of the Chair and the record of the attendance of the members;~~

~~3. _____ declarations of pecuniary interest;~~

~~4. _____ the motions considered and votes taken by Council and Committee; and~~

~~5. _____ except as provided elsewhere in this by-law, all the other decisions or authorized actions without note or comment;~~

~~b) _____ Closed Session minutes shall record:~~

~~1. _____ the place, date and time of meeting;~~

2. ~~the names of the Chair and the record of the attendance of the members and any other attendees;~~

3. ~~a description of the substantive and procedural matters discussed, including specific reference to any documents considered~~

4. ~~the motions considered and votes taken by Council and Committee; and~~

5. ~~all directions given.~~

a)g) ~~The minutes of each Council and Committee meeting shall be presented to Council at the next regular meeting for confirmation, and may be adopted by one main motion.~~

5.0598 Deputations, Presentations, Petitions and Public Meetings

Deputations

a) The Clerk shall be empowered to refer requests made of Council for a *deputation* to the appropriate ~~Committee or~~ Council-Joint Committee of the Whole and Council meeting as he/she deems necessary.

b) The request for a *deputation* must be in writing and must describe the subject matter on which the person wishes to address the ~~Council~~ Committee.

c) Denial of Deputation Requests: The Clerk shall deny a request for a ~~d~~Deputation where:

1. ~~T~~he subject matter that the person wishes to address or the outcome that the person seeks from the ~~Council~~ Committee is not within the Town's authority;

2. ~~T~~he person wishes to address the ~~Council~~ Committee to request financial support for a purpose which falls within the criteria of the Town's established financial assistance policy, unless requested by Council to appear;

3. ~~T~~he subject matter involves litigation or potential litigation with the Town, or any matter before the court;

4. ~~T~~he subject matter pertains to an insurance claim;

5. ~~A~~administrative complaints that have not been reported and investigated through the appropriate process or policy;

6. ~~T~~he matter, or any portion thereof, is contrary to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA);

4-7. ~~T~~he subject matter has already been presented within the previous twelve (12) months to the ~~Council~~ Committee by the Deputant or an organization to which they belong, unless new information is being presented;

5-8. ~~T~~he Deputant wishes to have a prior decision of Council reconsidered;

~~6.9.~~ ~~The Council or Committee~~ has made the decision and/or a recommendation of the *Mayor* and/or *CAO* to deny the request; or

~~7.10.~~ ~~The Deputant~~ wishes to address a matter which was the subject of the *Town Council* (Public Meeting) under the *Planning Act*, or where a public meeting is scheduled or soon to be scheduled.

- d) When a request for a *Deputation* has been denied, the *Clerk* shall provide the reason(s) to the individual making the request, ~~members of Council/Committee~~ and the *CAO*.

Scheduling Deputations:

- e) Wherever possible, the ~~d~~*Deputation* shall be scheduled for the appropriate session of ~~Council-or-Committee~~, considering the subject matter of the ~~d~~*Deputation*.
- f) A maximum of two (2) *deputations*/presentations/public *meetings* may take place per *meeting*. The *Clerk*, the *CAO* and/or *Chair/Mayor* will determine if additional *deputations*/presentations/public *meetings* will be permitted on the ~~a~~*Agenda*.

Information to Deputant:

- h) The *Clerk* shall provide the ~~d~~*Deputant* with information outlining the ~~d~~*Deputation* process.

Rules for the Deputant:

- i) Printed/~~electronic~~ material to be distributed shall be provided to the *Clerk's* department on the Wednesday of the week prior to the *meeting* of the ~~d~~*Deputation*, in accordance with the *Clerk's* ~~a~~*Agenda* practices. ~~Power Point or other presentation media are to be provided to the Clerk prior to the meeting in order to ensure arrangements are made for the proper display of the presentation.~~ The material shall be free of statements or any material considered contrary to the Human Rights Code, or any other statute, *by-law* or policy of the *Town* of Wasaga Beach.
- j) Each ~~deputation deputation~~ shall be limited ~~in speaking~~ to a maximum of ten (10) minutes.
- k) Each *deputation* shall be limited to a maximum of two (2) speakers.
- l) *Deputations* shall restrict comments to the subject matter outlined in their request for ~~d~~*Deputation*, and as stated on the ~~a~~*Agenda*.
- m) Where several ~~d~~*Deputations* are scheduled on the same topic, the *Chair* may request that the ~~d~~*Deputations* subsequent to each preceding ~~d~~*Deputation* only bring forward new information.
- n) All comments from the ~~d~~*Deputant* shall be directed through the *Chair* without the use of offensive language or behavior, and the ~~d~~*Deputant* shall comply will all rules of conduct contained in this *by-law*.

- o) In responding to questions from *members*, the dDeputant shall not enter into dDebate or question *members* or staff.
- p) Where a dDeputant disregards any one or more of the rules of this *By-Law*, the *Chair* shall advise the dDeputant of the error, remind him or her of the rules, and request that he or she adhere to the rules; or if the dDeputant repeatedly ignores the rules, the *Chair* may call an end to the dDeputation.
- r) Where a dDeputant repeatedly disregards any one or more of the rules, the *Chair* may immediately order the dDeputant to leave the *meeting* place.
- s) If the dDeputant refuses to leave the *meeting*, he or she may be escorted from the building.
- t) Council/Committee may, at its discretion, prohibit anyone from making dDeputations for any period of time.

Presentations

- a) All requests for pPresentations to all *meetings* of Council and Committees must be made in writing to the *Clerk* prior to the finalization of the aAgenda and prior to the scheduled *meeting* at which the person wishes to appear.
- ~~b) The subject matter of the Presentation must meet the definition of Presentation described in this *By-Law*.~~
- e)b) The *Clerk* shall schedule the pPresentation and provide the pPresenter with the appropriate information.
- e)c) Rules for dDeputations also apply to pPresentations, with the exception of ~~t~~Time limits. Time limits for presentations shall be at the discretion of the Clerk.

Petitions

- a) All petitions are to be received by *Council*.
- b) All petitions must be the original copy, legibly written, typed or printed and signed by at least one person. The *Clerk* will list petitions received prior to the finalization of the *Agenda*. All petitions received after this time will be held over for consideration at a subsequent *meeting* of the Joint Committee of the Whole and Council Council unless the petition directly relates to items of business on the agenda
- c) Petitions must include the reason for the petition and the individual/group presenting the petition to *Council* and shall include the lead petitioner's printed name and local address, and written signature.
- d) Once presented with a petition, *Council* may request by *motion*, that it be received for information, or referred to a particular staff or *Committee*.
- e) Debate is not permitted except in the context of a *motion* already on the *Council* agenda.
- f) Time limits for petitions shall be at the discretion of the Clerk.

Public Meetings

- a) Items brought forward under the *Municipal Act* and/or the *Planning Act* or any other Act will be ~~dealt with by Council or Committee~~ placed on the ~~a~~Agenda provided that all advertising and notices have been completed and the holding of the said ~~p~~Public ~~m~~Meeting will be in conformity with the said Act(s).
- b) Generally, only two (2) ~~p~~Public ~~m~~Meetings per meeting will be permitted. Rules for *Deputations* also apply to ~~p~~Public ~~m~~Meetings, with the exception of time limits, and any other applicable legislative provisions.

~~5.10 5.07~~County Council, Municipal Associations & Conservation Authority Updates

~~Members of Council who sit on external municipal organizations or associations will provide any updates at a Regular Meeting on matters of interest to the Town, when appropriate.~~

~~Unfinished Business~~

~~All agenda items prepared for a previous meeting agenda that have not been completed at the meeting, will be presented at a future meeting under Unfinished Business. Items may be removed as they are completed, or by the Clerk, in consultation with the CAO and Mayor.~~

~~5.08~~Consent List (Committee of the Whole Session and Council Session)

- a) ~~The Mayor or Chair shall review the Consent List at a r~~Regular ~~m~~Meeting by providing ~~m~~Members with an opportunity to:
 1. ~~Ask brief questions, make limited comments or request clarification on an item; and~~
 2. ~~Clearly announce a request to refer an item for consideration during the the 'Matters for Consideration' portion of the either Committee of the Whole session or the Council session Agenda for the Committee of the Whole~~corresponding business section.
~~part of the Agenda.~~
- b) ~~Amendments, Deferral Motions, Tabling Motions, discussions, recorded votes, and other procedural motions are not permitted during the review of the Consent List but are permitted in the remainder of both the Committee of the Whole~~partportion of the agenda and the ~~Council~~ portion of the agenda ~~Agenda~~ once the matter has been referred.
- c) ~~A m~~Member's request to refer an item ~~for consideration~~to 'Matters for Consideration' ~~under the~~ applicable business section of the ~~Committee of the Whole~~ session or to 'Matters for Consideration' under the applicable business

section of the Council session, ~~Committee of the Whole~~ part of the Agenda is neither optional nor debatable. For greater clarity, each ~~m~~Member has the right to have a matter referred and considered by ~~Committee of the Whole~~ and Council.

- d) At the conclusion of the review of the Consent List, the remaining recommendations that have not been referred shall be adopted by one omnibus resolution. The Consent List recommendations are deemed to be resolutions of either the ~~Committee of the Whole Session~~ or the Council session of the ~~Joint Committee of the Whole and Council~~ Council as if voted on individually.

5.11 —Reports and Correspondence

- a) The Clerk or designate shall determine what items are requiring action and what items are considered informational and list such items on the Consent List. For continuity, items will be grouped into four business sections as follows:
1. General Government - for Administration, Finance, and Municipal Law Enforcement & Licensing matters.
 2. Community Services - for Fire and Emergency Services, Facilities, Recreation and Special Events, Chamber of Commerce, policing, Ministry of Natural Resources.
 3. Development Services - for planning, building and development, and economic development matters.
 4. Public Works - for parks, public works, environmental and transportation matters.
- b) Correspondence received from members of the public will be circulated to Council and Staff by the Clerk's Department. A briefing note may be provided where time permits, and this correspondence may be added to the agenda at the request of any member of Council.
- c) Resolutions received from other municipalities received by the Clerk's Department will be circulated to Staff. The content of the resolution will be reviewed and where appropriate, a briefing note will be provided to Council along with the resolution and copied to the Clerk's Department. Council members may then clarify any content with Staff and may also request that the resolution be added to an agenda as information for the public or may provide a recommendation for Council consideration.
- d) Communications intended to be presented to Council or a Committee must be legible, signed by the author(s), include their address and must not contain any defamatory allegations, or impertinent or improper information. The Clerk may refuse communications that do not comply with this section.

- e) ~~Communications shall be provided to the Clerk by 12:00 noon on Monday, the week prior to the rRegular mMeeting date. The sender is responsible for clearly identifying if the communication is confidential and the nature of that confidentiality.~~
- f) ~~Communications are generally considered public documents and are therefore subject to the MFIPPA.~~
- g) ~~Any Staff Report or Correspondence Item may be referred to the 'Matters for Consideration' portion of the Committee of the Whole session of Joint Committee of the Whole and Council upon the request of a mMember.~~
- h) ~~A mMember's request to refer an item for consideration to the Committee of the Whole part of the Agendasession of the meeting is neither optional nor debatable.~~

~~The agenda includes those pieces of external correspondence addressed to Council, the Mayor, the Clerk or any other staff member that are intended to be brought to the formal attention of the Council, and may be received for information, or referred.~~

5.09 Consent Agenda

- a) ~~Items of business which are, in the opinion of the Clerk, generally routine in nature and would not require debate, shall be listed as consent items and may be approved collectively by a single motion.~~
- b) ~~A member may make brief comments to a consent item prior to the consideration of the adoption of the matters listed, however, if a member wishes to debate or amend the recommendation of an item; the item shall be removed from the consent agenda list and dealt with as a separate item.~~

5.10 Committees, Boards & Staff Reports

- a) ~~Coordinated Committee/Committee of the Whole Minutes:~~
 - 1. ~~Minutes of Coordinated Committee and Committee of the Whole meetings and the recommendations contained therein, shall be copied and circulated on the Agenda for Council.~~
 - 2. ~~Upon introduction of the motion to adopt the minutes, the Committee Chair or Co-Chair will have an opportunity to speak to the minutes.~~
 - 3. ~~Upon adoption, all recommendations contained therein are adopted and are authorized.~~
 - 4. ~~A member of Council may request to amend the motion adopting the minutes of a Coordinated Committee or Committee of the Whole to~~

~~separately vote on an item, which is contained in the minutes. Said request should be provided to the Clerk prior to the meeting. The remainder of the minutes and the recommendations contained therein will be voted on, save and except the item voted on separately, and shall be noted on the motion accordingly.~~

~~b) Other Committees and Board Minutes~~

- ~~1. Minutes from Other Committees and Boards shall be copied and circulated with the applicable Section Agenda and be received and/or adopted.~~
- ~~2. Members of Council may give a report on their attendance at Advisory and other Committees they represent on behalf of Council.~~

~~c) Reports Requested from Municipal Staff~~

- ~~1. Requests for reports from Departments, when made at a meeting of Council, Committee of the Whole or Coordinated Committee, shall be by majority decision of the assembly and directed to the Chief Administrative Officer, who shall give direction to the appropriate Departments, through the distribution of the Resolution.~~
- ~~2. Reports to Council — reports may be presented directly to Council if approved by the CAO, when the matter contained in the report is of an urgent nature and cannot be delayed by presenting to a regular Coordinated Committee meeting or Committee of the Whole~~

5.11 Community Announcements

~~At a Regular Council Meeting, Members of Council shall be permitted a maximum of two minutes each in order to make statements which are intended for the purpose of sharing information about events/activities/functions and general work of members and such updates shall not be reflected in the minutes of the meeting.~~

5.11 Committee of the Whole

- ~~a) The Committee of the Whole is a mechanism to allow freer debate and consideration of reports, by laws, and other matters of concern for Members.~~
- ~~b) When a matter is referred to the Committee of the Whole, the staff recommendation will be visible and, where applicable, a revised recommendation proposed by the Member referring the item to the Committee of the Whole. The mover and seconder shall have an opportunity to speak first to the recommendation.~~
- ~~c) After the Committee of the Whole has finished its deliberations, its recommendations and findings shall be presented for formal adoption by Council. Council shall adopt those recommendations and by laws considered by the Committee of the Whole in an omnibus motion, which deems these recommendations to be resolutions and by laws, as applicable, of Council.~~

- ~~d) The Council may determine from time to time such procedures for the governing of Committee meetings as may be determined necessary for the effective conduct and administration of the operations of the Committee of the Whole.~~
- ~~e) The Mayor may turn the chair over to any member to preside over a specific Committee of the Whole Session. While presiding, that Chairperson has the same powers of the Head of Council with respect to the conduct of the meeting.~~

5.12 Council Requested Staff Reports/-Notices of Motion

All Council Requested Staff Reports shall require a mover and a seconder and shall be introduced during the Reports Referred to Staff section of the agenda.

- a) Once a Council Requested Staff Report is provided in accordance with this by-law, the Clerk shall automatically add it to the next regular meeting agenda, where it shall appear as Council Requested Staff Report and will remain on the list until such time as it has been presented and considered.
- b) No more than 4 items shall be assigned to a single Director or the CAO at any given time. Once an item has been presented to the Joint Committee of the Whole and Council for consideration, it shall be removed from the Council Request Staff Report section.
- c) Should a Council member wish to assign a report to a Director who already has 4 assigned reports, 1 must be removed. At no time is a single Director able to carry more than 4 report items. Removal of a requested report requires a mover and a seconder.

/Motion for Which Notice has Been Given

All Notices of Motions shall be in writing and provided to the Clerk, up to 48 hours before the meeting where the Notice is being given.

- a) Once a Notice of Motion is provided in accordance with this By-law, the Clerk shall automatically add it to next rRegular mMeeting agenda, where it shall appear as a Motion for Which Notice has Been Given.
- a) At a Regular Council Meeting, Members of Council may give notice of their intent to introduce a motion at an upcoming Coordinated Committee Meeting, Committee of the Whole or Meeting of Council.
- b) Notices of Motion shall be in writing and delivered to the Clerk's Office before noon on the day of the meeting of Council. The Clerk shall provide the motion to the Mayor/Chair to be read into the record. No Secunder is required. The Notice is not debatable.
- e) Where it is deemed impractical or not in the best interests of the Town to delay consideration, the notice of motion may be considered by Committee or Council upon it's introduction by an affirmative vote of two thirds of the voting members present.

5.13 Closed Session

- a) In accordance with the provisions of the *Municipal Act, 2001*, a *meeting* or part of a *meeting* of the *Council* or its *Committees* may be closed to the public if the subject matter being considered pertains to:
- a) ~~T~~he security of the property of the municipality or local board;
 - b) ~~P~~ersonal matters about an identifiable individual, including municipal or local board employees;
 - c) ~~A~~a proposed or pending acquisition or disposition of land by the municipality or local board;
 - d) ~~L~~abour relations or employee negotiations;
 - e) ~~L~~itigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - f) ~~A~~advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - g) ~~A~~a matter in respect of which a council, board, committee or other body may hold a closed *meeting* under another *Act*;
 - h) ~~I~~nfornation explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
 - i) ~~A~~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;
 - j) ~~a~~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
 - k) ~~A~~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.
 - l) ~~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*;
 - m) ~~A~~an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*.
 - n) ~~E~~ducational or training sessions, if the following 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 or Committee

c) Prior to holding a closed *meeting*, *Council* or *Committee* shall state by resolution in an open *meeting*:

1. The fact that the *Council* or *Committee* is convening into *closed session*;
and
2. The general nature of the matter(s) to be considered

c) The *Clerk* and/or their designate shall attend all closed *meetings* and record the proceedings, including procedural *motions* and direction given to staff, without note or comment.

d) The *Clerk* shall distribute all confidential reports and material for closed *meetings* electronically or via any means deemed secure by the *Clerk*. ~~in sealed envelopes. All copies of confidential reports and materials are to be returned to the *Clerk*. The *Clerk* will collect and destroy all confidential material or request that any confidential information circulated electronically be deleted and removed from Member's devices/access immediately following the *meeting*, and then destroyed.~~

5.14 By-Laws and Confirmatory By-Law

- a) Every *by-law* shall be in writing and shall require only one reading prior to being passed by a *majority* vote of *Council*.
- b) Unless separated at the request of a *member*, all *by-laws* proposed for adoption shall be passed collectively by a single *motion*.
- c) Every *by-law* passed by *Council* shall signify the date of passage and be signed by the *Mayor* and the *Clerk* and sealed with the seal of the *Corporation*.
- d) A *by-law* shall be passed for each regular or special *Council meeting* to confirm the proceedings thereof.
- e) The *Clerk* shall be authorized to make minor corrections to any *by-law* resulting from technical or typographical errors prior to the *by-law* being signed.

5.14 Calling of Committee Meetings

~~The *Clerk*, or designate will announce the date, time and place of any *Coordinated Committee*, *Committee of the Whole* or *Council meeting* currently scheduled to be held prior to the next *Regular Meeting of Council*.~~

5.15 Question /Comment Period

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~~a) Question/Comment Period — A fifteen (15) minute session wherein persons in attendance at a Regular Meeting of Council have an opportunity to ask a question or make a comment specifically pertaining to a Staff Report, Coordinated Committee Report, or By law on the agenda for consideration by Council. Comments will be received for Council consideration but will not be discussed or debated at this time.~~

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~~b) Persons wishing to ask a question or make a comment must sign up at the meeting place prior to 10 minutes of the meeting start time, with their first and last name, street address, and item number of staff report or by law.~~

~~c) Questions/Comments must be specific to a Staff Report, Coordinated Committee Report or By law on the Agenda for approval and are limited to a maximum of 5 minutes per person.~~

~~d) In the event a large number of people in attendance sign up to ask a question or make a comment, a time limit per individual may be imposed at the discretion of the Chair.~~

~~e) Where the subject matter on the list is deemed not to pertain to a Staff Report, Coordinated Committee Report or By law, the Mayor shall not invite the member of the public to address Council during the Question/Comment period.~~

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~~f) Where in the opinion of the Chair, a person fails to adhere to the rules of conduct under 6.03 of this by law, the privilege to participate in any future Question/Comment Periods may be revoked, at the discretion of the Chair.~~

5.1654 Adjournment

a) The meeting will be adjourned by the Mayor/Chair.

~~b) No item of business may be dealt with at a Council or Committee Meeting after 5 hours past the meeting start time 10:00 p.m., unless the Chair presents a Motion to extend the hour. Two-thirds vote required to continue.~~

~~b) If a two-thirds vote is not achieved to extend the meeting, Council or Committee will move to adjournment. The meeting is required to be adjourned before all business items have been considered, the unfinished items will be deferred to the next regularly scheduled meeting to be noted under Unfinished Business.~~

PART 6 - CONDUCT AT MEETINGS

6.01 Council and Committee Members

a) Council members shall govern themselves according to Council's Code of Conduct and Council-Staff Relations Policy.

b) The Mayor or Chair shall preserve order and rule on points of order and privilege.

- c) Every *member* desiring to speak shall indicate so in order to be recognized by the *Mayor* or *Chair*, and upon being recognized, shall remain seated in his or her place and address themselves to the *Mayor* or *Chair*.
- d) A *member* called to order by the *Mayor* or *Chair* shall immediately cease further comment and may appeal the call to order to the *Council* or *Committee*. The *Council* or *Committee*, if appealed to, shall decide on the case without debate and by way of a *majority* vote of the *members* present. If there is no appeal, the decision of the *Mayor* or *Chair* shall be final.
- e) No *member* shall, without leave of the *Council* or *Committee*:
 - 1. ~~S~~peak to an issue for more than five (5) minutes;
 - 2. ~~U~~se offensive words or speak disrespectfully of the *Mayor*, *Members* of *Council*, *Committee*, staff or the public;
 - 3. ~~S~~peak on any subject other than the subject under debate;
 - 4. ~~S~~peak in contempt of any decision of the *Council* or *Committee*;
 - 5. ~~L~~ease his or her seat or make any noise or disturbance while a vote is being taken or until the result is declared; or,
 - 6. ~~D~~isobey the rules or decisions of *Council* or a decision of the *Mayor* or *chair* on points of order or privilege, or upon the interpretation of the *Rules of Procedure*.
- f) Where a *member* has been called to order by the *Mayor* or *chair*, for disregarding the *rules of procedure*, and the *member* persists such conduct, the *Mayor* or *chair* may order such *member* to vacate the *meeting* place.
- g) Where a *member* has been ordered to vacate the *meeting* place, in case of adequate apology being made by the *member*, they may be permitted to take their seat by way of *majority* vote of the *members* present.

6.02 Points of Order or Privilege

a) *Point of Order*

A *member* may raise a *point of order* at any time, whereupon the *Mayor* or *chair* shall:

- 1. ~~I~~nterrupt the matter under consideration;
- 2. ~~A~~sk the *member* raising the *point of order* to state the substance of and the basis for the *point of order*; and
- 3. ~~R~~ule on the *point of order* immediately without debate by *Council* or *Committee*.

A *Member* of *Council* or ~~C~~*ommittee* may appeal the ruling of the *Mayor* or *Chair* to *Council* or *Committee* which will then decide on the appeal, without debate, by

way of a *majority* vote of the *members* present. If there is no appeal, the decision of the *Mayor* or *chair* shall be final.

b) *Point of Privilege:*

A *member* may raise a *point of privilege* at any time if he or she considers that their integrity, the integrity of *Council* or the *Committee* as a ~~ww~~whole or staff has been impugned, whereupon the *Mayor* or *chair* shall:

- 1) ~~I~~interrupt the matter under consideration;
- 2) ~~A~~ask the *member* raising the *point of privilege* to state the substance of and the basis for the *point of privilege*; and
- 3) ~~R~~ule on the *point of privilege* immediately without debate by *Council* or *Committee*.

A *Member* of *Council* or *Committee* may appeal the ruling of the *Mayor* or *Chair* to *Council* or *Committee* which will then decide on the appeal, without debate, by way of a *majority* vote of the *members* present. If there is no appeal, the decision of the *Mayor* or *Chair* shall be final.

6.03 Conduct of Public

a) Members of the public in attendance at a *meeting*, shall not:

1. ~~A~~address *Council* or *Committee* without permission;
2. ~~B~~bring food or beverage, with the exception of water, into the *meeting* room unless so authorized;
3. ~~E~~engage in any activity or behaviour or make any audible noise that could affect the *Council* or *Committee* deliberations; or
4. ~~B~~bring any signs or placards into the *meeting* room unless so authorized.

b) No person, except *Members* of *Council* and appointed officials of the *Town*, shall be permitted to come within or behind the horseshoe during a *meeting* of the *Council* or *Committee* without the permission of *Council* or *Committee*.

c) No person shall make detrimental comments, or speak ill of, or malign the integrity of staff, the public, *Mayor*, *Members* of *Council* or *Committee*.

d) Where, in the opinion of the *Chair*, a person fails to adhere to the rules of conduct in this ~~B~~by-law, the privilege of attending any and/or all meetings of *Council* or *Committee* may be revoked, at the discretion of the *Chair*.

6.04 Electronic Devices

- a) Electronic devices must be placed on an inaudible setting during any *meeting*, other than any electronic devices used to facilitate member participation in meetings.

6.05 Electronic Participation

- a) Members may participate in an open or closed electronic meeting of Council, a *local board*, *Committee of the Whole*, ~~*Coordinated Committee*~~, and a subcommittee or *advisory committee*, subject to the following circumstances and requirements:
- i. Any period of time during which an emergency declaration exists in all or part of a municipality by the *Mayor* or the Province of Ontario under sections 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*.
 - ii. When in the opinion of the *Mayor*, in consultation with the *Clerk* or ~~*Chief Administrative Officer*~~ (CAO), it is optimal to hold an electronic meeting; or that the holding of an in person physical meeting is not advisable or safe due to any declared emergency, weather event, attendance at conferences that may result in a quorum not being achieved; or where recommendations of the Province of Ontario or the Chief Medical Officer of Health of Ontario, or the Medical Officer of Health of Simcoe Muskoka District Health Unit (SMDHU), that physical distancing between persons is necessary; or by an applicable law enforcement agency, such as the Ontario Provincial Police, or roads authority, that travel should be limited.
 - iii. When a mMember requests to participate electronically for any other reason that, in the opinion of the *Mayor*, may permit electronic participation, and the *Clerk* shall receive 24 hours notice.
- b) Notwithstanding the above, should the subject matter of a *closed meeting* be highly sensitive in the opinion of the *Mayor*, in consultation with the *Clerk* or CAO, the meeting shall not be permitted to be held electronically.
- c) *Members* participating in a mMeeting electronically shall have the same rights and responsibilities as if he or she were in physical attendance, including the right to vote; and will count towards a *quorum* of *members*.
- d) It is the responsibility of each mMember to ensure confidentiality is maintained at all times during *closed meetings*.
- e) In the event of technical failure during a meeting, a recess may be called of no more than ten (10) minutes to allow staff to reinstate the electronic participation. If a member can no longer participate by electronic means, it will not affect the validity of the meeting or decisions made.
- f) Should *quorum* be lost at any time, the meeting will adjourn and be reinstated at the call of the Chair, or the business remaining re-scheduled.

- g) All *mMeetings* conducted wholly or partially via *eElectronic pParticipation* shall follow the protocol for *electronic participation* established by the *Clerk* from time to time.
- h) Members of the public participating in meetings in accordance with this by-law may request to participate electronically. The request shall be received by the *Clerk* 24 hours in advance of the meeting.

6.06 Rules of Debate/Speaking

- a) Any *member* desiring to speak to any *motion* shall signify the intent in such manner as the *Chair* may direct, and shall refrain from speaking until the *Chair* has recognized him/her.
- b) When a *member* has been recognized by the *Chair* to speak, the *member* shall direct his/her questions or comments to the *Chair* and speak only to the matter under consideration.
- c) The *Chair* shall recognize the *members* who wish to speak in the order that they come to his/her attention.
- d) When a *member* is speaking, no other *member* shall interrupt, except to raise a *Point of privilege* or *Point of order*.
- e) A *member* shall not speak more than once to the same *motion* until all other *members* have had the opportunity to speak to the matter for the first time, except for the purpose of providing an explanation of a material part of his/her speech which may have been misunderstood and in doing so he/she shall not introduce new matters. No *member* shall speak to the same *motion* more than twice without the leave of *Council* or *Committee*.
- f) A *member* shall not speak to the same *motion*, or in reply, for longer than five minutes, without leave of *Council* or *Committee*.
- g) A *member* shall be restricted to asking questions related directly to the matter under discussion.
- h) The *Chair* may answer questions and comment in a general manner but if he/she wishes to speak to the matter under discussion, he/she shall withhold his/her comments until the conclusion of the debate after all other *members* have had an opportunity to speak to the matter.

PART 7 - VOTING AT OPEN MEETINGS

7.01 Motions

- a) After a *motion* has been moved and seconded, it shall be deemed to be in the possession of *Council* or *Committee*. *Council* or *Committee* may consent to the withdrawal of the *motion* at any time before amendment or decision.

- b) *Council* or *Committee* shall not debate any *motion* until it has been moved and seconded. When a *motion* has been seconded, it may upon request, be read or stated by the *Mayor*, *Chair* or *Clerk* at any time during the debate.
- c) Whenever the *Mayor* or *Chair* is of the opinion that an amending *motion* is contrary to the main *motion*, the *Mayor* or *Chair* shall apprise the *members* thereof immediately. A *Member* of *Council* or *Committee* may appeal the ruling of the *Mayor* or *Chair* to *Council* or *Committee*. If there is no appeal, the decision of the *Mayor* or *Chair* shall be final. The *Council* or *Committee*, if appealed to, shall vote on the *motion* without debate and its decision shall be final.
- d) A *motion* in respect of a matter which is not within the jurisdiction of the *Council* or *Committee* shall not be in order. The *Mayor* or *Chair* in consultation with the *Clerk* will determine if the matter is within the jurisdiction of *Council* or *Committee*.
- e) When a *motion* is under consideration no other *motion* shall be received unless it is a *motion*:
 - 1. ~~I~~to refer the *motion* to *Committee*, *Council*, staff or any other person or body. Such a *motion* to refer:
 - a. ~~I~~is open to debate;
 - b. ~~I~~is amendable; and
 - c. ~~S~~hall preclude amendment or debate of the preceding *motion*.
 - 2. ~~I~~to amend the *motion*. Such a *motion* to amend:
 - a. ~~I~~is open to debate;
 - b. ~~S~~hall not propose a direct negative to the main *motion*;
 - c. ~~S~~hall be relevant to the main *motion*;
 - d. ~~I~~is subject to only one further amendment, and any amendment more than one must be to the main *motion*; and
 - e. ~~I~~if more than one, shall be put in the reverse order to that in which they were moved, and shall be decided or withdrawn before the main *motion* is put to the vote.
 - 3. ~~I~~to defer the *motion* to another time. Such a *motion* to defer:
 - a. ~~I~~is not open to debate;
 - b. ~~I~~is not subject to amendment; and
 - c. ~~A~~pplies to the main *motion* and any amendments thereto under debate at the time the *motion* to defer is made.
 - 4. ~~I~~to adjourn the *meeting*. Such a *motion* to adjourn:
 - a. ~~I~~is not open to debate;
 - b. ~~I~~is not subject to amendment; and
 - c. ~~S~~hall always be in order.

5. Ito call a vote on the *motion*. Such a *motion* to call a vote on the *motion*:

- a. Cannot be amended;
- b. Cannot be proposed when there is an amendment under consideration;
- c. When resolved in the affirmative, shall be forwarded by voting on the *motion*, without debate or amendment;
- d. When resolved in the negative, shall be followed by resumption of debate; and
- e. Shall always be in order.

- f) Once all *motions* relating to the main *motion* have been dealt with, and once the main *motion* is put, there shall be no further discussion or debate and the *motion* shall be immediately voted on.
- g) Any *motion* on which there is a tie vote shall be deemed to be defeated.
- h) A failure to vote by a *member* who is present at the *meeting* at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.
- i) When a *motion* under consideration concerns two or more matters, each matter may be voted on separately upon the request of any *member*, using the original mover and seconder of the *motion*.

j) Appendix B – Motions Table shall form part of this By-law and describes the characteristics of commonly used *motions*.

7.02 Recorded Votes

- a) All votes during *meetings* of Council ~~and~~ *Committee of the Whole* ~~and Coordinated Committee~~ shall be recorded in the minutes.
- b) The manner of determining the decision of Committee or *Council* shall be by a show of hands of all members. In the case of remote audio participation, the member shall state their vote when prompted to do so.
- c) The *Chair* shall call the vote, first calling for those voting in favour of the motion, then for those voting in opposition, and finally for those abstaining, if necessary. (refer to 7.01 h) abstaining when qualified to vote is considered voting in opposition)
- d) The *Chair* shall announce the names of those voting in opposition and the names of those who abstain, and the *Clerk* or designate shall record the votes.
- e) Upon the taking of any vote, if all the members present and eligible to vote when the vote is taken vote unanimously, the chair may direct the Clerk to record the vote accordingly.

- f) When an electronic voting system is in use, all votes shall be entered in accordance with the system procedure.
- g) *Members* having declared a *conflict of interest* shall be excluded from the vote and noted as such.

7.03 Reconsideration

- a) Any proposal to reconsider, amend or rescind a previous decision of *Council* made within its current term shall require a *motion* of reconsideration.
- b) A *motion* to reconsider a previous decision of *Council* made earlier in the *meeting*:
 - 1. ~~M~~ay be presented at any time prior to the *meetings*' adjournment by any *member* who voted on the prevailing side;
 - 2. ~~S~~hall not be in order in regards to a decision of indefinite postponement; and
 - 3. ~~S~~hall require an affirmative vote of the *majority* of the *members* present.
- c) A *motion* to reconsider a previous decision of *Council* at a subsequent *meeting*:
 - 1. ~~M~~ay only be introduced by a *member* who was present at the *meeting* and who voted on the prevailing side or who was not present at the *meeting* when the decision was made;
 - 2. ~~S~~hall be introduced as a *notice of motion* in accordance with this *by-law* for consideration; and
 - 3. ~~S~~hall require an affirmative vote of two-thirds vote of the *members* present
- d) Debate on a *motion* for reconsideration shall be confined to reasons for or against reconsideration.
- e) Discussion of the previous decision shall not be in order until the *motion* to reconsider has been adopted.
- f) Where the *motion* to reconsider is decided in the affirmative, reconsideration of the previous decision of *Council* shall become the next order of business unless the *motion* to reconsider included direction to postpone reconsideration to a definitive date.
- g) During the term of *Council*, a *motion* to reconsider shall not be permitted more than once with regard to a previous decision of *Council* nor shall a vote to reconsider be reconsidered.

PART 8 – ADMINISTRATION

a) The Clerk shall have the authority and direction to execute administrative amendments of this by-law.

PART ~~98~~ - EFFECTIVENESS AND INDEMNIFICATION

- a) *By-Law* 2021-~~0098~~ and all amendments to the same are hereby repealed in their entirety, and where the provisions of any other *by-law*, resolution or action of *Council* area inconsistent with the provisions of this ~~*By-law*~~, the provision of this ~~*By-law*~~ shall prevail.
- b) Severability: If any article, section, subsection, paragraph, clause or sub-clause, or any of the words contained in this *By-Law* is held wholly or partially illegal, invalid or unenforceable by any court or tribunal of competent jurisdiction, the remainder of this *By-Law* shall not be affected by the judicial holding, but shall remain in full force and effect.
- c) This *By-Law* shall come into force and take effect upon passing.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS ~~23rd~~19th DAY OF ~~FEBRUARY~~JANUARY, 202~~4~~3.

Brian Smith, Mayor

~~Dina Lundy~~Laura Borland, Clerk

APPENDIX A – Agenda Items List

Agendas are prepared generally under the following headings:

Council Joint Committee of the Whole and Council Meeting Agenda

Committee of the Whole Session

Call to Order

Land Acknowledgement

Disclosure of Pecuniary Interest

Open Forum

Approval of the Agenda

~~Disclosure of Pecuniary Interest~~

Adoption of Council Minutes

Deputations, Presentations, Petitions and Public Meetings

County Council, Municipal Association & Conservation Authority Updates

Consent List

Committee of the Whole Matters for Consideration

Rise and Move to Council Question/Comment Period

Council Session

Unfinished Business

Correspondence

Committees, Boards & Staff Reports

Community Announcements

Consent List

Matters for Consideration

~~Notices of Motions/Motion for Which Notice has Been Given~~
~~Council Requested Staff Reports/Notices of Motion~~
~~Motion Where Notice Has Been Given~~
~~By-Laws and Confirmatory By-Law~~
~~Calling of Committee Meetings~~
~~Closed Session (as required)~~
~~Reports from Closed Session (as required)~~
~~Confirming By-law~~
~~Adjournment~~

Special Council Agenda

Council Session

~~Call to Order~~
~~Land Acknowledgement~~
~~Disclosure of Pecuniary Interest~~
~~Approval of the Agenda~~
~~Deputations, Presentations, Petitions and Public Meetings~~
~~Consent List~~
~~Matters for Consideration~~
~~Council Requested Staff Reports/Notices of Motion~~
~~Closed Session (as required)~~
~~Confirming By-law~~
~~Adjournment~~
~~Call to Order~~
~~Approval of the Agenda~~
~~Disclosure of Pecuniary Interest~~
~~Deputations, Presentations, Petitions and Public Meetings (if required)~~
~~Business Items~~
~~By laws~~
~~Confirmatory By law~~
~~Adjournment~~

Committee of the Whole Agenda

~~Call to Order~~
~~Disclosure of Pecuniary Interest~~
~~Deputations, Petitions, Presentations and Public Meetings~~
~~Unfinished Business~~
~~Consent Agenda~~
~~New Business~~
~~Closed Session (as required)~~
~~Reports from Closed Session (as required)~~
~~Adjournment~~

Coordinated Committee of Council Agenda

~~Call to Order~~

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~~Disclosure of Pecuniary Interest~~

~~Committee Sections~~

~~a) Deputations, Petitions, Presentations and Public Meetings~~

~~b) Unfinished Business~~

~~c) Other Agency Reports~~

~~d) Consent Agenda~~

~~i) Departmental Staff Reports~~

~~e) Accounts~~

~~f) Other Matters~~

~~Closed Session (as required)~~

~~Reports from Closed Session (as required)~~

~~Adjournment~~

AA Advisory Committees of Council Agenda

The Committee Secretary shall have prepared and printed for the use of the *members* at *Advisory Committee* meetings, an Agenda under the following headings:

Call to Order

Land Acknowledgement

Disclosure of Pecuniary Interest

Minutes of Last Meeting

Deputations/Presentations

Unfinished Business

Sub-Committee Reports, if any

New Business

Items for Future Meetings

Date of Next Meeting

Closed Session (as required)

Reports from Closed Session (as required)

Adjournment

APPENDIX B - Motions Table

Motion	Debatable	Non-debatable	Amendable	Non-amendable
Adjourn		X		X
Point of Privilege		X		X
Point of Order		X		X
Call a Vote on the Motion		X		X
Motion to Amend	X		X	
Defer		X		X
Refer	X		X	
extend meeting beyond 10:00 p.m. 5 hours.	X			X
Reconsideration	X			X
Appeal the Chair's Ruling		X		X
Suspend the Rules of Procedure		X		X

*A point of order/privilege is ruled on by the Mayor/Chair. Any member may appeal the Chair's ruling which must then be decided by a *majority* vote of the members present without debate.

THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW NO. 2022-xx

**A BY-LAW TO GOVERN THE PROCEEDINGS OF MEETINGS OF TOWN COUNCIL
AND ITS APPOINTED COMMITTEES, AND TO REPEAL BY-LAW 2021-98**

WHEREAS Section 238 of the *Municipal Act, S.O. 2001*, as amended, requires that every council and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings; and

WHEREAS the Council of The Corporation of the Town of Wasaga Beach desires that its governance processes and procedures facilitate, to the greatest extent possible, the understanding and participation of its citizens in the effective conduct of the Corporation's business; and

WHEREAS the Council of The Corporation of the Town of Wasaga Beach now deems it advisable to enact a new By-law to govern the proceedings of Council, the conduct of its Members and the calling of meetings, and to provide for procedures and statutory requirements and to repeal Procedural By-law 2021-98;

**NOW THEREFORE, the Council of the Corporation of the Town of Wasaga Beach
HEREBY ENACTS as follows:**

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PART 1 - PURPOSE AND PRINCIPLES

1.01 Purpose

- a) This by-law shall be used to guide the order and dispatch of business of the *Council, Joint Committee of the Whole and Council* and of *Advisory Committees* and *Ad hoc Committees* with the necessary modifications, unless otherwise provided.

1.02 Principles

- a) Each *member* has the right to:
- One vote, subject to the declaration of pecuniary interest;
 - Information to help make decisions, unless otherwise prevented by law;
 - An efficient meeting; and

Be treated with respect and courtesy.

PART 2 - DEFINITIONS AND APPLICATION

2.01 Definitions

'Act' means the *Municipal Act, 2001, chapter 25*, as amended;

'Acting Chair' means a designate *member* appointed by the presumptive *Chair* to preside over a meeting in whole or in part, or failing such designation, such other *member* of the *Council* or *Committee* as selected by such *Council* or *Committee*. **'Ad Hoc Committee'** means a committee formed by *Council* for a specific task or objective, and dissolved after the completion of the task or achievement of the objective, or upon decision of *Council* that it is no longer required.

'Advisory Committee' means a special purpose *committee* established by *Council* to provide recommendations, advice and information to *Council* through the delegated *Section Committee*

'By-Law' means an enactment, in a form approved by *Council*, passed for the purpose of giving effect to decisions or proceedings of *Council*.

'CAO' means the Chief Administrative Officer of The *Corporation* of the Town of Wasaga Beach.

'Chair' means the person appointed to preside over a *meeting*, and includes the *Mayor* in the case of *Council* or *Joint Committee of the Whole or Council*; or any *member* of *Council* or a *Committee* otherwise appointed to serve as *Acting Chair*.

‘Clerk’ means the *Clerk* of The *Corporation* of the Town of Wasaga Beach, or his or her designate.

‘Closed Session’ or **‘Closed Meeting’** or **‘In-Camera’** means a *meeting*, or part of a *meeting* of *Council*, *Joint Committee of the Whole and Council*, or a *Committee*, which is closed to the public as permitted by the *Municipal Act, 2001, as amended*.

‘Co-Chair’ means the *member* of a *Committee* as appointed by the *Committee* to act as the *Chair* in absence of the *Chair*, or when the *Chair* steps down to act as a *member*.

‘Code of Conduct’ means the adopted policy of conduct in force for *members* of *Council* and *local boards*

‘Committee’ means any advisory *committee*, *ad hoc committee*, *Committee of the Whole* or other *committee*, subcommittee, board, or similar entity.

‘Committee of the Whole’ means a *committee* comprised of all *Members* of *Council* that reports directly to *Council*. **‘Confirming By-Law’** means a *by-law* passed at the conclusion of *Council* or *Joint Committee of the Whole and Council meetings* confirming the actions taken at a *meeting* in respect of each resolution and other actions taken, so that every decision of *Council* at that *meeting* shall have the same force and effect as if each and every one of them had been the subject-matter of a separately enacted *by-law*.

‘Consent Agenda’ means all items listed within a portion of an agenda to be approved by one resolution.

‘Consent List’ means a section of the regular *meeting* agenda. Items placed on the *Consent List* may not require consideration, or may be received for information only, and may be approved with one resolution by *Council*. *Council* may select and move any item from the *Consent List* to *Committee of the Whole* for consideration.

‘Corporation’ means The *Corporation* of the Town of Wasaga Beach.

‘Council’ means the *Council* of the *Corporation* of the Town of Wasaga Beach.

‘Council Requested Staff Report’ means a matter assigned to a staff member by *Council* or *Committee* to be brought forward as a report for further consideration and/or action.

‘Defer’ means to postpone until later in the same *meeting* or to the next *meeting* of the same body, or to a *meeting* of the same body that is specified in the *motion* to defer.

‘Deputation’ or **‘Delegation’** means a person or persons intending to address the *Council* or *Committee* in a matter under the delegated authority of said body.

‘Electronic Participation’ means participation in a *meeting* from a remote location by such electronic means or service as determined and provided by the *Clerk*, and “participate electronically” has a corresponding meaning.

‘Local board’ means a municipal service board, or any other board, commission, *committee*, body or local authority established or exercising any power under any Act with

respect to the affairs or purposes of the Town, excluding a school board, a conservation authority, and a public library board.

‘Majority’ means more than 50 percent of the total *members* present and not prohibited by statute from voting.

‘Mayor’ means the elected Head of Council, or in the absence of the *Mayor*, the *Deputy Mayor*.

‘Meeting’ means any regular, special or other *meeting* of 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*

‘Member’ means a person elected or appointed as a *member* of the *Town Council*, including the *Mayor*, or appointed *member* of a *Committee* or Board, as it may apply.

‘Municipality’ means The *Corporation* of the Town of Wasaga Beach.

‘Motion’ means a formal proposal that certain actions be taken.

‘Notice of Motion’ means an advance notice to *members* of a matter on which *Council* will be asked to take a position.

‘Open Forum’ means that portion of the *Joint Committee of the Whole and Council* meeting where members of the public may express their concerns or comments regarding agenda items only.

‘Pecuniary Interest’ means a direct or in-direct *pecuniary interest* within the provisions of the *Municipal Conflict of Interest Act, 1990, chapter M.50*, as amended.

‘Point of Order’ refers to a *motion* made at a *meeting* which seeks an immediate ruling on an alleged violation of the *rules of procedure*.

‘Point of Privilege’ refers to an urgent *motion* made at a *meeting* which seeks an immediate ruling on an alleged violation of the rights or privileges of *members* as a whole, or in regards to a negative personal remark.

‘Public Consultation’ or **‘Public Information Session’** means a session held for the purpose of obtaining information from or relaying information to the public on a matter of municipal importance.

‘Quorum’ means more than 50 percent of the total *members* of the assembly and not prohibited by statute from voting.

‘Recorded Vote’ means documenting in the minutes of a *Joint Committee of the Whole and Council meeting*, the name of each *member*, and their vote on a matter or question, in favour, opposed, or absent pursuant to Section 246.1 of the Act.

‘Refer’ means to *refer* or assign a specific matter or item to a *Committee*, Session, Business Unit, staff or *member* for further consideration and/or action.

‘Rules of Procedure’ means the rules and regulations provided in this *By-Law*, and where this *By-Law* is silent, the rules and regulations provided in Robert’s Rules of Order.

‘Special Meeting’ means a *meeting* of *Council* or *Committee* that is arranged outside of the normal *meeting* schedule to deal with specific item(s) of business, and includes meetings held for emergency purposes.

‘Town’ means The *Corporation* of the Town of Wasaga Beach.

2.02 Application

- a) The *Rules of Procedure* established in this *by-law* must be observed in the proceedings of all *meetings* of *Council* and *Committees* and shall be the rules and regulations for the management of business.
- b) Notwithstanding subsection 2.02 a), the rules and regulations contained in this *By-Law* may be suspended by a two-thirds (2/3) vote of the *Council Members* present, providing that the suspension does not contravene the requirements of the *Municipal Act, 2001* or any other statute. The suspension shall only apply to the procedure(s) or rule(s) which are stated and only during the *meeting* in which the motion to suspend was introduced.
- c) No amendment or repeal of this *By-Law* or any part thereof shall be considered at any *meeting* unless notice of proposed amendment or repeal has been given at a previous *meeting* of *Council* or *Committee of the Whole*.
- d) Despite the provisions of this *By-Law*, nothing in this *By-Law* shall be construed as giving authority to any *Committee* or *Council Member* to direct or interfere with the performance of any work for the *Town* and the staff in charge shall be subject only to his or her superior as established in the formal organizational structure of the *Town*.
- e) In the absence of adopted customized *rules of procedure*, all advisory, special purpose or sub-*committees* and *local boards* under the jurisdiction of the *Town* of Wasaga Beach shall use the rules of order, debate and relevant provisions of this *By-law* to govern the calling and proceedings of *meetings*.
- f) The *Clerk* shall be responsible to interpret the *rules of procedure* under this *By-law* in accordance with the principles as set out in Part 1 of this *By-law*.
- g) All points of order or procedure for which rules have not been provided in this *By-law* and its appendices shall be decided by the *Chair* in accordance, as far as is reasonably practicable, with the rules of parliamentary procedure as contained in Robert's Rules of Order.

PART 3 - DUTIES & ROLES

3.01 Duties of the Head of Council (Mayor)

It is the duty of the *Mayor* to:

- Carry out the responsibilities described in the *Municipal Act, 2001* and any other statute;
- Represent and support the *Council* and its decisions in all matters;
- Authenticate, by signature, all *by-laws*, and minutes of *Council*; and
- Preside over all *Council* and *Committee of the Whole* meetings, unless unavailable, in which case the *Acting Chair* shall so preside.

3.02 Duties of Members of Council

It is the duty of each *member* of *Council* to:

- Carry out the responsibilities described in the *Municipal Act, 2001* and any other statute;
- Come prepared to every *meeting* by having read all the material supplied, to facilitate discussion and the determination of action at the *meeting*;
- Uphold the *by-laws* and policies of the Town of Wasaga Beach;
- Deliberate on the business submitted to *Council*;
- Vote on all motions unless prohibited from voting by law; and
- Observe and respect the *Rules of Procedure* at all *meetings*.
- Adhere to Part 6 of this *By-law* pertaining to conduct at all *meetings*.

3.03 Duties, Authority and Power of the Chair

It is the duty of each *member* assuming the role of *Chair* of any *meeting* of *Council* or *Joint Committee of the Whole and Council* to:

- Open the *meeting* by taking the *Chair*, calling the *members* to order as soon as the time fixed for holding the *meeting* occurs and a *quorum* is present, and to adjourn the *meeting* if no *quorum* exists after 15 minutes past the time fixed for holding a *meeting*;
- Announce the business before the assembly in the order in which it is to be acted upon;
- Ensure that all items of business listed on the agenda are addressed and that the *meeting* progresses with due efficiency;
- Receive and put to a vote in the proper manner, all *motions* presented, and to announce the result;
- Decline to put to vote *motions* which infringe upon the rules of order or are beyond the jurisdiction of the assembly;

- Preserve and enforce the rules of order, and ensure all *members* abide by the rules of order when engaged in debate;
- Call by name any *member* persisting in a breach of the rules of order, thereby ordering such *member* to vacate the *meeting* place;
- Rule on any *Points of Order* and *Points of Privilege* raised by *members*;
- Maintain on all occasions the observance of order and decorum among the *members* and *members* of the public;
- Where it is not possible to maintain order, adjourn the *meeting* without the necessity of any *Motion* being put, to a time named by the *Chair*;
- Expel or exclude any person who is guilty of improper conduct at a *meeting*;
- Represent and support *Council* and/or *Joint Committee of the Whole and Council*, declaring it's will, and implicitly obeying it's decisions in all things;
- Receive all messages and other communication and announce them to the assembly if necessary;
- Ensure that decisions of the assembly are in conformity with the laws governing the activities of the assembly;
- Authenticate by signature when necessary all resolutions, *by-laws* and minutes; and,
- Adjourn the *meeting* without question when the business is concluded.

3.04 Chair – Absence

- a) In the event of the *Mayor's* absence, illness, inability, or refusal to act as *Chair*, a designated Member appointed by the *Mayor* (*the designated Acting Chair*) shall act as *Chair* during the *meeting* or *such parts thereof as determined by the Mayor*. The designate appointed by the *Mayor* shall have all the rights, responsibility and authority of the *Mayor* as *Chair* while acting during the *meeting*.

The designate so appointed as *Acting Chair* shall have all the rights, responsibility and authority of the *Mayor* as *Chair* while acting during the *meeting*.

- b) In the absence of the *Mayor* or *Acting Chair* at the outset of a *meeting*, the *Clerk* or *Clerk's* designate shall call the *meeting* to order 15 minutes after the time fixed for the *meeting* and ask *members* in attendance to elect a *member* to chair the *meeting*. The elected *member* chairs the *meeting* until the *Mayor* or *designated Acting Chair* arrives or the *meeting* is adjourned;
- c) The *Acting Chair* appointed pursuant to the preceding provision shall also have all the rights, responsibility and authority of the *Chair*, while so doing.

3.05 Duties of the Clerk

It is the duty of the *Clerk* to:

- Carry out the responsibilities described in the *Municipal Act, 2001*;
- Record, without note or comment, all resolutions, decisions and other proceedings of the *Council*;
- Record the name and vote of every *member* voting on any matter or question if required;
- Assemble and produce *meeting* agendas and manage agenda deadlines;
- Keep the originals or copies of all *by-laws* and of all minutes;
- Perform the other duties required under this *By-Law* or under any other *Act*;
- Provide guidance to the *Chair* on procedural matters; and
- Authenticate, by signature when necessary, all *By-Laws* and Minutes

3.06 Duties of the Administration–Staff

It is the role of the staff of the municipality, under the leadership of the CAO to:

- Implement *Council's* decisions and establish administrative practices and procedures to carry out *Council's* decisions;
- Undertake research and provide advice to *Council* on the policies and programs of the municipality; and
- Carry out other duties required under this *By-law*, or any statute.

PART 4 - MEETINGS

4.01 General Provisions

- a) Except as provided in this *By-law* and by statute, all *meetings* shall be open to the public.
- b) The *Mayor* may, with appropriate notice, postpone or cancel any regular *Council* or *Committee meeting*, if in consultation with the *Clerk*, it has been determined that there are insufficient agenda items for the *meeting* or if it appears that inclement weather or like occurrence or an emergency situation will prevent the *members* from attending, or when social distancing is recommended by public health officials.
- c) Where an item of business scheduled for an agenda may require extraordinary time provisions, the *Mayor* may authorize an earlier commencement time for the *meeting* and the *Clerk* shall notify all *members* and provide public notice as soon as possible.

- d) The *Mayor* shall chair each *meeting* of *Council* and *Joint Committee of the Whole and Council meeting*, however, shall pass the *Chair* to select *members* of *Council* appointed for *Committee of the Whole* sections.
- e) *Meetings of Advisory Committees* and *Ad Hoc Committees* shall be chaired by the *member* appointed as such. The *Mayor* is *ex-officio* on all committees.
- f) In the event that agenda prepared for *regular* or *special meetings* of *Council*, *Joint Committee of the Whole and Council*, or other *Committees* of *Council*, has not been completed prior to the adjournment of the *meeting*, all unfinished business will be considered at a reconvened session to be held on the date identified by the *members* prior to the adjournment of the *meeting*.

4.02 Public Notice of Meetings

- a) Notice of the date and time of all *regular* or *special meetings* of *Council* or *Joint Committee of the Whole and Council* may be advertised in the local newspaper, and shall be posted on the *Town* website no less than 48 hours prior to the *meeting*.
- b) Notwithstanding the above, notice of *special meetings* held for urgent or emergency purposes or *meetings* held during a time where an emergency has been declared to exist in all or part of the *Town* of Wasaga Beach, in accordance with the *Emergency Management and Civil Protection Act* shall be given as soon as practicable.

4.03 Inaugural (First) Meeting of Council

- a) The Inaugural (First) *meeting* of the new *Council* shall be held on the Thursday following the Election of a new *Council*, which is to be the first Thursday following the commencement of the term of *Council*, pursuant to the *Municipal Elections Act*, 1996, c. 32, Sch.
- b) The agenda of the Inaugural *meeting* shall be limited to inauguration activities and appointment of *members* to various boards and *committees*, and any items the *Clerk* determines to be reasonable or necessary.

4.04 Joint Committee of the Whole and Council Meetings

- a) Unless otherwise decided by *Council*, regular *meetings* of *Joint Committee of the Whole and Council* shall be held in the *Council* Chambers at *Town* Hall, 30 Lewis Street, Wasaga Beach, generally on the second Thursday and fourth Thursday of the month at 10:00 a.m. and shall correspond to the same week as County Council, according to the schedule set annually and approved by *Council*.
- b) The *Joint Committee of the Whole and Council* shall be opened with the Committee of the Whole Session to be proceeded by the Council session, 30 minutes following the Rise and Move to Council portion of the agenda.
- c) *Council* has the authority to amend any *meeting* schedule at any time by resolution of *Council*, as required, without an amendment to this *By-law*.

4.05 Special Meetings

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

4.06 Livestreaming and Recording

- a) In accordance with the *Municipal Act, 2001*, minutes of *meetings* are to be recorded without note or comment by the *Clerk* or designate. The approved written minutes shall be the official record of all *meetings*.
- b) *Meetings of the Joint Committee of the Whole and Council* will be livestreamed and/or recorded, and published to a *Town* social media platform as a service to the public.
- c) *Closed session Council meetings* shall be audio recorded.
- d) Notwithstanding subsection 4.06 b) and c), the *Town* shall not be responsible should technical difficulties prevent the recording of any *meeting*, or a portion thereof.
- e) Recordings published to any social media platform are part of the public realm and as such are subject to alteration by individuals that access such recordings with no municipal control over such alterations. The *Town* assumes no liability associated with any alterations that are made to published recordings.

PART 5 - AGENDAS

5.01 Joint Committee of the Whole and Council Agendas

- a) The *Clerk* or designate shall have prepared all *Council and Joint Committee of the Whole and Council* agendas, generally using headings as listed in Appendix A.
- b) The business of *Council or Joint Committee of the Whole and Council* shall be taken up in the order in which it stands on the agenda, unless otherwise decided by the *Chair*, the *Council* or *Committee*.
- c) The *Clerk* may prepare an addendum to the agenda to deal with urgent matters or provide supplementary information to items of business listed on the agenda.
- d) An item of business not listed on the agenda is not permitted to be introduced at a *meeting* unless authorized by a two-thirds vote of the *members* present.

5.02 Submission of Agenda Information

- a) All information to be included on agendas shall be delivered to the *Clerk's Office*, or designated *Committee Secretary*, by the deadline designated by the Clerk, which is to be the Wednesday by 12:00pm noon, 1 week prior to the meeting date, or as otherwise designated for the Clerk, for the scheduled *meeting*.
- b) Notwithstanding the above section 5.02 a), visual presentations that are for information only, or supplemental to a report on the agenda are not required to be included in the agenda, subject to the approval of the *CAO* and/or *Clerk*.
- c) It shall be the *Clerk's* responsibility to ensure *that the Joint Committee of the Whole and Council* agendas are distributed to *members of Council* and/or *Committees* and Operating Departments, prior to the scheduled *meeting* with adequate time to review.
- d) Agendas for *meetings* of the *Joint Committee of the Whole and Council*, and other *Committees* and *meetings* of *Council* shall be posted as soon as practicable on the *Town's* website, and no later than 24 hours preceding the scheduled *meeting*.
- e) Notwithstanding the above, agendas for meetings held for emergency purposes, or for meetings held during a time where an emergency has been declared to exist in all or part of the *Town of Wasaga Beach*, in accordance with the *Emergency Management and Civil Protection Act* shall be posted as soon as practicable.

5.03 Committee of the Whole Session

- a) The *Committee of the Whole* session is a mechanism to allow freer debate and consideration of reports, by-laws, and other matters of concern for *members*.
- b) When a matter is considered during the *Committee of the Whole* session, the staff recommendation will be visible and, where applicable, a revised recommendation proposed by the *member* referring the item to the *Committee of the Whole* session. The mover and seconder shall have an opportunity to speak first to the recommendation.
- c) After the *Committee of the Whole* session has finished its deliberations, its recommendations and findings shall be presented for formal adoption by *Council*. *Council* shall adopt those recommendations and by-laws considered by the *Committee of the Whole* session in an omnibus motion, which deems those recommendations to be resolutions and by-laws, as applicable, of *Council*.
- d) The *Council* may determine from time to time such procedures for the governing of *Committee* meetings as may be determined necessary for the effective conduct and administration of the operations of the *Committee of the Whole* session.
- e) The *Mayor* may turn the chair over to any member to preside over a specific *Committee of the Whole* session. While presiding, that Chairperson has the same powers of the Head of Council with respect to the conduct of the meeting.

5.04 Call to Order and Quorum

- a) At the scheduled *meeting* time, and as soon as there is a *quorum* present, the *Chair* shall call the *members* to order.
- b) Unless there is a *quorum* present within fifteen minutes after the scheduled *meeting* time, the *Council* or *Committee* shall stand adjourned.
- c) In the absence of the *Mayor* for *Council* and *Committee of the Whole*, the *Acting Chair* shall call the *members* to order. In the absence of the prior designation of an *Acting Chair*, the *Clerk* shall call the *members* to order and the *members* shall choose an *Acting Chair* from those present who shall preside over the *meeting* until the arrival of the *Chair* or any previously designated *Acting Chair*.
- d) If during the course of a *meeting*, *quorum* is lost, the *meeting* shall be adjourned.

5.05 Disclosure of Interest & General Nature Thereof

- a) It is the responsibility of each *member* to identify and disclose any *pecuniary interest* on any item or matter before the *Council* or *Committee*, in accordance with the provisions of the of interest legislation currently in effect.
- b) Where a *member* has any *pecuniary interest*, direct or indirect, in any matter and is present at a *meeting* of the *Council* or *Committee* at which the matter is the subject of consideration, the *member* shall:
 - 1. Prior to any consideration of the matter at the *meeting*, disclose the interest and the general nature thereof;
 - 2. Not take part in the discussion of or vote on any question with respect to the matter; and
 - 3. Not attempt in any way before, during and/or after the *meeting* to influence the voting on any such question.
- a) Where a *meeting* is not open to the public, in addition to complying with the requirements of subsection 5.07 b), the *member* shall forthwith leave the *meeting* for the part of the *meeting* during which the matter is under consideration.
- b) Where the interest of a *member* has not been disclosed by reason of his/her absence from the particular *meeting*, the *member* shall disclose the interest and otherwise comply at the first *meeting* of *Council* or *Committee*, as the case may be, attended by the *member* after the particular *meeting*.

The *Clerk* shall record the particulars of any disclosure of *pecuniary interest* made by the *member(s)* and such record shall appear in the minutes of that particular

5.06 Land Acknowledgement

- a) *Meetings of Council, Joint Committee of the Whole and Council*, or their *Committees* may be opened with a Land Acknowledgement where appropriate at

the discretion of the *Chair*, and this acknowledgement may be provided by any member or *Council*, Staff, or invited guests as determined by the *Chair*.

5.07 Open Forum

- a) *Open Forum* allows for comments from the public relating to any item appearing on the current *Joint Committee of the Whole and Council* meeting agenda.
- b) All comments are to be addressed through the *Mayor or Chair*.
- c) Individuals requesting to speak during *Open Forum* shall register with the *Clerk* no later than 12:00pm the day before the meeting and inclusion in the meeting is at the discretion of the *Clerk*.
- d) *Open Forum* may be made by electronic participation. In the event of any type of connection/service disruption, all other registered speakers will be provided two minutes, and then the *Chair* will ask the *Clerk* if the participant has reconnected before *Open Forum* is completed.
- e) *Open Forum* shall last no longer than ten (10) minutes. The length of time each individual has to address *Council* or a *Committee* shall be at the discretion of the *Mayor or Chair*, but as a general practice shall not be longer than two (2) minutes.
- f) Individuals may verbally address *Council* however presentation or distribution of any materials is not permitted at the meeting. Material or information for *Council* may be provided to the *Clerk* before 12:00 p.m. the day before the *meeting* and will be reviewed by Staff and circulated to *Council* before the day of the *meeting*.
- g) Members and staff shall not be engaged in a debate or discussion during *Open Forum*. No motions shall be made during *Open Forum* as a result of comments made during *Open Forum* other than matters of procedure as outlined in Section.
- h) During *Open Forum*, no member of the public shall:
 1. Speak disrespectfully of any person;
 2. Use offensive language;
 3. Disobey the rules of procedure or a decision of the *Mayor or Chair*; or
 4. Speak to *Council* about matters:
 - i. Involving current or pending litigation;
 - ii. Involving insurance claims;
 - iii. Administrative complaints that have not been reported and investigated through the appropriate process;
 - iv. Beyond the jurisdiction of *Council*; or
 - v. Contrary to *MFIPPA*.

- i) Comments made during *Open Forum* will not form part of the *meeting* minutes. *Council members* may request that any material received regarding *Open Forum* be included on the *Correspondence List* of a subsequent *Council* meeting.

5.08 Approval of the Agenda

- a) *Council* shall approve the agenda as provided by the Clerk's Department.
- b) The *Clerk*, in consultation with the *CAO* has the discretion to add item(s) to the agenda under Approval of the Agenda section, after the addendum has been posted to the *Town's* website, where the *Clerk* is of the opinion that the matter is sufficiently urgent to violate the fundamental principle of providing the prescribed public notice, and the Late Submission item(s) should meet one of the following time-sensitive conditions:
 - 1. Provide additional information to an existing agenda item;
 - 2. Required to meet government/agency deadlines;
 - 3. Delay would have legal or financial implications; or
 - 4. *Council/Committee* direction.
- c) All items, received after the addendum has been posted, must be approved by the *Clerk* before consideration by *Council* during Approval of the Agenda.
- d) *Council* shall consider the Late Submission item(s) during Approval of the Agenda and these items require a two-thirds majority vote of *Council* to be added, with the exception of *Delegations* or *Notices of Motion* received by the permitted deadline. Any *Delegation* request received after the deadline would require a two-thirds majority vote.
- e) Items approved for addition shall be added to their respective areas of the agenda with a notation to indicate that the item has been added.
- f) Items added under this section may be tabled or *deferred* to allow for adequate public notice.
- g) Whenever possible, the *Clerk* shall endeavor to circulate late submission items and supporting documentation to *Council*, Town Staff and the media by posting them on the Town Website as soon as practical, preferably in advance of the regular *meeting*.

5.09 Deputations, Presentations, Petitions and Public Meetings

Deputations

- a) The *Clerk* shall be empowered to refer requests made of *Council* for a *deputation* to the appropriate *Joint Committee of the Whole and Council meeting* as he/she deems necessary.
- b) The request for a *deputation* must be in writing and must describe the subject matter on which the person wishes to address the *Council*.

- c) Denial of Deputation Requests: The *Clerk* shall deny a request for a *deputation* where:
1. The subject matter that the person wishes to address or the outcome that the person seeks from the *Council* is not within the *Town's* authority;
 2. The person wishes to address the *Council* to request financial support for a purpose which falls within the criteria of the *Town's* established financial assistance policy, unless requested by *Council* to appear;
 3. The subject matter involves litigation or potential litigation with the *Town*, or any matter before the court;
 4. The subject matter pertains to an insurance claim;
 5. Administrative complaints that have not been reported and investigated through the appropriate process or policy;
 6. The matter, or any portion thereof, is contrary to the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*;
 7. The subject matter has already been presented within the previous twelve (12) months to the *Council/Committee* by the Deputant or an organization to which they belong, unless new information is being presented;
 8. The Deputant wishes to have a prior decision of *Council* reconsidered;
 9. The *Council* or *Committee* has made the decision and/or a recommendation of the *Mayor* and/or *CAO* to deny the request; or
 10. The Deputant wishes to address a matter which was the subject of the *Town Council* (Public Meeting) under the *Planning Act*, or where a public meeting is scheduled or soon to be scheduled
- d) When a request for a *Deputation* has been denied, the *Clerk* shall provide the reason(s) to the individual making the request, *members* of *Council* and the *CAO*.

Scheduling Deputations:

- e) Wherever possible, the *deputation* shall be scheduled for the appropriate session of *Council*, considering the subject matter of the *deputation*.
- f) A maximum of two (2) *deputations/presentations/public meetings* may take place per *meeting*. The *Clerk*, the *CAO* and/or *Chair/Mayor* will determine if additional *deputations/presentations/public meetings* will be permitted on the agenda.

Information to Deputant:

- h) The *Clerk* shall provide the deputant with information outlining the *deputation* process.

Rules for the Deputant:

- i) Printed/electronic material to be distributed shall be provided to the *Clerk's* department on the Wednesday of the week prior to the *meeting* of the *deputation*, in accordance with the *Clerk's* agenda practices. The material shall be free of statements or any material considered contrary to the Human Rights Code, or any other statute, *by-law* or policy of the *Town* of Wasaga Beach.
- j) Each *deputation* shall be limited to a maximum of ten (10) minutes.
- k) Each *deputation* shall be limited to a maximum of two (2) speakers.
- l) *Deputations* shall restrict comments to the subject matter outlined in their request for *deputation*, and as stated on the agenda.
- m) Where several *deputations* are scheduled on the same topic, the *Chair* may request that the *deputations* subsequent to each preceding *deputation* only bring forward new information.
- n) All comments from the deputant shall be directed through the *Chair* without the use of offensive language or behavior, and the deputant shall comply will all rules of conduct contained in this *by-law*.
- o) In responding to questions from *members*, the deputant shall not enter into debate or question *members* or staff.
- p) Where a deputant disregards any one or more of the rules of this *By-Law*, the *Chair* shall advise the deputant of the error, remind him or her of the rules, and request that he or she adhere to the rules; or if the deputant repeatedly ignores the rules, the *Chair* may call an end to the *deputation*.
- r) Where a deputant repeatedly disregards any one or more of the rules, the *Chair* may immediately order the deputant to leave the *meeting* place.
- s) If the deputant refuses to leave the *meeting*, he or she may be escorted from the building.
- t) *Council* may, at its discretion, prohibit anyone from making *deputations* for any period of time.

Presentations

- a) All requests for presentations to all *meetings* of *Council* must be made in writing to the *Clerk* prior to the finalization of the agenda and prior to the scheduled *meeting* at which the person wishes to appear.
- b) The *Clerk* shall schedule the presentation and provide the presenter with the appropriate information.
- c) Rules for *deputations* also apply to presentations, with the exception of time limits. Time limits for presentations shall be at the discretion of the Clerk.

Petitions

- a) All petitions are to be received by *Council*.

- b) All petitions must be the original copy, legibly written, typed or printed and signed by at least one person. The *Clerk* will list petitions received prior to the finalization of the Agenda. All petitions received after this time will be held over for consideration at a subsequent *meeting* of the *Joint Committee of the Whole and Council* unless the petition directly relates to items of business on the agenda
- c) Petitions must include the reason for the petition and the individual/group presenting the petition to *Council* and shall include the lead petitioner's printed name and local address, and written signature.
- d) Once presented with a petition, *Council* may request by *motion*, that it be received for information, or referred to a particular staff or *Committee*.
- e) Debate is not permitted except in the context of a *motion* already on the *Council* agenda.
- f) Time limits for petitions shall be at the discretion of the Clerk.

Public Meetings

- a) Items brought forward under the *Municipal Act* and/or the *Planning Act* or any other Act will be placed on the agenda provided that all advertising and notices have been completed and the holding of the said public *meeting* will be in conformity with the said Act(s).
- b) Generally, only two (2) public *meetings* per *meeting* will be permitted. Rules for *Deputations* also apply to public *meetings*, with the exception of time limits, and any other applicable legislative provisions.

5.10 Consent List (Committee of the Whole Session and Council Session)

- a) The *Mayor* or *Chair* shall review the *Consent List* at a regular *meeting* by providing *members* with an opportunity to:
 1. Ask brief questions, make limited comments or request clarification on an item; and
 2. Clearly announce a request to refer an item for consideration during the 'Matters for Consideration' portion of the either *Committee of the Whole* session or the *Council* session Agenda for the corresponding business section.
- b) Amendments, Deferral Motions, Tabling Motions, discussions, recorded votes, and other procedural motions are not permitted during the review of the *Consent List* but are permitted in the remainder of both the *Committee of the Whole* portion of the agenda and the *Council* portion of the agenda once the matter has been referred.
- c) A *member's* request to refer an item to 'Matters for Consideration' under the applicable business section of *the Committee of the Whole* session or to 'Matters

for Consideration' under the applicable business section of the *Council* session, is neither optional nor debatable. For greater clarity, each *member* has the right to have a matter referred and considered by *Committee of the Whole* and *Council*.

- d) At the conclusion of the review of the *Consent List*, the remaining recommendations that have not been referred shall be adopted by one omnibus resolution. The *Consent List* recommendations are deemed to be resolutions of either the *Committee of the Whole Session* or the *Council* session of the *Joint Committee of the Whole and Council* as if voted on individually.

5.11 Reports and Correspondence

- a) The *Clerk* or designate shall determine what items are requiring action and what items are considered informational and list such items on the *Consent List*. For continuity, items will be grouped into four business sections as follows:
1. General Government - for Administration, Finance, and Municipal Law Enforcement & Licensing matters.
 2. Community Services - for Fire and Emergency Services, Facilities, Recreation and Special Events, Chamber of Commerce, policing, Ministry of Natural Resources.
 3. Development Services - for planning, building and development, and economic development matters.
 4. Public Works - for parks, public works, environmental and transportation matters.
- b) Correspondence received from members of the public will be circulated to *Council* and Staff by the Clerk's Department. A briefing note may be provided where time permits, and this correspondence may be added to the agenda at the request of any member of *Council*.
- c) Resolutions received from other municipalities received by the Clerk's Department will be circulated to Staff. The content of the resolution will be reviewed and where appropriate, a briefing note will be provided to *Council* along with the resolution and copied to the Clerk's Department. *Council* members may then clarify any content with Staff and may also request that the resolution be added to an agenda as information for the public or may provide a recommendation for *Council* consideration.
- d) Communications intended to be presented to *Council* or a *Committee* must be legible, signed by the author(s), include their address and must not contain any defamatory allegations, or impertinent or improper information. The *Clerk* may refuse communications that do not comply with this section.
- e) Communications shall be provided to the *Clerk* by 12:00 noon on Monday, the week prior to the regular meeting date. The sender is responsible for

clearly identifying if the communication is confidential and the nature of that confidentiality.

- f) Communications are generally considered public documents and are therefore subject to the *MFIPPA*.
- g) Any Staff Report or Correspondence Item may be referred to the 'Matters for Consideration' portion of the *Committee of the Whole* session of *Joint Committee of the Whole and Council* upon the request of a *member*.
- h) A *member's* request to refer an item for consideration to the *Committee of the Whole* session of the *meeting* is neither optional nor debatable.

5.12 Council Requested Staff Reports/Notices of Motion

All *Council Requested Staff Reports* shall require a mover and a seconder and shall be introduced during the *Reports Referred to Staff* section of the agenda.

- a) Once a *Council Requested Staff Report* is provided in accordance with this by-law, the *Clerk* shall automatically add it to the next regular meeting agenda, where it shall appear as *Council Requested Staff Report* and will remain on the list until such time as it has been presented and considered.
- b) No more than 4 items shall be assigned to a single Director or the CAO at any given time. Once an item has been presented to the Joint Committee of the Whole and Council for consideration, it shall be removed from the Council Request Staff Report section.
- c) Should a Council member wish to assign a report to a Director who already has 4 assigned reports, 1 must be removed. At no time is a single Director able to carry more than 4 report items. Removal of a requested report requires a *mover* and a *seconder*.

All *Notices of Motions* shall be in writing and provided to the *Clerk*, up to 48 hours before the meeting where the Notice is being given.

- a) Once a *Notice of Motion* is provided in accordance with this *By-law*, the *Clerk* shall automatically add it to next regular *meeting* agenda, where it shall appear as a *Motion* for Which Notice has Been Given.

5.13 Closed Session

- a) In accordance with the provisions of the *Municipal Act, 2001*, a *meeting* or part of a *meeting* of the *Council* or its *Committees* may be closed to the public if the subject matter being considered pertains to:
 - 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*;
- h) 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;
- i) 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;
- j) 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
- k) 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.
- l) 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*;
- m) An ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act.
- n) Educational or training sessions, if the following 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 or Committee

- c) Prior to holding a closed *meeting*, *Council* or *Committee* shall state by resolution in an open *meeting*:
 - 1. The fact that the *Council* or *Committee* is convening into *closed session*; and
 - 2. The general nature of the matter(s) to be considered
- c) The *Clerk* and/or their designate shall attend all closed *meetings* and record the proceedings, including procedural *motions* and direction given to staff, without note or comment.
- d) The *Clerk* shall distribute all confidential reports and material for closed *meetings* electronically or via any means deemed secure by the *Clerk*. The *Clerk* will collect and destroy all confidential material or request that any confidential information circulated electronically be deleted and removed from Member's devices/access immediately following the *meeting*.

5.14 By-Laws and Confirmatory By-Law

- a) Every *by-law* shall be in writing and shall require only one reading prior to being passed by a *majority* vote of *Council*.
- b) Unless separated at the request of a *member*, all *by-laws* proposed for adoption shall be passed collectively by a single *motion*.
- c) Every *by-law* passed by *Council* shall signify the date of passage and be signed by the *Mayor* and the *Clerk* and sealed with the seal of the *Corporation*.
- d) A *by-law* shall be passed for each regular or special *Council meeting* to confirm the proceedings thereof.
- e) The *Clerk* shall be authorized to make minor corrections to any *by-law* resulting from technical or typographical errors prior to the *by-law* being signed.

5.15 Adjournment

- a) The *meeting* will be adjourned by the *Mayor/Chair*.
- b) If the meeting is required to be adjourned before all business items have been considered, the unfinished items will be deferred to the next regularly scheduled *meeting* to be noted under Unfinished Business.

PART 6 - CONDUCT AT MEETINGS

6.01 Council and Committee Members

- a) *Council members* shall govern themselves according to *Council's* Code of Conduct and *Council-Staff* Relations Policy.
- b) The *Mayor* or *Chair* shall preserve order and rule on points of order and privilege.

- c) Every *member* desiring to speak shall indicate so in order to be recognized by the *Mayor* or *Chair*, and upon being recognized, shall remain seated in his or her place and address themselves to the *Mayor* or *Chair*.
- d) A *member* called to order by the *Mayor* or *Chair* shall immediately cease further comment and may appeal the call to order to the *Council* or *Committee*. The *Council* or *Committee*, if appealed to, shall decide on the case without debate and by way of a *majority* vote of the *members* present. If there is no appeal, the decision of the *Mayor* or *Chair* shall be final.
- e) No *member* shall, without leave of the *Council* or *Committee*:
 1. Speak to an issue for more than five (5) minutes;
 2. Use offensive words or speak disrespectfully of the *Mayor*, *Members* of *Council*, *Committee*, staff or the public;
 3. Speak on any subject other than the subject under debate;
 4. Speak in contempt of any decision of the *Council* or *Committee*;
 5. Leave his or her seat or make any noise or disturbance while a vote is being taken or until the result is declared; or,
 6. Disobey the rules or decisions of *Council* or a decision of the *Mayor* or *chair* on points of order or privilege, or upon the interpretation of the *Rules of Procedure*.
- f) Where a *member* has been called to order by the *Mayor* or *chair*, for disregarding the *rules of procedure*, and the *member* persists such conduct, the *Mayor* or *chair* may order such *member* to vacate the *meeting* place.
- g) Where a *member* has been ordered to vacate the *meeting* place, in case of adequate apology being made by the *member*, they may be permitted to take their seat by way of *majority* vote of the *members* present.

6.02 Points of Order or Privilege

a) *Point of Order*

A *member* may raise a *point of order* at any time, whereupon the *Mayor* or *chair* shall:

1. Interrupt the matter under consideration;
2. Ask the *member* raising the *point of order* to state the substance of and the basis for the *point of order*; and
3. Rule on the *point of order* immediately without debate by *Council* or *Committee*.

A *Member* of *Council* or *Committee* may appeal the ruling of the *Mayor* or *Chair* to *Council* or *Committee* which will then decide on the appeal, without debate, by

way of a *majority* vote of the *members* present. If there is no appeal, the decision of the *Mayor* or *chair* shall be final.

b) *Point of Privilege:*

A *member* may raise a *point of privilege* at any time if he or she considers that their integrity, the integrity of *Council* or the *Committee* as a whole or staff has been impugned, whereupon the *Mayor* or *chair* shall:

- 1) Interrupt the matter under consideration;
- 2) Ask the *member* raising the *point of privilege* to state the substance of and the basis for the *point of privilege*; and
- 3) Rule on the *point of privilege* immediately without debate by *Council* or *Committee*.

A *Member* of *Council* or *Committee* may appeal the ruling of the *Mayor* or *Chair* to *Council* or *Committee* which will then decide on the appeal, without debate, by way of a *majority* vote of the *members* present. If there is no appeal, the decision of the *Mayor* or *Chair* shall be final.

6.03 Conduct of Public

- a) Members of the public in attendance at a *meeting*, shall not:
 1. Address *Council* or *Committee* without permission;
 2. Bring food or beverage, with the exception of water, into the *meeting* room unless so authorized;
 3. Engage in any activity or behaviour or make any audible noise that could affect the *Council* or *Committee* deliberations; or
 4. Bring any signs or placards into the *meeting* room unless so authorized.
- b) No person, except *Members* of *Council* and appointed officials of the *Town*, shall be permitted to come within or behind the horseshoe during a *meeting* of the *Council* or *Committee* without the permission of *Council* or *Committee*.
- c) No person shall make detrimental comments, or speak ill of, or malign the integrity of staff, the public, *Mayor*, *Members* of *Council* or *Committee*.
- d) Where, in the opinion of the *Chair*, a person fails to adhere to the rules of conduct in this *By-law*, the privilege of attending any and/or all meetings of *Council* or *Committee* may be revoked, at the discretion of the *Chair*.

6.04 Electronic Devices

- a) Electronic devices must be placed on an inaudible setting during any *meeting*, other than any electronic devices used to facilitate member participation in meetings.

6.05 Electronic Participation

- a) *Members* may participate in an open or closed electronic meeting of *Council*, a *local board*, *Committee of the Whole* and a subcommittee or *advisory committee*, subject to the following circumstances and requirements:
- i. Any period of time during which an emergency declaration exists in all or part of a municipality by the *Mayor* or the Province of Ontario under sections 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*.
 - ii. When in the opinion of the *Mayor*, in consultation with the *Clerk* or (CAO), it is optimal to hold an electronic meeting; or that the holding of an in person physical meeting is not advisable or safe due to any declared emergency, weather event, attendance at conferences that may result in a quorum not being achieved; or where recommendations of the Province of Ontario or the Chief Medical Officer of Health of Ontario, or the Medical Officer of Health of Simcoe Muskoka District Health Unit (SMDHU), that physical distancing between persons is necessary; or by an applicable law enforcement agency, such as the Ontario Provincial Police, or roads authority, that travel should be limited.
 - iii. When a *member* requests to participate electronically for any other reason that, in the opinion of the *Mayor*, may permit electronic participation, and the *Clerk* shall receive 24 hours notice.
- b) Notwithstanding the above, should the subject matter of a *closed meeting* be highly sensitive in the opinion of the *Mayor*, in consultation with the *Clerk* or CAO, the meeting shall not be permitted to be held electronically.
- c) *Members* participating in a *meeting* electronically shall have the same rights and responsibilities as if he or she were in physical attendance, including the right to vote; and will count towards a *quorum* of *members*.
- d) It is the responsibility of each *member* to ensure confidentiality is maintained at all times during *closed meetings*.
- e) In the event of technical failure during a meeting, a recess may be called of no more than ten (10) minutes to allow staff to reinstate the electronic participation. If a member can no longer participate by electronic means, it will not affect the validity of the meeting or decisions made.
- f) Should *quorum* be lost at any time, the meeting will adjourn and be reinstated at the call of the *Chair*, or the business remaining re-scheduled.
- g) All *meetings* conducted wholly or partially via *electronic participation* shall follow the protocol for *electronic participation* established by the *Clerk* from time to time.

- h) Members of the public participating in meetings in accordance with this by-law may request to participate electronically. The request shall be received by the *Clerk* 24 hours in advance of the meeting.

6.06 Rules of Debate/Speaking

- a) Any *member* desiring to speak to any *motion* shall signify the intent in such manner as the *Chair* may direct, and shall refrain from speaking until the *Chair* has recognized him/her.
- b) When a *member* has been recognized by the *Chair* to speak, the *member* shall direct his/her questions or comments to the *Chair* and speak only to the matter under consideration.
- c) The *Chair* shall recognize the *members* who wish to speak in the order that they come to his/her attention.
- d) When a *member* is speaking, no other *member* shall interrupt, except to raise a *Point of privilege* or *Point of order*.
- e) A *member* shall not speak more than once to the same *motion* until all other *members* have had the opportunity to speak to the matter for the first time, except for the purpose of providing an explanation of a material part of his/her speech which may have been misunderstood and in doing so he/she shall not introduce new matters. No *member* shall speak to the same *motion* more than twice without the leave of *Council* or *Committee*.
- f) A *member* shall not speak to the same *motion*, or in reply, for longer than five minutes, without leave of *Council* or *Committee*.
- g) A *member* shall be restricted to asking questions related directly to the matter under discussion.
- h) The *Chair* may answer questions and comment in a general manner but if he/she wishes to speak to the matter under discussion, he/she shall withhold his/her comments until the conclusion of the debate after all other *members* have had an opportunity to speak to the matter.

PART 7 - VOTING AT OPEN MEETINGS

7.01 Motions

- a) After a *motion* has been moved and seconded, it shall be deemed to be in the possession of *Council* or *Committee*. *Council* or *Committee* may consent to the withdrawal of the *motion* at any time before amendment or decision.
- b) *Council* or *Committee* shall not debate any *motion* until it has been moved and seconded. When a *motion* has been seconded, it may upon request, be read or stated by the *Mayor*, *Chair* or *Clerk* at any time during the debate.

- c) Whenever the *Mayor* or *Chair* is of the opinion that an amending *motion* is contrary to the main *motion*, the *Mayor* or *Chair* shall apprise the *members* thereof immediately. A *Member* of *Council* or *Committee* may appeal the ruling of the *Mayor* or *Chair* to *Council* or *Committee*. If there is no appeal, the decision of the *Mayor* or *Chair* shall be final. The *Council* or *Committee*, if appealed to, shall vote on the *motion* without debate and its decision shall be final.
- d) A *motion* in respect of a matter which is not within the jurisdiction of the *Council* or *Committee* shall not be in order. The *Mayor* or *Chair* in consultation with the *Clerk* will determine if the matter is within the jurisdiction of *Council* or *Committee*.
- e) When a *motion* is under consideration no other *motion* shall be received unless it is a *motion*:
1. To *refer* the *motion* to *Committee*, *Council*, staff or any other person or body. Such a *motion* to *refer*:
 - a. Is open to debate;
 - b. Is amendable; and
 - c. Shall preclude amendment or debate of the preceding *motion*.
 2. To amend the *motion*. Such a *motion* to amend:
 - a. Is open to debate;
 - b. Shall not propose a direct negative to the main *motion*;
 - c. Shall be relevant to the main *motion*;
 - d. Is subject to only one further amendment, and any amendment more than one must be to the main *motion*; and
 - e. If more than one, shall be put in the reverse order to that in which they were moved, and shall be decided or withdrawn before the main *motion* is put to the vote.
 3. To *defer* the *motion* to another time. Such a *motion* to *defer*:
 - a. Is not open to debate;
 - b. Is not subject to amendment; and
 - c. Applies to the main *motion* and any amendments thereto under debate at the time the *motion* to *defer* is made.
 4. To adjourn the *meeting*. Such a *motion* to adjourn:
 - a. Is not open to debate;
 - b. Is not subject to amendment; and
 - c. Shall always be in order.
 5. To call a vote on the *motion*. Such a *motion* to call a vote on the *motion*:
 - a. Cannot be amended;

- b. Cannot be proposed when there is an amendment under consideration;
 - c. When resolved in the affirmative, shall be forwarded by voting on the *motion*, without debate or amendment;
 - d. When resolved in the negative, shall be followed by resumption of debate; and
 - e. Shall always be in order.
- f) Once all *motions* relating to the main *motion* have been dealt with, and once the main *motion* is put, there shall be no further discussion or debate and the *motion* shall be immediately voted on.
- g) Any *motion* on which there is a tie vote shall be deemed to be defeated.
- h) A failure to vote by a *member* who is present at the *meeting* at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.
- i) When a *motion* under consideration concerns two or more matters, each matter may be voted on separately upon the request of any *member*, using the original mover and seconder of the *motion*.
- j) Appendix B – Motions Table shall form part of this *By-law* and describes the characteristics of commonly used *motions*.

7.02 Recorded Votes

- a) All votes during *meetings* of *Council* and *Committee of the Whole* shall be recorded in the minutes.
- b) The manner of determining the decision of *Committee* or *Council* shall be by a show of hands of all members. In the case of remote audio participation, the member shall state their vote when prompted to do so.
- c) The *Chair* shall call the vote, first calling for those voting in favour of the motion, then for those voting in opposition, and finally for those abstaining, if necessary. (refer to 7.01 h) abstaining when qualified to vote is considered voting in opposition)
- d) The *Chair* shall announce the names of those voting in opposition and the names of those who abstain, and the *Clerk* or designate shall record the votes.
- e) Upon the taking of any vote, if all the members present and eligible to vote when the vote is taken vote unanimously, the chair may direct the *Clerk* to record the vote accordingly.
- f) When an electronic voting system is in use, all votes shall be entered in accordance with the system procedure.

- g) *Members* having declared a *conflict of interest* shall be excluded from the vote and noted as such.

7.03 Reconsideration

- a) Any proposal to reconsider, amend or rescind a previous decision of *Council* made within its current term shall require a *motion* of reconsideration.
- b) A *motion* to reconsider a previous decision of *Council* made earlier in the *meeting*:
1. May be presented at any time prior to the *meetings*' adjournment by any *member* who voted on the prevailing side;
 2. Shall not be in order in regards to a decision of indefinite postponement; and
 3. Shall require an affirmative vote of the *majority* of the *members* present.
- c) A *motion* to reconsider a previous decision of *Council* at a subsequent *meeting*:
1. May only be introduced by a *member* who was present at the *meeting* and who voted on the prevailing side or who was not present at the *meeting* when the decision was made;
 2. Shall be introduced as a *notice of motion* in accordance with this *by-law* for consideration; and
 3. Shall require an affirmative vote of two-thirds vote of the *members* present
- d) Debate on a *motion* for reconsideration shall be confined to reasons for or against reconsideration.
- e) Discussion of the previous decision shall not be in order until the *motion* to reconsider has been adopted.
- f) Where the *motion* to reconsider is decided in the affirmative, reconsideration of the previous decision of *Council* shall become the next order of business unless the *motion* to reconsider included direction to postpone reconsideration to a definitive date.
- g) During the term of *Council*, a *motion* to reconsider shall not be permitted more than once with regard to a previous decision of *Council* nor shall a vote to reconsider be reconsidered.

PART 8 – ADMINISTRATION

- a) The *Clerk* shall have the authority and direction to execute administrative amendments of this *by-law*.

PART 9 - EFFECTIVENESS AND INDEMNIFICATION

- a) *By-Law* 2021-98 and all amendments to the same are hereby repealed in their entirety, and where the provisions of any other *by-law*, resolution or action of *Council* area inconsistent with the provisions of this *By-law*, the provision of this *By-law* shall prevail.
- b) Severability: If any article, section, subsection, paragraph, clause or sub-clause, or any of the words contained in this *By-Law* is held wholly or partially illegal, invalid or unenforceable by any court or tribunal of competent jurisdiction, the remainder of this *By-Law* shall not be affected by the judicial holding, but shall remain in full force and effect.
- c) This *By-Law* shall come into force and take effect upon passing.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 19th DAY OF JANUARY, 2023.

Brian Smith, Mayor

Laura Borland, Clerk

APPENDIX A – Agenda Items List

Agendas are prepared generally under the following headings:

Joint Committee of the Whole and Council Meeting Agenda

Committee of the Whole Session

- Call to Order
- Land Acknowledgement
- Disclosure of Pecuniary Interest
- Open Forum
- Approval of the Agenda
- Deputations, Presentations, Petitions and Public Meetings
- Consent List
- Matters for Consideration
- Rise and Move to Council

Council Session

- Consent List
- Matters for Consideration
- Council Requested Staff Reports/Notices of Motion
- Closed Session (as required)
- Confirming By-law
- Adjournment

Special Council Agenda

Council Session

- Call to Order
- Land Acknowledgement
- Disclosure of Pecuniary Interest
- Approval of the Agenda
- Deputations, Presentations, Petitions and Public Meetings
- Consent List
- Matters for Consideration
- Council Requested Staff Reports/Notices of Motion
- Closed Session (as required)
- Confirming By-law
- Adjournment

Advisory Committees of Council Agenda

The Committee Secretary shall have prepared and printed for the use of the *members* at *Advisory Committee* meetings, an Agenda under the following headings:

- Call to Order

Land Acknowledgement
 Disclosure of Pecuniary Interest
 Minutes of Last Meeting
 Deputations/Presentations
 Unfinished Business
 Sub-Committee Reports, if any
 New Business
 Items for Future Meetings
 Date of Next Meeting
 Closed Session (as required)
 Reports from Closed Session (as required)
 Adjournment

APPENDIX B - Motions Table

Motion	Debatable	Non-debatable	Amendable	Non-amendable
Adjourn		X		X
Point of Privilege		X		X
Point of Order		X		X
Call a Vote on the Motion		X		X
Motion to Amend	X		X	
Defer		X		X
Refer	X		X	
Reconsideration	X			X
Appeal the Chair's Ruling		X		X
Suspend the Rules of Procedure		X		X

*A point of order/privilege is ruled on by the Mayor/Chair. Any member may appeal the Chair's ruling which must then be decided by a *majority* vote of the members present without debate.

A meeting of Council will be held [DATE] in the Council Chambers commencing at **10:00 AM**. **Watch the meeting Live:** <https://wasagabeach.civicweb.net/Portal/Video.aspx>.

To participate in this hybrid meeting, please contact the Clerk's Office at deputyclerk@wasagabeach.com or 705-429-3844 x2223. All meetings are recorded and livestreamed to the agenda portal and the town's YouTube Channel.

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1. CALL TO ORDER

Call to Order under Committee of the Whole.

1.1. Land Acknowledgement

We begin our meeting by recognizing the First Nations, Metis, and Inuit peoples of Canada as traditional stewards and caretakers of the land. We acknowledge that the Town of Wasaga Beach is located within the boundaries of Treaty 18, the traditional lands of the Anishinaabeg,

Haudenosaunee, Tionontati, Wendat, and is the home of many First Nations, Metis, and Inuit peoples as part of an intricate nationhood that reaches across Turtle Island. At this time of truth and reconciliation, we welcome the

opportunity to work together towards new understandings and new relationships and ask for guidance in all we do.

2. DISCLOSURE OF PECUNIARY INTEREST

3. OPEN FORUM

Open Forum provides a two-minute opportunity for the public to speak on any agenda item appearing on the current agenda.

Meetings are being held in the Council Chambers at the Town Hall and members of the public can participate in-person or electronically. Members of the public wishing to speak regarding an agenda item must pre-register using the Request for Open Forum Form by (day before the meeting) at 12:00 p.m. If you wish to register after the deadline, please contact us by email at deputyclerk@wasagabeach.com. All registrants will be contacted with confirmation and details on _____.

If you do not wish to participate in the meeting but would like to provide

written comment on any agenda item, you may send an email to: deputyclerk@wasagabeach.com and your email will be circulated to Council and Staff in advance of the meeting, if the email is sent by the registration deadline above.

4. APPROVAL OF THE AGENDA

4.1 Agenda for _____ DATE _____ Recommendation

Resolved that the contents of the agenda for _____, be approved as circulated.

5. DEPUTATIONS, PRESENTATIONS, PETITIONS, PUBLIC MEETINGS

5.1 Deputation ...

6. CONSENT LIST (Committee of the Whole)

All items listed below will be approved by one resolution. There will be no separate discussion of these items unless a Council Member requests it, in which case the item will be removed from the consent list and considered in the section for 'Matters for Consideration' under the appropriate business unit.

CONSENT LIST RECOMENDATION

RESOLVED THAT the Committee of the Whole Session of the Joint Committee of the Whole and Council hereby receive the [DATE] Consent List item 6 and that all the recommendations contained therein be adopted, excluding Agenda Items pulled from the motion and voted on separately.

6.1. COMMUNITY SERVICES

6.1.1. Reports (each report would be listed with the recommendation)

6.1.2. Correspondence

6.1.3. Other Matters

6.2. PUBLIC WORKS

6.2.1. Staff report (each report would be listed with the recommendation)

6.2.2. Correspondence

6.2.3. Other Matters

6.3. DEVELOPMENT SERVICES

6.3.1. Reports (each report would be listed with the recommendation)

6.3.2. Correspondence

6.3.3. Other Matters

6.4. GENERAL GOVERNMENT

6.4.1. Reports (each report would be listed with the recommendation)

6.4.2. Correspondence

6.4.3. Other Matters

7. MATTERS FOR CONSIDERATION

BUSINESS ITEMS

Any Items that were requested to be pulled from the Consent List will be discussed at this time.

7.1 **COMMUNITY SERVICES**

7.2 **PUBLIC WORKS**

7.3 **DEVELOPMENT SERVICES**

7.4 **GENERAL GOVERNMENT**

8. RISE AND MOVE TO COUNCIL

8.1 RISE RECOMMENDATION

RESOLVED THAT the Committee of the Whole Session rise and move into the Council Session to receive a report on the proceedings of the Committee of the Whole Session.

9. COUNCIL SESSION

9.1 CONSIDERATION OF ADOPTION OF COMMITTEE OF THE WHOLE RECOMMENDATIONS

RESOLVED THAT the Recommendations of the Committee of the Whole Session for the meeting of [DATE] be adopted as Resolutions of Council.

10. CONSENT LIST (Council)

All items listed below will be approved by one resolution. There will be no

separate discussion of these items unless a Council Member requests it, in which case the item will be removed from the consent list and considered in the section for 'Matters for Consideration'.

CONSENT LIST RECOMENDATION

RESOLVED THAT the Council Session of the Joint Committee of the Whole and Council hereby receive the [DATE] Consent List Item 10 and that all the recommendations contained therein be adopted, excluding Agenda Items pulled from the motion and voted on separately.

9.1. ADOPTION OF MINUTES

- 9.1.1. Meeting and Date...XXXX
- 9.1.2. Meeting and Date...XXXX

9.2. BY-LAWS

- 9.2.1. By-law 2023-01.... (each would have recommendation motion)
- 9.2.2. Bylaw 2023-02.....

11. MATTERS FOR CONSIDERATION

Any Items that were requested to be pulled from the Consent List will be discussed at this time.

11.1 ADOPTION OF MINUTES

11.2 BY-LAWS

12. COUNCIL REQUESTED STAFF REPORTS/NOTICES OF MOTION

Item	Key Deliverables	Staff	Expected Date
Nowhere Drive Road Options	Options for Zoning or road development.	Director of Planning	TBD

13. CLOSED SESSION

13.1. Resolution to Hold a Closed Session

RESOLVED THAT pursuant the *Municipal Act, 2001*, as amended, the next portion of the _____ Joint Committee of the Whole and Council Meeting will move into Closed Session to consider the following matters:

- 13.1.1 Labour relations or employee negotiations (Section 239 (2) (d):
 - CAO recruitment
- 13.1.2 Litigation or potential litigation, including matters before administrative tribunals, affecting the municipal or local board employees (Section 239 (2) (b))
 - Development matter

(COUNCIL TO MOVE TO CLOSED SESSION AGENDA)

13.2 Rise and Report from Closed Session

Resolved that Council rise and report at _____ p.m.

- 13.2.1 Closed Session Item 1: Labour relations or employee negotiations (Section 239 (2) (d) Re: CAO recruitment

Resolved that the Council confirms the confidential direction to staff regarding CAO recruitment.

13.2.2

14. CONFIRMING BY-LAW

15. ADJOURNMENT