

Municipality of Casselman

By-law #2024-

By-law to govern the proceedings of the Council of the Municipality of Casselman

Whereas section 238(2) of the *Municipal Act, 2001*, as amended, provides that every municipality and local board shall pass a procedure by-law governing the calling, place and proceedings of meetings; and

Whereas section 238(3.1) of the *Municipal Act, 2001*, as amended, provides that the applicable procedure by-law may provide that a member of council, a local board or of a committee of either of them, can participate electronically in a meeting to the extent and in the manner set out in the by-law; and

Whereas section 238 (3.3) provides that an applicable procedure may provide that a member of council participating electronically may be counted in determining whether or not a quorum of members is present at any point and time and that a member of council may participate electronically in a meeting that is open or closed to the public; and

Whereas By-law 2024-9 governs the calling, place and proceedings of meetings for Committees By-law;

And Whereas the Council of the Municipality of Casselman considers it necessary and advisable to update and adopt such a by-law for Council.

Therefore, the Council of the Municipality of Casselman adopts the following:

1. That the rules and regulations contained in Schedule "A" hereto be observed in all proceedings of the Council and constitute the rules and regulations for the order and management of the business of the Council.
2. That By-law 2019-026 and amendments be repealed.

Read, passed and adopted in open council this

Geneviève Lajoie, Mayor

Sébastien Dion, Clerk

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SCHEDULE A – 2024 By-law -

Section 1 - Interpretation

1.1. Ad hoc committee

Refers to a committee appointed by Council to act on an interim or specific matter and which shall be automatically dissolved after recommendations on the initiative or specific issue have been provided and addressed by the Council members and further recommendations are no longer required.

1.2. Clerk

Means a person appointed by by-law who performs, among other duties, the duties of section 228 of the *Municipal Act, 2001*.

1.3. Committee

Shall appoint a special, statutory committee, sub-committee or ad hoc committee as established by the Council.

1.4. Council

Refers to members who are duly elected or appointed through a process related to a vacancy.

1.5. Mayor's Delegate

Shall designate the member of Council appointed by by-law to replace and perform the duties of Mayor, if any.

1.6. Local Board

Means a municipal service board, transportation commission, public library board, board of health, police service board, planning board, or any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities. However, school boards and conservation authorities are excluded from this definition.

1.7. Main Motion

Constitutes an independent proposal, which is complete in itself - A proposal made during a meeting that does not arise out of or depend on another deliberation. It does not take precedence over any other motion. (Motion principale)

1.8. Meeting

Meeting means any regular, special or other meeting of council, local board or committee of council at which

(i) a quorum is present;

(ii) the members discuss or otherwise deal with a matter in a manner that materially advances the business or decision-making of the Council or Committee.

1.9. Member

Means a member of the Council of the Municipality of Casselman.

1.10. Motion

Means a proposal, made by one member and seconded by another member, for the consideration of the Council.

1.11. Motion received and tabled

"Motion received and tabled" refers to acknowledging receipt of the specific question, recommendation or report under consideration and to keep it in the Clerk's office for future reference, without immediate action. (Motion reçue et déposée)

1.12. Motion on Consent Items

Refers to a motion that allows items that do not require discussion or debate to be grouped on the agenda and dealt with in a Council resolution. Any member of Council may request, without the need to be seconded, that a consolidated item be removed from the consent motion and dealt with separately. (*Motion sur les points de consentement*)

1.13. Notice of Motion

Means written notice, given by a member, informing Council that the motion described will be presented at a meeting.

1.14. Point of order

Means a statement made by a member of Council at a meeting, drawing the Mayor's attention to a violation of the Rules of Procedure. Additional details provided in Section 8.3.

1.15. Procedural motion

Refers to a motion related and incidental to the main motion or the subject giving rise to the main motion, generally dealing with a procedural issue, including, without limiting the generality of the foregoing, any motion to extend the meeting, to refer a matter, motions to amend, to lay a matter on the table, to defer to a certain or uncertain date, a motion to withdraw, to divide, to raise a point of order, to appeal the decision of the chair, and to suspend procedural rules. (Motion de forme)

1.16. Privileged Motion

A motion that does not relate to the main motion or the pending business, but directly concerns meetings in general. These are matters of such urgency that, without debate, they can interrupt the consideration of any other subject. These include a motion to set the date for adjournment; to adjourn; to call a break; to address a question of privilege; and to call for the agenda. (Motion privilégiée)

1.17. Point of information

Means a request to the president or other member for information on current business that is not related to the proceeding. (Question de renseignement)

1.18. President

Means the Mayor or Mayor's Delegate or the President at the meeting.

1.19. Standing Committee (Comité spécial)

Mean an advisory body to Council to consider policy matters regarding Administration, Finance, Planning, Environmental, Public Works, Parks Recreation, Police and Fire Services and on any other matter to which the Council shall deem it necessary.

1.20. Statutory Committee (Comité statutaire)

Means committees established pursuant to a specific enabling statute such as, but not limited to:

- Committee of Adjustment established pursuant the *Planning Act*
- Property Standards Committee established pursuant to *the Building Code Act, 1992*
- Municipal Election Compliance Audit Committee established pursuant the *Municipal Elections Act*
- Emergency Management Program Committee established pursuant to the *Emergency Management and Civil Protection Act*

Any other body established pursuant to any enabling legislation servicing at an arms-length or Quasi-Judicial capacity on behalf of or in cooperation with the Municipality of Casselman.

1.21. Subsidiary or secondary motion

Is used to decide the main motion for a vote, to delay or postpone the decision. (Motion subsidiaire ou secondaire)

1.22. Rules of Procedure

Refers to the special rules and by-laws of the Council of the Municipality of Casselman as stipulated in this by-law.

1.23. Two-thirds majority voting

Means an affirmative vote of at least two-thirds of the members present and entitled to vote, and by at least a majority of the entire Council voting in favor of it.

Section 2 – General Provisions

2.1. Parliamentary Authority

The proceedings of Council and the place and calling of meetings shall be governed by the provisions of the *Municipal Act, 2001*, and the rules and regulations contained therein in this by-law, and unless otherwise provided. The most recent edition of Robert's Rules of Order may be consulted for the Council's and committees' deliberations where procedural rules have not been provided in this regulation.

2.2. Calculation of the two-thirds majority vote

The calculation of the two-thirds majority vote must be rounded to the next decimal. The calculation is considered to be taken for granted with the following voting results:

4 out of 5 members, 3 out of 4 members, or 2 out of 3 members.

2.3. Suspension of the rules and regulations applicable to two-thirds majority voting

(1) The rules and regulations contained in this by-law shall be observed at all meetings of Council and shall constitute the rules and regulations for the order and conduct of business at all meetings of Council and committees. However, these rules and regulations may be suspended by a two-thirds (2/3) majority vote of the members of the Council, in any event for which there is no provision herein and shall not be subject to debate or amendability.

(2) The suspension of the rules shall apply only to the procedures or rules referred to in the motion to suspend and only during the meeting where the motion was introduced.

Section 3 – Meetings

3.1. Orientation Session

An orientation session of the Council should be considered as an informative session for newly elected members. It aims to provide them with information on the general procedures that they can anticipate as elected members. This includes how the inaugural meeting is conducted, how many committees they can sit on as Council representatives, and meetings implications. This guidance session also covers the process of Council meetings, the protocol to be followed, the expectations in terms of outfit, financial aspects such as payroll, as well as an overview of the budget process, among others.

3.2. Inaugural meeting

1. Time and location

The inaugural meeting of Council, following a regular municipal election, shall be considered the first meeting of Council and shall be held on the first Tuesday after the elected members take office.

2. Agenda

1. Opening of the meeting
2. Mayor's Declaration of Office and Oath of Allegiance
3. Councillor's Declaration of Office and Oath of Allegiance
4. Councillors' Opening Remarks
5. Mayor's Opening Remarks
6. Confirmation By-law
7. Adjournment

3.3. Regular meetings

1. Schedule

Before the end of the year, the Clerk submits a schedule for the following year that takes into consideration the following criteria:

- Meetings on Tuesdays at 6 p.m. every three weeks starting the 2nd or 3rd week of January;
- One meeting during the months of August and December;
- No meetings during the March break week.

The Clerk will also take into consideration the dates of external conferences when developing the schedule, as well as the possibility of adding an additional meeting in June. The Council is responsible of adopting a schedule for the following year.

2. Agenda

1. Opening of the Meeting

The president specifies the time of the start of the meeting. The time shall be noted in the minutes by the clerk.

2. Land Acknowledgement

3. Amendments (if any) and Adoption of Agenda

The agenda and any amendments or additions shall be submitted to the Council for adoption.

4. Disclosure of Pecuniary Interests

A member of Council must declare any conflict of interest that he or she may have, directly or indirectly, with respect to an agenda item or an issue that has been discussed during his or her absence from a previous meeting. The member must also file a written declaration of his pecuniary interest and nature in general terms with the secretary. Additional details provided in Section 6.

5. Delegations

Additional details provided in Section 5.2.

6. Mayor's and Councillors Message

The Chair provides a round table for members to share activities, events, ongoing initiatives and important messages related to their roles.

7. Consent Items

All items listed in the consent items section of the agenda are the subject of a single motion and this motion is neither debatable nor amendable; provided, however, that any member of Council may request that one or more items included in the consent motion be severed from that motion, in which case the consent motion without the separate item(s) shall be put to the vote, and the separate item(s) shall all be considered immediately thereafter. Consent items include, but are not limited to, the following types of subjects:

- i. Council's (Additional Details provided in Section 5.3), Committees and Local Boards Minutes;*
- ii. Reports of Consultants and Organizations;*
- iii. Correspondence and Resolutions from Other Municipalities (Additional details provided in section 5.4);*
- iv. Routine matters as determined by the Clerk with the assistance of the Mayor and the Chief Administrative Officer.*

The following note will be added to the agenda under the consent items: All items listed under the consent items will be adopted by a single motion requiring a majority vote. These items will not be discussed separately unless it is requested, prior to the Council voting on the motion, that a consent item be severed from the motion. The separate item(s) will be reviewed immediately after the consent points.

8. Notices of Motions and Members' Items

The purpose of a Notice of Motion is to notify Council that the member intends to deal with a matter at the next meeting.

A member may present topics to Council for the purpose of obtaining the necessary information from his or her colleagues, with the intention of submitting a notice of motion at a future meeting.

Additional details provided in Section 5.5.

9. Formal Requests from Committees and Local Boards

Requests in the form of resolutions and/or action plans are included in this section for consideration by the Council. These requests can be referred to the administration for a possible return to the council with additional details.

10. Reports and Items of the Administration

Presentation of the reports of the members of the administration. Additional details provided in Section 5.6.

11. By-laws

Additional details provided in section 5.7.

12. Occasional Report and Question Period from Council to Department Heads

Additional details provided in section 5.8.

13. Public Question Period

Additional details provided in section 5.9.

14. Meeting Schedule

Publication of the schedule of Council meetings. The following year's meeting schedule can be adopted in this section.

15. Upcoming Events

Publication of upcoming events organized by the Municipality.

16. Closed Session

Reports and in camera matters are presented to Council under this section.

17. Confirmation By-Law

A ratification by-law is adopted at the end of each meeting to authenticate all actions taken by Council at the meeting.

18. Adjournment

3.4. Special meetings

1. Convocation

In addition to regular meetings, the Mayor, in consultation with the CAO, may call a special meeting of Council at any time by providing direction to the Clerk, specifying the date, time and purpose of the meeting. Similarly, upon receipt of a petition signed by a majority of the members of Council, the Clerk shall convene a special meeting.

The Clerk shall give notice of a special meeting of Council to all members at least forty-eight (48) hours before the time fixed for such meeting. The written or verbal notice must state the nature of the subject matter to be considered, the date, time and place of the special meeting. When the majority of the members have confirmed their attendance, the public notice is sent as soon as possible, and the agenda is posted on the Municipality's website.

2. Agenda

No activities other than those indicated in the agenda will be considered at the special meeting.

3. Emergency

Notwithstanding the provisions of this by-law, a special emergency meeting may be called without written notice. However, the Clerk or his delegate must make efforts to inform the members of the meeting and to post the meeting publicly as soon as possible and as soon as possible. An emergency is defined as an unforeseen event that requires immediate action, and the delay in holding the meeting could have significant consequences.

3.5. Public Planning Meetings Related to the Planning Act

1. Convocation

Council considered matters for which a public meeting is required to hear applications under the Planning Act. Unless otherwise specified on the agenda, meetings will be held prior to a regular Council meeting.

2. Agenda

1. Opening of the meeting
2. Adoption of the agenda
3. Disclosure of pecuniary interests
4. Official Plan Amendment Application and/or Zoning By-law Amendment Application
5. Adjournment

3. Application of this Regulation

The rules and procedures contained in this by-law apply to council at public planning meetings.

3.6. Meeting's Specifications

1. Location

- (1) Meetings of the Council shall be held in the Council Chamber as indicated in the agenda. The municipality reserves the right to hold a meeting at any other location as indicated in the agenda.
- (2) In the event of an emergency or exceptional situation, a meeting of Council may be held outside the boundaries of the Municipality.
- (3) A meeting of the councils of two or more municipalities for the consideration of matters of common interest may be held within the boundaries of any of those adjacent municipalities.

2. Seating Arrangements

Apart from the President's seat, which is located in the centre of Council, and the Mayor's Delegate, who sits next to the Mayor, the seats at the Council table are arranged in alphabetical order by the members' last name, with the first member sitting at the far right of the Chair. At a member's request, the President may agree to adjust the seating arrangement to accommodate their needs.

3. Meetings Open to the Public

Except as provided in Article 3.5 (8), all meetings shall be public and recorded without notes or comments on all resolutions, decisions and other proceedings and shall also be electronically recorded and retained for record-keeping purposes.

4. Electronic Equipment

During Council meetings, the use of any electronic device or device of a similar nature is permitted for professional purposes.

5. Amendments to the Agenda Following Publication

Following the publication of the agenda, any changes/additions/deletions to the agenda must be approved by 2/3 of the members of the Council.

6. Quorum

(1) A majority of the elected members (50% +1) of the Council constitutes a quorum, and is required to proceed to a meeting.

(2) As soon as the time for the meeting of the Council has been reached and a quorum is present, the President shall call the members to the order.

(3) If a quorum is not present within fifteen (15) minutes after the time fixed for the meeting of Council, the Clerk shall record the names of the members present and the meeting shall be adjourned until the next regular meeting.

(4) If the Chair is fifteen minutes late after the time fixed for a meeting, the Mayor's Delegate shall preside in accordance with section 4.1.3. In the absence of the Mayor and Mayor's Delegate, Council shall select a member to preside until the Mayor or Acting President arrives.

(5) As set out in The *Municipal Conflict of Interest Act*, if the number of members who are unable to attend a meeting is such that there is no quorum, the remaining members, provided there are at least two, shall be deemed to constitute a quorum and are able to address the item in question.

(6) Notice of regret for members who are unable to attend a meeting of the Council shall be delivered directly to the office of the Clerk. When there is confirmation that a quorum will not be present, the Clerk will coordinate the issuance of a public notice announcing that the meeting is cancelled.

7. Pending Matters – Lack of Quorum

In the event of an adjournment due to lack of quorum or loss of quorum at a meeting, the outstanding business shall be deferred to an upcoming regular meeting, unless a special meeting, as provided for in Section 3.4.1, is called.

8. Closed Meetings

(1) Council and committees may, by resolution, hold a meeting or part of a meeting in camera, provided it is permitted under the *Municipal Act, 2001, as identified in Figure B*.

(2) Before holding a meeting or part of a meeting in closed session, council shall state by resolution the fact that the meeting is to be closed to the public and the general nature of the matter to be considered at the meeting. Council may proceed in closed session at the beginning, during and/or at the end of a meeting.

(3) All persons who are not specifically invited by Council to attend shall leave the Chamber. During a closed session, no one shall leave or enter the room without the approval of the Chair of Council

(4) A meeting shall not be closed to the public at the time of the vote. However, a meeting may be closed to the public at the time of the vote if:

- a) subsection (1) or (2) authorizes or requires that the meeting be closed to the public; and
- b) the vote is for a procedural matter or for the purpose of giving directions or instructions to officers, agents, employees or agents of the municipality or to persons retained by the municipality, whether under contract or not.

(5) If Council receives a report from the Ombudsman or an investigator reporting his or her opinion, and reasons for it, that a meeting or part of a meeting that is the subject of an investigation conducted by the Ombudsman or an investigator appears to have been closed to the public contrary to section 239 of the Act or the procedure by-law, the Council must publicly adopt a resolution indicating how it intends to follow up on it.

(6) The Clerk shall document the proceedings of closed meetings in the form of minutes, in compliance with Section 239(7) of the Municipal Act, 2001, and in line with industry best practices. The decision to electronically record a specific closed session is at the discretion of Council. Should Council opt to record a closed meeting, the Clerk is responsible for ensuring the secure storage and confidentiality of the recording, which shall only be disclosed to the Ombudsman or the Integrity Commissioner upon request.

9. Official Languages

Any person participating in a Council or Committee meeting may speak in French or in English.

3.7. Virtual presence

1. Members of the Administration

The virtual presence of a member of the administration may be permitted at the discretion of the Chief Administrative Officer.

2. Members of Council

The virtual presence of a member of the Council is permitted and counted towards the calculation of quorum in the following situations, provided that a 24-hour notice has been submitted to the Clerk:

- i) Inability to participate in person due to medical/illness/pandemic situation requiring physical distancing required by a local, provincial or federal public health agency; or
- ii) Other situations motivated by the Council.

The presence of a camera for the member's visual is necessary for his participation.

3. Technical failure

The member is responsible for ensuring the quality of their connection in order to participate in the meeting. In the event of a technical failure or failure that prevents participation, the Council will proceed with deliberations in the member's absence. The member may rejoin the meeting once their connection is restored.

4. No Presence in Closed Sessions

The virtual presence of a member of Council in closed sessions is prohibited.

Section 4 – Mandate of the Head of Council and Council Members

4.1. Role of the Head of Council

1. Role

The role of the Head of Council is to carry out the responsibilities set out in section 225 of the *Municipal Act, 2001*, as well as:

- (a) opening the meeting of the Council as President and call the members to order;
- (b) chair all Council meetings;
- (c) announcing matters before the Council and the order in which they are to be transacted;
- (d) recognizing speakers, answer, redirect or refer questions from members of Council and/or, if applicable, the public to an employee;
- (e) to receive and submit, in an appropriate manner, all motions made by members of the Council;
- (f) putting to a vote all questions that are presented and seconded and announce the result;

(g) declining to vote on motions that violate the Rules of Procedure or are outside the jurisdiction of Council;

(h) containing the conduct of members in debate within the limits of the Rules of Procedure;

(i) to ensure that the rules of procedure, order and decorum are observed among the members and other persons present in the room on all occasions;

(j) calling by name any member who persists in failing to comply with the Rules of Procedure, and enforce Section 7.2(1) as necessary;

(k) authenticate, by signature where necessary, all by-laws, minutes and related documents of the council;

(l) to inform the Council and, if necessary, to rule on any point of order;

(m) to represent and support the Council, to declare the will of the Council and to obey its decisions in all matters;

(n) performing other functions pursuant to a resolution of the Council;

(o) considering, if necessary, suspending the meeting in the event of serious disorder following a major disorder, for a period indicated by the latter;

2. Participation of the Chair in the debates

The President may present relevant facts and state his or her position on any matter before the Council without leaving the Chair, but may not move or debate a motion without leaving the Chair.

If the Chair wishes to leave the Chair to move a motion or to take part in a debate in accordance with the preceding paragraph, or for any other reason, he can assign the Mayor's Delegate or, in its absence, another member, until the matter is disposed of.

3. Appointment of members to act from time to time as head of council in his absence

On an annual basis, the Council will appoint by means of a by-law, the members of the Council who may replace the President of the Council when the latter is absent. When the designated member performs the duties of the Chair of Council, he or she shall have all the rights, powers and authority of the Chair of the Council during the absence or replacement.

4.2. Role of Members

1. Role

The role of Council members is to carry out the responsibilities set out in section 224 of the *Municipal Act, 2001* and:

- (a) to deliberate on matters submitted by the Council;
- (b) to vote when a motion is put to the vote; and
- (c) comply with the rules of procedure.

2. Information for Members

Members of the Council may request information from the heads of departments that have been mandated to provide information, such as meeting schedule, copies of documents, information on reports as well as standard operating procedures. Other matters such as questions and issues surrounding operational concerns or complaints, except for the questions set out in the previous paragraph, should be directed to the Chief Administrative Officer who will forward the questions or problems directly to the appropriate manager.

Section 5 – Work

5.1. Agenda

- (1) The Regular Agenda will be provided to each member of Council, department heads and the media (upon request) by electronic transmission and will be posted on the municipality's website by the Clerk's office no later than the Friday prior to the public meeting of Council. Exceptions may be authorized by the Chief Administrative Officer where the preparations for the Council's Agenda exceptionally require additional time.
- (2) Managers are responsible for forwarding the agenda to their employees when necessary.
- (3) Except for the notices of motions detailed in section 5.5. (3), any documentation intended to be presented to the Council shall be submitted to the Clerk no later than the Tuesday preceding the Council meeting.
- (4) If there is any ambiguity as to the content of the agenda or if an item does not appear to be within the jurisdiction of the municipal council, the decision to include that item on the agenda shall be made after consultation between the Mayor, the Chief Administrative Officer and the Clerk.

5.2. Presentations and Delegations

- (1) Persons, groups or organizations who wish to address the Council for the purpose of making an oral presentation concerning matters under consideration by the Council and within the Council's mandate shall submit their request in writing to the Clerk with the material to be distributed to the Council no later than the Tuesday preceding the meeting of Council. Presentations will be heard at a regular meeting in the order in which applications are received by the Clerk.

(2) Ceremonial presentations, the annual presentation of the consolidated financial statements by the auditor of the municipality, presentations by consultants appointed by the municipality or other guests of the municipality shall be heard under delegations.

(3) Council will hear presentations for informational purposes only, and presentations shall be limited to a maximum of ten (10) minutes followed by a five (5) minute question period from the Council. Generally, there will be a maximum of two (2) combined presentations and/or delegations authorized to present.

(4) The ten (10) minute time may be waived automatically for ceremonial presentations, the annual presentation of consolidated financial statements by the auditor of the municipality, presentations by consultants appointed by the municipality or other guests of the municipality.

(5) Presentations and/or Delegations will not be allowed to appear before the Council for the sole purpose of promoting their products and services.

(6) Requests from delegations which have already presented their views to the Council on a subject will not be granted unless they can demonstrate that they have relevant new information to present to the Council.

(7) If the presenter is unable to attend in person, they may participate and deliver their delegation electronically.

(8) Delegations requiring action by the Council will be referred to the Administration by majority approval for follow-up to be addressed at a subsequent Council meeting.

(9) Applications for delegation in respect of any aspect of an official plan amendment, an amendment to the zoning by-law or plans of subdivision or condominium shall not be accepted between the conclusion of a public consultation meeting held in accordance with the *Planning Act* and the final reading of the by-law.

5.3. Minutes

(1) The minutes of meetings of Council shall be prepared and filed by the Clerk and shall include:

- The location, date and time of the meeting;
- The name of the President or officers and the names of the members of the Council present at the meeting;
- Late arrival or early departure of members;
- Pecuniary interests;
- All other deliberations of Council without note or comment;

- (2) Minutes of closed meetings of Council shall be prepared and filed by the Clerk and shall include:
- The location, date and time of the meeting;
 - The name of the President or officers and the names of the members of the Council present at the meeting with the time of their departure and/or arrival;
 - A detailed description of the procedural and substantive issues, including specific reference to the documents reviewed;
 - Any instructions, including the name of the proposer and seconder;
- (3) Generally, the minutes shall be presented for adoption at the next regular meeting.
- (4) The minutes shall be signed by the President and the Clerk.
- (5) The resolution to adopt the minutes shall be made publicly.

5.4. Correspondence and Resolutions from Other Municipalities

- (1) The following documents will automatically be included in the agenda under the consent items section:
- Correspondence of information and requests for support from UCPR municipalities and higher levels of government addressed to Council;
 - Petitions that are subject to the Council's jurisdiction and include the following:
 - Subject of the petition with description;
 - Names in printed letters;
 - Address;
 - Signature.
- (2) The Clerk shall ensure that any resolutions of information or support from municipalities and associations not specified in the above section are provided to Council by email at least once a month. Following receipt of the email, members may request that the correspondence be included in the agenda for the next meeting.

5.5. Notices of Motions and Members' items

- (1) A Notice of Motion shall be presented in writing when a member of Council wishes to deal with a matter or new business, including but not limited to amending, repealing or changing a by-law, the pre-approved budget or a motion previously approved by Council, and when the motion is to introduce a measure to amend existing Council policies.
- (2) Notices of Motions shall be presented at a regular meeting on a matter that would not otherwise be considered by the Council at that meeting, by providing the Clerk with a written copy of the motion identifying the mover and seconder by the Thursday at noon preceding the next regular meeting.

(3) Notwithstanding the above subsection, a notice of motion is receivable by the president and may be placed on the agenda of the same day. In this specific case, item 5.5. (5) does not apply.

(4) A notice of motion shall not be considered or withdrawn by Council unless the mover of the motion is present at the meeting. Any member of Council may agree to second a Notice of Motion if the original seconder is absent from the meeting when the Notice of Motion is called by the Chair. The Notice of Motion presented at a public meeting of Council shall not be debated and shall be entered as a resolution at the next regular meeting of Council.

(5) Notwithstanding the above paragraph, Council may elect to debate and vote on the motion on the same evening that the notice of motion is deposited subject to a two-thirds (2/3) majority vote in favour.

(6) A member may present matters to the Council for the purpose of obtaining the necessary information from his or her colleagues, with a view to submitting a notice of motion at a future meeting. No decision or formal action will be taken during the discussion.

5.6. Reports and Items of the Administration

(1) The reports of the members of the administration shall be submitted for information, direction or decision-making purposes. Each communication report to be presented to the Council must be prepared under the submission protocol established by the Clerk with an identifiable recommendation and must be signed by the Chief Administrative Officer or the Director of Operations.

(2) Notwithstanding the preceding paragraph, the Chief Administrative Officer may submit a topic in the section of the reports of the members of the administration without an attached document if he considers that it is beneficial to the situation at hand.

5.7. By-laws

(1) A by-law may be passed at first, second and third reading on a single motion.

(2) Any member may seek clarification of a by-law and propose that it be withdrawn from the main motion for further discussion. Following the adoption of the by-laws, the Clerk is responsible for making any necessary amendments.

(3) The Clerk shall be responsible for marking the dates of the various readings on all by-laws passed by Council. Each by-law must be numbered, dated and deposited in the clerk's office for preservation purposes. In addition, each by-law must bear the seal of the Corporation and be signed by both the Mayor and the Clerk.

5.8. Occasional Report and Question Period from Council to Department Heads

(1) Occasional reports include quarterly reports related to the strategic plan and other reports provided.

(2) The question period shall last no more than 15 minutes. It could be extended by a majority vote. A member who wishes to ask a question to a department head must obtain the Mayor's permission.

(3) Only matters of public concern shall be permitted. Matters relating to personnel matters, litigation, insurance claims, matters dealt in closed session, matters outside municipal jurisdiction, accusations and complaints against any person including a member of Council or an employee shall be inadmissible. Speeches are not permitted during the Question Period.

No person shall:

- speak disrespectfully of any person;
- use inappropriate or unparliamentary language;
- disobey the rules of procedure or a decision of the Mayor;
- use the question period to make speeches, make accusations or use it for political purposes.

5.9. Public Question Period

(1) A public question period shall be authorized for a maximum of 15 minutes concerning or not the items on the agenda. It could be extended by a majority vote of the Council. A person who wishes to ask a question to Council must obtain permission from the Mayor, by stepping forward to the podium, introducing themselves, giving their contact information and asking the Mayor.

(2) The Mayor may answer the question, refer it to another member of the Council or an employee, or if it is not possible to answer it immediately, the question shall be referred to the Chief Administrative Officer who shall ensure that the response of the concerned department is circulated within the Council. It is therefore inadmissible to introduce a debate between the person who asked the question and the person who answers it.

(3) A person shall be authorized to ask his or her question(s) and shall be limited to three minutes, including the preamble. Only matters of public concern should be allowed. Matters relating to personnel matters, litigation, insurance claims, closed session matters, matters outside municipal jurisdiction, accusations and complaints against any person including a member of Council or an employee shall be inadmissible. Speeches are not allowed in question period. A person who has addressed the Council in a delegation should be allowed to ask a question on the subject.

No person shall:

- speak disrespectfully of any person;
- use inappropriate or unparliamentary language;
- disobey the rules of procedure or a decision of the Mayor;
- use the question period to make speeches, make accusations, inappropriate comments or use it for political purposes.

(4) The participation of journalists and members of the media is not permitted during question period.

(5) In order to facilitate the conduct of a virtual meeting, the conduct of the public question period may be modified. In such a case, the agenda will indicate the procedure to be followed.

5.10. Expression of Conflict of Interest

(1) At each meeting, all members shall comply with any disclosure of interests that they may have in accordance with the *Municipal Conflict of Interest Act*. It is the responsibility of each member to identify and disclose any interest.

(2) If a member has a pecuniary interest, direct or indirect, in a matter before the Council and is present at a meeting at which the matter is being deliberated, then the member shall:

- a) Declare its interest and submit a written declaration of such interest, preferably before the meeting or, alternatively, at the meeting or as soon as possible thereafter;
- b) If participation is done electronically, the member must ensure that his/her camera and microphone are turned off during the portion of the meeting that relates to the disclosed interest;
- c) Not participate in the deliberation or discussion of such matter;
- d) Not to vote on any motion relating to such matter;
- e) Not attempt, in any way, before, during and/or after the meeting, to influence the vote on any such motion.

(3) When the meeting is closed to the public, the member shall immediately leave the meeting or part of the meeting at which the matter is being considered.

(4) Where a member is absent from a meeting that includes a matter in which the member has an interest, the member shall disclose his or her interest at the next public meeting at which he or she participates.

(5) The Clerk shall record the disclosures of pecuniary interest made by members of Council, if any, and such a record shall be included in the minutes of such meeting. The Clerk shall establish and maintain a register of members' declarations of interests and make it available for public consultation.

6. Confidentiality – Reference to the Members’ Code of Conduct

6.1. Public Interest in Closed Meetings

(1) At the conclusion of Council meetings that are closed to the public, decisions of Council with respect to any of the items listed in Section 3.6.8, as well as directions to the administration in accordance therewith, shall be made public by Council to the extent that the public interest permits.

7. Conduct During Meetings

7.1. Compliance

(1) As stated in the Council Code of Conduct, no member shall speak disrespectfully or use offensive language towards members of Council or municipal employees.

(2) No member may criticize any decision of the Council except to propose that the matter be reconsidered.

(3) When the president calls a vote on a motion, each member shall take his or her seat and shall remain in his or her seat until the result of the vote has been declared by the president, and during that time no member shall rise to speak to other members or make noise or disturb.

7.2. Persistent Violation

1. Members of Council

Members shall refrain from conduct that is harmful to the Corporation or its purposes. No member shall deviate from the rules of the Council, or to any decision of the Chair or of the Council as a whole on matters of order or practice, or to the interpretation of the rules of the Council, and in the event that a member persists in such a breach after being called to order by the Chair, the Chair may order the member to vacate his seat for the duration of the meeting. However, if the member apologizes, the Mayor may allow the member to retake his or her seat.

2. Members of the public

Members of the public shall refrain from conduct that is harmful to the Corporation or its purposes. In addition, members of the public will refrain from disturbing the smooth running of a meeting.

As such, members of the public are expected to:

- remain seated, except when granted permission to speak through the chair;
- refrain from making noise or engaging in conversation with each other;
- listen to the person speaking and do not interrupt the person;
- respect that no one should address the Council without being recognized by the Chair

In the event that a member of the public persists in such an offence after being called to order by the Chairperson, the Chairperson may order the member of the public to leave the place of the meeting. However, if the member of the public apologizes, the Mayor may allow the member to return to his or her seat.

7.3. Outfit

- (1) Members of Council shall wear appropriate business attire including a blouse, official uniform or dress suits with or without tie during regular meetings. A slightly more casual outfit, including the wearing of a polo shirt, is permitted for budget and special meetings.
- (2) During meetings of the Council, the wearing of recreational hats is prohibited by any member of the Council and employees of the administration.

8. Discussion Rules and Debate

8.1. Addressing the Chair and order of speaking

- (1) Any member who wishes to speak shall indicate his/her intention in the manner determined by the President and, after being recognized by the President, he/she may address the Chair. The Chair should acknowledge those members who, in his opinion, have indicated their desire to speak first, and then identify the other members in turn.
- (2) When a member speaks, no member shall pass between the speaker and the president or interrupt the speaker except to raise a question of privilege or raise a point of order.
- (3) A member may request that a question or motion being debated be read at any time during the debate, but not in such a way as to interrupt or distract a member when he or she is speaking.
- (4) The Council members will discuss the subject matter to be discussed.
- (5) No member of Council, without the permission of the Mayor, may speak on the same motion, or in response, for more than five (5) minutes.

8.2. Maintaining Order

- (1) The president shall maintain order and decorum and decide matters of order appealed by the Council formulated by any member.
- (2) No member shall disobey the rules of procedure or a decision of the president or the Council on matters of order or practice, or on the interpretation of the rules of procedure.
- (3) A motion shall be seconded before proceeding to debate or vote.

8.3. Points of Order

(1) A member may raise a point of order to draw attention to a breach of the Rules of Procedure for the following reasons:

- Inappropriate and offensive language;
- Discussion that is irrelevant or out of the scope of the proposed motion;
- Defect or irregularity in the procedure;

(2) When a member raises a point of order, they must ask the president to raise the point of order; and after being granted permission, the member shall raise the point of order to the president.

(3) No further business shall be discussed until the President has decided and stated the point of order.

(4) Thereafter, a member shall address the President only to appeal the decision of the President of the Council.

(5) Where no member appeals, the decision of the President is final.

(6) If a member appeals the decision of the President, the Council shall proceed to a vote without debate on the following question: "Should the Mayor's decision be upheld?" for final decision. In an equal case, the mayor's decision is maintained.

8.4. Question of Privilege

(1) Where a member considers that the integrity of a member of Council as a whole has been called into question, the member may, as a question of privilege, raise the matter at any time with the consent of the Chair, no debate being permitted, for the purpose of drawing the attention of the Council to the matter.

(2) When the Chair recognizes the member, the member shall raise the issue of privilege.

(3) The Mayor shall resolve the question of privilege, or require that the question be seconded and permit a debate and vote on the question.

8.5. Enquiries

Where a member is unsure of a particular issue being discussed, the member may ask the Chair to clarify it or if the Chair is unsure of the answer, he or she may direct the question to another member or a member of the administration. If the request for information requires follow-up to the Council, the follow-up will be conducted when the information is received.

9. Votes at meetings

9.1. Voting Procedures

- (1) Each member shall have one vote for any type of vote.
- (2) The Mayor shall vote like any other member when the vote is recorded and when his or her vote will break a tie. In other cases, the Mayor may (but is not required to) vote if his or her vote affects the result, i.e., to bring about a tie vote, or, in the case of a vote requiring a two-thirds majority, to achieve or prevent the achievement of two-thirds of the votes. The President may also vote even if his vote does not affect the result.
- (3) When a question is put to a vote, all members present may vote on the question unless prohibited by law, which excludes members from voting on the question.
- (4) Failure to vote, unless validly exempted from voting, shall be deemed to be a negative vote.
- (5) The President shall announce the result of each vote.

9.2. Unrecorded Voting

- (1) The method of determining the will of Council on a motion is to vote by show of hands unless otherwise directed by the Chair.
- (2) A member who disagrees with the Chair's statement as to whether the vote is affirmative or negative may, provided that he or she does so immediately after the Chair's statement, challenge the statement and request that a recorded vote be taken.

9.3. Recorded Vote

Any member, before or immediately after the vote, may require that the vote be recorded. When a member, on any question or motion, requests a recorded vote, the Mayor shall require each member to announce his or her vote openly so that it may be recorded in the minutes, beginning with the member requesting the recorded vote, with the Chair having the option to vote last.

9.4. Dividing a Question

At the request of a member of Council and requiring the approval of a majority of Council, a motion containing various proposals, which may be followed individually, may be divided, and a separate vote on each proposal shall be held.

9.5. Absent Member

When the president calls a vote on a question, and a member is not in his or her seat, that member shall not be subject to a vote on that question and in the case of a recorded vote, that member shall be deemed absent.

9.6. Equality of Votes

(1) The majority required to adopt a motion shall be a simple majority (50% + 1) unless otherwise provided for in these rules.

(2) In the event of a tie vote on a motion, the motion shall be declared defeated.

9.7. Secret Ballot

No secret ballots are permitted except for the appointment of the chair as prescribed in the *Municipal Act, 2001*.

10. Resolutions and Motions

10.1. Reading

(1) A seconded motion shall be received and read by the Mayor or mover, except as provided in the Rules of Procedure. However, when motions have been circulated or placed on the agenda, or are displayed on an electronic screen, it is not necessary to read the recitals (whereas).

(2) The Mayor may delegate the task of reading a motion to the Clerk.

(3) Every motion or resolution should begin with the words "Be it resolved that" and be duly moved and seconded.

10.2. Withdrawal

Before the motion or notice of motion is put to a vote by the Chair, a request to withdraw a motion may only be made by the mover of the motion and does not require the consent of another member. If no member objects to the withdrawal of the motion, the motion is deemed withdrawn. If a member objects to the withdrawal of the motion, a motion to maintain the question may be received and become a main motion.

10.3. Put the Question to a Vote

(1) If all members present have had the opportunity to comment on the subject under discussion, a motion to put the question to a vote shall terminate any debate on the motion in progress and shall immediately put the motion to a vote, except where an amendment is under consideration.

(2) If the motion is adopted, a vote on the motion shall be taken without delay.

10.4. Motion to Refer or Commit

(1) Council may refer a motion to a committee, board or commission with instructions for consideration of the matter.

(2) A motion to refer shall be debatable, amendable and requires a majority vote.

10.5 Motion to Amend

(1) A motion to amend is used to change the content of the main motion.

(2) A motion to amend is debatable unless the motion to which it adheres is non-debatable.

(3) A motion to amend is not in order if it is contrary to the main motion.

(4) Only one amendment shall be allowed on an amendment to a question and any further amendments shall relate to the main question.

(5) Pursuant to the sub-section (4), if more than one motion in amendment has been moved and seconded, the Chair shall deal with the motion in the order that the Chair considers most logical, practical and appropriate in the circumstances.

10.6. Motion to Reconsider During the Same Meeting

(1) Any matter decided by Council may be reconsidered at the same meeting by a two-thirds (2/3) majority vote. There should be no discussion on the main issue until the motion to reconsider is adopted.

(2) A motion to reconsider shall be made only by a member who voted on the side of the majority.

(3) Where a motion to reconsider has been adopted, it shall temporarily rescind the previous decision and place the meeting at the same point as before the vote on the original motion. The main motion originally voted on is again pending; As a matter of procedure, it is considered a new main motion.

(4) No motion or report shall be reconsidered more than once at a meeting.

10.7. Motion to Adjourn

(1) A motion to adjourn is privileged when it is made after the time scheduled to conclude the meeting and no vote or discussion is in progress. The motion is therefore not debatable and requires a majority vote.

(2) A motion to adjourn, once defeated, shall not be reintroduced until certain intermediate procedures have been completed by the Council.

(3) No business other than the Confirmation By-law shall be presented at a meeting of Council after 3 hours of meeting, unless otherwise decided by a two-thirds (2/3) majority vote of the members present.

10.8. Motion to Take a Break

While other matters are still to be considered at the meeting, a motion to take a break must specify the length of the break, must be moved, seconded and adopted by a majority of Council.

10.9. Inadmissible Motion

Where the Chair is of the opinion that a motion or resolution is contrary to the Rules of Procedure, or that is not within the jurisdiction of the Council, the Chair shall declare the motion or resolution out of order.

10.10. Motion to Lay on the Table

(1) A motion to lay on the table is a non-debatable motion used to interrupt business in progress to allow for immediate action. It allows the assembly to temporarily set aside the outstanding matter when something else more urgent arises or when something else needs to be dealt with before the outstanding matter is resumed.

(2) After a question has been placed on the table and the matter is resolved, it may be removed from the table by a majority vote for the purpose of dealing with it at the same meeting.

10.11. Motion to Postpone

A motion to postpone is the motion by which action on a pending matter may be postponed, within certain limits, to a specified day, meeting or time, or until after a certain event. A motion to postpone is applied to a matter either to be considered at a more appropriate time or because the debate has revealed reasons for delaying a decision until later.

10.12. Motion to Reconsider or Rescind a Previous Decision

(1) A motion to reconsider or overturn a previous decision applies only to a matter previously decided by the current Council and is dealt with through a Notice of Motion.

(2) A motion to reconsider a previous decision shall be made only by a member who voted on the side of the majority.

(3) A motion to reconsider a previous decision is not in order when something has been done, as a result of the original decision, that is impossible to undo.

(4) A motion to reconsider a previous decision requires two-thirds (2/3) of the members present and voting to vote for the motion.

11. Committees

11.1. Ad Hoc Committee

(1) The Council may at any time appoint an ad hoc committee for a particular purpose or for a special project defined on any matter that is not permanent.

(2) The members appointed by the Council to serve on the ad hoc committee shall submit their final report to the members of the Council for debate and final resolution.

(3) Each committee will be given terms of reference identifying the composition and purpose of the committee.

(4) Once the Ad Hoc Committee has submitted its report to Council and the members have dealt with the matter referred to them, the Committee shall automatically cease to exist upon submission of its final report to the members of the Council.

11.2. Standing Committee (Comité Spécial), Sub-Committees (Sous-Comités) and Statutory Committee (Comité Statutaire)

Provisions relating to the procedures of standing committees, statutory committees and subcommittees are set out in Committee Procedure By-law 2024-9, as amended.

12. Vacant Seat and Succession

(1) If a member is absent from Council meetings for three successive months without being authorized to do so by a resolution of Council, the member ceases to serve on the Council.

(2) Similarly, if a member dies, resigns or is relieved of office, the Council shall declare the seat of that member vacant by resolution at the next meeting.

(3) The Clerk prepares a report outlining the options for Council's consideration.

13. Short Title

(1) That these regulations be referred to as the "Procedure By-law"

14. Effect

(1) In the event of a conflict between the French and English versions of these rules, the English version shall prevail.

(2) That By-law 2019-026 and its amendments 2019-062, 2020-019, 2021-015 and 2022-032 be repealed.

(3) That the By-law come into force and take effect on the time they are passed.

Read, passed and adopted in open council this 10th day of December 2024.

Geneviève Lajoie, Mayor

Sébastien Dion, Clerk

Figure A – Motions

Motion	Debatable	Amendable/Modifiable	Majority required	Relevant Section
Put the question to vote	No	No	Yes	10.3
Refer or commit	Yes	Yes	Yes	10.4
Amendment	Yes	Yes	Yes	10.5
Reconsider during the same meeting	Yes	No	2/3	10.6
Adjournment	No	No	Yes	10.7
Extend the duration of the meeting	No	No	2/3	10.7
Take a Break	No	No	Yes	10.8
Lay on the table	No	No	Yes	10.10
Postponement	Yes	No	Yes	10.11
Point of order*	No	No	Managed by the President	8.3
Point of privilege*	No	No	Managed by the President	8.4
Suspending the Rules of Procedure	No	No	2/3	2.3

*A point of order/privilege is decided by the Mayor/President. Any member may appeal against the decision of the President, which must then be decided by a majority vote of the members present, without debate.

Figure B – Closed Meeting Justification as per the *Municipal Act, 2001*

Meetings open to public

239 (1) Except as provided in this section, all meetings shall be open to the public. 2001, c. 25, s. 239 (1).

Exceptions

(2) A meeting or part of a meeting may be closed to 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 a council, board, committee or other body may hold a closed meeting under another Act;
- (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, 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;
- (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board. 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26.

Other criteria

(3) A meeting or part of a meeting shall be closed to the public if the subject matter being considered is,

- (a) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
- (b) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in

subsection 223.13 (1) of this Act, or the investigator referred to in subsection 239.2 (1). 2014, c. 13, Sched. 9, s. 22.

Educational or training sessions

(3.1) A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:

1. The meeting is held for the purpose of educating or training the members.
2. At the meeting, 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. 2006, c. 32, Sched. A, s. 103 (1).