The Corporation of the Township of Brock

By-Law Number 3017-2021

As Amended by By-Law 3096-2022, 3224-2023 and 3234-2024
(Consolidated Version)

A By-Law to Regulate the Proceedings of Council

WHEREAS Section 238(2) of the *Municipal Act* requires every Council to adopt a procedure by-law for governing the calling, place and proceedings of meetings; and

WHEREAS Section 5 of the *Municipal Act*, S.O. 2001, as amended from time to time, provides that the powers of a municipality shall be exercised by its Council; and

WHEREAS it is deemed advisable to pass this by-law for the purposes aforesaid.

Now Therefore the Council of the Corporation of the Township of Brock Enacts as Follows:

1 General Provisions & Definitions

1.1 Definitions

In this Procedural By-law,

1.1.1 "Act" means the Municipal Act, 2001, S.O., 2001, c.25, as amended;

1.1.2 "Ad Hoc Committee" means a special purpose committee of limited duration, appointed by Council to consider a specific matter and which is dissolved automatically upon submitting its final report to Council, unless otherwise directed by Council;

1.1.3 "Addendum" means any addition to a completed written agenda or addition to an item on the agenda. Changes in motions or resolutions following discussion on an agenda item are not considered an Addendum;

1.1.4 "Advisory Committee" means an ongoing Committee implemented by Council by way of by-law and comprised of residents, Councillors and/or Staff;

1.1.5 "Agenda" means the order in which business is conducted at a meeting;

1.1.6 "By-law" means an enactment, in a form approved by Council, passed for the purpose of giving effect to a decision or proceedings of Council;

1.1.7 "Chair" means the person presiding at a meeting of Council, or Committee, as the case may be;

1.1.8 "Chief Administrative Officer" or "CAO" means the Chief Administrative Officer of the Township of Brock, or their designate;

1.1.9 "Clerk" means the Municipal Clerk of the Corporation of the Township of Brock, or their designate;

1.1.10 "Closed Session" means a meeting, or portion thereof, closed to the public, and has the same meaning as "in-camera" as per Section 229 of the Municipal Act, 2001, as amended;

1.1.11 "Committee of the Whole" means a committee comprised of all Members of Council that serves as the principle forum for the

consideration of recommendations to Council on all administrative and general governance matters affecting the Township".

1.1.12 "Consent Agenda" means a single motion to adopt all items or any group of items on an agenda. Should a member wish to discuss an item, they would request the item be extracted from the consent agenda and that item would be discussed separately.

1.1.13 "Council" means the Council of the Corporation of the Township of Brock;

1.1.14 "Delegation" means a person or group who has made a written request to address Council or Committee and may also be referred to as a "Deputation";

1.1.15 "Emergency" means any period of time during which an Emergency has been declared to exist in all or part of a municipality by the Head of Council or the Province under sections 4 or 7.0.1 of the Emergency Management and Civil Protection Act, as amended;

1.1.16 "Emergency Management Act" means the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E. 9, as amended;

1.1.17 "Majority" means more than half the Members present, or:

- If 7 Members present: 4
- If 6 Members present: 4
- If 5 Members present: 3
- If 4 Members present: 3

1.1.18 "Mayor" means the Mayor of the Township of Brock and may also be referred to as the "Head of Council";

1.1.19 "Meeting" means any regular, special, or other meeting of Council or a Standing Committee, where a quorum of members is present and members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council or a Standing Committee, and shall be deemed to include an Electronic Meeting under section 10 of this By-law during an Emergency;

1.1.20 "Member" means a member of the Council, or of a Committee, as the case may be;

1.1.21 "Municipal Act" means the Municipal Act, 2001, S.O. 2001, c.25, as amended or replaced from time to time;

1.1.22 "Petition" means a formal written request signed by two or more people appealing to Council with respect to a particular matter

1.1.23 "Point of Order" means an inquiry made by a Member of Council regarding an alleged contravention of the Rules of Procedure made by a Member during the course of a meeting;

1.1.24 "Quorum" means the number of members required for the legal conduct of the business of Council or a Committee;

1.1.25 "Recorded Vote" means a written record of the name and vote of every Member present when the vote is called on any matter or question, which is conducted by the Clerk;

1.1.26 "Rules of Procedure" means the rules and regulations governing the calling, place and proceedings of Meetings as provided in this by-law;

1.1.27 “Special Meeting” means a meeting note scheduled in accordance with the approved schedule of meetings as adopted by Council;

1.1.28 “Standing Committee” means a Committee appointed by and directly reporting to Council, created from time to time, and currently comprised of the following Committee: Committee of the Whole.

1.1.29 “Township” means the Corporation of the Township of Brock.

1.2 General Provisions Interpretation

1.2.1 This By-law establishes the Rules of Procedure for Council and its Committees and may be referred to as the “Procedural By-law” or “Rules of Procedure.”

1.2.2 The rules in this By-law apply to all proceedings of Council and Committees and must be observed at all times.

1.2.3 In the event of a conflict between this By-law and legislation, the provisions of the legislation prevail to the extent of the conflict.

1.3 General Provisions - Principles

1.3.1 The principles of openness, transparency and accountability to the residents of Brock guide the Township’s decision-making process. In the context of Council and other Committee proceedings, this is accomplished by:

1.3.2 All members have:

- a right to an efficient meeting;
- the right to be treated with respect and courtesy; and
- equal rights, privileges and obligations.

2 Duties

2.1 Duties of the Chair

2.1.1 The Chair shall:

a) Open the Meetings by taking the chair and calling the Members to order;

b) Announce the business before Council or the Committee and the order to which it is to be acted upon;

c) Receive and submit, in the proper manner, all motions presented by the Members;

d) Put to a vote all motions, which are moved, or necessarily arise in the course of the proceedings, and announce the results;

e) Enforce the Rules of Procedure and rule upon all procedural matters;

f) Maintain order and preserve decorum;

g) Call by name, any member refusing to comply with the Procedural By-law and order him/her to vacate the Council Chamber, or the place of Meeting, as the case may be;

h) Permit questions to be asked through the Chair of any staff in attendance to provide members with information to assist any debate when the Chair deems it appropriate;

i) Rule on any points of orders without debate or comment;

j) To authenticate, by signature when necessary, all By-laws, Resolutions and minutes of Council and Committee;

k) Adjourn or suspend the meeting if he/she considered it necessary because of grave disorder; and

l) Adjourn the meeting when business or concluded or recess the meeting as may be required.

2.1.2 The Chair shall vote on all motions.

2.1.3 The Chair may answers questions and comment in a general way, but if the Chair wishes to participate in debate, make a motion, speak to a motion under consideration or leave the chair for any reasons, the Chair shall first delegate the duties to the Mayor or alternate, until the matter has been dealt with or the Chair is able to resume their duties as chair.

2.1.4 By virtue of their office, the Mayor is appointed as an ex-officio member of Advisory Committees and Municipal Service Boards, and shall have the same rights and privileges as any of the other members, including the right to vote.

2.2 Duties of the Members

2.2.1 Members shall:

a) Attend all meetings of Council or Committee to which they have been elected or appointed;

b) Prepare for every meeting by having read all the material supplied, including the agenda and staff reports, to facilitate discussion and the determination of action at the Meeting;

c) Speak only to the subject under debate and work through the Chair on all matters;

d) Support Council by accurately communicating the decision of Council even if they disagree with the majority decision;

e) Apply and respect the Rules of Procedure;

f) Carry out the duties set out in the Municipal Act, 2001, as amended and all other applicable statutes; and

g) Act in accordance with the Declaration of Office.

2.2.2 Members of Council shall adhere to the Council Code of Conduct, as adopted by Council, and as amended from time to time.

2.2.3 In accordance with Section 259(1) of the Municipal Act, 2001, the office of a member of Council becomes vacant if the member is absent from the meetings of Council for three successive months without being authorized to do so by a resolution of Council. This section does not apply to a member who is absent for 20 consecutive weeks or less if the absence is a result of the member's pregnancy, the birth of the member's child or the adoption of a child by the member.

2.3 Duties of the Chief Administrative Officer (CAO)

2.3.1 The Chief Administrative Officer shall:

a) Assist Council in understanding and delivering its responsibilities;

b) In an objective manner, assist members in such away that they are able to carry out their duties;

c) Shall review all staff reports and recommendations prior to their submission to Council; and

d) Shall attend all Council meetings, and when deemed necessary to do so, shall attend or cause a designate to attend all Committee meetings.

2.4 Duties of the Clerk

2.4.1 The Clerk shall:

a) carry out and perform all the duties and powers conferred or imposed on the Clerk under the provisions of the *Municipal Act* and of any other Act

3 Council & Committee Structure

3.1 Council Shall be comprised of seven (7) members including the mayor, Regional Councillor/Deputy Mayor, and one (1) Councillor from each of the five (5) wards.

3.2 At the first meeting of Council or as soon thereafter as practical, Council shall adopt a by-law appointing an Acting Mayor in the absence of the Mayor and Deputy Mayor.

3.3 The Mayor shall Chair all Council and COW meetings and when absent, the Deputy Mayor shall Chair. In the absence of the Mayor and Deputy Mayor, the Acting Mayor shall Chair.

3.4 Council shall establish a COW which shall be comprised of all Members of Council and which shall make recommendations to Council. Council may consider any matter without referring it to the COW.

3.5 Selected Members of Council may be appointed as a Sub-Committee Chair by Resolution during the Inaugural Meeting of Council or when a vacancy in his or her absence occurs as determined by Council from time to time or upon resolution by Council at any time during the term of Council. The Sub-Committee Chair or when absent, the Mayor, shall take the chair during that portion of the COW Meeting dealing with the matters pertaining to the Sub-Committee for which he or she has been appointed.

a) The Sub-Committees shall be:

- Finance
- Operations (Public Works)
- Parks, Recreation and Facilities
- Economic Development & Tourism
- Protection Services
- Building and Planning
- General Government

b) The COW Chair shall call the Meeting to order, preside during presentations and delegations, and deal with the motion to adjourn. If a sub-committee chair and vice-chair are either not appointed or not present, the COW Chair shall preside during the sub-committee portion of the meeting.

3.6 The COW may consider delegations, presentations and, staff reports as set out in Schedule A to this by-law.

3.7 Council shall be mandated with holding public meetings any other planning and development matter or matter deemed to require public consultation.

3.8 Council may establish by resolution various Advisory Committees, quasi-judicial bodies and Ad-Hoc Committees, as required by legislation or otherwise. Upon establishment of such a committee or board, the Mayor shall nominate, and Council shall ratify by a majority vote, one or more Council members to serve on the committee or body, provided that the

number of Council Members is not equal to or greater than Quorum. The Mayor shall be ex-officio on all Committees save and except if the Mayor's presence would result in a Quorum of Council.

3.9 When an Ad-Hoc Committee or Board is established, it shall have its own Terms of Reference developed and approved by Council.

3.10 When an Ad-Hoc Committee is established by Council, the Mayor shall nominate the members of that Committee which shall be confirmed by resolution of Council. Reports shall be provided to Council on an ongoing basis and once this task has been completed, they will present a final report to Council. Once this is completed, the Committee shall be deemed to be dissolved, unless otherwise determined by Council.

4 Meetings

4.1 Inaugural Meeting

4.1.1 The Inaugural Meeting of Council shall be held at at any time following the start of the new term of Council, but no later then 31 days after the term commences.

4.2 Council and COW Regular Meetings

4.2.1 All regular meetings shall be held in the Council Chambers at the Municipal Administration Building, 1 Cameron Street East, Cannington, Ontario, or electronically or a combination of both, and in accordance with the meeting schedule as approved by Council.

4.2.2 The regular meeting schedule shall be based as follows, with adjustments made for public holidays and municipal conferences usually attended by Council and staff:

a) COW meeting on the 2nd Monday of the month, with the open session starting at 10:00 a.m.

b) COW meeting on the 4th Monday of the month, with open session starting at 1:30 p.m.

c) Council meeting on the 4th Monday of the month, with open session starting at 6:00 p.m.

d) Workshop meetings will be held quarterly as required, and open to the public starting at 10:00 a.m.

4.2.3 The Mayor or his/her designate may approve holding a Meeting anywhere in the Township or in a neighbouring municipality provided that notice of the meeting and location is provided in accordance with this By-law.

4.2.4 Notwithstanding the provisions of this by-law, there shall be no scheduled meetings during the month of July or August unless previously approved by Council.

Adjournment – Due Hour

4.2.5 Any meeting of Council or Committee shall adjourn at the hour of 11:00 p.m., if in session at that time, and shall reconvene at such other day and time as Council or Committee, by resolution, may direct.

4.3 Special Meetings

4.3.1 In addition to regular meetings, the Mayor, at any time, may summon a special meeting by giving direction to the Clerk stating the date, time and purpose of the special meeting.

4.3.2 The Clerk shall summon a special meeting upon written receipt of a petition of the majority of the Members of Council. The petition shall specify the purpose of the Meeting, time and place of the meeting.

Written notice of a special Meeting of Council or Committee shall be given to all members at least twenty-four (24) hours before the time appointed for such Meeting. Notice will deem to have been given on the day that the Notice was delivered electronically via e-mail to their respective Municipal e-mail addresses.

4.3.3 The notice shall indicate the nature of the business to be considered at the Special Meeting as well as date, time, and place of the Meeting.

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

4.3.5 The twenty-four (24) hours' notice required by Section 4.3.3 may be waived in the case of an emergency as may be determined by the Mayor, Clerk or the CAO.

4.4 Closed Meetings

4.4.1 All Meetings, except as otherwise provided herein, shall be open to the public.

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

a) the security of the property of the 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 Council, Committee of Council, board or other body may hold a closed meeting under another Act;

h) information explicitly supplied in confidence by Canada, a province or territory, or Crown agency of any of them;

i) information which is prohibited from being made public under the Municipal Freedom of Information and Protection of Privacy Act;

j) a trade secret or scientific, technical, commercial, financial or labour relations information supplied in confidence which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

k) a trade secret or scientific, commercial or financial information that belongs to the municipality and has monetary value;

l) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on by or on behalf of the municipality; and

m) held for the purpose of educating or training the members provided that no member discusses or otherwise deals with any matter in a way that materially advances the business or decision making of the Council.

4.5 Education/Training Sessions

4.5.1 An Education and/or Training Session, shall not be deemed to be a Meeting and shall not be subject to the rules of procedure.

4.5.2 Council, in deciding to convene an Education & Training Session, shall designate the general purpose or purposes for which the session is to be held as permissible under Section 239 of the Municipal Act, 2001.

4.5.3 An Education and/or Training Session may be held at any place designated by the Council at the time at which it makes its decision to convene the session, whether or not within the boundaries of the Township or any adjacent municipality.

4.5.4 All members of Council are entitled to attend the session, together with the designated staff or consultants retained by the Township, but the Council, in deciding to convene the session, may decide to exclude the public therefrom.

4.5.5 No members shall discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of Council at an education and/or training session.

4.5.6 The Clerk shall take notes describing in general terms each subject matter dealt with at an Education and/or Training Session.

4.6 Public Meetings, Hearing or Information Sessions whether Statutory or otherwise

4.6.1 Council may from time to time conduct public meetings, hearings or other information sessions for any purpose, giving such notice as may be deemed necessary, required by legislation or the Township's Notice By-law as amended from time to time.

4.6.2 The rules regarding the hearing of delegations as provided for in this Procedural By-law shall apply to public meetings, including provisions regarding speaking time and decorum, save and except that any person wishing to make an oral submission at a public meeting shall not be required to register with the Clerk prior to appearing. All procedural rulings and interpretation regarding delegations shall be at the discretion of the Chair.

4.6.3 The format for public meetings will proceed as follows:

a) Township staff will provide a brief overview or presentation;

b) If applicable, the applicant or their representative may appear and provide information regarding the application;

c) Members of the public and/or stakeholders in attendance and wishing to speak may make an oral submission; and

d) The chair may call on the applicant and/or staff to provide clarification on matters raised by members of the public and/or stakeholder.

4.6.4 The Clerk shall record oral submissions from the public and stakeholders at the public meeting and forward same to each member of Council once prepared.

4.7 Electronic Participation

4.7.1 Electronic participation may be allowed for a member of Council, of a local board or of a committee of either of them in accordance with Section 238 (3.1) of the Municipal Act; for greater clarity this includes Advisory Committees, Standing Committees, Committee of the Whole, Council and local board meetings. Members participating electronically may count towards determining whether a quorum of members is present and may participate in a meeting which is closed to the public.

4.7.2 Where the Rules of Procedure conflict with the need to facilitate electronic participation, the Chair, in consultation with the Clerk, shall have the authority to modify the Rules of Procedure to ensure Members can effectively participate in the meeting.

4.7.3 The Clerk, in consultation with the Chair, shall establish practices and procedures for electronic participation.

4.7.4 Members must notify the Clerk prior to the meeting of their intent to participate electronically.

4.7.5 Members will be required to audibly indicate their presence at the start of the meeting, or they will be noted as absent.

4.7.6 All votes during a meeting where some or all members are participating electronically shall be recorded votes, unless otherwise determined by the Chair.

4.7.7 Should a member of the public request to provide their delegation through electronic participation and the Clerk believes that electronic participation by the public can be facilitated, they will be requested to provide their comments in writing to the Clerk prior to the meeting and the comments will be distributed to members of Council. The remainder of the regular rules for delegations as set out in this by-law shall apply.

4.7.8 The Clerk may provide for the electronic participation of Staff, including electronic participation of the Clerk.

4.8 Quorum

4.8.1 A quorum of Council and COW shall be a majority of members present.

4.8.2 If a quorum is not present within fifteen (15) minutes after the time appointed for the meeting, the Clerk or designate shall record the names of the members present and the meeting shall stand adjourned until the date of the next regular meeting or other meeting called in accordance with the provisions of the Procedural By-law.

4.8.3 If during the course of a Council meeting, a Quorum is lost, the Chair shall declare that the meeting shall stand recessed temporarily or be adjourned until the date of the next Regular Meeting or Special Meeting called in accordance with the provisions of this By-law.

4.8.4 If members are not going to be in attendance or are going to be late for a meeting, they shall contact the office of the Clerk in advance of the meeting.

5 Notice of Meetings

5.1 Notice to Members

5.1.1 The schedule of meetings prepared by the Clerk and approved by Council each year, in conjunction with the published agenda, shall be considered adequate notice for a Regular meeting.

5.1.2 The Clerk shall ensure that the agenda for each Regular Meeting be made available to Council no later than 4:30 p.m. on the Wednesday prior to the meeting for regular scheduled meetings.

5.1.3 The Clerk shall deliver notice of Special Meeting of Council as set out by subsection 4.3.2.

5.2 Notice to Media and Public

5.2.1 The Clerk shall provide public notice of all regular meetings by:

a) Publishing the annual schedule of meetings, once adopted by Council, on the Township's website and by providing copies upon request;

b) Publishing the monthly schedule of meetings in the Township bi-weekly bulletin in the newspaper; and

c) Posting the agenda on the Township's website by no later than 12:30 p.m. on the Thursday prior to the meeting.

5.2.2 The Clerk shall provide public notice of a special meeting, as authorized by subsection 4.3.2, by:

a) Time permitting, publishing notice of the Special meeting in the Township's bi-weekly bulletin in the weekly newspaper; and

b) Posting the Special meeting agenda on the Township's website.

5.3 Cancellation/Postponement

5.3.1 Any meeting may be cancelled or rescheduled to a day, time and place set out in a written notice from the Clerk, sent electronically to each Member of Council, and posted to the Township's website, at least twenty-four (24) hours before the scheduled date of the meeting.

5.3.2 The Mayor may, if it appears that inclement weather or like occurrence will prevent the Members of Council from attending a meeting, postpone, reschedule or cancel that meeting by advising the Clerk and as many Members, media and interest parties as can be reached.

5.4 Failure to Meet Notice Provisions

5.4.1 Failure to meet the notice provisions for a meeting provided for in this By-law shall not affect the validity of holding a Meeting or any action taken thereat.

6 Conduct at Meetings

6.1 Members of the Public

6.1.1 The Chair will ensure that members of the public shall be respectful of Council, staff, delegations and all attendees at the meeting by refraining from public outbursts, heckling, shouting, making comments, or behavior intended to disrupt the debate, discussion and/or general proceedings.

6.1.2 Placards, signs, posters, etc. or any other advertising devices shall not be permitted.

6.1.3 The Chair may request that a member or members of the public vacate the premise if their behaviour is deemed to be disruptive to

the business at hand and may suspend the meeting until order is restored.

6.2 Members of Council

6.2.1 Members of Council shall:

a) Act in accordance with their Oath of Elected Appointed Officials;

b) Treat the Chair, other members, staff and delegates from the public with courtesy, respect, and good faith;

c) Hold in strict confidence all information dealt with in Closed Sessions, except to the extent that Council has previously released or disclosed the matter in the public;

d) Not speak disrespectfully of the Reigning Sovereign, any member of the Royal Family, the Governor General, the Lieutenant-Governor, the head of the Government of Canada or of the Province of Ontario, Council, any municipality, any Member or any official or employee of the Township;

e) Not use offensive words or unparliamentary words or expressions in Council, against Council, a member of Council, or any officer or employee of the Corporation;

f) Not disobey the rules of the Council or decisions of the Chair or of the Council on questions of order or practice or upon the interpretation of the rules of the Council;

g) Not leave the Member's seat or make any noise or disturbance while a vote is being taken and until the result is declared; or

h) Not interrupt a Member while speaking except to raise a point of order.

6.3 Inappropriate Behaviour

6.3.1 When a member's behaviour is deemed inappropriate, the Chair may Call the Member to Order and take one or more of the following actions:

a) Decide that there is no breach of the rule;

b) Ask the member in breach of the rules to stop the behaviour;

c) Ask the member to withdraw what was said; or

d) Ask the member to apologize.

6.3.2 If previous attempts to call the member to order have failed, the Chair may decide not to recognize the member for the balance of that meeting, in which case the Member shall not speak or vote for the remainder of the meeting.

6.4 Video Equipment, Recording Devices and Cellular Telephones

6.4.1 The audio or video recording of a meeting is not permitted unless authorized by the Clerk and shall not be conducted in a manner that interferes with the proceedings of the meeting.

6.4.2 Subsection 6.4.1 does not apply to the Township and/or any publicly available broadcaster.

6.4.3 All communication devices, including cell phones, pagers, tablets and laptops, shall be switched to 'silent' upon entering the location where any Council or Committee meeting is being held.

6.5 Consumption of Food

6.5.1 The consumption of food during the course of a meeting shall not be permitted.

7 Order of Business

7.1 The Clerk shall prepare agendas under the following headings for the use of the Members at the regular meetings of Council, Committee of the Whole, Special Council meetings and Workshop

7.1.1 Council Meeting Agenda

1. Call to Order & Moment of Silence
2. Land Acknowledgement Statement
3. Disclosure of Pecuniary Interest and Nature Thereof
4. Community Announcements
5. Public Meeting
    a. Explanatory Note
    b. Staff Presentation / Overview
    c. Consultant/Application Presentation
    d. Public Questions
6. Presentations
7. Delegations\ Petitions
8. Ratification of COW Recommendations
9. Adoption of Minutes
    a. Minutes of Previous Council Meetings
    b. Minutes to be received
10. Reports
11. Correspondence
12. Notice of Motion
13. By-laws
14. Closed Session
15. Rise from Closed Session
16. Other Business
17. Regional Chair Update
18. Public Questions and Clarification
19. Confirmation By-law
20. Adjournment

7.1.2 COW Meeting Agenda

1. Call to Order

2. Land Acknowledgement Statement
3. Disclosure of Pecuniary Interest and Nature Thereof
4. Presentations
5. Delegations\ Petitions
6. Sub-Committees
    a) Finance Committee
    b) Operations Committee
    c) Parks, Recreation and Facilities Committee
    d) Tourism & Economic Development Committee
    e) Protection Services Committee
    f) Building and Planning Committee
    g) General Government Committee
7. Closed Session
8. Rise from Closed Session
9. Other Business
10. Public Questions and Clarification
11. Adjournment

7.1.3 Special Council Agenda

1. Call to Order
2. Land Acknowledgement Statement
3. Disclosure of Pecuniary Interest and Nature thereof in Closed Session
4. Closed Session
5. Rise from Closed Session
6. Delegations
7. Consideration of Business for Which Notice was Given
8. Public Questions and Clarification
9. Confirmation By-law
10. Adjournment

7.1.4 Workshops

1. Call to Order
2. Land Acknowledgement Statement
3. Disclosure of Pecuniary Interest and Nature Thereof
4. Workshop Presentations
5. Public Questions and Clarification

6. Adjournment

7.2 Changes to the meeting structure may be made at the discretion of the Clerk

7.3 Addendum Agenda

7.3.1 After delivery of the Council agenda, the Clerk may amend the agenda by way of an addendum and amended agenda by adding or deleting matters from the prepared agenda in consultation with the Mayor and CAO.

7.3.2 In the interest of transparency, separate circulations and revised or amended agendas are to be avoided wherever possible. However, where necessary, addendum agendas will be circulated to members by electronic mail and posted on the Township website as soon as possible but no later than 4:30 p.m. on the Friday prior to the meeting.

7.4 Change in Order

7.4.1 All business shall be taken up in the order in which it appears on the agenda unless otherwise decided by a vote of the majority of the Members present and voting

8 Consideration of Business

8.1 Call to Order and Moment of Silence

8.1.1 The Mayor for Council & COW or is/her designate, shall call the meeting to order when there is a quorum present after the time set for the meeting and ask those present to observe a moment of silence. If the Mayor does not attend after fifteen (15) minutes after the time set for the meeting and a quorum is present, the Deputy Mayor shall reside over the Meeting and shall exercise all duties and responsibilities of the Chair as outlined in this Procedural By-law until the Mayor is present at the meeting and is able to perform his/her responsibility to assume the chair. If the Deputy Mayor is also not present within fifteen (15) minutes after the time set for the meeting and a quorum is present, the Acting Mayor as per the appointing by-law shall call the meeting to order and shall act as Chair of the meeting until the arrival of the Mayor or Deputy Mayor, whoever is the first to arrive and is able to assume the chair.

8.1.2 During any meeting, the Mayor or Chair for the meeting may also read the acknowledgement of traditional treaty lands as follows:

“It is important to begin each public gathering with a Land and Territorial Acknowledgement, to recognize the Indigenous people for being good stewards of the land and environment, here where we are meeting today. The Township of Brock has traditionally been a hunting and fishing ground for First Nations people. We reside on and benefit from the Williams Treaty Territories, on the land of the Mississaugas and Chippewas. May we share the land as long as the sun rises, the grass grows and river flows.”

8.2 Closed Session

8.2.1 A meeting or part of a Meeting may be closed to the public is accordance with Section 239 of the Municipal Act, 2001 and as noted in Section 4.4 of this Procedural By-law.

8.2.2 The Clerk or designate shall remain in the room for all closed sessions.

8.2.3 Before holding a Meeting or part of a Meeting that is to be closed to the public, the following shall be stated by public resolution:

a) The fact of holding the closed meeting;

b) The general nature of the matter to be considered at the closed meeting; and

c) The specific provision of the Municipal Act, 2001, under which the meeting is permitted to be closed.

8.2.4 Upon passage of the resolution under Section 8.2.3, all members of the media and the public shall be required to leave the room. The Clerk shall remain, and any members of Staff, Township consultants, or delegations may be requested to remain.

8.2.5 No voting may take place during a closed session except if the vote is for a procedural matter or for giving direction or instructions to officers, employees or agents of the Township, or persons retained by or under contract with the Township, and Council deems that it is in the best interests of the Township to do so.

8.2.6 The Clerk shall record without note or comment all decisions and other proceedings during a closed session.

8.2.7 All information, documentation or discussions disclosed in a closed meeting, is confidential and must not be released to the public or any individual not entitled to be present at the closed meeting. Any breach of confidential matters disclosed during closed meetings shall be subject to the sanctions contained in the Council Code of Conduct.

8.2.8 At the conclusion of a closed meeting, a resolution to rise from the closed session and proceeding into public session shall be adopted. The motion shall include the time that Council, or the Committee arose.

8.2.9 Members shall return confidential material to the Clerk or his/her designate for destruction.

8.3 Disclosure of Pecuniary Interest and Nature Thereof

8.3.1 Members shall disclose any pecuniary interest and the general nature thereof in any matter listed on the agenda in accordance with the *Municipal Conflict of Interest Act.* It is the responsibility of the member to identify and disclose any pecuniary interest. Members shall not request the Clerk or other staff member to provide advice or comment on whether a Member has a pecuniary interest.

8.3.2 Where a member, either on his 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 which the matter is subject of consideration, the member shall:

a. Prior to any consideration of the matter at the meeting, disclose the interest and general nature thereof;

b. Not take part in any discussion of or vote on any question with respect to the matter; and

c. Not attempt in any way before, during and after the meeting to influence the voting on any such question.

8.3.3 Notwithstanding sections 8.2.10 and 8.2.11, when a member declares on a matter at a Council meeting, later in the meeting when the confirmation by-law is on the floor, the member’s declaration is understood and the member may participate in the vote on the confirming by-law and is not required to submit another declaration of

interest form. Further, if the member declares on a matter at a meeting and at a subsequent meeting the minutes of the entire meeting are on the floor for adoption, the member's declaration is understood and the member may participate in the vote on adopting the minutes and is not required to submit another declaration of interest form, provided that the matter the member declare on is not further discussed or amended in any way.

8.3.4 Where the meeting is not open to the public, in addition to declaring the conflict, the member shall immediately leave the meeting or part of the meeting during which the matter is under consideration.

8.3.5 Where a member is absent from a meeting which includes a matter on which they have a pecuniary interest, the member shall disclose the interest at the next meeting they attend.

8.3.6 The Clerk shall record declarations of pecuniary interest made by a member in the minutes, noting the matter and the general nature of the pecuniary interest.

8.3.7 At a meeting, or as soon as possible afterwards, at which a member discloses a pecuniary interest, the member shall file a written statement of the interest and its general nature with the Clerk.

8.3.8 The Clerk or designate, will maintain a registry of statements filed and declarations recorded for public inspection and to be posted on the Township website.

8.4 Presentations

8.4.1 Presentations shall be limited to fifteen (15) minutes each, except with the permission of the Chair.

8.4.2 Presentations shall include only the following:

a) Civic recognition / awards;

b) Presentations from Township staff or consultants;

c) Presentations from other government organizations; or

d) Other presentations as deemed appropriate by the Clerk and/or Mayor.

8.4.3 Municipal audio visual equipment may be used to assist presenters, provided that permission has been obtained for use of such equipment from the Clerk, or designate. A delegate's audio visual materials must be provided to the Clerk, or designate, no later than noon (12:00 p.m.) on the Friday preceding the Meeting.

8.5 Delegations

8.5.1 Delegations may appear at the COW or Council meetings subject to the Clerks discretion based on agenda content management.

8.5.2 Anyone wishing to appear before COW or Council must complete the required form on the website, and submit it to the Clerk's office by 12:30 p.m. on the Tuesday prior to the meeting stating in detail the nature of the matter to be presented.

8.5.3 The Clerk shall give due consideration to the length of the agenda and the number of delegations and shall recommend to the request the earliest possible date their delegation may be accommodated. There shall be a maximum of five (5) delegations allowed per meeting unless otherwise approved by the Mayor to deal with an urgent matter.

8.5.4 Only the designated spokesperson(s), which shall be no more than two (2) people, may speak on the matter and for not more than five (5) minutes in total.

8.5.5 The Clerk shall keep account of the time expended by the delegate(s) and at the completion of the allocated time, the Mayor shall advise the individual to cease.

8.5.6 Notwithstanding subsection 8.5.4 & 8.5.5, Council or the COW may waive the rules of procedural to permit a delegation to exceed the five (5) minutes.

8.5.7 Notwithstanding subsection 8.5.3, Council or the COW may, at their discretion, entertain delegations with less notice as the circumstances may warrant with a two-thirds (2/3) majority vote.

8.5.8 Notwithstanding subsection 8.5.3, a delegate may request a delegations with respect to an item on the agenda. Delegations have until 12:30 p.m. on the Friday prior to the meeting to notify the Clerk by submitting a request on the Township's website. These delegations will be added to the addendum agenda in accordance with section 7.5.

8.5.9 Delegations shall respect the decorum and Rules of Procedures in accordance with this By-law and shall not:

- Speak disrespectfully of any person;
- Use improper language or unparliamentary language;
- Speak on any subject matter other than the subject for which they have given notice to address Council/Committee;
- Disobey the decision of the Chair; or
- Enter into debate with Members.

8.5.10 Council may refuse delegations when, in the opinion of Council, the subject of the presentation is beyond the jurisdiction of the municipality.

8.5.11 When a delegation wishes to provide members with written communication, including a petition supporting the delegation's comments, the communication shall be provided to the Clerk by 12:30 p.m. on the Tuesday prior to the meeting and will be distributed to members at the discretion of the Clerk.

8.5.12 Municipal audio-visual equipment may be used to assist in presentations, provided that permission has been obtained for the use of such equipment from the Clerk or designate. The presentation material most be provided to the Clerk of designate at least one (1) full business day prior to the scheduled day of the meeting.

8.5.13 Members of Council shall ask questions for clarification from delegates and shall not engage in any debate with delegates.

8.5.14 For matters which are more properly within the responsibility of staff, the Clerk shall notify the proposed delegate that the delegation shall not be listed on the agenda and shall direct the proposed delegate to the appropriate department. The delegation shall not be listed on an agenda until staff has had the opportunity to address the matter.

8.5.15 A delegation appearing before Council or Committee shall not be placed on an agenda to discuss the same matter within six (6) months of the last appearance, unless otherwise approved by the Mayor.

8.6 Petitions

8.6.1 An organizer of a public petition may submit a petition for inclusion on the Council agenda. That person shall provide their name and contact information (mailing address and email address) along with the petition. Any communication with respect to the petition will be with the organizer of the petition only.

8.6.2 Every petition shall be delivered to the Clerk or designate by no later than 12:30 p.m. on the Tuesday prior to the meeting and, if in the opinion of the Clerk, or designate, the petitions contains any impertinent or improper language, the petition may not be included on the agenda.

8.6.3 The Clerk shall refuse to place a petition on the agenda where the subject matter:

- Involves current or pending litigation;
- Involves insurance claims;
- Involves administrate complaints that have not been reported and investigated through the administrative process;
- Is beyond the jurisdiction of Council; or
- Is contrary to the provisions of the Municipal Freedom of Information and Protection of Privacy Act.

8.6.4 Signatories to a petition are deemed to have waived any expectation of privacy as a result of the record being created for review by the general public.

8.6.5 Petitions shall contain the printed name, signature and some contact information of the individuals signing it.

8.6.6 No petition shall be considered valid and accepted by the Clerk without the name and contact information of the person(s) responsible for the contents and submission of the petition of the Township.

8.7 Council Ratification

8.7.1 The COW shall make its recommendations with respect to each agenda item it has considered which recommendations shall be agenda items for consideration at the next Council Meeting following the date of the COW Meeting.

8.7.2 For the second COW meeting of each month, the COW may recommend same day adoption of any or all agenda items considered at that Meeting.

8.7.3 Notwithstanding the above provisions, Members may postpone ratification of any item to a specified date and time.

8.8 Adoption of Minutes

8.8.1 The Council and COW Minutes as prepared and circulated with the agenda shall be adopted subject to revision or errors and omissions.

8.8.2 After the minutes have been adopted, they shall be signed by the Mayor and Clerk and sealed with the seal of the Corporation.

8.8.3 The minutes shall include:

- The place, date, and time of the meeting;

- The name of the chair and the attendance of the members and senior staff;
- Declarations of pecuniary interest;
- All resolutions, decisions and all other proceedings, without note or comments.

8.8.4 Upon being prompted by the Chair, Members may discuss business arising out of the minutes, limited to any matter listed in the minutes for the purpose of clarification or receiving a status update

8.8.5 Where the minutes have been delivered to the members in advance of the meeting, the minutes shall not be read, unless a member requests them to be read by the Clerk.

8.8.6 All other Minutes including Advisory Committees, Ad Hoc Committees and Boards, shall be listed under Minutes to be received on the Council agenda for consideration and shall be received for information, unless a member moves another resolution in relation to the minutes.

8.9 Correspondence

8.9.1 All correspondence intended to be presented to Council shall be legibly written or printed, shall not contain any impertinent or improper matter or language, shall identify the author(s) by name and municipal address and shall be delivered to the Clerk or designate by no later than 12:30 p.m. the Tuesday prior to the meeting.

8.9.2 All correspondence will be directed to Council, unless due to timing, urgency, and/or the nature of the correspondence, the Clerk or designate has determined it should be considered by Committee.

8.9.3 Notwithstanding subsection 8.8.1, correspondence addressed to Council that relates directly to a staff function may be sent directly to the appropriate department for response or action.

8.9.4 Correspondence that does not seek Council's support or direction and is more for informational purposes, shall be placed on the weekly Council Information Index (CII).

8.9.5 The CII will be released to members and posted to the website weekly by Friday by 4:30 p.m.

8.9.6 Members can request that any item on the CII be pulled and placed on an upcoming agenda by advising the Clerk.

8.9.7 Notwithstanding subsection 8.8.1, at the discretion of the Clerk or designate, correspondence received after 12:30 p.m. on the Tuesday prior to the meeting, and being or an urgent nature or directly relevant to a matter on the Agenda of the meeting, the correspondence will be added to the addendum agenda in accordance with section 7.5.

8.9.8 Notwithstanding subsection 8.8.1, if, in the opinion of the Clerk, the correspondence contains any obscene or improper content or language, addresses a matter that has already been decided by Council, or does not bear sufficient relevance to local governance, or mattering affecting or of interest to the Township, the Clerk or his/her designate may exclude the item from the agenda. Each piece or correspondence shall be signed by at least one person giving their name and mailing address.

8.9.9 Every correspondence, written or otherwise, addressed to Council and included on an agenda or and considered in open session, or

included on a CII, shall be received as public information subject to the Municipal Freedom of Information and Protection of Privacy Act.

8.9.10 Correspondence listed on the Agenda, which contain a request for action on the part of Council, shall not be acted upon without Council first receiving a report from staff unless the action is of routine or congratulatory nature.

8.10 Staff Reports

8.10.1 All staff reports will be directed to Committee, as appropriate, except where due to timing, urgency, and/or the important nature of the report, the Clerk or designate has determined should be directly considered by Council.

8.11 Notice of Motions

8.11.1 A member desiring to introduce a subject matter for discussion or consideration by Council, shall provide a Notice of Motion, in writing on the form as provided by the Clerk, with a confirmed mover and seconder, to the Clerk, by no later than 12:30 p.m. on the Tuesday prior to the regular Council meeting.

8.11.2 The Clerk, upon receipt of a Notice of Motion, shall place the motion in full in the agenda for the next regular Council meeting.

8.11.3 A notice of Motion shall be considered or otherwise disposed of by the Council at the regular meeting at which it is first introduced, unless a member objects to its consideration, in which case it shall be considered at the next regular meeting of Council.

8.12 By-laws

8.12.1 The Clerk or designate shall prepare and include in the Council Agenda a summary of all by-laws, specifying the title of each By-law.

8.12.2 Every by-law shall be introduced upon motion by a member, and any number of By-laws may be introduced together in one motion. Council shall, at the request of a member, deal separately with any By-law.

8.12.3 All amendments to any By-law approved by the Council shall be deemed to be incorporated into the By-law and shall be inserted therein by the Clerk.

8.12.4 Every by-law shall receive three readings prior to it being passed. All three readings may be passed under one motion.

8.12.5 Every by-law enacted by Council shall be numbered and dated, and shall be signed by the Mayor and Clerk, sealed with the seal of the Township.

8.12.6

8.13 Council Members Update

8.13.1 Council members will provide an update on any work or projects related to the committee they are responsible for and an update on their ward.

8.14 Other Business

8.14.1 Any matters presented, considered, referred or tabled, shall be dealt with during this portion of the meeting.

8.14.2 This section is not intended for members of Council to bring forward new business.

8.15 Public Questions & Clarification

8.15.1 Any member of the general public shall be permitted to seek clarification or ask questions through the Chair that are pertinent to the items of business identified on the Agenda for the current meeting.

8.16 Confirmation By-law

8.16.1 At the conclusion of all Regular and Special Council meetings and prior to adjournment, a Confirmation By-law shall be brought forward to confirm the actions of the Council at that meeting in respect of each motion, resolution and other action taken.

8.16.2 A Confirmation By-law, when introduced, shall be taken as having been read and shall be voted on without debate.

8.17 Adjournment

8.17.1 See section 9.53

9 Rules of Order, Point of Order, Motions & Voting

9.1 Rules of Order

9.1.1 To begin debate, the Chair reads the motion aloud

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

9.1.3 Every member shall raise their hand and be recognized by the Chair prior to speaking to any matter or motion.

9.1.4 Every member speaking to any question or motion shall do so from the Member's place and shall respectfully address the Chair.

9.1.5 When two or more Members indicate a desire to speak, the Chair shall name the member who, in the Chair's opinion, first indicated a desire to speak.

9.1.6 No Member shall speak for longer than five (5) minutes on a question without the Chair's permission.

9.1.7 No member shall speak more than once to the same motion except:

a) With leave of the Council, for not more than five (5) additional minutes, in explanation of a material part of the Member's speech which may have been misconceived; and

b) In reply, as may be allowed with leave of the Council, by the member who presented the motion, in which case the Member shall speak for no longer than a five (5) minute period.

9.1.8 A member may only ask a question during the course of debate only for the purpose of obtaining information relating to the motion under discussion and such question must be stated concisely and asked only through the chair.

9.1.9 No member shall speak to any question or vote on any motion except from the members own seat.

9.2 Parliamentary Inquiry

9.2.1 A member may request that the Chair provide information regarding the Rules of Procedure. The Chair or Clerk shall provide the information provided.

9.3 Point of Order

9.3.1 A Member may bring forward a breach of the rules of procedure to the Chair's attention by raising a Point of Order. The Chair shall immediately rule on the point of order.

9.3.2 Any member wishing to challenge the ruling of the Chair must do so immediately following the ruling, or the decision of the Chair shall be final.

9.3.3 If a member challenges the ruling, they have right to state their case, and the Chair has the right to reply.

9.3.4 Upon being challenge the Chair shall immediately put the question "That the decision of the Chair be sustained" to a vote of Council. The decision of the Majority shall be final. A tie vote sustains the decision of the Chair.

9.4 Motion Overview

9.4.1 All motions must be introduced by a mover and seconder before the Chair may put the question or motion on the floor for consideration. If no member seconds the motion, the motion shall not be on floor for consideration and therefore it shall not be recorded in the minutes.

9.4.2 A member may move a motion in order to initiate discussion and debate and that member may vote in opposition of the motion. A member seconding a motion may vote in opposition to the motion.

9.4.3 Notwithstanding subsection 9.4.1., a motion presented in a Committee need not require a seconder.

9.4.4 After a motion is moved and seconded at a meeting, it may not be withdrawn without the consent of the mover.

9.4.5 Every motion shall be in writing, save and except, motions in regards to a point of order, to adjourn, to table, to wave the rules of procedure, to lift from the table, to divide the question, to call the question, to recess, to refer, to defer, and to amend, which may be introduced orally.

9.4.6 When a motion is presented in a meeting, shall be read "as presented on the agenda it shall be read in its entirety before debate and the mover is entitled to speak first if the member so elects. If debated, the question or motion may be read before being put to a vote.

9.4.7 Notwithstanding subsection 9.4.6, if a motion is printed in the Agenda as either a separate item or as part of a Report, it need not be read in its entirely unless requested to do so by a Member of Council or Committee but shall be deemed as read for the purposes of introducing the motion.

9.4.8 No member shall speak to any motion until it is properly moved and seconded and the mover is entitled to speak first if the member so elects.

Not within jurisdiction of Council

9.4.9 A motion in respect of a matter which requires the exercise of a legislative power by Council which is not within its jurisdiction shall not be in order.

9.5 Specific Motions

9.5.1 Motion to waive the rules of procedure

The Rules of Procedure shall be observed in all proceedings of Council and Standing Committees of Council, except that the Rules of Procedure may be waived by a Two-Thirds Majority vote of the members present.

A motion to waive or suspend the Rules of Procedure shall not be debatable or amendable.

9.5.2 Motion to Recess

A motion to recess is not debatable, shall specify the length of the recess and may only be amended with respect to the length of the recess.

9.5.3 Motion to Adjourn

A motion to adjourn is not debatable and shall always be in order except when:

1) Another Member is in possession of the floor;

2) A vote has been called;

3) Members are voting; and

4) A member has indicated to the Chair their desire to speak on the matter before the meeting.

A motion to adjourn shall take precedence over any other motion and shall be put immediately without debate.

9.5.4 Motion to Call the Question

A member may request the Chair call the question by presenting a motion that the question “now be put to a vote.”

A motion to call the question is not debatable or amendable, must be seconded, is not permitted in Committees and cannot be proposed when there is an amending motion under consideration except for the purpose of moving that amending motion to be put to a vote.

If supported by a two-thirds majority of the members present, the original question is immediately put to a vote without debate.

A member who moved a motion to call the question shall be allowed to speak to the question again if the motion is decided in the negative.

9.5.5 Motion to Table

A motion to table shall not be amended or debated and shall apply to the motion and any amendments under debate when the motion to table is made.

If the motion to table carries, the motion is tabled until a Majority of Members present vote to lift the tabled motion.

A motion that has been tabled at a previous meeting cannot be lifted from the table unless notice thereof is given prior to the meeting.

9.5.6 Motion to Defer

A motion to defer or any amendment to it is debatable and shall include:

- The time period within which consideration of the matter is to be deferred; and

- Whatever explanation is necessary to demonstrate the purpose of the motion to defer.

9.5.7 Motion to Refer

A motion to refer or any amendment to it is debatable and shall include:

- The name of the Township Department, Committee or person to whom the matter is to be referred; and

- The terms of referring the matter and the time period, if any, on or within which the matter is to be returned.

9.5.8 Motion to Amend

A motion to amend:

a. Shall be presented in writing if requested by the Chair;

b. Shall relate to the subject matter on the main motion;

c. Shall be open to debate; and

d. Shall not propose a direct negative to the main motion.

Only one motion to amend the main motion shall be on the floor at any one time.

A member may suggest an amendment to the main motion, and if accepted by the mover and seconder, the amendment shall be considered to be friendly and be incorporated into the main motion as if the motion had originally been moved with the friendly amendment incorporated.

A friendly amendment shall be ruled out of order if there is a motion to amend on the floor or if the main motion has been previously amended through a motion.

9.5.9 Motion to Rescind

A motion to rescind shall be provided to the Clerk for inclusion on the agenda and shall be added as a Notice of Motion.

A motion to rescind a previous action of Council requires a two-thirds majority vote of the Members present and voting and is for a matter that has previously been passed by Council.

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

9.5.10 Motion to Divide the Question

Upon the request of any Member, and when the Chair is satisfied that a matter under consideration contains distinct proposals, the vote for each proposal shall be taken separately.

A vote on the main motion, as amended, may be split for the purpose of the complying with the *Municipal Conflict of Interest Act*.

9.5.11 Reconsideration of a Matter

A motion to reconsider shall be provided to the Clerk for inclusion on the agenda and shall be added as a Notice of Motion.

A resolution, by-law or any question or matter which has previously been adopted by Council may be considered by Council subject to the following:

a) Only a member who voted thereon with the majority may make a Motion to Reconsider;

b) Such motion must be supported by two-thirds of the members present and voting in favour of such reconsideration before the matter is re-opened for debate;

c) Debate on a motion to reconsider must be confined to reasons for or against the subject of the reconsideration;

d) If a motion to reconsider is decided in the affirmative, such reconsideration shall become the next order of business, unless the motion calls for a future date, and the debate on the question to be reconsidered may proceed as though it previously had never been voted on;

e) A vote to reconsider a particular matter or decision will not be considered more than once during a term of Council; and

f) Where a decision of the Local Planning Appeal Tribunal (LPAT) results in a planning matter being referred back to Council for reconsideration, the matter shall be placed as soon as practicable on the Council meeting agenda following the referral from LPAT.

9.6 General Voting

9.6.1 After a question is put to a vote by the Chair, no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.

9.6.2 Every member present at a Meeting, when a question is put, shall vote thereon unless disqualified under the *Municipal Conflict of Interest* Act to vote on the question.

9.6.3 Except where the Member is disqualified from voting, if the member does not vote when a question is put, that Member shall be deemed to be voting in the negative.

9.6.4 When a question is put to a vote, the Chair shall first call for the yeas and then for the nays.

9.6.5 Each member only has one vote.

9.6.6 The Chair shall announce the result of every vote.

9.6.7 If a Member disagrees with the announcement by the Chair of the result of any vote, he or she may object immediately to the Chair's declaration and require that the Members be polled individually.

9.6.8 The manner of determining the decision of the Council or of a Standing Committee of Council shall be at the direction of the Chair and may be by voice, show of hands, standing or otherwise.

9.6.9 Recorded Vote

When a recorded vote is requested by a member, or is otherwise required, the Clerk shall record the name and vote of every Member voting on any matter or question commencing with the Member who made the request followed by the remaining Members in alphabetical order. The Mayor should always vote last.

9.6.10 Provision for Consent Agenda

More than one agenda item containing recommendations on a Meeting agenda may be adopted in a single motion. A Member may request that any specific agenda item be subject to individual consideration. The provision for consent agenda and adopting recommendations in a single motion may be utilized at any point in a meeting agenda.

10 Meetings During Emergencies

10.1 Electronic Participation

10.1.1 Notwithstanding the provisions of this Procedural By-law, during any period where an Emergency has been declared to exist in all or part of the municipality, under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*, as amended, a Member may participate electronically in a Meeting that is either open to the public or a Closed Session, and in doing so may be counted in determining whether or not Quorum is present at any point in time.

10.1.2 Electronic Meetings are those held by means of telecommunications instruments including but not limited to telephones, video conferencing, computers with internet access and conferencing programing.

10.1.3 Members must provide sufficient notice to the Clerk, or delegate, of their intent to participate electronically in a Meeting to ensure the proper technology is enabled to make electronic participation available.

10.1.4 All votes during a Meeting where some or all Members are participating electronically shall be recorded votes.

10.1.5 Where the Rules of Procedure conflict with the need to facilitate electronic participation, the Chair shall have the authority to modify the Rules of Procedure to ensure Members can effectively electronically participate in the Meeting.

10.1.6 The Clerk may provide for the electronic participation of staff, including electronic participation of the Clerk.

10.1.7 In the event that members of the public are not permitted to attend a Regular Meeting of Council or Committee due to the Emergency and electronic participation of the public cannot be facilitated, the public will be requested to provide their comments in writing to the Clerk prior to the Meeting. The Meeting shall be livestreamed. Any Special Council Meetings called in contravention of the regular notice requirements, will not allow for public comments via email submission.

10.2 Notice of Emergency Meeting

10.2.1 Any notice requirement under sections 4 and 5 of this By-law, as amended, may be waived by the Mayor for any Meeting held during an Emergency.

10.3 Attendance by the Public at Emergency Meetings

10.3.1 Attendance at a Meeting by members of the public shall be in person unless an Emergency is declared by the Premier, Cabinet or the Head of Council under the *Emergency Management and Civil Protection Act*, whereby attendance may be restricted by the Mayor to protect the health and safety of all individuals.

11 Administration

11.1 Administrative Authority of the Clerk

11.1.1 This By-law shall be administered by the Clerk, or designate.

11.1.2 The Clerk shall be authorized to make minor corrections to any by-laws, minutes or other Council documents to eliminate technical or typographical errors.

11.2 Review of Procedural By-law

11.2.1 Council shall review the procedural by-law within the first six (6) months of the first year of each term of Council.

11.3 Severability

11.3.1 Each and every one of the provisions of this By-law is severable and if any provisions of this By-law should, for any reason, be declared invalid by any Court, it is the intention and desire of Council that each and every one of the them remaining provisions hereof shall remain in full force and effect.

11.4 Repeal of By-Law Number 2890-2019

11.4.1 By-law Number 2890-2019, as amended, is hereby repealed in its entirety.

11.5 By-law Effect

11.5.1 This By-law shall come into full force and effect on the date of its passing.

By-Law 3017-2021 Read a First, Second and Third Time this 22nd Day of February, A.D., 2021.

Deputy Mayor
W. E. Ted Smith

Clerk
Becky Jamieson

By-Law 3096-2022 Enacted and Passed This 24th Day of January, A.D., 2022.

Mayor
John Grant

Clerk/Deputy CAO
Fernando Lamanna

By-Law 3224-2023 Enacted and Passed This 27th Day of November, A.D., 2023.

Mayor
Walter Schummer

Clerk/Deputy CAO
Fernando Lamanna

By-Law 3234-2024 Enacted and Passed This 29th Day of January, A.D., 2024.

Mayor
Walter Schummer

Clerk/Deputy CAO
Fernando Lamanna

Schedule A to By-law Number 3017-2021

Terms of Reference

Committee of the Whole

1) To consider and report to Council on matters brought before it by the CAO and/or Clerk in respect of the administration and operations of the Municipality.

2) In accordance with (1) above, to consider all reports from Staff, as reviewed by the applicable Director and CAO, and correspondence, in respect of the following sub-Committees:

Finance Sub-Committee	- Annual budget - Annual Audit - Financial Statements - licences & permits - Fines and other receipts - Council Compensation Review Committee Reports
Operations (Public Works) Sub-Committee	- Roads and streets - Sidewalks - Drains - Traffic control - Garbage Collection - Design and Engineering - Streetlighting
Economic Development & Tourism Sub-Committee	- Economic Development - Tourism - Advisory Committees: Tourism Advisory Committee & Economic Development Advisory Committees
Parks, Recreation & Facilities Sub-Committee	- Arenas / Community Centres - Parks - Libraries - Maintenance of public buildings - Recreational and leisure programs - Cemeteries - Culture & Heritage - Community events - Advisory Committees/Boards: Manilla Hall Community Association, Wilfrid Hall Community Association, Sunderland Town Hall Ad Hoc, Non-Profit Sector Advisory Committee

Protection Services Sub-Committee	- Animal Control and By-law Enforcement - Liaison with Regional Police - Protective inspections - Fire Department - Emergency Planning
Building and Planning Committee	- Planning matters relating to the Zoning By-law, Official Plan, Plans of Subdivision, District Plans, Special Studies, Minor Variance and land severance applications - Engagement of consultants for planning matters - Advisory Committee: Brock Environmental Advisory Committee
General Government Sub-Committee	– Municipal administration – Intergovernmental affairs – By-laws – Human Resources – Accessibility – Advisory Committees: Accessibility Advisory Committee
Climate Committee	– Municipal Administration – By-Laws – Advisory Committee: Brock Environmental Advisory Committee – Green Initiatives – Climate Emergency Declaration

Schedule B to By-law Number 3017-2021

Township of Brock Corporate Policy

Policy Name: Electronic Participation

Policy Type: Administration & Personnel

Policy Number: AP41

Reference:

Date Approved: November 27, 2023

Date Revised:

Approval By: Resolution C-2023-270

Point of Contact: Municipal Clerk/Deputy CAO

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1. Policy

1.1 In accordance with the Procedural By-law, the Municipal Clerk, in consultation with the Chair, shall establish practices and procedures for electronic participation at meetings.

2. Purpose

2.1 To outline the rules, policies, and procedures with respect to participating electronically in meetings of Council, Committee of the Whole and Advisory Committees when electronic participation is available.

2.2 To ensure that as many aspects as possible for electronic participation mirror those for in-person participation, including the observation of the rules of procedure and participation.

2.3 To ensure the transparency of Council and Committee deliberations during meetings in which participants may be attending electronically.

3. Definitions

3.1 “Council Chambers” means the Council Chambers meeting room located at the Municipal Administration Building.

3.2 “Device” means the technology used to access the electronic meeting platform, including, but not limited to mobile devices such as smart phones and tablets, or desktop computers.

3.3 “Electronic Meeting Platform” means an application or digital platform used to allow participants to attend a meeting via the internet, including but not limited to, Zoom and Microsoft Teams.

3.4 “Electronic Participation” means attending a meeting through an electronic meeting platform.

3.5 “Hybrid Meeting” means a meeting at which participants may be attending both in person or via an electronic meeting platform.

3.6 “In-person” means attending a meeting by being physically present in the designated meeting room.

3.7 “Participant” means a member of Council, Committee, or a member of the public, or staff who is attending the meeting either electronically or in-person.

3.8 “Township” means the Corporation of the Township of Brock.

3.9 “Live Streaming” means broadcasting the meeting in real-time via the Township’s website.

4. Background & Preamble

4.1 Bill 197 received Royal Assent on July 21, 2020, to amend the Municipal Act, 2001 to allow for members of Council who are participating electronically to count towards determining quorum and to participate in closed meetings at all times.

4.2 The Township of Brock Council Chambers supports Hybrid Meetings. Members participating in-person use cameras and microphones in the Chambers to be seen and heard by others participating in-person and electronically. Members participating electronically use their device to be seen and heard by Members in the Chambers and connected electronically.

4.3 This document is intended to provide clarity on electronic meeting procedures only and is a companion document to the Procedural By-law, the Procedural By-law shall take precedence.

4.4 These procedures may be amended from time to time by the Municipal Clerk in with the Chair and will be made available on the Township website and/or included as an appendix to the Procedural By-law.

5. Procedures

Rules

5.1 General reminders for electronic participation rules may be verbally outlined by the Clerk or their designate at the beginning of every meeting as required.

Attendance

5.2 The Clerk or their designate shall make note of which members are participating in-person and which members are participating electronically during a Hybrid Meeting.

5.3 Members must notify the Clerk prior to the meeting of their intent to participate electronically.

Requests to Speak & Communication

5.4 Members participating in-person shall indicate a request to speak by raising their hand.

5.5 Members participating electronically shall indicate a request to speak by pressing the raise the hand button through the Electronic Meeting Platform.

5.6 The ‘chat’ feature of the Electronic Meeting Platform will be in use for the duration of the meeting, however the Clerk or their designate may disable the chat feature during a meeting at their discretion. Those in attendance will be notified should the ‘chat’ feature be disabled.

Public Delegations/Presentations

5.7 Public delegates and presenters are permitted to participate electronically.

Closed Sessions

5.8 Should a meeting go into closed session, members participating electronically who have made a declaration of interest on the matter to be

discussed shall disconnect from the meeting and may join again once the closed session item has concluded.

5.9 Members participating electronically in a closed session shall ensure the confidentiality of the meeting by taking necessary precautions, including:

- Participating from a private location with no other individuals in the room; and
- Wearing a headset during the closed session.

Use of Video

5.10 Members participating electronically in the meeting shall turn their cameras on during meetings so that they are visible to the Chair and all other meeting participants.

5.11 Members participating electronically may “blur” their background to ensure their privacy, if such features are available in the Electronic Meeting Platform.

Motions

5.12 Members are encouraged to submit any motions that they wish to make in advance of the meeting via email to clerks@brock.ca, noting the mover and seconder.

5.13 Motions will be displayed on the screen to provide accessibility to all participating virtually and in attendance in-person.

Voting

5.14 Members participating electronically are expected to vote if they are signed-in to the meeting. If a Member needs to leave the meeting for any reason, they are to sign out of the Electronic Meeting Platform and may re-join at any time. The onus is on the Member to adhere to the Procedural By-law, Municipal Act, and Code of Conduct and vote if they are present at the meeting and not otherwise disqualified from voting.

5.15 When a recorded vote is called, Members are to indicate how they wish to vote using the Electronic Meeting Platform.

5.16 Members participating electronically who do not vote will be marked as “Absent” if it not possible to determine whether the member is present and not voting. If it can be ascertained with certainty that the member is present and they did not vote, they will be counted as a “No” vote in accordance with the *Municipal Act.*

Service Disruptions

5.17 If the Livestream or Electronic Meeting Platform encounters a service disruption during a Hybrid Meeting, then the meeting will recess until service is restored. If service is unable to be restored within thirty (30) minutes, the Chair **may** adjourn the meeting to a later date/time.

Note: Livestreaming is not a legislative requirement and in a situation the livestream fails Clerks staff will push put communications through social media on how to participate in the hybrid meeting.

5.18 Members experiencing connectivity issues during a meeting are encouraged to contact clerks@brock.ca for technical support. However, active Hybrid meetings will not be delayed or recessed for individual members experiencing technical issues during a meeting which are unrelated to a service disruption affecting all participants so long as quorum is still present.

Declared Emergencies

5.19 These procedures may be varied as necessary during a declared emergency.

5.20 If a declared emergency precludes Council, staff or members of the public from participating in-person, those individuals may be required to participate electronically.

6. References

6.1 Township of Brock Procedural By-law

6.2 *Municipal Act, 2001*

7. Inquiries

7.1 For additional information regarding this policy please contact the Clerks Department at clerks@brock.ca