

Township of Georgian Bay Office Consolidation

This is a consolidation of the Township's **Procedure By-law** being **By-law No. 2023-117, as amended**. This is an electronic reproduction made available for reference and information purposes only. It is not an official version of the By-law. Official versions of all by-laws can be obtained by contacting the Clerks Department at (705) 538-2337 or **clerks@gbtownship.ca**. If there are any discrepancies between this consolidation and By-law No. 2023-117, as amended, the By-law(s) shall prevail.

By-law No. 2023-117, as amended by

By-law No.	Appendix No.	Date Enacted
2024-026	Schedules H and K	April 8, 2024

**THE CORPORATION OF
THE TOWNSHIP OF GEORGIAN BAY**

BY-LAW 2023-117

Being a By-law to enact Council and Committee Procedures
for the Corporation of the Township of Georgian Bay

(Procedure By-law)

WHEREAS pursuant to the provisions of Section 238(2) the Municipal Act, 2001, as amended, the Township of Georgian Bay is required to pass a procedural by-law governing the calling, place and proceedings of meetings; and

WHEREAS pursuant to Section 5(3) of the Municipal Act, 2001, as amended, a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do so otherwise; and

WHEREAS the Council of the Corporation of the Township of Georgian Bay deems it expedient to establish rules and procedures to facilitate the efficient and effective transaction of business and to protect the rights and privileges of its members;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF GEORGIAN BAY ENACTS AS FOLLOWS:

1. That By-law 2021-080 is hereby repealed and replaced by this By-law; and
2. This By-law shall come into full force and effect on January 1, 2024.

READ AND ENACTED in Open Council on this 11th day of December, 2023.

PETER KOETSIER, MAYOR

KAREN WAY, CLERK

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Schedule A Definitions

1. **Abstain** means a refusal to vote either for or against a proposal, which is considered a negative vote.
2. **Acting Head** means a member appointed and approved by Council in accordance with Sections 226 or 242 of the Municipal Act, to act in place of the Mayor.
3. **Addendum** means an additional item, material, or report on an agenda, and follows the rules of supplementary agenda.
4. **Agenda** means a list of the specific items under each division of the order of business that the officers or board plan to present to a meeting.
5. **Assembly of Council** means an informal gathering of a quorum of Members where there is no intent to exercise its decision-making authority.
6. **Chair** means the person presiding at a meeting whether it is the Head of Council or any other member and includes an Acting Chair within the meaning of the Act.
7. **Chief Administrative Officer** or **CAO** means the Chief Administrative Officer of the Corporation of the Township of Georgian Bay or designate.
8. **Clerk** means the Clerk of the Corporation of the Township of Georgian Bay or designate.
9. **Closed Session** means a meeting, or portion of a meeting, that is not open to the public, under the authority of Section 239 ~~(2)~~ of the Municipal Act, as amended.
10. **Committee** and all Committee compositions are defined in the most current Committee Terms of Reference Policy.
11. **Committee of the Whole** means a committee whose members are all the members of Council, and the abbreviation "CoW" in this By-law shall be the recognized acronym for the Committee of the Whole.

12. **Committee Member** means an individual appointed to serve on a Committee in the Township.
13. **Confirming By-law** means a by-law to declare and confirm that the proceedings of Council have been deemed to conform to this By-law.
14. **Corporation** means the Corporation of the Township of Georgian Bay.
15. **Council** means the Council of the Township of Georgian Bay and may also refer to Planning Council.
16. **Day** means calendar day, except that when a deadline falls on a day when the Township administrative offices are closed, the deadline shall be deemed to fall on the first day that those offices re-open.
17. **Debate** means discussion on the merits of a motion to decide whether the proposed action should or should not be taken.
18. **Decorum** means propriety, dignity, and good manners in behaviour, speech, and appearance that is appropriate for a particular social setting. It is the appropriate and socially accepted way of behaving in a particular situation or context, often involving showing respect and maintaining a level of formality.
19. **Delegation** means a presentation on behalf of a person or group of persons with a common interest with a maximum of ten (10) minutes in length.
20. **Deputation** means a presentation to Council or Committee at the request of staff or officials. A deputation may also form part of a staff report.
21. **Electronic Meeting** means a meeting called and held in full or in part via electronic means, including, but not limited to audio teleconference, video teleconference, or via means of the internet, and with or without in-person attendance.
22. **Emergency** means a period of time during which an emergency has been declared to exist in all or part of the Township of

Georgian Bay or all or part of the Province under the Emergency Management Act.

23. **Emergency Management and Civil Protection Act** means the Emergency Management and Civil Protection Act, R.S.O. 1990, Chapter E.9, as amended.
24. **Head of Council** means the Mayor of the Corporation of the Township of Georgian Bay or designate.
25. **Informal Consideration** means a special rule of debate to extend the rules of debate.
26. **Majority** means a number greater than half the total of the eligible voting members of Council or Committee in attendance at the vote and not prohibited by statute from voting, determined as follows:
 - a. Majority of 7 Members equals 4;
 - b. Majority of 6 Members equals 4;
 - c. Majority of 5 Members equals 3;
 - d. Majority of 4 members equals 3.
27. **Meeting** means any formally constituted Regular or Special meeting of Council, or any other meeting, where there is a quorum of Council, or of a Committee, in attendance and the business of the municipality is under discussion or advancement.
28. **Member** means a person or persons elected to Council and who may also be duly appointed to a Committee from time to time.
29. **Minutes** means the documentation of the proceedings of Council or a Committee and includes the place, date, time, name of presiding officer, list of members in attendance, and evidence of a quorum. The Minutes will document the actions taken and decisions made by members at the meeting. Minutes shall be recorded by the Clerk or designate in accordance with Section 228(1) (a) of the Municipal Act.
30. **Municipal Act** or **Act** means the Municipal Act, 2001, Chapter 25, S.O., 2001, as amended.

31. **Order of Business** is the list of divisions of business in the order in which each will be called for at meetings.
32. **Pecuniary Interest** means an interest in a matter whereby a member could influence or vote on a matter to such an extent as to create or cause financial gain or loss, and/or a benefit, or result in a state of affairs to which the member would enjoy bonus or benefit unlike other members or in common with ratepayers. Pecuniary Interest may be direct or indirect.
33. **Planning Council Meetings** are meetings attended by Council held for the purpose of holding meetings in accordance with the Planning Act to hold public hearings to obtain input on zoning amendments as well as dealing with other land use planning matters.
34. **Point of Order** means a matter that a Member considers to be a departure from or contravention of the rules, procedures or generally accepted practices of Council or Committee.
35. **Quorum** shall mean more than fifty percent (50%) of the eligible voting members of Council or a Committee.
36. **Recorded Vote** means the recording of the name and vote of every Member voting on any matter or question during Council, Planning Council, or Committee of the Whole.
37. **Recording Equipment** means the use of cameras, electric lighting equipment, flash bulbs, recording equipment, television cameras, and any other device of a mechanical, electronic, or similar nature used for transcribing or recording proceedings by auditory or visual means by any person other than the recording secretary of the meeting.
38. **Record** means information, however, recorded or stored, whether in printed form, on film, by electronic means or otherwise, and includes but is not limited to: documents, financial statements, minutes, accounts, correspondence, memoranda, plans, maps, drawings, photographs, and films.
39. **Record of a Meeting** shall mean the same as Minutes.
40. **Report** means a document prepared by Council, a Committee,

staff, Council member, or consultant that provides sufficient detail and information to assist the Council or Committee in coming to a decision.

41. **Supplementary Agenda** means a secondary agenda prepared for Council, a committee, or staff after a regular agenda has been distributed. Items will be noted with "addendum" on the agenda, and items must be considered urgent or must wait for a future meeting.
42. **Township** means The Corporation of the Township of Georgian Bay.
43. **Two-Thirds Majority Vote** means an affirmative vote of at least two-thirds (2/3) of the Members present at the vote and not prohibited by statute from voting, determined as follows:
 - a. Two-thirds of 7 Members equals 5;
 - b. Two-thirds of 6 Members equals 4;
 - c. Two-thirds of 5 Members equals 4;
 - d. Two-thirds of 4 Members equals 3.
44. **Working Group** means the process of bringing together industry members and relevant stakeholders for a specific task or project, as outlined in the Committee Terms of Reference Policy, as amended.

Schedule B

Roles and Responsibilities

1. All Members shall acknowledge the roles and responsibilities as outlined in this Schedule of the Procedure By-law.
2. Council's authority and decision making powers are the body as a whole, and Members have equal rights, privileges, and obligations; with noted exceptions to the Mayor whose responsibilities are outlined below.
3. All Members shall act with decorum in accordance with the Code of Conduct as amended to ensure all persons are treated with respect and courtesy.
4. Role of the Mayor
 - a. Per Section 225 of the Act, it is the role of the Mayor as the Head of Council:
 - i. To act as Chief Executive Officer of the municipality;
 - ii. To preside over Council meetings so that its business can be carried out efficiently and effectively
 - iii. To provide leadership to Council;
 - Without limiting clause (iii) above, to provide information and recommendations to the Council with respect to the role of Council described in clause (4) below.
 - iv. To represent the municipality at official functions;
 - v. To carry out the duties of the Head of Council under any Act; and
 - b. In addition, to provide overall leadership to the Community Control Group in responding to an emergency as detailed in the Emergency Response Plan for the Township of Georgian Bay.
 - c. Per Section 226.1 of the Act, it is the role of the Head of

Council as Chief Executive Officer:

- i. Uphold and promote the purposes of the municipality;
- ii. Promote public involvement in the Townships activities;
- iii. Act as the presentative of the municipality both within and outside the municipality, and promote the municipality locally, nationally, and internationally; and
- iv. Participate in and foster activities that enhance the economic, social, and environmental well-being of the municipality and its residents.

5. Role of Council

a. Per Section 225 of the Act, it is the role of Council:

- i. To represent the public and consider the well-being and interests of the municipality;
- ii. To develop and evaluate the policies and programs of the municipality;
- iii. To determine which services the municipality provides;
- iv. To ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decision of Council;
- v. To ensure the accountability and transparency of the operations including the activities of the senior management of the municipality;
- vi. To maintain the financial integrity of the municipality; and
- vii. To carry out the duties of Council under any Act.

6. Per Section 229 of the Act, it is the role of the CAO:

- a. Exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and
 - b. Performing such other duties as are assigned by the municipality.
7. Per Section 228 of the Act, it is the role of the Clerk:
 - a. To record without note or comment, all resolutions, decisions and other proceedings of Council;
 - b. If required by any member present at a vote, to record the name and vote of every member voting on any matter or question;
 - c. To keep the originals or copies of all by-laws and of all minutes of the proceedings of Council;
 - d. To perform the other duties required under the Municipal Act or any other Act; and
 - e. To perform such other duties as assigned by the municipality.
8. Duties of Head of Council in this By-law and in relation to meetings of Council, Planning Council, and Committee of the Whole are:
 - a. To open the meeting by taking the Chair and calling the members to order.
 - b. To announce the business before the Members in the order in which it is to be presented.
 - c. To receive and submit in the proper manner, all motions presented by the Members.
 - d. To put to vote all questions, that are regularly moved and seconded, or necessarily arise in the course of the proceedings, and to announce the result.
 - e. To decline to put to vote, motions which infringe upon the

rules of procedure.

- f. To act on points of order in accordance with the provisions of Roberts Rules of Order 12th Edition as amended where this By-law does not otherwise address a matter.
 - g. To enforce on all occasions, the observance of order and decorum among the members.
 - h. To call by name, any member persisting in breach of the rules of order therefore ordering them to vacate the Council Chamber or meeting place, either in-person or electronic attendance.
 - i. If considered necessary because of grave disorder, to adjourn the sitting without a question being put, or to suspend the sitting for a time to be named.
 - j. To temporarily recess the meeting if a situation dictates.
 - k. To adjourn the meeting when the business is concluded.
 - l. To authenticate by signature, when necessary, all by-laws, resolutions, and minutes of the meetings.
9. Duties of the Clerk and/or designate in this By-law and in relation to meetings of Council, Planning Council, and Committee of the Whole:
- a. In consultation with the Chief Administrative Officer, determine, publish, and distribute the agenda for all meetings in accordance with the provisions of this By-law.
 - b. Where the Clerk determines that the number of agenda items for the day will likely result in a significant overrun of the allocated daily meeting time, the Clerk, in consultation with the CAO may arrange alternate meeting date(s) for the matter(s) to be heard.
 - c. To make agendas available to the public at the same time as distribution to members of Council.
 - d. In consultation with the Chief Administrative Officer, to ensure that administrative processes relative to the agenda

publication and distribution are comprehensive, efficient, and cost-effective.

- e. To provide procedural guidance to Council as required.
 - f. To attend, or cause a designate to attend, all meetings.
 - g. To record, without note or comment, all resolutions, decisions, and other proceedings of the meetings.
 - h. To forward a copy of all decisions, resolutions, and proceedings of the meetings to the appropriate members of administration, public, other agencies, boards, or governments.
 - i. To perform such other duties as may be assigned by Council or prescribed by law.
10. Duties of the Clerk and/or designate in this By-law and in relation to meetings of committees:
- a. In consultation with the Chair and staff liaison determine, publish, and distribute the agenda for all meetings in accordance with the provisions of this By-law.
 - b. Where the Clerk determines that the number of agenda items for the day will likely result in a significant amount of time of the allocated daily meeting time, the Clerk, in consultation with the Chair and staff liaison may arrange alternate meeting date(s) for the matter(s) to be heard.
 - c. To make agendas available to the public at the same time as distribution to members.
 - d. Ensure that administrative processes relative to the agenda publication and distribution are comprehensive, efficient, and cost-effective.
 - e. To provide procedural guidance to members as required.
 - f. To attend, or cause a designate to attend, all meetings.
 - g. To record, without note or comment, all resolutions, decisions, and other proceedings of the meetings.

- I. To authenticate by signature, when necessary, all recommendations, resolutions, and minutes of the meetings.

Schedule C Meetings

1. First Meeting
 - a. All Inaugural meetings shall be in accordance with the Municipal Act, on a date to be determined by the Clerk.
2. Regular Meetings
 - a. All meetings will be held according to a calendar proposed annually by the Clerk and approved by Council. Such meetings shall be held at the Municipal Office located at 99 Lone Pine Road, Port Severn, Ontario or at such other place or time as may be determined from time to time.
 - b. All meetings with in-person attendance shall take place within the geographic boundaries of the Province of Ontario.
 - c. Planning Council meetings for the purpose of obtaining input on zoning amendments, shore road and road closing applications, amongst other public meetings and planning matters shall generally be held the second Tuesday of the month commencing at 9:00 AM.
 - d. Where Council deems necessary, for the purpose of complying with the provisions of the Planning Act, additional meetings may be scheduled in any given month, or Council may schedule a meeting at an earlier time in which to conduct the necessary business. In all instances, notice shall be provided in accordance with the Planning Act.
 - e. Council meetings shall generally be scheduled on the second Monday of the month and shall generally commence at 9:00 AM.
 - f. Committee of the Whole may generally be at the call of the Chair and generally commence at 1:00 PM or immediately following Council or Planning Council.
 - g. Committee of the Whole shall only be scheduled on an as needed basis at the discretion of the Clerk or Mayor.

- h. When a regular meeting falls on a public holiday or a statutory holiday, the meeting may be held the next day which is not a public or statutory holiday; the Head of Council may, with the concurrence of Council, cancel or re-schedule regular meetings. In the event, the holiday falls on a Friday, the meeting may be scheduled in advance on the same week.
- i. Notwithstanding the aforementioned, the Head of Council, after consultation with the Clerk, may postpone a regular meeting date of Council due to extenuating or emergency circumstances provided a minimum of twenty-four (24) hours notice is given to each member of Council prior to the meeting's scheduled date. A replacement date to take place on any date other than the next regularly scheduled meeting of Council may only be scheduled with the consent of the majority of the members of Council, the Clerk is to poll members for their concurrence.

3. Special Meetings

- a. The Head of Council may at any time summon a Special Meeting.
- b. It shall be the duty of the Head of Council to summon a Special Meeting upon written request (Example: email, fax, letter, etc.) by a majority of members.
- c. In the absence of the Head of Council or if the office is vacant, or should the Head of Council fail to call a meeting within seven (7) days in accordance with the foregoing paragraph, a special meeting is to be summoned by the Clerk upon a written request (Example: email, fax, letter, etc.) by a majority of the members.
- d. The Clerk shall give to all members of the Council notice in a form deemed appropriate by the Clerk, of each special meeting of Council.
- e. Notice shall be given to members at least twenty-four (24) hours in advance of the special meeting and public notice shall be given on the municipal web page at

least twenty-four (24) hours in advance of the special meeting call to order.

- f. No business other than that specified in the notice of special meeting shall be conducted at that special meeting.
- g. In case of emergency, the Head may summon an emergency meeting in such a way as they may deem best without regard to any length of notice to the members or public. Notice of emergency meetings may be made to the members verbally. The time and place of the emergency meeting shall be provided in the notice to members. Public notice of emergency meetings shall be posted on the municipal web page and at the municipal office if feasible, and at any other location Council deems necessary, as soon as practical. For the purposes of this section, an emergency is a situation that poses an immediate risk to health, life, property, or environment, or intervention to prevent a worsening of the situation.
- h. Special Council meetings may be scheduled to accommodate single items that may require longer periods of debate, in order to allow sufficient time for Members to consider the matter.

4. Notice of Assembly of Council

- a. Where an assembly of a quorum of Council has convened with no intention to exercise its statutory decision-making authority, the assembly shall not be deemed to be a regular or special Council meeting and shall not be subject to the formal rules applicable to regular or special Council meetings contained in this By-law. Notwithstanding the foregoing, notice of an assembly may be given on the municipal web page.
- b. Members of Council will advise the Clerk's Office no later than seven (7) days prior to the event that they plan on attending; if no more than three (3) members are attending an event, no notice will be given of a notice of assembly of Council since there will be no quorum.

5. Committee of Adjustment

- a. Specific planning matters (consent and minor variance applications) will generally be scheduled on the Friday following Council according to the approved calendar. The meeting shall be conducted as closely as possible in accordance with all other rules and practices prescribed in this By-law and in accordance with the procedures established for the Committee.
- b. Provisions of the Planning Act may supersede portions of this By-law.

6. Committees

- a. All Committees of Council which may include citizen members shall meet per the approved calendar. All meetings shall be conducted as closely as possible in accordance with all the rules and practices prescribed in this By-law and in accordance with the procedures and/or Terms of Reference established for the Committee.
- b. In the event the Chair would like the Committee to meet, they may make a request to the Mayor and/or Clerk for consideration of an additional meeting.
- c. Provisions of legislation that are specific to the type of Committee may supersede portions of this By-law.

7. General

- a. Council may adjourn temporarily when it deems expedient.
- b. Meetings will adjourn for the day no later than 4:30 p.m. and the extension may only take place with two-thirds majority vote in favour.
- c. No meeting may extend beyond 6:00 p.m. except with the unanimous consent of members present.

Schedule D Closed Sessions

1. Before entering into Closed Session, Council must pass a resolution containing the following information:
 - a. That the meeting is a closed meeting;
 - b. The general nature of the matter Council or committee is considering at the closed meeting; and
 - c. The reasons the matter requires a closed meeting. Council must state one or more of the discretionary reasons found in Section 239 of the Municipal Act or any other reason permitted to enter into a closed meeting as permitted by law.
2. When moving a motion to meet in closed session, Council shall voluntarily disclose as much information as possible without compromising the need for, or appropriateness of, confidentiality for those matter(s) to be discussed in closed session.
3. During the conduct of the closed meeting, Members of Council are prohibited from discussing any additional matters not contained within the motion to move into closed session.
4. In the event that the closed session consideration of an item begins to move beyond the statutory requirements for meeting in closed session, any attendee shall promptly advise the Council accordingly.
5. Any member of Council may move a motion to refer the item to open session if in their opinion the issue or any portion thereof being discussed in the closed meeting is not appropriate in accordance with the terms of the Act.
6. If a matter must be discussed that was not disclosed before entering into closed session, Council shall rise from the first closed session, move a second motion in open session to move into closed session with respect to the additional matter, and then move back into closed session to discuss that additional item.
7. All decisions, regardless of whether they were noted in the

agenda, shall be recorded in the minutes of closed session.

8. The only votes that may be taken during a closed session of Council are with respect to directions to staff or agents of the municipality or a vote on a procedural matter (adoption of minutes, deferral, referral) and recorded votes are not permitted; when possible motions will be voted on in open session.
9. In the event that an item considered at a close meeting is subsequently addressed or passed in open session, the protections afforded individuals under the Municipal Freedom of Information and Protection of Privacy Act, or any other law are to be respected.
10. All attendees in closed session shall keep confidential all information obtained during their attendance at that meeting unless by the concurrence of Council, the information, or parts of the information, may be disclosed in public in accordance with the Municipal Freedom of Information and Protection of Privacy Act or any other law.
11. Responsibilities of staff and councillors in relation to closed meetings are:
 - a. Every agenda item submitted by staff, or an elected official will be accompanied by a report which will, if possible, include materials to be distributed or presented in the meeting. At a minimum, the report will include a brief description of the purpose and effect of the report and what additional information is pending and why.
 - b. The open agenda descriptions shall be sufficient enough to provide the general nature of the matter Council or committee is considering at the closed meeting.
 - c. If staff brings forward a report to the open session of a meeting that is supplemented by a separate confidential report, such as a legal opinion, Council then can either consider and pass the public report in open session or move to meet in closed session to ask questions about the legal opinion;
 - d. The Clerk or designate shall ensure that a complete hard

copy record, including all supportive documents, is kept of the closed session in accordance with Subsections 239(7) and (8) of the Act.

12. A meeting or part of a meeting may be closed to the public if the subject matter being considered falls under Section 239(2) and/or Section 239(3.1) and shall be closed if the subject matter being considered falls under Section 239(3).
13. Each attendee is responsible for ensuring the location of the closed session is private and confidential, without the opportunity for an individual who is not privy to the closed session to hear discussion, obtain a view, or access records and information of the closed session. Failure to have a private and confidential space will result in the closed session being suspended or rescheduled accordingly.
14. In the event of attending a closed session by electronic means, the attendee must ensure they are in a private and confidential space; at any time any attendee may challenge or question the confidentiality of the location of the electronic attendee, it is the responsibility of the attendee to prove to the satisfaction of the majority of attendees that their location is private, failure to do so will result in their removal from the closed session.
15. In the event of clause 15 above, if it is the Mayor, Chair, or Clerk and no designate is available, the closed session will be suspended or rescheduled accordingly.
16. A Member shall ensure that all personal communication devices, such as cell phones, be turned to silent mode and kept out of view during the meeting.
17. Communication devices shall not be used to record proceedings, communications, or receive advice provided during Closed Session.

Schedule E Quorum and Related Matters

1. Quorum requirements:
 - a. A quorum of more than 50% of voting members must be present at a meeting in order for those present to be able to conduct business.
 - b. In the case of a pecuniary interest being declared by a member, the remaining members will constitute quorum provided there are not less than two (2).
2. No business shall be conducted at a meeting without a quorum.
3. If after thirty (30) minutes from the time set for a meeting, there is no quorum present, the Clerk shall record the names of the members present and the Chair, or designate, shall declare the meeting adjourned.
4. If at any time during a sitting of Council, the Head of Council, or designate, should observe, or if any members shall call their attention to the fact that quorum is not present, they shall forthwith declare the Council adjourned, and the Clerk shall enter in the minutes the names of the members present at the time at which such adjournment was made.
5. If a member is unable to attend a meeting, or is going to be late for a meeting, they shall promptly notify the Office of the Clerk in advance of the meeting. After consultation with the Chair, the Clerk shall poll eligible voting members of the meeting to establish a new meeting date and time if required.
6. If in the event, a Member of Council or Committee has a change to their ability to attend per clause 5 above, the Member is to notify the Clerk in writing at least seven (7) days in advance of the meeting or as soon as practicable.
7. When Head is Absent
 - a. In the case of a temporary or planned short-term absence, the Head of Council may designate a member to act in their stead;

- b. In the case of a permanent or long-term absence, the role of Head of Council will be filled in accordance with the provisions of the Municipal Act, 2001, as amended.

Schedule F Enactments

1. Resolutions and motions:
 - a. The enactment of a by-law or the adoption of a resolution can only be accomplished by way of a motion. The following conditions shall apply:
 - i. All motions must be made in writing;
 - ii. All motions must be moved and seconded; and
 - iii. A motion must be read out by the Chair or designate.
 - b. The motion may include by incorporation any material included in the agenda. The motion shall also be presented in the affirmative. After a motion has been read out, it shall be deemed to be in the possession of the meeting. The Chair shall then call for debate on the motion.
 - c. Except as contemplated elsewhere in this By-law, each member of the meeting shall have the opportunity to address the question. Any member may require the question under discussion to be read at any time during the debate, but not to interrupt any other member while speaking. With leave of the Chair, the Clerk or any other appropriate member of staff may address Council to clarify the issues pertaining to the subject matter of the question or to provide additional information pertaining thereto.
 - d. Except with leave of the Chair, no member in Council shall be allowed more than two and a half (2.5) minutes to address the question or to speak more than twice on the question for a total entitlement of five (5) minutes. This notwithstanding, no member shall be permitted to speak for a second time until all members have had the opportunity to speak once. When there are no further speakers to the question, the Chair will put the question to a vote. No further discussion is permitted once the Chair indicates that they are putting the question to a vote. In addition, the following provisions shall apply:

- i. Friendly amendments: An amendment to a motion may be made by the mover and seconder during the course of debate without a formal motion to amend, provided no member objects.
 - ii. A motion may be withdrawn with the consent of the mover and seconder.
 - iii. A motion to refer to a committee or staff before the question is decided shall preclude any further amendment of the main question.
 - iv. A motion to refer shall include the reason for referral and direction to committee and/or staff.
- e. In the event all Members have spoken twice to a matter and the Chair is delaying the call to vote, any Member may force the calling by stating a Point of Order to Call the Vote on that matter.
- f. Except in respect of a motion to amend, a motion properly before Council for decision must receive disposition before any other main motion will be received.
- g. Motion for reconsideration:
- i. A Member of Council may request a Motion for Reconsideration on a matter previously decided. No question can be considered twice unless it was materially amended after its first reconsideration.
 - ii. After such motion has been accepted, no action shall be taken to carry into effect the main motion until after the motion to reconsider has been disposed of.
 - iii. A two-thirds majority vote shall be required to pass the motion to reconsider.
 - iv. There shall be no discussion or questions on the original motion until the motion of reconsideration has been approved by the Members, however, the Member who gives notice may have the privilege of stating their reasons for doing so.

- v. A motion for reconsideration shall not be considered after the next regular meeting.
 - h. A formal motion to amend:
 - i. Shall be confirmed in writing;
 - ii. Shall be directly germane to the question to be received; and
 - iii. May not propose a direct negative to the question.
 - i. In the event that the two-thirds majority vote of Council determines they would prefer not to vote on a matter at that time, the Chair will mark the motion "Deferred" and the said motion shall appear as an item of business on the next subsequent agenda or such identified subsequent agenda as Council shall otherwise direct.
 - j. Items that are deferred, then subsequently considered after coming back to Council, but which do not receive disposition after appearing on a subsequent agenda shall unless Council should otherwise direct, be removed from further discussion.
 - k. A motion to rescind any specific resolution may only be moved once during a term of Council and requires a two-thirds majority vote to be carried.
 - l. Except with the consent of the majority of members of Council, a defeated motion may only be brought forward for reconsideration once during the meeting in which it was considered.
2. By-laws
- a. By-laws shall not be enacted until any and all prevailing statutory provisions, such as notice, have been satisfied.
 - b. If a member wishes to debate a by-law further, they shall advise the Chair accordingly. Debate, according to established procedures, will occur immediately before the motion to adopt is voted upon. The membership retains

the privilege of referring a proposed by-law back to Council for further revision or discussions.

3. Declaration of Pecuniary Interest

- a. All declarations of pecuniary interest, conflict of interest, or other declarations that results in a member recusing themselves from a debate shall be recorded in a manner that is available for public viewing in a format as determined by the Clerk. Each entry of declaration shall include the following information:
 - i. Name of member,
 - ii. Date of meeting,
 - iii. Item number, and
 - iv. Reason for declaration, including if declaration is direct or indirect.

Schedule G Conduct of Debate

1. General
 - a. Every member prior to speaking to any question or motion, shall seek and be granted recognition from the Chair.
 - b. When two (2) or more members wish to speak, the Chair shall designate the member who has the floor.
 - c. When a motion is under debate, a member may ask a concisely worded question of another member or of a staff member through the Chair prior to a Motion being put to a vote by the Chair.
 - d. In every case, decorum and respect for speakers, members, staff, consultants, legal counsel, and the public shall be practiced and promoted.
2. State Facts and Position in Council
 - a. The Chair may provide information, points of clarification, corrections of errors, responses to questions, and state their position on any matter before the meeting without leaving the Chair. However, the Chair in the course of debating any question must, after debating a matter, allow every other member of Council an opportunity to provide input before again entering the debate, and the Chair may not, without leave of the majority of the members of a meeting, speak more often or for more time than that which is allotted as of right to a member elsewhere in this By-law.
 - b. The Chair reserves the right to speak last during debate.
 - c. Any member may as of right, require the question or motion under discussion to be read for information at any time during the debate but not so as to interrupt a member while speaking to the question.
3. Request for Informal Consideration

- a. At any time during debate any member may make a request for informal consideration which is to be considered immediately.
- b. The Chair shall immediately request a show of hands for consensus by the majority to debate the item with informal consideration. If majority consensus is not achieved, then the rules of debate shall continue. If majority consensus cannot be confirmed by show of hands, then the Chair shall call the vote for informal consideration that requires a majority in favour in order for it to pass.
- c. The following extended rules of debate shall apply during informal consideration:
 - i. Members may speak without the permission of the Chair;
 - ii. There are no restrictions on the number of times a member may speak;
 - iii. Members may direct questions to staff or the public, as required, without speaking through the Chair;
 - iv. Members shall not interrupt or speak when another member is speaking; and
 - v. Respectful manners and decorum shall be observed.
- d. Failure to follow the extended rules of debate as outlined in Subsection C above shall be corrected by a Point of Order called by any member or by the Chair.
- e. Informal consideration shall cease upon when one of the following occurs:
 - i. Consensus or vote to cease informal consideration, in the same manner the informal consideration began;
 - ii. A Point of Order is called in accordance with subsection d above;
 - iii. At the discretion of the Chair the debate has become

repetitive and/or futile; or

iv. A main motion is introduced.

4. Leaving the Chair

- a. If the Chair for any reason does not wish to sit as Chair for a particular matter, they shall call on one (1) of the members willing to do so to take their place until the debate and any vote on the matter has been concluded. A member who has not taken part in the debate, or who does not wish to enter the debate, will be the preferred choice to take the Chair.

5. Voting In Council or Committee

- a. Every member present who does not have a pecuniary interest shall vote on a matter, including the Mayor and/or Chair.
- b. Except in the case of a recorded vote, voting shall be done by show of hands.
- c. If any member requests a recorded vote, the names of those who vote for or against a question shall be entered in the minutes, in alphabetical order. The first member who requests a recorded vote will be the first to be polled and thereafter the eligible members shall vote in alphabetical order. The Chair shall vote last in a recorded vote. The Clerk shall preside over the recorded vote procedure.
- d. A recorded vote may be asked for at any time during the debate and immediately after the vote is taken, but before the next item of business commences.
- e. A recorded vote may only be taken in Council, Planning Council, or Committee of the Whole, not in Closed Session or Committee of Adjustment.
- f. Any question on which there is a tied vote, shall be declared to be negative and fail to carry.
- g. Except as provided in the Act, no vote shall be taken by

ballot or by any other method of secret voting, and every vote so taken is of no effect.

h. Vote by proxy shall not be permitted.

6. Points of Order

a. The Chair shall preside over the conduct of the meeting including the preservation of good order and decorum, ruling on points of order, and deciding all questions relating to the orderly procedure of the meeting.

b. Any ruling by the Chair on a point of order may be overruled by majority vote of the members present, or for the requirements of any Provincial statute to be met.

7. Further Matters of Decorum

a. No member shall use offensive words or unparliamentary language in or against the Council or against any member or staff or member of the public, speak on any subject other than the subject in debate, or disrupt the meeting by any disorderly conduct.

b. A Member shall not leave their seat or make any noise or disturbance while a vote is being taken or until the vote is declared.

c. A Member shall ensure that all personal communication devices, such as cell phones, be turned to silent mode and kept out of view during the meeting.

d. A Member shall not disobey the rules of the Council or a decision of the Chair or of the Council on points of order or on the interpretation of the rules of the procedure of the Council.

8. Response to Disruptive Conduct

a. It shall be the duty of the Chair to adjourn the meeting without the question being put or to suspend or recess the sitting for a time to be named if the Chair considers it necessary because of disruptive behaviour arising in the meeting.

- b. The Chair may call to order a member who breaches the Rules of this By-law. In the event a member persists in a breach of these Rules, the Chair shall put the question to other members of Council, "Shall the member be ordered to leave their seat for the duration of the Meeting?" and such question is not debatable.
- c. In the event such an order is forthcoming, the Chair shall order the Member to leave their seat for the duration of the meeting. Should the offender refuse to leave the Meeting when requested to do so, the Chair is to adjourn the meeting and arrange for police assistance, as required.
- d. Should police assistance be required, the Chair will also order the offending member not to return to the Council Chambers or any other meeting location or to the Municipal Building for the duration of the day and, should such offending member subsequently violate that order after leaving or being removed, the offending member will then be found to have breached this By-law and will be considered to be a trespasser, and the police will be contacted for assistance accordingly.
- e. Should the Member apologize, the Chair, with the majority approval of Council, will permit the member to resume their seat.

9. Suspension of Rules

- a. In order for Members to suspend the rules governing the conduct and procedures of meetings as outlined in this By-law, the following shall apply:
 - i. A vote by members with two-thirds majority vote in the affirmative for the members in attendance; and
 - ii. The resolution must note the section to be suspended and the reasons for the suspension.

Schedule H Agendas

1. Council Information Package (CIP)
 - a. The Council Information Package will contain copies of correspondence and records from the public, organizations, committees or Township staff. They will be provided to members of Council and posted on the Township Website. Members of Council may refer any matter on the Council correspondence Package to Council, either for information, action or response, but will specify their request via e-mail to the Clerk prior to the existing agenda item deadline set for members of Council.
 - b. Correspondence received from the public will not be shared or made public if it contains anything that violates the Township's Respect in the Workplace Policy, Frivolous and Vexatious Policy, the Code of Conduct for Members of Council and Committees, or the Council Staff Relations Policy and shall be returned to the sender outlining the reason(s) it wasn't accepted.
 - c. The CIP shall include, but not limited to the following items:
 - i. Correspondence from the Association of Municipalities of Ontario,
 - ii. District of Muskoka communications, including press releases and newsletters,
 - iii. O.P.P news releases,
 - iv. Resolutions from other municipalities,
 - v. Minutes from boards, advisory committees, and committees,
 - vi. Other information items as deemed acceptable by the Clerk,

- vii. Information memos from staff regarding upcoming by-laws, public notices, road closures, tenders, planning notices, notices to residents,
- viii. Letters addressed to other agencies but copied to Council,
- ix. Correspondence or communications addressed to Mayor and Council,
- x. Petitions,
- xi. Notices or requests for comment from other government agencies, including but not limited to the MNRF, MECP, DFO, Transportation Canada, etc., or
- xii. Thank you letters or acknowledgement letters, etc.

2. Council and Committee Agenda Preparation

- a. The Clerk or delegate shall distribute the Council, Planning Council, and Committee of the Whole agendas two-Fridays before the meeting date.
- b. The Clerk or delegate shall distribute a committee agenda seven (7) days before the meeting date.
- c. In order to have a matter placed on the Agenda, Councillors or Committee members wishing to submit items for inclusion on the agenda are required to have their submissions to the Clerk or designate five (5) days preceding the agenda publication date. Items that are not received by the cut-off time shall be placed on the next available agenda.
- d. New Business items submitted by Council shall include:
 - i. Councillor Name
 - ii. Date of Meeting

- iii. Meeting Type
 - iv. Subject
 - v. Secorder
 - vi. Report
 - vii. Recommendation
 - viii. Supporting documentation, if applicable
- e. Items provided by Councillors or Committee members will appear on the agenda in the order in which they are received by the Clerk; however, if more than two items are received from one member, the remaining items will be listed sequentially in groups of two to accommodate the opportunity for other members to have their items heard.
 - f. Subject to the discretion of the Clerk, matters not reached prior to adjournment shall take priority over new matters at the following regular meeting.
 - g. Every agenda item submitted by staff or members will be accompanied by a report. At a minimum, the report will include a brief description of the purpose and effect of the item and what additional information is pending and why.
 - h. New Business items submitted by Council or staff will be placed on either a Council, Planning Council, or Committee of the Whole agenda; it is at the discretion of the Clerk to determine the meeting type.

3. Supplementary Agenda Items

- a. Items for inclusion on a Supplementary Agenda shall be of a time sensitive or urgent nature subject to approval by the Mayor and CAO. These items must be received by the Clerk in a timely manner so that staff are able to publish the supplementary agenda within deadlines.

- b. The supplementary agenda shall be posted online one (1) business day before the meeting. No items that require a public meeting or notice provisions shall be included on a supplementary agenda.
4. Council Agenda Order and Headings
 - a. Call to Order
 - b. Land Acknowledgement Statement
 - c. Strategic Directions
 - d. Declaration of Pecuniary Interest or Conflict of Interest
 - e. Presentations (staff recognition, cheque, or certificate)
 - f. Deputation (at the request of Council)
 - g. Delegation
 - h. Consent Agenda
 - i. Council or Planning Council Minutes
 - ii. Committee of the Whole Resolutions and Minutes
 - iii. Other Committees of Council Resolutions and Minutes
 - iv. Staff reports for informational purposes, including tenders for items approved in the budget
 - v. Other reports or correspondence to be formally received by Council for informational purposes
 - i. Open Forum
 - j. Communications from Mayor and Council
 - k. Communications from CAO
 - l. Staff Reports

- m. New Business
 - n. By-laws
 - o. Closed Session
 - p. Confirming By-law
 - q. Adjournment
5. Committee of the Whole Agenda Order and Headings
- a. Call to Order
 - b. Land Acknowledgement Statement
 - c. Strategic Directions
 - d. Declaration of Pecuniary Interest or Conflict of Interest
 - e. Deputation (at the request of Council)
 - f. Delegation
 - g. Open Forum
 - h. Staff Reports
 - i. New Business
 - j. Adjournment
6. Planning Council Agenda Order and Headings
- a. Call to Order
 - b. Land Acknowledgement Statement
 - c. Strategic Directions
 - d. Declaration of Pecuniary Interest or Conflict of Interest
 - e. Open Forum

- f. Municipal Act Public Meetings
 - g. Planning Act Public Meetings
 - h. Planning Application Staff Reports
 - i. Staff Reports
 - j. New Business
 - k. Closed Session
 - l. Confirming By-law
 - m. Adjournment
7. Committee of Adjustment Order and Headings
- a. Call to Order
 - b. Land Acknowledgement Statement
 - c. Strategic Directions
 - d. Declaration of Pecuniary Interest
 - e. Adoption of Minutes
 - f. Consent Application Public Hearings
 - g. Minor Variance Application Public Hearings
 - h. Reports for Applications
 - i. Adjournment
8. Committees of Council Order and Headings
- a. Call to Order
 - b. Land Acknowledgement Statement
 - c. Strategic Directions

- d. Declaration of Pecuniary Interest or Conflict of Interest
 - e. Deputation (at the request of Committee)
 - f. Delegation
 - g. Open Forum
 - h. Adoption of Minutes
 - i. Staff Reports
 - j. New Business
 - k. Recommendations to Council or Committee of the Whole
 - l. Adjournment
9. The business of Council shall be considered in the order set forth on the agenda provided; however, the Head of Council, with approval of the majority of the members in attendance, may vary the order of business to accommodate matters before Council in the interest of time or expediency.

Schedule I

Delegations, Deputations, and Open Forum

1. Those who make frequent presentations to Council (District of Muskoka, OPP, water quality reports, etc.) will be placed under Deputation.
2. Delegations regarding matters that have already had or will have a Public Meeting process (Example: planning applications) are not permitted as there is already a public forum for these matters.
3. Those requesting to be a delegate at a meeting shall submit a request in writing to the Clerk at least fifteen (15) days prior to the meeting.
4. Three (3) deputations and delegations total may be scheduled by the Clerk per meeting. At the discretion of the Clerk, additional deputations and/or delegations may be scheduled if one of the following is met:
 - a. A delay would impede a decision of Council; or
 - b. The topic aligns with the business of Council per the agenda.
5. A delegation may include visual aids providing that where such visual aids require the use of municipal equipment, arrangements have been made with the Clerk at least two (2) business days prior to the meeting or at the discretion of the Clerk.
6. A delegation shall be limited to ten (10) minutes maximum regardless of the number of presenters to address Council, excluding questions per Section 9 below.
7. The Clerk shall advise the meeting chair once the time allotted for the delegation has expired. The Chair shall so inform the presenters and the presenters shall immediately cease the delegation.
8. Notwithstanding Section 7 above the Chair reserves the right to permit the delegation to continue beyond the designated ten

(10) minutes to present.

9. Delegations and deputations may be followed by questions to the presenter(s) by members.
10. If Members deem that an action or investigation should be undertaken as a result of any discussions during a delegation or deputation, staff shall be directed, via resolution, to report on the same at the next meeting or as soon as practicable.
11. When a request to appear is received after the agenda has been set the Clerk may schedule the delegation for a future meeting. In the event that the matter is of a time sensitive nature, the Clerk may poll the members at the meeting to add an additional delegation, which will be decided by majority consent.
12. Any person, or group, or member(s) of a group requires approval by the majority of Members in order to delegate more than twice on the same topic within a twelve (12) month period. Any second and/or subsequent delegation will be limited to providing new information only.
13. If an advisory group, or committee has been formed for a specific purpose, potential delegates shall be required to present before that committee or advisory group before being afforded presentation time before Council.
14. With the majority support of the members in attendance at the meeting, the meeting chair may deny a request for a delegation, or suspend a delegation, which is deemed to be frivolous or vexatious, or fails to comply with Procedure By-law requirements.
15. The Open Forum section of the agenda allows for comments from the public relating to a matter within Council or a Committee's jurisdiction and must be listed on the agenda of the meeting. Open Forum shall last no longer than ten (10) minutes total. All comments are to be addressed through the Chairperson. Each individual has no more than two (2) minutes to address Council or Committee, for a total of five (5) public members to speak per meeting.
16. Individuals shall register to speak during Open Forum in a manner as prescribed by the Clerk prior to being permitted to speak during the Open Forum. Comments made during the Open

Forum will not form part of the Minutes of the Meeting. No motions shall be made because of comments made during Open Forum. Members and staff shall not engage in debate during Open Forum.

17. If Members deem that an action or investigation should be undertaken as a result of any discussions during the Open Forum, staff shall be directed, via resolution, to report on the same at the next meeting or as soon as practicable.
18. During Open Forum, member(s) of the public shall at all times:
 - a. speak respectfully when addressing any member(s) of Council or committee;
 - b. use proper language and refrain from using any derogatory, defamatory, or profane language;
 - c. obey the rules of procedure or a decision of the Chair;
 - d. refrain from speaking to Members about matters involving current or pending litigation, insurance claims, or personnel matters; and
 - e. refrain from discussing matters beyond the jurisdiction of Council, Planning Council, Committee of the Whole, and Committees or contrary to MFIPPA.

Schedule J Electronic and Hybrid Meetings

1. A regular or special meeting of Council including Planning Council and Committee of the Whole may be conducted by an electronic or hybrid meeting, in accordance with this By-law and the Electronic and Hybrid Meeting Protocol, as developed and amended as necessary by the Clerk and CAO.
2. A committee meeting may be conducted by an electronic or hybrid means, which format shall be at the call of the Chair, in accordance with this By-law and any Electronic and Hybrid Meeting Protocol, as developed and amended as necessary by the Clerk and CAO.
3. It is understood that for practical reasons some meetings are best to take place in-person, electronically, or by hybrid. Members are to strive to attend meetings in-person as scheduled but recognize circumstances may arrive that remote attendance is preferred. Members are given a grace of understanding for attending upwards of 50% in-person meetings remotely.
4. Members of Council or committees participating in an electronic or hybrid meeting, either in-person or by electronic means, shall be counted for purposes of quorum at the commencement and at any point in time during the meeting, and shall be entitled to vote through a vote recorded by the Clerk as if they were attending the meeting in-person.
5. An electronic or hybrid meeting may include closed session which shall be pursuant to Section 239 of the Municipal Act as amended and the Electronic Meeting Protocol, and Schedule D of this By-law.
6. Each person present during closed session shall ensure they are in a secure and confidential space that does not permit an individual who is not privy to the confidential matters to hear, see or otherwise be exposed to discussion or materials of closed session. Failure to ensure such secure and confidential space will result in the attendee being removed from the discussion.
7. Public notice of an electronic meeting shall include sufficient information to provide the public with a means to electronically access for viewing purposes of such an electronic or hybrid

meeting.

8. Statutory public meetings or other public meetings as deemed required shall be permitted in an electronic or hybrid meeting in accordance with this By-law, the Electronic and Hybrid Meeting Protocol and any other relevant legislation.
9. Notwithstanding the foregoing, the Procedure By-law shall continue to apply to an electronic meeting held pursuant to Section M except that this Section and any Provincial legislation or order shall prevail to the extent of any conflict.
10. Provisions of the Municipal Act may supersede portions of this By-law.

Schedule K General Provisions

1. Members of Council have access to records per the Municipal Freedom of Information and Protection of Privacy Act, the Municipal Act, and other relevant legislation and precedent. The Clerk shall have determination for how the record is provided and/or released to the Member.
2. The Clerk, CAO, and Members of Council acknowledge that records may be requested from time to time to assist Members with their roles and responsibilities.
3. The Township records all Council, Planning Council, Committee of the Whole, Committee of Adjustment, and Planning Advisory Committee meetings, excluding Closed Session. When internet connectivity permits, they stream live online and are available to watch on the Township's YouTube Channel and/or other public platform as deemed necessary by the Clerk. Presenters and members of the gallery are advised that the microphone and camera are placed in the Council Chambers or other meeting locations and conversations taking place within the gallery will be recorded and become part of the public record.
4. Recording equipment may be used by members of the public and the press (except at closed sessions) but must not interfere with the meeting or Township's electronic devices and/or recording equipment. Recordings done by a third party shall not under any circumstances be deemed official records of the Municipality.