

THE CORPORATION OF THE TOWNSHIP OF JOCELYN

PROCEDURAL BY-LAW

By-law No. 2018-1398

(Repeals By-Law 2007-1136 and amendments)

Being a by-law to provide for the adoption of Rules of Procedure for the Municipal Council of The Corporation of the Township of Jocelyn and its committees; to adopt a Code of Conduct for Members of Council; and to repeal and replace By-law 2007-1136

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

AND WHEREAS Section 223.2(1) of the Municipal Act 2001, S.O. 2001, c.25, as amended, authorizes municipalities to establish codes of conduct for members of the council of the municipality and of local boards of the municipality;

AND WHEREAS Section 223.3 -223.8 of the Municipal Act 2001, S.O. 2001, c.25, as amended, authorizes penalties for a contravention of the code of conduct;

AND WHEREAS Section 238 of the Municipal Act, 2001, to define the meaning of "meeting" to mean any regular, special or other meeting of a council, of a local board, or of a committee of either of them;

AND WHEREAS the Municipal Council of the Township of Jocelyn deems it expedient to enact a by-law to govern the proceedings of Council, Local Boards, Standing Committees and Committees, the conduct of their members and the calling of meetings;

NOW THEREFORE the Council of The Corporation of the Township of Jocelyn enacts as follows:

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1.00 DEFINITIONS

- 1.1 "**Ad Hoc Committee**" means a special purpose committee of limited duration, appointed by Council to consider a specific matter and which is dissolved automatically upon submitting its final report to Council, unless otherwise directed by Council.
- 1.2 "**Agenda**" means those items which are to be dealt with by Council at a meeting
- 1.3 "**Presiding Officer**" means the person presiding over a meeting of a Committee or Council.
- 1.4 "**Clerk**" means the Clerk/Treasurer and or statutory designate for The Corporation of the Township of Jocelyn.
- 1.5 "**Closed Session**" means a meeting or part of a meeting that is not open to the public under authority of section 239(2) of the Municipal Act, S.O. 2001, c. 25, as amended.
- 1.6 "**Committee**" means any advisory or other committee, subcommittee or similar entity. such as an Ad Hoc Committee established by the Council from time to time to review and report to Council.
- 1.7 "**Council**" means the Municipal Council of The Corporation of the Township of Jocelyn.
- 1.8 "**Acting Reeve**" means the Council member, whom council votes using an open nomination and voting process; appointed annually near the beginning of the term; assumes the duties of the Reeve when the Reeve is absent or not available.
- 1.9 "**Head of Council**" is the person elected as Reeve or appointed as Acting Head of Council for the Corporation of the Township of Jocelyn; and is an ex-officio member of all Committees with the exception of any Committees for which the Head of Council has been appointed.
- 1.9.a) In the capacity of ex-officio member of a Committee, the Head of Council may fulfill quorum requirements, participate in discussions and in Closed session, and have voting privileges.
- 1.9.b) In the capacity of ex-officio member of a Committee, the Head of Council will have the same privileges as in the capacity of a Committee with the exception that the Head of Council cannot fulfill quorum requirements and does not have voting privileges.
- 1.10 "**Local Board**" does not include police services board or public library board and shall be otherwise as defined in The Municipal Act and/or any other Act from time to time.

1.11 "**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.

1.12 "**Member**" means a member of the Council Local Board, Committee and includes the Head of Council.

1.13 "**Members of Council**" includes the Reeve and Members of Council of the Township of Jocelyn.

1.14 "**Motion**" means an action/question to be considered by the council, or Committee, Local Board or Standing Committee which is moved, seconded, presented, read by the Presiding Officer or Clerk and is subject to debate. When a motion is adopted it becomes a Resolution.

1.15 "**Municipality**" means The Corporation of the Township of Jocelyn

1.16 "**Presiding Officer**" means:

1.16.1 in reference to Council Meetings, the Head of Council acting as Chair of the Meeting or such member chosen from a quorum of members present to preside over a Council meeting in the absence of the Head of Council or Acting Reeve

1.16.2 in reference to Committee meetings, the Chair of the meeting.

1.17 "**Recorded Vote**" means a the recording of the names and vote (in favour, opposed, or absent) of every member on any matter of question as provided for in section 246(1) of the Municipal Act, S.O. 2001, c. 25, as amended.

1.18 "**Quorum**" means a majority of the whole number of members or not less than two members where by reason of the Municipal Conflict of Interest Act members are disabled from participating in the meeting.

1.19 "**Rules of Procedure**" the rules and regulations contained in this by-law and the Municipal Act, 2001 shall be the rules and regulations for the order and dispatch of business of the Municipality in the Council and in the Committees thereof. In any case for which provision is not made herein, the rules of procedure to be followed shall be as outlined in Roberts Rules of Order, 10th Edition, as amended. The Legislative Assembly of Ontario and its committees. shall apply with necessary modification

2.00 COUNCIL MEETINGS

Inaugural Meeting of Council

2.1 The Inaugural meeting of Council shall take place no later than 31 days after the term commences (December 4th in 2018). It shall start at 7:00 pm in the Council Chambers in the Municipal Office normally on the first Tuesday of December following the regular election; except when the day is a public holiday in which case the meeting shall be held on the following business day.

Regular & Special Meetings of Council

2.2 Following the Inaugural Meeting, each succeeding Regular Meeting of the Council shall be held either in the Council Chambers, at 3670 5th Side Road, Jocelyn Township at the host municipally in the case of a Joint council meeting.

2.3 Regular Meetings of Council, with the exception of 2.1; of Council shall be held on the first Tuesday of each month at the hour of 7:00 pm and the meeting dates & times of any meeting may be changed at the call of the Reeve. Notification of the changes to the meeting date & time shall follow the notice procedure.

2.4 Joint Council meetings shall start at the time indicated by the host municipality and shall be posted in the Township Office.

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

2.7 Inaugural / Regular & Special Meetings of Council shall be open meetings.

2.8 The Head of Council may at any time summon a Special Meeting of Council. Upon receipt of the petition of the majority of the Members of Council, the Clerk shall summon a Special Meeting for the purpose and at the time mentioned in the petition, to be held in the Council Chambers, or at any other place as designated. The only business to be dealt with at a Special Meeting is that which is listed in the notice of the meeting detailed in Section 2.9.

2.9 The form of the notice shall include the following information:

- A posted Agenda may suffice as a form of notice
- A description of the purpose of the meeting, or the purpose and effect;
- The date, time and location of the meeting;
- The Township's address where written comments will be received on the issue that is the subject of the meeting and the deadline for receiving such comments.

2.5 When the day for a meeting is a public or civic holiday, the Council shall, unless decided otherwise, meet at the same hour on the next regular business day.

2.6 Except as otherwise provided by the Municipal Act or other Statutes, the members may by resolution, dispense with or alter the time, day or place of any meeting in which case a notice shall be posted in the Municipal Offices advising of the change in time and place or the cancellation thereof as the case may be.

2.7 The Head of Council shall act as Presiding Officer of the Council meeting. In the absence of the Head of Council, the Acting Reeve or designate shall have all the rights, powers and authority of the Head of Council, while so acting.

3.00 NOTICE OF MEETING SCHEDULES / POSTING AGENDAS

3.1 The Clerk shall give notice of each Regular and Special Meeting of Council and of each Committee Meeting to the members of Council and to the heads of each department concerned with such meeting.

3.2 Public Notice of meetings shall be given by posting the meeting schedule posted at the Township Municipal Office as soon as the information is available. The meeting schedule shall include the date, time and location of Council and Committees meetings. The meeting schedule is subject to change as necessary. Regular Notice of all Council Meetings of the municipality shall be given by posting the Agenda in the Township Municipal Office. All agendas will be posted no later than 48 hours before the holding of regular meetings.

3.3 The notice shall be in the form of an Agenda which shall first make mention of the day, time and place of the meeting and then of any matter or matters so far as is known to be brought before such meeting, such Agenda to be prepared as hereafter provided.

3.4 The Agenda shall be delivered by way of the Township's internal mail system by the Clerk to each Council member and to the Township Department Heads so as to be received no later than 5 P.M. the Friday prior to the Tuesday meeting.

3.5 In the case of Special Meetings of Council, where time does not permit delivery of the Agenda to meet the "previous Friday" deadline, the Clerk shall attempt to inform each Council member and such other persons as the Head of Council and/or the Clerk deem advisable of the day, time, place and purpose of the meeting by telephone or otherwise. In such case, the Clerk shall deliver the Agenda as soon as reasonably possible.

3.6 Notwithstanding section 3.2, failure to post an agenda on the bulletin board or failure of any person to receive the notice of the meeting required to be given shall not affect the validity of the meeting or any lawful action.

4.00 AGENDA – CLOSED MEETING MATERIAL

4.1 All closed meeting material (as available) will be circulated to members of Council and/or Committee members on coloured paper (as available). The closed meeting material **must** be returned immediately to the Clerk or designate at the conclusion of the closed meeting session.

5.00 JOINT COUNCIL MEETINGS

5.1 Joint Council meetings of the Township of Jocelyn and other municipalities shall be held a location to be determined. It shall be the responsibility of the Clerk of the hosting municipality to forward all notices and agendas for joint council meetings, a minimum of seventy two (72) hours in advance of such meetings, to the Councillors.

5.2 When the day for a meeting is a public or civic holiday, the Council shall, unless decided otherwise, meet at the same hour on the next regular business day.

5.3 Except as otherwise provided by the Municipal Act or other Statutes, the members may by resolution, dispense with or alter the time, day or place of any meeting in which case a notice shall be posted in each of the Municipal Offices advising of the change in time and place or the cancellation thereof as the case may be.

5.4 The host Reeve or Mayor shall act as Presiding Officer of the Joint Council meeting. In the absence of the Reeve or Mayor, the Acting Reeve or designate shall have all the rights, powers and authority of the Reeve, while so acting.

5.5 Public Notice of meetings shall be given by posting the meeting schedule at the Municipal Township Office as soon as possible. The meeting schedule shall include the date, time and location of the Joint Meeting. The meeting schedule is subject to change as necessary. Regular Notice of all Joint Meetings of the municipalities shall be given by posting the Agenda at the Township Offices, and website.

5.6 Joint Meetings of the Councils shall be open meetings.

6.00 ABSENCE OF HEAD OF COUNCIL AND ACTING REEVE

6.1 Subject to the provisions of the Municipal Act, where the Head of Council does not attend within fifteen (15) minutes after the time appointed for a meeting of the Council, the Acting Reeve shall act as the Head of Council; or in the absence of the Acting Reeve, the Clerk shall call the members to order and an acting Presiding Officer shall be appointed from among the members present and the member shall preside until the arrival of the Head of Council or Acting Reeve and while so presiding the acting Presiding Officer shall have all the powers of the Head of Council or Acting Reeve.

7.00 CALLING OF MEETING TO ORDER AND QUORUM

7.1 As soon as there is a quorum after the hour fixed for the meeting of the Council, the Presiding Officer shall take the Chair and call the meeting to order.

7.2 If no quorum is present 15 minutes after the time appointed for a meeting of the Council, the Clerk shall record the names of the members present and the meeting shall be rescheduled for the date of the next regular meeting.

7.3 If at any time during the meeting the quorum is lost, the meeting shall stand recessed temporarily until there is a quorum once again in attendance; should the lack of a quorum continue for 15 minutes from the time of its occurrence, then the meeting shall automatically stand adjourned until the next regular meeting day or until a special meeting is called to deal with the matters still to be dealt with from the adjourned meeting.

7.4 Where the number of Members who are unable to participate in a meeting by reason of the provisions of the Municipal Conflict of Interest Act, R.S.O. 1990, such that, at that meeting the remaining members are insufficient to constitute a quorum, the remaining members shall be deemed to constitute a quorum, provided such number is not less than two (2).

7.5 If members know in advance that they will not be able to attend a scheduled meeting, they are to notify their Alternate in the case of a Committee or Board meeting; or in the case of a council meeting; the office and Head of Council directly.

7.6 ALLOCATION OF SEATS: The Presiding Officer shall designate the seating arrangement for the whole Council, press and members of the staff and the public at the commencement of each term.

8.00 THE CONDUCT OF PROCEEDINGS AT A MEETING OF COUNCIL

8.1 Presiding Officer:

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

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

- a) to open the meeting of Council by taking the chair and calling the members to order;
- b) to announce the business before the Council in the order in which it is to be acted upon;
- c) to receive and submit, in the proper manner, all motions presented by the members of Council;
- d) to put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and to announce the results;
- e) to decline to put to vote motions which infringe upon the rules of procedure;
- f) to restrain the members, within the rules of order, when engaged in debate;
- g) to enforce on all occasions the observance of order and decorum among the members;
- h) to call by name any member persisting in breach of the rules of order of the Council, thereby ordering the member to vacate the Council Chambers;
- i) to authenticate, by his or her signature when necessary, all resolutions, by-laws and minutes of the Council;
- j) to inform or advise the Council, when necessary or when referred to for the purpose, on points of order or usage;
- k) to represent and support the Council, declaring its will and implicitly obeying its decisions in all things;
- l) to ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of the Council;
- m) to adjourn the meeting when the business is concluded;
- n) to adjourn the meeting without debate in the case of grave disorder arising in the Council Chambers.

8.2 Members of Council and Members of Boards/Committees

No person shall at a meeting:

- a) speak disrespectfully of the Reigning Sovereign, any member of the Royal Family, the Governor General, a Lieutenant Governor, a Provincial Premier, a Member of Provincial Parliament or a Member of Parliament;
- b) use indecent, offensive words or insulting language against Council, Staff, or any Member thereof;
- c) disobey the procedural rules or the decisions of the Presiding Officer or of the Council on questions of order or practice or upon the interpretation of the procedural rules;
- d) when the Presiding Officer is presenting the question no member shall leave his or her seat or make a disturbance while a vote is being taken and until the results are declared;
- e) enter the meeting while a vote is being taken;
- f) speak on any subject matter other than the subject in debate;
- g) interrupt a member while speaking through speaking out, noise or disturbance, except to raise a point of order;
- h) criticize any decision of the Council except for the purpose of moving that the question be reconsidered;
- i) pass between a member who is speaking and the Presiding Officer.
- j) Members of Council shall attend Council meetings dressed appropriately as described in the Human Resources Policy & Procedure.
- k) Any person who contravenes any of the rules set out in the aforesaid rules, at a meeting having been called to order by the presiding officer, is hereby deemed to be guilty of improper conduct and is subject to expulsion or exclusion by the Presiding Officer.

9.00 DUTIES OF THE CLERK

9.1 It shall be the duty of the Clerk or designate:

- a) To prepare the Agenda of Council in accordance with the provisions contained herein;
- b) To be present and record, without note or comment, all resolutions, decisions and other proceedings of the Council;
- c) To accept items for the Agenda from the Reeve, members of Council, and Department Heads through the Clerk subject to subsection 10.1;
- d) To receive correspondence, petitions, proclamations, and communications and if, in the opinion of the Clerk, the matter warrants the consideration of Council, to place the petition or communication on the Agenda of Council;

- e) When in the opinion of the Clerk, the correspondence, petition, or communication should be dealt with at a department or committee level, it shall be directed to the appropriate committee/department;
- f) to ensure that all correspondence addressed to the Reeve and members of Council is made available for their inspection through the use of a "Council reading file" system or the Agenda;
- g) to direct correspondence or petitions to a Department Head for a report to Council when deemed warranted.

10.00 AGENDA

10.1 All items for the Agenda from the Public shall be in writing to the Clerk, prior to 3:00 P.M. on the Thursday preceding the meetings of Council;

10.2 a) The Clerk shall have prepared for the use of the members at the regular meetings of Council, an Agenda shall be prepared with the following headings (if applicable);

- i. Regular Meeting Called to order (Clerk to record attendance)
- ii. Addendum to the Agenda (in the case of emergency or urgency, as the Clerk may determine from time to time. The Addendum shall include provision for declaration of conflict);
- iii. Declarations of Pecuniary Interest;
- iv. Adoption of Minutes (previous Council meeting or any other meetings to be adopted by Council) Disbursements (Vouchers)
- v. Public Presentations;
- vi. Reports: Roads /Committee Reports;
- vii. Reports: Board/Municipal Staff/Committee Reports (action Sheets/communications);
- viii. Previous Business;
- ix. New Business;
- x. By-laws;
- xi. Notice of Motions;
- xii. Reports and Newsletters;
- xiii. Closed Session;
- xiv. Confirmation By-Law;
- xv. Adjournment.

b) Modifications to the matters to be included in the meeting and/or the order of business thereof may be affected without requiring amendments to this by-law.

- 10.3 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 the consensus Council.
- 10.4 An item of business not listed on the Council Agenda cannot be introduced at a Council meeting without the approval of the consensus of Council.
- 10.5 When it appears there is insufficient business for a regular meeting of the Council, the Clerk, with the consensus of the majority of the members, may cancel the meeting.
- 10.6 The Clerk shall have prepared for the use of the public, on the day when regular Council meetings are held,
 - a) minutes of the previous Council meeting;

11.00 ADDENDUM TO THE AGENDA

- 11.1 There shall only be one Addendum to an Agenda for a meeting when items arise after the closing of the deadline for submitting items for the Agenda and prior to the meeting, which items the Clerk believes are of an urgent nature requiring the immediate consideration of the Council.
- 11.2 Before an Addendum is dealt with, the majority of all the members of Council must vote in favour thereof, at which time all or any of the items on the Addendum may be dealt with.

12.00 CONTENT OF MINUTES

- 12.1 The Minutes shall record:
 - a) The place, date and time of meeting and the hour of adjournment;
 - b) The names of the Presiding Officer, Council/Committee Members, Staff & public, in attendance;
 - c) The adoption of the minutes of prior meetings;
 - d) The proceedings of the meeting without note or comment including all resolutions and decisions at a meeting of the body, whether it is closed or not.
 - e) If a member arrives at a meeting after the meeting has started, the Clerk shall note the time of arrival in the minutes. If a member leaves early, the time of departure shall be noted in the minutes.

13.00 ADOPTION OF COUNCIL MINUTES

- 13.1 When the item on the Council Agenda "Minutes of the previous Council Meeting" is called, no changes can be made at that time in the action taken or not taken at a previous Council meeting, only changes in the form of errors or omissions in the recording of any action taken or not taken at a previous Council meeting can be made at that time.

14.00 PUBLIC PRESENTATIONS-DELEGATIONS

- 14.1 A delegation shall submit to the Clerk a written request to be placed on the agenda, together with written submission detailing the matters that the delegation wishes to present to council.
- 14.2 Such Requests shall be in writing on the form attached and must be submitted to the Clerk by 3:00 pm on the Wednesday of the week prior to the council meeting. The Clerk shall reply to such requests, indicating the status of such request.
- 14.3 A delegation shall be listed on the Agenda and heard in the order determined by the Clerk. A delegation shall have up to 10 minutes to make a presentation. Such time frame may be extended by consent of the majority of the members present.
- 14.4 Persons desiring to present information verbally on matters of fact or make a request of Council may be heard by leave of the Presiding Officer. Presentations consisting of more than five (5) persons shall be limited to two (2) speakers, limited to fifteen (15) minutes total.
- 14.5 Presenters are permitted to speak or make requests before Council once during a calendar year on a matter that has previously been presented; upon approval of council, items may be reconsidered providing new data/information is submitted.
- 14.6 When, in the opinion of the Clerk, the petition or communication should first be dealt with by a Committee, it shall be directed to that particular body for consideration and subsequently reported on to Council by the Committee.

15.00 PASSING OF BY-LAWS AND PROCEEDINGS THEREON

- 15.1 Every by-law shall be introduced upon motion by a Member of the Council, specifying the title of the by-law.
- 15.2 Every by-law when introduced shall be in typewritten form and shall contain no blanks except such as may be required to conform to accepted procedure or to comply with the provisions of any act and shall be completed with the exception of the date and numbering thereof.
- 15.3 Each by-law heading shall appear on the Council Agenda of the meeting together with a short description of its contents.
- 15.4 Every by-law shall have three readings prior to it being passed; the three readings may be done at the same meeting.
- 15.5 Every by-law enacted by the Council shall be numbered and dated, shall be signed by the Clerk or designate and the Presiding Officer and sealed with the seal of the Corporation-and deposited by the Clerk in his/her office for safekeeping.

16. MOTIONS

- 16.1 Councillors wishing to present notice of all new motions, except motions listed in Clause 16.8 shall be given in writing, to the Clerk at least six business days excluding public holidays, preceding the date of the meeting at which a motion is to be introduced. A summation of the purpose of the motion and a copy of the proposed motion shall be submitted to the Clerk in writing.

- 16.2 A motion may be introduced without notice, if Council, without debate, dispenses with notice on the affirmation vote of at least a majority of the Members present and voting.
- 16.3 When a Member's notice of motion has been called from the Presiding Office two successive meetings and not proceeded with, it shall be dropped from the agenda unless Council otherwise decides.
- 16.4 If at the third meeting such notice of motion is called from the Presiding Officer and not proceeded with, it shall be deemed withdrawn.
- 16.5 Only one amendment at a time can be presented to a main motion. If more than one amendment is required, each change to the main motion must be decided upon prior to moving onto further changes concerning that motion.
- 16.6 In the case of amendment to an already altered motion, an amendment to the main motion cannot be withdrawn until the change to the amended motion has been withdrawn or voted on.
- 16.7 When the question under consideration contains distinct propositions, upon the request of any member, the vote upon each proposition shall be taken separately.
- 16.8 Subject to subsection 16.10 & 16.11 hereof, when a matter is under debate, no motion shall be entertained other than a motion:
- a) to amend;
 - b) to refer to a certain body;
 - c) to defer action;
 - d) that the vote be now taken.
- 16.9 A vote to refer or defer a motion shall take precedence over any motion or amendment except a motion to adjourn.
- a) A vote to refer shall require direction as to the body to which the motion it is being referred.
 - b) A vote to defer the motion must give a reason and a time certain to which the matter is deferred.
- 16.10 A motion that the vote is now taken does not require a seconder and shall not be recorded in the minutes and shall not be entertained by the Presiding Officer until each of the members present has had an opportunity to speak at least once on the particular matter if they so wish.
- 16.11 Once a motion that the vote is now taken is presented and entertained by the Presiding Officer, it shall be put to a vote without debate and, if carried, the motion and any amendments thereto under discussion shall be submitted to a vote immediately without further debate.
- 16.12 A motion relating to a matter not within the jurisdiction of the Council is not in order and shall not be entertained by the Presiding Officer.

17.00 ADJOURNMENT

- 17.1 A motion to adjourn a meeting shall be in order, except:
 - a) When another member is in possession of the floor;
 - b) When it has been decided that the vote be now taken; or
 - c) During the taking of a vote.
- 17.2 No subsequent motions to adjourn shall be made until after an intermediate proceeding has taken place.
- 17.3 A meeting shall be deemed to be automatically adjourned at the hour of 10:00 P.M. if in session at that hour and each hour thereafter, unless otherwise determined by resolution at each hour, passed by two thirds a majority of the members present.
- 17.4 Where a person has been deemed guilty of improper conduct by the Presiding Officer and is expelled or excluded from the meeting by the Presiding Officer and such person refuses to so leave, the Presiding Officer may adjourn the meeting without any motion to do so until such time as the person has left the meeting room.

18.00 VOTING

- 18.1 After the Presiding Officer commences to take a vote on a motion, no member shall speak to such question or present any other motion until the vote has been taken on such question, be it a main motion, an amendment to a main motion or an amendment to an amendment.
- 18.2 A majority of the council present is required to pass any motion.
- 18.3 Except as otherwise provided, every Member of Council and the Presiding Officer shall have one vote.
- 18.4 Except as provided for in the Municipal Act, no vote shall be taken by ballot or by any other method of secret voting, and any vote so taken is of no effect.
- 18.5 Voting shall be by way of "Show of Hands" in favour or against; except when a recorded vote is requested by any member on a main motion.
- 18.6 Any member may request a recorded vote on any motion and when a member so requests a recorded vote, each member present unless otherwise prohibited by Statute, shall announce his vote openly and individually in favour of or against the question except for the Presiding Officer who shall announce his/her vote last. The Presiding Officer shall record each member's vote and each member's vote shall be noted in the minutes by the Clerk. After completion of the vote, the Presiding Officer shall announce the results.

If during the recorded vote any member present refuses to vote or fails to vote, he shall be deemed and recorded as voting against the motion.
- 18.7 Any motion on which there is a tie vote shall be deemed to be lost except where otherwise expressly provided by any Act.

- 18.8 If a member disagrees with the announcement by the Presiding Officer of the results of any vote, except a recorded vote, he may object immediately to the Presiding Officer's declaration and require the vote to be retaken by a recorded vote.
- 18.9 A member's opposition to a motion shall not be recorded in the minutes unless a recorded vote has been taken and in the recorded vote the member voted against the motion.

19.00 RECONSIDERATION

- 19.1 After a resolution has been decided, any member who voted or is deemed to have voted thereon may at any time prior to adjournment of the meeting at which such resolution was decided, move a motion to reconsider, which motion shall not require a seconder.
- 19.2 The Council shall immediately vote on the motion to reconsider.
- 19.3 If the motion to reconsider passes, no action shall be taken to carry into effect the resolution until after the resolution to be reconsidered has been disposed of at the next regular or special meeting.
- 19.4 Every resolution being reconsidered shall be declared lost, unless the majority of all the members of Council vote in favour thereof.
- 19.5 No further discussion of the resolution to be reconsidered shall be allowed until the Council has agreed to reconsider, but the member who moves the motion to reconsider may have the privilege of stating their reasons for doing so.
- 19.6 A resolution for reconsideration shall be allowed only twice in any calendar year on the same subject.

20.00 CLOSED SESSIONS

- 20.1 The Council may proceed into closed session under authority of the Municipal Act S.O. 2001, c. 25. as amended. a) Except as provided in the Municipal Act, all meetings shall be open to the public.
- 20.2 The rules governing the procedure of a closed session and the conduct of members in a closed session shall be as set out in this by-law except that;
 - a) A motion may be voted on if the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under a contract with the municipality or local board. 2001,c.25, s.239(6)
- 20.3 The number of times of speaking to any question shall not be limited, provided no member shall speak more than once until every member who desires to do so shall have spoken.
- 20.4 A motion to come out of the closed session shall always be in order and be decided without debate, except when a member is in possession of the floor. Upon completion of the closed session, the meeting shall immediately reconvene in public open session and the Presiding Officer of the closed session

shall entertain motions arising out of the business of the closed session which motions shall be voted on without debate.

21.00 RULES OF DEBATE AND CONDUCT OF MEMBERS IN COUNCIL

21.1 a) The Presiding Officer shall preside over the conduct of the meeting, including the preservation of good order and decorum, ruling on points of order, questions of privilege, points of information and ruling on all questions relating to the procedure of the meeting. Any ruling made by the Presiding Officer is subject to an appeal to the members by any member.

b) If an appeal is made by a member on a ruling of the Presiding Officer, the member appealing shall, after announcing the appeal, state his reasons for such appeal and the Presiding Officer shall then indicate why the appeal should be rejected and their ruling upheld. Without further debate on the appeal, the members, by recorded vote, shall then vote on the appeal. If the appeal is upheld then the Presiding Officer shall change their ruling accordingly. If the appeal is rejected then the ruling stands.

21.2 The Presiding Officer may speak on any matter before the commencement of debate on that matter. In addition, the Presiding Officer may speak to close the debate on any matter after every member wishing to speak has spoken.

21.3 Every member after being recognized by the Presiding Officer and prior to speaking to any matter, shall respectfully address the Chair.

21.4 A member who moves a motion on a matter has the first right of speaking on that matter after the Presiding Officer, once the motion has been seconded.

21.5 A member shall not speak more than once on a matter without leave of the Presiding Officer except:

- a) If requested by the Presiding Officer or a fellow member for answers and/or explanations respecting part or parts of a member's remarks; or
- b) To explain remarks which the member believes have been misunderstood; or
- c) In the case of a motion, just before the Presiding Officer and after every member wishing to speak on the main motion has spoken provided that the member is the one who moved the motion concerned.
- d) The right of reply does not apply to movers of amending motions.

21.6 No member, without leave of the Presiding Officer, shall speak to a matter or in reply for longer than five (5) minutes.

21.7 A member may, through the Presiding Officer,

- a) ask questions of a previous speaker arising out of those speaker's remarks.
- b) seek an explanation from a previous speaker of any part of that speaker's remarks.

21.8 A member may, during the discussion of any particular item on the Agenda, ask questions, through the Presiding Officer, of any Department Head of the Municipality in attendance at the meeting, pertaining to the item concerned.

21.9 Every motion is the property of the Council and may be withdrawn or modified at any time prior to the vote thereon with the consent of the mover and seconder.

21.10 Motions shall be debated in the order of their presentation to the Presiding Officer.

22.00 POINTS OF ORDER AND QUESTIONS OF PRIVILEGE

22.1 When a member desires to call attention to what he believes to be a violation of the Rules of Procedure he shall, when recognized by the Presiding Officer, raise a point of order. On raising the point of order a member shall state the point of order with a concise explanation and the Presiding Officer shall rule upon the point of order.

Unless a member immediately appeals to the members, the ruling of the Presiding Officer on the point of order shall be final.

If the ruling is appealed, the appeal procedure set out in subsection 21.1 hereof shall be followed.

Once the point of order has been dealt with, the debate shall resume at the point it was before the point of order was raised unless the decision on the point of order has changed this procedure.

22.2 When a member desires to address the meeting upon a matter that concerns the rights or privileges of the Council collectively or of themselves as members thereof, they shall be permitted to raise such matter of privilege, and a matter of privilege shall take precedence over other matters except for points of order and motions to adjourn.

22.3 When a member is called to order by the Presiding Officer so that a point of order or a question of privilege can be dealt with, the member shall cease their remarks until the point of order or question of privilege, as the case may be, has been dealt with after which such member is entitled to resume the floor and continue their remarks unless the decision on the point of order or question of privilege, as the case may be, requires the procedure to be changed.

23.00 COMMITTEES

23.1 Committees may be appointed by Council from time to time to consider specific matters or to serve in an advisory capacity.

23.2 The following applies to all committees:

- a) The rules and regulations contained in this by-law shall apply to all committees, with necessary modifications.
- b) The members of a committee shall appoint a Presiding Officer from among them and shall specify the term of office.

- c) Notwithstanding 23.1, the Head of Council may recommend appointments from the members of Council to serve on Committees.
- d) Unless authorized by by-law, no committee or member of a committee shall incur any expense or liability in the name of the Corporation.
- e) Unless authorized by by-law, no committee or member of a committee shall become involved in any of the day-to-day departmental operations or direct any Municipal employee.
- f) When a date set for a committee meeting conflicts with a regular Council meeting, then the committee meeting shall be held on the previous working day.
- g) The Committees shall meet as decided by the Committee.
- h) The Committees shall adhere to all policies adopted by Council. i.e. procedural, purchasing, tendering, hiring, etc. and all Committees will be provided with copies of such.

24.00 COMMITTEE AGENDAS

24.1 The Committee Secretary shall have prepared for the use of members at the regular meeting of the standing committees, an agenda under the following headings, if applicable:

- a) Meeting Called to Order (Secretary to record attendance)
- b) Addendum to the Agenda (in the case of emergency or urgency, as the Recording Secretary may determine from time to time. The Addendum shall include provision for declaration of conflict);
- c) Declarations of Pecuniary Interest;
- d) Public Presentations;
- e) Adoption of Minutes (previous meeting(s))
- f) Reports: Staff/Committee Reports (action Sheets/communications)
- g) Unfinished Business;
- h) New Business;
- i) Disbursements;
- j) Notice of Motions;
- k) Member Comments;
- l) Closed Session;
- m) Adjournment.

25.00 RESOURCE STAFF

25.1 Municipal staff, shall render assistance to Council, and any committee and shall attend meetings as directed by the Clerk.

26.00 AMENDMENT TO THIS BY-LAW

Section 238	Procedural by-law; Subsections Amended, Added and Repealed and Substituted. Notice requirement of Subsection 238(4) removed – no longer a requirement to give notice of intention to pass a procedural by-law. However, subsection 238(2.1) requires procedure by-law to provide for notice of meetings.
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27.00 REPEALED-BY-LAW

27.1 By-law No. 2007-1136 as amended, being a by-law to regulate the proceedings of Council, is hereby repealed.

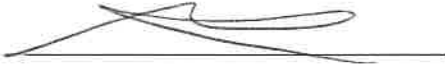
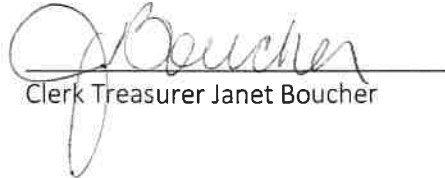
28.00 SHORT TITLE

28.1 This by-law shall be cited as "The Procedural By-law".

29.00 FORM ATTACHMENT

29.1 Delegation request form – schedule A

READ THREE TIMES AND PASSED MAY 1, 2018


Reeve Mark Henderson

Clerk Treasurer Janet Boucher

SCHEDULE A-By-law no. 2018-1398
THE CORPORATION OF THE TOWNSHIP OF JOCELYN

3670 5th Side Road R.R. #1 Hilton Beach, Ontario POR IGO

JANET BOUCHER
Clerk Treasurer

Phone (705)246.2025
Fax (705)246-3282
Email: admin@jocelyn.ca

REQUEST TO BE A DELEGATE AT A COUNCIL MEETING

1. Person/organization attending: _____
2. Date you wish to attend: _____
3. Reason for Attendance: _____

4. Background for Council: _____

5. Proposed Solution for Council: _____

6. If not covered under #5 (proposed solution), what response are you looking for from Council (e.g. decision or resolution agreeing or disagreeing with the subject, letter of support, further investigation by Council, Etc.

Name of Delegate (Please Print) _____

Signature of Delegate (required) _____

Contact Information:

Mailing Address: _____

Email Address: _____

Phone Number: _____

Date of request: _____

Note: Pursuant to the Procedural By-Law, delegations *may* be heard by Council. Matters that, in the opinion of Council, are not their legislative authority to control, may be declined. Requests for inclusion must be received in writing, on this form, no later than the Tuesday the week prior to the Council meeting.