



THE CORPORATION OF THE TOWNSHIP OF NORWICH

BY-LAW NUMBER 57-2017

BEING A BY-LAW TO GOVERN THE PROCEEDINGS OF THE COUNCIL OF THE TOWNSHIP OF NORWICH AND OF ITS COMMITTEES

WHEREAS Section 238(2) of the Municipal Act, 2001, S.O.2001, c.25 as amended, requires every municipality to pass a Procedural By-law for governing the calling, place and proceedings of meetings;

AND WHEREAS the Council for the Corporation of the Township of Norwich now deems it advisable to enact a by-law to govern the proceedings of Council, the conduct of its Members and the calling of Meetings, and to provide for procedures and statutory requirements in accordance with the Municipal Act, 2001, S.O.2001, c.25 as amended, and to repeal all previous By-laws related thereto;

NOW THEREFORE the Council for the Corporation of the Township of Norwich enacts as follows:

Section 1 – DEFINITIONS AND INTERPRETATION

1.1 For the purposes of this By-law; unless stated otherwise or the context requires a different meaning:

1.1.1 **“Ad Hoc Committee”** shall mean 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.

1.1.2 **“Advisory Committee”** shall mean a committee appointed by Council to act in an advisory capacity to Council on operational and strategic issues on an on-going basis.

1.1.3 **“Chair”** in the case of the Council shall mean the Mayor, Deputy Mayor or the Member appointed to act as Chair during the absence of the Mayor and Deputy Mayor from a Meeting or a portion of a Meeting. In the case of a Statutory Public Meeting, Public Meeting or a Hearing, Chair shall mean the Mayor, Deputy Mayor or the Member, whoever presides over a portion of the Meeting of the Statutory Public Meeting, Public Meeting or a Hearing as provided for in this Procedural By-law. In the case of an Ad Hoc Committee or Advisory Committee, Chair means the Member appointed as such by the Committee.

1.1.4 **“Clerk”** shall mean the CAO/Clerk of the Township of Norwich and includes the Deputy Clerk and any official of the Township appointed by Council to exercise the power(s) of the Municipal Clerk in the absence of the Clerk or Deputy Clerk.

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- 1.1.5 **“Committee”** shall mean a committee of Council and includes Advisory Committees, or sub-committees of the Advisory Committees.
- 1.1.6 **“Committee of Adjustment”** shall mean the group of individuals appointed by the Council of the Township of Norwich to the Committee of Adjustment pursuant to the provisions of *the Planning Act, R.S.O., 1990, c.P.13, as amended*.
- 1.1.7 **“Council”** shall mean the Council of the Corporation of the Township of Norwich.
- 1.1.8 **“Councillor”** shall mean a person elected or appointed as a Member of Council but does not include the Mayor.
- 1.1.9 **“Delegation”** shall mean a person or group of persons desiring to verbally present information or to make a request to Council.
- 1.1.10 **“Deputy Mayor”** shall mean the Member of Council who is appointed to the position by Council and who, in the absence of the Mayor, shall exercise the powers and responsibilities of the Mayor provided for in this By-law or any other by-law or statute.
- 1.1.11 **“Local Board”** shall mean a local board as defined in the Municipal Act 2001, S.O.2001, c.25 as amended.
- 1.1.12 **“Mayor”** shall mean the Head of Council for the Township.
- 1.1.13 **“Meeting”** shall mean 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.
- 1.1.14 **“Member”** shall mean a Member of the Council of the Corporation of the Township of Norwich, or a member of a Committee.
- 1.1.15 **“Motion”** shall mean a question or proposal to be considered by Council and which is moved and seconded and is subject to debate. When a Motion is adopted, it becomes a Resolution.
- 1.1.16 **“Municipal Act”** shall mean the *Municipal Act, 2001, S.O.2001, c. 25*, as amended or replaced from time to time.
- 1.1.17 **“Newspaper”** shall mean a printed publication in sheet form, intended for general circulation, published regularly at intervals of not longer than one week, consisting in great part of news of current local events of general interest and made available to the public.
- 1.1.18 **“Pecuniary Interest”** shall mean a direct or indirect Pecuniary Interest within the meaning of the *Municipal Conflict of Interest Act, R.S.O.1990, chapter M.50*, as may be amended.
- 1.1.19 **“Planning Act”** shall mean the *Planning Act, R.S.O. 1990, c.P.13*, as amended.
- 1.1.20 **“Point of Order”** shall mean a statement made by a Member during a Meeting drawing to the attention of the Mayor or Chair a breach of the Rules of Procedure.

- 1.1.21 **“Presiding Member”** shall mean the Mayor or Deputy Mayor or Chair of the Meeting.
 - 1.1.22 **“Quorum”** means the minimum number of required members (50% plus one of the membership) to be in attendance to conduct the business of the meeting and vote on any matter or question to achieve a simple majority.
 - 1.1.23 **“Recorded Vote”** shall mean the written record of the name and vote of every Member present when a vote is called on any matter or question during a Meeting of Council.
 - 1.1.24 **“Resolution”** shall mean a formal expression of opinion or intention adopted by Council.
 - 1.1.25 **“Rules of Procedure”** shall mean the rules and requirements contained within this Procedural By-law.
 - 1.1.26 **“Township”** shall mean the Corporation of the Township of Norwich.
 - 1.1.27 **“Vice Chair”** shall mean such Member of a Committee who has been appointed to act in the place and stead of the Committee Chair when such Chair is absent from a meeting of the Committee for any cause and who shall exercise all the rights, power and authorities of the Chair.
 - 1.1.28 **“Website”** shall mean the Township of Norwich website address.
- 1.2 Unless the context otherwise requires, in this Procedural By-law the words used in the male gender shall include the female gender and the singular shall include the plural, and vice-versa, as the context requires.

Section 2 - GENERAL PROVISIONS

2.1 Applicability

- 2.1.1 Save as otherwise provided herein, the procedural rules and requirements of this by-law shall be observed in all Meetings of Council and Committees thereof, and shall be the rules and requirements which govern the order of their business.

2.2 Suspension of Rules and Procedures

- 2.2.1 Notwithstanding Section 2.1.1, any procedure under this by-law that is discretionary and not mandatory under statute may be temporarily suspended by a majority vote of the members present at the meeting.

2.3 Issue not Addressed

- 2.3.1 If an issue is raised that is not expressly addressed in this By-law, the issue shall be decided by the Chair presiding, subject to an appeal to the Council.
- 2.3.2 In any case where provision is not made in this by-law, the procedure to be followed shall be as near as may be that followed by Robert’s Rules of Order.

Section 3 - DUTIES OF MEMBERS

3.1 Duties of the Mayor/Presiding Member

- 3.1.1 It shall be the duty of the Mayor, or duly appointed Presiding Member, to carry out the following responsibilities:
- a) to open the Meeting by taking the Chair and calling the Members to order;
 - b) to announce the business in the order in which it is to be acted upon;
 - c) to receive and submit, in the manner prescribed by this Procedural By-law, all motions presented by Members;
 - d) to recognize any Member who wishes to speak and to determine the order of speakers;
 - e) to put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of the proceedings and to announce the results;
 - f) to decline to put to vote motions which contravene the provisions of the Procedural By-law;
 - g) to enforce the provisions of the Procedural By-law;
 - h) to enforce on all occasions the observance of order and decorum among the Members;
 - i) to call by name, any Member refusing to comply with this Procedural By-law and to order the Member to vacate the Council Chamber, or the place of Meeting, as the case may be;
 - j) to cause to be expelled and excluded any member of the public who creates a disturbance or acts improperly during a Meeting and, if necessary, to seek appropriate assistance from the Ontario Provincial Police Service;
 - k) to authenticate, by signature, all By-laws and Meeting minutes;
 - l) to rule on any points of order raised by Members of Council;
 - m) to represent and support the decisions of Council.
 - n) to adjourn the Meeting when the business is concluded, or if considered necessary because of grave disorder, to adjourn the sitting without putting to the vote any question, or suspend the sitting for a time to be named.

3.2 Duties of the Deputy Mayor

- 3.2.1 Where the Mayor gives notice to the Municipal Clerk that they will be absent from the Township, or is absent through illness, or the office is vacant, or they refuse to act, then the Deputy Mayor shall act in place and instead of the Mayor and, while so acting, has and may exercise all the rights, powers and authority of the Head of Council.

3.3 Participation of Chair in Debate

- 3.3.1 The Chair who presides over any part of a Meeting may, without leaving the chair, speak to any question under consideration prior to the question being disposed of, but it shall not be permissible for the Chair to move a motion without first leaving the chair.
- 3.3.2 If, during a Meeting of Council, the Mayor desires to leave the chair to move a motion or take part in the debate pursuant to Section 3.3.1, or otherwise, the Mayor shall call on the Deputy Mayor or, in their absence, any member to preside until the Mayor resumes the chair.

3.4 Duties of the Members of Council and Committees

- 3.4.1 It shall be the duty of the Members to carry out the following responsibilities:
- a) to deliberate on the business submitted to Council or Committee;
 - b) to vote when a motion is put to a vote, except where otherwise disqualified from doing so by law;

- c) to represent and support the decisions of Council or Committee;
- d) to Chair the portion a Meeting for which they are the appointed Chair and assume the duties of the Mayor or Presiding Member as detailed in Section 3.1.1; and
- e) to apply and respect the Rules of Procedure.

3.4.2 Council and Committee Members shall adhere to the Council Code of Conduct as adopted by Council as may be amended.

Section 4 – MEETINGS

4.1 Location of Meeting

- 4.1.1 Unless otherwise directed by Council, all Regular and Special Council Meetings shall be held in the Council Chambers of the Municipal Office at 285767 Airport Road, Norwich, Ontario.
- 4.1.2 Notwithstanding section 4.1.1, the Clerk may provide for a meeting to be held at such other location deemed appropriate where the Council Chambers may not be able to accommodate the number of anticipated participants.

4.2 Inaugural Meeting

- 4.2.1 The Inaugural Meeting of the Council shall be held on the first Tuesday in December, in a year in which a municipal election is held, at a time determined by the Mayor-Elect and the Clerk.
- 4.2.2 The Clerk shall be responsible for the location, content and format of the Agenda for the Inaugural Meeting and all arrangements related thereto.

4.3 Regular Meetings

- 4.3.1 Regular Meetings of Council shall be held on the second and fourth Tuesday of each month commencing at 9:00 am and 7:00 p.m. respectively, excepting July and August in which one meeting shall be held on the second Tuesday commencing at 9:00 am, unless such a day is a Holiday, or on such other days and times as may be determined by resolution of Council pursuant to Section 4.11.1 of this By-law.
- 4.3.2 Where a change is made to the day and time of a Meeting of Council, the Clerk shall notify the Mayor, give notice of the change to all Members in the manner set forth in Section 4.4.3 and provide notice to the Public by posting notice on the Municipal website and at the Municipal Office.

4.4 Special Meetings

- 4.4.1 In addition to Regular Meetings, the Mayor may, at any time, summon a Special Meeting of Council by giving direction to the Clerk stating the date, time and purpose of the Special Meeting.
- 4.4.2 The Clerk shall summon a Special Meeting of Council when requested to do so in writing by a majority of Members, at the time mentioned in the request.
- 4.4.3 Written notice of a Special Meeting of Council shall be given to all Members at least twenty-four (24) hours before the time appointed for such Meeting and shall be delivered electronically via e-mail to their respective Municipal e-mail address. Such notice shall indicate the nature of the business to be considered at the Special

Meeting as well as date, time and place of the Meeting.

4.4.4 No business other than that indicated in the notice shall be considered at the Special Meeting.

4.4.5 All Special Meetings of Council shall be held at the Council Chambers unless an alternative location is specified in the notice of Special Meeting.

4.4.6 Lack of sufficient notice, as provided for herein, shall not affect the validity of holding a Special Meeting or any action taken thereat where all Members are present at the Meeting or where any Member or Members who are absent consent to the holding of such Meeting and so inform the Clerk.

4.5 Emergency Meetings

4.5.1 Notwithstanding any other provision of this By-law, a special meeting may be called on urgent and extraordinary occasions, to deal with an emergency or matter that may impact on the welfare, health and well-being of the residents or Township, and the notice provisions of this By-law may be waived for such meeting.

4.5.2 Notwithstanding any other provision of this By-law, on urgent and extraordinary occasions, Council may, by Resolution, authorize the holding of a Regular or Special Meeting at a location outside the Municipal boundaries.

4.6 Statutory Public Meetings, Public Meetings, Court of Revision Hearings, Hearings or Information Sessions Held Under the Planning Act, Development Charges Act and Other Applicable Legislation

4.6.1 Council may conduct Statutory Public Meetings, Public Meetings, Court of Revisions Hearings, Hearings or other Information Sessions for any purpose, giving such Notice as may be deemed necessary or required by law, or the Township's Public Notice Policy, as amended from time to time.

4.6.2 If Council is required by law to hold a Statutory Public Meeting, Public Meeting, Court of Revision Hearing, Hearing or other Information Session, the Rules of Procedure outlined herein shall govern.

4.7 Meetings Open to Public

4.7.1 Subject to Section 4.8 of this Procedural By-law, Meetings shall be open to the public and no person shall be excluded therefrom except for improper conduct.

4.7.2 The Mayor or Chair may request that members of the public vacate the Council Chambers if their behaviour is deemed to be disruptive to the business at hand. The Mayor or Chair may unilaterally suspend the Meeting until order is restored in the Council Chambers.

4.8 Closed Meetings

4.8.1 All meetings of Council shall be open to the public except as provided for in Section 239 of the Municipal Act, S.O. 2001.

4.8.2 Council may, by resolution, close a Meeting or part of a Meeting to members of the public if the subject matter being considered is:

- a) the security of the property of the Township or Local Board;
- b) personal matters about an identifiable individual, including Municipal and

- Local Board Employees;
- c) a proposed or pending acquisition or disposition of land by the Township or local board;
- d) labour relations or employee negotiations;
- e) litigation or potential litigation, including matters before administrative tribunals, affecting the Township or local board;
- f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act.
- h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

4.8.3 A meeting or part of a meeting shall be closed to the public if the subject matter being considered is,

- a) a request under the Municipal Freedom of Information and Protection of Privacy Act, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
- b) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman referred to in subsection 223.13 (1) of the Municipal Act, or the investigator referred to in subsection 239.2 (1) of the Municipal Act.

4.8.4 A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:

- a) The meeting is held for the purpose of educating or training the members.
- b) 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

4.8.5 For the purposes of this section, a meeting not open to the public shall be called a "Closed Session".

4.8.6 A motion by Council to close a Meeting or part of a Meeting to the public shall state:

- a) the fact of the holding of the closed Meeting; and
- b) the general nature of the subject matter to be considered at the closed meeting.

No matter may be discussed in the closed meeting unless included in such motion.

4.8.7 Where a Meeting or part of a Meeting is closed to the public, Council shall request those persons not specifically invited to the closed Meeting to vacate Council

Chambers, or such room in which the Meeting is being held, as the case may be.

- 4.8.8 A Meeting or part of a Meeting shall not be closed to the public during a vote except where permitted by law including, without limitation, Section 239(6) of the Municipal Act, which allows a Meeting to be closed to the public during a vote pursuant to sections 239 (2) or (3) and the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Township or persons retained by or under a contract with the Township, and Council deems that it is in the best interests of the Township to do so.
- 4.8.9 Subject to the provisions of this section, Council may hear delegations in Closed Session.
- 4.8.10 The Motion to rise from Closed Session shall include the time that Council arose.
- 4.8.11 The Clerk shall record without note or comment all resolutions, decisions and other proceedings at a Meeting of Council when it is closed to the public.
- 4.8.12 Members shall ensure that confidential matters disclosed to them during closed Meetings are kept confidential.

4.9 Quorum

- 4.9.1 A majority of all members of Council shall constitute a quorum and be necessary for the transaction of business. A concurring vote of a majority of Members present and voting is necessary to carry a resolution.
- 4.9.2 A quorum of a Committee shall be a majority of the Members of the Committee.
- 4.9.3 If a Quorum is not present within thirty (30) minutes after the time appointed for the Meeting, the Clerk or designate shall record the names of the Members present and the Meeting shall stand adjourned until the date of the next Regular Meeting or other Meeting called in accordance with the provisions of this Procedural By-law.
- 4.9.4 Where the number of members who are unable to participate in a meeting by reason of the provision of the Municipal Conflict of Interest Act, such that at the 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.
- 4.9.5 If during the course of a meeting a quorum is lost, the Chair shall declare that the meeting shall stand recessed temporarily or be adjourned until the date of the next regular meeting or other meeting called in accordance with the provisions of this by-law.

4.10 Education and/or Training Sessions

- 4.10.1 The Council may decide at a meeting open to the public to convene an informal gathering of its members to receive and discuss information or advice of a general nature involving subject matters of interest to the Members, at a time and place designated at that time by the Council.
- 4.10.2 The Council, in deciding to convene an Education and/or Training Session, shall designate the general purpose or purposes for which the session is to be held..

- 4.10.3 All Members of Council are entitled to attend at the session, together with the designated staff or consultants retained by the Township, but the Council, in deciding to convene the session, may decide to exclude the public therefrom.
- 4.10.4 No motion, resolution, by-law, debate, agreement in principle, consensus, straw-vote, report, recommendation or other action or decision may be proposed, discussed, decided upon, adopted, taken or made at an Education and/or Training Session.
- 4.10.5 The Clerk shall take notes describing, in general terms, each subject matter dealt with during the session and upon conclusion thereof, the notes shall be maintained as a public record under the control of the Clerk which records shall not be subject to section 6(1)(b) of the Municipal Freedom of Information and Protection of Privacy Act, as amended.

4.11 Public Notice of Meetings

Regular Meetings

- 4.11.1 No later than the first meeting in each calendar year, Council shall establish a schedule of all regular Council meeting dates for such calendar year. Public notice of the schedule shall be posted on the Municipal Website. The meeting schedule is subject to change as necessary.
- 4.11.2 Public notice of each regularly scheduled Meeting shall be deemed to be given by making the agenda available for viewing on the Municipal Website by 8:00 P.M. on the Friday preceding the regularly scheduled Meeting. The agenda shall include the time and location of the meeting and all relevant material on matters to be considered by Council.

Special Meetings

- 4.11.3 Notice of Special Meetings shall be posted at the Municipal Office, and on the Municipal Website not less than twenty-four (24) hours before the time appointed for the Special Meeting.

Emergency Meetings

- 4.11.4 Where a Special Meeting of Council is held in accordance with Section 4.5 (emergencies), notice of the Special Meeting shall be posted at the Municipal Office and on the Municipal Website as soon as practicable following the Meeting and shall indicate the nature of the business considered at the Special Meeting.

No Receipt of Notice

- 4.11.5 Lack of receipt of the notice(s) by any person shall not affect the validity of holding the meeting nor any action taken at the meeting.

4.12 Adjournment - Due Hour

- 4.12.1 Except as provided in Section 10.21, a Regular or Special Meeting of Council shall adjourn at the hour of 11:00 p.m., if in session at that time, and shall reconvene at such other day and time as Council, by resolution, may direct.

4.13 Cancellation of Meeting

- 4.13.1 The Mayor or the Deputy Mayor, in the Mayor's absence, or the Clerk, in the absence of both the Mayor and Deputy Mayor, may cancel any Meeting of Council if he is of the opinion that weather conditions or an emergency warrant. The Clerk shall inform as many Members as he is able to reach, the media and any persons that are scheduled to be in attendance.
- 4.13.2 Postponement of the Meeting shall not be for any longer than the next regularly scheduled Meeting of Council or Committee.

Section 5 - AGENDAS AND MINUTES

5.1 Council Meeting Agenda

- 5.1.1 The Clerk shall cause to be prepared an electronic Agenda under the following headings for the use of the Members at the Regular Meetings of Council:
- 1) Call to Order
 - 2) Approval of Agenda
 - 3) Public Recognition/Presentations
 - 4) Disclosures of Pecuniary Interest
 - 5) Adoption of Minutes of previous Meeting(s)
 - 6) Public Meetings/Hearings
 - a) Municipal Act
 - b) Drainage Act
 - c) Planning Act
 - d) Other
 - 7) Delegations
 - 8) Correspondence
 - 9) Committee Minutes
 - 10) Reports
 - 11) Notice(s) of Motion
 - 12) Closed Session
 - 13) By-laws
 - 14) Adjournment
- 5.1.2 The Agenda shall be placed on the Municipal Website no later than Friday by 8:00 P.M. preceding the commencement of the Regular Council Meeting in question.
- 5.1.3 The business of Council shall be considered in the order as it appears on the Agenda, unless otherwise decided by a vote of the majority of the Members present and voting.
- 5.1.4 No business other than that included on the Agenda shall be considered at the meeting unless otherwise decided by a vote of the majority of the Members present and voting.

5.2 Statutory Planning Meeting Procedure

- 5.2.1 Statutory public meetings pursuant to the Planning Act shall follow the following process as closely as practicable:
- 1) Call to Order
 - 2) Chairman's Introduction of the Purpose of the Meeting

- 3) Statement of Purpose and Effect of the Application
- 4) Staff Report
- 5) Council Questions
- 6) Public Participation
 - a) Applicant Comments
 - b) Public Comments
- 7) Adjournment

5.2.2 Where more than one Public Meeting under the Planning Act is being conducted at a Council meeting, such meetings may be consolidated.

5.3 Committee of Adjustment Meeting Agenda

5.3.1 The Clerk shall cause to be prepared an electronic Agenda under the following headings for the use of the Members at a Committee of Adjustment Meeting:

- 1) Call to Order
- 2) Approval of Agenda
- 3) Disclosures of Pecuniary Interest
- 4) Minutes of Previous Meeting
- 5) Applications for Minor Variance
- 6) Correspondence
- 7) Other Business
- 8) Adjournment

5.3.2 The Agenda shall be placed on the Municipal Website no later than Friday by 8:00 P.M. preceding the commencement of the Committee Meeting in question.

5.3.3 Where more than one Application to the Committee of Adjustment is being conducted, such meetings may be consolidated.

5.3.4 Meetings of the Committee of Adjustment shall be Chaired by the Deputy Mayor. In the absence of the Deputy Mayor, the Mayor shall chair the meeting.

5.4 Meeting Minutes

5.4.1 The Clerk shall cause the Minutes to be taken of each Meeting of Council for both open and closed sessions. These minutes shall include:

- a) the place, date and time of the Meeting;
- b) the name of the Presiding Member or Members and the record of attendance of the Members;
 - i. should a Member enter after the commencement of the Meeting or leave prior to adjournment, the time shall be noted;
- c) declarations of pecuniary interest;
- d) the adoption and any correction of the minutes of prior meetings;
- e) all resolutions, decisions of the Meeting without note or comment.

5.4.2 The Minutes of each Meeting shall be presented to Council for confirmation at the next Regular Meeting of the subject meeting type (open or closed).

5.4.3 Following approval of the Minutes, the Minutes shall be signed by the Mayor and the Clerk.

5.4.4 The Clerk shall ensure that the Minutes of Regular and Special Meetings of Council are posted on the Municipal website.

Section 6 - PROCEEDINGS - COUNCIL

6.1 Call to Order

- 6.1.1 As soon as a Quorum is present after the hour set for the holding of the Meeting, the Mayor shall take the Chair and call the Members present to order.
- 6.1.2 If the Mayor does not attend a Meeting within fifteen (15) minutes after the time set for the Meeting and a quorum is present, the Deputy Mayor shall preside over the Meeting and shall exercise all duties and responsibilities of the Mayor/as outlined in this Procedural By-law until the Mayor is present at the Meeting and able to perform responsibilities to assume the chair.
- 6.1.3 If the Deputy Mayor is also not present within fifteen (15) minutes after the time set for the Meeting and a quorum is present, the Clerk shall call the Meeting to order, and the Members present shall appoint a Presiding Member who shall act as Chair of the Meeting until the arrival of the Mayor or Deputy Mayor, whoever is the first to arrive and is able to assume the chair.

6.2 Public Recognition/Presentations

- 6.2.1 Public Recognition/Presentations shall include civic recognition, presentation of awards (local, provincial, federal) to local individuals and teams.
- 6.2.2 Notifications/requests must be submitted to the Clerk by 4:30 p.m. on the Wednesday in the week preceding the Meeting.

6.3 Disclosures of Pecuniary Interest

- 6.3.1 In accordance with the Municipal Conflict of Interest Act, where a Member, either on their own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a Meeting at which the matter is the subject of consideration, the Member shall:
 - a) prior to any consideration of the matter at the Meeting, disclose the interest and the general nature thereof;
 - b) not take part in any discussion of or vote on any question with respect to the matter; and
 - c) not attempt in any way before, during and after the meeting to influence the voting on any such question.
- 6.3.2 Where the Meeting is not open to the public, in addition to complying with the requirements of Section 6.3.1, the Member shall immediately leave the Meeting or part of the Meeting during which the matter is under consideration.
- 6.3.3 Where a Member is absent from a Meeting which includes a matter for which the Member has a pecuniary interest, the Member shall disclose this interest and otherwise comply at the first Meeting attended by him after the subject Meeting.
- 6.3.4 Effective March 1, 2019, at a meeting at which a member discloses an interest, or as soon as possible afterwards, the member shall file a written statement of the interest and its general nature with the clerk of the municipality or the secretary of the committee or local board, as the case may be.

6.4 Minutes

- 6.4.1 Minutes of previous Meetings shall be listed under this section of the Council

Agenda.

- 6.4.2 Previous Meeting Minutes may be disposed of through a single resolution or, alternatively, any Member may request that one or more Minutes be separated and voted on separately.

6.5 Delegations

- 6.5.1 See Section 8

6.6 Correspondence

- 6.6.1 All Correspondence intended to be presented to Council shall be legibly written or printed, shall identify the author(s) by name, and shall be filed with the Clerk before it is presented to Council.
- 6.6.2 Every item of Correspondence shall be delivered to the Clerk no later than Wednesday at 4:30 p.m. of the week prior to the Meeting. The Clerk, at their own discretion, is delegated the authority to direct the item of Correspondence or a summary thereof to the appropriate Agenda.
- 6.6.3 Notwithstanding Section 6.6.2, and at the discretion of the Clerk, Correspondence received after 4:30 p.m. on the Wednesday preceding the Meeting, and being of an urgent nature or directly relevant to a matter on the Agenda for the Meeting, may be communicated to Council by way of an Addendum to the Agenda.
- 6.6.4 Upon presentation of a motion and prior to its approval, any item of Correspondence may be the subject of limited discussion. Council may briefly discuss the matter and if consensus is reached, a recommendation may be presented.

6.7 Committee Minutes

- 6.7.1 Minutes of Committees of Council shall be presented to Council for review and approval of actions/resolutions taken.
- 6.7.2 Committee Minutes may be disposed of through a single resolution or, alternatively, any Member may request that one or more Minutes be separated and voted on separately

6.8 Reports to Council

- 6.8.1 Staff and other reports to Council shall be included in the Reports section of the posted Council Agenda. Where an additional report(s) that, due to timing, urgency, and important nature of the report, that the Clerk has determined should be considered by Council following posting of the Council Agenda, may be included via an Addendum.

6.9 Notices of Motion

- 6.9.1 A Member of Council may file a Notice of Motion with the Council for consideration at the next regular meeting.
- 6.9.2 A Member of Council may file a Notice of Motion with the Clerk no later than 4:30 p.m. on the Wednesday of the week preceding the Council Meeting at which it is to be presented, which shall be deliberated at the next Regular Meeting of Council.

6.10 By-laws

- 6.10.1 No by-law, except a by-law to confirm the proceedings of Council, a by-law granting authority to borrow under the authority of the Municipal Act, or any by-law arising as the result of an order or decision of any quasi-judicial body, shall be presented to Council unless the subject matter thereof has been considered by Council and has been approved by Council. The Clerk shall prepare and include in the Council Agenda a list of all By-laws, specifying the title of each By-law.
- 6.10.2 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 complete with the number and date to be affixed.
- 6.10.3 Every By-law shall be introduced by motion and receive three readings prior to it being passed. Nothing shall prevent Council from giving three readings to a By-law in one sitting of Council.
- 6.10.4 A By-law shall be deemed to have been read upon the title or heading thereof being read or taken as read, unless a member of Council requires the By-law or any portion thereof to be read in full.
- 6.10.5 The Clerk shall endorse on all By-laws enacted by Council, the date of the readings thereof.
- 6.10.6 Every By-law which has been enacted by Council shall be numbered and dated, and shall be signed by the Mayor, or his designate, and the Clerk, sealed with the seal of the Township and, thereafter, shall be retained under the control of the Clerk.

6.11 By-law to Confirm the Proceedings of Council

- 6.11.1 At the conclusion of all Regular and Special Meetings of Council and prior to Adjournment, a Confirming By-law shall be brought forward to confirm the actions of the Council at that Meeting in respect of each Motion, Resolution and other action taken and a Confirming By-law, when introduced, shall be taken as having been read and shall be voted on without debate.

6.12 Adjournment

- 6.12.1 See Sections 10.19, Section 10.20 and Section 10.21

Section 7 - ORDER OF PROCEEDINGS – PUBLIC MEETINGS

7.1 Public Meetings

- 7.1.1 Public Meetings shall be conducted in the following manner as closely as practicable:
- a) the Chair shall state the purpose of the Public Meeting and shall explain to those present how the Public Meeting shall be conducted;
 - b) a member of the Municipal staff and/or Municipal Consultant shall then address the Council to present the matter and/or any associated report to the Council;
 - c) if applicable, the applicant or agent who is present shall then make representation regarding the matter;
 - d) Members of the Committee shall then be given the opportunity to ask questions or seek clarification regarding the matter; and
 - e) members of the public shall then be permitted to make representation regarding

the matter.

Section 8 - DELEGATIONS

8.1 Delegations

- 8.1.1 Persons wishing to appear before Council shall give written notice, including specific details regarding the subject of their address, to the satisfaction of the Clerk, no later than Wednesday at 4:30 p.m. of the week prior to the Meeting.
- 8.1.2 Notwithstanding Section 8.1.1, Council may, at its sole discretion, entertain delegations with less notice as the circumstance may warrant with a majority vote.
- 8.1.3 Notwithstanding Sections 8.1.1 or 8.1.2, a person wishing to present information is not required to give written notice nor be listed on the agenda with respect to a matter before Council for which the public has been given notice of the Public Meeting under the Planning Act, any other Act, or according to Municipal Policy, as required.
- 8.1.4 Delegations shall be limited to speak for no more than ten (10) minutes and shall be so advised in advance of their delegations. An extension to speak may be decided, without debate, by a majority of Council Members present. Where a delegation consists of a group of three or more persons, the group may address the Council for no more than fifteen (15) minutes. Where a Delegation wishes to provide Members with written communication, including a petition, supporting the Delegation's comments, the communication shall be provided to the Clerk no later than 4:30 p.m. on the Wednesday preceding the Meeting.
- 8.1.5 Municipal audio visual equipment may be used to assist in presentations, provided that notice is given to the Clerk at the time the presenter(s) contacts the Clerk's Office to register for the meeting. All presentation material must be provided to the Clerk by 4:30 p.m. on the Wednesday preceding the Meeting.
- 8.1.6 No Delegation shall:
- a) speak disrespectfully of any person;
 - b) use improper language;
 - c) speak on any subject other than the subject for which they have received approval to address Council; or
 - d) disobey the rules of procedure or a decision of the Chairperson.
- 8.1.7 Members of Council shall be permitted to ask questions of delegates only to clarify their submissions or to elicit further information from them that is relevant to their submission.
- 8.1.8 Council may refuse to hear delegations when, in the opinion of Council, the subject of the presentation is beyond the jurisdiction of the Township.

8.2 Petitions

- 8.2.1 Every petition intended to be presented to Council, shall be legibly written or printed and shall not contain any improper matter or language and shall be signed by at least one person and filed with the Clerk.
- 8.2.2 Every petition shall be delivered to the Clerk not later than Wednesday at 4:30 p.m. of the week prior to the Meeting and, if in the opinion of the Clerk it contains any improper matter or language, the Clerk shall decide whether it should be included in the Agenda.

- 8.2.3 Subject to Section 8.2.2, petitions filed with the Clerk shall be placed on the agenda in the form and with the information/content as received.

Section 9 - RULES OF DEBATE AND CONDUCT

9.1 Conduct of Members of Council

- 9.1.1 No Member shall:
- a) use offensive words or unparliamentary language or speak disrespectfully against Council, against any Member or against any officer or employee of the Township of Norwich;
 - b) speak on any subject other than the subject being debated;
 - c) disobey the Rules of Procedure or a decision of the Chair on interpretation of the Rules of Procedure except where the ruling of the Chair is reversed by the Council pursuant to Section 9.5. If a Member persists in any such behaviour after having been called to order, the Chair may forthwith order that Member to vacate the Council Chambers or room in which the Meeting is being held, but if the Member apologizes, he may, by majority vote of the Members, be permitted to retake his seat;
 - d) speak in a manner that is discriminatory in nature based on an individual's race, ancestry, place of origin, ethnic origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status or disability; or
 - e) where a matter has been discussed in a closed Meeting, and where the matter remains confidential, disclose the content of the matter or the substance of the deliberations of the closed Meeting to any person.

9.2 Address the Chair

- 9.2.1 Any Member desiring to speak shall signify their desire in such manner as the Chair may direct, and speak only upon being recognized by the Chair.

9.3 Order of Speaking

- 9.3.1 When two or more Members signify a desire to speak, the Chair shall recognize the Member who, in the opinion of the Chair, so signified first and next recognize in order the other Members.

9.4 Point of Order

- 9.4.1 When a Member desires to call attention to a violation of the Rules of Procedure, the Member shall ask leave of the Chair to raise a Point of Order and, after leave is granted, shall succinctly state the Point of Order to the Chair and the Chair shall then decide upon the Point of Order and advise the Member of the decision.

9.5 Appeal of Ruling of Chair

- 9.5.1 With respect to a ruling on procedural matters, if the Member does not appeal the decision of the Chair immediately thereafter to Council, the decision of the Chair shall be final.
- 9.5.2 If the decision is appealed, the Chair will give concise reasons for his ruling and will call a vote by Council, without debate on the following question: "Will the ruling be sustained?", and the decision of Council is final. The Chair may vote on this question. In the event of a tie of votes, the ruling of the Chair shall be deemed to be sustained.

9.6 Members Speaking

- 9.6.1 When a Member is speaking, no other Member shall interrupt the Member except to raise a Point of Order.

9.7 Question Read

- 9.7.1 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.

9.8 Speak Once – Reply

- 9.8.1 No Member shall speak more than once to the same question without leave of Council except that a reply shall be allowed to be made only by a Member who has presented the motion, but not by any Member who has moved an amendment or procedural motion in response to that motion.

9.9 Time Limited

- 9.9.1 No Member, without leave of Council shall speak to the same question or in reply for longer than five (5) minutes.

9.10 Questions

- 9.10.1 A Member may ask a question for the purposes of obtaining information relating only to the matter under discussion and such questions must be stated concisely and asked only upon being recognized by the Chair.
- 9.10.2 Notwithstanding Section 9.10.1 when a Member has been recognized as the next speaker, then immediately before speaking, such Member may ask a question to any Member or Staff, concerning any matter connected with the business currently under discussion but only for the purpose of obtaining information, following which the Member may speak.

Section 10 - MOTIONS

Reading

- 10.1 All motions shall be submitted to the Clerk in writing and signed by a mover and a seconder. If no Member seconds the motion, the motion shall not be on the floor for consideration and therefore it shall not be recorded in the minutes.
- 10.2 When a motion is presented in a Meeting, it shall be read in its entirety by the Chair before debate.

Withdrawn

- 10.3 After a motion is properly moved and seconded, it shall be deemed to be in possession of Council, but may be withdrawn by the mover at any time before decision or amendment.

No debate until properly moved and seconded

- 10.4 No Member shall speak to any motion until it is properly moved and seconded, and the mover is entitled to speak first if the Member so elects. If debated, the question or motion may be read before being put.

Motion ruled out of order

10.5 Whenever the Chair is of the opinion that a motion is contrary to these Rules of Procedure, the Chair shall rule the motion out of order.

Not within jurisdiction of Council

10.6 A Motion in respect of a matter which requires the exercise of a legislative power by Council which is not within its jurisdiction shall not be in order at a Meeting of Council.

Motions Without Notice and Without Leave

10.7 The following matters and motions may be introduced orally by a Member without written notice and without leave, except as otherwise provided by this Procedural By-law, and shall be decided without debate:

- a) a point of order or privilege;
- b) to adjourn;
- c) to suspend the Rules of Procedure;
- d) to divide the question;
- e) to refer (without instructions);
- f) question be now put;

10.8 The following motions may be introduced orally by a Member without notice and without leave, except as otherwise provided by this Procedural By-law, and may be debated:

- a) to refer with direction (direction for referral only to be debatable);
- b) to amend;

Priority of Disposition

10.9 A motion properly before Council for decision must be disposed of before any other motion can be received except a motion in respect of matters listed in Sections 10.7 and 10.8.

Motion to Amend

10.10 A motion to amend:

- a) shall be presented in writing if requested by the Chair;
- b) shall relate to the subject matter of the main motion;
- c) shall not be received proposing a direct negative to the question; and
- d) shall be put to a vote in reverse order to the order in which the amendments are made.

10.11 Only one motion to amend an amendment to the original motion shall be allowed and any further amendment must be to the original motion.

Motion to refer or defer

10.12 A motion to refer or to defer the question may include instructions respecting the terms upon which the question is to be referred or deferred.

10.13 A motion to refer or to defer the question shall not be debatable except where instructions are included, in which case, only the instructions shall be debatable.

10.14 A motion to refer or to defer the question may not be amended except where instructions are included, in which case, only the instructions may be amended.

Motion to divide

10.15 A motion containing distinct proposals may be divided and a separate vote shall be taken upon each proposal contained in a motion if decided upon by a majority vote of the Members present and voting.

Motion to rescind

10.16 A motion to rescind a previous action of Council requires a majority vote of the Members present and voting provided that notice has been given at the previous Meeting or in the Agenda for the Meeting.

10.17 A motion to rescind is not in order when action has been taken on the order of Council of which it is impossible to revise. The part of an order of Council which has not been acted upon, however, may be rescinded.

Reconsideration

10.18A resolution, by-law or any question or matter (except one of indefinite postponement) which has been adopted previously by Council may be reconsidered by Council subject to the following:

- a) Only a Member who voted thereon with the majority may make a Motion to Reconsider;
- b) A member who was absent at the time the vote is taken on a motion which is the subject of a motion for reconsideration shall be deemed for the purpose of reconsideration to have voted with the majority;
- c) such motion must be supported by a majority of the Members present and voting in favour of such reconsideration before the matter is re-opened for debate;
- d) debate on a motion to reconsider must be confined to reasons for or against the subject of the reconsideration;
- e) if a motion to reconsider is decided in the affirmative, such reconsideration shall become the next order of business, unless the motion calls for a future date, and debate on the question to be reconsidered may proceed as though it previously had never been voted on; and
- f) a vote to reconsider a particular matter or decision will not be considered more than once during the term of Council.

Motion to Adjourn

10.19 A motion to adjourn is not debatable or amendable and shall always be in order except:

- a) when another Member is in possession of the floor;
- b) when a vote has been called;
- c) when the Members are voting; or
- d) when a Member has indicated to the Chair his desire to speak on the matter before Council.

10.20 A motion to adjourn, if carried, without qualification, will bring a Meeting or session of the Council to an end.

10.21 A motion to proceed beyond the hour of 11:00 p.m.:

- a) shall not be amended or debated;

- b) shall always be in order except when a Member is speaking or the Members are voting;

Section 11 - VOTING ON MOTIONS

- 11.1 Immediately preceding the taking of a vote on a motion, the Chair shall state the question in the form introduced.
- 11.2 After a question is finally put by the Chair, no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.
- 11.3 Every Member present at the Meeting, when the question is put, shall vote thereon unless disqualified under the Municipal Conflict of Interest Act to vote on the question.
- 11.4 The Mayor or presiding officer may vote with the other members of Council on all questions.
- 11.5 Except where the Member is disqualified under the Municipal Conflict of Interest Act from voting, if a Member does not vote when a question is put, that Member shall be deemed to have voted in the negative.
- 11.6 Except where expressly provided by statute, any question on which there is an equality of votes shall be deemed to be defeated
- 11.7 No vote may be taken by ballot or other method of secret voting, and any vote so taken is of not effect, in accordance with the Municipal Act, 2001.
- 11.8 The Chair shall announce the result of every vote.

Unrecorded Vote

- 11.9 The manner of determining the decision of the Council on a motion shall be at the direction of the Chair and may be by voice, show of hands, standing, or other open manner.

Recorded Vote

- 11.10 Immediately preceding or after the taking of a vote on a motion, a Recorded Vote may be requested by a Member at which time each Member present, except a Member who is disqualified from voting by any Act, shall announce their vote openly and the Clerk shall record their name and vote on the question.
- 11.11 The order in which Members, present and voting, vote on Recorded Votes shall be in alphabetical order, commencing with the Member requesting such recorded vote.
- 11.12 If, during the Recorded Vote, any Member present and eligible to vote refuses to vote, the Member shall be deemed and recorded as voting against the question.

Section 12 - CONDUCT OF THE AUDIENCE

- 12.1 Members of the public who constitute the audience in the Council Chamber, or other such place where a Meeting is held in accordance with this Procedural By-law, during a Meeting shall respect the decorum of Council, maintain order and quiet and may not:
- a) address Council without permission;
 - b) interrupt any speaker or action of the Members or any person addressing Council;
 - c) speak out;
 - d) applaud;
 - e) behave in a disorderly manner; or

- f) make any noise or sound that proves disruptive to the conduct of the Meeting.
- 12.2 Placards, signs, posters, etc. or any advertising devices shall not be permitted in the Council Chambers, or any other location in which Council may conduct their business.
- 12.3 The Mayor or Chair may request that a member or members of the public vacate the Council Chambers or any other location in which Council may conduct their business if their behaviour is deemed to be disruptive to the business at hand.

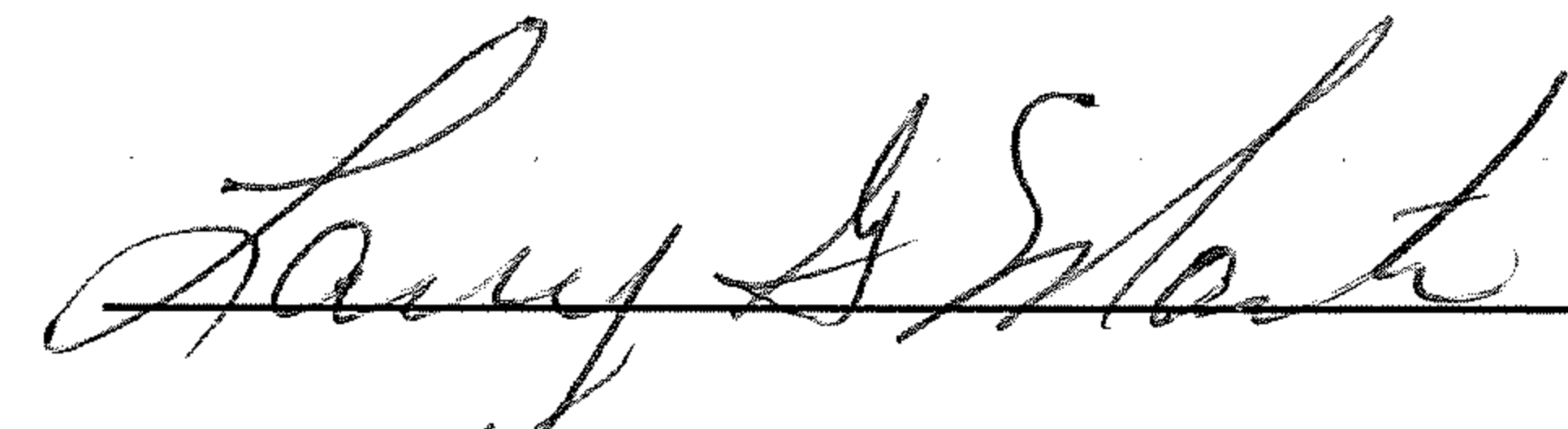
Section 13- BOARDS AND COMMITTEES

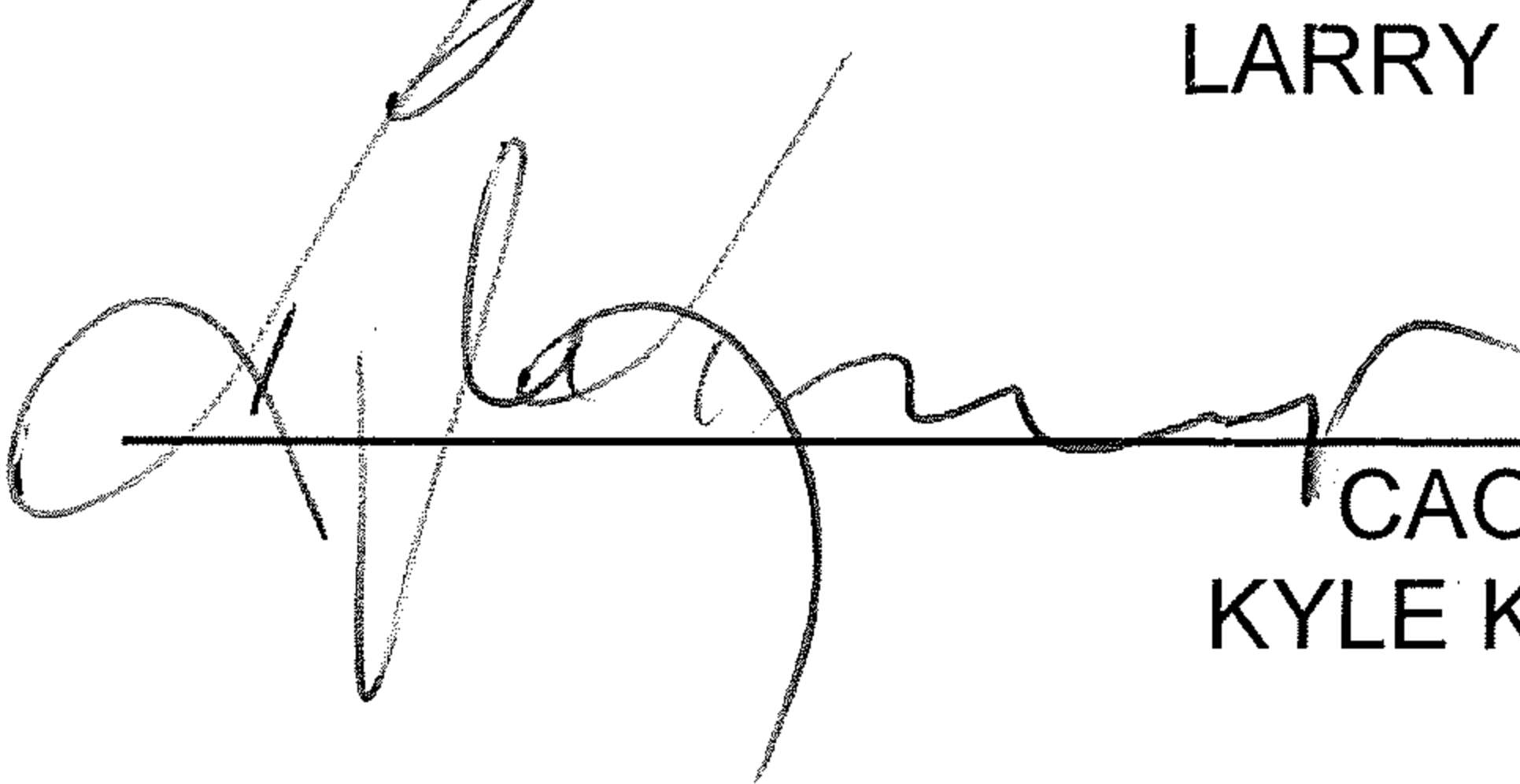
- 13.1 Council may establish such Boards and Committees as is deemed necessary for consideration of matters in its jurisdiction.
- 13.2 The establishment of such Boards and Committees shall be in accordance with any Policy for Boards and Committees of Council as adopted by Council.

Section 14- ADMINISTRATION

- 14.1 This By-law shall be administered by the Clerk.
- 14.2 By-law Number 11-00, as amended shall be repealed in its entirety effective upon final passage of this By-law.
- 14.3 This by-law shall come into full force and effect upon the passing thereof.
- 14.4 Notwithstanding section 14.3, Sections 1.1.13, and 4.8.2 h), i), j), and k) of this by-law shall come into force and effect on January 1, 2018.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 10th DAY OF OCTOBER, 2017.


MAYOR
LARRY MARTIN


CAO/CLERK
KYLE KRUGER