

**The Corporation of the  
Township of East Zorra-Tavistock**

**County of Oxford**

**By-law #2024 - 29**

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A by-law to repeal By-law #2018-01, as amended, and to enact a new by-law to regulate the proceedings of the Council and Committees of the Township of East Zorra-Tavistock.

**Whereas** the Municipal Act, S.O. 2001, Chapter 25, Section 238(2) requires Council to pass a by-law for governing the calling, place and proceedings of meetings;

**And Whereas** Section 238(2.1) requires that the procedure by-law shall provide for public notice of meetings;

**And Whereas** Council deems it desirable to set out regulations governing the proceedings of Council and its committees and members;

**NOW THEREFORE COUNCIL OF THE TOWNSHIP OF EAST ZORRA-TAVISTOCK ENACTS AS FOLLOWS:**

**1.0 GENERAL**

- 1.1 This by-law may be cited as "The Procedural By-law".
- 1.2 Any procedure required by this by-law may be suspended by a majority vote of the members of Council present.
- 1.3 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 at a previous regular meeting of Council and the waiving of this notice by Council is prohibited.

**2.0 APPLICATION**

- 2.1 The rules and regulations contained in this by-law shall be observed in all proceedings of Council.

2.2 The rules and regulations contained in this by-law shall be observed in all proceedings of committees, sub-committees, boards and groups appointed or authorized by Council to make recommendations or carry out business on behalf of the Township of East Zorra-Tavistock, subject the appropriate modifications as set in Section 12.

**3.0 MEETINGS**

3.1 Meetings shall mean any regular, special or other meeting of Council, of a local board, of committees, sub-committees and groups appointed or authorized by Council to make recommendations or carry out business on behalf of the Township, where:

3.1.a A quorum of members is present;

3.1.b Members discuss or otherwise deal with any matter in any way that materially advances the business or decision making of the Council, local board, committee, sub-committee and groups appointed or authorized by Council to make recommendations or carry out business on behalf of the Township.

3.2 All meetings shall be open for attendance by the public except for matters set out in Section 5.59. All decisions of Council, except those provided as direction to Staff under the provisions of Section 5.59, shall be made in public.

***Chair***

3.3 The Mayor shall be the Chair at all meetings of Council.

3.4 If the Mayor is absent from the Township, or if he/she is absent through illness, or if he/she refuses to act, or if the office is vacant, the Deputy Mayor shall assume the duties of the Mayor and have all rights, powers and authority of the Mayor, while so acting.

3.5 If both the Mayor and Deputy Mayor are absent from the Township, or if they are absent through illness, or if they refuse to act, or if their office is vacant, a member of Council shall be appointed by Council to act from time to time in the place of the Mayor and shall have all the rights, powers and authority of the Mayor, while so acting.

***Quorum***

3.6 Four members of Council, not prevented from voting by any pecuniary interest, shall constitute a quorum.

- 3.7 If members present are ineligible to vote due to any pecuniary interest, they shall not be counted in making up the quorum. If, however, in such a case, the number of members remaining is insufficient to make up a quorum, the remaining members, provided there are at least 2, shall be deemed to constitute a quorum, in accordance with the Municipal Conflict of Interest Act R.S.O. 1990 c. M.50 Section 7(1).
- 3.8 As soon after the hour of the meeting as there shall be a quorum present, the Chair shall take the chair and call the meeting to order.
- 3.9 If no quorum is present thirty (30) minutes after the time appointed for the meeting, the Clerk shall record the names of the members present and the meeting shall stand adjourned until the date of the next regular meeting.
- 3.10 If the Mayor does not attend the meeting within fifteen (15) minutes after the time appointed for a meeting, the Deputy Mayor shall take the chair, call the meeting to order and preside until the Mayor arrives. If both the Mayor and Deputy Mayor fail to attend the meeting within fifteen (15) minutes after the time appointed for a meeting, the Clerk shall call the meeting to order and a member of Council shall be appointed by resolution of Council to preside until the Mayor or Deputy Mayor arrive.
- 3.11 If it is known the Mayor and/or Deputy Mayor will not be attending the meeting or will be late attending the meeting, the meeting shall proceed as set out in Section 3.10 but with the fifteen (15) minute provision removed.

#### ***Curfew***

- 3.12 No item of business may be dealt with at a Council meeting after five (5) hours of the meeting commencing.

#### ***Notice of Meetings***

- 3.13 The Clerk shall give Notice of each meeting to members, staff, media and the public through the posting of the meeting Agenda, on the Township's website.
- 3.14 The Agenda shall be accompanied by any matter, so far as known, to be brought before such meeting.
- 3.15 The Agenda shall be provided a minimum of forty-eight (48) hours prior to the meeting.
- 3.16 If practical, delivery may also be made electronically by email to the Council or Committee members.
- 3.17 Delivery shall be deemed to have taken place when the last agenda is delivered or sent as per Section 3.15.

- 3.18 Lack of notice, or failure to receive the Agenda, shall not affect the validity of holding the meeting or of any action taken at the meeting.
- 3.19 Council or Committee meetings may be cancelled in consultation with the Mayor or respective Committee Chair, along with the CAO and Clerk, if insufficient business will be before Council or the Committee. Notice of cancellation should be provided as soon as possible.
- 3.20 If it appears that inclement weather or other unforeseen situation will prevent the majority of Members from attending a meeting, the Mayor may direct the Clerk to postpone that meeting by contacting as many members as they are able to reach by telephone and/or email, and notifying the public via a website update.

### ***Meeting Location***

- 3.21 In accordance with Section 236 (1) of the Municipal Act, meetings shall be held within the municipality or an adjacent municipality, as set out in the municipality's procedural by-law. Accordingly, Council and Committee meetings shall be held in the Council Chambers, Township Administration Building, Hickson, Ontario, or electronically, unless Council or the respective Committee or Board, by resolution, directs otherwise.
- 3.22 Despite Section 3.21 of this by-law, in the case of an emergency, or where an emergency has been declared to exist in all or part of the municipality under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, Council may hold its meetings electronically, or at any location within or outside the municipality.

### ***Inaugural Meeting of Council***

- 3.23 The inaugural meeting of Council shall take place at 7:00 p.m. on the first Wednesday following November 15<sup>th</sup>, in the year of the election. The Agenda shall be modified for the inaugural meeting to make provisions for officially commencing the office of the members of Council.
- 3.24 Members shall not be permitted to participate electronically in the inaugural meeting.

### ***Regular Meetings***

- 3.25 Regular meetings of Council shall be held on the first Wednesday of the month at 9:00 a.m. and on the third Wednesday of the month at 7:00 p.m.
- 3.26 When the day for a regular meeting falls on a public or civic holiday, Council shall meet at the same hour on the next day following that is not a public or civic holiday, unless Council decides otherwise at a previous meeting.

***Special Meetings***

- 3.27 The Clerk shall summon a Special Meeting, for the purpose and at the time requested:
- 3.27.a Upon the Mayor requesting that a Special Meeting of Council be held; or,
- 3.27.b Upon the passing of a resolution by Council at a previous meeting, to hold a Special Meeting of Council.
- 3.28 Notice of a Special Meeting shall be given to the members through the provision of an Agenda setting out the time, date and location of the meeting and shall state the business to be considered at such a meeting. Notwithstanding Section 3.15, notice of a Special Meeting shall be delivered a minimum of twenty-four (24) hours prior to the meeting.
- 3.29 An email and/or telephone message shall also be left for each member regarding the Special Meeting.
- 3.30 The only business to be dealt with at a Special Meeting is that for which the meeting has been called and set out in the Agenda for the meeting.
- 3.31 Where a Special Meeting includes the opportunity for public feedback on a particular matter, notice of the meeting shall be posted at the Township Administration Building, forwarded to local media and if there exists, a group of people having specific concerns related to the matter to be discussed at the Special Meeting. If possible, a spokesperson for this group may also be notified, to advise other members of the group of the Special Meeting. Notification of the meeting does not entitle members of the public to necessarily address Council without leave.

***Hybrid Meetings***

- 3.32 While it is recognized that fully in-person meetings are desirable as it builds comradery among Members of Council and Staff, and provides for open and transparent meetings with the public being able to attend meetings in the Council Chambers, electronic participation by members in meetings taking place in the Council Chambers, may be permitted.
- 3.33 Notwithstanding Section 3.32, a quorum of members must be physically present in the Council Chambers for the meeting to proceed. Permission to participate electronically will be granted on a first come, first served basis.
- 3.34 Notwithstanding Section 3.32, Members of Council are limited in the use of electronic participation to short term periods of no more than thirty (30) days, with no more than five (5) meetings permitted to be participated in electronically over a 12-month period.

- 3.34.a Notwithstanding Section 3.34, at the written request of the Member, Council may pass a resolution to allow a Member to participate electronically for a period longer than thirty (30) days and/or for more than five (5) meetings per 12-month period.
- 3.35 The Mayor and Committee Chairs must be physically present in the Council Chambers to Chair the meetings. If they are not physically present, an alternate member will Chair the meeting. The Mayor and Committee Chairs may participate as a member of Council or the Committee, respectively, if they are participating electronically.
- 3.36 Members participating electronically shall remain subject to the sections of this By-law, and any other bylaws, legislation or policies that pertain to conduct, ethics etc., during the proceeding of Council or the Committee.
- 3.37 Members shall provide at least forty-eight (48) hours notice to the Clerk that they will be participating electronically prior to the meeting, in order for the Clerk to facilitate participation of the member.
- 3.38 Members participating electronically are encouraged to advise in advance with the Clerk or Secretary of the meeting regarding items to which the member wishes to speak.
- 3.39 Members participating electronically shall be responsible for maintaining their own equipment and internet connection to effectively participate in the meeting. The Mayor and Committee Chairs shall be provided appropriate equipment and/or device(s) to manage the electronic participants.
- 3.40 In the event of a connection or service interruption with a Member participating electronically in a meeting, the Chair may recess the meeting for up to five (5) minutes. After five (5) minutes of no connection with the Member, the meeting shall resume without the Member. If a Member can no longer participate by electronic means, it will not affect the validity of the meeting or decisions made.
- 3.41 Members participating electronically shall:
- 3.41.a Be mindful that their video will be visible to the public and should review their personal attire, background/ general optics of the on-screen area, lighting, camera angles and location with this in mind.
- 3.41.b Have their camera on for the entirety of the meeting. If a Member must step away from the meeting for an extended period of time, the member should leave the meeting and rejoin afterwards.
- 3.41.c Look straight into their camera when speaking so as to make eye contact with the meeting participants.

- 3.41.d Keep their microphone muted unless speaking.
- 3.41.e Keep their body movements to a minimum as multiple or rapid movements can cause the video to pixelate.
- 3.42 Members participating electronically during a Closed to the Public Session shall ensure that they are in an enclosed private space with no opportunity for household members or others to overhear or otherwise violate the confidentiality of the information being presented or discussed.
- 3.43 The Township will use necessary audio and video recording equipment during hybrid meetings for the purpose of livestreaming meetings, for transparency to the public.

***Electronic Meetings – Declared Emergency***

- 3.44 Where an emergency has been declared to exist in all or part of the municipality under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, members of Council may participate and vote electronically in a meeting which is open or closed to the public during any period when an emergency has been declared to exist. As well, and despite Sections 3.6 to 3.11 (inclusive) of this by-law, a member of Council who is participating and voting electronically in such a meeting may be counted in determining whether or not a quorum of members is present at any point in time.
- 3.45 Any decision(s) related to the calling of a meeting electronically shall be made by the Mayor or respective Committee Chair, in consultation with the CAO and Clerk.
- 3.46 The Clerk, in consultation with the Mayor or respective Committee Chair and CAO, shall determine the appropriate technology to provide for electronic means of participation in the meeting, provided that it allows for the following to occur simultaneously:
  - 3.46.a Each person may hear any person authorized to speak;
  - 3.46.b Each participant entitled to speak may indicate to the Chair that they desire to speak; and,
  - 3.46.c Public access is provided
- 3.47 The Township will use necessary audio and video recording equipment during electronic meetings for the purpose of livestreaming meetings, for transparency to the public.

***Livestreaming***

- 3.48 Livestreaming meetings aims to improve accessibility for community participation, while providing more flexibility and convenience to access a wider audience. This leads to greater transparency, integrity and confidence in the decision-making process.
- 3.49 Regular and Special Meetings of Council held in the Council Chambers, Township Administration Building, Hickson, Ontario shall be video/audio recorded, and livestreamed.
- 3.50 Proceedings of Committees, Boards, Closed to the Public Sessions of Council or any Council meetings held in a location other than the Council Chambers shall be exempt from video/audio recording and livestreaming.
- 3.51 The following procedures shall be followed for livestreaming:
- 3.51.a Staff shall ensure that meetings as noted above are livestreamed through an appropriate platform which is accessible to all members of the public. A link to the livestream will be available ahead of the meeting on the Township's website.
- 3.51.b If technical issues are encountered that makes the livestream feed unavailable during the meeting, the following shall apply:
1. If the meeting is open to the public for physical attendance, the meeting shall proceed as per the stated agenda. Staff will inform the meeting Chair as soon as practicable that the livestream is unavailable;
  2. If the meeting is held wholly electronically and/or there is no opportunity for the public to view proceedings through other means, the meeting shall cease until such time as the technical issues are resolved. After fifteen (15) minutes without resolution, the meeting shall be deemed to be adjourned.
- 3.51.c In accordance with the Municipal Act, 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.
- 3.51.d Video files from livestreaming that are on the Internet are part of the public realm and as such, are subject to alteration by a member of the public with no municipal control over such alterations. The Township assumes no liability associated with any alterations that are made by a member of the public on the Internet.



3.51.e The Chair has the discretion and authority at any time to direct the interruption or termination of livestreaming of a meeting. Such direction will only be given in exceptional circumstances when deemed relevant or necessary. Circumstances include, but are not limited to instances:

1. Where the content of debate is considered misleading, defamatory or infringing on copyright;
2. Where there has been an unauthorized breach of privacy of an individual, or unauthorized disclosure of the personal information of an individual;
3. Where comments are made that constitute discrimination, hatred or vilification of an individual or group of individuals based on race, gender identity, sexual orientation, ability, age, religion or other protected human right;
4. Where comments are made which disclose confidential or privileged information, pose a threat to Township infrastructure, staff, or the security of Township systems.

3.51.f It is not the intention of livestreaming to capture those attending the Council meeting in the gallery, however, this may occur due to camera angles and seating arrangements. By attending the Council meeting, attendees are consenting to their image, voice or comments being recorded.

3.51.g Notwithstanding Section 3.52.f, any member of the public who requests to speak as part of a Public Meeting, Hearing, Delegation or Appointment will be audio/video recorded and their voice and image will form part of the livestream.

3.51.h In order to advise members of the public that meetings are being livestreamed, recorded and are available on the Internet, the following shall be implemented:

1. Signage shall be posted in the Council Chambers;
2. A notation will be added to all Regular and Special Council meeting Agendas;
3. Announcement by the Chair at the commencement of all Regular and Special Council meetings.

**4.0    DUTIES OF THE CHAIR**

4.1    It shall be the duty of Chair:

- 4.1.a    to open the meeting of Council by taking the Chair and calling the Members to order;
- 4.1.b    to announce the business before Council in the order in which it is to be acted upon;
- 4.1.c    to receive and submit, in the proper manner all motions presented by the Members of Council;
- 4.1.d    to put to a vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and to announce the result;
- 4.1.e    to decline to put to a vote, motions which infringe the rules of procedure;
- 4.1.f    to restrain the Members, within the rules of order, when engaged in debate;
- 4.1.g    to enforce and preserve on all occasions the observance of order and decorum of the meeting;
- 4.1.h    to call by name anyone persisting in breach of the rules of order of Council or otherwise disrupting the meeting or speaking disrespectfully of anyone or anything, at the discretion of the Chair, thereby ordering that person to vacate the Council Chamber or otherwise leave the meeting;
- 4.1.i    to receive all messages and other communications and announce them to Council;
- 4.1.j    to authenticate, by his/her signature when necessary, all by-laws, resolutions and minutes of Council;
- 4.1.k    to inform Council, when necessary or when referred to for the purpose, in a point of order or usage;
- 4.1.l    to represent and support Council, declaring its will, and implicitly obeying its decisions in all things;
- 4.1.m    to ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of Council;
- 4.1.n    to adjourn the meeting when the business is concluded;
- 4.1.o    to adjourn the meeting without question put in the case of grave disorder arising in the Council Chambers;

4.1.p to expel any person for improper conduct at a meeting of Council.

**5.0      AGENDA**

5.1 The Clerk shall have prepared and printed for the use of the members of Council at the regular meetings of Council an Agenda under the following headings:

1. Call to Order, Notice of Livestreaming and Opening Remarks
2. Approval of Agenda
3. Disclosure of Pecuniary Interest and General Nature Thereof
4. Minutes
5. Public Meetings and Hearings
6. Delegation and Appointments
7. Correspondence
8. Reports
9. By-laws
10. Notice of Motion and New Business
11. Unfinished Business
12. Closed to the Public Session
13. Confirming By-law
14. Adjournment

5.2 At any time prior to preparation of the Agenda, a member of Council may request an item of business be included in the Agenda.

5.3 The business of Council shall be taken up in the order in which it appears in the Agenda, unless decided otherwise by the Chair.

***Approval of the Agenda***

5.4 The Agenda for each meeting shall be approved by resolution.

5.5 An item of business not contained in the Agenda circulated to members, cannot be introduced at a meeting without the approval of Council expressed by resolution. Additional Agenda items shall be approved for inclusion during approval of the Agenda. In the interest of openness and transparency of Council business, and in the interest of allowing members the appropriate time to review additional business items, members should consider the actual urgency and/or time sensitivity of adding items of business to the Agenda that was circulated to members prior to the meeting.

5.6 The Agenda for each meeting shall be approved by resolution.

***Disclosure of Pecuniary Interest and General Nature Thereof***

- 5.7 Prior to a particular matter being addressed, Members shall declare any direct or indirect pecuniary interests they may have, and the general nature thereof, in connection with that matter pursuant to the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50, as amended.
- 5.8 The Clerk shall maintain a registry of each declaration filed/recorded.
- 5.9 Where a Member has a pecuniary interest or conflict of interest, the Member shall not take part in the discussion of, or vote on, any question in respect of the matter and shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.
- 5.10 If the declared pecuniary interest or conflict of interest is with respect to an item on a Closed to the Public Session Agenda, in addition to complying with the requirements of this subsection, the Member shall forthwith leave the Closed to the Public Session, or that part of the Closed to the Public Session during which the matter is under consideration. Upon rising from the Closed to the Public Session, the Chair shall state the declaration of pecuniary interest or conflict of interest disclosed during the Closed to the Public Session.
- 5.11 Where the interest of a Member has not been disclosed by reason of the Member's absence from the Meeting, the Member shall disclose the interest at the first subsequent Meeting thereafter.
- 5.12 Members shall not ask another Member of Council, Township Staff, or the Township's solicitor whether that member should declare a pecuniary interest or conflict of interest.
- 5.13 Notwithstanding Section 5.12, Members have the authority to refer potential conflicts and/or questions to the Integrity Commissioner.

***Minutes***

- 5.14 The Minutes shall record:
  - 5.14.a The place, date and time of the meeting;
  - 5.14.b The names of the Chair, present and absent members of Council and staff members present;
  - 5.14.c The reading (if requested), correction and confirmation of the Minutes of prior meetings;
  - 5.14.d All other proceedings of the meeting without note or comment whether the meeting is closed to the public or not.

- 5.15 For the implementation of Section 5.14.d, separate Minutes for the open and closed to the public portion of the meeting shall be maintained by the Clerk.
- 5.16 Minutes for the closed portion of the meeting shall be maintained by the Clerk in such a manner that they are not disclosed publicly.
- 5.17 Minutes of the last Regular or Special meeting(s) of Council, and from all special and standing committee and board meetings, shall be prepared for and included with the Agenda for the next Regular meeting of Council, or regular meeting of the respective committee or board (as applicable), for confirmation. Minutes shall be posted publicly following their confirmation by Council, or the respective committee or board (as applicable).
- 5.18 In accordance with the Municipal Act, Minutes of meetings are to be recorded without note or comment by the Clerk or designate. Although meetings may be video/audio recorded and/or livestreamed, the approved written Minutes shall be the official record of all meetings.

***Public Meetings and Hearings***

- 5.19 Matters requiring a Public Meeting or Hearing that may take place at a Council meeting shall be included under the Public Meeting or Hearing section of the Agenda. The procedure to be followed at a Public Meeting or Hearing shall be in accordance with this section, subject to any requirements set out in the laws or regulations requiring and governing such a meeting or hearing.
- 5.20 Two or more Public Meetings and/or Hearings can be scheduled for the same time on the Council agenda when the Clerk deems it appropriate based on the nature of the application and the amount of time it is expected for the meeting/hearing to take.
- 5.21 In lieu of attending the Public Meeting or Hearing in person, a member of the public who wishes to address Council or the respective decision-making body may do so via electronic (virtual) participation, through the use of a video connection into the electronic meeting platform. The Clerk shall arrange for such participation.
  - 5.21.a Requests to participate electronically shall be made no later than Monday at 12:00 p.m. of the week of the Meeting.
  - 5.21.b Members of the public connected through video shall not be permitted to activate their camera or microphone and begin speaking, unless invited by the Chair to do so. A member of the public participating electronically shall abide by all of the Meeting decorum provisions of this By-law.

- 5.21.c Where electronic participation is requested, it is solely the member of the public's responsibility to ensure they have the appropriate technology to connect to the Meeting. Where technical issues arise in connecting a member of the public into a Meeting, or should the member of the public's electronic participation fail at some point during the meeting or during their address to Council or respective decision-making body, it shall in no way affect the validity of the Meeting or any action taken at the Meeting, or decision making process. Members of the public are encouraged to provide written comments that they will be speaking to during the public meeting or hearing in advance of the meeting, to ensure that their comments are captured in case of any technical issues that may arise.
- 5.21.d The Clerk may require members of the public to participate electronically in Public Meetings or Hearing in the event of any situation (including a pandemic) in which physical distancing, limited gatherings or quarantine measures are required by local, Provincial or Federal public health agencies.

### ***Delegations and Appointments***

- 5.22 Persons desiring to present information verbally or make a request of Council ("Delegations") shall give notice to the Clerk no later than Tuesday at 4:30 p.m. of the week prior for the meeting they wish to attend. The Clerk shall give due consideration to the length of the agenda and the number of Public Meetings, Hearings, Delegations and Appointments already scheduled. If, due to time constraints, it is not possible to for the requester to be placed on the agenda for the meeting they wish to attend, the Clerk shall recommend the earliest possible date when their delegation may be accommodated.
- 5.23 A member of the public may delegate via electronic (virtual) participation through the use of a video connection into the electronic meeting platform, and the Clerk shall arrange for such participation.
- 5.23.a Where a member of the public requests to participate electronically, it is solely the delegate's responsibility to ensure they have the appropriate technology to connect to the Meeting. Where technical issues arise in connecting a delegate into a Meeting, it shall in no way affect the validity of the Meeting or any action taken at the Meeting. Should a technical issue arise where the delegate is unable to continue with their presentation once it has commenced, written comments may be submitted to the Clerk which shall be distributed to all Members of Council after the Meeting.
- 5.23.b Delegations connected through video shall not be permitted to activate their camera or microphone unless invited by the Chair to do so. A member of the public delegating electronically shall abide by all of the Meeting decorum provisions of this By-law.

- 5.23.c The Clerk may require any Delegation to participate electronically in the event of any situation (including a pandemic) in which physical distancing, limited gatherings or quarantine measures are required by local, Provincial or Federal public health agencies.
- 5.24 Persons desiring to present as a Delegation shall provide detailed written background material, clearly outlining the nature of the business they wish to discuss with Council, for inclusion in the Agenda package. Information to be provided shall include:
- 5.24.a Persons name and address who will be making the presentation, as well as any other person(s) or organizations they may be representing (if applicable).
- 5.24.b A full written copy of the presentation and all other written materials to be presented to Council, for inclusion in the Agenda package as a public document. This information shall be provided to the Clerk no later than Tuesday at 4:30 p.m. of the week prior to the meeting they will be attending. The requested information is required to be received in order to secure the persons spot as a delegate for the subject meeting. Additional materials or information that were not provided for inclusion in the Agenda package shall not be presented or provided to Council at the meeting itself.
- 5.25 Municipal audio-visual equipment may be used by delegates to assist in presentations, provided that such a request is made to the Clerk no later than Tuesday at 4:30 p.m. of the week prior for the meeting where they will be presenting.
- 5.26 Delegations shall only present new information. Repetitive delegations by any persons or groups will not be considered.
- 5.27 Council may refuse to hear delegations when, in the opinion of Council, the subject of the presentation is beyond the jurisdiction of the Township.
- 5.28 After the Agenda has been prepared, persons desiring to verbally address Council may still request permission to address Council and all such requests, if granted, shall be processed by Council during Approval of the Agenda.
- 5.29 Individual delegations shall be limited to no more than ten (10) minutes. Where a delegation consists of more than five (5) persons addressing the same subject, the address shall be limited to two (2) speakers, and the total length of the address shall be limited to fifteen (15) minutes. Time involved in receiving and answering questions from Council shall not be deducted from the time limit for the delegation. The Chair will notify all delegations when they have one minute remaining in their presentation.

- 5.30 While Council shall not engage in debate with the delegate, after the presentation, Council may ask questions of the delegation. After hearing the delegation Council may consider the matter immediately or may defer the matter to gather additional information. If Council elects to consider the matter presented by the delegation immediately, discussion shall be limited to the members of Council, unless, the Chair gives leave for the delegation or another person to address Council regarding the matter.
- 5.31 Presentations invited by Council or Staff such as from consultants, other levels of government or agencies, presentations for training purposes etc. (“Appointments”) shall be given a time limit at the discretion of the Chair.
- 5.32 Presentations invited by Council may be heard at the time of an accompanying Staff report on the Agenda, if applicable. Otherwise, the presentation shall be heard as it appears in the order of business on the Agenda.
- 5.33 No Delegation or Appointment shall:
- 5.33.a Speak or present information that is disrespectful of or to any person, or group of people;
  - 5.33.b Use improper or offensive words/language;
  - 5.33.c Speak on any subject other than the subject for which they have received approval to address Council;
  - 5.33.d Appear before Council for the sole purpose of generating publicity or personal attacks; or,
  - 5.33.e Disobey the rules of procedure or a decision of the Chair.
- 5.34 The Chair may curtail any Delegation or Appointment, any questions of a Delegation or debate during the presentation, as a result of disorder or other breach of the Procedural By-law. If the Chair rules that the Delegation is concluded, the person or persons appearing before Council shall withdraw from the podium.

### ***Correspondence***

- 5.35 Every provided item of correspondence for presentation to Council, including a petition designed to be presented to Council, shall be legibly written or printed and shall not contain any obscene, offensive or improper matter or language, as determined by the Clerk, and shall be signed by at least one person.
- 5.36 Every provided item for presentation to Council shall be submitted through the Clerk.



***Reports***

- 5.37 All Staff Reports shall be in written format and signed by the department head or designate, and be submitted through the Chief Administrative Officer.
- 5.38 Tenders, proposals and quotations shall be reported under Reports, subject to the requirements of the Township's Purchasing Policy.
- 5.39 Verbal reports from members of Council and Staff may be heard under Reports.
- 5.40 Members of Council may report on conferences, seminars and training sessions attended on behalf of the Township. Reports may be verbal and/or written, depending on the nature of the information to be reported.
- 5.41 All reports of a Committee or Board shall be in written format and shall contain the recommendation(s) for the consideration of Council. Applicable Minutes from the Committee or Board meeting where the recommendation(s) were derived shall accompany the report, for the information of Council. Minutes of a Committee or Board yielding no recommendations to Council shall be submitted for Council information only, as Correspondence.
- 5.42 Reports from Committees and Boards shall be accepted or otherwise disposed of by resolution of Council.

***By-laws***

- 5.43 Every By-law shall be introduced upon motion by a Member of Council, specifying the title of the By-law.
- 5.44 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 or piece of legislation, and shall be complete with the exception of the number and date thereof.
- 5.45 Every By-law shall have three readings prior to it being passed.
- 5.46 The first and second reading of a By-law shall be decided without amendment or debate.
- 5.47 If Council determines that the By-law is to be considered further or amended, it shall be so considered prior to the third reading thereof.
- 5.48 If Council so determines, a By-law may be taken as read.
- 5.49 The Clerk shall set out on all By-laws enacted by Council the date of the several readings thereof.

- 5.50 Every By-law enacted by the Council shall be numbered and dated and shall be sealed with the seal of the Corporation and signed by the Clerk and the Chair and shall be filed for safekeeping by the Clerk.

***Notice of Motion and New Business***

- 5.51 “Notice of Motion” means an advance notice from an individual member to all other members that they will be asked to take a position on a matter at a future meeting. A Notice of Motion will be considered under “Notice of Motion and New Business” on the Agenda.
- 5.52 A Member may introduce a Notice of Motion at a meeting and the motion shall form part of the Agenda at a subsequent meeting of Council. A Notice of Motion shall not be considered or otherwise disposed of unless the mover of the motion is in attendance at the meeting.
- 5.53 There shall be no debate or discussion on the motion itself until it appears on an Agenda for consideration.
- 5.54 At the meeting where the Notice of Motion is considered, it shall be treated as any other motion, requiring it to be moved and seconded before being debated or adopted.
- 5.55 Requests to add New Business to the meeting that was not included on the Agenda that was circulated to members shall only be considered under the provisions of Section 5.5.

***Unfinished Business***

- 5.56 Any item of business which has been discussed by Council at a prior meeting, but not disposed of, may be raised again at any subsequent regular meeting of Council under “Unfinished Business” on the Agenda, subject to Section 5.5.
- 5.57 Standing items may be added to the Unfinished Business section of the Agenda to appear at subsequent meetings, and will appear until the item has been disposed of, or otherwise removed at the pleasure of Council.

***Closed to the Public Session***

- 5.58 “Closed to the Public Session” means a closed session of a Council, of a local board, of committees, sub-committees and groups appointed or authorized by Council to make recommendations or carry out business on behalf of the Township, which is closed to the public in accordance with the requirements of the Municipal Act.

- 5.59 Council may adjourn to a Closed to the Public Session to consider matters pertaining to:
- 5.59.a The security of the property of the municipality or local board;
  - 5.59.b Personal matters about an identifiable individual, including municipal or local board employees;
  - 5.59.c A proposed or pending acquisition or disposition of land by the municipality or local board;
  - 5.59.d Labour relations or employee negotiations;
  - 5.59.e Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
  - 5.59.f Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
  - 5.59.g A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
  - 5.59.h The meeting is held for the purpose of educating or training the members and at the meeting no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee;
  - 5.59.i 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;
  - 5.59.j 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;
  - 5.59.k 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; and/or,
  - 5.59.l 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.

- 5.60 Council shall, by resolution stating the time, adjourn to a Closed to the Public Session and shall state the general nature of the matter(s) to be considered at the Closed to the Public Session. Council shall also, by resolution stating the time, adjourn from its Closed to the Public Session.
- 5.61 No resolution or record of the meeting shall disclose any information that the head of an institution is not permitted to disclose under the Municipal Freedom of Information and Protection of Privacy Act.
- 5.62 All documents and discussion related to matters considered in the Closed to the Public Session shall be CONFIDENTIAL. Closed to the Public Session documents shall only be circulated to members of Council and Staff having responsibility for such matters. Such documents shall only be considered in the Closed to the Public Session.
- 5.63 All decisions pertaining to matters considered in the Closed to the Public Session requiring members to vote shall be made after the session adjourns and Council reconvenes in open session, save and except direction provided to Staff within the Closed to the Public Session.

## **6.0    MOTIONS**

- 6.1 Every motion shall be in writing, with the name of the mover and seconder being recorded on the motion by the Clerk or designate.
- 6.2 A motion must be formally seconded before the Chair can put the question to Council or the motion be recorded in the minutes.
- 6.3 When a motion is presented to Council in writing, it shall be read or if it is a motion which may be presented orally, it shall be stated by the Chair before debate.
- 6.4 A motion regarding a matter which is beyond the jurisdiction of the Council shall not be in order.
- 6.5 After a motion is read or stated by the Chair it shall be deemed to be in possession of Council but may, with the permission of Council, be withdrawn at any time before decision or amendment.

### ***Motion to Amend***

- 6.6 A motion to amend shall:
- 6.6.a Be presented in writing;

- 6.6.b Receive disposition of Council before a previous amendment or the question;
- 6.6.c Not be further amended more than once provided that further amendment may be made to the main question;
- 6.6.d Be relevant to the question to be received;
- 6.6.e Not be received proposing a direct negative to the question;
- 6.6.f Not propose a separate and distinct disposition of a question;
- 6.6.g Be put in the reverse order to that in which it is moved.

***Motion to Adjourn***

- 6.7 A motion to adjourn shall:
  - 6.7.a Always be in order except as provided by these rules;
  - 6.7.b Not be in order when a Member is speaking or during the verification of a vote.

***Privilege***

- 6.8 A motion on a matter of privilege shall receive disposition of Council forthwith upon receipt and, when settled, the question so interrupted shall be resumed from the point where it was suspended.

***Reconsideration***

- 6.9 When a question has been brought before Council and voted upon, it shall not be voted upon a second time unless a resolution to reconsider is moved by a member from among those who voted with the majority.
- 6.10 If the motion for reconsideration is made the same day the first vote is taken, it shall be decided without debate. If the motion to reconsider is not made until a following meeting, it shall be brought forward under "Unfinished Business" and is open for debate.
- 6.11 The question shall not be reconsidered unless a majority votes therefor.
- 6.12 No question shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.

- 6.13 If a motion to reconsider is decided in the affirmative, such reconsideration of the original motion shall become the next order of business, unless the motion calls for a future definite date, and debate on the motion to be reconsidered may proceed as though it had never previously been voted on.
- 6.14 Debate on a motion for reconsideration must be confined to reasons for or against reconsideration.
- 6.15 A member who is absent at the time a vote is taken on a motion which subsequently becomes the subject of a motion for reconsideration, shall be deemed for the purposes of reconsideration to have voted with the majority.

**7.0      VOTING ON MOTIONS**

- 7.1 Unless otherwise specified in this By-law or any Act or regulation, a majority vote of the quorum of Council shall be required to carry a motion.
- 7.2 Except where otherwise expressly provided by this By-law or any Act or regulation, any question on which there is an equality of votes (a 'tie vote') shall be deemed to be in the negative.

***Chair may vote***

- 7.3 The Chair, except where he/she is disqualified from voting by reason of pecuniary interest, may vote with the other members on all questions.

***Procedure for voting***

- 7.4 Immediately preceding the taking of the vote, the Chair or Clerk shall state the question in the precise form in which it will be recorded in the minutes.
- 7.5 After a question is finally put by the Chair or Clerk, no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the results have been declared.
- 7.6 When the Chair calls for the vote on a question, each Member shall occupy his/her seat and shall remain in his/her place until the result of the vote has been declared by the Chair, and during such time no Member shall walk across the room to speak to any other Member or make any noise or disturbance.

***Unrecorded Vote***

- 7.7 The manner of determining the decision of Council on a motion shall be by a show of hands when the vote is unrecorded.

- 7.8 If a Member disagrees with the announcement of the Chair that a question is carried or lost he/she may, but only immediately after the declaration by the Chair, appeal the declaration and request that a recorded vote be taken.

### ***Recorded Vote***

- 7.9 A request for a recorded vote can only be made before the vote is taken except as set out in Section 7.8.
- 7.10 When a member requests a recorded vote, all Members present at the Council meeting shall vote in alphabetical order, starting with the person who called for the recorded vote, unless they are prohibited by a pecuniary interest.
- 7.11 If two or more persons call for a recorded vote at the same time, the Chair will determine who called first and that person will vote first.
- 7.12 For a recorded vote, members shall vote orally, with those in favour of the motion saying "YES" and those opposed to the motion saying "NO". The Clerk shall record each vote on the motion and announce the results of the vote.
- 7.13 When a recorded vote is requested by a Member, or is otherwise required, the Clerk shall record, in the Minutes, the Member requesting the recorded vote and the name and vote of every Member on any matter or question.
- 7.14 If any Member at a meeting of Council when a question is put and a recorded vote taken does not vote, he/she shall be deemed as voting in the negative, except where he is prohibited from voting by a pecuniary interest.

## **8.0 RULES OF DEBATE**

- 8.1 Every Member prior to speaking to any question or motion shall address the Chair. When two or more Members request to speak, the Chair shall designate the Member who has the floor who shall be the Member who, in the opinion of the Chair, spoke first. Every Member present at a meeting of Council when a question is put forth shall vote thereon unless prohibited by a pecuniary interest.
- 8.2 When a Member is speaking no other Member shall interrupt her/him except to arise a point of order.
- 8.3 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.
- 8.4 No Member shall speak more than once to the same question without leave of the Council, except that a reply shall be allowed to be made only by a Member of Council who has presented the motion to Council, but not by any Member who has moved an amendment or a procedural motion.

- 8.5 No Member, without leave of Council, shall speak to the same question, or in reply, for longer than ten (10) minutes.
- 8.6 The following matters and motions with respect thereto may be introduced orally without written notice and without leave, except as otherwise provided by this Procedural By-law:
  - 8.6.a a point of order or personal privilege
  - 8.6.b presentations of petitions
  - 8.6.c to lay on the table
  - 8.6.d to postpone indefinitely or to a day certain
- 8.7 The following motions may be introduced without notice and without leave, but such motions shall be in writing and signed:
  - 8.7.a to refer
  - 8.7.b to adjourn
  - 8.7.c to amend
  - 8.7.d to suspend the Rules of Procedure
- 8.8 Except as provided by Section 8.6 all motions shall be in writing and signed by the mover and seconder.
- 8.9 In all unprovided cases in the proceedings of Council or in the Committee of the Whole, the matter shall be decided by the Chair, subject to an appeal to Council upon a point of order.
- 8.10 All proceedings of the Council not specifically provided for in this by-law, shall be dealt with in accordance with Roberts Rules of Order.

**9.0      POINTS OF ORDER AND PRIVILEGE**

- 9.1 The Chair shall preserve order and decide all questions of order.
- 9.2 When a Member rises to a point of order he/she shall ask leave of the Chair to raise a point of order and after leave is granted he/she shall state the point of order to the Chair and sit down and remain seated until the Chair shall have stated and decided the point of order.



- 9.3 Thereafter, a Member shall only address the Chair for the purpose of appealing the Chair's decision to Council.
- 9.4 If no Member appeals, the decision of the Chair shall be final.
- 9.5 The Council, if appealed to, shall decide the question without debate and its decision shall be final.

**10.0 CONDUCT OF MEETING PARTICIPANTS**

- 10.1 No Member of Council, Township Staff or of the Public in attendance shall:
  - 10.1.a Speak disrespectfully or use offensive words or unparliamentary language in or against the Reigning Sovereign, or of any of the Royal Family, or of the Governor-General, the Lieutenant-Governor of any province, or any Member of the Senate, the House of Commons of Canada, the Legislative Assembly of the Province of Ontario, or Oxford County Council;
  - 10.1.b Speak disrespectfully or use offensive words or unparliamentary language in or against Council as a whole, or against any member of Council, Township Staff or any members of the public;
  - 10.1.c Speak in a manner that is discriminatory in nature to any individual's vocation, race, ancestry, place of origin, citizenship, religion, creed, sex, sexual orientation, age, marital status, family status, mental ability or physical ability;
  - 10.1.d Speak on any subject other than the item on the agenda being considered;
  - 10.1.e Criticize any decision of Council except for the purpose of moving that the question be reconsidered;
  - 10.1.f Interrupt, speak-over or continue to speak when advised not to by the Chair;
  - 10.1.g Disobey the rules of the Council, or a decision of the Chair or of Council, on questions of order or practice or upon the interpretation of the rules of Council;
  - 10.1.h For members of the Public physically in attendance, approach the area where Members of Council or Staff are seated, unless invited to do so by the Chair;

- 10.1.i For member of the Public physically in attendance or afforded the opportunity to participate in the meeting electronically, display signs, placards, props or offensive attire, nor heckle or engage in private conversations or any behaviour that may be considered disruptive or offensive.
  
- 10.2 Where a meeting participant or attendee persists in any such disobedience after having been called to order by the Chair, the Chair may forthwith:
  - 10.2.a In the case of a Member of Council, put the question; no amendment, adjournment or debate being allowed, "that such Member be ordered to leave his/her seat for the duration of the meeting of the Council", but if the Member apologizes he/she may, by vote of Council, be permitted to retake his/her seat. Should the Member of Council not leave his/her seat, nor apologize, the Chair may cause the Member to be expelled or otherwise excluded and if necessary, call upon assistance to effect this ruling.
  
  - 10.2.b In the case of a member of Township Staff or a member of the Public, cause the Member to be expelled or otherwise excluded and if necessary, call upon assistance to effect this ruling.

**11.0 REPRESENTATION AT OXFORD COUNTY COUNCIL MEETINGS**

- 11.1 The Mayor shall represent the Township at all Oxford County Council meetings.
  
- 11.2 In the absence of the Mayor or the inability for the Mayor to participate, the Deputy Mayor shall represent the Township at Oxford County Council meetings.

**12.0 COMMITTEES, SUB-COMMITTEES, BOARDS ETC. OF COUNCIL**

- 12.1 In this Section Committee includes all committees, sub-committees, boards, groups, either standing or ad hoc, appointed or authorized by Council to make recommendations or carry out business on behalf of the Corporation of the Township of East Zorra-Tavistock.

12.2 When applying this by-law to committees, boards and other bodies the following substitutions may be applied as appropriate:

<b>Referred to in this By-law</b>	<b>To be used when referring to Committees</b>
Council	Committee, Sub-Committee, Board
Mayor	Chairperson
Deputy Mayor	Vice-Chairperson
Clerk	Committee Secretary
Meeting Date and Time of Council	Regular Meeting Date and Time of the Committee

12.3 Committees shall appoint a Chairperson and Vice Chairperson from amongst its members at the first meeting of the year.

12.4 A majority of the whole number of members required to constitute the committee, not prevented from voting by any pecuniary interest, shall constitute a quorum.

**13.0 REPEAL**

13.1 That By-law #2018-01, as amended, is hereby repealed.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.**

\_\_\_\_\_  
Phil Schaefer, Mayor

seal

\_\_\_\_\_  
Will Jaques, Clerk