

THE CORPORATION OF THE TOWN OF GEORGINA  
IN THE  
REGIONAL MUNICIPALITY OF YORK

**BY-LAW 2016-0014 (COU-2)**

**PROCEDURAL BY-LAW**

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**PROCEDURAL BY-LAW**

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A BY-LAW TO GOVERN THE CALLING, PLACE AND PROCEEDINGS OF MEETINGS FOR THE TOWN OF GEORGINA.

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**WHEREAS** Section 238 (2) of the *Municipal Act, S.O. 2001, c. 25*, as amended, provides that every municipal Council pass a by-law for governing the calling, place and the proceedings of meetings;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF GEORGINA HEREBY ENACTS AS FOLLOWS:**

1. **DEFINITIONS**

In this by-law:

- (1) **“ACTING MAYOR”** means the Member of Council who has been appointed by by-law to act in the place or stead of the Deputy Mayor in the absence or incapacity of the Mayor and subsequent Deputy Mayor. (Deputy Mayor is also referred to as the Regional Councillor).
- (2) **“ADDENDUM”** means any addition to a completed written agenda or addition to an item on the agenda. Changes in motions or resolutions following discussion on an agenda item are not considered an Addendum.
- (3) **“AD HOC COMMITTEE”** means a committee established by Council from time to time to act on a temporary or singular initiative or matter, and shall be deemed discontinued when its recommendations upon the specified initiative or matter have been provided and further recommendations are no longer required unless it is continued by Council.
- (4) **“ADJOURN”** means to end the meeting.
- (5) **“ADVISORY COMMITTEE”** means a committee established by Council from time to time to act in an advisory capacity to Council on operational and strategic matters.

- (6) **“CAO”** means the Chief Administrative Officer of The Corporation of the Town of Georgina or their designate.
- (7) **“CLERK”** means the Town Clerk or a Deputy Clerk of the Town.
- (8) **“CLOSED SESSION”** refers to a meeting or portion thereof which is closed to the public in accordance with the applicable legislation.
- (9) **“COMMITTEE”** means any statutory advisory, subcommittee, standing, ad hoc, steering, or other committee, or similar entity of The Corporation of the Town of Georgina.
- (10) **“COMMITTEE MEMBER”** means a member of a committee of The Corporation of the Town of Georgina.
- (11) **“CONFIRMATORY BY-LAW”** means a by-law passed for the purpose of giving general effect to a previous decision or proceedings of Council.
- (12) **“CONSENT AGENDA”** means that portion of the Council agenda that contains reports from which members select the specific reports they wish to discuss. The remaining reports on the consent agenda (i.e. those reports that are not selected for discussion) are approved in one motion.
- (13) **“COUNCIL”** means the Council of the Corporation of the Town of Georgina.
- (14) **“DELEGATION”** means a person or group who has made a written request to address Council on a specific matter, and by virtue of the written request shall appear as a delegation on an agenda.
- (15) **“DEPUTY MAYOR”** means the Regional Councillor.
- (16) **“INVITED PRESENTATIONS”** means an address to Council normally at the request of Council or the Chief Administrative Officer, by a person, level of government or agency or other body on a specific matter.
- (17) **“LOCAL BOARD”** means a body established by Council pursuant to a specific statutory authority.
- (18) **“MAJORITY”** means more than half of the members present at the Council, committee or local board as follows:  
  
Majority of 7 members equals 4  
Majority of 6 members equals 4  
Majority of 5 members equals 3

Majority of 4 members equals 3  
Majority of 3 members equals 2  
Majority of 2 members equals 2

- (19) **“MAYOR”** means the Head of Council of The Corporation of the Town of Georgina.
- (20) **“MEETING”** means any regular, special, closed or other meeting of the Council, committee or local board.
- (21) **“MEMBER”** means a Member of Council, committee or local board and includes the Mayor.
- (22) **MOTIONS AND PROCEDURE**
- (a) **“AMENDING MOTION”** means to change the words of a pending motion.
- (b) **“MAIN MOTION”** means a motion that is brought before Council, for its consideration, on any particular subject independent of any other pending motion.
- (c) **“MOTION TO RECONSIDER”** means consider again. A motion to reconsider allows Council to consider again a motion on which a vote has been taken previously.
- (d) **“MOTION TO SUSPEND OR WAIVE THE RULES”** means to render temporarily ineffective one or more rules of order.
- (e) **“MOTION TO DEFER”** means to postpone all discussion on the matter until later in the same meeting or to a future date which is established as part of the motion.
- (f) **“MOTION TO RECEIVE”** means to receive the information.
- (g) **“MOTION TO RECESS”** means to take a short break or intermission in a meeting for a specified length of time. “Stand at ease” is an alternative for use when allowing the gallery to clear during a meeting.
- (h) **“MOTION TO REFER”** means to direct a matter under discussion by Council to a committee or a department head for further examination.
- (i) **“MOTION TO TABLE”** means to postpone without setting a definite date as to when the matter will be re-discussed.

- (j) **“NOTICE OF MOTION”** means a statement of intention for a future meeting and is required in the case of intended motions being raised by any Member at the next scheduled meeting.
- (k) **“POINT OF ORDER”** means the raising of a question by a Member for the purpose of calling attention to a deviation or departure from the rules of procedure.
- (l) **“POINT OF PRIVILEGE”** means the raising of a question by a Member or the Chief Administrative Officer, where such member or the Chief Administrative Officer, feels that his/her integrity, the integrity of the Council, or the integrity of staff has been impugned by another member, a delegate, a presenter or a speaker.
- (m) **“POINT OF INQUIRY”** means the raising of a factual inquiry regarding business matters or procedural inquiry regarding the rules of order.
- (n) **“SUBSIDIARY MOTION”** means a motion applied to other motions for the purpose of disposing or amending a main motion.
- (o) **“TWO-THIRDS VOTE”** means an affirmative vote of at least two-thirds of the members present at the time of the vote as follows:
  - Two-thirds of 7 members equals 5
  - Two-thirds of 6 members equals 4
  - Two-thirds of 5 members equals 4
  - Two-thirds of 4 members equals 3
  - Two-thirds of 3 members equals 2
  - Two-thirds of 2 members equals 2.
- (p) **“WITHDRAW OR MODIFY A MOTION”** means withdrawal or modification of a motion by the mover, if applicable.
- (23) **“NEWSPAPER”** means a printed publication in sheet form, intended for general circulation, published regularly at intervals of no longer than a week, consisting in great part of news of current events of general interest and sold to the public and regular subscribers.
- (24) **“NOTICE”** means a written, published or printed notification.
- (25) **“OUTSIDE RESOLUTIONS”** means a resolution from the Region or other municipality received by the Town.

- (26) **“PECUNIARY INTEREST”** means an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.

For the purposes of the *Municipal Conflict of Interest Act*, R.S.O. 1990 c. M.50, a member has an indirect pecuniary interest in any matter in which the council or local board, as the case may be, is concerned, if,

- (a) the member or his or her nominee,
- (i) is a shareholder in, or a director or senior officer of, a corporation that does not offer its securities to the public,
  - (ii) has a controlling interest in or is a director or senior officer of, a corporation that offers its securities to the public, or
  - (iii) is a member of a body, that has a pecuniary interest in the matter; or
- (b) the member is a partner of a person or is in the employment of a person or body that has a pecuniary interest in the matter.

- (27) **“PETITIONS”** means the presentation of a formal request, in writing, to Council, committee or local board.

- (28) **“PRESIDING OFFICER”** means the Mayor, or designate or appointed Chair who presides at meetings of Council, committee or local board meetings.

- (29) **“PROCLAMATIONS”** means an official public announcement and symbolic gesture of endorsement.

- (30) **“PUBLIC HOLIDAY”** means and includes New Year's Day, Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Civic Holiday, Labour Day, Thanksgiving, Christmas Day, Boxing Day, and any other day proclaimed by Council as a civic holiday.

- (31) **“PUBLIC MEETING”** means a public meeting held pursuant to the Planning Act or other legislation where statutory notice is required.

- (32) **“PUBLIC PRESENTATION”** means an address to Council at the written request of the presenter.

- (33) **“QUORUM”** means the majority of the whole number of members required to constitute a Council or committee. The number of members present needed for Council to conduct business is four (4) members, except in the event of more than one conflict of interest.

- (34) **“RECORD”** means 'written' for the purpose of compiling minutes of a meeting.
- (35) **“RECORDED VOTE”** means a written record of the name and vote of every member on a motion on any matter or question conducted by the Clerk.
- (36) **“RULES OF PROCEDURE”** means the rules and regulations as set out in this by-law.
- (37) **“SPEAKER”** means members of the public who during the Delegations/Speakers/Petitions section of the agenda speaks or submits comment to Council on an item included in the Council portion of the agenda.
- (38) **“STAFF”** means employees of The Corporation of the Town of Georgina.
- (39) **“STAFF PRESENTATIONS”** means an address to Council by staff supported by a formal presentation method.
- (40) **“TOWN”** means The Corporation of the Town of Georgina.
- (41) **“TOWN PAGE”** means the advertisement containing Town related matters which is published weekly in the local newspaper.
- (42) **“TOWN WEBSITE”** means the Town of Georgina website at [www.georgina.ca](http://www.georgina.ca).

## **2. GENERAL PROVISIONS**

### **(1) Rules and Regulations**

- (a) The rules and regulations contained in this by-law shall be the rules and regulations for the order and dispatch of business in Council and its Committees provided that the rules and regulations contained herein may be suspended by a two-third (2/3) vote of the members present at the meeting. Council is prohibited from suspending any statutory requirement with respect to its proceedings.
- (b) All meetings of Council shall be open to the public unless the subject matter to be discussed relates to the closed session topics as stated in subsection 2(8) of this by-law.
- (c) The Clerk, or his/or her designate, shall be present at all meetings of Council.

- (d) Notwithstanding anything in this by-law, where Council convenes for the purpose of holding a hearing as required by any statute, the provisions of the statute and the *Statutory Powers Procedure Act, R.S.O. 1990, c. S.22*, as applicable, shall govern the proceedings.

(2) Interpretations

- (a) In the event of any uncertainty in the interpretation of any provision of this Procedural by-law, reference shall be made to Robert's Rules of Order as an interpretive aid in resolving such uncertainty.
- (b) In the event of conflict between the provisions of this Procedural by-law and relevant legislation, the provisions of the legislation shall prevail.

(3) Roles of Council and Head of Council

(a) Role of Council –

It is the role of Council,

- (i) To represent the public and to 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 decisions of Council;
- (v) To ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- (vi) To maintain the financial integrity of the municipality;
- (vii) To carry out the duties of Council under this and any other Act.

(b) Role of the Head of Council

It is the role of the Head of Council,

- (i) To act as chief executive officer of the municipality;
- (ii) Preside over Council meetings so that its business can be carried

out efficiently and effectively;

(iii) To provide leadership to the Council;

(iv) Without limiting clause (iii), to provide information and recommendations to the Council with respect to the role of Council described in clauses 2(3)(a)(iv);

(v) To represent the municipality at official functions; and

(vi) To carry out the duties of the head of Council under this or any other Act.

(4) Presiding Officer

(a) The Mayor, or designate or appointed Chair shall sit as Presiding Officer at meetings of Council, committee or local board meetings.

(b) When the Office of the Mayor as Head of Council is vacant, or when the Mayor is unable to carry out his/her duties through illness or otherwise, or when the Mayor is absent from the office in the course of his/her duties, or on vacation or a Council approved leave, or

(c) When the Mayor refuses to act or declares a conflict of interest, the Deputy Mayor shall act in the absence of the Mayor and shall have all the powers and duties of the Mayor.

(d) The Regional Councillor shall be the Deputy Mayor.

(e) In the absence, refusal or inability of the Mayor or Deputy Mayor to act, then in accordance with the order set out in the Appointment of a Presiding Officer by-law, the respective Member of Council shall assume the position of Presiding Officer.

(f) If the Mayor/Presiding Officer does not attend within fifteen (15) minutes after the hour fixed for the meeting, the Deputy Mayor or, in his absence, the Presiding Officer calls the meeting to order and shall preside until the Mayor arrives.

(5) Duties of the Presiding Officer

(a) As soon as quorum is present, after the hour fixed for the holding of a Council meeting, the Mayor or Presiding Officer may call the meeting to order.

(b) It shall be the duty of the Mayor or Presiding Officer:

- (i) To preside at all meetings of the Council;
- (ii) To put to a vote all motions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and to announce the result of the vote;
- (iii) To decline to put to vote motions which infringe the rules of procedure;
- (iv) To restrain the Members, within the rules of procedure, when engaged in debate;
- (v) To enforce on all occasions, the observance of order and decorum among the members and attendees/audience;
- (vi) To call by name any member persisting in breach of the rules of procedure, thereby ordering the member to vacate the council chamber;
- (vii) To decide all questions of order at the meeting, subject to an appeal by any member to Council on any question of order in respect to business before the Council;
- (viii) To execute, by his/her signature when necessary, all by-laws and minutes of a meeting and other required documents;
- (ix) To represent and support Council, declaring its will, and implicitly obeying its decisions in all matters; and
- (x) That regular Council meetings shall not exceed four (4) hours in duration and shall be adjourned forthwith unless otherwise determined by a majority of the members present.
- (xi) The Presiding Officer shall enforce the rules of procedure.

(6) Conduct of Members

- (a) No member shall:
  - (i) Speak without the permission of the Presiding Officer;
  - (ii) Use offensive words or unparliamentary language in or against the Council, any Member of Council, or any officer or employee of the Town or guest;
  - (iii) Speak on any subject other than the subject in debate;

- (iv) Criticize any decision of the Council except for the purpose of moving that a question be reconsidered or rescinded;
  - (v) Interrupt the member who has the floor, except to raise a point of order or point of privilege;
  - (vi) Disobey the rules of procedure or a decision of the Presiding Officer on questions of order or upon the interpretation of the rules of procedure; and where a member persists in any such disobedience after having been called to order by the Presiding Officer, the Presiding Officer shall introduce the motion without amendment, adjournment or debate being allowed, "that such member be ordered to leave his/her seat for the duration of the meeting of the Council", but if the member apologizes, he/she may be permitted to retake his/her seat;
  - (vii) Leave at any time without advising the Presiding Officer or the Clerk; and
  - (viii) Speak in a manner that is discriminatory in nature on an individual's vocation, race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, creed, sex, sexual orientation, age, marital status, family status or mental or physical disability.
- (b) 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.
- (c) No member shall speak more than once, except to give an explanation to the motion that may have been interpreted incorrectly or with leave of the Presiding Officer after all other members so desiring have spoken.
- (7) Decorum
- (a) Attendees at a meeting shall maintain order and shall not display signs or placards, heckle, or engage in telephone or other conversations or any behaviour that may be considered disruptive.
  - (b) All cell phones, personal digital assistant and electronic devices shall be set to silent mode during a meeting. Electronic communication devices shall be permitted at the council table for the purpose of accessing the agenda electronically; use of such electronic communication devices shall be at the discretion of each Council

member, but shall not be permitted for the exchange of e-mails, texting or any digital communication amongst members during the meeting.

(c) The Presiding Officer or Council may expel or exclude from any meeting any person for improper conduct at a meeting.

(i) The Presiding Officer, where a warning or ruling has not been heeded, may expel any member or person from the meeting place for improper conduct at the meeting, which for purposes of this section shall include:

- a. violation of the rules;
- b. interruption of the proceedings of Council;
- c. making of disruptive noise or visible gestures;
- d. campaigning for any political cause or outcome; or
- e. any other activity that impedes the conduct of the meeting.

(ii) Where the Presiding Officer expels any member or person from the meeting, such member or person shall vacate the meeting place forthwith.

(iii) Where the expulsion applies to a member, the member shall only address the Presiding Officer for the purpose of appealing the Presiding Officer's ruling of expulsion.

(iv) If no member appeals, the ruling of the Presiding Officer shall be final.

(v) If a member appeals the Presiding Officer's ruling on expulsion to Council, the member shall have the right to give reasons for the appeal, following which the Presiding Officer shall have the right to reply with reasons, and the Council shall decide the question: "That the decision of the Chair be sustained" without further debate, and the decision of Council shall be final.

(d) No person, except members of Council and staff of the Town, shall be allowed to approach the dais (platform) uninvited where the members of Council are seated or the table where Town staff is seated.

(e) Members of the public who wish to submit materials for Council must do so through the Clerk.

(i) The use of audio and video recording equipment in the council chambers by the public or the media will be permitted provided that it is not disruptive to the meeting. The location of the recording equipment will be at the discretion of the Clerk.

(ii) If, in the opinion of the Clerk, the use of such equipment or devices is deemed to be disruptive to the conduct of the meeting, the recording privileges will be withdrawn from any offending user. The ruling of the Clerk shall be final unless a member appeals the ruling to Council which shall then decide upon the question without debate. A majority vote of the members present shall be required.

(8) No Quorum

(a) If no quorum is present fifteen (15) minutes after the time appointed for a meeting, the Clerk shall record the names of the members present and the meeting shall not commence or proceed.

(b) In a meeting where there is only the minimum requirement for a quorum and a member declares a Conflict of Interest, the remaining members of Council are deemed to constitute a quorum, provided that this number is not fewer than two (2).

(c) If during the course of a meeting, the quorum is lost, then the meeting shall stand recessed and shall reconvene when a quorum is regained. In the event that the quorum is not regained within fifteen (15) minutes, then the Clerk shall record in the minutes the time when quorum was lost, note the names of those present and the meeting shall be ended without formal adjournment.

(d) If a meeting ends because the quorum is lost,

(i) The items on the agenda that were dealt with by Council including any recommendations therefrom, will be included in the minutes of the meeting;

(ii) The items on the agenda that were not dealt with or finally disposed of by Council shall be placed on the agenda for the next regular meeting or special meeting as the case may be.

(e) Each Member of Council is encouraged to notify the Clerk when the member is aware that he/she will be absent from any meeting.

(9) Late Arrival

(a) If a member arrives late at a meeting, any prior discussion shall not be reviewed without the unanimous consent of all members present.

(10) Disclosure of Pecuniary Interest and General Nature Thereof

- (a) Where a member, either on his or her 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:
  - (i) Shall, prior to any consideration of the matter at the meeting, orally disclose the interest and its general nature;
  - (ii) Shall not, at any time, attempt, either on his or her own behalf or while acting for, by or through another person, in any way whether before, during or after the meeting to influence the voting on any such question; and
  - (iii) Shall leave the room immediately prior to any consideration or discussion of the matter during a closed session.
- (b) Where the interest of a member has not been disclosed by reason of the member's absence from the meeting wherein the matter was discussed, the member shall disclose the interest at the first meeting attended by the member after the meeting referred to.

(11) Points of Order or Privilege

- (a) A member may interrupt the person who has the floor to raise a point of order when such member feels that there has been a deviation or departure from the rules of procedure. The ruling of the Presiding Officer shall be final unless a member appeals the ruling to Council which shall then decide upon the question without debate.
- (b) A member may raise at any time a point of privilege where such member feels that his/her integrity, the integrity of any other member, the integrity of the Council, or the integrity of staff has been impugned by another member, presenter, delegate or speaker. Upon hearing such point, the ruling of the Presiding Officer shall be final unless a member appeals the ruling to Council which shall then decide upon the question without debate.
- (c) Where the Presiding Officer recognizes that a breach of privilege has taken place, the Presiding Officer shall demand that the offending member, presenter, delegate or speaker apologize, and failing such apology shall require such person to vacate the council chambers for the duration of the meeting.

- (d) Any member may appeal the decision of the Presiding Officer to the Council which shall decide the question "that the decision of the Presiding Officer be sustained" without the debate upon a fifty percent vote of the members present.
- (e) When the Chief Administrative Officer considers that the integrity of a member of Town staff has been impugned or questioned, the Chief Administrative Officer may seek leave from the Presiding Officer to make a point of privilege to Council.

(12) Signing Authority

- (a) The Mayor, the Deputy Mayor and the Clerk or Deputy Clerk are hereby authorized to sign and seal all agreements and other municipal documents that have been approved by Council.

**3. COUNCIL MEETINGS**

(1) Inaugural Meeting

The first meeting of a newly elected Council after a regular election shall be held in the Council Chambers on the first Wednesday of December at 7:00 p.m.

(2) Regular Meetings

- (a) Unless otherwise provided by a resolution of the Council, the regular meeting of Council shall be held on:
  - the first Wednesday of each month at 9:00 a.m. (local time);
  - the second Wednesday of each month at 7:00 p.m. (local time);
  - The third Wednesday of each at 9:00 a.m. (local time).; and
  - The fourth Wednesday of each month at 7:00 p.m. (local time).
- (b) In December of each year, Council shall set the schedule of meetings for the following year. No meeting shall be held during the second and third weeks of the month of March, during the first week of September, during the last two weeks of the month of December and only one meeting per month will be held during the months of July and August unless otherwise specified by resolution of Council.

(3) Special Council Meeting

- (a) The Mayor may, at any time, summon a special Council meeting on 48 hours' notice to the members, or when so requested in writing by a majority of the members, the Clerk shall summon a Special Council meeting on 48 hours' notice to all members for the purpose and the time mentioned in the petition.
- (b) The only business to be dealt with at the special Council meeting is that which is listed in the notice of the meeting. Special meetings may be open or closed as provided in the *Municipal Act*.
- (c) Lack of receipt of the notice shall not affect the validity of the meeting or any action taken at that meeting.

(4) Emergency Meeting

Notwithstanding any other provision of this by-law, a special meeting may be held without 48 hours' notice, to deal with an emergency situation, provided that a reasonable attempt has been made to reach the members of Council by telephone and email at their respective residences and/or places of business. No business, except business dealing directly with the emergency situation, shall be transacted at that meeting.

(5) Public Meetings

- (a) When required, public meetings held to consider applications under the *Planning Act*, or to obtain public input for other purposes will be held at 7:30 p.m. as the second order of business at the Council meeting.
- (b) A public meeting may be called at an earlier or different date and time upon the approval by resolution of Council provided that adequate notice is given to the public of the impending change as directed by the Clerk or designate.
- (c) The Mayor or Presiding Officer shall explain the public meeting process for those in attendance and the statutory requirements under the *Planning Act* or other applicable legislation.
- (d) Delegates wishing to address Council at a public meeting under the *Planning Act* or a public meeting called for other purposes shall be permitted to speak without advance notice.
- (e) The time limitation for delegations at a public meeting to hear applications under the *Planning Act*, shall not exceed five (5) minutes. Council may extend, without debate, the five (5) minute time period by a majority vote of the Council members present.

- (f) Council may ask questions of staff after the staff presentation and prior to the delegates addressing Council.

(6) Postponement of Meeting

- (a) If it appears that inclement weather, or like occurrence, or an emergency situation will prevent the Members from attending a meeting, the Chief Administrative Officer or designate, in consultation with the Mayor may direct the Clerk to postpone that meeting by contacting as many members as he/she is able to reach. Information regarding the cancellation of the meeting shall be recorded on the Town's telephone system and posted on the Town website. Postponement shall not extend beyond the date of the next regularly scheduled meeting, unless extenuating circumstances continue preventing the holding of the next regular meeting.

(7) Location of Meetings

- (a) All meetings of Council shall be held at 26557 Civic Centre Road, Keswick, ON, Canada, L4P 3G1 Council Chambers or at any other place in the municipality or adjacent municipality, authorized by the Mayor in the case of a special meeting or by Council in the case of regular meetings.
- (b) Despite subsection a) above, a joint meeting of the Councils of two or more municipalities for the consideration of matters of common interest may be held within any one of those municipalities or in a municipality adjacent to any of them.
- (c) In the event of an emergency the Council may hold its meetings and keep its public offices at a convenient location within or outside the municipality.

(8) Recording of Meetings

- (a) Council meetings, which are not closed to the public in accordance with the provisions of Section 5 of this by-law, subject to Subsection 3(8) of this by-law may be digitally, televised or otherwise recorded.
- (b) Inability of recording of the meeting due to technical difficulties with recording equipment will not prohibit the meeting from commencing or continuing.

(9) Notice of Meetings

- (a) The Clerk shall provide notice to the public of all meetings of Council,

agendas, agenda items, cancellations and re-scheduling by:

(i) Posting the annual regular schedule of meetings once adopted by Council on the Town Page in the local newspaper and the Town's website at [www.georgina.ca](http://www.georgina.ca) and distributing copies upon request.

(ii) Updating the annual regular schedule of meetings posted on the Town website within 24 hours of any changes made to the schedule; and

(iii) For special meetings, posting the agenda on the Town website not less than 24 hours in advance of the meeting.

(b) The form, manner and times when Notice will be provided to the public regarding specific by-laws and the holding of certain meetings are outlined in the Policy on Public Notice Requirements or any other applicable by-law.

(c) Notice which is substantively given but which is irregular or not otherwise in strict compliance with this by-law will not invalidate the holding of a meeting or any proceeding taken at a meeting.

(10) Committees/Local Boards of Council

(a) The Office of the Clerk shall publicly advertise and recruit applicants for committees and local boards at the beginning and throughout (if vacancies arise) each term of Council. The Selection Committee will conduct the selection process of applicants and make confidential recommendations to Council for appointments. Council shall appoint, by by-law, members including Council representative(s) to committees and local boards at the beginning of each term of Council. Council may only alter appointments through a by-law.

(b) All committees and local boards shall include a minimum of one (1) Member of Council and a maximum of three unless otherwise approved by Council.

(c) All committees and local boards Terms of Reference, to govern the committee or local board, shall be drafted by staff and said Terms of Reference shall require Council's approval.

(d) All committees and local boards shall elect a Chair and Vice-Chair from its citizen appointees at the beginning of each calendar year throughout the term of office.

- (e) All Committees and Local Boards shall, through the Office of the Clerk, publicly advertise their meeting schedule and location on the Town's website.
- (f) All committees and local boards shall, through the Office of the Clerk, publicly advertise their agendas one week in advance of their meetings on the Town's website and provide them, upon request. Minutes of meetings shall be approved by committee and presented to Council, and also be posted on the Town website and provided, upon request, in an accessible format.
- (g) It shall be the duty of the committees and local boards to report to Council, on all matters connected with their mandate as outlined in their terms of reference and/or, on matters referred to them by Council and to recommend action(s), through a recommendation report to Council in a timely manner and as deemed necessary.
- (h) Where deemed necessary by the committee or local board or Council, sub-committees may be established to conduct research and report to the committee or local board. Sub-committee members are not necessarily required to be committee or local board members, but a committee or local board member shall Chair sub-committee meetings. Sub-committees must report in a timely fashion to the committee or local board.
- (i) Committees and local boards will be provided administrative and legislative support through the Office of the Clerk.
- (j) Committees and local boards are advisory bodies to Council, and do not have any decision-making authority outside of the scope of the responsibilities outlined in their Terms of Reference.
- (k) Council may establish an ad hoc committee and appoint its members by by-law to consider a specific matter.
- (l) Members of staff appointed to committees shall be non-voting members of the committee.
- (m) Agendas and meeting minutes of committees and boards should be formatted and created so that they appear substantially similar to those resulting from Council meetings.
- (n) Save for Business Improvement Boards of the Town, except for emergency or extenuating circumstances, all committees and boards shall hold and conduct meetings on Town property.

**4. AGENDA**

(1) Order of Business

(a) The Clerk shall prepare for distribution an agenda with the routine order of business for regular meetings of Council to be as follows:

1. CALL TO ORDER- MOMENT OF MEDITATION
2. ROLL CALL
3. COMMUNITY ANNOUNCEMENTS
4. INTRODUCTION OF ADDENDUM ITEMS
5. APPROVAL OF AGENDA
6. DECLARATIONS OF PECUNIARY INTEREST AND GENERAL NATURE THEROF
7. ADOPTION OF MINUTES
8. SPEAKERS
9. DELEGATIONS/PETITIONS
10. PRESENTATIONS
11. PUBLIC MEETINGS

**IF MORE THAN ONE PUBLIC MEETING IS SCHEDULED FOR THE SAME TIME, THEY WILL BE DEALT WITH IN THE ORDER THAT THEY APPEAR ON THE AGENDA OR AS COUNCIL MAY DETERMINE.**

- (1) STATUTORY MEETINGS UNDER THE PLANNING ACT OR MEETINGS PERTAINING TO THE CONTINUATION OF PLANNING MATTERS
- (2) STATUTORY MEETING(S) UNDER OTHER LEGISLATION
- (3) OTHER PUBLIC MEETINGS

12. REPORTS

- (1) ADOPTION OF REPORTS NOT REQUIRING SEPARATE

DISCUSSION

(2) REPORTS REQUIRING SEPARATE DISCUSSION

13. DISPOSITIONS/PROCLAMATIONS, GENERAL INFORMATION ITEMS AND COMMITTEE OF ADJUSTMENT

(1) Dispositions/Proclamations

(2) General Information Items

(3) Committee of Adjustment Planning Matters

(A) Under Review

(B) Recommendations

(C) Decisions

14. MOTIONS/NOTICES OF MOTION

15. REGIONAL BUSINESS

16. OTHER BUSINESS

17. BY-LAWS

18. CLOSED SESSION

(1) Motion to move into closed session of Council

(2) Motion to reconvene into open session of Council and report on matters discussed in closed session.

19. CONFIRMING BY-LAW

20. MOTION TO ADJOURN

(2) Changes in Order of Business

(a) All business shall be considered in the order in which it appears on the agenda unless otherwise decided by the Presiding Officer.

(3) Addendum Items

(a) Addendum items will only be permitted on the agenda pertaining to matters of the utmost importance and if sanctioned by the Chief Administrative Officer (CAO). Approval of addendums presented at Council are at the discretion of Council with a majority vote.

- (b) Addendum items will be introduced by the Presiding Officer or Clerk at the beginning of the meeting. Whenever possible addendums will be posted to the website and Civic Centre bulletin boards prior to the meeting.

(4) Delegations and Petitions

*For the purposes of this by-law Delegations and Speakers Regarding Items on the Agenda are separated for distinction (see 4 & 5)*

(a) Delegations

(i) Anyone wishing to appear before Council as a delegation shall advise the Clerk by 10:00 a.m. on the Monday ten (10) days prior to the Wednesday meeting. A delegation will only be included on the agenda when the Clerk is in receipt of a completed registration form which shall include the nature of the matter to be addressed and contact information for the delegate. In accordance with accountability and transparency, no delegation shall be permitted to address Council except those individuals that have submitted a registration form within the prescribed time and are listed as delegations on the agenda.

(ii) The Clerk shall give due consideration to the length of the agenda and the number of delegations and shall recommend to the requester the earliest possible date when their delegation may be accommodated. A maximum of three (3) delegations shall be allowed to address Council per meeting.

(iii) If the Clerk receives four (4) or more requests to appear as a Delegation regarding the same issue at the same meeting, Council shall be informed and may schedule a special meeting to address the matter.

(iv) No person other than the designated spokesperson may speak on the matter and for not more than a total of five (5) minutes. A five (5) minute extension may be decided, without debate, by a majority vote of the Council Members present at the Council meeting. A delegation consisting of more than three (3) or more persons who are present at the meeting may have more than one (1) speaker provided that the total speaking time does not exceed ten (10) minutes in total.

(v) All delegations on an issue shall be heard before questions are asked of staff or discussion takes place among Council.

(vi) Once discussion in respect of a motion or resolution has commenced, no further presentation shall be made by a delegation or by any person other than a member, except at the discretion of

the Presiding Officer.

a. Council shall receive, by resolution, the delegation and any documentation. Where there is no accompanying staff report, the matter may be referred to a future Council meeting and a report requested for that meeting.

b. Notwithstanding the immediate previous subsection of this by-law, no delegation shall be permitted when the subject matter to be addressed relates to a recommendation of any tribunal that has conducted a hearing under the *Statutory Powers Procedures Act*, 1990, c S.22.

(vii) Delegations shall not:

a. Speak more than once on an item;

b. Speak disrespectfully of any person;

c. Use offensive words;

d. Speak on any subject other than the subject for which they received approval to address Council;

e. Disobey a decision of the Presiding Officer;

f. Enter into cross debate with other delegations or presenters, Town staff, members or the Presiding Officer.

(viii) Upon the completion of a delegation to Council, any discourse between members and the delegation shall be limited to members asking questions for clarification and obtaining additional relevant information only. Members shall not enter into debate with the delegation. Once a motion has been moved and seconded, no further presentation or questions of the delegation shall be permitted.

(b) Petitions

(i) All petitions presented to Council shall be filed with the Clerk. Every petition intended for presentation to Council shall be legible and shall not contain any defamatory allegations, or impertinent or improper matter, and shall be signed by at least one person giving his/her name and mailing address.

(ii) Any person wishing to present a petition shall submit a copy of the material to the Clerk no later than 10:00 a.m. on the Monday ten (10)

days prior to the Wednesday meeting. Any petition submitted after 10:00 a.m. on Monday will be accepted where it relates to a matter on the agenda, but may not be circulated to Members until after the meeting.

- (iii) If, in the Chief Administrative Officers opinion, the petition is of a time sensitive nature, the Chief Administrative Officer may bring forward such petition for Council consideration, after the aforementioned deadline.
- (iv) Petitions designed to be presented to the Council and filed with the Clerk shall become part of the public record and shall contain:
  - a. The text regarding the petition must appear at the top of every signature sheet.
  - b. Each person petitioning must print his or her name and address and telephone numbers on the petition.
  - c. A petition must contain original signatures only, written directly on the face of the petition and not pasted or transferred to it.
  - d. Petitions must be free of erasures or insertions.
  - e. The petitioners must be a resident of Georgina and/or the specific geographic area pertaining to the petition.
  - f. It is acceptable for petitioners to be under the age of majority.
- (v) Council may receive petitions and, if required, refer to staff for staff report.

(5) Speakers Regarding Items on the Agenda

- (a) In addition to the requirements noted in subsection 4(4)(a) of this By-law, a member of the public wishing to speak in respect to a matter on the Council portion of the agenda shall submit a request to speak form (available at the meeting). The speaker shall then be provided with an opportunity to speak to the matter under Delegations / Speakers / Petitions. If the speaker does not wish to wait to observe Council's discussion on the matter, the Clerk's Division, upon request, shall advise the speaker of the outcome of the discussion.
- (b) Speakers shall be permitted to speak on a matter only once and may speak for no more than five (5) minutes. A five (5) minute extension to speak may be decided, without debate, by a majority vote of the

Council Members present at the council meeting. Where there are numerous speakers taking the same position on a matter, they are encouraged to select a spokesperson to present their views. Speakers are also encouraged to not repeat information presented by an earlier speaker.

- (c) Speakers shall be encouraged to submit any questions they may have, for Council or speaker notes, to the Clerk, in writing, prior to the meeting.
- (d) Members shall be permitted to ask questions or seek clarification from the speaker but shall not make statements to or enter into debate with the speaker.
- (e) Questions of staff by any speaker shall be received by the Presiding Officer and addressed when practical prior to the consideration of the matter.

(6) Presentations

(a) Public Presentations

(i) Anyone wishing to appear before Council with a presentation shall advise the Clerk by 10:00 a.m. on the Monday ten (10) days prior to the Wednesday meeting. A presentation will only be included on the agenda when the Clerk is in receipt of a completed request which shall include the nature of the matter to be addressed and contact information for the presenter. In accordance with accountability and transparency, no presentation shall be permitted before Council except those individuals that have submitted a written request within the prescribed time and are listed as presentations on the agenda.

(ii) All public presentations appearing before Committee shall be heard at the beginning of the regular meeting as it appears in the order of business on the agenda and shall be permitted to speak only once on an item. Once the business of the Council has commenced, no further presentation shall be made by the presenter or by any person other than a member, except at the discretion of the Presiding Officer.

(iii) The time limit for a public presentation shall be ten (10) minutes and may be extended at the discretion of the Presiding Officer with a majority vote of members present at the time of the presentation.

(iv) Where there is no accompanying staff report relating to a

public presentation, the matter shall be referred to a future meeting of the Council and a staff report requested for that meeting.

(v) Rebuttal or cross debate with other presenters shall not be permitted.

(vi) Presenters shall not:

- a. Speak disrespectfully of any person;
- b. Use offensive words;
- c. Speak on any subject other than the subject for which they received approval to address Council;
- d. Disobey a decision of the Presiding Officer;
- e. Enter into cross debate with other delegations or presenters, Town staff, Members or the Presiding Officer.

(vii) Upon the completion of a presentation to Council, any discourse between members and the presenters shall be limited to members asking questions for clarification and obtaining additional relevant information only. Members shall not enter into debate with the presenters. Once a motion has been moved and seconded, no further presentation or questions of the presenters shall be permitted.

(b) Invited Presentations

(i) Presentations invited by the Town or Council; such as, consultants, other level of governments or agencies, etc. shall be given a ten (10) minute time limit and may be extended at the discretion of the Presiding Officer with a majority vote of members present at the time of the presentation.

(ii) All invited presentations appearing before Committee shall be heard at the time of the accompanying staff report, if applicable, otherwise shall be heard at the beginning of the regular meeting as it appears in the order of business on the agenda.

(iii) Rebuttal or cross debate with other presenters shall not be permitted.

(iv) Presenters shall not:

- a. Speak disrespectfully of any person;

- b. Use offensive words;
- c. Speak on any subject other than the subject for which they received approval to address Council;
- d. Disobey a decision of the Presiding Officer;
- e. Enter into cross debate with other delegations or presenters, Town staff, members or the Presiding Officer.

(v) Upon the completion of a presentation to Council, any discourse between members and the presenters shall be limited to members asking questions for clarification and obtaining additional relevant information only. Members shall not enter into debate with the presenters. Once a motion has been moved and seconded, no further presentation or questions of the presenters shall be permitted.

(c) Staff Presentations

(i) Staff presentations, if related to a report on the agenda shall occur at the time the report is discussed. Time limits, if deemed necessary, may be established at the discretion of the Presiding Officer.

(ii) Rebuttal or cross debate with other presenters shall not be permitted.

(iii) Presenters shall not:

- a. Speak disrespectfully of any person;
- b. Use offensive words;
- c. Speak on any subject other than the subject for which they received approval to address Council;
- d. Disobey a decision of the Presiding Officer;
- e. Enter into cross debate with other delegations or presenters, Town staff, members or the Presiding Officer.
- f.

(7) Communications and Proclamations

(a) Communications

(i) All written communications presented to Council shall be filed with the Clerk. Every communication intended for presentation to Council shall be legible and shall not contain any defamatory allegations, or impertinent or improper matter, and shall be signed by at least one person giving his/her name and mailing address.

(ii) Any person wishing to present material either in hard copy or electronically shall submit a copy of the material to the Clerk no later than 10:00 a.m. on the Monday ten (10) days prior to the Wednesday meeting. Any material submitted after 10:00 a.m. on Monday will be accepted where it relates to a matter on the agenda, but may not be circulated to Members until after the meeting.

(iii) Submissions received or matters arising later than 10:00 a.m. on Monday ten (10) days prior to the Wednesday meeting will be treated as an addendum item and will only be permitted in the event of matters of the utmost importance and if sanctioned by the Chief Administrative Officer (CAO).

(iv) Approval of addendums presented at Council are at the discretion of Council with a majority vote.

(b) Proclamations:

(i) Council recognizes the symbolic gesture of endorsing special days, weeks or months in support of various community groups and their causes.

(ii) Requests for proclamations shall be processed by the Clerk or designate.

(iii) The Clerk shall review the request and make any appropriate amendments to the proclamation, which in the Clerk's view improves the structure and/or intent of the requested proclamation. The Clerk shall present the proclamation to the Mayor for signature. Once the proclamation has been signed, the proclamation shall be noted on the communication for disposition/proclamations portion of the agenda

(iv) Each organization shall be responsible for disseminating the proclamation to the media and making arrangements for the attendance of the Mayor and/or Councillors at the specific function or event, if any, at which the proclamation is to be made.

(8) Outside Resolutions

(a) Copies of outside resolutions will be circulated to all Members of Council, the Chief Administrative Officer and the appropriate

department heads through the general information items.

- (b) Any outside resolution contained in Item 13(2) General Information Items may be moved to Item 13(1) Disposition / Proclamations at the request of a Member of Council or Chief Administrative Officer.

(9) By-laws

- (a) All by-laws shall be read and enacted in a single motion, unless a Member wishes to discuss the contents of a by-law, at which time the subject by-law shall be removed from the motion and dealt with in a separate single motion. The headnote only of the by-law shall be read.
- (b) All amendments to any by-law approved by Council shall be deemed to be incorporated into the by-law and if the by-law is enacted by Council, the amendments shall be applied to the by-law by the Clerk.
- (c) Every by-law which is passed by Council shall be sealed with the seal of the Corporation, signed by the Mayor or Deputy Mayor and by the Clerk, and shall be deposited with the Clerk for custody.
- (d) The proceedings at every regular and special meeting shall be confirmed by by-law so that every decision of the Council and every resolution passed at that meeting shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.

**5. COUNCIL IN CLOSED SESSION**

(1) Council Closed Session Procedure

- (a) The rules governing the procedure of the Council and the conduct of members shall be observed for Council in closed session so far as they are applicable.

(2) Type of Business

- (a) A meeting may be held in closed session only when the subject matter to be discussed relates to one or more of the following:
  - (i) The security of the property of the municipality or local board;
  - (ii) Personal matters about an identifiable individual, including municipal or local board employees;

- (iii) A proposed or pending acquisition or disposition of land by the municipality or local board;
- (iv) Labour relations or employee negotiations;
- (v) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (vi) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (vii) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
- (viii) 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 Council, local board or committee.
- (b) A meeting shall be closed to the public if the subject matter being considered is an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman appointed by the Town or a closed meeting investigator.

(3) Resolution to Meet in Closed Session

- (a) Before holding a meeting or part of a meeting in closed session, Council shall state by resolution,
  - (i) The fact of the holding of the closed session; and
  - (ii) The general nature of the matter to be considered at the closed session.
- (b) Should Council, during an open meeting session, wish to meet in closed session, the open meeting of Council may, following the passage of the resolution referred to immediately above, convene into the closed session.

(4) Voting In Closed Session

(a) In accordance with section 239(6) of the *t v*, no vote in closed session shall be taken unless,

(i) The subject matter is permitted as per subsection 5(2) of this by-law; and

(ii) The vote is for a procedural matter (i.e. adopt minutes, to recess, adjourn, adopt closed session minutes) or for giving directions or instructions to officers, employees or agents of the Town or Council appointed board, committee or persons retained by or under contract with the Town or Council appointed board or committee.

(5) Confidentiality

(a) Members shall ensure that confidential matters disclosed to them and materials provided to them during closed session are kept confidential. Members are to return confidential material to the Clerk.

**6. AGENDAS AND MINUTES**

(1) Preparation and Distribution of Agenda

(a) Prior to each meeting, the Clerk (or his/her designate), with the assistance of the department heads and approval by the Chief Administrative Officer, shall prepare an agenda of all the business to be brought before such meeting.

(b) In the case of a special Council meeting, the agenda shall be distributed to Members of Council and posted to the Town website at least 48 hours before the meeting.

(c) In the case of a regular Council meeting or a public meeting, the agenda shall be distributed to Members of Council at least seven (7) days before the day of the meeting and made available to the public at least six (6) days before the day of the meeting.

(d) That insofar as is practicable, Council and committee agendas, along with supporting material, shall be prepared and made available to members by noon on the Wednesday prior to the following Wednesday meeting; seven (7) days prior to the meeting. Insofar as is practical, agendas shall be made available to the public via the Town and by request through the Clerk's Division by noon on the Thursday for the following Wednesday meeting; six (6) days prior to the meeting.

- (e) Insofar as is practicable on a holiday Monday weekend, Council and Committee agendas, along with supporting material, shall be prepared and made available to members by close of business at 4:30 p.m. on the Wednesday prior to the following Wednesday meeting or seven (7) days prior to the meeting. Insofar as is practical, agendas will be made available to the public via the Town's website and by request through the Clerk's Division by close of business at 4:30 p.m. on the following day (Thursday) prior to the meeting.

(2) Minutes

- (a) It shall be the duty of the Clerk to record, or cause to be recorded, the proceedings of Council in the form of minutes that shall contain the following:
  - (i) The beginning and ending time of meetings;
  - (ii) The names of the members present. Should a member enter after the commencement of a meeting or leave prior to adjournment, the time shall be noted;
  - (iii) Names of staff present;
  - (iv) Disclosures of pecuniary interest and the general nature thereof;
  - (v) A record of each item before Council for consideration;
  - (vi) Decisions of Council on each item;
  - (vii) Names of delegations appearing before Council and brief one line summary of request.
- (b) The minutes shall record all other proceedings of the meeting without note or comment.

(3) Administrative Authority of Clerk

- (a) The Clerk shall be authorized to make minor corrections to any by-law, minutes or other Council document to eliminate technical or typographical errors prior to the documents being signed.

(4) Adoption of Minutes

- (a) Upon calling to order of a regular meeting and following the order of business, the Presiding Officer shall ask for approval of the minutes of the previous meeting(s) and shall forthwith, or immediately after

any correction or change, declare the minutes adopted and sign them.

## **7. MOTIONS**

### **(1) General Rules**

(a) Every motion, when duly moved and seconded, shall be open for discussion. A seconder is required in order to introduce the motion for discussion purposes. The seconding of a motion does not imply that the seconder supports the motion put forward. Debate shall not be allowed on any motion or amendment until it has been properly seconded. The Presiding Officer may not move or second any motion. The Presiding Officer shall vote on a motion but shall not have a second or casting vote in the event of an equality of votes on any motion.

(b) Any member may request the Presiding Officer to put the motion to a vote.

### **(2) Motion under Debate**

(a) When a motion is under consideration, no other motion shall be made, except for the following purposes:

(i) Raise a point of order;

(ii) Raise a point of privilege;

(iii) To refer the motion under consideration to staff for a report;

(iv) To defer the motion under consideration to a definite date (to postpone definitely);

(v) To defer the motion under consideration indefinitely (to postpone indefinitely);

(vi) To table the motion under consideration;

(vii) To amend the motion under consideration;

(viii) Motion to put the question (to end debate);

(ix) To extend the hour of automatic adjournment;

(x) To recess;

(xi) To adjourn.

(b) Any Member may require a motion under discussion to be read at any time during the debate but not so as to interrupt a member while speaking.

(3) Adoption in a Single Motion

(a) One or more report items on an agenda may be adopted in a single motion.

(b) At a Council meeting any member or anyone present at the meeting may request that an item be discussed and that item shall not be included in the motion to adopt Council items not requiring separate discussion.

(4) Motion Containing Two or More Matters

(a) When the motion under consideration concerns two or more matters, the Presiding Officer, upon the request of any member, may direct that the vote upon each matter may be taken separately.

(5) Motion to Amend

(a) A motion to amend:

(i) shall be relevant to the main motion;

(ii) shall not be directly contrary to or propose a direct negative to the main motion;

(iii) shall be debatable; and

(iv) shall not itself be amended more than once.

(b) Motions to amend shall be put to a vote in reverse order from which motions to amend are put forward, and should the motion to amend be carried, the main motion shall then be considered by Council as amended.

(c) Notwithstanding the foregoing, a motion to amend shall not be required where the mover and seconder of the main motion agree to re-word the main motion to accommodate a proposed amendment and no Member of Council objects. While a motion to amend normally applies to main motions, it may also be applied to other motions that can be varied.

- (d) After the motion to amend has been voted on, the main motion (as amended) shall, if no other amendment or subsidiary motion is proposed, be put to a vote.
- (e) If the original mover and seconder of the main motion do not agree with the amendments, they may, without further discussion, withdraw the main motion.

(6) Motion to Refer

- (a) A motion to refer a matter under consideration to staff:
  - (i) Shall be open to debate and may be amended;
  - (ii) Shall include the terms on which the matter is being referred and the time at which it is to be returned;
  - (iii) Shall include the reasons for the referral.

(7) Motion to Defer

- (a) A motion to defer a matter to a certain time or date:
  - (i) Shall be open to debate as to the advisability of its deferral;
  - (ii) May be amended as to the time or date to which the matter is deferred.

(8) Motion to Table

- (a) A motion to table a matter
  - (i) Shall not be amended or debated;
  - (ii) Shall apply only to the main motion and any adhering options to the main motion.
- (b) A tabled motion that has not been decided by Council either in the affirmative or in the negative during the term of the Council in which the motion was introduced shall be deemed to have been withdrawn.

(9) Motion to Recess

- (a) A motion to recess when other business is before the meeting:
  - (i) Shall specify the length of time of the recess;

- (ii) Shall not be debatable;
- (iii) Shall only be amendable with respect to the length of the recess.

(10) Withdrawal of Motion

- (a) A request to withdraw a motion:
  - (i) May only be made by the mover of the motion and not by the seconder or any other member;
  - (ii) Shall have the consent of the seconder of the motion; and
  - (iii) Shall be in order at any time during debate.

(11) Reconsideration of a Motion

- (a) After a resolution/by-law that determines the final outcome of a main motion has been enacted, Council may not reconsider or rescind such resolution/by-law for a period of six (6) months, except in accordance with these provisions.
- (b) Any member from the prevailing side or a member who was absent from the meeting when the matter was considered may give notice of a motion to reconsider a resolution/by-law.
- (c) Such notice may only be given during the Notice of Motion section of a meeting and may relate to a resolution/by-law enacted during that meeting or at a prior meeting.
- (d) If the motion is seconded, Council may only enact such a motion by a two-thirds vote of the members present.
- (e) Where it is determined that a resolution/by-law shall be reconsidered, no further action shall be taken to carry into effect the affected resolution/by-law until after the motion to reconsider has been disposed of, either at the next regular meeting or at a special meeting called to consider the motion to reconsider.
- (f) No discussion of the affected resolution/by-law shall be allowed at a Council meeting where notice to reconsider is given, until Council has voted to reconsider the same, but the Member giving such notice shall have the privilege of stating the reasons for doing so.
- (g) When the affected resolution/by-law is reconsidered, either at the next regular meeting or at a special meeting, it shall be declared lost, unless passed by the majority of the members present.

- (h) Once a resolution/by-law has been the subject of a motion to reconsider duly seconded and voted on, such resolution/by-law may not again be reconsidered until six (6) months after its original enactment and no resolution to reconsider may itself be the subject of a motion to reconsider.

(12) Notice of Motion

- (a) A notice of motion shall be in writing and shall be delivered to the Clerk, who shall read the notice into the record at the first regularly scheduled Council meeting following the delivery of notice. No seconder is required, and the motion is not debatable at that time.
- (b) The notice of motion shall be dealt with at the next regularly scheduled Council meeting. The Chief Administrative Officer may deem it appropriate for staff to prepare a report in relation to the notice of motion which report will appear on the agenda in conjunction with the notice of motion.

(13) Suspension or Waiving of Rules

- (a) A motion to suspend the rules of procedure required by this by-law shall not be debatable or amendable and shall require a two-third (2/3) vote of the members present at the Council meeting.

**8. VOTING**

(1) Voting on Motions

- (a) After a motion is finally put to vote by the Presiding Officer, no member shall speak to the motion or shall any other motion be made until after the vote is taken and the result declared. Each member present and voting shall announce or indicate his/her vote upon the motion openly and individually and no vote shall be taken by ballot or any other method of secret voting.

(2) Member Disagrees with Announcement of Vote

- (a) If a member who has voted on a motion disagrees with the declaration of the Presiding Officer that the question is carried or lost, the member may, but only immediately after the declaration by the Presiding Officer, object to the Presiding Officer's declaration and require the Presiding Officer to call for another vote on the matter.

(3) Member Who Does Not Vote

- (a) If a member present abstains from voting, he/she will be deemed to have voted in the negative unless the member's reason for abstaining is due to his/her declaration of a pecuniary interest. When a member abstains from voting as a result of a declaration of a pecuniary interest, his/her abstention shall be deemed to be neither an affirmative nor a negative vote and shall not be considered in determining the result of the vote.

(4) Tie Vote

- (a) Any motion on which there is a tie vote shall be deemed to be lost except where the *Municipal Act* expressly provides otherwise.

(5) Recorded Vote

- (a) Recorded votes shall only be taken at Council meetings.
- (b) When a member requests, immediately prior to the taking of the vote, that the vote be recorded, the Clerk shall, with the exception of members who have declared a pecuniary interest, call all members present at the meeting to vote. When a recorded vote is requested by a Member, or is otherwise required, the Clerk shall call the vote in random order following the name of the Member who requested the recorded vote. The Clerk shall record the name and vote of every Member on the question. If a member at a Council meeting, where a motion is put to a vote and a recorded vote is taken, does not vote, he/she will be deemed to have voted in the negative unless the member's reason for abstaining is due to his/her declaration of a pecuniary interest, in which case his/her abstention shall be deemed to be neither a negative nor an affirmative vote. The Clerk shall announce the total number of votes for and against and the Presiding Officer shall announce the results.

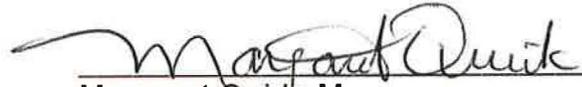
**9. ADMINISTRATION**

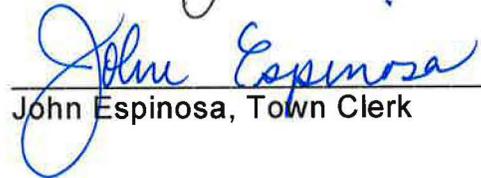
- (1) By-law No. 2015-0089 (COU-2) is hereby repealed in its entirety.

Town of Georgina Procedural By-law No. 2016-0014 (COU-2)

(2) This By-law is administered by the Town Clerk.

READ and enacted this 2<sup>nd</sup> day of March, 2016.

  
Margaret Quirk, Mayor

  
John Espinosa, Town Clerk

Legislative History:

Oct 15, 2002	Council adopted By-law 2002-0134
Feb 9, 2004	Council adopted By-law 2004-0016, amending By-law 2002-0134
Dec 11, 2006	Council adopted By-law 2006-0141
Mar 5, 2007	Council adopted By-law 2007-0017
June 17, 2013	Council adopted Resolution C-2013-0275 and CW-2013-0164 (Report DAS-2013-0025)
Aug 26, 2013	Council adopted Resolution C-2013-0343 and CW-2013-0192 (Report DAS-2013-0041)
Sept 16, 2013	Council adopted SC-2013-0355 (Report CAO-2013-0014); Pilot Project (Oct 30, 2013 to April 30, 2014)
Oct 7, 2013	Council adopted Resolution C-2013-0382 and CW-2013-0212 (Report DAS-2013-0044)
Oct 15, 2013	Council adopted By-law 2013-0133
Oct 30, 2013	Council adopted Resolution C-2013-0475 (Report DAS-2013-0049)
Jan 8, 2014	Council adopted Resolution C-2014-0003 (Report DAS-2014-0003)
May 7, 2014	Council adopted Resolution C-2014-0284 (Report DAS-2014-0020); Resolution C-2014-0285 (Report DAS-2014-0021)
Sept 9, 2014	Council adopted Resolution C-2014-0526 (Report DAS-2014-0039)
Sept 10, 2014	Council adopted By-law 2014-0123
June 10, 2015	Council adopted Resolution (Report DAS-2015-0033); by-law 2015-0089
February 3, 2016	Council adopted Resolution C-2016-0051 (Report No. DAS-2016-0003); by-law 2016-0014

THE CORPORATION OF THE TOWN OF GEORGINA  
IN THE  
REGIONAL MUNICIPALITY OF YORK

**BYLAW NO. 2020-0069 (COU-2)**

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BEING A BYLAW TO AMEND BYLAW NO. 2016-0014 (COU-2), BEING A BYLAW TO GOVERN THE CALLING, PLACE AND PROCEEDINGS OF MEETINGS FOR THE TOWN OF GEORGINA, TO ENACT ELECTRONIC MEETING PROCEDURES.

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

AND WHEREAS the Council of The Corporation of the Town of Georgina ("Council") has enacted By-law 2016-0014 (COU-2), being a By-law to Govern the calling, place and proceedings of meetings for the Town of Georgina (the "Procedure By-law");

AND WHEREAS on March 19, 2020, the Province of Ontario enacted the *Municipal Emergency Act, 2020*, to enact sections 238(3.3) and 238(3.4) the *Municipal Act, 2001* to permit meetings to be held electronically during a declared emergency pursuant to the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E-9 (the "Emergency Management and Civil Protection Act");

AND WHEREAS on April 22, 2020 Council amended the Procedure By-law to include a new "Section 10 – ELECTRONIC MEETINGS DURING A DECLARED EMERGENCY" through By-law No. 2020-0020(COU-2);

AND WHEREAS Bill 197, the *COVID-19 Economic Recovery Act, 2020*, ("Bill 197") received Royal Assent on July 21, 2020;

AND WHEREAS Schedule 12 of Bill 197 has amended or repealed Subsections 238(3.1), 238(3.2), 238(3.3) and 238(3.4) of the *Municipal Act, 2001*.

AND WHEREAS Council, as a result of Bill 197, deems it necessary to repeal and replace Section 10 of the Procedure By-law.

NOW THEREFORE, the Council of the Town of Georgina, in the Regional Municipality of York, hereby enacts as follows:

1. That By-law 2016-0014 (COU-2), be amended by adding the following Section 10 to the By-law:

## **10. ELECTRONIC MEETINGS PROCEDURE**

### **(1) Definition**

In this Section the following shall apply, in addition to the definitions in Section 1 of this By-law:

- (a) **“Electronic Meeting”** means a Meeting where a Member of a council, a Member of a local board or a Member of a committee of either of them, who is participating electronically (including, but not limited to, audio teleconference, video teleconference, or via means of the internet) in a meeting may be counted in determining whether or not a quorum of Members is present at any point in time and can participate electronically in a meeting that is open or closed to the public.
- (b) **“Emergency”** means a situation or an impending situation where there is a threat to public health, life, property or the environment, and includes any period where an emergency has been declared to exist in all or part of the Town under either Section 4 or Section 7.0.1 of the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9, as amended.
- (c) **“Health & Safety Implications”** means the considerations of permitting some or any in-person attendance at a Meeting as a result of a health or safety factors, including but not limited to:
  - (i) consideration of any directive or advice of any appropriate authority (for example, a medical officer of health); and
  - (ii) whether or not the in-person attendance of any person could pose a threat to the health and safety of any other person.
- (d) **“Electronic Participation”** includes video, telephone, or audio conferencing or other interactive methods.

### **(2) General Rules for an Electronic Meeting**

- (a) Application:
  - (i) These procedures may apply to any Meeting held in accordance with the By-law 2016-0014 (COU-2).
  - (ii) These procedures apply to a meeting that is conducted wholly or partially as an Electronic Meeting.

(b) Procedures – Same as Proceeding for Council or Committee meetings– With Necessary Changes:

- (i) Except as specifically set out in this Section, the procedures relating to Council or Committee Meetings set out in any section of the By-law shall apply to any Electronic Meeting.
- (ii) The Mayor or Chair shall lead the Electronic Meeting.
- (iii) The Chair is to announce each agenda item and shall maintain an orderly meeting process keeping Members informed, and if required repeat questions or answers so the public is informed.

(c) Health and Safety Implications – In-Person and Electronic Participation:

In determining whether to permit any in-person attendance at an Electronic Meeting, consideration shall be given to the health and safety implications of permitting some or any in-person attendance.

In determining whether to permit any in-person participation, the following specific considerations shall be considered:

- (i) any directive or advice of any appropriate authority (for example, a medical officer of health).
- (ii) where the physical presence of any person, including a Member, could pose a threat to the health and safety of any other person including any Member.

(d) Type of Electronic Participation:

- (i) The method and technology used for an Electronic Meeting in Open Session or Closed Session shall be determined by the CAO and the Town Clerk, based on advice and resources available from the Town's Information Technology staff and the prevailing circumstances and context for a meeting.
- (ii) Wherever possible, the technology uses for an Electronic Meeting will permit the Town to live-broadcast, or create an audio-only or audiovisual record the Open Session portion of a Meeting.
- (iii) Where the only matter on an Agenda is a Closed Session matter under Section 5 of the By-law, the live-broadcast or the creation of an audio-only or audiovisual record of the meeting is not required.

(e) Public Notice:

- (i) A public notice of an Electronic Meeting, wherever possible, shall include sufficient information as to provide the public with a means to electronically access the open session of such Electronic Meeting.
- (ii) In this section, a public notice can include any form of notice as determined by the Town Clerk, and may include the posting of an agenda for a meeting.

**(3) Members Participation in an Electronic Meeting**

- (a) Unless otherwise directed by an appropriate authority (e.g. a Medical Officer of Health), Members may choose to participate in an Electronic Meeting either in-person or electronically, and shall notify the Town Clerk and Chair of their choice by noon on the day prior to a meeting.
- (b) Council or Committee may by resolution, provide that all, some or most Members will participate electronically in a meeting for the period of time as set out in the resolution as a result of an Emergency or having regards for the criteria in Health and Safety Implications in Section 10(2)(c).

**(4) Open to the Public – Section 238(3.1) of the Act**

(a) Public In-person Restrictions:

The Mayor or Chair, in consultation with the CAO and Town Clerk, may decide to limit or restrict any in-person attendance of any person other than a Member at a Meeting during an Emergency, or as a result of the Health and Safety Implications of any in-person attendance.

(b) Manner in Which Meetings are Open to the Public when in-person attendance is restricted:

- (i) Where in-person public attendance is restricted under Section 10 (4) (a), the manner in which an Electronic Meeting is open to the public is by:
  - a. permitting delegations in writing pursuant to section 10(4)(c);
  - b. the posting of the records of the Open Session portion of the Meeting to the Town's website in a timely manner following the meeting;
  - c. the live-broadcast of a Meeting wherever possible; and

- d. making such records available for inspection by the public.
- (ii) For the purpose of this section, the records of the meeting includes any agenda, any audio-only or audiovisual recording of the Meeting, and any minutes of the Meeting, including minutes that have not yet been adopted.
- (c) Delegations/Speakers comments during an Electronic Meeting when in-person attendance is restricted:
  - (i) Where, in the opinion of the Town Clerk, a system is in place that will permit Delegations/Speakers at an Electronic Meeting to be made/allowed by audio or audiovisual means that are consistent with the By-law, Delegations/Speakers may be made either in writing or by any audio or audiovisual means.
  - (ii) Where an Electronic Meeting permits both in-person and electronic participation by the Public and the conditions under Section 12(4)(c)(i) are satisfied, Delegations can be both in-person and electronically.
  - (iii) The following rules will be observed for audio or audiovisual Delegations notwithstanding anything in the By-law to the contrary:
    - a. The Town Clerk may establish and amend any procedure or process deemed necessary to implement audio-only or audiovisual delegations, including but not limited to, any time limit by which a potential Delegate/Speaker will be required to register, and any such procedures or process shall be deemed to be part of this Section;
    - b. Delegations/Speakers will be required to comply with any process or procedure established by the Town Clerk who will provide appropriate instructions to any such delegate/speaker.
  - (iv) Where, in the opinion of the Town Clerk, a system is not in place that will permit Delegations/Speakers at an Electronic Meeting to be made/allowed by audio or audiovisual means that are consistent with the By-law, Delegations/Speakers comments shall be in writing only.
  - (v) Section 10(4)(c)(ii) and 10(4)(c)(iv) shall not apply to:
    - a. any Special Council Meeting, conducted as an Electronic Meeting, called to deal with an Emergency or Time-Sensitive Matter on less than 48 hours' notice.

- b. Any Special Council Meeting conducted as an Electronic Meeting called for the sole purpose of considering matters in Closed Session.
- c. Any meeting where there is no restriction on public in-person access to the meeting.

**(5) Additional Rules – Quorum, Roll Call, Absences and Voting**

**(a) Quorum:**

Members attending electronically or in person during an Electronic Meeting 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 as if they were attending the meeting in person unless otherwise prevented from voting by law.

**(b) Roll Call:**

Immediately after calling the Meeting to order, the Chair shall direct the Town Clerk to conduct a roll call to identify the Members participating in a Meeting and confirm that a quorum is present.

**(c) Members not present during Roll Call:**

A Member who is not present during the roll call, and who subsequently joins the Meeting will:

- (i) in the case of a Member joining in-person or by audiovisual means be identified by the Chair at an appropriate time.
- (ii) in the case of a Member joining electronically by audio only means, wait until the current Member speaking has finished speaking and then by means of a Point of Order advise the Chair and Town Clerk of his or her attendance at the Meeting.

**(d) Members leaving an Electronic Meeting:**

- (i) Quorum must always be maintained throughout a Meeting.
- (ii) A Member who is participating electronically in a Meeting who, for any reason or duration will no longer be electronically participating prior to adjournment shall advise the Chair and the Town Clerk of his or her absence from the Meeting.
- (iii) If a Member is disconnected from a Meeting for technical reasons, the Town Clerk shall ensure that quorum is still maintained and advise the Chair.

(iv) If quorum is lost during the Meeting, due to technical reasons, the Town Clerk shall advise the Chair and the Chair shall call for a recess until such time that quorum is regained.

(e) Voting during Electronic Meeting:

(i) Voice Votes:

During an Electronic Meeting, all votes shall be a voice vote, unless:

- a. The meeting is being conducted using audiovisual technology and all members are visible to the Chair, in which case a vote by show of hands is permitted; or,
- b. A recorded vote has been requested by any member.

(ii) Voice Votes – How Conducted:

A voice vote shall be conducted as follows:

- a. The Chair shall ask all Members who are in favour of the Motion to say “Yes”.
- b. The Chair shall ask all Members who are opposed to the Motion to say “No”.
- c. The Chair will determine if in his or her opinion the Motion has been carried or failed to carry.

(iii) Recorded Vote:

- a. A Member may request that the vote be conducted as a recorded vote, immediately prior to the taking of the vote.
- b. During an Electronic Meeting, the order in which the Members vote during a recorded voting, including the first member to vote, may be randomly determined by the Town Clerk.

**(6) Closed Session Meeting**

(a) Electronic Participation Permitted:

Notwithstanding the generality of Section 10(5)(a) and for greater certainty, a Member may participate in-person or electronically in any Closed Session portion of any Meeting conducted wholly or partially as an Electronic Meeting, unless otherwise prevented by law from such participation.

(b) Closed Session Roll Call:

The Town Clerk shall conduct a roll call of any Member participating without video in any Closed Session portion of an Electronic Meeting. Any Town Staff also participating shall advise

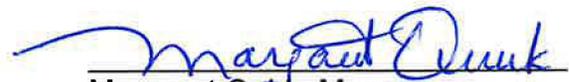
the Town Clerk of their participation in a manner satisfactory to the Town Clerk.

- (c) Confidentiality in a Closed Session Electronic Meeting:  
Without limiting the confidentiality requirements set out in Section 5(5)(a) or any other law or code of conduct, Members shall at all times maintain confidentiality while electronically participating in a Closed Session Meeting, including ensuring that no person who is not otherwise permitted to be in attendance in a Closed Session Meeting is in the location from which that Member is electronically participating in a Closed Session.

**(7) Observance of other rules and conflict:**

- (a) Unless not practicable as a result of the technology used for an Electronic Meeting, all rules of debate in the By-law, including speaking times, shall be observed.
- (b) Notwithstanding the foregoing, the Procedure By-law shall continue to apply to an Electronic Meeting held pursuant to this Section, except that this Section and any Emergency Electronic Meeting Protocol approved by Council and any Provincial legislation or order shall prevail to the extent of any conflict.
2. That By-law No. 2020-0020 (COU-2) enacted to add Section 10 – ELECTRONIC MEETINGS DURING A DECLARED EMERGENCY be repealed in its entirety;
3. That this by-law shall come into force and take effect upon being passed by Council;
4. That By-law No. 2016-0014 (COU-2) be amended accordingly.

READ and enacted this 23<sup>rd</sup> day of September, 2020.

  
Margaret Quirk, Mayor

  
Rachel Dillabough, Town Clerk