

THE CORPORATION OF THE TOWNSHIP OF SOUTHGATE

DRAFT By-law No. 2020-XXX

**being a by-law to govern the proceedings of Council,
Committees, and Committee of Adjustment,
and to repeal By-law 2019-120**

Whereas Section 238 of the Municipal Act, S.O. 2001, c. 25, as amended, provides that a Council shall pass a procedure by-law for governing the calling, location and proceedings of meetings; and

Whereas the Council of the Corporation of the Township of Southgate deems it necessary to set rules and regulations with regards to Council and Committee proceedings; and

Whereas all points of order or procedure not provided for in this by-law shall be decided in accordance with Robert's Rules of Order and the Chair shall submit the ruling without debate,

Now therefore be it resolved that the Council of the Corporation of the Township of Southgate hereby enacts as follows:

1.0 DEFINITIONS

- a) **"Act"** shall mean the Municipal Act, S.O. 2001, c. 25, as amended from time to time;
- b) **"Acting Chair"** shall mean the Presiding Officer of a Committee or Council to act in the place of the Mayor or Deputy Mayor when both are absent from a meeting of Council or Committee for any cause and who shall exercise all the rights, powers and authority of the Mayor;
- c) **"Addendum Agenda"** 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;
- d) **"Adoption of Minutes"** shall mean a heading on the agenda where Council approves previous Council meeting minutes by resolution;
- e) **"Business Arising"** shall mean a heading on the agenda that is used for updates resulting from requests from the previous meeting;
- F) **"Call to Order"** shall mean the time when the members and the public are notified that the meeting is commencing;
- g) **"CAO"** means the Chief Administrative Officer of the Township of Southgate;
- h) **"Chair"** means the Presiding Officer of a committee or Council meeting;
- i) **"Clerk"** means the Clerk of the Township of Southgate;
- j) **"Closed Meeting"** means a meeting, or part of a meeting, which is closed to the public as permitted by the Act, also referred to as an "in-camera meeting";
- k) **"Code of Conduct"** means a by-law to establish a Council Code of Conduct, as amended from time to time;
- l) **"Committee"** means a Committee, Board, Task Force or other body constituted and appointed by Council, including the Committee of the Whole, with the exception of the Public Library Board;
- m) **"Committee Chair"** means the Chair of a committee;
- n) **"Committee Vice Chair"** means the Vice Chair of a committee;
- o) **"Committee of the Whole"** shall mean a committee of Council comprised of all members of Council which, if established, would serve as the principal forum for the consideration of recommendations and public input on matters of Council business prior to consideration by Council;
- p) **"Confirmation of Agenda"** shall mean a heading in the Council agenda that relates to a resolution of Council required to confirm the items on the agenda as presented. Any additions to the agenda shall be included as a resolution to confirm the agenda as amended;

- q) **"Confirming By-law"** shall mean a by-law to confirm all of the actions of Council during the meeting as intended to be legal and binding;
- r) **"Consent Agenda"** shall mean a listing of general or regularly occurring reports, ~~or~~ correspondence and resolutions of other Municipalities that can be dealt with in a single motion. The action for each item is provided in brackets on the consent agenda. Brief discussion may be held on any consent agenda item. Any item on the consent agenda, where further direction or resolution is proposed in addition to receipt for information, shall be pulled from the consent agenda and be heard immediately after the consent agenda has been disposed of;
- s) **"Council"** means the Council of the Township of Southgate;
- t) ~~**"Council Information Package" (CIP)**~~ ~~means the collection of correspondence, resolutions from other municipalities, and any other item strictly for reading purposes and sharing of information to Council and the public. The CIP shall be published every Thursday, sent out to the subscription list and posted to the Township website on a weekly basis. If a Member chooses to pull an item from the CIP, the Member must provide the Clerk with a resolution or motion no later than 12:00pm noon on the Wednesday prior to an agenda being published.~~
- u) **"Declaration of Pecuniary Interest"** shall mean a declaration by a member in advance of an item on the agenda that the member has a pecuniary interest as per the Municipal Conflict of Interest Act and shall be provided to the Clerk, in writing, prior to the adjournment of the meeting or before the start of the next meeting;
- v) **"Delegation"** means a person or group of persons who are not members of Council or Southgate staff who have requested and are permitted to address Council, individually or on behalf of a group;
- w) **"Deputy Mayor"** is the position that fulfills the responsibilities of the Mayor in his/her absence;
- x) **"Division of Question"** means a request by a Member to have a motion containing separate questions, recommendations or amendments, voted on in sections or parts;
- y) **"Electronic Means"** means telephone or video conferencing or other interactive method whereby Members, staff and the public are able to hear the Member(s) participating by electronic means and the Member(s) participating by electronic means are able to hear other Members, staff and the public.
- z) **"Ex-officio Member"** shall refer to the Mayor's membership on all internal committees, sub-committees and working groups. Ex-officio means by virtue of office and therefore this member may attend any Southgate committee meetings and take part in discussion. The ex-officio member shall be a non-voting member and shall not be included when determining the number of members required for quorum or counted when determining if a quorum is present;

- aa) **“Friendly Amendment”** means the motion under debate is amended with the consent of the mover and seconder, and without the requirement for an amending motion to be made and is simple in nature;
- bb) **“In Writing”** shall mean handwritten, typewritten or electronically displayed;
- cc) **“Local Board”** means a local board defined by the Municipal Act;
- dd) **“Majority Vote”** shall mean an affirmative vote of more than one-half of the members present and voting;
- ee) **“Mayor”** means the Head of Council of the Corporation of the Township of Southgate;
- ff) **“Meetings”** are defined as follows:

“Council Meeting” shall mean meetings set out in this by-law to be held on a regular basis. A quorum is required;

“Committee Meeting” shall mean a meeting held for the purpose of preparing information for presentation to Council and shall not involve enactment of legislation;

“Committee of the Whole” means a committee meeting consisting of all Members of Council sitting as a Committee of the Whole;

“Closed Meeting” shall mean a meeting or portion thereof which is closed to the public. This may be done only in the very specific circumstances defined in Section 6 of this By-law;

“Emergency Meeting” shall mean a meeting summoned under Section 240 (a) or (b) of the Act to deal with an emergency or extraordinary situation only. A quorum is required;

“Open Meeting” shall mean any meeting or portion thereof which is not closed to the public for appropriate reasons as defined in Section 6 of this by-law. All meetings shall be open unless there is a valid reason for the meeting to be closed. The public may not address Council without delegation or presentation status;

“Statutory Public Meeting” shall mean a meeting called to fulfill a statutory requirement of an Act. Information is presented and public input is encouraged. A quorum is not required. Separate minutes shall be kept if a public meeting is included within a regular Council meeting. Minutes are to be received for information at the next available Regular Meeting of Council and signed by the Chair and the Clerk;

“Public Meeting” or **“Public Information Meeting”** means a meeting held by staff where members of the public are encouraged to attend and may be invited to make submissions to staff, and is not a statutory public meeting under the purposes

outlined in the [Planning Act](#) or the [Municipal Act](#). Non-statutory public meetings do not require quorum and are for the purpose of staff to obtain comments from the public and to provide input based on the application. Minutes are to be received for information at the next available Regular Meeting of Council and signed by the Clerk;

“Special Meeting” shall mean meetings summoned under Section 240 (a) or (b) of the Act, having the same privileges as a Regular Council Meeting. A quorum is required;

- gg) **“Member”** as it relates to Council and Standing Committees means the Mayor, Deputy Mayor or Councillor of the Township of Southgate and for other committees as defined in this by-law, shall mean a person elected or appointed to the committee;
- hh) **“Member’s Privilege”** shall mean the announcement of good news stories, reminders of upcoming events, or acknowledgement of recent events, training attended or comments arising from the Council Information Package;
- ~~ii) **“Motions Arising from Consent”** shall mean a motion arising from items listed within the Council Information Package (CIP), in addition to the basic motion to receive correspondence or Motions from Other Municipalities for information purposes. Any direction or follow up requested from the CIP shall be sent to the Clerk by noon on Wednesday the week of an agenda being published with the desired motion/resolution.~~
- jj) **“Motion to Defer”** means a motion to delay the consideration of a matter to a future meeting of Council or a committee;
- kk) **“Motion to Receive”** means a motion to acknowledge the particular item, report or recommendation under consideration and to have it placed in the records of Council with no additional action being taken;
- ll) **“Motion to Refer”** means a motion to dispose of a question under consideration, with or without any proposed amendment, in order to seek consideration by, and, if deemed desirable, one or more reports from any designated committee, body or official;
- mm) **“Motion to Table”** means a motion to postpone without setting a definite date as to when the matter will be considered again;
- nn) **“Notice of Motion”** means a motion by any Member of Council that is not scheduled for an agenda which is presented to the Clerk in writing prior to the agenda deadline for inclusion on the current agenda;
- oo) **“Open Forum”** shall mean an opportunity for members of the public to voice opinions on subjects of municipal concern during the first 15 minutes of each regular Council meeting;
- pp) **“Open House”** means an opportunity for the public to drop in to review display boards and discuss the study with

Township staff or the Township's consultant;

- qq) **"Order of Business"** means the sequence of activities and/or discussions and decisions to be introduced and considered and shall be altered by 2/3 majority vote;
- rr) **"Point of Clarification"** means when a member wants to clear up something that was stated. This is a statement and not a question;
- ss) **"Point of Information"** or **"Point of Parliamentary Inquiry"** means a question asked about a motion or about the process taking place and directed to the Chair or to the Clerk;
- tt) **"Point of Order"** means a question by a Member with the view to calling attention to any issue relating to the Procedure By-law or the conduct of Council's business or in order to assist the Member in understanding Council's procedures, making an appropriate motion, or understanding the effect of a motion;
- uu) **"Point of Privilege"** or **"Personal Privilege"** means a question by a Member who believes that another member has spoken disrespectfully towards that member or another member or who considers that his or her integrity or that of a member or Southgate official has been impugned or questioned by the member. Can also be used when a Member requires something relating to personal comfort such as temperature, noise level etc.;
- vv) **"Present"** means physically in attendance at the meeting;
- ww) **"Presentation"** means an address to Council or Committee by a consultant or associated body, or at the request of Council, a Committee or staff;
- xx) **"Quorum"** as it relates to Council and its committees shall consist of more than 50% of the applicable membership;
- yy) **"Recorded Vote"** means a written record of the name and vote of every member voting on any matter or question. A request by a member for a recorded vote shall be made immediately prior to the commencement of the vote being taken or immediately thereafter, prior to proceeding to the next item on the agenda. When a recorded vote is requested, or is otherwise required, the Clerk shall call the names and record the vote in random order;
- zz) **"Reports of Municipal Officers"** shall mean a heading on an agenda to allow for the presentation of Department Head reports;
- aaa) **"Resolution"** means the decision of Council or its Committees on any motion;
- bbb) **"Special Committee"** shall mean a committee appointed by Council for a specific function which may be comprised of Members of Council with staff support;
- ccc) **"Sub-Committee"** shall mean a committee established by Council to

work on and report on a specific function within the mandate of the standing committee. Subcommittees may or may not contain members of Council;

- ddd) **“Task Force”** shall mean a group appointed by Council that has a defined purpose and mandate to allow residents with experience, interest and/or opinions in a particular subject area to provide input on a specific issue, through a balanced public process. The mandate of a task force will be community based fact-finding missions related to an important matter in Southgate. A task force will find and deal with factual information to find common ground or majority agreement on issues of a potentially controversial nature in the Township and shall not have Council Member representation as voting members, but may have representation in a supporting role;
- eee) **“Township”** means the Township of Southgate;
- fff) **“Two-Third Vote”** shall mean an affirmative vote of at least 2/3 of the members present, as below:
 - a. 7 members are present 5 are required;
 - b. 6 members are present 4 are required;
 - c. 5 members are present 4 are required;
 - and
 - d. 4 members are present 3 are required;
- ggg) **“Working Group”** shall mean a group appointed by Council who have a defined purpose and mandate to allow residents with knowledge and experience in a particular subject area to provide input on a specific issue. The mandate of a working group will be related to an important matter in the community that is of a minimally controversial nature in the Township and shall have at least one (1) Member of Council representation as a voting member.

2.0 APPLICATION

- 2.1 **General** The rules of procedure set out in this by-law shall govern all proceedings of Council and committees;
- 2.2 **Statutory Requirements** Notwithstanding anything in this by-law, where Council or a Committee convenes for the purpose of holding a hearing as required by any statute, the provisions of the statute and the Statutory Powers Procedure Act, as applicable, shall govern the proceedings;
- 2.3 **Rules of Order Not Covered** To the extent that a matter is not dealt with in the Act or this by-law, Council and Committees shall have regard to Robert’s Rules of Order Newly Revised;
- 2.4 **Use of Pronouns** Throughout this by-law, the words “he” and “his” shall, where appropriate be deemed to read “she” and “her”.

3.0 SUSPENSION OF THE RULES

- 3.1 **General** Any motion to suspend any provisions of this by-law shall be used only when absolutely necessary and

shall always require a 2/3 vote.

4.0 ELECTRONIC MEDIA

- 4.1 **Audio and Video Recording** Open meetings may not be electronically or mechanically recorded by any member of the public without prior consent of Council through resolution and by written request by the requestor. Any recordings conducted during a Council or Committee meeting after obtaining consent shall be for personal use only and are not to be made public or distributed in any way without the prior consent by resolution of Council or Committee for the public use of the recording;
- 4.2 **Recordings under Agreement** Council reserves the right to enter into agreements for the audio and/or video recording of Council meetings which may or may not be used for distribution to the public;
- 4.3 **Council/Committee Recordings (Audio and Video)** Staff shall audio record both open and closed Council and Committee meetings and make open audio recordings available to the public, upon request. Staff may video record both open and closed Council and Committee meetings and make open recordings available to the public via the Township of Southgate YouTube Channel, if available. Open meeting recordings shall be posted within three (3) days of the meeting to the Township website. A retention period of one year from the date of the meeting is recommended for closed session audio/video recordings as they would not constitute the formal record of the meetings. The Clerk would be authorized to disclose the audio recordings to a Closed Meeting Investigator, only in those instances where they are relevant to a closed meeting investigation and do not breach solicitor-client, or other, privilege; the Township Solicitor, or designate, for the purpose of providing solicitor-client advice with respect to the contents of a recording; and any additional party authorized by the Municipal Council, by resolution. They are not intended to be used by members of Council who are absent from closed session meetings;
- 4.4 **Electronic Devices in Council Chambers** Electronic devices are permitted in Council Chambers provided that they are turned to silent or vibrate during the meeting and are not used to record any aspect of the Council or committee meeting, unless consent has been obtained as per [Section 3.1](#).

5.0 MEETING LOCATIONS, TIMES AND NOTICE

- 5.1 **Inaugural Meeting of Council** The inaugural meeting of Council shall be held in the Hopeville Council Chambers at 7:00 p.m. on the first Monday in December following a regular municipal election, except when the day is a public holiday, in which case the meeting shall be held on the following business day;
- 5.2 **Inaugural Meeting of Council Agenda** The Clerk shall have prepared for the Members of Council at the inaugural meeting an "Order of Business" as follows, to also include other ceremonial proceedings as deemed necessary and/or desirable:

- (a) Call to Order
- (b) Regrets
- (c) Declarations of Office
- (d) Mayor's Inaugural Address
- (e) Confirmation By-law
- (f) Statements by Members (non-debatable)
- (g) Adjournment;

- 5.3 **Meeting Schedule** On or before the first December meeting, Council shall adopt a regular meeting schedule for its meetings to be held in the following year including the dates, times and locations for such meetings and the Clerk shall publish the schedule on the Township website. In the event the regular meeting date falls on a public holiday, the Council shall meet at the same hour on the next day not being a public holiday;
- 5.4 **July/August Meetings** Notwithstanding the provisions of this By-Law, there shall only be one regularly scheduled meeting during the months of July and August and they will fall on the first Wednesday of the month and scheduled to begin at 9:00 a.m.;
- 5.5 **Cancellation due to Weather** In the event of inclement weather or should there be a significant weather event anticipated, an evening meeting may either be cancelled with the consent of the Mayor and/or Chair and CAO and/or Clerk, or be moved up to start no earlier than 5:00 p.m. and called and posted no later than 12 noon on the day of the evening meeting to ensure there is enough notice to the public. Notice shall be given to the media, subscription list, and posted on social media no later than noon on the day of the evening meeting.
- 5.6 **Notice of Cancellations** In the event of a meeting cancellation, staff will post notice of the meeting cancellation on Southgate's website, Facebook page, and subscription group and will notify the Members by email or by telephone. If the cancellation occurs at the last minute or after regular business hours and staff is unable to post the cancellation as noted, notice shall be posted as soon as it is practical to do so;
- 5.7 **Three (3) Hour Limit** For all meetings, no item of business shall be dealt with after three (3) hours from the start time unless authorized by resolution of the members present. The extension of time after the initial three (3) hours shall only be permitted for only one (1) additional hour for evening meetings. No meeting shall exceed 11:00 p.m. on an evening meeting and shall not be extended by waiving the Procedural By-law. Should the agenda not be completed on the day of a Regular Meeting, all items left over shall be carried over to the Thursday following the Wednesday meeting and will begin at 1:00 p.m. in the Council Chambers. In the case of a County Council Meeting, the meeting shall resume on Friday following the Wednesday Council meeting at 9:00 a.m. and noted on the Township website and notice be given to the media, subscription list and social media;

- 5.8 **Notice to the Members** Notice of meetings including agendas, minutes and supporting documentation to the members shall be via electronic mail. Notice may also be provided by telephone or personal contact in case of an emergency;
- 5.9 **Notice to the Public** Agenda information distributed by the Clerk to members shall be made available to the public through posting to Southgate's website, ~~Facebook page and sent to the email group at the same time as it is made available to the members;~~
- 5.10 **Invalidation of Notice of Meeting** If a Meeting Notice is substantially given but varies from the form and manner provided in this Procedure By-law, the ability to hold the Meeting and the actions taken at the Meeting are not invalidated.

6.0 CLOSED MEETINGS OF COUNCIL

- 6.1 **Exceptions to Open Meeting Requirements** All regular and special meetings of Council shall be open to the public unless the subject matters to be considered relate to:
- a) the security of the property of the municipality or local board;
 - b) personal matters about an identifiable individual, including municipal or local board employees;
 - c) a proposed or pending acquisition or disposition of land by the municipality or local board;
 - d) labour relations or employee negotiations;
 - e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
 - h) the meeting is held for the purpose of educating or training the members and at the meeting and no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee; and
 - i) Council shall by resolution close a meeting or part of a meeting to members of the public where the subject matter to be considered is an ongoing investigation respecting the municipality, a local board, or a municipally-controlled corporation by the Ontario Ombudsman appointed under the Ombudsman Act or municipally-appointed Ombudsman;
 - j) As per Bill 68:

- a. Information explicitly supplied in confidence to the municipality by Canada, a province or territory, or Crown agency;
- b. A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality;
- c. A trade secret or scientific, technical, commercial or financial information that belongs to the municipality and has monetary (or potential) value;
- d. A position, plan, procedure, criteria or instruction to be applied to any negotiations;

6.2	Closed Meeting Procedure	A motion outlining the general nature of the subject matter is required before going into closed session with the resolution as discussed in closed to be included in the open agenda following the closed portion. No vote will be taken at a closed meeting except for a procedural matter. Please refer to Policy #25 for the full Closed Meeting Policy & Procedure;
6.3	Notice of Closed Meetings	Notice of Closed Meetings of Council shall be included on the regular Council agenda. Where required, providing Council with a closed session agenda in accordance with the publishing timeframes set out of regular agenda;
6.4	Reporting Out & Confidentiality of Closed Session Discussions	<p>A summary of any discussion held in closed session and any required vote will occur following the closed session discussion of Council or a Committee Meeting. In the case of Committee of the Whole Meetings, communication of closed session discussions will occur at Council Meetings.</p> <p>No Member shall disclose or discuss, through written, electronic or verbal communication, to any individual or corporate third party, any information that has been or will be discussed at a closed session meeting of Council or a Committee until such time that Council or a Committee has determined or has been advised by staff that the matter, or any part of the matter, can be made public subject to review by the Head or designate under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) or if directed to do so by a court;</p>
6.5	Application of Open & Closed Meeting Provisions to all Committees	The provisions of Section 239 of the Municipal Act and Sections 9 a), b), and c) of this Procedure By-law apply to all Committees, despite Section 238 of the Municipal Act;
6.6	Closed Meeting Investigation	A person may request that an investigation be undertaken to determine whether Council or other Committee complied with the requirements of the Municipal Act and this Procedure By-law in respect of a Meeting or part of a Meeting closed to the public. A person may initiate such a request by completing and submitting a copy of the " Application for Investigation of Closed Meetings " form available

on the Townships website or at the Municipal Office.

7.0 SPECIAL MEETINGS OF COUNCIL

- 7.1 **Mayor May Request** The Mayor may at any time summon a special meeting of Council as per the Municipal Act S.240 (a) and include a clear statement of the purpose of the Special Council meeting;
- 7.2 **Members Request** The Clerk shall, upon receipt of a written request of the majority of the members, call a special meeting for the purpose and time mentioned in the request as per the Municipal Act S.240 (b) and include the following:
- a) Original signatures of Members; and
 - b) A clear statement of the purpose of the Special Meeting;
- 7.3 **CAO/Clerk May Request** The Chief Administrative Officer and/or Clerk may at any time request a special meeting of Council when required, and to deal with items specifically outlined on the agenda. Special meetings may be called for the purposes of training, workshops, items which may need immediate attention or items which are required for the purposes of the continuity of municipal business;
- 7.4 **Special Meeting Notice Timing** The Clerk shall provide all members with at least forty-eight (48) hours' notice of a special meeting;
- 7.5 **Special Meeting Minimum Notice Requirements to Members** Minimum notice shall consist of electronic notice followed by a telephone message to all members if required. If members accept the electronic meeting request, telephone communication will be deemed unnecessary;
- 7.6 **Special Meeting Business** The only business to be dealt with at a special meeting is that which is identified in the notice of the meeting;
- 7.7 **Special Meeting Validity** The Clerk will attempt to contact every member in relation to a special meeting as outlined under [Section 7.4](#). The lack of receipt of a notice or of an agenda for a special meeting by any Member shall not affect the validity of the meeting or any action taken thereat;
- 7.8 **Special Meeting Notice to the Public** Notice for special meetings of Council shall be posted as soon as practical after being established on Southgate's website. Agendas and supporting documentation shall be posted as soon as practical prior to the special meeting as per section 5.8;
- 7.9 **Special Meetings under the Emergency Management and Civil Protection Act** A Special Meeting may be held, without notice, to deal with an emergency situation as defined under the Emergency Management and Civil Protection Act, provided that an attempt has been made to reach the Members by telephone and/or e-mail at their respective residence and/or place of business. No business, except business dealing directly with the emergency situation, shall be transacted at that meeting. The forty-eight (48) hour notice required may be waived in the case of emergency as may be determined by the Mayor (or alternate) and/or CAO/Clerk/CEMC (or alternate) and documented in

writing (memo or e-mail) to the Clerk.

8.0 CALLING OF WORKSHOP MEETINGS

- 8.1 **Training and / or Workshop Meetings** The Mayor and/or CAO and/or Clerk may convene a training and / or workshop meeting for Members of Council to discuss issues in an informal venue.
- i. With the exception of Procedural Matters, no motions are passed and no matter is discussed which advances the business of the Municipality; and
 - ii. A record describing, in general terms, the proceedings and the subject matter discussed is made at all workshop Meetings and placed on a future Council agenda to be received only for the purposes of information;
- 8.2 **Notice of Workshop Meetings (posting of the agenda)** The Clerk gives Notice of Workshop Meetings of Council by:
- i. Providing, at least 48 hours in advance, Notice to Council in person, by telephone, by mail or electronic mail that indicates the date and time of the workshop Meeting and the general nature of the matters to be discussed;
 - ii. Posting a Notice on the Townships website and time permitting on the Townships regular advertising page in the local newspaper that indicates the date and time of the workshop Meeting and general nature of the matters to be discussed.
 - iii. Where ii) cannot be achieved, posting a Notice at the main entrance to the Municipal Office that indicates the date and time of the workshop Meeting and general nature of the matters to be discussed.

9.0 EMERGENCY MEETINGS OF COUNCIL

- 9.1 **Authority to Call Emergency Meeting** Notwithstanding any other provision of this by-law, an emergency meeting may be summoned by the Mayor without written notice or upon receipt of a written request of the majority of the members, to deal with an emergency or extraordinary situation, provided that an attempt has been made by the Clerk to notify the members about the meeting as soon as possible and in the most expedient manner available;
- 9.2 **Emergency Meeting Business** No business except business dealing directly with the emergency or extraordinary situation shall be transacted at the emergency meeting;
- 9.3 **Emergency Meeting Validity** Lack of receipt of a notice or of an agenda for an emergency meeting by any member shall not affect the validity of the meeting or any action taken thereat;
- 9.4 **Emergency Meeting Notice** Notice and supporting documentation shall be posted on Southgate's website as soon as practical;

10.0 QUORUM FOR COUNCIL

- 10.1 **Majority for Quorum** A quorum shall consist of not less than a majority of Council members as established by Section 237(1) of the Municipal Act, 2001. For a Council composition of 7, 4 members are required for a quorum to be present;
- 10.2 **No Quorum Present at Beginning** If a quorum is not present at a scheduled meeting thirty (30) minutes after the scheduled commencement time, the meeting shall stand adjourned until the date of the next regular meeting and the Clerk shall record the names of the members present;
- 10.3 **Loss of Quorum During Meeting** If a quorum is lost during a meeting, the meeting shall stand adjourned and all unfinished business shall be carried forward to the next meeting;
- 10.4 **Quorum and the Municipal Conflict of Interest Act** Notwithstanding [Section 9.3](#) where the number of members, who by reason of the provisions of the Municipal Conflict of Interest Act, are prohibited from participating in a meeting is such that, at that meeting, the remaining members are not of sufficient number to constitute a quorum, the remaining number of members shall be deemed to constitute a quorum.
- 10.5 **Electronic Participation at Meetings** Members may participate in meetings by electronic means subject to the following:
- i. Electronic means of participating in an open meeting are available only for meetings of Council that take place in Council Chambers, Hopeville Municipal Office, 185667 Grey Road 9, Dundalk, Ontario.
 - ii. Requests to participate in a meeting by electronic means must be made to the Clerk at least two (2) business days before the meeting (by Monday at 2:00 p.m. following any addendum agendas).
 - iii. A maximum of one (1) Member may participate in the same meeting by electronic means. Where more than one (1) Member requests to participate in the same meeting by electronic means, the requests will be granted to the first Member who makes the request.
 - iv. A Member may participate in a maximum of two (2) open meetings per calendar year by electronic means.
 - v. Members may not participate in Closed Sessions of any meeting by Electronic Means.
 - vi. A Member participating in a

meeting by electronic means shall be considered to be present at such meeting but shall not be counted towards quorum.

- vii. The Chair must be present in person at a meeting.
- viii. Electronic connection of the Member to the meeting will not be disruptive with noise or sound quality issues in a manner that which impacts the Council discussion and progress of the meeting and at the discretion of the Clerk.

10.6 **Practice of Electronic Participation**

The following practices will be followed when a Member participates in a meeting by electronic means:

- i. Any Member participating in a meeting by Electronic Means shall be available at least fifteen (15) minutes before the beginning of the meeting to assist staff in establishing the electronic connection.
- ii. Any Member participating by electronic means will mute his or her electronic device when he or she is not speaking.
- iii. The Chair will canvass Member(s) participating by Electronic Means about their intention to speak to a matter on the floor and will notify each Member when it is his or her turn to speak.
- iv. After putting a motion to a vote, any Member participating by electronic means will be required to identify how he or she wishes to vote.
- v. A Member participating by electronic means shall inform the Chair about his or her intentions to leave the meeting either on a temporary or permanent basis.
- vi. A Member participating by electronic means will be deemed to have left the meeting when they are no longer electronically connected to the meeting.
- vii. In the case of a loss of connection, or any connection issue which impedes the ability of a Member to participate in the meeting in real time, the meeting will continue without attempts by either staff or the Member to reconnect to the meeting.

- viii. Any Member who participates through electronic means will be required to log into Agenda Notes and participate through electronic voting, when available.

11.0 AGENDA PREPARATION

11.1 **Agenda Timing and Composition** The final agenda, along with copies of any supporting documentation shall be prepared by the Clerk and made available to members and posted on the Township website by 2:00 p.m. on the Thursday preceding any regular Wednesday Council meeting.

Supporting documentation may be added to items listed on the addendum agenda on the Monday prior to the Council meeting by 12:00 noon or on Tuesday by 10:00 a.m. if the Monday is a holiday.

The agenda will consist of the following headings as required:

- a) Call to Order
- b) Open Forum
- c) Statutory Public Meeting(s)
- d) Confirmation of Agenda
- e) Declaration of Pecuniary Interest
- f) Delegations & Presentations
- g) Adoption of Minutes
- h) Reports of Municipal Officers and By-laws
- i) By-laws
- j) ~~Motions Arising from Consent~~
- k) Notice of Motion
- l) Consent Agenda
 - a) Regular Business
 - b) Closed Session
 - c) Correspondence
 - d) Resolutions from other Municipalities
- m) County Report
- n) Members Privilege
- o) Closed Meeting
- p) Confirming Bylaw
- q) Adjournment;

11.2 **Correspondence** Correspondence shall be handled as per [Southgate Policy #62](#) – Council Correspondence Policy;

11.3 **Addendum Agenda** Items or matters will not be added to the agenda after its publication by inclusion on the addendum unless directed by the CAO and/or Clerk and only if the matter is of an urgent nature and requires a decision prior to the next Council or committee Meeting. For matters of urgent nature, the agenda will be re-published to provide adequate notice to the public. This applies to both open and closed session agendas.

Addendum agendas must be published no later than 12:00 noon on Monday's or 10:00 a.m. on Tuesday's if the Monday falls on a holiday;

11.4 **Electronic System** In the case of an electronic system failure, power

Failure interruption, or any other extenuating circumstance that hinders the posting of the agenda, it shall be posted as soon as possible. Council members shall be notified.

12.0 ORDER OF BUSINESS

- 12.1 **Agenda Order** The business of Council shall be taken in the order in which it stands upon the agenda as prepared;
- 12.2 **Items Left Undisposed** When any agenda item or items are left undisposed of at the time of adjournment, either for want of a quorum or otherwise, such agenda item or items shall be taken up in succession under the heading Unfinished Business or as the first order of business of each respective heading at the next meeting or special meeting called for that purpose of Council;
- 12.3 **Moving Items Forward on the Agenda** The order of items may be prioritized by a majority vote of Council to address identified issues for those in attendance.

13.0 COUNCIL MINUTES

- 13.1 **Content of Minutes** The minutes of Council, as taken by the Clerk, shall consist of:
- (a) the place, date and time of the meeting;
 - (b) the name of the chair and the attendance of the members and staff;
 - (c) each item considered by Council and the decisions without note or comment;
 - (d) the results of any recorded vote;
 - (e) the adoption of minutes of prior meetings.
- Pursuant to the Municipal Act, the minutes shall be without note or comment;
- 13.2 **Minutes Presented to Members** Minutes of Council shall be prepared by the Clerk and presented to the members within five (5) business days following the meeting;
- 13.3 **Changes to the Minutes** All changes made to minutes at a consecutive meeting shall be recorded by the Clerk and noted in the minutes of the current meeting.

14.0 DUTIES OF THE MAYOR AND/OR CHAIR

- 14.1 **Per Municipal Act s. 226.1** As chief executive officer of a municipality, the head of council shall:
- a) uphold and promote the purposes of the municipality;
 - b) Promote public involvement in the municipality's activities;
 - c) act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
 - d) participate in and foster activities that enhance the economic, social and

environmental well-being of the municipality and its residents;

14.2 Responsibilities of the Mayor

It shall be the duty of the Mayor to:

- a) Authenticate by signature, all by-laws and minutes of the Council;
- b) Represent and support Council, declaring its will and implicitly obey its decisions in all things;
- c) Be an ex-officio member on all Southgate initiated committees, sub-committees or working groups;

14.3 Responsibilities of the Chair

In addition to the responsibilities of the Head of Council as set out in the Municipal Act 2001, as amended, it shall be the duty of the Chair to ensure an efficient meeting by:

- a) Maintaining order and decorum;
- b) Deciding on all questions of order, subject to an appeal by Council;
- c) Receiving and submitting, in the proper manner, all motions presented to the members of Council;
- d) Putting to vote all questions which are properly brought before Council or that necessarily arise in the course of proceedings and announcing the results;
- e) Ruling on all procedural matters without debate or comment;
- f) Declining to put to a vote motions which do not comply with the rules of procedure or which are not within the jurisdiction of Council;
- g) Restraining the members, within the rules of order, when engaged in debate;
- h) Calling by name any member persisting in breaching the rules of order of Council and may order the member to vacate the Council Chamber;
- i) Adjourning or suspending the meeting if he/she considers it necessary because of grave disorder;
- j) Must remain neutral and must not enter into debate or discussions while in the Chair;
- k) The Chair shall vacate the chair in order to move or second a motion and shall resume the chair following the vote on the matter;

14.4 Right to Expel

The Chair may expel or exclude from any meeting any person or member whom he feels has exhibited improper conduct at the meeting as per the Municipal Act S.241(2);

- 14.5 **Chair Moving a Resolution or Debating** When the Chair wishes to move or second a resolution before Council or enter into debate on a specific topic, he/she may call the Deputy Mayor to the Chair, present his/her resolution or comments from the floor and remain out of the Chair until the motion, all amendments, and the main motion to it have been disposed of. In the event that the Deputy Mayor is unable to assume the Chair, the Mayor shall call for an alternate member to assume the Chair;
- 14.6 **Absence of Mayor and Deputy Mayor** In the absence of the Mayor and Deputy Mayor, the Clerk shall convene the meeting and call for a motion to fill the role of Chair. The member chosen shall preside during such absence and shall, while in the chair, have vested in him/her all the powers as given by this by-law to the Mayor.

15.0 DUTIES OF THE MEMBERS

- 15.1 **Role of Council** It is the role of Council,
- a) to represent the public and to consider the well-being and interests of the municipality;
 - b) to develop and evaluate the policies and programs of the municipality;
 - c) to determine which services the municipality provides;
 - d) to ensure that administrative policies, practices and procedures are in place to implement the decisions of Council;
 - e) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
 - f) to maintain the financial integrity of the municipality; and
 - g) to carry out the duties of Council under the Municipal Act or other Act;
- 15.2 **Conduct of Members** No member shall:
- a) speak disrespectfully of any member of Federal or Provincial parliaments, Council or employee of Southgate;
 - b) use offensive words or un-parliamentary language;
 - c) engage in private conversation while in a Council meeting or use electronic devices (including cellular phones and pagers) in a manner which interrupts the proceedings of Council;
 - d) leave his/her seat or make any noise or disturbance while a vote is being taken and until the result of the vote is announced;
 - e) speak on any subject other than the

subject under debate;

- f) where a matter has been discussed in closed session and where the matter remains confidential, disclose the content of the matter or the substance of deliberations of the closed meeting;
- g) criticize any decision of Council except for the purpose of moving that the question be reconsidered; or
- h) disobey the rules of Council or a decision of the Chair or of Council on questions of order or practice or upon the interpretation of the rules of Council. In case a member persists in any such disobedience after having been called to order by the Chair, the Chair shall not recognize that member, except for the purpose of receiving an apology from the member tendered at that meeting or any subsequent meeting;

15.3 **Addressing the Chair**

Should more than one member indicate the intent to address the Chair, the Chair shall determine who is entitled to the floor and the order of the remaining members for speaking.

If a Member disobeys a rule in this Procedure By-law or a Chair's ruling:

- i) After the first occurrence, the Chair calls the Member to order.
- ii) After the second occurrence, if the Member continues to disobey this Procedure By-law or the Chair's ruling, the Chair will immediately order the Member to leave his/her seat and observe the Meeting from the audience for the remainder of the Meeting;
- iii) Any Member other than the Offending Member may appeal the Chair's ruling in ii), and Council or a Committee may overturn or uphold the Chair's ruling. Should the Chair's ruling be overturned, the Offending Member may return to his/her seat;
- iv) If the Offending Member informs the CAO that he/she wishes to apologize, the Clerk will inform the Chair of the Member's request;
- v) At the next available opportunity in the Meeting, the Chair will allow the Offending Member to return to his/her seat to apologize to Council or a Committee. The apology will not include additional comments or debate by the Offending Member or by Council or a Committee;
- vi) After an apology is made by the Offending Member, Council or a Committee may consent to allow the Offending Member

to return to the Meeting.

vii) Should at any point the Offending Member create a disturbance while seated in the audience in ii), the Chair will order the Offending Member to leave the Council chamber or meeting room;

viii) Council cannot appeal and the Offending Member cannot seek an apology from Council for the Chair's ruling in vii);

ix) If the Offending Member refuses to leave his/her seat or leave the Council chamber or meeting room in vii), the Chair may request the CAO to contact security or Police for assistance.

16.0 DUTIES OF THE CLERK

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|------|--|--|
| 16.1 | Role of the Clerk as per the Municipal Act | As per the Municipal Act S.228(1), it is the role of the Clerk, <ul style="list-style-type: none">a) to record, without note or comment, all resolutions, decisions and other proceedings of Council;b) if required by any member present at a vote, to record the name and vote of every member voting on any matter or question;c) to keep the original copies of all by-laws and all minutes of the proceedings of Council; |
| 16.2 | Role of the Clerk Assigned by the Municipality related to Council | Other duties of the Clerk as assigned by the Municipality include: <ul style="list-style-type: none">a) to sign every by-law approved at Council;b) to call the meetings to order and preside until the election of a Chair in the absence of the Mayor or Deputy Mayor;c) to advise the Chair on procedural matters;d) to prepare and circulate the agenda and supporting information;e) to prepare the minutes and distribute to members within five (5) days of the Council meeting;f) to advise all departments of decisions by Council;g) to schedule delegations and presentations for Council meetings; |
| 16.3 | Powers of Deputy Clerk | In the absence of the Clerk, the Deputy Clerk shall have all of the powers and duties of the Clerk; |
| 16.4 | Delegation of Powers | The Clerk may delegate in writing to any person, other than a member of Council, any of the Clerk's powers and duties, but may continue to exercise the delegated powers and duties despite the delegation. |

17.0 DECLARATIONS OF PECUNIARY AND/OR CONFLICT OF INTEREST

- 17.1 **Member's Responsibility** As per the Municipal Conflict of Interest Act S.5(1), where a member, either on his/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 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; and
 - 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; and
 - d) provide a signed copy of the Declaration Form to the Clerk before the end of the Council meeting or prior to the next available Council meeting for inclusion on the Conflict of Interest Registry and minutes;
- 17.2 **Closed Meeting Declarations** Where a meeting is not open to the public, in addition to complying with the requirements of the Municipal Conflict of Interest Act, the member shall forthwith not participate in the vote on the matter or intend to influence a vote during which the matter is under consideration per the Municipal Conflict of Interest Act S.5(2);
- 17.3 **Non-Disclosure Due to Absence** Where the interest of a member has not been disclosed by reason of the member's absence from a particular meeting, the member shall disclose his/her interest and otherwise comply at the first meeting of the Council or committee, as the case may be, attended by the member after the particular meeting per the Municipal Conflict of Interest Act S.5(3);
- 17.4 **Clerk's Duty to Record** The Clerk shall record in detail the particulars of any disclosure of pecuniary interest made by a member and this record shall appear in the minutes of that meeting as per the Municipal Conflict of Interest Act S.6(1)

18.0 DELEGATIONS

- 18.1 **Responsibility of Clerk** Any person desiring to present information on matters of fact or to make a request of Council shall give notice and disclose the subject matter to the Clerk by 12:00 noon on the Wednesday preceding the Council meeting at which such person desires to be heard. It is the responsibility of the Clerk to determine whether a proposed delegation is unduly repetitious of a previous delegation;
- 18.2 **Documentation Required** Any person who is scheduled to appear as a delegation before Council is required to submit to the Clerk, a written and/or electronic documentation

“Request to Appear as a Delegation”, attached hereto as Schedule “A”, not later than 12:00 noon on the Wednesday preceding the Council meeting. If the delegate wishes to present a presentation; it must be included with the original request;

- 18.3 **Time Limit** Each delegation shall be limited in speaking to not more than ten (10) minutes. Extensions to these limits will be at the discretion of Council. No more than one (1) delegation shall be permitted at any evening meeting, and no more than two (2) delegations shall be permitted at any daytime meeting. The Chair shall notify the delegate when the time has elapsed. Council members shall limit their comments to questions for clarification purposes only. In the event that an extension of time is required or requested, a 2/3 vote would be required;
- 18.4 **Delegate Address** All delegates shall address the Chair from the podium and shall state their name and whom they represent;
- 18.5 **Conduct of Delegates** No delegates shall:
- a) speak disrespectfully of any person;
 - b) use offensive language;
 - c) speak on any subject other than the subject for which he has received approval to address Council;
 - d) disobey the rules of procedure or any decision of the Chair or Council on any other procedural matters;
- 18.6 **Delegation Curtailment** The Chair may curtail any delegation, any questions of a delegate or debate during a delegation for disorder or any other breach of this by-law, and if the Chair rules that the delegation is concluded, the person or persons appearing shall withdraw;
- 18.7 **Delegation Content** Every communication, including petitions designed to be presented to Council must be legibly written, typed or printed and shall not contain any obscene matter or language and shall be signed by at least one person and filed with the Clerk. Email, faxed or photocopied petitions are not admissible.

19.0 PRESENTATIONS

- 19.1 **Time Limit** Presentations that are requested by Council, a committee or staff shall be held to the 10-minute time limit of delegations unless otherwise indicated on the Council agenda;
- 19.2 **Presentation Content** Presentations can include training for Council, information from contractors, presentations of study findings by consultants or other such requests;
- 19.3 **Supporting Documentation Required** Any supporting documentation shall be provided to the Clerk by 12:00 noon on the Wednesday preceding the Council meeting for inclusion on the Council agenda;
- 19.4 **Form Required** A cover sheet, attached hereto as Schedule “B”,

shall accompany all presentations on the Council agenda. Every effort will be made to schedule presentations in a timely manner. The Clerk will provide appropriate meeting dates to the presenter.

20.0 MEMBERS OF THE PUBLIC

- 20.1 **Conduct of Audience at a Meeting** Members of the public who constitute the audience at a meeting shall refrain from any activity or behavior that would affect Council deliberations and shall not:
- a) Address Council or committee without permission;
 - b) Bring signage, placards or banners into meetings; or
 - c) Interfere with the conduct of the Council or committee meeting in any way.

21.0 OPEN FORUM

- 21.1 **Justification** Open forum allows for comments from the public relating to matters within Council's jurisdiction;
- 21.2 **Process** The first fifteen (15) minutes of any regular Council meeting will be set aside for Open Forum. During this time any individual may address Council to voice concern or provide information on subjects of municipal concern. Members of the public are required to sign a register prior to the beginning of Council which allows them the opportunity to speak and also acknowledges they understand the protocol for Open Forum;
- 21.3 **Decisions** No decision shall be made as a result of comments made during Open Forum. Council may consider comments made during Open Forum when deliberating the issue if/when the item arises on the regular Council agenda;
- 21.4 **Motions Arising** No motions shall be presented as a result of comments made during Open Forum other than during the [Notice of Motion](#) section of the agenda;
- 21.5 **Debate** Members and staff shall not be engaged in debate or discussion during Open Forum;
- 21.6 **Registration** The "Open Forum Register" shall be made available 15 minutes prior to the Council meeting for sign up and collected by the Clerk to begin Open Forum. Individuals are required to sign in prior to being permitted to speak. No individuals will be permitted to sign up after the register has been collected;
- 21.7 **Opportunity to Speak** No individual shall speak more than once at any meeting, and no individual shall speak for longer than three (3) minutes;
- 21.8 **Curtailment of Time** The Chair may curtail the time or excuse any individual from speaking if the topic is unduly repetitious. The Chair may adjust the order of the speakers to allow for a broad range of topics during the allotted time;
- 21.9 **Time Limit** Open Forum shall last no longer than 15 minutes and no time extensions shall be permitted. As soon

as Open Forum is concluded, the council meeting shall continue as per the agenda;

- 21.10 **Minute Content** Any comments made during Open Forum shall not form part of the Council minutes. The general nature of the comments and the number of speakers may be indicated in the minutes. The register shall be placed in the Council agenda file.

22.0 RULES OF DEBATE

- 22.1 **Addressing Council** To address Council, a member shall request to speak, be recognized by the Chair and direct all comments through the Chair;
- 22.2 **Address the Chair** Prior to speaking to any question or motion, each member shall address the Chair;
- 22.3 **Order of Speakers** When two or more members indicate their desire to speak at the same time, the Chair shall designate the order of speakers;
- 22.4 **Interruptions** When a member is speaking, no other member shall interrupt the member speaking except to raise a point of order, privilege or personal privilege;
- 22.5 **Motion to be Repeated** Any member may require a motion or question under discussion to be read at any time during the debate but not so as to interrupt the member speaking;
- 22.6 **Speaking to a Question** Members must indicate their intention to speak to a question through the Chair. No member shall speak more than twice to the same question without Council's permission, except that a reply shall be permitted only from the member who has presented the main motion. The total time a member may take to speak and obtain any necessary clarification shall not be more than five minutes regardless if they speak one or two times. The mover and seconder of a motion have the opportunity to speak first to a motion. Members' comments are relevant to the matter of business before Council or a Committee. Members express themselves succinctly without repetition;
- 22.7 **Content of Questions Permitted** A member may ask a question only for the purpose of obtaining information relating to the matter under discussion and the question shall be stated briefly and asked only of the Chair, the previous speaker, the CAO, Department Heads or their designates. A member may also state a point to the matter under discussion without asking a question;
- 22.8 **Point of Order** When a member rises on a point of order, point of privilege or point of personal privilege, the member shall ask leave of the Chair to explain the point. After leave is granted, the member shall state the point to the Chair and then remain silent until the Chair has ruled upon the point. Subject to being overruled by Council on a vote which shall be taken immediately and without debate, the Chair shall rule on the point. Any member may challenge the ruling of the Chair immediately following the ruling. The Chair's ruling is final unless it is challenged. Council's decision, by vote,

is final if the Chair is challenged.

23.0 MOTIONS

- 23.1 **Motions outside Jurisdiction of Council** A motion or notice of motion in respect of a matter which is not within the jurisdiction of the Council shall not be in order and shall not be considered by the Council;
- 23.2 **Notice of Motion** Members who give advanced notice of a Notice of Motion during a Council meeting shall disclose the subject matter of the motion and provide the Clerk with a full copy of the motion prior to 12:00 pm noon on the Wednesday preceding the next Council meeting. Members who do not give advance notice at a previous meeting must provide the Clerk with a full copy of the motion prior to 4 pm on the Wednesday preceding the next Council meeting for inclusion. A Council member shall only request one Notice of Motion per Council meeting;
- 23.3 **Withdrawn Motion** After a motion has been proposed and seconded, and placed in the hands of the Chair, it shall be considered to be in the possession of the Council but may be withdrawn by the mover and seconder if there are no objections from any members. If any member objects, the motion may only be withdrawn by a vote of the members present to grant the request for withdrawal. Withdrawn motions shall be presented in the minutes without note or comment;
- 23.4 **Motions Permitted Without Written Notice** The following may be introduced orally without written notice and without leave of Council:
- a) a point of order, privilege or personal privilege;
 - b) a motion to waive or suspend the rules of procedure;
 - c) a motion to recess;
 - d) a motion to adjourn;
 - e) a motion to call the question;
 - f) a motion to separate the question;
 - g) a motion to receive an item;
 - h) a motion to table an item;
 - i) a motion to lift from the table;
 - j) a motion to refer;
 - k) a motion to defer;
 - l) a simple amendment to a main motion;
- 23.5 **Motions to be Moved and Seconded** A motion shall be moved and seconded before being open for discussion and consideration;
- 23.6 **Members May Vote Against** A member may move a motion in order to initiate discussion and debate and that member may vote in opposition to the motion. A seconder of a motion may vote against the motion.

24.0 SPECIFIC MOTIONS

- 24.1 **Motion to Recess** A motion to recess is not debatable;
- 24.2 **Motion to Adjourn** A motion to adjourn the Council meeting is not debatable and shall always be in order except:
- a) when another member is in possession of the floor;
 - b) when a vote has been called;
 - c) when the members are voting, or
 - d) when a member has indicated to the Chair his/her desire to speak on the matter before Council;
- A motion to adjourn and amendments thereto shall take precedence over any other motion and shall be put immediately without debate, except for the Chair to indicate any remaining pressing needs, in which case the member shall have the option to withdraw the motion to adjourn;
- 24.3 **Call the Question** A motion to call the question is not debatable. A member who moved the motion to call the question shall not be allowed to speak to the question again if the motion is decided in the negative. A motion to call the question shall be put immediately without debate. If the motion passes, those members who had indicated their request to speak before the motion was presented shall be heard prior to closing debate;
- 24.4 **Hijacking or Contrary Motions** Any motion that can, in essence, hijack or is contrary to any motion currently on the floor shall not be in order;
- 24.5 **Motion to Table** A motion to table is not amendable or debatable and shall apply to the motion and any amendments under debate when the motion to table is made. If the motion to table carries, in the absence of any direction from Council, the matter may not be discussed until a member, through a Notice of Motion, brings it forward to a subsequent meeting;
- 24.6 **Motion to Defer** A motion to defer, and any amendment to it, is debatable and shall include:
- a) the time to or period within which, consideration of the matter is to be deferred; and
 - b) whatever explanation is necessary to demonstrate the purpose of the motion to defer;
- 24.7 **Motion to Refer** A motion to refer, and any amendment to it, is debatable and shall include:
- a) the name of the committee or official to whom the motion or amendment is to be referred;
 - b) the terms upon which it is to be referred and the time or period, if any, on or within

which the matter is to be returned;

- 24.8 **Amendments** A motion to amend is debatable. Only one motion to amend a main motion shall be on the floor at any one time. An amendment shall be relevant to the question in order to be received. An amendment shall not be received if proposing a direct negative to the question. An amendment shall be out of order if it is ruled by the Chair to be a substantive motion and not an amendment. An amendment which, in effect, is nothing more than a rejection of the main motion shall not be in order. After the motion to amend has been voted on, the main motion, as amended, shall be put to a vote if no other amendments are pending;
- 24.9 **Consideration of Matter Previously Deferred** A motion that Council consider a matter previously deferred indefinitely or to a time or eventuality which has not yet been reached or occurred, is debatable and shall be presented only if the Council so decides, by a 2/3 majority vote;
- 24.10 **Motion to Reconsider** A motion to reconsider can only be made in the same meeting that the motion has been voted on. Only a member who voted on the prevailing side can move to reconsider a vote. A motion to reconsider is debatable if the motion to be reconsidered is debatable. The debate can go into the merits of the motion to be reconsidered. The motion is not amendable. No motion can be reconsidered if any provisions relating to the motion have been carried out. A motion to reconsider places an item back on the table for further discussion and another vote on the main question including any and all amendments that were passed with it. No discussion of the main question shall be allowed until the motion for reconsideration is carried. Once the question is reopened, it is reopened in its entirety. If the question is reopened, all previous decisions of the Council remain in force unless the Council decides otherwise. No motion to reconsider may, itself, be the subject of a motion to reconsider;
- 24.11 **Motion to Rescind** A motion to rescind is a main motion that requires notice through a notice of motion and a 2/3 vote to pass. The motion to rescind is the motion by which a previous action or order can be cancelled. The effect of this motion is to strike out an entire main motion that had been adopted at some previous time. The motion to rescind is debatable and is not amendable and requires 2/3 vote. This motion is not in order when something has been done that is impossible to undo or notification has been provided when it affects a specific person;
- 24.12 **Motion to Amend Something Previously Adopted** A motion to amend something previously adopted is a main motion that requires notice through a notice of motion and a 2/3 majority vote to pass. This motion is used to change only a part of the text or to substitute a different version to what was adopted previously. The motion to amend something previously adopted is debatable and is amendable and requires 2/3 majority vote. This motion is not in order when something has been done that is impossible to undo or notification has been provided

when it affects a specific person and cannot be used to amend the motion in a way that is contrary;

24.13 Renewal Motion

A motion to renew is not in itself a main motion, but an act of bringing forward a motion, or a motion substantially the same as, a motion that had been disposed of at a previous meeting. The motion requires notice through a notice of motion and a 2/3 vote to pass if within the twelve-month period from which it was originally considered. A motion that was lost previously is not required to obtain a 2/3 majority vote to pass. The member bringing forward the renewal motion must indicate the date that the original motion was entered upon the minutes;

24.14 Dilatory or Improper Motions

Dilatory Motions:

- a) misused with the purpose of obstructing business (such as a series of points of order, appeals, motions to table when used frivolously so as to not allow a decision to be made in an efficient manner);
- b) absurd in substance;
- c) frivolous; or
- d) unwarranted;

Improper Motions are those that:

- a) are outside of the scope of jurisdiction;
- b) conflict with a previously adopted motion;
- c) present essentially the same question that has been defeated earlier in the same meeting without a motion to reconsider; or
- d) present a question that Council still has within its reach (such as an item that had been referred to committee or staff to come back to Council).

25.0 VOTING

25.1 Order of Voting

Motions relating to an item under consideration (main motions) shall be voted on in the following order:

- a) a motion to adjourn;
- b) a motion to recess;
- c) a motion to call the question;
- d) a motion to table an item;
- e) a motion to defer;
- f) a motion to refer;
- g) a motion to amend, in reverse order of its being placed;
- h) the main motion;

25.2 Members Shall

Every member present at a meeting of Council

	Vote	where a question is put shall vote on the question, unless prohibited by statute, in which case the Clerk shall so record. If any member present does not vote at a meeting of the Council where a question is put, he/she shall be deemed to vote in the negative except where the member is prohibited from voting by statute;
25.3	Chair to State the Question	Immediately preceding the taking of a vote, the Chair shall state the question in the precise form in which it will be recorded in the minutes unless the wording is provided for visually in front of the members on their monitors;
25.4	Indication of Vote	A member shall vote by raising a hand or otherwise indicating the member's vote, except where a recorded vote is requested;
25.5	Conduct During a Vote	When the Chair calls for the vote on a question: <ul style="list-style-type: none"> a) each member shall occupy his/her seat and shall remain in place until the result of the vote has been declared by the Chair, and b) during this time no member shall walk across the room or make any other noise or disturbance;
25.6	Separate the Vote	Upon the request of any member, and when the Chair is satisfied that a matter under consideration contains distinct proposals, the vote upon each proposal shall be taken separately;
25.7	Majority Vote Required	All decisions of Council shall require a majority vote except as otherwise set out in this by-law;
25.8	Tie Votes	Any motion that receives a tie vote shall be deemed to have been decided in the negative;
25.9	Decisions requiring Two-Thirds Vote	The following decisions of Council require a two thirds vote: <ul style="list-style-type: none"> a) A motion to consider a report or by-law that does not relate to a matter listed on the agenda – amending the agenda; b) A motion to consider a matter previously tabled or deferred to a time of eventuality that has not been reached or occurred; c) A motion to revisit any question passed within the previous 12 months;
25.10	Recorded Votes	A request by a member present at the meeting for a recorded vote shall be made prior to, or immediately after, the vote and must be requested prior to any consideration of another matter. When a recorded vote is requested by a member, the Clerk shall record the name and vote of every member on any question in the order taken, using a random order of voters as determined by randomized listings prepared in advance and in the control of the Clerk;
25.11	Announcing the Results	The Chair shall announce the result of the vote, with the exception of the recorded vote where the Clerk will announce the result.

26.0 BY-LAWS

- 26.1 **Introduced by Motion** Every by-law shall be introduced by motion, specifying the title thereof;
- 26.2 **Three Readings** Every by-law shall have three readings prior to being passed. By-laws shall be taken as read for the first, second and third readings. A by-law may be passed through all its stages and be finally passed at one meeting with a majority of members present;
- 26.3 **Confirmatory By-law** The proceedings of every meeting of Council shall be confirmed by by-law so that every decision of Council and every resolution thereof 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;
- 26.4 **Amendments to By-laws** All amendments to any by-laws 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 recorded by the Clerk;
- 26.5 **Duty to Sign** Every by-law once passed shall be dated and duly signed by the Mayor and the Clerk or their deputies.

27.0 COMMITTEES

- 27.1 **Composition** Council shall determine the appropriate number of committees, their membership, mandates and reporting practices;
- 27.2 **Mayor's Committee** The Mayor's Committee (if required) shall be comprised of three (3) members appointed by the Mayor and the Chair shall be appointed by the Mayor;
- 27.3 **Other Appointments** Appointments and nominees to other bodies shall be recommended by Council;
- 27.4 **Task Forces, Working Groups and Special Committees** Council may, from time to time, appoint task forces, working groups or special committees which will report directly to Council. The establishment of such committees should include a specific mandate, terms of reference, and term of appointment. Special committees, task forces and working groups shall report to Council with a recommendation with regard to their continuation, assumption of responsibilities by Council, or abolishment;
- 27.5 **Duty of the Chair** A Chair and Vice-Chair shall be appointed by the members at the first regular scheduled meeting. Each Chair and/or Vice Chair shall preside at every meeting of their committee, may vote on every question submitted for consideration and may require that resolutions be in writing;
- 27.6 **Ex-Officio Membership** The Mayor shall be an ex-officio member of all Southgate committees, sub committees and working groups. He/she shall not be included to make up quorum, shall have the right to take part in discussion, but shall not have the right to vote;
- 27.7 **Date & Time** Committees shall establish regular meetings dates, times and location at the beginning of each term or appointment. Meetings will generally be held in the Southgate Administration Building in Hopeville but

may be moved to alternate locations on the recommendation of the Chair. Additional or emergency meetings may be held at the call of the Chair;

- 27.8 **Notice to Members** Notice of meetings including agendas, minutes and supporting documentation to the members shall be via electronic mail. Notice may also be provided by telephone or personal contact in case of an emergency. In the event of a meeting cancellation, staff will notify the members by email or by telephone as soon as possible;
- 27.9 **Notice to the Public** Notice of meetings shall be given as per [sections 5.8 and 5.9](#). Notice of meetings shall be posted as soon as practical after being established by committees. Agendas shall be posted a minimum of two business days prior to the meeting. In the case of emergency meetings, notice of the agenda shall be posted as soon as practical. In the event of a meeting cancellation, staff will post notice of the meeting cancellation on Southgate's website and Facebook page ~~and email group~~. If the cancellation occurs at the last minute or after regular business hours and staff is unable to post the cancellation as noted, notice shall be posted as soon as it is practical to do so;
- 27.10 **Role of Committees** The role of committees shall generally be to:
- a) make recommendations to Council on matters which are in their jurisdiction;
 - b) guide and request staff to provide reports on the direction and nature of policy development, fact finding, analysis and generation of public policy matters;
- 27.11 **Action on Committee Recommendations** No action shall be taken on committee recommendations until they are subsequently approved by resolution at Council;
- 27.12 **Governing Rules of Procedure** The rules governing the procedure of the Council and the conduct of members at Council shall be observed by committees as far as they are applicable, with specific exceptions of the rules for Committee of the Whole and committees set out in this section including:
- a) the number of times of speaking on any question shall not be limited;
 - b) a majority vote shall be required to decide any matter before the committee;
 - c) recorded votes shall be called to vote by name in alphabetic order;
- 27.13 **Council Attendance at Committee Meetings** Members of Council who are not members of a specific committee may attend meetings of that committee as members of the public and may, with consent of the Chair of that committee, take part in the discussion, but shall not be counted in quorum, shall not be entitled to make motions or vote and shall not be reimbursed for attendance at those meetings;

- 27.14 **Absence of Chair** In the event of the Chair of a committee not attending the committee at which he/she is to preside within fifteen (15) minutes after the time appointed for the commencement of the meeting, the committee Vice-Chair shall call the meeting to order and preside until the arrival of the committee Chair. Should the committee Vice-Chair not be in attendance at the meeting, the recording secretary shall call the meeting to order and ask those members in attendance to appoint one of the members to act in the place of the committee Chair for that meeting. Such member shall then preside until the arrival of the committee Chair or the committee Vice-Chair. The meeting must have a quorum to commence;
- 27.15 **Preparation of Agenda** The appropriate Southgate staff person shall prepare committee agendas for distribution;
- 27.16 **Amendment of a Committee Agenda** Any matter, which is within the committee's mandate and which is not on the committee agenda, or does not relate to a matter on the current agenda, may be considered by the committee if it agrees to consider it by a majority vote. The committee may amend the agenda to include time-sensitive matters or other such matters as deemed necessary by a majority vote. In this case, the amended agenda notification shall be included in the minutes for the meeting and the open agenda shall be republished to note the changes;
- 27.17 **Committee Delegations** Any person desiring to present information to a committee may do so subject to the following:
- a) requests shall be in writing and the information to be presented shall be on matters of fact or to make a request of the committee;
 - b) requests shall be made not less than five days preceding the committee meeting at which such person desires to be heard;
 - c) exceptions to the five (5) business days' notice requirement required in (b) above may be approved by the committee Chair;
 - d) any person who is scheduled to appear as a delegation before a committee is requested to submit written documentation for the committee's consideration to the appropriate Southgate staff person not less than five (5) business days preceding the committee meeting;
 - e) rules relating to time limits, behaviour, curtailment of time and conduct shall be as set out in [Section 18](#);
- 27.18 **Closed Session** No meeting of a committee shall be held in closed session except in accordance with [Section 6](#);
- 27.19 **Declarations of Pecuniary Interest** Members of committees shall adhere to [Section 17](#) with respect to declarations of pecuniary interest in committees;

- 27.20 **Quorum** A quorum shall consist of more than 50% of the membership of the committee. Where the number of members, who by reason of the provisions of the Municipal Conflict of Interest Act, are prohibited from participating in a meeting is such that, at that meeting, the remaining members are not of sufficient number to constitute a quorum, then the remaining number of members shall be deemed to constitute a quorum;
- 27.21 **Chair Right to Expel** The Chair has the right to expel or exclude any person from any meeting for improper conduct;
- 27.22 **Reconsideration** No committee shall reconsider any question decided by Council within a year after the Council decision nor consider any other matter which could involve a decision inconsistent with a Council decision;
- 27.23 **Committee Minutes** Committee minutes shall be directed as follows:
- a) Committee minutes shall be forwarded directly to Council for its information;
 - b) Special committee, task force and working group minutes shall be forwarded to either a Standing Committee or Council in accordance with the direction of Council;
 - c) All minutes are to be prepared and forwarded to the members within five (5) business days.

28.0 COMMITTEE OF ADJUSTMENT SPECIFIC

- 28.1 **Application** The procedures contained in this section shall be observed in all proceedings of the Committee of Adjustment and shall be incorporated into the procedures for the order and dispatch of meetings conducted by the Committee. All other matters not governed by the provisions of this section shall be governed by the provisions of the other sections of this by-law. In the event of a conflict between this section and the Planning Act, the Planning Act shall prevail;
- 28.2 **Schedule of Meetings** The Secretary-Treasurer shall prepare a schedule of meetings on an annual basis;
- 28.3 **Insufficient Items** Where it is determined by the Secretary-Treasurer that there are insufficient agenda items for a meeting, the Secretary Treasurer shall cancel the meeting and notify the members and public as soon as practical.
- 28.4 **Notice** For those consent items that are under the jurisdiction of the Committee, the Secretary-Treasurer shall issue notice of the consent applications to be considered at the meeting and the applicant shall post notice of their application on the subject property, both in accordance with the requirements of Planning Act and regulations thereunder, at least fourteen (14) days before the meeting. Members shall be provided with the meeting agenda on the Friday preceding the meeting that is scheduled for the following Wednesday;

- 28.5 **Committee Composition** The Committee shall be comprised of no fewer than three (3) members and no more than seven (7) members appointed by Council, all of whom may be appointed as members from Council or members of the public. The members shall elect a Chair at their first regular meeting;
- 28.6 **Quorum** As per Section 44(5) of the Planning Act, where the Committee is composed of more than three members, three members are required to constitute a quorum. The inability of a member to act due to a declared conflict does not impair the powers of the Committee or of the remaining members.
- If no Quorum is present thirty (30) minutes after the time appointed for a meeting of the Committee, the Secretary-Treasurer shall record the names of the members present and the meeting will stand adjourned until the next appointed time;
- 28.7 **Open Meeting** In accordance with the provisions of the Statutory Powers Procedure Act, R.S.O. 1990, c.S.22, a hearing being conducted by the Committee during a meeting may be closed to the public when the Committee is of the opinion that:
- a) matters involving public security may be disclosed; or
 - b) intimate financial or personal matters or other matters may be disclosed at the hearing of such a nature, having regard to the circumstances, that the desirability of avoiding disclosure thereof in the interests of any person affected or in the public interest outweighs the desirability of adhering to the principle that hearings be open to the public;
- 28.8 **Procedure for Hearing** The following procedure shall be followed for the hearing portion of the meeting:
- a) The Chair shall call for any requests for deferral or withdrawal of any matters before the Committee;
 - b) The Chair shall ask for confirmation that notice provisions were met;
 - c) The Chair shall ask for a presentation of the planning report, review of comments received, and review of the proposed conditions to be attached to the decision should the Committee approve the application;
 - d) The Chair shall ask the applicant or their representative to introduce themselves and present any further information. The applicant or their representative shall be provided with a maximum of 10 minutes to present their application;
 - e) The Chair shall ask if any members have questions of the applicant or the representative;

- f) The Chair shall invite anyone else having an interest in the application to come forward, identify themselves and express their interest. Submissions from the public shall be limited to a maximum of 3 minutes each and shall be confined to the subject application. Any submission beyond the 3 minutes requires a majority vote of the members. The applicant or their representative shall have the opportunity to respond after all submissions are received and shall be allocated no more than 5 additional minutes;
- g) The Chair shall provide Committee members with a final opportunity to ask any additional questions relevant to the application before them;
- h) The Chair shall ask the members for a motion with respect to the disposition of the motion, shall permit discussion on the motion, shall call for the vote, shall announce the decision of the Committee, and may summarize any decision orally if requested;

28.9 Decision

No decision of the Committee on an application is valid unless it is concurred by the majority of the members that heard the application, and the decision of the Committee shall be in writing and shall set out the reasons for the decision and shall be signed by the members who concur in the decision. A copy of the Committee's written decision will be prepared and issued in accordance with the provisions of the Planning Act. A copy of the Committee's written decision shall be sent to each person who submitted a written request to receive a copy of the written decision with respect to the application, pursuant to the provisions of the Planning Act;

28.10 Request for Deferral

A request for deferral of a matter on the scheduled meeting date by the applicant or authorized agent must be for reasonable cause and must be made at the meeting. If granted, the Committee after consultation with the Secretary-Treasurer will set a new meeting date for the application to be heard. No further notice of the meeting date shall be required as per the Planning Act. Only those members present at the meeting where the application was deferred shall render a decision on the application at the subsequent meeting;

28.11 Request for Withdrawal

The applicant or their representative may request that an application be withdrawn. Such requests may be made to the Secretary-Treasurer in advance of the meeting date or at the meeting. The Secretary-Treasurer will record that the application was withdrawn from the Committee's agenda and the Committee will take no action on the matter at the meeting;

28.12 Site Visits

Following the application by the owner or representative of the owner, but prior to the

meeting where the application will be considered by the Committee, the members may conduct individual site visits. During site visits members shall not discuss with the applicant, or other interested individuals, any of the merits of the application or any issue or matter in connection with the application to be decided by the Committee. All information shall be presented to the Committee at the hearing.

29.0 AMENDMENTS TO BY-LAWS

- 29.1 **Public Notice** No amendment or repeal of this by-law shall be considered unless notice is given as required under Public Notice Policy No. 15, being Southgate's policy to establish standards for the giving of reasonable notice, unless directed under amendments to the Municipal Act, as amended.

30.0 CONFLICT

- 30.1 **Severability** If a court or tribunal of competent jurisdiction declares any portion of this By-law to be illegal or unenforceable, that portion of this By-law will be considered severed from the remainder of this By-law, which shall continue to be in full force and effect;
- 30.2 **By-law Versus Statute** If there is any conflict between this by-law and any statute, the provisions of the statute prevail.

31.0 PRINCIPLES OF THE PROCEDURE BY-LAW

- 31.1 **Guiding Principles** The principles of openness, transparency and accountability to the public guide the Townships decision-making process. In the context of Council and other Committee proceedings, this is accomplished by:
- a) Ensuring the decision-making process is understood by the public and other stakeholders;
 - i. Providing access to information and opportunities for input by the public and other stakeholders consistent with the requirements of this By-law and other statutory requirements;
 - ii. Exercising and respecting individual and collective roles and responsibilities provided for in this Procedure By-law and other statutory requirements;
 - b) The protection of basic rights by recognizing the right of the majority to decide, the minority to be heard and individuals to have the opportunity to participate;
 - c) The principles of parliamentary law governing Council and Committee Meetings include:
 - i. The majority of Members have the right to decide;
 - ii. The minority of Members have the right to be heard;
 - iii. All Members have the right to information to help make decisions, unless otherwise prevented by law;
 - iv. All Members have a right to an efficient Meeting;

- v. All Members have the right to be treated with respect and courtesy; and
- vi. All Members have equal rights, privileges and obligations;

31.2 Interpreting the Procedure By-law

- a) In the event of conflict between this Procedure By-law and legislation, the provisions of the legislation prevail;
- b) A specific statement or rule in this Procedure By-law has greater authority than a general one; and
- c) If there is a conflict between two or more rules in this Procedure By-law, or if there is no specific rule on a matter, the Chair will rule. In making a ruling, the Chair may consult the Clerk, rely on previous rulings and practices, or refer to Robert’s Rules of Order.

32.0 MOTIONS FROM OTHER MUNICIPALITIES

32.1 Motions from Other Municipalities & Organizations Requesting Endorsement

- a) Motions from other ~~Grey County area~~ municipalities are placed on the Consent Agenda under Resolutions of Other Municipalities. Council Information Package (CIP) which is to be distributed weekly. If a Member wishes to discuss or pull an item from the CIP, then that Member is to provide the Clerk with a copy of the motion for consideration by 12:00 pm noon on the Wednesday the week prior to the Council meeting for inclusion on the Council Agenda – Motions Arising from Consent;
- b) Staff may prepare recommendations related to the matter for Council’s consideration;
- c) The Council’s receipt of motions from other ~~Grey County~~ municipalities does not constitute endorsement by the Township of any recommendations or actions they may contain;
- d) Motions from other municipalities ~~outside of Grey County~~ and requests for endorsement or action from other organizations will be dealt with as a matter of consent under Section 33 of this By-law.

33.0 CONSENT AGENDA

33.1 Consent Agenda and Information Reports

- For the purposes of Consent Agenda, both Open and Closed, the following shall apply:
- a) An information report is prepared for the information of Council and generally relates to a matter considered at Council or Committee of the Whole, or is a matter of Township business;
 - b) An Information Report does not contain recommendations;

- c) An Information Report requested by Council or Committee of the Whole will be in the form of a motion;
- d) Information Reports are circulated under the Consent Agenda and not up for discussion unless a Member of Council makes such a request through the Chair;
- e) Closed Consent Agenda items / Closed For Information Reports are not made available to the public on the Township's website and may only be placed on a Council agenda if the nature of the confidential information satisfies the requirements of closed session meetings;
- f) Closed Session Consent Items may be removed from the Consent Agenda and placed on the Closed Session Agenda by resolution of two-thirds (2/3) majority vote.

34.0 ACCOUNTABILITY AND TRANSPARENCY

34.1 Open Government

Township Council is responsible to provide good government for its stakeholders in an accountable and transparent manner by:

- a. Encouraging public access and participation to ensure that decision making is responsive to the needs of its constituents and receptive to their opinions;
- b. Delivering high quality services to its citizens; and
- c. Promoting the efficient use of public resources;

Accountability, transparency and openness are standards of good government that enhance public trust. They are achieved through the Township of Southgate adopting measures ensuring, to the best of its ability, that all activities and services are undertaken using processes that are open and accessible to stakeholders. Wherever possible, the Township of Southgate will engage stakeholders throughout the decision-making process which will be open, visible and transparent to the public. The principles of accountability and transparency apply equally to the Township's political process and decision-making and to its administrative management;

34.2 Internal Governance

The Township of Southgate's administrative practices and policies ensure specific accountability on the part of its employees through initiatives that include:

- a) Council Code of Conduct;
- b) Staff Code of Conduct;
- c) Individual performance management;
- d) employment policies;
- e) health and safety policies and programs;

34.3 Public Participation and Information Sharing

The Township of Southgate ensures that it is open and accountable to its stakeholders and encourages public awareness of, and participation in, its

activities and decision-making processes by providing appropriate notice of when and where meetings of Council and committees take place.

These meetings will be open to the public except in the limited situations specifically authorized by the Act. The Township provides transparency in the conduct of its business as outlined in this Procedure By-law. The Township of Southgate ensures that participation by the public can be meaningful and effective, through timely disclosure of information by various means including, but not limited to social media, the Township website, and print media.

The Township of Southgate has adopted:

- a) a code of conduct for members of council;
- b) a Community Action Plan; and
- c) a records retention policy;

35.0 CHIEF ADMINISTRATIVE OFFICER EVALUATION

35.1 CAO Evaluation Council shall, at least once each calendar year, meet with the CAO to review his performance and remuneration.

36.0 ENACTMENT

36.1 Repealed By-law No. ~~2019-120 is 100-2017 and any amendments thereto are~~ hereby repealed.

36.2 Force & Effect This by-law shall come into force on the date of passing.

Read a first, second and third time, and passed this ~~19th day of February, 2020.~~ 4th day of September.

John Woodbury, Mayor

~~Joanne Hyde, Clerk~~ Lindsey Green, Deputy Clerk

Schedule A – Request to Appear as a Delegation

I wish to appear before Council/Committee on:

(Please print clearly)

CONTACT NAME:	
Additional Speaker:	
ADDRESS:	
POSTAL CODE:	TELEPHONE #:
E-MAIL ADDRESS:	

New Delegation

1. Key points of my delegation are as follows: (please attach full presentation)

2. The desired action of Council/Committee that I am seeking on this issue is (Please be aware that Council/Committee will not make a decision on your item at this meeting, but a member may take the information under advisement for a Notice of Motion at a subsequent Council meeting):

Additional Delegation Information

I wish to submit the following additional information since I was a delegation at the Council/Committee meeting. My new information is as follows: (please attach full presentation)

Note - if an individual appears as a delegation before Council/Committee, a further delegation from the same individual concerning the same topic(s) will not be permitted unless there is *significant* new information to be brought forward, subject to approval by the Clerk. Specific new information must be identified on this form and/or attached for approval.

Terms - requests to appear before Council must be received in writing (and signed by at least one person) by the Clerk before 12:00 noon pm on the Wednesday immediately preceding the scheduled Council meeting, complete with a copy of the presentation materials as detailed in the delegation protocol. Failure to provide the required information on time will result in a loss of privilege to appear as a delegation.

I have read and understand the delegation protocol attached to this form and acknowledge that the information contained on this form, including any attachments, will become public documents and listed on Southgate's meeting agendas.

I also understand that presentation materials must be submitted with this delegation form. Electronic signed presentations must be e-mailed to clerks@southgate.ca no later than 12:00 noon on the Wednesday immediately preceding the meeting.

I also understand that if the materials contain any obscene or improper matter, language or does not meet the requirements of the delegation protocol, the Clerk shall decide whether it shall be included in the agenda for a Council meeting and if not, I will be notified.

Signature _____ Date _____

Signature _____ Date _____

Please direct any queries to the Municipal Clerk (519) 923-2110 ext. 230,
1-888-560-6607 Fax: (519) 923-9262

Approval

Council Date: _____

Municipal Clerk Initials: _____

Township of Southgate Delegation Protocol

The purpose of the delegation process is to allow residents to make their views known to Council/Committee. Council/Committee values and welcomes input, comments and constructive suggestions. Since Council generally has to consider a large number of issues and concerns at any given time, the following protocol is to be observed:

1. In accordance with the Township of Southgate Procedure By-law, a delegate shall be allowed to speak for ten (10) minutes.
2. A delegation shall consist of no more than two (2) persons with a total speaking time of not more than ten (10) minutes. When a number of people are to appear representing one viewpoint or interest group, it is expected that the group be represented by a spokesperson, and/or submit written submissions.
3. When called upon by the Chair at Council meetings, the delegation (speaker) should proceed immediately to the podium or table in the Council Chambers.
4. Speakers are asked to keep their remarks as brief as reasonably possible. Comments when stated in a clear, concise and factual manner are very much appreciated.
5. In order to reduce the possibility of any misunderstanding and to facilitate necessary follow-up, the Clerk shall be provided with a written copy of the presentation, which will become part of the official corporate records. If you intend to read from a prepared text, a copy of this text must be filed with the Clerk with your original request to appear as a delegation. If you do not intend to read from a prepared text, all key points that you wish to cover must be included with your request. If additional information is to be provided at the meeting, 12 copies shall be supplied to the Clerk prior to the meeting start time for circulation.
6. Discussion topics, other than the subject matter of the written request to appear as a delegation, will not be permitted. Further, subsequent delegations on the same topic, without significant new information, will not be permitted.
7. Persons addressing Council shall confine their remarks to the business stated in their written request to be heard, and such shall be presented in a respectful and professional manner, and their conduct shall be governed by the provisions set out in the Procedure By-law.
8. Council members may ask questions for clarification purposes. Statements from Council members or debate on the issue are not permitted at this stage. The matter will be referred to staff to prepare a report with a recommendation. Debate as required would take place after receiving the staff report.
9. Delegations will not be permitted on items that will be the subject to an upcoming public meeting pursuant to the Planning Act, unless exceptional circumstances apply, which have been reviewed and approved by Council. Persons should present their concerns and opinions at the scheduled public meeting where their comments can be considered along with all other submissions. Delegations or presentations to Council after the public meeting has been completed and before Council has made its determination will not be permitted.

Schedule B – Presentation Cover Sheet

Name of Presenter: _____

Name of Group or Organization: _____

Contact Email or Phone Number: _____

This presentation is requested by (check one):

___ Staff – Name: _____

___ Committee – Name: _____

___ Council – Resolution No. _____

___ Other - _____

Reason for the Presentation:

Time Requested for Presentation (in minutes): _____

Scheduling Requirements (issues or deadlines): _____

Terms –Supporting documentation must be received by the Clerk no later than 12:00PM noon on the Wednesday immediately preceding the scheduled Council meeting, complete with a copy of the presentation materials.

Note: Any presentations that are requested for longer than the 10 minute time limit should be scheduled a minimum of 2 weeks in advance. The Clerk shall provide the presenter with meeting dates.

Electronic presentations must be e-mailed to clerks@southgate.ca no later than 12:00 noon on the Wednesday immediately preceding the meeting.

Please direct any queries to the Municipal Clerk (519) 923-2110 ext 230, 1-888-560-6607
Fax: (519) 923-9262

Approval:

Date presentation approved for: _____

Time allotted: _____ Municipal Clerk Initials: _____

Schedule C – Open Forum Register

Name	Topic	Contact Information

Personal Information Collection Notice: The Township of Southgate collects personal information in communications or presentations made to Township Council and/or its Committees. The Township collects this information to enable it to make informed decisions on the relevant issue(s). If you are submitting letters, faxes, emails, delegations, presentations or other communications to the Township, you should be aware that your name and the fact that you communicated with the Township will become part of the public record and will appear on the Township's website.

The Township will also make your communication and any personal information in it, such as your name, address and postal code or email address available to the public unless you expressly request, in writing, that the Township to remove it. By submitting a fax, email, presentation or other communication, you are authorizing the Township to collect and use the above-noted information for this purpose.

Open Forum Procedure: Individuals are required to sign this register prior to being permitted to speak. No individuals will be permitted to sign up after the register has been collected; No individual shall speak more than once at any meeting, and no individual shall speak for longer than three (3) minutes.

Audio and Video Recording of Council and Committee Meetings: The Township audio and video records all meetings within Council Chambers. If you make a presentation to Township Council and/or its Committees, the Township will be audio and video recording you and Township staff and may make these ~~audio~~ recordings available to the public.

MFIPPA Disclosure: All information submitted to the Township of Southgate is being collected under the authority of the Municipal Act and subject to disclosure under the Municipal Freedom of Information Act (MFIPPA). Questions about this collection should be directed to the Clerk's Department.

Schedule D – Specific Motions - Quick Reference

Quick Reference Sheet	Subsidiary Motions						
To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed	
Adjourn (close the meeting)	"I move that we adjourn"	No	Yes	No	No	Majority	
Recess (short intermission may also be done by general consent)	"I move that we recess until..."	No	Yes	No	Yes	Majority	
Complain about noise, room temp., etc.	"Point of privilege"	Yes	No	No	No	Chair Decides	
Suspend further consideration of something (can be brought back through Notice of motion)	"I move that we table it"	No	Yes	No	No	Majority	
End debate	"I call the question"	No	Yes	No	No	Majority	
Postpone consideration (defer) - requires time and explanation	"I move we postpone/defer this matter until..."	No	Yes	Yes	Yes	Majority	
Refer to another body or Committee	"I move we refer this item to "	No	Yes	Yes	Yes	Majority	
Amend a motion	"I move that this motion be amended by..."	No	Yes	Yes	Yes	Majority	
Introduce business (a primary motion)	"I move that..."	No	Yes	Yes	Yes	Majority	

The above listed motions and points are listed in established order of precedence. When any one of them is pending, you may not introduce another that is below it, but you may introduce one that is above it.

Quick Reference Sheet	Incidental Motions					
To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Object to procedure or personal affront	"Point of order"	Yes	No	No	No	Chair decides
Request information	"Point of information"	Yes	No	No	No	None
Ask for vote by actual count to verify voice vote	"I call for a recorded vote"	Must be done before new motion	No	No	No	None unless someone objects
Object to considering some undiplomatic or improper matter	"I object to consideration of this question"	Yes	No	No	No	2/3
Take up matter previously tabled	"I move we take from the table..."	Yes	Yes	No	No	Majority
Reconsider something already disposed of at same meeting	"I move we now (or later) reconsider our action relative to..."	Yes	Yes	Only if original motion was debatable	No	Majority
Rescind or Amend Something Previously Adopted	I move we amend(rescind) the motion passed at the June 12, 2016 meeting...	No	Yes	Yes	Rescind No Amend Yes	2/3
Act of Renewing a motion (bringing back a motion within 12 months)	I am renewing the following motion that was lost at the June 12, 2016 Council meeting for the following reason	No – Must be done through NOM	Yes	Yes	No	2/3 to pass the motion that was renewed
Consider something out of its scheduled order	"I move we suspend the rules and consider..."	No	Yes	No	No	2/3
Vote on a ruling by the Chair	"I appeal the Chair's decision"	Yes	Yes	Yes	No	Majority

The motions, points and proposals listed above have no established order of preference; any of them may be introduced at any time except when meeting is considering one of the top three matters listed from the first chart (Motion to Adjourn, Recess or Point of Privilege).

Schedule E – Agenda Composition – Quick Reference

Call to Order: Get everyone's attention that the meeting will start.

Open Forum: Individuals can sign up in the 15 minutes prior to any meeting to indicate their intention to speak to Council. Open forum shall not take up more than 15 minutes. Each individual has 3 minutes. No dialogue with Council.

Confirmation of Agenda:

Confirm that all of the items required for the meeting are on the agenda. If a member would like to add an item, they would express that information at this time. It requires a 2/3 vote to add an item to the agenda at the meeting. Any item added would then be dealt with under New Business. Items may also be removed from the agenda in the same manner.

Declaration of Pecuniary Interest:

Members should declare any pecuniary interest that they are aware of in advance at this point and then again when the item is being discussed. If the member does not declare at this time, they must declare as soon as he/she notices their pecuniary interest.

Delegation: When a person requests to speak to Council to share information.

Presentation: When Council or Staff requests someone to attend and present information to Council, or when a consultant presents a report or findings to Council.

Adoption of Minutes: The minutes of previous Council meetings are adopted at this point in the meeting. Staff sends out the Council meeting minutes to Council for review and requests that Council review the minutes and notify the Clerk of any errors or omissions. The minutes are cleaned up prior to being posted on the website and printed for Council signature after approval. Any amendments should be brought to the Clerk's attention prior to posting.

Reports of Municipal Officers: The Department Heads are each provided a section to present their staff reports. Department Heads present their reports to Council with their staff recommendations on how they wish to proceed. They may offer alternatives to their recommendations or they may not. When the staff recommendation is presented via the staff report, Council may move the recommendation as presented in the report or may move an alternate recommendation as they so desire.

By-laws and Motions: Any By-laws requiring to be passed are placed here. Generally, Council will have been provided supporting information under Reports of Municipal Officers.

Notice of Motion: Notice of Motion is a section specifically for Council members. This is the location that Council members can bring forth their own motions. The notice must be provided to the Clerk in advance of the agenda in order to be dealt with at the current meeting. If notice of motion is received by a Council member and is included on the Agenda, it is dealt with at the Council meeting as a separate motion that has been moved by the member who has provided the notice. The motion would require a seconder and dealt with like any other motion. If there was no notice of motion provided at the time the agenda was prepared, a member may offer a verbal notice at the meeting under this heading. The motion would not be dealt with at this time, however the member has provided the notice that they intend to deal with this at the next meeting and the Clerk will have cause to add it to the next meeting agenda once provided with the information. ([See Section 22.2](#))

Consent Items: The consent agenda is included for any information received that is to be received for information or contains a general or repetitive

request, including Regular Consent, Closed Session Consent, Correspondence and Resolutions from other Municipalities. The action required of each item on the consent agenda is noted in brackets beside the item. It is **usually** received for information. Members may make a brief statement about any of the items on the consent agenda or request a simple clarification. Items can be pulled for further discussion from this consent agenda if a Council member wishes to alter the action required for a specific item, or if a longer discussion is required on an item. If a member pulls the item, the item is discussed at that time and the member who pulls the item moves a new resolution related to the item. The consent agenda is disposed of with the exception of any items that had been pulled and voted on separately.

For example: Councillor A advises he wishes to pull item b) on the consent agenda for further discussion. The Clerk makes note. The Chair inquires if any other members have items they wish to pull. Hearing none, the Chair requests a mover and seconder to approve the remaining items on the consent agenda as such:

Moved by xxx, seconded by xxx;

Be it resolved that Council approve the items on the consent agenda dated Month X, 20XX, save and except item b), and direct staff to proceed with all necessary administrative actions.

The Chair asks for discussion on the resolution (here is where members may make brief statements on any item) then calls for the vote. Once the vote is taken, the Chair call on Councillor A to discuss item b). Councillor A moves "That Council receive item b for information; and That Council direct staff to send the XYZ meeting minutes to the ABC Municipality for their information." The item now becomes its own item and would be dealt with like any other motion before Council and would require a seconder for further discussion.

County Report: A written report added by the Mayor and/or Deputy Mayor providing an overview of current pertinent topics currently from the County.

Member's Privilege: Here is Council's time to announce any good news stories from our area, or provide reminders of upcoming events or past events they have attended on behalf of Southgate. Please try to supply the Clerk with supporting information so the minutes may accurately reflect the verbiage used.

Closed Session: A meeting, or part of a meeting, which is closed to the public as permitted by the Municipal Act, also referred to as an "in-camera meeting."

Confirming By-law: The Confirming By-law is used to confirm all the actions of Council during the meeting as intended.

~~**Council Information Package:** The Council Information Package (CIP) will include correspondence and resolutions from other municipalities and other items for general sharing of information. The CIP will be distributed each week. Should a Member wish to pull an item from the CIP, then a Motion Arising from Consent must be included on the following agenda and provided to the Clerk by noon on Wednesday prior to the Council meeting.~~