

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

BY-LAW NUMBER 2022- ()

BEING A BYLAW TO GOVERN THE PROCEEDINGS OF
THE COUNCIL, COMMITTEES, AND LOCAL BOARDS OF
THE CORPORATION OF THE TOWN OF GEORGINA

WHEREAS section 238(2) of the *Municipal Act, 2001* provides that Council shall pass a Bylaw for governing the calling, place, and proceedings of Meetings;

AND WHEREAS subsection 238(3.1) of the *Municipal Act, 2001* provides that the applicable procedure Bylaw may provide that a Member of Council, of a Local Board or of a Committee of either of them can participate electronically in a Meeting to the extent and the manner set out in the Bylaw;

AND WHEREAS subsection 239 of the *Municipal Act, 2001*, sets out the rules for when Meetings of Council, Committees or Local Boards (as defined in section 238) may be closed to the public;

AND WHEREAS the Council of The Corporation of the Town of Georgina deems it expedient to enact a Bylaw in this regard and to repeal Procedure Bylaw Number 2016-0014 (COU-2), and Bylaw Number 2020-0020 (COU-2);

BE IT THEREFORE ENACTED BY THE COUNCIL OF THE CORPORATION OF THE TOWN OF GEORGINA:

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1. Definitions

- (1) Act: The *Municipal Act, 2001*, S.O. 2001, c. 25, as amended or re-enacted from time to time.
- (2) Acting Mayor: The Member of Council who has been appointed by Bylaw to act in the place or stead of the Regional Councillor in the absence or incapacity of the Mayor and Regional Councillor.
- (3) Addendum: Any addition to a published Agenda.
- (4) Ad Hoc Committee: A Committee appointed by Council from time to time to act on a temporary or singular initiative or matter. It shall be deemed discontinued when its recommendations on the specified initiative or matter have been provided and further recommendations are no longer required, unless it is continued by Council.
- (5) Chief Administrative Officer: The Chief Administrative Officer (CAO) of the Town of Georgina or their designate.
- (6) Clerk: The Town Clerk or a Deputy Clerk of the Town of Georgina, or their designate.
- (7) Closed Session: A Meeting or portion thereof which is closed to the public in accordance with the applicable legislation.
- (8) Committee: A group of people appointed by Council for a specific function. This includes any statutory or advisory subcommittee, or other group or similar entity.
- (9) Confirming Bylaw: A Bylaw passed for the purpose of giving general effect to previous decisions or proceedings of Council.
- (10) Council: The Council of The Corporation of the Town of Georgina.
- (11) Delegation: A person or group who has made a written request to address Council or a Committee or a Local Board on a specific matter, and who, by virtue of the request, appears as a delegation on an Agenda.

- (12) Electronic Participation: Participation in a Meeting from a remote location by such electronic means or service as determined and provided by the Clerk, and “participate electronically” has a corresponding meaning.
- (13) Emergency: A situation or impending situation which, in the opinion of the Mayor, or in their absence, the Regional Councillor, or in the absence of both of them, the Acting Mayor, constitutes a significant danger of serious harm to persons or substantial damage to property, and which is caused by the forces of nature, a disease or other health risk, an accident, or an act, whether intentional or not.
- (14) Health and Safety Implications: The consideration of permitting any in-person attendance at a Meeting as a result of a health or safety factor, including but not limited to:
- (a) consideration of any directive or advice of any appropriate authority (for example, a Medical Officer of Health); and
 - (b) whether or not the in-person attendance of any person could pose a threat to the health and safety of any other person.
- (15) Local Board: A body established by Council pursuant to a specific statutory authority, not including a police services board or a public library board.
- (16) Majority: More than half of the Members present at a Council, Committee or Local Board Meeting 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
 - (e) majority of 3 Members equals 2
 - (f) majority of 2 Members equals 2

(17) Mayor: The Head of Council of The Corporation of the Town of Georgina.

(18) Meeting: Any Regular, Special, Closed or other Meeting of the Council, a Committee, or a Local Board where a Quorum of Members is present and Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, Committee or Local Board.

(19) Member: Any Member of Council, a Committee, or a Local Board, including the Presiding Officer.

(20) Motions:

(a) Friendly Amendment: An amendment to a Motion under debate with the consent of the mover and seconder, and without the requirement for a Motion to Amend.

(b) Main Motion: A Motion that is brought before the presiding body for its consideration on any particular subject, independent of any other pending Motion.

(c) Motion to Amend: A Motion to change the words of a pending Motion.

(d) Motion to Defer: A Motion 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.

(e) Motion to Receive: A Motion to receive the information being considered.

(f) Motion to Reconsider: A Motion to allow Council to consider a Motion again on which a vote has been taken previously.

(g) Motion to Refer: A Motion to direct a matter under discussion by Council to a Committee or staff for further examination.

(h) Motion to Suspend or Waive the Rules: A Motion to render temporarily ineffective one or more Rules of Procedure.

- (i) Motion to Table: A Motion to postpone without setting a definite date as to when the matter will be re-discussed.
 - (j) Notice of Motion: An advance notice to Members of a matter on which Council will be asked to take a position at the next scheduled Meeting.
 - (k) Subsidiary Motion: A Motion applied to other Motions for the purpose of disposing of or amending a main Motion.
 - (l) Withdraw or Modify a Motion: Withdrawal or modification of a Motion by the mover.
- (21) Notice: A written notice, except where legislation, bylaw or corporate policy provide for another form and manner of notice.
- (22) Other Business: Business that is not currently listed on the Agenda that is of an emergency or time sensitive nature.
- (23) Pecuniary Interest: A direct or indirect interest that a Member has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the Member within the meaning of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended or re-enacted from time to time.
- (24) Petitions: The presentation of a formal request, in writing, to Council, a Committee or a Local Board.
- (25) Point of Order: A question raised by a Member drawing attention to an infraction of the Rules of Procedure.
- (26) Point of Privilege: A question raised by a Member who feels the safety, rights, or integrity of the Member, another Member or a staff member have been impugned by anyone present at the Meeting.
- (27) Presiding Officer: The person presiding at a Meeting, including the Mayor, appointed Chair, or other such person as may be authorized to preside in their absence, while they preside at Meetings of Council, a Committee, or a Local Board.

- (28) Proclamation: An official public announcement and symbolic gesture of endorsement.
- (29) Public Meeting: A public Meeting held pursuant to the *Planning Act*, R.S.O. 1990, c. P.13, as amended or re-enacted from time to time, or other legislation where statutory notice is required.
- (30) Quorum: The majority of Members required for the legal conduct of the business of Council, a Committee or a Local Board. Members participating electronically shall be counted in determining whether or not a Quorum is present. The number of Members required for Council to conduct business is four (4), except in the event of more than one having declared a conflict of interest.
- (31) Recorded Vote: A written record of the name and vote of every Member on a Motion on any matter or question conducted by the Clerk.
- (32) Rules of Procedure: The rules and regulations set out in this Procedure Bylaw.
- (33) Speaker: One or more persons who are not Members or staff, who address a Meeting in relation to a matter appearing on the Agenda or an Addendum.
- (34) Town: The Corporation of the Town of Georgina.
- (35) Two-Thirds Vote: An affirmative vote of at least two-thirds of the Members present at the time of the vote 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
 - (e) two-thirds of 3 Members equals 2
 - (f) two-thirds of 2 Members equals 2

2. Application, Interpretation and Severability

- (1) The rules and regulations contained in this Bylaw shall be the rules and regulations for the order and dispatch of business in Council and its Committees and Local Boards.
- (2) The rules and regulations contained in this Bylaw may be suspended by a two-thirds (2/3) vote of the Members present at the Meeting. Members are prohibited from suspending any statutory requirement with respect to their proceedings.
- (3) Notwithstanding anything in this Bylaw, 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.
- (4) If there is a conflict between two (2) or more rules in this Procedure Bylaw, or if there is no specific rule on a matter, the Presiding Officer shall rule. In making a ruling, the Presiding Officer may consult the Clerk and rely on previous rulings and practices.
- (5) In the event of any conflict between this Procedure Bylaw or an Emergency Meeting protocol approved by Council on the one hand, or any relevant provincial legislation or order on the other hand, the latter shall prevail.
- (6) Should any section, subsection, paragraph or provision of this Procedure Bylaw be declared by a court of competent jurisdiction to be illegal, unenforceable or invalid, that portion of this Bylaw shall be considered to be severed from the balance of this Bylaw, the remainder of which shall continue to operate in full force and effect.

3. Roles and Responsibilities of the Presiding Officer

- (1) The Mayor or appointed designate shall sit as Presiding Officer at Meetings of Council, Committees, and Local Boards;
- (2) When the Office of the Mayor is vacant, or when the Mayor is unable to carry out their duties, is absent from the office in the course of their duties, refuses to act, or declares a conflict of interest, the Regional Councillor shall act in the

absence of the Mayor and shall have all the powers and duties of the Mayor;

(3) In the absence, refusal, or inability of the Mayor and Regional Councillor to act, then the Member designated in accordance with the order set out in the Appointment of a Presiding Officer Bylaw shall assume the position of Presiding Officer;

(4) The Presiding Officer shall:

(a) preside at all Meetings of Council, Committees or and Local Boards and enforce the Rules of Procedure;

(b) put to a vote all Motions which are duly moved and seconded, or necessarily arise in the course of proceedings, and to announce the result of the vote;

(c) decline to put to vote Motions which infringe the Rules of Procedure;

(d) require the Members to act within the Rules of Procedure, when engaged in debate;

(e) enforce on all occasions the observance of order and decorum among the Members and attendees;

(f) adjourn or recess the Meeting if considered necessary because of grave disorder arising at the Meeting;

(g) expel from the Meeting place any person who has not heeded a warning or ruling for improper conduct, as described in Section 5(2) of this Bylaw;

(h) decide all questions of order at the Meeting, subject to an appeal by any Member to Council on any question of order with respect to business before the Council;

(i) execute, by their signature when necessary, all Bylaws and Minutes of a Meeting and other required documents;

(j) represent and support Council, declaring its will, and obeying its decisions in all matters; and

- (k) ensure wellness breaks are taken at an appropriate time in the Meeting, approximately two (2) hours after the commencement of the Meeting and every two (2) hours thereafter.

4. Roles and Responsibilities of the Clerk

(1) The Clerk shall:

- (a) provide secretariat services for Council and Committee Meetings, including the taking and preserving of Minutes and documentation relevant to all Meetings;
- (b) post the Agenda, along with any Addendum items for public access, and distribute by electronic transmission to interested parties and Members one week prior to the Meeting date in accordance with section 8 of this Procedure Bylaw;
- (c) record, without note or comment, all resolutions, decisions, and other proceedings of the Meeting, whether it is open or closed to the public, in the form of Minutes that shall include the following:
 - i. the beginning and end time of Meetings;
 - ii. names of all staff present;
 - iii. a record of each item for consideration; and
 - iv. names of delegations appearing and a brief summary of their position or request;
- (d) record the name and vote of every Member voting on any matter or question, if requested by any Member immediately before or after the taking of a vote;
- (e) provide procedural advice to the Presiding Officer and Members on Agenda business and Motions;
- (f) receive and file all written communications presented to Council; and
- (g) be responsible for all other duties described herein.

- (2) The Clerk is hereby authorized to amend Bylaws, Minutes, and other Council and Committee documentation for technical, typographical, or other administrative errors and omissions prior to documents being signed.

5. Rules of Conduct and Debate

- (1) All attendees at a Meeting shall:

- (a) maintain order and not display signs, placards, props, or offensive attire, nor shall they heckle or engage in private conversations or any behaviour that may be considered disruptive or offensive;
- (b) address comments to the Presiding Officer;
- (c) set electronic devices to silent mode during a Meeting. Electronic devices shall be permitted to be used by Members for the purpose of accessing the Agenda electronically. Use of such devices shall not be permitted for the exchange of e-mails, texting or any digital communication by Members during the Meeting;
- (d) refrain from conduct harmful to the Town or its purposes. No person shall breach the rules of Council, or a decision of the Presiding Officer on questions of order or practice, or upon the interpretation of the Rules of Procedure, and in the case where an attendee persists in any such breach after having been called to order by the Presiding Officer, the Presiding Officer may order that such person leave their seat for the duration of the Meeting; but if the person apologizes, they shall be permitted to retake their seat; and
- (e) use recording, broadcasting, or streaming devices respectfully and discontinue such usage if deemed disruptive to the conduct of the Meeting by the Clerk or Presiding Officer. If the ruling is appealed to Council or the Committee or Local Board conducting the Meeting, the Council, Committee or Local Board shall vote upon the question without debate.

(2) No Attendee at a Meeting shall:

- (a) speak in a manner that is discriminatory in nature to an individual's vocation, race, ancestry, place of origin, ethnic origin, citizenship, religion, creed, sex, sexual orientation, age, marital status, family status, mental ability or physical ability;
 - (b) use offensive words or un-parliamentary language in or against the Council, Committee or Local Board, any Member, or any officer or employee of the Town or other attendee;
 - (c) disobey the rules of this Bylaw or a decision of the Presiding Officer on a question of order, practice, or interpretation of the Rules of Procedure;
 - (d) criticize any decision of the Council, Committee or Local Board, except for the purpose of introducing a Motion to Reconsider; or
 - (e) approach the area where Members and staff are seated.
- (3) Upon the completion of a presentation to the Council, Committee or Local Board, any discourse between Members and Speakers shall be limited to Members asking questions for clarification and obtaining additional relevant information only. Members shall not enter into debate with Speakers. Rebuttal and cross-debate shall not be permitted between Speakers.
- (4) Once a Motion has been moved and seconded, no further presentation or questions of the Speakers shall be permitted.

6. Points of Order or Privilege

- (1) A Member may interrupt the Delegation or Speaker at any time to raise a Point of Order or Point of Privilege as defined in Sections 1(25) and 1(26) of this Bylaw.
- (2) Where the Presiding Officer recognizes that a breach of a Point of Order or Point of Privilege has occurred, the Presiding Officer shall require the offending party apologize. If the offending party fails to apologize, the

Presiding Officer shall require such person to vacate the Meeting place for the duration of the Meeting.

- (3) The ruling of the Presiding Officer shall be final unless the Member appeals the decision to the Council, Committee or Local Board, which shall then, without debate, decide if the decision of the Presiding Officer shall be sustained, upon the vote of a Majority of the Members present.

7. Quorum

- (1) As soon as there is a Quorum after the time set for the start of the Meeting, the Presiding Officer shall call the Meeting to order.
- (2) 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.
- (3) In a Council meeting where a Quorum is present and the Mayor has not attended within fifteen (15) minutes after the time appointed, the Regional Councillor, or, in their absence, the next Acting Mayor in the rotation shall take the chair and shall call the Meeting to order and preside until the arrival of the Presiding Officer.
- (4) In a Committee or Local Board Meeting where a Quorum is present and the Chair has not attended within fifteen (15) minutes after the time appointed, the Vice Chair shall take the chair and shall call the Meeting to order and preside until the arrival of the Chair.
- (5) In a Meeting where there is only the minimum requirement for a Quorum and a Member declares a Pecuniary Interest, the remaining Members are deemed to constitute a Quorum, provided that the number of remaining Members is not fewer than two (2).
- (6) If, during the course of a Meeting, Quorum is lost, the Meeting shall stand recessed and shall reconvene when a Quorum is regained. In the event that Quorum is not regained within fifteen (15) minutes, the Clerk shall record in the Minutes the time when Quorum was lost, and the names of those present. The Meeting shall then be ended without formal adjournment.

- (7) If a Meeting ends because the Quorum is lost:
- (a) the items on the Agenda that were dealt with, including any recommendations therefrom, will be included in the Minutes of the Meeting;
 - (b) the items on the Agenda that were not dealt with or finally disposed of shall be placed on the Agenda for the next regular Meeting or Special Meeting.
- (8) A Member who, for any reason or duration, will no longer be participating prior to adjournment shall advise the Presiding Officer and Clerk of their absence from the Meeting.
- (9) Each Member shall notify the Clerk when they will be absent from any Meeting.

8. Meetings

- (1) The Clerk shall provide notice to the public of all Meetings, Agendas, Agenda items, cancellations and re-scheduling by:
- (a) posting the regular schedule of Meetings on the Town's website, and time permitting, through the Town's regular page in the local newspaper;
 - (b) updating the regular schedule of Meetings posted on the Town's website within 24 hours of any changes made to the schedule;
 - (c) posting the Agenda on the Town's website not less than 24 hours in advance of a Special Meeting; and
 - (d) providing a link for all live-streamed Meetings (in-person, electronic or hybrid) for public access on the Town's website.
- (2) A public notice can include any form of notice as determined by the Clerk, and may include the posting of an Agenda for a Meeting.
- (3) The form, manner and times when notice will be provided to the public regarding specific Bylaws and the holding of certain Meetings shall be in accordance with the Policy on

Public Notice Requirements, other applicable Bylaws, and/or other relevant legislation.

- (4) Notice which is substantially given but which is irregular or not otherwise in strict compliance with this Bylaw will not invalidate the holding of a Meeting or any proceedings taken at a Meeting.
- (5) Subsequent to a regular election, the inaugural Meeting of a newly elected Council shall be held at a date and time fixed by the Clerk after the Members of Council take office, which shall be the date prescribed in the *Municipal Act, 2001*, or such other date as is determined by the Clerk.
- (6) By November of each year, Council shall set the schedule of Meetings for the following year. No Meeting shall occur during the week following a long weekend. No Meetings shall be held during the second and third weeks of March. A maximum of one (1) Meeting shall be held during the months of July and August unless otherwise specified by resolution of Council. No Meeting shall occur during the last two (2) weeks of December.
- (7) All Meetings shall be open to the public unless a Meeting or portion thereof meets the criteria for Closed Session, as set out in the *Municipal Act, 2001* and described in Section 27 of this Bylaw.
- (8) Regular Meetings of Council or a Committee or Local Board shall be held in accordance with the schedule or calendar adopted by Council or the Committee or Local Board, except when otherwise directed by a resolution of Council or the Committee or Local Board.
- (9) Insofar as is practicable, the Agenda and supporting material for Regular Meetings shall be delivered via electronic transmission to Members by noon at least seven (7) days prior to the scheduled Meeting and made available to the public by noon at least six (6) days prior to the day of the Meeting.
- (10) Electronic Participation:
 - (a) Any Member of Council or a Committee or Local Board may participate in a Meeting via electronic means and be counted for the purpose of establishing Quorum,

unless otherwise specified by the Mayor, Presiding Officer, CAO and/or Clerk.

- (b) The procedures relating to Council, Committee or Local Board Meetings set out in any section of this Bylaw shall apply to any Electronic Participation.
- (c) Members of Council, Committees or Local Boards attending by electronic means shall use one of the Town approved backgrounds or their natural environment only.
- (d) Members of Council, Committees or Local Boards shall heed the direction or advice of any appropriate authority (for example, a Medical Officer of Health), and shall participate electronically if their presence poses a threat to the health and safety of any other person.
- (e) Attendees are to enable the camera on their laptop or desktop and mute their microphone when not speaking. The Member assigned the floor by the Presiding Officer shall unmute their microphone and state their name before speaking. After the Member has finished speaking, they must ensure that their microphone is muted again.
- (f) The Mayor or Presiding Officer, in consultation with the CAO and the Clerk, may decide to limit or restrict the in-person attendance of any person other than a Member at a Meeting during an Emergency, or as a result of the potential health and safety implications of any in-person attendance.
- (g) Wherever possible, the technology used for Electronic Participation at a meeting shall permit the Town to live-broadcast or create an audio-only or audiovisual record of the Open Session portion of a Meeting and to make such records available for inspection by the Public.
- (h) Where the only matter on an Agenda is a Closed Session matter as provided for under Section 27 of this Bylaw, the live-broadcast or the creation of an audio-only or audiovisual record of the Meeting is not required.

- (i) Upon receiving notification that a live-streamed Meeting has been interrupted, the Clerk shall advise the Presiding Officer forthwith and the Meeting shall stand recessed for fifteen (15) minutes. If connectivity has not been restored by this time, the Clerk shall record the names of the Members present and the Meeting shall not proceed.
- (j) Delegations and Speakers may participate via electronic means deemed appropriate by the Clerk, in accordance with rules set out in Section 17 of this Bylaw.
- (k) In the event that a Member experiences technical difficulties in relation to their camera, a voice vote shall be conducted as follows:
 - i. The Presiding Officer shall ask all Members who are in favour of the Motion to say “Yes”;
 - ii. The Presiding Officer shall ask all Members who are opposed to the Motion to say “No”;
 - iii. The Presiding Officer will determine if, in their opinion, the Motion has been carried or failed to carry.

(11) Special Meetings:

- (a) The Mayor or Presiding Officer may, at any time, summon a Special Council Meeting on 48 hours' notice to the Members. Alternatively, if a petition is received from a majority of the Members, the Clerk shall summon a Special Council Meeting on 48 hours' notice to all Members for the purpose and at 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, 2001*.
- (c) The Agenda shall be distributed to Members of Council and posted to the Town's website at least 48 hours before the Meeting.

(12) Emergency Meetings:

- (a) If it appears that inclement weather, a like occurrence, or an Emergency situation will prevent the Members from attending a Meeting and Electronic Participation is not possible, the CAO or designate, in consultation with the Mayor or Presiding Officer, may direct the Clerk to postpone that Meeting by contacting as many Members as they are able to reach. Information regarding the Meeting cancellation shall be posted on the Town's website. Postponement shall not extend beyond the date of the next Regular Meeting, unless the Emergency continues to prevent the holding of the next regular Meeting.
 - (b) In the event of an Emergency, Council may hold its Meetings and keep its public offices at a convenient location within or outside the Town.
 - (c) Notwithstanding any other provision of this Bylaw, an Emergency 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 by telephone or email. No business, except business dealing directly with the Emergency situation, shall be transacted at that Meeting.
- (13) Meetings shall be held inside the Council Chambers, located in the Civic Centre at 26557 Civic Centre Road, Keswick, Ontario, or at any other place within the Municipality or an adjacent Municipality authorized by the Mayor or Presiding Officer in the case of a Special Meeting, or by Council in the case of a Regular Meeting.
- (14) Despite Section 8(13), a joint Meeting of the Councils of two (2) or more municipalities for the consideration of matters of common interest may be held within any one (1) of those municipalities or in a municipality adjacent to any of them.

9. Committees and Local Boards

- (1) Appointments of non-Council Members to any Committee or Local Board shall be made following these criteria:

- (a) Public notice soliciting individual applications from citizens of the community shall be conducted;
 - (b) All applications shall then be presented to the Selection Committee, which shall make its recommendations to the Council during a Closed Session Meeting for endorsement; and
 - (c) Following approval by Members of Council, a Bylaw detailing the appointments shall be presented at a Public Meeting for approval.
- (2) All Committees and Local Boards shall:
- (a) include a minimum of one (1) and a maximum of three (3) Members of Council unless otherwise approved by Council;
 - (b) be governed by Terms of Reference drafted by Town staff and approved by Council;
 - (c) elect a Chair and Vice-Chair from among their appointed Members at the beginning of their term of office. Additional appointments shall be made as required in the event of vacancies;
- (3) Minutes of Meetings shall be approved by the Committee or Local Board, and shall be posted on the Town's website and provided, upon request, in an accessible format.
- (4) It shall be the duty of all Committees and Local Boards to report to Council on all matters connected with their mandates, as outlined in their Terms of Reference, and/or on matters referred to them by Council, and to recommend actions to Council in a timely manner and as deemed necessary.
- (5) Where deemed necessary by the Committee, 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 manner to the Committee or Local Board.

- (6) Committees and Local Boards will be provided administrative and legislative support through the Office of the Clerk.
- (7) Committees and Local Boards are advisory bodies to Council, and do not have any decision-making authority unless provided for in their Terms of Reference.
- (8) Council may establish an Ad Hoc Committee and appoint its Members by Bylaw to consider a specific matter.
- (9) Members of staff on Committees shall be non-voting Members of such Committees.
- (10) The Mayor shall be an ex-officio Member of all Council Committees, and may vote on all questions before the Committee, but shall not be counted in the formation of a Quorum.
- (11) Committee Council representatives who would like to provide brief remarks on matters relating to a Committee to which they have been appointed shall, at the appropriate time within the Agenda and upon recognition by the Presiding Officer, speak for no more than five (5) minutes on the matter. There shall be no debate on the information provided.
- (12) Agendas and Meeting Minutes of Committees and Local Boards shall be formatted and created to appear substantially similar to those for Council Meetings.

10. Call to Order – Moment of Meditation

- (1) At the scheduled Meeting time, once Quorum is present, the Presiding Officer may call the Meeting to order, observe a moment of meditation and read aloud the Land Acknowledgement.

11. Roll Call

- (1) The Clerk shall publicly announce and record the names of the Members who are in attendance for the Meeting.

12. Community Announcements

- (1) The Presiding Officer may announce any community updates of which they would like to make the public

aware, and may then direct Members to do the same when called upon.

13. Introduction of Addendum Items

- (1) Addendum items will only be permitted on the Agenda to deal with urgent matters or to provide supplementary information and, in the case of Council Meetings, if approved by the CAO. Approval of Addendum items is at the discretion of Council, Committee, or Local Board with a majority vote.
- (2) Addendum items will be introduced by the Clerk at the beginning of the Meeting. Whenever possible, Addendum items will be posted to the Town's website prior to the Meeting.

14. Approval of Agenda

- (1) The Clerk shall have prepared all Council Agendas.
- (2) In order to proceed with the order of business, a Majority of Members shall accept and approve the Agenda, including any Addendum items, as presented.
- (3) The routine order of business for Regular Meetings shall follow the approved format of the Agenda, as amended from time to time.
- (4) The Clerk may prepare an Addendum to the Agenda to deal with urgent matters or to provide supplementary information to items of business listed on the Agenda.

15. Declarations of Pecuniary Interest and General Nature Thereof

- (1) Where a Member, on their own behalf or while acting for, by, with or through another, has any Pecuniary Interest in any matter and is present at a Meeting at which the matter is the subject of consideration, the Member shall, in accordance with the *Municipal Conflict of Interest Act*:
 - (a) prior to any consideration of the matter at the Meeting, disclose the Member's interest and the general nature thereof;

- (b) not take part in the discussion of, or vote on any question in respect of, the matter; and
 - (c) not attempt in any way, whether before, during or after the Meeting, to influence the voting on the matter.
- (2) Where the Meeting is not open to the public, in addition to declaring the interest, the Member shall leave the Meeting or the part of the Meeting during which the matter is under consideration.
- (3) Where the interest of a Member has not been disclosed by reason of the Member's absence from the Meeting during which the matter was discussed, the Member shall disclose the interest at the first Meeting attended by the Member thereafter.

16. Adoption of Minutes

- (1) The Presiding Officer shall ask for approval of the Minutes of the previous Meeting(s) and, once approved by a Majority of the Members present, shall forthwith, or immediately after any correction or change, declare the Minutes adopted and sign them.

17. Speakers and Delegations

- (1) Persons that would like to speak to an item on the Agenda at a Meeting shall provide a completed Request to Speak form to the Clerk. Speakers are permitted to speak only once and are limited to five (5) minutes.
- (2) Where there are numerous Speakers taking the same position on a matter, they shall select a spokesperson to present their views. Speakers shall make every effort not to repeat information presented by an earlier Speaker.
- (3) Persons appearing as a Delegation shall provide a completed Delegation Request form to the Clerk by 10:00 a.m. nine (9) calendar days prior to the Meeting. Each Delegate shall be permitted to speak only once on a topic for a maximum of five (5) minutes.
- (4) A maximum of three (3) Delegations shall be allowed to address Council or a Committee per Meeting. If the Clerk receives four (4) or more requests to appear as a Delegation regarding the same matter at the same

Meeting, the relevant body shall be informed and may schedule a Special Meeting to address the matter.

- (5) A Delegation consisting of more than three (3) 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.
- (6) All Delegations on an issue shall be heard before questions are asked of staff or discussion takes place among Council or Committee Members.
- (7) Once discussion in respect of a Motion or resolution has commenced, no further presentation shall be made by any person other than a Member, except at the discretion of the Presiding Officer. Members may ask questions for clarification but shall not enter into debate with Speakers.
- (8) Prescribed time limits may be extended, without debate, by a Majority vote of Council or the Committee or Local Board.
- (9) No person shall speak on any subject other than the subject for which they received approval to address Council or the Committee or Local Board.
- (10) Every communication to be presented to Council or a Committee or Local Board shall be legible, shall not contain any defamatory allegations or impertinent or improper matters, and shall be signed by at least one (1) person.

18. Petitions

- (1) Petitions may be submitted to the Clerk prior to the regular Agenda being published, and will include a minimum of two (2) persons and their respective addresses, and a clear statement of purpose for the Petition.
- (2) Any person wishing to present a Petition shall submit a copy of the material to the Clerk no later than 10:00 a.m. nine (9) calendar days prior to the Meeting. Any material submitted after this time will be accepted where it relates to a matter on the Agenda, but may not be circulated to Members until after the Meeting. If, in the Clerk's opinion, the Petition is of a time-sensitive nature, the Clerk may

bring forward such Petition for Council consideration, after the aforementioned deadline.

- (3) Every Petition intended for presentation to Council shall be legible and shall not contain any defamatory allegations or impertinent or improper matters.
- (4) Individuals who submit a Petition may be encouraged by a Member or senior staff to consider resolving an issue or concern with staff in lieu of, or prior to, submitting a Petition.
- (5) For reasons of privacy, the addresses included with the Petition will be provided to Members, but not published in an Agenda.
- (6) Staff may prepare recommendations related to the matter for Council's consideration.
- (7) The Town is not accountable for the accuracy or reliability of Petitions that are submitted.
- (8) Petitioners must identify themselves as residents or non-residents of Georgina. It is acceptable for petitioners to be under the age of majority.

19. Public Meetings

- (1) Public Meetings held to consider applications under the *Planning Act*, or to obtain public input for other purposes, shall be held once a month in accordance with the schedule approved by Council or the relevant Committee or Local Board, except in July, August and December, when limited Meetings are held. Additional Public Meetings may be scheduled as necessary as determined by Council or relevant Committee or Local Board.
- (2) The Presiding Officer shall explain the Public Meeting process for those in attendance and the statutory requirements under the *Planning Act* or other applicable legislation.
- (3) Delegates who would like to address Council at a Public Meeting under the *Planning Act* or at a Public Meeting called for other purposes shall be permitted to speak

without advance notice, except where they are participating electronically.

- (4) The time limit for Delegations at a Public Meeting relating to applications under the *Planning Act* shall not exceed five (5) minutes. Council may extend this time limit without debate by a Majority vote of the Members present.
- (5) Council may ask questions of the applicant or staff after the applicant or staff presentations, and prior to any delegates addressing Council.

20. Reports

- (1) All requests for substantive reports by Council resolution shall identify the appropriate Department and Manager and objectives of the Report.
- (2) 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.
- (3) All written communications presented to Council or a Committee or Local Board shall be filed with the Clerk no later than 10:00 a.m., nine (9) calendar days prior to the Meeting. Any material submitted after this time will be accepted where it relates to a matter on the Agenda, but may not be circulated to Members until after the Meeting.
- (4) Any submissions received or matters arising later than 10:00 a.m., nine (9) calendar days prior to the Meeting will be treated as Addendum items and will only be permitted where they relate to matters of the utmost importance and are sanctioned by the Clerk.
- (5) Members will select at the Meeting the specific reports they wish to discuss. The remaining reports will be approved in one (1) Motion.

21. Dispositions, Proclamations and General Information Items

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

- (2) If a special request for a Proclamation is received, it will be placed on the Agenda for Council's consideration.
- (3) Copies of Resolutions from other municipalities will be circulated by the Clerk to all Members of Council, the CAO and the appropriate Department Heads through General Information Items.
- (4) Any Resolution from another municipality contained in General Information Items may be moved to Dispositions/Proclamations at the request of a Member.

22. Motions

- (1) 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.
- (2) 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.
- (3) The Presiding Officer:
 - (a) shall not move or second any Motion;
 - (b) shall vote as any other Member when the vote is to be recorded; and
 - (c) 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.
- (4) Any Member may request the Presiding Officer to put the Motion to a vote.
- (5) When a Motion is under consideration, no other Motion shall be made, except to:
 - (a) raise a Point of Order or Point of Privilege;
 - (b) refer the Motion to staff for a staff report;
 - (c) defer the Motion to a specific date, or indefinitely;
 - (d) table the Motion;

- (e) amend the Motion; or
 - (f) call the question, thereby ending debate.
- (6) One or more items on an Agenda may be adopted in a single Motion.
- (7) Any Member present may request that an item on the Agenda be discussed, and that item shall not be included in the Motion to adopt items not requiring separate discussion.
- (8) Notices of Motion:
- (a) A Notice of Motion shall be in writing and shall be delivered to the Clerk. The Member shall read the Notice of Motion into the record at the first regularly scheduled Meeting following the delivery of the Notice of Motion. No seconder is required and the Notice of Motion shall not be debated until the next scheduled Meeting.
 - (b) The CAO may deem it appropriate for staff to prepare a report in relation to the Notice of Motion, which will appear on the Agenda in conjunction with the Notice of Motion.
- (9) A Motion to Amend:
- (a) shall be relevant to the Main Motion, shall not be contrary to the Main Motion, shall be debatable, and shall not itself be amended more than once;
 - (b) shall be put to a vote in reverse order from which Motions to Amend the same Main Motion are put forward. Should the Motion to Amend be carried, the Main Motion shall then be considered as amended;
 - (c) shall not be required where the mover and seconder of the Main Motion agree to a friendly amendment. While a Motion to Amend normally applies to Main Motions, it may also be applied to other Motions that can be amended;

- (d) shall, if carried and if no other amendment or Subsidiary Motion is proposed, be followed by the Main Motion (as amended) being put to a vote; and
 - (e) shall be withdrawn automatically should the original mover and seconder choose to withdraw the Main Motion, without further discussion.
- (10) A Motion to Refer a matter under consideration to staff:
- (a) shall be open to debate and may be amended; and
 - (b) shall include the terms on which the matter is being referred and the time at which it is to be returned.
- (11) A Motion to Defer a matter to a specific date or indefinitely:
- (a) shall be open to debate as to the advisability of its deferral; and
 - (b) May be amended as to the time or date to which the matter is deferred.
- (12) A Motion to Table a matter:
- (a) shall not be amended or debated;
 - (b) shall apply only to the Main Motion and any amendments thereto under debate at the time when the Motion to Table is made; and
 - (c) shall be deemed withdrawn if the tabled Motion has not been decided either in the affirmative or the negative during the term of Council in which the Main Motion was introduced.
- (13) A Motion to Recess made when other business is before the Meeting:
- (a) shall specify the length of time of the recess;
 - (b) shall not be debatable; and
 - (c) shall only be amendable with respect to the length of the recess.

(14) A request to Withdraw a Motion:

- (a) may only be made by the mover of the Motion;
- (b) shall have the consent of the seconder of the Motion;
and
- (c) shall be in order at any time during debate.

(15) A Motion to Suspend or Waive the Rules of Procedure required by this Bylaw:

- (a) shall not be debatable or amendable; and
- (b) shall require a Two-Thirds Vote of the Members present at the Meeting.

(16) A Motion to Call the Question, thereby ending debate and vote on the Motion at hand:

- (a) shall not be debatable or amendable; and
- (b) shall require a Two-Thirds Vote of the Members present at the Meeting.

(17) A Motion to Reconsider:

(a) a previous decision of Council made earlier in a Meeting:

- i. may be presented at any time prior to the adjournment of the Meeting by any Member who voted in the majority when the decision was made;
- ii. may not be applied to a decision to postpone indefinitely; and
- iii. requires an affirmative vote of the Majority of the Members present.

(b) a decision of Council made at a previous Meeting:

- i. may only be introduced by a Member who was present at the Meeting when the decision was

made and voted in the majority, or who was not present at the Meeting when the decision was made;

- ii. must be introduced for consideration by a Notice of Motion in accordance with Section 22(8); and
 - iii. shall require a Two-Thirds Vote of the Members present at the Meeting.
- (c) Any proposal to reconsider, amend or rescind a previous decision of Council made within the current term of Council shall require a Motion to Reconsider.
 - (d) The mover of a Motion to Reconsider will specify whether the reconsideration will address the entire original decision of Council or part of the original decision.
 - (e) Debate on a Motion to Reconsider will be confined to reasons for or against reconsideration.
 - (f) Discussion of the previous decision will not be in order until the Motion to Reconsider has been adopted.
 - (g) Where the Motion to Reconsider is approved, reconsideration will become the next order of business unless the Motion to Reconsider included direction to postpone reconsideration to a definitive date.
 - (h) A decision of Council can only be reconsidered once during a term of Council. A Motion to Reconsider a previous reconsideration is out of order and cannot be moved or debated.
 - (i) Notwithstanding Section 22(17)(c), any decision of Council returned to Council by the Ontario Land Tribunal for reconsideration will not require a Motion to Reconsider.

23. Voting

- (1) After a Motion is put to vote by the Presiding Officer, no Member shall speak to the Motion and no other Motion

shall be made until after the vote is taken and the result is declared. Each Member present (in person or electronically) and voting shall announce or indicate their vote upon the Motion openly and individually and no vote shall be taken by ballot or any other method of secret voting.

(2) 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) If a Member present abstains from voting, they will be deemed to have voted in the negative unless the Member's reason for abstaining is due to their Declaration of a Pecuniary Interest. When a Member abstains from voting as a result of a Declaration of a Pecuniary Interest, their 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) Any question on which there is a tied vote shall be deemed to be lost, except where otherwise provided by the *Municipal Act, 2001*.

(5) Recorded Votes:

(a) Recorded Votes shall only be taken at Council Meetings.

(b) Immediately prior to taking a vote, a Member may request that the vote be recorded.

(c) The Clerk shall then call all Members present at the Meeting to vote, with the exception of Members who have declared a Pecuniary Interest.

(d) When a Recorded Vote is required, the Clerk shall call the vote in random order following the name of the Member who requested the recorded vote.

(e) The Clerk shall record the name and vote of every Member on the question.

(f) The Clerk shall announce the total number of votes for and against and the Presiding Officer shall announce the results.

(6) When the Motion under consideration concerns two (2) or more matters, the Presiding Officer, upon the request of any Member, may direct that the vote upon each matter be taken separately.

24. Regional Business

(1) The Mayor or Regional Councillor may present updates of relevant business being conducted by The Regional Municipality of York.

25. Other Business

(1) The Presiding Officer and Members may initiate Other Business for discussion.

(2) Other Business shall be of an emergent or time-sensitive nature, but not one constituting an Emergency situation as referred to in Section 8(12)(c).

26. Bylaws

(1) All Bylaws shall be read and enacted in a single Motion, unless a Member wishes to discuss the contents of a specific Bylaw, at which time the subject Bylaw shall be removed from the Motion and dealt with in a separate Motion. The headnote only of the Bylaw shall be read.

(2) All amendments to any Bylaw approved by Council shall be deemed to be incorporated in the Bylaw, and if the amending Bylaw is enacted by Council, the amendments shall be applied to the Bylaw by the Clerk.

(3) Every Bylaw which is passed by Council shall be sealed with the seal of The Corporation of the Town of Georgina, shall be signed by the Mayor, Regional Councillor or Acting Mayor, and by the Clerk or Deputy Clerk, and shall be deposited with the Clerk for custody.

27. Closed Session

(1) A Meeting or part of a Meeting may be closed to the public if the subject matter being considered relates to a

matter listed in Subsections 239(2) or 239(3) of the *Municipal Act, 2001*.

- (2) The rules governing the procedure of Meetings and the conduct of Members, as described in this Procedure Bylaw, shall be observed in Closed Session in so far as they are applicable.
- (3) Where a Meeting or part of a Meeting is closed to the public, all persons not specifically invited to remain in the meeting by the Presiding Officer shall leave the Meeting until such time as they are invited to re-enter the Meeting by the Presiding Officer or the Clerk.
- (4) A Member may participate in-person or electronically in any Closed Session portion of any Meeting, unless otherwise prevented by law from such participation.
- (5) Those who attend a Closed Session shall at all times:
 - (a) be prohibited from discussing any matters during a Closed Session other than those identified by resolution as required under Section 239(2) of the *Municipal Act, 2001*;
 - (b) ensure that confidential matters disclosed and materials provided during Closed Session are kept confidential. Confidential materials shall be returned to the Clerk; and
 - (c) maintain confidentiality while electronically participating in a Closed Session Meeting, including ensuring that no person who is not otherwise permitted to be in attendance at a Closed Session Meeting is in the location from which that Member is electronically participating in a Closed Session.
- (6) Any person found to be in contravention of this Section 27 shall be reprimanded and ordered to vacate the Meeting place.
- (7) Before holding a Meeting or part of a Meeting in Closed Session, the Council, Committee or Local Board shall state by resolution:
 - (a) the fact of the holding of the Closed Session;

- (b) the general nature of the matter to be considered;
and
 - (c) the specific provision(s) under the *Municipal Act, 2001* under which each item of business is permitted to be considered in Closed Session.
- (8) The Clerk shall conduct a roll call of the Members participating in any Closed Session portion of a Meeting. Any Town staff also participating shall advise the Clerk of their participation in a manner satisfactory to the Clerk.
- (9) At the conclusion of a Closed Session portion of the Meeting:
- (a) a Motion to proceed into Open Session shall be made;
 - (b) the Clerk shall summarize any discussion held in Closed Session and the Presiding Officer shall conduct any required vote in Open Session. The summary and vote will provide sufficient detail without detrimentally affecting the confidentiality of the matter(s) discussed in Closed Session and the position of the Town; and
 - (c) if applicable, the Members shall vote during the Open Session on any resolutions originating from the Closed Session Meeting.
- (10) A Meeting shall not be closed to the public during the taking of a vote, except where:
- (a) the *Municipal Act, 2001* permits or requires the Meeting to be closed to the public; and
 - (b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Town, Local Board or Committee or either of them, or persons retained by or under a contract with the Town or Local Board.

28. Minutes

- (1) The Minutes shall record:

- (a) the place, date and time of Meeting;
 - (b) the name of the Presiding Officer and the record of the attendance of the Members;
 - (c) declarations of Pecuniary Interest;
 - (d) the Motions considered and votes taken by the Council, Committee or Local Board;
 - (e) except as provided elsewhere in this Bylaw, all the other decisions and authorized actions, without note or comment; and
 - (f) except as provided elsewhere in this Bylaw, a summary of comments shall not be recorded in the Minutes.
- (2) The Closed Session Record shall include:
- (a) the place, date and time of Meeting;
 - (b) the names of the Presiding Officer and the record of the attendance of the Members and any other attendees;
 - (c) a description of the substantive and procedural matters discussed, including specific reference to any documents considered;
 - (d) any Motions considered and recommendations voted on by the Council, Committee or Local Board in Open Session; and
 - (e) all directions given.

29. Confirming Bylaw

- (1) The proceedings at every Meeting shall be confirmed by Bylaw so that every decision of 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 Bylaw duly enacted.

30. Signing Authority

- (1) The Mayor, Presiding Officer, Regional Councillor or Acting Mayor, and the Clerk or Deputy Clerk are hereby

solely authorized to sign and seal all agreements and other municipal documents that have been approved by Council.

- (2) Those parties specifically named in Section 30(1) may delegate their authority in clearly defined circumstances by Bylaw only.
- (3) The Clerk shall be authorized to make minor corrections to any Bylaw, Minutes or other Council documents to eliminate technical or typographical errors prior to the documents being signed.

31. Motion to Adjourn

- (1) Except where a Quorum is no longer present in accordance with Section 7, the Meeting shall formally adjourn by vote of a Majority of the Members present. The time of the conclusion of the Meeting shall be recorded in the Minutes and attendees dismissed.

32. Title

- (1) This document shall henceforth be referred to as the "Procedure Bylaw".

33. Enactment

- (1) Procedural Bylaw Number 2016-0014 (COU-2) and Amending Bylaw Number 2020-0020 (COU-2) are hereby repealed in their entirety.
- (2) This Bylaw shall come into force and take effect on November 15, 2022.

READ AND ENACTED this 28th day of September, 2022.

Margaret Quirk, Mayor

Rachel Dillabough, Town Clerk

DRAFT