

THE CORPORATION OF THE TOWNSHIP OF MONTAGUE

BY-LAW 3726-2019

BEING a by-law to govern the proceedings of Council and committees, the conduct of its members and the calling of meetings;

WHEREAS, pursuant to the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended, every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

NOW, THEREFORE the Council of the Corporation of the Township of Montague enacts as follows:

DEFINITIONS

1. In this By-law:
 - a) Act - means the *Municipal Act 2001*, as amended.
 - b) Chair – means the Reeve or Deputy Reeve or presiding Officer or Chairperson at a meeting, appointed in accordance with this bylaw or by approved Terms of Reference
 - c) Clerk - means the Clerk of the Township of Montague or his/her designate, as appointed by Bylaw and as referred to under Section 228 of the Municipal Act
 - d) Closed meeting – means a meeting of the Council or Committee which is not opened to the public and which is provided for under Section 239 of the Municipal Act
 - e) Committee - means any advisory or other committee, subcommittee or similar entity composed of members of one or more councils or local boards and which has been duly appointed by the Council of the Township of Montague
 - a) Statutory Committee – means committees established pursuant to a specific enabling statute such as a Committee of Adjustment established pursuant to the Planning Act, a Municipal Election Compliance Audit Committee established under the Municipal Elections Act and any other body established pursuant to enabling legislation which serves in arms-length (i.e. quasi-judicial) capacity on behalf of or in cooperation with the municipality.
 - f) Council - means the duly elected or appointed members of the Municipal Council of the Township of Montague.
 - g) Deputy Reeve – means the member of Council elected to act from time to time in the place and stead of the Reeve
 - h) Meeting – Means any regular, special or other meeting of a Council, local board or of a Committee of either of them, where a quorum of members is present and where 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.
 - i) Committee Meeting - means a formal meeting of a Committee of Council as laid out in Schedule “A” of this Bylaw attended by a quorum of members of the Committee and the Secretary of the Committee

- j) Consent Agenda - means a component of a meeting agenda that enables Council to group routine or informative items under one umbrella and is a single item that encompasses all the things Council would normally approve with little comment at a meeting. Items on the consent agenda are not discussed before a vote. Unless a member of Council feels that an item should be discussed and requests the removal of that item ahead of the vote, the entire Consent Agenda is voted on at once without any additional explanations or comments.
- k) Head of Council - means the Reeve.
- l) Member - means a member of Council or committee.
- m) Notice of Motion – Means a written notice, including the name of the mover, advising Council that the motion described therein is to be brought to the next Regular meeting of Council
- n) Point of Privilege – means a matter that a member considers to question their integrity or the integrity of Council, which relates to the rights and privileges of the assembly or any of its members to be brought up for possible immediate consideration because of its urgency
- o) Point of Information – means a question directed to the Reeve or through the Reeve to another member or to members of the administration for information relevant to the business at hand, but not related to a Point of Order
- p) Point of Order – means a matter that a member considers to be a departure from or contravention of the rules, procedures or generally accepted practices of Council.
- q) Other meeting - means a meeting to discuss specific topics attended by some or all members of Council for information. Any issue discussed must be forwarded to an appropriate Committee meeting and Council meeting for consideration
- r) Resolution – means a formal determination made by the Council or Committee on the basis of a motion, duly placed before a regularly constituted meeting for debate and decision, duly passed and therefore represents the vote and will of Council
- s) “Vice-Chair” means the vice-chair of a committee or commission.

APPLICABILITY

2. The rules and regulations contained in this by-law shall be observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business by Council and in the committees, including Statutory Committees thereof, provided that the rules and regulations contained herein may be suspended by a majority vote of the Council and in any case for which provision is not made herein then Robert’s Rules of Order shall prevail.
3. Notwithstanding item 2. these rules and procedures may be relaxed in a Committee meeting, if the subject matter so permits.

COUNCIL MEETINGS, PRACTISES AND PROCEDURES

LOCATION OF MEETINGS

4. The Council shall hold its meetings at 6547 Roger Stevens Drive. It may also, if necessary, hold its meetings at 657 Rosedale Road South.
5. All Council and committee meetings shall be open to the public except as provided for in the Act (see Paragraph 8).

INAUGURAL MEETING

6. a) Meetings of Council shall be held at the Council Chambers adopted and used by the Council from time to time for such purpose. The inaugural meeting of Council shall take place at 6:00 p.m. on the first Tuesday of December in every election year. Members of Council shall swear the "Oath of Elected Office" on or before the day of the inaugural meeting of Council, subject to Section 232 of the Act.
- b) The Head of Council shall sit at the head of the Council table with the Deputy Reeve seated to his right. Remaining members of Council shall be assigned seats in alphabetical order from right to left.
- c) No business shall be conducted at the inaugural meeting until after the "Oath of Elected Office" has been made by all members present.

REGULAR MEETINGS

6. The date and time of Council and Committee of the Whole meetings shall be in accordance with the "Council & Committee of the Whole Meeting Schedule Policy" as set out in Schedule "A" attached hereto and forming part of this by-law

SPECIAL MEETINGS

7. a) The Head of Council may, at any time, summon a special meeting of Council or Committee.
- b) The Clerk shall summon a special meeting upon receipt of a petition of the majority of the Council members for the purpose and at the time and date mentioned in the petition.
- c) In either case of (a) or (b) above, the special meeting shall be held not sooner than 48 hours following the Head's summons or receipt of the petition, as the case may be and the Clerk shall provide written notice to Council members and will post notice of the special meeting on the Township's website and publicly in the Township office immediately following receipt of the summons or petition.
- d) Notwithstanding the notice requirement set out above, in the event of a bona fide emergency, the meeting may be held as soon as practicable following receipt of

the summons or petition, as the case may be, and notice may be given by telephone or personal contact as determined by the Clerk and the meeting may be held at any convenient location within or outside of the municipality.

- e) Unless otherwise specified in the notice described in 5(c) above, a special meeting shall be held in the Council Chambers.
- f) The notice of a special meeting shall specify the purpose of the meeting and only the business stated in the notice shall be dealt with at the meeting.
- g) Joint meetings of Councils of two or more municipalities for consideration of matters of common interest may be held within any one of those municipalities or in a municipality adjacent to them.

CLOSED MEETINGS

- 8. a) Notwithstanding Paragraph 5, and pursuant to Section 232 of the Municipal Act a meeting of Council or a committee may be closed to the public if the subject matter being considered relates to:
 - a) The security of the property of the Township 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 Township or a 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) The education or training of the Council, committee or local board provided no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council, committee or local board.
- b) A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act if the Council, local board, commission or other body is the head of the institution for the purposes of that Act
- c) A meeting shall be closed to the public if the subject matter being considered is an ongoing investigation respecting the municipality, a local board or municipally-controlled corporation by the Ombudsman appointed by the Ombudsman Act, an Ombudsman referred to in Section 223.13 (1) of the Municipal Act, or the investigator referred to in Section 239.2 (1) of the Municipal Act
- d) Before all or part of a meeting is closed to the public, the Council shall state by resolution:
 - i. That fact of the holding of the closed meeting;
 - ii. The specific clause in the Municipal Act which the meeting will be closed under;
 - iii. The general nature of the matter considered at the closed meeting;
 - iv. Specific individuals (other than Council) that will remain in the room for discussion
- e) Subject to Clause 8 a) and b), a meeting shall not be closed to the public during the taking of a vote unless the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Township or person retained by or under contract with the Township.
- f) Where a meeting or part of a meeting is closed to the public, all persons not specifically invited to remain by the Council shall retire from the Chambers.
- g) All reports intended to be considered in a closed meeting shall indicate the following:
 - a. The reporting out date being a date the report can be made public, if possible
 - b. The statement to be read by the Chair referenced in section 8. h) b.
- h) Upon resuming in open session, the Chair shall state:
 - a. The matters which were considered; and
 - b. Confirmation that no motions were carried in camera other than procedural motions or directions to staff.

- i) Meetings which are closed to the public may be referred to as in-camera meetings.

- j) Closed Session Minutes shall record:
 - a. Where the meeting took place;
 - b. When the meeting started and adjourned;
 - c. Who chaired the meeting;
 - d. Who was in attendance, including the identity of the Clerk or other designated official responsible for recording the meeting;
 - e. Whether any participants left or arrived while the meeting was in progress and if so, at what time this occurred;
 - f. A detailed description of the substantive and procedural matters discussed, including specific reference to any documents considered;
 - g. Any motions, including who introduced the motion and seconders; and
 - h. All votes taken, and all directions given.

- k) Members shall keep confidential any information:
 - i. Disclosed or discussed at a meeting or part of a meeting that was closed to the public;
 - ii. That is circulated to members marked "CONFIDENTIAL". Any documentation marked confidential shall be kept securely until no longer required in the course of business and shall at that time be destroyed by the member or returned to the office of the Clerk for destruction.
 - iii. That is received in confidence verbally in preparation of the closed meeting.

- l) The obligation to keep information confidential applies even if the member ceases to be a member and/or the matter is resolved.

GENERAL RULES OF MEETINGS

9. Every member of Council shall attend all meetings of Council and shall advise the Clerk of his/her inability to attend. The Clerk shall attend each meeting of Council and other municipal employees shall attend as required by Council.
- 10.a) The Head of Council shall preside at all meetings of Council.
 - b) When the Head of Council is absent or refuses to act, or the office is vacant, the Deputy Reeve shall act in the place of the Head and, while so acting, the Deputy Reeve has and may exercise all the rights, powers and authority of the Head of Council.
 - c) Notwithstanding Paragraph 10(b) above, the members may appoint another Chair from among themselves for the purpose of chairing a particular meeting.
 - d) Subject to the provisions of the Act, and where no Chair has been appointed under Section 6 of this by-law, in case the Head of Council does not attend within fifteen (15) minutes after the time appointed for a meeting of the Council, the Clerk shall call the members to order, and an acting Head of Council shall be appointed from among the members present and shall preside until the arrival of the Head of Council and while so presiding the acting Head of Council shall have all the powers of Head of Council.

ROLE OF THE HEAD OF COUNCIL/CHAIR

11. It shall be the duty of the Head of Council or other presiding officer to:
 - a) Open the meeting by taking the chair and calling the members to order;
 - b) Announce the business before Council in the order in which it is to be acted upon;
 - c) Receive and submit, in the proper manner, all motions presented by members;
 - d) Put to a vote all questions which are moved and seconded or necessarily arise in the course of the proceedings and to announce the result;
 - e) Decline to put to vote motions which infringe upon the rules of procedure;
 - f) Call by name any member persisting in breach of the rules or order of the Council thereby ordering the member to vacate the Council Chambers;
 - g) Authenticate by signature all by-laws, resolutions and minutes of the Council;
 - h) Enforce on all occasions the observance of order and decorum among the members;
 - i) Select the members of Council who are to serve on committees failing the reaching of a consensus regarding committee appointments;
 - j) Represent and support the Council, declaring its will and implicitly obeying its decisions on all things;
 - k) Ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of the municipal corporation;
 - l) Adjourn the meeting without question in the case of grave disorder arising in the Council Chambers;

- m) Order any individual or group in attendance at the meeting to cease and desist any behaviour which disrupts the order and decorum of the meeting and to order the individual or group to vacate the Council Chambers where such behaviour persists;
- n) Adjourn the meeting when the business is concluded.

CONDUCT OF MEMBERS OF COUNCIL & GUESTS

12. Council members and staff shall wear appropriate business casual attire at meetings.

13. No member shall:

- a) Use offensive words or speak disrespectfully to or against Council or any member, staff or guest;
- b) Speak on any subject other than the subject in debate;
- c) Criticize any decision of Council except for the purpose of moving that the question be reconsidered;
- d) Resist the rules of Council or disobey the decision of the Head of Council or presiding officer or of Council on questions of order or practice or upon the interpretation of the rules of Council;
- e) Leave a meeting without first obtaining permission from the Head of Council or presiding officer;
- f) Be permitted to retake their seat after being ordered to vacate, having committed a breach of any rule of the Council, until the next meeting and without making an apology to Council;
- g) Interrupt the member who has the floor except to raise a point of order.

14. No person shall be allowed to address Council or speak in debate without the permission of the Head of Council or presiding officer.

15. There shall be no electronic recording of any kind at any meeting of Council without the permission of Council.

CALLING FOR MEETINGS TO ORDER AND QUORUM

16. a) A majority of the members of Council is necessary to form a quorum.

b) As soon after the hour fixed for holding the meeting as a quorum is present, the Head of Council shall take the chair and call the meeting to order.

c) If no quorum is present one half hour after the time appointed for a meeting of the Council, the Clerk shall record the names of the members present and the meeting shall stand adjourned until the date of the next meeting of Council, either regular, special or emergency.

CURFEW

17. Council and committee meetings shall stand adjourned at 10:00 p.m. but business may be continued upon a resolution passed by unanimous vote.

CONFLICT OF INTEREST

18. A member of Council with a conflict of interest, as defined by the *Municipal Conflict of Interest Act*, with respect to an item on the agenda:
 - a. Shall, prior to any consideration of the item at the meeting, disclose the interest and general nature thereof;
 - b. Shall leave the room during the discussion of the item;
 - c. Shall not take part in the discussion of, or vote on any question in respect of the item;
 - d. Shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question;
 - e. Shall complete and submit to the Clerk a Pecuniary Conflict of Interest Form which shall disclose the interest and the general nature thereof (attached hereto as Schedule "C") for recording in the minutes and maintaining as a registry
19. Every declaration of interest and the general nature thereof disclosed under Section 5 of the Municipal Conflict of Interest Act, where the meeting is open to the public, shall be recorded in the minutes by the Clerk of the municipality or the secretary of the local board or committee, which ever applies
20. The Clerk shall establish and maintain a registry which shall contain a copy of each statement filed by a member and a copy of each declaration recorded pursuant to Section 5 of the Municipal Conflict of Interest Act
21. Where the number of members who, by reasons of the provisions of the Municipal Conflict of Interest Act, are disabled from participating in a meeting is such that at that meeting the remaining members are not of sufficient number to constitute a quorum, then, despite any other general or special Act, the remaining number of members shall be deemed to constitute a quorum, provided such number is not less than two

AGENDA

22. a) The Clerk shall have prepared an agenda for the use of the members at all meetings of Council and committees no later than 48 hours before the meeting date.
 - b) Written reports of officers shall be provided to the Clerk for inclusion on the agenda no later than 4:30 p.m. on the Wednesday prior to the meeting.
 - c) Council Meeting Agendas shall be generally formatted as follows but modification to the matters to be included or the order of business may be effected without requiring amendments to this by-law:

- i. Opening of Meeting
- ii. Moment of Silence
 - a) Adoption of Agenda
 - b) Disclosure of Interest
 - c) Minutes of Previous Meeting
 - d) Business Arising From the Minutes
- iii. Delegations
- iv. Report of Municipal Officers
- v. Report of Committees
- vi. Petitions
- vii. By-laws
- viii. Motion & Notice of Motion
- ix. Correspondence
- x. Unfinished/Other Business
- xi. Adjournment

d) The business of the Council shall in all cases be taken up in the order in which it stands upon the agenda unless otherwise decided by Council.

PETITIONS AND COMMUNICATIONS

23. Every communication, including a petition designed to be presented to the Council, shall not contain any obscene or improper matter or language and filed with the Clerk, general communications to be presented to Council shall clearly identify the sender. Petitions to be considered shall be signed by at least one person.

CONFLICT OF INTEREST

24. The Chair shall call for declarations of conflict of interest on any agenda items during this time. All members shall declare a conflict or the general nature thereof in accordance with the clauses in this bylaw and the Municipal Conflict of Interest Act

MINUTES

25. Minutes shall record:

- a) The place, date and time of the meeting;
- b) The names of the presiding officer or officers and the attendance of the members;
- c) The reading, if requested, correction and adoption of the minutes of prior meetings;
- d) All other proceedings of the meeting without note or comment.

MINUTES, BYLAWS AND GENERAL - Authority of Clerk

26. The Clerk is authorized to amend bylaws, Minutes and other Council and Committee documentation for technical, typographical or other administrative errors and omissions for the purpose of ensuring an accurate and complete record of

proceedings, provided those amendments do not constitute a change of applicability or character of the documentation.

DELEGATIONS

27. Persons or groups wishing to address Council shall give written notice to the Clerk using the form attached hereto as "Schedule D – Delegation Request form" no later than 4:30 p.m. on the Wednesday prior to the meeting of Council. The notice will contain the subject matter as well as the name, address and telephone number of the individual designated as spokesperson and sufficient information to allow for a response or decision to be made by Council.
28. Delegations will be limited to four (4) per meeting and will be added to the agenda on a first come, first served basis.
29. Delegations failing to meet the above requirements may be heard upon the verbal consent of the majority of Council members.
30. Delegations shall be limited to speaking not more than ten (10) minutes unless the Head of Council extends the time period. Comments from members of the delegation, other than the spokesperson, shall be prohibited unless the Head of Council authorizes such additional speakers. Upon completion of a presentation by a delegation, any dialogue between Council and the delegate shall be limited to members asking questions for clarification and obtaining additional information only. Members shall not enter into debate with the delegation respecting the presentation.
31. Delegations shall be limited to one appearance on a given subject matter unless presenting additional new information.
32. When it is deemed inappropriate that a delegation address Council, the Clerk shall so notify the delegation and Council with a supporting explanation. Such written explanation shall be delivered with the Agenda and the Council, if it so wishes to hear the delegation, shall, by two-thirds vote of the Council Members in attendance, introduce a motion to suspend the rules to allow the delegation to be heard.

REPORT OF MUNICIPAL OFFICERS

33. Reports shall be in writing whenever possible and shall include a recommendation, in the form of a motion, unless the report is for information purposes only.

REPORT OF COMMITTEES

34. Any member of Council may make a verbal report regarding the status of any issues currently under debate by a committee upon which they sit.

READING OF BY-LAWS & PROCEEDINGS THEREON

35. No by-law shall be presented to Council unless the subject matter has been considered by Council. This provision can be waived by a majority vote of Council.
36. Every by-law shall be introduced by motion, specifying the title of the by-law.
37. Every by-law, when introduced, shall be in written form and shall contain no blanks with the exception of the number and date thereof.
38. Every by-law shall have three readings prior to it being passed.
39. The first and second readings of a by-law shall be decided without amendment or debate.
40. By-law may be given three readings on the same day except when requested otherwise by motion of the majority of the members present or as otherwise provided in the by-law.
41. If the Council determines that the by-law is to be considered in the Committee of the Whole, it shall be so considered previous to the third reading thereof.
42. If Council so determines, a by-law may be taken as read.
43. Every by-law enacted by Council shall be numbered and dated with each reading thereof and shall be sealed with the seal of the Corporation and signed by the Clerk and the Presiding Officer and shall be deposited by the Clerk in a secure location for safekeeping.

MOTIONS – GENERAL

44. Notice of all new motions, except motions specifically excepted in this bylaw shall be given in writing and delivered to the Clerk by 4:30 p.m. the Wednesday preceding the meeting at which a resolution is to be introduced and a resolution shall be printed in the agenda for the meeting of Council.
45. Dispensing with Notice – any resolution can be introduced without notice and without debate on the affirmative vote of at least a simple majority
46. All motions and resolutions shall be in writing and signed by the mover and seconder and given to the Clerk, except as provided in this bylaw
47. There shall not be more than one main motion before council at one time
48. Seconding – a resolution must be formally seconded before the presiding officer can put it on the floor for debate. A motion that is not seconded shall be noted in the minutes of the meeting and the disposition stated.
49. Presentation of Motion of Chairperson – when a resolution is presented in Council in writing, it shall be read or if it is a motion which may be presented orally, it shall be stated by the presiding officer before debate.

50. Motions to Amend

- a) A motion to amend is a proposal to alter the wording or information contained within the main motion
- b) A motion to amend can be presented orally, and shall only be presented in writing when requested by the chair
- c) A motion to amend shall be relevant to the main motion
- d) A motion to amend shall not propose a direct negative to the question
- e) A motion to amend shall receive the disposition of the Council, before dealing with the main motion in its amended form or not.

51. The following matters and motions with respect thereto may be introduced orally without leave, except as otherwise provided by these rules of procedure:

- a) a point of order or personal privilege;
- b) to postpone or defer indefinitely or to a day certain;
- c) to move the previous question.

52. The following motions may be introduced without leave, but such motions shall be in writing and signed:

- a) to refer;
- b) to recess
- c) to reconvene
- d) to adjourn;
- e) to suspend the rules of procedure.

NOTICE OF MOTION

53. A notice of motion may be introduced by a member at a meeting regarding a matter that would not otherwise be considered by Council at such a meeting, by delivering a written copy of the motion signed by the mover to the Clerk by 4:30pm on the Wednesday prior to the date of the next meeting in order to be included in the agenda package. The Chair shall read the Notice of Motion during the segment of the agenda for Notices of Motions

54. A notice of motion shall not be discussed or deliberated and shall be recorded on the next Regular Meeting under "Motions" and noted that notice had been given

55. No staff time shall be allocated to a notice of motion item until such time as it becomes a motion, is seconded and is approved by members of Council

56. A notice of motion shall not be considered by Council if the mover of the proposed motion is not in attendance at the Meeting when the proposed notice of motion is being considered

57. A notice of motion may include a "notice to reconsider" which will provide notice that a motion of reconsideration will be considered at the next meeting. All other procedures for a reconsideration motion shall be followed in accordance with this bylaw.

VOTING PROCEDURES – ANY

58. When the presiding officer calls for a vote on a question, each member shall occupy his seat and shall remain in his place until the result of the vote has been declared by the Presiding Officer, and during such time no member shall walk across the room to speak to any other member or make any noise or disturbance.
59. Unrecorded Vote – the manner of determining the decision of the Council on a motion shall be at the discretion of the presiding officer and may be by voice, show of hands, standing or otherwise.
60. Recorded Vote – where a vote is taken for any purpose and a member present requests a recorded vote before or immediately after the vote, all members present at the Council or committee meeting must vote by voice or show of hands, unless otherwise prohibited by statute. Failure to vote by a qualified member shall be deemed a negative vote. The names of those who voted for and others who voted against shall be noted in the minutes. The Clerk shall announce the results.
61. The Presiding Officer, unless otherwise disqualified to vote, shall vote with the other members on all questions.
62. Except where expressly provided in statute, any question on which there is an equality of votes shall be deemed to be defeated.
63. Subject to Subsection 3(e), no vote shall be taken by ballot or any other method of secret voting and every vote so taken is of no effect.
64. Every member, prior to speaking to any questions or motion, shall raise his/her hand and address the Presiding Officer. When two or more members raise their hand to speak, the Presiding Officer shall designate the member who has the floor to be the member who, in the opinion of the Presiding Officer raised their hand first. Every member present at the meeting of Council, when a question is stated, shall vote thereon unless prohibited by statute.
65. When a member is speaking, no other member shall pass between him/her and the Chair or interrupt him/her except to raise a point of order.
66. Any member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a member while speaking.
67. Council may employ a confirming by-law immediately prior to adjournment for the purpose of validating decisions or direction given which is minor in nature and not set in a by-law or resolution.
68. The Presiding Officer shall preserve order and decide questions of order.
69. The Council, if appealed to, shall decide the question without debate and its decision shall be final.

RECONSIDERATION OF MATTERS

70. If the matter(s) raised by a delegation or a member of Council, either orally or in writing, has been previously considered by Council in the past year, the Council shall not consider the matter unless:
- i. New information about the matter is being brought forward and;
 - ii. A motion to reconsider the matter based on the new information is passed by a two-thirds majority vote of Council.

COMMITTEES OF COUNCIL

71. Council may, from time to time, establish Committees to undertake various activities and duties that shall be subject to this bylaw
72. All established Committees shall have a Council approved Terms of Reference that details the composition, general duties, meeting dates and specific procedural items of that Committee
73. The authority of any Committee, with exception of Statutory Committees, or as otherwise provided in a Committee Terms of Reference, is limited to the making of recommendations to Council. No decision to take any action or do anything, other than administrative in nature, shall be recognized as emanating from any Committee and all Committee recommendations shall be referred to Council before becoming effective.

COMMITTEE OF THE WHOLE

74. The Reeve shall be a full voting member at Committee of the Whole Meetings and shall be considered an ex-officio member at all other Committee meetings
75. For the purpose of this section all references to the Presiding Officer, Clerk, Members of Council and Council contained herein shall be read as Chair, Secretary, Members of the Committee and Committee respectively. The rules governing the procedure of Council and conduct of Members of Council, unless otherwise specifically stated herein, shall be observed in a Committee insofar as they are applicable, provided:
- f. The inaugural meeting for the Committee of the Whole shall be the same as that for Council.
 - g. In the absence of the Committee Chair, an Acting Chair shall be appointed from Members of the Committee present
 - h. A motion shall not be required to be reduced to writing
 - i. A motion shall be considered a motion to recommend rather than a question to be decided on an implemented
 - j. Members need not rise to speak
 - k. The number of times or length of time a Member may speak on any question shall not be limited, however, no member shall speak more than

once to an issue except to clarify a statement made by them, until every other Member who desires has spoken

- l. The agenda need not be in the form set out in Section 18, may be amended as directed by the Chair. The Chair may accept notices of motions, matters to be discussed, and a request to appear as a delegation at any time
 - m. The Committee of the Whole will receive items that are administrative or informative in nature and do not require a decision of Committee in the form of a Consent Agenda
 - n. The Secretary of the Committee shall make the Agenda available no less than 48 hours prior to the time set for the meeting.
 - o. Prior to any action being taken by full Council and at the request of any member of the Committee present, any item on the Agenda of the meeting may be reconsidered on the consent of the majority of the members present.
 - p. The Chair, if present, shall vote on all motions but in no circumstances shall the Chair be permitted an additional vote to resolve a tie.
76. Committee of the Whole shall meet on a regular basis as laid out in Schedule A of this Bylaw. Special meetings of the Committee of the Whole may be held at any time at the call of the Reeve or Acting Reeve. The proceedings of the Committee of the Whole meeting shall be reported at the next subsequent meeting of Council.
77. The Chair of the Committee of the Whole shall rotate, alphabetically among Members, but not including the Reeve, on a monthly basis. Should the assigned Member not be in attendance or choose not to Chair, the next Member on the list shall be called upon to Chair the meeting.

SUSPENSION OF RULES

78. Any procedure under this by-law which is discretionary and not mandatory in statute may be suspended with the consent of the majority of the members present.

PUBLIC NOTICE OF MEETINGS

79. The giving of public notice of meetings of Council and committees shall be given as set out in Schedule "B" attached hereto forming part of this by-law.

AMENDMENT

80. No amendment or repeal of this by-law or any part thereof shall be considered at any meeting of Council unless notice of the proposed amendment or repeal has been given in accordance with the notice provisions in Schedule "B" the waiving of this notice by Council is prohibited.

SEVERABILITY

81. Should any part, section, subsection or portion of this by-law be repealed or declared by a court of competent jurisdiction to be illegal, the same shall not affect the validity of the by-law as a whole or in part thereof, except for that which was declared to be invalid.

EFFECTIVE DATE

82. Where any by-law passed prior to this by-law conflicts with this by-law, the terms of this by-law shall prevail.

83. This by-law shall become effective as of the date of passage.

84. That By-law No.3624-2017, as amended, be hereby repealed.

READ A FIRST, SECOND & THIRD TIME & FINALLY PASSED THIS xxt DAY OF MAY 2019

REEVE

CLERK

Schedule A
to By-law No. 3726-2019

**COUNCIL & COMMITTEE OF THE WHOLE MEETING SCHEDULE
POLICY**

1.0 PURPOSE

- a) To establish policy for the holding of regular meetings of Council and Committee of the Whole.

2.0 SCOPE

- a) Applies to all regular meetings of Council and Committee of the Whole.

3.0 RESPONSIBILITY

- a) The Clerk will be responsible for monitoring the policy.

4.0 GENERAL

- a) The Clerk, at the first meeting of every calendar year, will confirm the schedule of commonly attended conferences and events and will present an altered Council and Committee meeting schedule to reduce conflict with those events, if required.

COUNCIL MEETINGS

- a) Council meetings shall be held on the first and third Tuesday of every month at 6:00 p.m. subject to the following exceptions:
 - i. In January, , Council meetings will be held only on the third Tuesday of the month
 - ii. In August, Council meetings will be held only on the first Tuesday of the month.
 - iii. In July, there will be no meeting of Council;
 - iv. When the day for a regular meeting of Council is a public or civic holiday, the Council shall, unless the Council decides otherwise, meet at the same hour on the next following day which is not a public or civic holiday.
- b) Council may, by resolution, alter the date and/or time of a regular meeting provided that adequate notice of the change is posted and published on the Township's website and publicly posted at the Township office.
- c) In the case of emergencies such as inclement weather the Head of Council

can cancel or alter the date of a meeting of Council provided that adequate notice is posted on the Township's website and publicly posted at the Township office.

COMMITTEE OF THE WHOLE MEETINGS

- d) Committee of the Whole meetings shall be held on the first and third Tuesday of every month immediately after Council
 - i. In January Committee meetings will be held only on the third Tuesday of the month
 - ii. In August, Committee of the Whole Meetings will be held only on the first Tuesday of the month
 - iii. In July, there will be no meeting of Committee of the Whole
- e) Council may, by resolution, alter the date and/or time of a regular Committee of the Whole meeting provided that adequate notice of the change is posted and published on the Township's website and publicly posted at the Township office.
- f) In the case of emergencies such as inclement weather the Head of Council can cancel or alter the date of a meeting of Committee provided that adequate notice is posted on the Township's website and publicly posted at the Township office.

**Schedule B
to By-law No. 3726-2019**

Public Notification Policy

Policy Statement:

In accordance with the *Municipal Act 2001*, as amended, the municipality must adopt a policy for public notification.

PROCEDURE

Manner of Notice

1. Where notice of intention to pass a by-law or notice of a public meeting is required to be given, the Clerk or designate shall cause such notice to be published in a local publication and on the Township website or as directed by Council.
2. Notice for meetings of Committee or Council shall be provided by way of the posting of the Agenda on the municipal website.

Time of Notice

3. Where public notice is required to be given, such notice shall be provided in the time frame prescribed in the *Municipal Act 2001*, as amended or its regulations, and if not so prescribed, notice shall be given at least once during the fourteen days prior and not less than four days prior to the proposed action being taken.

Form of Notice

4. Unless otherwise prescribed in the *Municipal Act 2001*, as amended or its regulations, where public notice is required to be given, the form of the notice shall include the following information:
 - a) A description of the purpose of the meeting, or the purpose and effect of the proposed by-law;
 - b) The date, time and location of the meeting;
 - c) Where the purpose of the meeting or proposed by-law is related to specific lands within the Township, a key map showing the affected lands or a written description of the location of the property;
 - d) The name and address of the persons who will receive written comments on the issue which is the subject of the meeting and the deadline for receiving such comments.

FINANCIAL

Adoption of Annual Budget

5. The notice provisions set out in Sections 1, 2 and 3 shall apply to the adoption of the

annual budget in total.

Operating Costs Incurred Prior to Budget Approval

6. Normal operating costs incurred prior to the adoption of the annual budget shall not require notice and approval of such expenditures shall be deemed ratified upon the adoption of the annual budget.

GENERAL

7. No notice shall be required under this by-law, where the provision of notice will interfere with the ability of Council to conduct business with respect to a matter permitted for a closed session under the *Municipal Act 2001*, as amended.
8. Nothing in this by-law shall prevent the Clerk from using more comprehensive methods of notice or providing for a longer notice period.

EMERGENCY PROVISION

9. If a matter arises, which in the opinion of the Clerk, in consultation with the Head of Council, is considered to be of an urgent or time-sensitive nature, or which could affect the health or well-being of the residents of the Township of Montague, or if a State of Emergency is declared, or if so advised by a Provincial Ministry, the notice requirements of this by-law may be waived and the Clerk shall make his/her best efforts to provide as much notice as is reasonable under the circumstances.

**Schedule D
to By-law No. 3726-2019**

TOWNSHIP OF MONTAGUE - DELEGATION REQUEST FORM

Any written or electronic submissions and background information for consideration by Council/ Committee must be submitted to the Clerk by 4:30 pm on the Wednesday prior to the subject meeting. Electronic submissions should be submitted in Microsoft PowerPoint /Adobe PDF format.

Preferred Meeting and Date: _____

I am requesting deputation to speak:

- a) on my own behalf; or
- b) on behalf of a group/organization; please state name below. By stating the group/organization name below, you confirm that you are duly authorized to act on behalf of the identified group/ organization and that the group/organization hereby gives its approval for you to act on this matter.

I would like to use: projector laptop

Name of Speaker: A deputation wishing to appear before Council/Committee shall be limited to a total speaking time of not more than ten (10) minutes. If you are appearing as a representative of a group, one speaker shall be designated as a spokesperson. If you would like to request more than one speaker, please inform the Clerk.

Name: _____ \

Have you been in contact with a member of staff with regard to this matter?
 Yes No

Have you presented a deputation previously on this matter? Yes No

Note: Delegations shall be limited to one appearance on a given subject matter unless presenting new information.

Subject of Presentation

Please describe below the subject matter of the requested presentation. Sufficient information should be submitted to allow for a response or decision to be made by Council. Additional pages or materials can be submitted, if required.

Please identify the type of action you are seeking of Council/Committee on this issue.

- No Action, e.g., an awareness of topic or organization.
- To Request Action. Please describe in detail.

Date of Request: _____

Name of Requestor: _____

Address: _____

Telephone: _____ **Fax:** _____

Email: _____

Note: Additional material may be circulated/presented at the time of the deputation. If you intend to include handouts or a presentation, please submit this material with this request by the set deadline of the request.

Please note that any material submitted will be attached to the public agenda.

It is the responsibility of the presenter to ensure that they have received consent for any third party information.

There are no guarantees that by requesting a certain date(s) your deputation will be accepted, as prior commitments may make it necessary to schedule an alternate date suggested by the Clerk.

Please email your request to jralph@township.montague.on.ca

Note that the Clerk can make a determination if the delegation application is appropriate. The Clerk will notify you in writing regarding the status of the request. If denied, the written explanation will be included on the agenda of Committee or Council, and Council can, by two-thirds vote of the Council Members in attendance, introduce a motion to suspend the rules to allow the delegation to be heard.

Personal information on this form is collected under the legal authority of the Municipal Act, S.O. 2001, c.25 as amended. The information is collected and maintained for the purpose of creating a record that is available to the general public pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act. Questions about this collection should be directed to the Clerk.

Excerpt from By-law No. XXXX-2019- Related to Delegation Requests

DELEGATIONS

22.

- a) Persons or groups wishing to address Council shall give written notice to the Clerk using the form attached hereto as "Schedule D – Delegation Request form" no later than 4:30 p.m. on the Wednesday prior to the meeting of Council. The notice will contain the subject matter as well as the name, address and telephone number of the individual designated as spokesperson and sufficient information to allow for a response or decision to be made by Council.
- b) Delegations will be limited to four (4) per meeting and will be added to the agenda on a first come, first served basis.
- c) Delegations failing to meet the above requirements may be heard upon the verbal consent of the majority of Council members.
- d) Delegations shall be limited to speaking not more than ten (10) minutes unless the Head of Council extends the time period. Comments from members of the delegation, other than the spokesperson, shall be prohibited unless the Head of Council authorizes such additional speakers. Upon completion of a presentation by a delegation, any dialogue between Council and the delegate shall be limited to members asking questions for clarification and obtaining additional information only. Members shall not enter into debate with the delegation respecting the presentation.
- e) Delegations shall be limited to one appearance, on a given subject matter, unless presenting additional new information.
- f) When it is deemed inappropriate that a delegation address Council, the Clerk shall so notify the delegation and Council with a supporting explanation. Such written explanation shall be delivered with the Agenda and the Council, if it so wishes to hear the delegation, shall, by two-thirds vote of the Council Members in attendance, introduce a motion to suspend the rules to allow the delegation to be heard.