

**THE CORPORATION OF THE
TOWNSHIP OF SIOUX NARROWS - NESTOR FALLS**

BY-LAW NO.

Being a by-law to govern the proceedings of the Council and Committees of the Township of
Sioux Narrows - Nestor Falls

The Council of the Corporation of the Township of Sioux Narrows - Nestor Falls enacts as follows;

1. In this by-law:
 - a. 'Clerk' means the Clerk of the Corporation of the Township of Sioux Narrows - Nestor Falls.
 - b. 'Council' means the Council of the Corporation of the Township of Sioux Narrows - Nestor Falls.
 - c. 'Mayor' means the Mayor of the Council of the Corporation of the Township of Sioux Narrows - Nestor Falls.
 - d. 'Councillor' means a member of the Council of the Corporation of the Township of Sioux Narrows - Nestor Falls.
 - e. 'Acting Mayor' means the Acting Mayor of the Council of the Corporation of the Township of Sioux Narrows - Nestor Falls.
 - f. "Emergency" shall mean the declaration of a Municipal Emergency under Section 4 or a Provincial Emergency under Section 7.0.1 of the *Emergency Management and Civil Protection Act*.
2. The rules and regulations contained in this by-law shall be observed in all proceedings of Council and shall be the rules and regulations for the order and dispatch of business in the Council and in the Committees thereof, provided that the rules and regulations contained herein may be suspended by a vote of Council and any case for which provision is not made herein the procedure to be followed in the Legislative Assembly of Ontario and its committees.

COUNCIL MEETINGS

3. Meetings of Council shall be held at the Council Chambers adopted and used by the Council from time to time for such purpose. The next and each succeeding regular meeting of the Council shall be held on the First and Third Tuesday of each month at 4:00 p.m., unless posted otherwise.
4. When the day for a regular meeting of Council is a public or civic holiday, the meeting shall, unless posted otherwise, be cancelled.
5. The Mayor of the Council may at any time summon a special meeting of Council on 24 hours-notice to the Members of Council, or upon receipt of the petition of the majority of the Members of Council, the Clerk shall petition and at the time mentioned in the petition. Twenty-four hours-notice of all special meetings of the Council shall be given to the Members through the Clerk's office. The only business to be dealt with at a special meeting is that which is listed in the notice of meeting.
6.
 - a. In the case of the absence of the Mayor of the Council from the Municipality, or if he/she is absent through illness, or he/she refuses to act, or his office is vacant, the Acting Mayor shall act from time to time in the place and stead of the Mayor of the Council and he/she shall have all the rights, powers and authority of the Mayor of the Council while doing so.

COUNCIL MEETINGS (cont.)

6. b. In the case of the absence of both the Mayor and Acting Mayor from the Municipality, or if they are absent through illness, or they refuse to act, or if their office is vacant, a Councillor shall be appointed to act from time to time in the place and stead of the Mayor of the Council and he/she shall have all the rights, powers and authority of the Mayor of the Council, while so doing.

CALLING A MEETING TO ORDER AND QUORUM

7. As soon after the hour fixed for the holding of the meeting of council as a quorum is present, the Mayor of the Council shall take the Chair and call the meeting to order.

ABSENCE OF THE MAYOR OF THE COUNCIL

8. a. Subject to the provisions of The Municipal Act, and where no presiding officer has been appointed under Clause 6 of this by-law, in a case where the Mayor of the Council does not attend within fifteen (15) minutes after the time appointed for the meeting of Council, the Acting Mayor shall call the Councillors to order and he/she shall preside until the arrival of the Mayor of the Council and while so presiding, the Acting Mayor of the Council shall have all the powers of the Mayor of the Council.
8. b. Subject to the provisions of The Municipal Act, and where no presiding officer has been appointed under Clause 6 of this by-law, in case the Mayor of the Council and the Acting Mayor do not attend within fifteen (15) minutes after the time appointed for a meeting of Council, the Clerk shall call the Councillors to order and an alternate Acting Mayor of Council shall be appointed from among the Councillors present and he/she shall preside until the arrival of the Mayor or the Acting Mayor, and while so presiding the Acting Mayor of Council shall have all the powers of the Mayor of the Council.

NO QUORUM

9. If no quorum is present one half hour after the time appointed for a meeting of Council, the Clerk shall record the names of the Councillors present and the meeting shall stand adjourned until the date of the next regular meeting.

CURFEW

10. No item of business may be dealt with at a Council meeting after eleven (11) p.m..

THE CONDUCT OF PROCEEDINGS AT A MEETING OF COUNCIL

11. It shall be the duty of the Mayor of the Council or other Presiding Officer:
 - a. To open the meeting of the Council by taking the chair and calling the Councillors 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 Councillors of the 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 the rules of procedure.
 - f. To restrain the Councillors within the rules of order, when engaged in debate.

THE CONDUCT OF PROCEEDINGS AT A MEETING OF COUNCIL (cont.)

- g. To enforce on all occasions the observance of order and decorum among the Councillors.
- h. To call by name any Councillor persisting in breach of the rules of order of the Council, thereby ordering him/her to vacate the Council Chambers.
- i. To receive all messages and other communications and announce them to Council.
- j. To authenticate, by his/her signature when necessary, all by-laws, resolutions and minutes of the Council.
- k. To inform the Council, when necessary or when referred to for the purpose, on a point of order or usage.
- l. To represent and support the Council, declaring its will, and implicitly obeying its decisions in all things.
- m. To ensure that the decisions of the Council are in conformity with the laws and by-laws governing the activities of the Council.
- n. To adjourn the meeting when the business is concluded.
- o. To adjourn the meeting without question put in the case of grave disorder arising in the Council Chambers.

AGENDA

- 12. The Clerk shall have prepared and printed for the use of the Councillor at the regular meetings of the Council an Agenda under the following heading:
 - 1. Call to Order
 - 2. Approve Agenda
 - 3. Disclosure of Interest
 - 4. Adoption of Minutes of Previous Meeting(s)
 - 5. Correspondence
 - 6. Disbursements
 - 7. By-Laws
 - 8. Reports from Committees
 - 9. Old Business
 - 10. New Business
 - 11. Delegations
 - 12. Adjournment
- 13. The business of the Council shall be in all cases taken up in order in which it stands upon the agenda unless otherwise decided by the Council.

MINUTES

- 14. Minutes shall record:
 - a. The place, date and time of the meeting.
 - b. The names of the Presiding Officer of officers and record the attendance of the Councillors.
 - c. The reading, if requested, correction and adoption of the minutes of prior meetings.
 - d. All other proceedings of the meeting without note or comment.

PETITIONS AND COMMUNICATIONS

15. Every communication, including a petition designed to be presented to the Council, shall be legibly written or printed and shall not contain any obscene or improper matter or language and shall be signed by at least one person and filed with the Clerk.

DEPUTATIONS (DELEGATIONS)

16. Persons desiring to present information in writing or verbally on matters of fact or make a request of the Council shall give notice to the Clerk no later than 12:00 Noon of the Thursday immediately prior the commencement of the meeting of Council and may be heard by leave of the Presiding Officer of the Council minutes except that a delegation consisting of more than five (5) persons shall be limited to two (2) speakers, each limited to speaking not more than ten (10) minutes. The notice shall be legibly written and shall include a brief summary of the matter or matters that is/are to be presented.

READING OF BY-LAWS AND PROCEEDING THEREON

17. Every by-law shall be introduced upon motion by a Member of the Council specifying the title of the by-law.
18. 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 provisions of any act and shall be complete with the exception of the number and date thereof.
19. Every by-law shall have three readings prior to it being passed.
20. The first reading of a by-law shall be received without amendment or debate.
21. If the Council determines that the by-law is to be considered in Committee of the Whole, it shall be so considered previous to the third reading thereof.
22. If the Council so determines, a by-law may be considered as being read.
23. The Clerk shall set out on all by-laws enacted by the Council the date of the readings thereof.
24. 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 Presiding Officer and shall be deposited by the Clerk in his/her office for safekeeping.

MOTIONS

25. Notices of Motion - Notice of all new motions except motions listed in Clauses 39 and 40 shall be given in writing delivered to the Clerk at least five (5) calendar days, excluding Saturdays and statutory holidays, preceding the date of the meeting at which a motion is to be introduced and a motion shall be printed in the agenda for that meeting of the Council and each succeeding meeting until the motion is considered or otherwise disposed of. The motion shall be submitted to the Clerk in writing over the signature of the mover and seconder and shall be complete and correct.
26. Dispensing with Notice - Any motion may be introduced without notice if the Council, without debate, dispenses with notice on the affirmative vote of at least a simple majority of the Councillors present and voting.
27. Seconding - A motion must be formally seconded before the Presiding Officer can put the question or a motion to be recorded in the minutes.

MOTIONS (cont.)

28. Presentation of Motion by the Mayor - 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 Mayor before debate.
29. Amendment - A motion to amend:
 - a. Shall be presented in writing.
 - b. Shall receive disposition of the Council before a previous amendment or the question.
 - c. Shall not be further amended more than once provided that further amendment may be made to the main question.
 - d. Shall be relevant to the question to be received.
 - e. Shall not be received proposing a direct negative to the question.
 - f. May propose a separate and distinct disposition of a question.
 - g. Shall be put in the reverse order to that in which it is moved.

VOTING ON MOTIONS

30. Questions Stated - Immediately preceding the taking of the vote, the Presiding Officer shall state the question in the form introduced except when a motion for the previous question has been resolved in the affirmative. He/she shall state the question in the precise form in which it will be recorded in the minutes.
31. No Interruption after Question - After a question is finally put by the Presiding Officer no Councillor shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.
32. Unrecorded Vote - The manner of determining the decision of the Council on a motion shall be at the discretion of the Presiding Officer and may be by voice, show of hands, standing or otherwise. Every Councillor present shall vote unless otherwise prohibited by law. If any Councillor does not vote he/she shall be deemed as voting in the affirmative.
33. Recorded Vote - When a Councillor present requests a recorded vote, all Councillors present at the Council or Committee meeting must vote in alphabetical order, unless otherwise prohibited by statute. The names of those who voted for and other who voted against shall be noted in the minutes. The Clerk shall announce the results. If any Councillor does not vote he/she shall be deemed as voting in the negative. A request for a recorded vote can only be made before an unrecorded vote is taken except as set out in Clause 34.
34. Exception - If a Councillor disagrees with the announcement of the Presiding Officer that a question is carried or lost, he/she may, but only immediately after the declaration by the Presiding Officer, appeal the decision and request that a recorded vote be taken.

RULES OF DEBATE

35. Every Councillor prior to speaking to any question or motion shall rise from his/her seat and address the Presiding Officer. When two or more Councillors rise to speak, the Presiding Officer shall designate the Councillor who has the floor who shall be the Councillor who, in the opinion of the Presiding Officer, rose first.
36. When the Presiding Officer calls for the vote on a question, each Councillor shall occupy his/her seat and shall remain in his/her place until the result of the vote has been declared by the Presiding Officer, and during such time no Councillor shall walk across the room to speak to any other Councillor or make any noise or disturbance.

RULES OF DEBATE (cont.)

37. When a Councillor is speaking no other Councillor shall pass between him/her and the Chair or interrupt him/her except to raise a point of order.
38. Any Councillor may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Councillor while speaking.
39. The following matters and motions with respect thereto may be introduced orally without written notice and without leave, except as otherwise provided by these Rules of Procedure:
 - a. Point of order or personal privilege.
 - b. Presentations or petitions.
 - c. To lay on the table.
 - d. To postpone indefinitely or to a day certain.
 - e. To move the previous question.
40. The following motions may be introduced without notice and without leave, but such motions shall be in writing and signed:
 - a. To refer.
 - b. To adjourn.
 - c. To amend.
 - d. To suspend the Rules of Procedure.
41. Except as provided in Clause 39 above, all motions shall be in writing and signed by the mover and seconder.
42. In all unprovided cases in the proceedings of the Council or in the Committee of the Whole, the matter shall be decided by the Presiding Officer, subject to an appeal to the Council upon a point of order.

POINTS OF ORDER AND PRIVILEGES

43. The Presiding Officer shall preserve order and decide of order.
44. The Council, if appealed to, shall decide the question without debate and its decision shall be final.

CONDUCT OF MEMBERS OF COUNCIL

45. No Councillor shall speak disrespectfully of the Reigning Sovereign, or of any of the Royal Family, or of the Governor General, the Lieutenant - Governor or any province, or any Member of the Senate, the House of Commons of Canada or the Legislative Assembly of the Province of Ontario.
46. No Member shall:
 - a. Use offensive words or unparliamentary language in or against the Council or against any Councillor;
 - b. Speak on any subject other than the subject in debate;
 - c. Criticize any decision of the Council except for the purpose of moving that the question be reconsidered;

CONDUCT OF MEMBERS OF COUNCIL (cont.)

- d. Disobey the rules of the Council or a decision of the Presiding Officer of the Council on questions of order or practice or upon the interpretation of the rules of the Council; and in case a Councillor persists in any such disobedience after having been called to order by the Presiding Officer, the Presiding Officer may forthwith put the question, no amendment, adjournment or debate being allowed, “that such Councillor be ordered to leave his seat for the duration of the meeting of the Council” but if the Councillor apologizes he/she may, by vote of the Council, be permitted to retake his/her seat.
- 47. No person except Councillors or Officers of the Council shall be allowed to come within the bar during the sittings of the Council without permission of the Presiding Officer or the Council upon reference.
- 48. When the Chair is putting the question, no Councillor shall leave or make a disturbance.

SUSPENSION OF RULES

- 49. Any procedure required by this by-law may be suspended with the consent of a majority of the Members of Council present.

PUBLIC NOTICE OF MEETINGS

- 50. That Council shall provide Public Notice of Meetings, regular or special, by posting of such meeting’s agenda, once set and distributed to Council in advance of each meeting, at the local municipal office(s) and at any other place determined by Council.

VIRTUAL MEETING PROVISIONS

- 51. Council and Committees of Council Meetings, both Open and Closed, may be conducted electronically, as determined by Council or the Administrator.
- 52. Members participating electronically will be counted in determining whether or not a quorum of members is present at any time during the Meeting.
- 53. Members participating electronically in a Closed Meeting will take all measures possible to ensure that their participation does not permit non-members to hear, see or participate in the Meeting proceedings. Security of Closed Meeting information is paramount. If a Member is unable to abide by this provision, they should not participate in the Closed Meeting.
- 54. The Administrator shall determine the method of electronic participation that will be utilized and will consider the method based on available technology, access to technology by Council and Committee Members, budgetary considerations and transparency of the method to the public. The Administrator shall provide a record of the Meeting to the public as soon as practical following the Meeting. This may include unapproved minutes or a video/audio recording of the Meeting and will be determined at the discretion of the Administrator.
- 55. If electronic participation is proposed to be used for all members of Council or Committee members, the Chair and the Clerk or Secretary will determine the most effective option to ensure that all corporate documents and records are signed as soon as possible following the Meeting.
- 56. The Administrator and Council, or Committee Chair and Secretary, shall ensure that the Meeting is not unnecessarily delayed or interrupted due to a Member’s participation via an electronic means.

VIRTUAL MEETING PROVISIONS (cont.)

- 57. Meetings held under the Virtual Meeting Provisions shall still require compliance with other non-conflicting Meeting Rules including provision of notice to the public, documentation protocols, and public access for accountability and transparency purposes.

AMENDMENT

- 58. No amendment or repeal of this by-law or any part thereof shall be considered at any meeting of the Council unless notice of proposed amendment or repeal has been given at a previous regular meeting of Council and the waiving of this notice by the Council is prohibited.
- 59. Where any by-law passed prior to this by-law conflicts with this by-law, the terms of this by-law shall prevail.
- 60. That by-law no. 192 be hereby repealed.
- 61. That this by-law come into force and take effect upon the date of final passing hereof.

READ A FIRST AND SECOND TIME
THIS 3RD DAY OF NOVEMBER, 2020.

MAYOR – N. DUFRESNE

CAO/CLERK – W. KABEL

READ A THIRD TIME AND FINALLY PASSED
THIS 3RD DAY OF NOVEMBER, 2020.

MAYOR – N. DUFRESNE

CAO/CLERK – W. KABEL