



**THE CORPORATION OF THE
COUNTY OF LANARK**

**PROCEDURAL BY-LAW
NO. 2022-XX**

DRAFT

**THE CORPORATION OF THE COUNTY OF LANARK
BY-LAW NO. 2022-XX**

**BEING A BY-LAW TO ESTABLISH RULES GOVERNING THE ORDER AND
PROCEEDINGS OF COUNCIL AND COMMITTEES OF
THE CORPORATION OF THE COUNTY OF LANARK
(PROCEDURAL BY-LAW)**

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

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of the County of Lanark enacts as follows:

TABLE OF CONTENTS

1.0	DEFINITIONS	5
2.0	INTERPRETATION	10
3.0	MEMBERSHIP ON COUNCIL.....	11
4.0	ROLE OF THE WARDEN.....	12
5.0	ROLE OF COUNCIL MEMBERS (Including Alternates).....	13
6.0	ROLE OF THE CHAIR	14
7.0	RULES OF CONDUCT FOR MEMBERS AND ATTENDEES.....	15
7.1	Chair at Meetings	15
7.2	Questions.....	16
7.3	Speaking at Meetings.....	16
7.4	Materials.....	16
7.5	Rules of Order	16
8.0	COUNCIL AND COMMITTEE MEETINGS.....	18
8.1	Election of the Warden and Committee of the Whole Chairs	18
8.2	Inaugural Meeting.....	18
8.3	Election of Other Committee Chairs.....	18
8.4	Council Meeting.....	18
8.5	Committee of the Whole	18
8.6	Special Meetings	20
8.7	Emergency Meetings	21
8.8	Hybrid Meetings	21
8.9	Electronic Meetings	22

8.10	Livestreaming Meetings	22
8.11	Steering and Sub-Committees	22
8.12	Striking Committee	23
8.13	Working Group	23
8.14	Closed Session (“In Camera”)	24
8.15	Public Information Sessions	26
8.16	Public Meetings (Statutory).....	26
8.17	Notice of Meetings (Other than Public Meetings).....	26
8.18	Meeting Schedule.....	27
8.19	Election Year	27
9.0	ORDER OF BUSINESS AND GENERAL RULES	28
9.1	Format of Agenda.....	28
9.2	General.....	30
9.3	Disclosure of Pecuniary Interest and/or Conflict of Interest and General Nature Thereof	30
9.4	Delegations and Presentations	31
9.5	Written Communications & Correspondence	33
9.6	Reports.....	34
9.7	New/Other Business	35
9.8	Unfinished Business.....	36
10.0	COMMENCEMENT AND ADJOURNMENT OF MEETINGS	36
10.1	Quorum	36
10.2	Recess.....	37
10.3	Adjournment.....	37
11.0	MOTIONS	37
11.1	Motion Process	37
11.2	Ranking Motions	38
11.3	Reconsideration of a Motion	38
11.4	Recorded Votes	40
11.5	Point of Privilege	40
11.6	Point of Order	41
11.7	Appeal Decision of the Chair	41
12.0	BY-LAWS	41
12.1	By-Law Approval Process	41
12.2	By-Law versus Resolution	42
12.3	Confirmatory By-Law	43
13.0	AMENDMENT OF PROCEDURAL BY-LAW	43
14.0	ULTRA VIRES.....	43
15.0	BY-LAWS TO BE REPEALED.....	43
16.0	EFFECTIVE DATE	44
	SCHEDULE “A”	45

Inaugural Meeting	45
APPENDIX “A”	54
SCHEDULE “B”	56
In-Camera Motion Form	56
SCHEDULE “C”	60
Staff Report Format	60
SCHEDULE “D”	61
Motions	61
SCHEDULE E	65
Livestreaming Policy and Procedure	65

DRAFT

1.0 DEFINITIONS

For the purpose of this By-Law:

"Acting Warden" - shall mean, the most recent Past Warden who is a member of Council. If none, it shall mean the Councillor with the longest continuous service.

"Agenda" – shall mean the written Order of Business.

"By-Law" – the legislative intent behind the requirement: that powers of council be exercised by by-law is to ensure due deliberation by councils of all important policy matters through the more formal procedure prescribed for the enactment of a by-law: *Ottawa (City) v. Letourneau* (2005), 2005 Carswell Ont 224 (S.C.J.).

"Chief Administrative Officer" – shall mean the Chief Administrative Officer (CAO) or designate duly appointed by the Council as prescribed in Section 229 of the Municipal Act, 2001, as amended.

"Clerk" – shall mean the person or designate duly appointed by the Council as prescribed in Section 228 of the Municipal Act, 2001, as amended.

"Close Debate (Call the Question)" – shall mean a motion requiring that debate be closed and the vote on the motion be taken immediately.

"Closed Session (In-Camera)" – shall mean a meeting or part of a meeting closed to the public as prescribed in Section 239 of the Municipal Act, 2001, as amended.

"Committee" – shall mean any Committee of the Whole, Steering or Sub-Committee unless otherwise stated.

"Chair" – shall mean the member who presides at a Council, Committee of the Whole, Steering or Sub-Committee meeting.

"Committee of the Whole Meeting (COW)" – means a committee comprised of all members of Council.

"Committee Recommendation" – shall mean a resolution passed by a Committee of the Whole during a meeting which is subject to approval by Council at the next County Council meeting.

"Communications" – shall include, but is not limited to, letters, memos, notices, emails, faxes, petitions, brochures, newspaper/magazine articles, etc.

"Community Events" – shall be deemed any event that requests the presence of the Warden. These may include but are not limited to opening ceremonies, fund raisers/charity events, community celebrations and local fairs.

"Confidential Item" – shall include the following:

- (a) any matter marked “confidential”;
- (b) any matter or item of a confidential nature which has not been lawfully published, disclosed or provided to the public by the County, or introduced, received or made available to the public at a public meeting or information session;
- (c) a record of any matter in respect of which a meeting or part of a meeting may or shall be closed to the public pursuant to the Municipal Act, 2001, as amended or under this By-law;
- (d) any matter which could form the subject matter of an exemption from disclosure or a prohibition against disclosure, pursuant to the provisions of the Municipal Freedom of Information and Protection of Privacy Act;
- (e) any matter which the County is prohibited from disclosing pursuant to any contract, legislation or other lawful authority.

“Confirmatory By-Law” – shall mean a By-Law passed prior to adjournment of every Council meeting to confirm by By-Law the resolutions and actions of Council taken at that meeting.

“Consent Reports” –may include any Committee of the Whole reports that are deemed to be of an administrative nature and/or being received as information and/or do not require action or direction.

“Council” – shall mean the Municipal Council of the Corporation of the County of Lanark in accordance with the County of Lanark Council Composition By-Law in effect.

“Council Meeting(s)” - include Regular and Special Meetings of the Council of the Corporation of the County of Lanark.

“Councillor” - means a person elected or lawfully appointed to County Council by a resolution of a Local Municipal Council in accordance with the County of Lanark Council Composition By-Law in effect.

“Debate” - shall mean discussion on the merits of the question/motion and whether the proposed action should or should not be taken.

“Delegation” – shall mean a person or group of persons who are not Members of Council or County Staff who have requested and are permitted to address Council or Committee, individually or on behalf of a group, on a matter on the agenda for that meeting in accordance with the provisions of this By-Law.

“Department Head” – shall mean the person or designate in charge of a County department.

“Electronic Meeting” – shall mean a meeting (open and closed) where all members are not physically present but participate via electronic means of communication either by way of teleconference or video platform such as Zoom. Such meeting(s), save and except for closed session will be livestreamed. **via Lanark County Facebook Live.**

“Emergency” – shall mean a matter which if not dealt with may have serious

ramifications, including but not limited to, the inability to address or influence the matter at a later date.

“Ex-Officio” – shall mean the Warden who by virtue of office shall be a member of all Committees and shall have the same rights and privileges as other members of the respective Committee.

“Hybrid Meeting” – means a meeting where some members of Council participate electronically and a quorum of members is present in the Council Chambers

“Lame Duck Council” – shall mean that Council has certain limitations in the year of an election.

“Local Board Member” – as defined in the Municipal Act S.1.

“Majority Vote” – shall mean a vote where over half of the Members present, and eligible to vote, vote in the same manner.

“Matter” – shall include any record, communication, report, presentation, item, document or information, or the contents, or any part thereof, as the context permits.

“Meeting” means a quorum of the Members of Council or Committee that are present and discuss issues in a way that materially advances the business or decision making of Council or Committee.

“Meeting Schedule” – shall be deemed the Council/Committee Schedule containing the dates of Council and Committee of the Whole meeting dates, including other reserved dates confirmed each year by resolution of Council.

“Member” – shall mean a Member of Council, Committee of the Whole, Steering Committee or Sub-Committee as the case may be.

“Minutes” – shall mean a record of what was done at a meeting, without note or comment.

“Motion” – shall mean a recommendation to resolve and effect a decision.

“Main Motion” – shall mean a motion whose introduction brings business before the Committee.

“New/Other Business” – shall mean business that is not currently listed on the agenda that is of an emergency, time sensitive, congratulatory or condolence nature.

“Notice” – shall mean an announcement by the Clerk (County By-Law 2002-42, as amended).

“Order of Business” – shall mean the sequence of business under consideration at a meeting.

"Outgoing Warden" - shall mean the Warden whose term has come to an end.

"Pandemic" – shall mean an epidemic occurring worldwide, or over a very wide area, crossing international boundaries and usually affecting a large number of people.

"Past Chair" – shall mean a previous Chair of a Committee. If none, it shall mean the Warden.

"Past Warden" – shall mean a previous Warden.

"Pecuniary Interest" – shall mean a direct or indirect pecuniary (monetary) interest within the meaning of the Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M. 50, as amended.

"Point of Order" - shall mean any alleged breach of the rules or irregularity in the proceedings of a meeting.

"Point of Privilege" – shall mean a statement calling attention to a matter where the integrity of an individual (personal) or the entire Council is perceived to be in question.

"Presentation" – shall mean the occurrence when, staff, an individual or group have been invited to present information to Council or Committee.

"Presiding Officer" - shall mean the Warden, Acting Warden or Committee Chair(s).

"Public Information Session" – shall be deemed a meeting held for the purpose of presenting proposals and issues, educating and informing and/or receiving input.

"Public Meeting (Statutory)" – shall be deemed a meeting held for the purpose required under an Act or Regulation.

"Quorum" - shall mean the number of Members required to be present in the meeting room, in order that business may be conducted.

"Recess" – shall mean a break from a meeting.

"Recorded Vote" – shall mean documenting in the minutes of a Council Meeting the name of each Member and the Members' vote on a matter or question, in favour, opposed or absent.

"Resolution" – shall mean the decision duly passed by Council on any motion or Committee Recommendation.

"Scrutineer" – shall mean a Past Warden not on Council who examines votes at an election of Warden and/or Committee Chairs.

"Special Meeting" – shall be deemed a County Council or Committee of the Whole Meeting which is in addition to the published Meeting Schedule approved annually by Council.

“Standing Committee” – is a Committee of Council constituted to perform a continuing function and which has a continuous existence. For the purpose of this by-law the Committee of the Whole is deemed to be a Standing Committee.

“Steering Committee” – includes any steering committee or task force established by Council and approved through a resolution of Council which goes out of existence as soon as it has completed a specified task.

“Striking Committee” – shall be deemed a committee of Council for the purpose of preparing recommendations for appointments to Boards and Commissions, Steering and Sub-Committees and other duties as approved by Council.

“Sub-Committee” – includes any sub-committee established by Council and approved through a resolution of Council which has a continuing existence.

“Summer Recess” - shall be deemed to be the month of July each year where no Committee of the Whole or Council meetings are held unless a Special Meeting is called via petition or majority of Council.

“Time Sensitive” – a matter in which delaying a decision could negatively impact the Corporation. Shall also mean information that is only relevant or applicable for a specific period of time.

“Two-Thirds Vote” – shall mean a vote where at least two-thirds of the members present, and eligible to vote, vote in the same manner and shall not apply to a recorded vote.

“Warden” - shall mean the Member of Council duly elected as the Warden by the Council and by virtue of their office acts as Head of Council, Ex-Officio and Presiding Officer.

“Weighted Vote” – shall mean the number of votes allocated to each Council Member in accordance with By-Law No. 97-13 as amended.

“Working Group” – includes any group established by Council which has either a continuous existence or which goes out of existence as soon as the specified task is completed. The membership of the group shall be comprised of staff, County Council Members and lay members when necessary. The membership of a working group shall consist of less than 50% County Council and/or Local Board Members (a minimum of 2 members of Council).

2.0 INTERPRETATION

- 2.1** The rules and regulations contained in this By-law shall be observed in all proceedings of Council to which they apply and shall be the rules and regulations for the order and dispatch of business at meetings of Council and its Committees.
- 2.2** Committees may not pass a motion to suspend the rules of this By-law.
- 2.3** Subject to the right of appeal, the Chair shall be responsible for interpreting the rules of procedure under this By-Law with the advice and assistance of the Clerk.
- 2.4** The Clerk or the Clerks' designate shall be secretary of Council and Committees of Council.
- 2.5** Where procedural matters of Council or Committees of Council are not governed by the Municipal Act, Municipal Conflict of Interest Act or provisions of this By-law, Robert's Rules of Order most recent edition shall apply.

3.0 MEMBERSHIP ON COUNCIL

- 3.1** Pursuant to Sections 267 and 268 of the Municipal Act, 2001 and amendments thereto, if a member of County Council, appointed in accordance with the Council Composition By-Law, is unable to act as a member of County Council for a period exceeding one month, the local municipal council may appoint one of its members as an Alternate Member of County Council to act in place of the member until the member is able to resume acting as a member of County Council.
- 3.2** Such Alternate Member shall be appointed immediately following the Municipal Election, with his/her name being included as part of the certified resolution from the Clerk of each local municipality stipulating the names of the two (or three) local municipal representatives.
- 3.3** Should a local municipality elect to appoint an Alternate Member at any another time throughout the term of office, they may do so by following the procedure outlined in Sub-section 3.2.
- 3.4** Excluded in the appointment of an Alternate Member include, save and except for if the seat of the member who has been appointed as an alternate member becomes vacant, the council of a local municipality may appoint another of its members as an alternate member for the remainder of the council term:
- 3.5** the appointment of more than one alternate member during the term of council;
- 3.6** the appointment of an alternate member to act in place of an alternate member appointed under subsection 267 or 268
- 3.7** the appointment of an alternate head of council of the County of Lanark
- 3.8** An Alternate Member appointed under Section 267 or 268 of the Municipal Act, 2001 shall be limited to representing the municipality at a meeting of County Council or Committee of Whole with the exception of the annual Inaugural Meeting, and not at a meeting of an advisory or special committee, board or agency to which the member of Council has been appointed.
- 3.9** It is the responsibility of the Member of Council upon whose behalf an alternate will be serving to ensure that a copy of the meeting agenda is provided to the alternate in advance of the meeting.
- 3.10** An alternate attending a meeting of County Council as an observer only, shall leave the meeting room when the meeting is closed to the public.

4.0 ROLE OF THE WARDEN

4.1 The Warden shall:

- 4.1.1 act as Presiding Officer at all meetings of Council;
- 4.1.2 provide leadership to Council;
- 4.1.3 represent the County at Community Events (official functions);
- 4.1.4 carry out the duties of the head of council under applicable By-Laws or Acts;
- 4.1.5 apply the Code of Conduct in order to mediate disputes of Council, Committees or Councillors;
represent the County at the Eastern Ontario Warden's Caucus;
- 4.1.7 act as the corporate spokesperson for Council by formally communicating information related to events, emergencies, decisions and resolutions of Council, a Board or Committee, as the case may be.

5.0 ROLE OF COUNCIL MEMBERS (Including Alternates)

5.1 In accordance with the Municipal act, members shall:

- 5.1.1 represent the public and consider the well-being and interests of the municipality;
 - 5.1.2 develop and evaluate the policies and programs of the municipality;
 - 5.1.3 determine services the municipality provides;
 - 5.1.4 ensure the administrative practices and procedures are in place to implement the decisions of Council;
 - 5.1.5 maintain the financial integrity of the municipality;
 - 5.1.6 carry out the duties of Council under applicable By-Laws or Acts.
-
- 5.2.1 come prepared to every meeting by having read all the material supplied, including agendas and confidential reports, to facilitate discussion;
 - 5.2.2 respect and adhere to the policies and procedures set by Council and will under no circumstances take it upon themselves, individually to circumvent established policies and procedures;
 - 5.2.3 not criticize any decision of Council except for the purpose of moving that a question be reconsidered;
 - 5.2.4 consult with Department Heads on matters of operational concerns and complaints;
 - 5.2.5 not have the authority to direct Department Heads or staff;
 - 5.2.6 direct general questions or comments to the appropriate department;
 - 5.2.7 dress in business attire for all Council meetings and may dress in business casual attire for all other meetings.

6.0 ROLE OF THE CHAIR

6.1 Chair's shall;

- 6.1.1 preside over Council or Committee Meetings;
- 6.1.2 review, approve and understand the Committee Agenda with the Department Head(s)/Staff Member(s) prior to circulation to Council and the public;
- 6.1.3 provide order and decorum;
- 6.1.4 provide the Committee direction when required regarding meeting conduct and procedures;
- 6.1.5 represent Committee initiatives and decisions to the public, where appropriate;
- 6.1.6 consult with Department Heads on matters of operational concerns and complaints;
- 6.1.7 not have the authority to direct Department Heads or staff;
- 6.1.8 work with the CAO and Department Heads:
 - a) to become aware of and understand departmental issues and initiatives
 - b) with respect to departmental issues/initiatives
 - c) as a sounding board/share ideas
- 6.1.9 be aware of the Strategic Plans Core Strategies and Objectives with respect to their Committee responsibilities;
- 6.1.10 work with the Warden to take the lead role, where possible, on provincial delegations, in particular at AMO and OGRA/ROMA;
- 6.1.11 shall provide Councillors with the opportunity to speak to an agenda item or motion in the order they are recognized.

7.0 RULES OF CONDUCT FOR MEMBERS AND ATTENDEES

7.1 Chair at Meetings

7.1.1 It shall be the duty of the Chair of a meeting to:

- a) open the meeting by calling the meeting to order;
- b) ensure that a quorum is established and is maintained throughout the course of the meeting;
- c) announce the business in the order in which it is to be considered;
- d) direct discussion in such a manner that all questions and comments shall be presented through the Chair;
- e) receive and submit, in the proper manner, all motions presented by the Members;
- f) put to vote all motions which are moved, and seconded when necessary, or all motions that arise in the course of the proceedings, and to announce the result of each vote;
- g) decline to put to vote motions that infringe upon the rules under this By-law or the Municipal Act;
- h) ensure the Members and attendees, conform to the rules of order under this By-law;
- i) maintain an appearance of impartiality on all matters;
- j) undertake all matters required to ensure the meetings proceed in an orderly and efficient manner;
- k) authenticate by signature, when necessary, all applicable by-laws and resolutions;
- l) adjourn the meeting when the business is concluded, or at the designated time.

7.1.2 The Chair may vote on all motions but need not declare their intention to vote.

7.1.3 Every Member present, except the Chair, shall be deemed to vote against the motion if they decline or abstain from voting, unless the Member is disqualified from voting by reason of a declared pecuniary interest.

7.1.4 In the absence of the Chair or when the Chair steps down, the most recent Past Chair of that Committee will serve in their place.

7.1.5 The Chair may answer questions and comment in a general way or request clarification, but if the Chair wishes to participate in debate, make a motion, or leave the chair for any other reason, they shall first delegate the duties of the Chair to the most recent Past Chair in accordance with the provisions of this By-law, until they resume the position of the Chair.

7.1.6 The Chair shall not resume the position of the chair until the issue on the floor is resolved, at which time the Past Chair shall relinquish the position of the chair.

7.2 Questions

- 7.2.1 All Members, Staff and Delegations shall address their questions and comments through the Chair.
- 7.2.2 A Member or Delegation, while asking questions through the Chair, shall at no time put into question the personal or professional integrity of a Staff member of the County.

7.3 Speaking at Meetings

- 7.3.1 When two or more Members wish to speak, the Chair shall name the Member who is to speak first.
- 7.3.2 When a Member is recognized by the Chair, the Member shall confine his/her remarks to the motion under consideration.
- 7.3.3 When a motion is under debate, a Member may ask a question through the Chair of another Member, CAO, Department Head or other employee of the Corporation.
- 7.3.4 Any Member may require the motion under debate to be read at any time during the debate, but in doing so shall not interrupt a Member while speaking.

7.4 Materials

All materials shall be distributed through the Clerk.

7.5 Rules of Order

- 7.5.1 No person shall:
 - a) disturb a meeting by any disruptive or distracting conduct, including private conversations among Members or Attendees at a meeting;
 - b) use profane or offensive words or insulting expressions;
 - c) disobey the rules of procedure;
 - d) rise from their seat or make any noise or disturbance while a vote is being taken;
 - e) speak until they have been recognized by the Chair;
 - f) display signs, place cards, applaud, heckle or engage in telephone or other conversation or any behavior which may be considered disruptive.
- 7.5.2 An Attendee shall not participate in a Meeting, unless listed on the Agenda as a Delegation or Presentation and shall be subject to the rules and procedures of this By-Law.
- 7.5.3 A Member shall not interrupt a Member who is speaking, except to raise

a point of order or a Point of Privilege.

- 7.5.4 A Member shall not permanently leave the meeting without previously advising the Chair or the Clerk.
- 7.5.5 In the event that a Member or Attendee persists in a breach of Subsection 7.5.1 above, after having been called to order by the Chair, the Chair shall without debate call the question "Shall the Member or Attendee be ordered to leave their seat for the duration of the meeting?", and this question shall not be debatable.
- 7.5.6 If Council or a Committee decides the question set out in Subsection 7.5.4 above in the affirmative by a majority vote of the Members present, the Chair shall order the Member or Attendee to leave their seat for the duration of the meeting.
- 7.5.7 If the Member or Attendee apologizes, the Chair, with the approval of Council or the Committee, may permit them to resume their seat.
- 7.5.8 If a Member or Attendee does not leave their seat after being ordered to do so by the Chair in accordance with Subsection 6.5.4 above, and if the Member or Attendee does not apologize in accordance with Subsection 7.5.6 above, then the Chair shall for a second time without debate call the question "Shall the Member or Attendee be ordered to leave their seat for the duration of the meeting?", and this question shall not be debatable.
- 7.5.9 If Council decides the question set out in Subsection 7.5.7 above in the affirmative by a majority vote of the Members present, the Chair shall direct the Clerk to seek the appropriate assistance from the Lanark County Ontario Provincial Police (OPP).
- 7.5.10 All cell phones and electronic devices not required for conducting a meeting shall be either turned off or otherwise set so as not to emit any audible sound during a meeting.
- 7.5.11 During a Council or Committee meeting Councillor laptops, iPads and/or tablets shall be used exclusively for County business.
- 7.5.12 Videotaping and/or audio recording may be permitted at Council and/or Committee meetings pending approval by Council in advance of the meeting through the Clerk. Upon receiving confirmation, the requestor shall declare at the Council and/or Committee meeting that videotaping and/or audio recording will occur.

8.0 COUNCIL AND COMMITTEE MEETINGS

8.1 Election of the Warden and Committee of the Whole Chairs

8.2 Inaugural Meeting

8.2.1 The Inaugural meeting shall be conducted in accordance with Schedule "A", as amended.

8.3 Election of Other Committee Chairs

8.3.1 Where Council has not appointed a Chair, each Steering and Sub-Committee shall appoint a Member of that Steering or Sub-Committee to act as Chair on an annual basis at their first meeting held after the Inaugural meeting, or as stipulated in the Terms of Reference.

8.4 Council Meeting

8.4.1 County Council meetings shall generally be held in the Council Chambers at the Lanark County Administration Building on the second Wednesday of each month commencing at 5:00 p.m., as outlined in the annual Council and Committee Calendar.

8.5 Committee of the Whole

8.5.1 Council shall conduct its business using a Committee of the Whole System. The Committee of the Whole meetings shall be separated into the following four (4) areas of service delivery:

8.5.1.1 Community Services

Community Services shall be responsible for:

- a) Child Care;
- b) Long Term Care;
- c) Public Health;
- d) Social Housing;
- e) Social Services.

8.5.1.2 Corporate Services

Corporate Services shall be responsible for:

- a) Accessibility;
- b) Coordination of Policy for all County Departments;
- c) Corporate Contracts;
- d) County Records and Communications;
- e) Emergency Planning;
- f) Finance;
- g) Fire;

- h) Governance Issues;
- i) Information Technology;
- j) Land Ambulance;
- k) Legislation Review and Comment;
- l) Personnel Issues;
- m) Any issues not presently designated to another Committee of the Whole;
- n) Any issues pertaining to Smiths Falls not presently designated to Community Services or Corporate Services.

8.5.1.3 Public Works

Public Works shall be responsible for:

- a) Bridges;
- b) Roads.

8.5.1.4 Economic Development

Economic Development shall be responsible for:

- a) Agriculture;
- b) Economic Development;
- c) Forestry;
- d) Planning Approvals;
- e) Tourism;
- f) Trails;
- g) Other Environmental and Rural Issues.

- 8.5.2 Committee of the Whole meetings shall generally be held in the Council Chambers at the Lanark County Administration Building, as outlined in the Council and Committee Calendar, as follows:

Second Wednesday

County Council at 5:00 p.m.

Community Services –immediately following County Council

Corporate Services – Immediately following Community Services

Third or Fourth Wednesday

County Council at 5:00 p.m.

Public Works – immediately following County Council

Economic Development – Immediately following Public Works

A Committee may determine from time to time to hold a meeting at different location or time, as established by Council resolution.

- 8.5.3 The authority of any Committee of the Whole is limited to the making of recommendations to Council. No decision to take any action or do anything other than administrative in nature, shall be recognized as emanating from any Committee, and all Committee recommendations shall be referred to Council before becoming effective. All Committee of

the Whole motions are considered recommendations whether adopted or defeated and shall be contained in the Committee Report to Council for ratification.

8.5.4 Separated Town of Smiths Falls

8.5.4.1 The County acts as the consolidated municipal service manager on behalf of the separated Town of Smiths Falls for the provision of the following:

- Social Housing
- Child Care
- Ontario Works
- Land Ambulance
- Long Term Care

8.5.4.2 The Town of Smiths Falls shall appoint a maximum of two (2) representatives to the Lanark County Community Services Committee and Corporate Services Committee and shall be entitled to vote on all matters regarding the specified services.

8.5.4.3 During the taking of a vote, the Smiths Falls representatives shall be included for determining a majority vote and quorum only for those matters as prescribed.

8.5.4.4 Agenda items pertaining to the Town of Smiths Falls as prescribed in Section 7.5.4.1 shall be identified by underling the report's title.

8.6 Special Meetings

8.6.1 The Warden at any time may call a special meeting of Council that is in addition to the published Meeting Schedule approved annually by Council.

8.6.2 The Warden and/or Committee of the Whole Chair may call a special meeting of one of the Committees of the Whole that is in addition to the published Meeting Schedule approved annually by Council.

8.6.3 Notwithstanding 8.6.1 and 8.6.2, a special Council or Committee of the Whole meeting may be called by a majority vote of Council or Committee of the Whole.

8.6.4 The only business to be dealt with at a special meeting shall be that stated on the Agenda of the meeting (Municipal Act, 2001, Section 240, as amended).

8.6.5 A minimum of Forty-eight (48) hours notice of all special meetings of

Council shall be given to Members of Council, the media and the public by the Clerk's Office.

8.7 Emergency Meetings

- 8.7.1 The Warden at any time may, in the event of an emergency, call an emergency meeting of Council without giving forty-eight (48) hours notice of the meeting, provided that the Clerk has diligently attempted to advise all Members of Council and the public immediately upon being advised of the intention of the Warden to hold an emergency meeting.
- 8.7.2 The only business to be dealt with at an emergency meeting of Council shall be with respect to that emergency.

8.8 Hybrid Meetings

8.8.1 Electronic participation of members in meetings taking place at the Council Chambers will be permitted for the following meeting types:

8.8.1.1 Council, Committee of the Whole, Land Division Committee

8.8.2 Notwithstanding Section 8.8.1.1 a Chair of a Steering Committee, Working Group or other committee established under the authority of this bylaw may, in consultation with staff, allow for electronic participation of members at their discretion.

8.8.3 Notwithstanding Section 8.8.1 a quorum of members must be physically present in the Council Chambers for the meeting to proceed.

8.8.4 Notwithstanding Section 8.8.1 Members of Council are limited in the use of electronic participation to short term periods of no more than 30 days. After 30 days, Section 3.0 of this bylaw will apply.

8.8.4.1 Council, in consultation with the Warden, may pass a resolution to allow a member to participate electronically for a period longer than 30 days.

8.8.5 The Warden and Committee Chairs must be physically present to Chair the meetings. If they are not physically present, an alternate member will Chair the meeting. The Warden and Committee Chairs may participate as a member of Council if they are participating electronically.

8.8.6 All members participating electronically shall be responsible for maintaining their own equipment and internet connection to effectively participate in the meeting. The Warden and Chairs shall be provided a laptop to manage the electronic participants.

8.8.7 Members participating electronically shall remain subject to Section 5.0 and Section 7.0 of this Bylaw and any other bylaws, legislation or policies that pertain to conduct, ethics etc during the proceeding of Council

meetings.

8.8.8 Members shall provide as much notice as is practical to the Clerk that they will be participating electronically prior to the meeting.

8.8.9 Members participating electronically are encouraged to register in advance with the Clerk or Secretary of the meeting in regards to items which the member wishes to speak.

8.8.10 Members participating electronically during a closed or in camera session shall ensure that they are in a private space with no opportunity for household members or others to overhear or otherwise violate the confidentiality of the information being discussed or presented.

8.9 Electronic Meetings

8.9.1 An electronic meeting of Council may be held during exigent circumstances such as a local or provincial state of emergency or severe weather.

8.9.2 Any decision(s) related to the calling of a meeting electronically shall be made in consultation with the Warden and respective Committee Chair.

8.9.3 The Clerk, in consultation with the Warden, Committee Chair and CAO, shall determine the appropriate technology to provide for electronic means of participation in each meeting, provided that it allows for the following to occur simultaneously:

8.9.3.1 Each person may hear any person authorized to speak;

8.9.3.2 Each participant entitled to speak may indicate to the Chair that they desire to speak; and

8.9.3.3 Public access is provided

8.9.4 The municipality will use necessary audio and video recording equipment during meetings for the purpose of live streaming meetings for transparency to the public.

8.10 Livestreaming Meetings

8.10.1 The municipality shall livestream meetings in accordance with the Livestreaming Policy as adopted by Council. A copy is attached to this bylaw for information as Schedule E, but the policy may be updated by Council from time-to-time without requiring an amendment to this bylaw.

8.11 Steering and Sub-Committees

8.11.1 The authority of any Steering or Sub-Committee is limited to the making of recommendations to a Committee of the Whole. No decision to take

any action other than administrative in nature, shall be recognized as emanating from any Steering or Sub-Committee.

8.11.2 A Steering Committee shall be deemed to be dissolved at the completion of its mandate based on the Terms of Reference or by a resolution of Council, on recommendation of the Striking Committee.

8.11.3 Steering and Sub-Committees shall adjourn no later than thirty minutes prior to all Council and Committee of the Whole meetings.

8.11.4 Minutes of Sub and Steering Committees will be included in the agenda of the applicable Committee of the Whole as information. Any action items requiring Council approval will be presented in the form of a motion to the Committee of the Whole for recommendation.

8.12 Striking Committee

8.12.1 The Striking Committee shall meet no later than October of every year to review and confirm steering committees, sub-committees and working groups and report to Council for the following mandate:

8.12.2 Recommend to Council in December of every year, Council member appointments to various Boards and Commissions, Steering Committees and Sub-Committees. Review of applications and select members of the public for appointments as lay members.

8.12.3 Upon request by Committee of the Whole, review the Terms of Reference for each Steering and Sub-Committee. The Terms of Reference shall contain a mandate, committee structure, number of meetings, number of members required for a quorum, reporting process, staff and support services, budget, completion date and shall be approved by Council.

8.13 Working Group

8.13.1 Every Working Group shall have Terms of Reference recommended by the Striking Committee and approved by Council and shall contain:

- 1) purpose and mandate
- 2) composition (membership)
- 3) budget (if applicable)
- 4) duration of group and membership

8.13.2 The authority of any Working Group is limited to making recommendations to a Committee of the Whole through staff reports which reflects the direction of the Working Group Members. No decision to take any action other than administrative in nature shall be recognized

as emanating from any Working Group. Written recommendations will be formulated through consensus within the group members.

8.13.3 A Working Group is deemed not to be a committee of Council as defined in the Municipal Act Section 238 and therefore will only be open to the public when considered necessary by the Working Group or County Council to obtain public comment for the benefit of preparing recommendations or completing a mandated activity. Delegations are to be referred to the appropriate Committee of the Whole in accordance with Section 8.4.

8.13.4 Meeting agendas will be prepared by staff and circulated electronically to all Working Group Members no later than 3 days prior to the meeting. Following each meeting a summary of action items and recommendations shall be circulated electronically to all Working Group Members. Action Items or recommendations shall be referred to the respective Committee of the Whole in the form of a Staff Report.

8.13.5 A quorum as defined in the Municipal Act is not required.

8.13.6 Written recommendations will be formulated through consensus within the group members.

8.13.7 The Chair of the Working Group shall be selected by its members and shall be limited to a member of council or staff only.

8.13.8 The Director/Designate and Council members of the Working Group shall carry out the selection of the remaining members of the working group as defined in the Terms of Reference.

8.14 Closed Session (“In Camera”)

8.14.1 Except as provided in Section 239 of the Municipal Act all meetings of Council, Committee of the Whole, Steering and Sub-Committee meetings shall be open to the public.

8.14.2 No person shall be excluded from a meeting except for:

- a. Improper conduct determined by the Warden/Chair or;
- b. where a meeting or portion of a meeting is closed to all persons other than the Members of that body and those identified to remain in the room.

8.14.3 The Clerk and/or Deputy Clerk shall remain in the room for all closed sessions.

8.14.4 In accordance with Schedule “B” a meeting or part of a meeting may be closed to the public.

8.14.5 Council shall move into closed session by using the prescribed resolution

form in Schedule “B”. No additional items may be included other than the matter referred to on the motion.

8.14.6 A meeting shall not be closed to the public during the taking of a vote except where:

- a. The vote is for a procedural matter or giving directions or instructions to officers, employees or agents of the municipality or persons retained by or under contract with the municipality.
Motions shall be stated...“THAT, (Staff, Solicitor etc.) are directed as follows:”

8.14.7 Confidential discussion during a closed session shall be limited to the issue declared.

8.14.8 No Member, Staff or other person present shall in any way, notify, distribute or make available to any person or other body, by any means, any reports or items, or disclose the nature or content of any documents or of discussions regarding any matters that are confidential without approval of such release by Council.

8.14.9 Upon returning to open session the Chair shall rise and report the following:

- a. a statement resulting from the closed session, which cites the motion which was approved to enter into closed session;
- b. declarations of pecuniary interest during the closed session.

8.14.10 The Clerk shall be responsible to secure and maintain a confidential record of all original documentation distributed or presented, relating to closed sessions.

8.14.11 Confidential documents will be provided in a secure manner to Council Members prior to the meeting, specifically via iCompass meeting management software (a secure internet site that requires a user to go to a web-site and login before they can access in-camera files). This technology allows users to view directly from the web-site (online) and/or download the document to be read off-line. Copies of any confidential documents circulated during the meeting shall be returned to the Clerk at the end of the Closed Session and destroyed.

8.14.12 Where practical, in consultation with the Chair, closed sessions shall be assigned to the beginning of the meeting (i.e. solicitor or consultant invited to attend).

8.14.13 All members and staff have a personal obligation to the corporation to treat identified documents in confidence and not to use them to the detriment of the corporation.

8.14.14 The obligation to keep information confidential shall continue after the Member ceases to be a Member of Council.

8.14.15 Closed Session Minutes shall be prepared and shall be signed by the Chair or Warden; and by either the Chief Administrative Officer, Clerk, or Deputy Clerk and posted on the secure iCompass portal.

8.14.16 Should the County receive a report from the County's Closed Meeting Investigator reporting his or her opinion, and the reasons for it, that a meeting or part of a meeting that was the subject-matter of an investigation appears to have been closed to the public contrary to section 239 of the Municipal Act or to the County's procedure by-law, the County of Lanark, shall pass a resolution stating how it intends to address the report.

8.15 Public Information Sessions

8.15.1 Public Information Sessions may be scheduled from time to time as warranted.

8.15.2 A Public Information Session shall be called by the Clerk once a resolution to do so has been adopted by Council or upon receiving a petition from a majority of Council Members. The petition shall clearly state the purpose, date, and time of the meeting, and the person who will act as Chair of the session.

8.16 Public Meetings (Statutory)

8.16.1 Public Meetings shall be scheduled as prescribed for the purpose of meeting the requirements of an Act, Regulation or By-Law.

8.16.2 A Public Meeting shall be called by the Clerk as required under By-Law No. 2002-42 and amendments thereto or as required under an Act or Regulation. The notice shall clearly state the purpose, date, and time of the meeting, and the person who will act as Chair of the session.

8.16.3 The Clerk shall prepare an agenda for the meeting and keep a record of the proceedings.

8.16.4 Notice for Public Meetings shall be as prescribed.

8.17 Notice of Meetings (Other than Public Meetings)

8.17.1 The Clerk shall give notice of each meeting to the Members, Department Heads, Media and the Public.

8.17.2 Posting the meeting agenda on the County Website shall constitute notice

8.17.3 Staff will endeavour to have the Council and Committee of the Whole

agendas available by 3:00 p.m. on the Friday prior to the meeting. However, if technical or other exigent circumstances occur, the agenda shall be posted no later than 48 hours prior to the meeting.

8.17.4 All Agendas referred to in the above section shall be posted on the County website, circulated via email and hard copies will be available in the Clerk's Office.

8.17.5 Refer to Subsections 8.6 and 8.7 for Special and Emergency Meetings.

8.17.6 Committee meetings may be cancelled in consultation with the Warden, Chair, Chief Administrative Officer and Clerk if insufficient business will be before the Committee. Notice of cancellation should be provided as soon as possible.

8.17.7 If it appears that inclement weather, or like occurrence, or an emergency situation will prevent the Members from attending a meeting, the Warden may direct the Clerk to postpone that meeting by contacting as many members as they are able to reach, notifying the public via media, email and website update.

8.18 Meeting Schedule

8.18.1 The Meeting Schedule will outline the dates of Regular Council and Committee of the Whole meetings and Professional Development Events as assigned.

8.18.2 Regular Council Meetings are held twice a month except during the month that has been declared the "summer recess".

8.18.3 Committee of the Whole Meetings are held twice per month except during the month that has been declared the "summer recess".

8.18.4 Special Meetings may be called during the month that has been declared the "summer recess".

8.18.5 Any Council or Committee of the Whole Meeting that is not on the Council/Committee Schedule will be deemed to be a "Special" Council or Committee of the Whole Meeting.

8.18.6 A rescheduled meeting shall not be considered a "Special" Council or Committee of the Whole Meeting.

8.19 Election Year

8.19.1 In the year of a municipal election, after the election an orientation shall be held for all members of Council

8.19.2 In the year of a municipal election, the Clerk shall make available the newly revised voting power of each member, for the purposes of a

recorded vote as regulated by County By-Law No. 2018-36.

8.19.3 Lame Duck Council

Councils powers may be restricted during an election year in accordance with the Municipal Act.

9.0 ORDER OF BUSINESS AND GENERAL RULES

9.1 Format of Agenda

9.1.1 Council Agenda

9.1.1.1 The Clerk, in consultation with the Chair, shall have prepared for the use of the Members at all meetings, an agenda as follows:

- (i) Call to Order
- (ii) Notice of Livestreaming
- (iii) National Anthem
- (iv) Moment of Silent Meditation
- (v) Roll Call
- (vi) Disclosure of Pecuniary Interest and the General Nature Thereof
- (vii) Approval of Council Minutes
- (viii) Additions and Approval of Agenda
- (ix) Delegations (10 minutes)
- (x) Questions of the Delegation from Council
- (xi) Presentations (estimated time per presenter)
- (xii) Communications
- (xiii) Committee Reports / Staff Reports
- (xiv) By-Laws and Motions
- (xv) New/Other Business
- (xvi) Notice of Committee Meetings
- (xvii) Confirmatory Council Proceedings
- (xviii) Adjournment

9.1.2 Committee of the Whole Agendas

9.1.2.1 The Clerk, in consultation with the Chair, shall have prepared for the use of the Members at all meetings, an agenda as follows:

- (i) Call to Order
- (ii) Disclosure of Pecuniary Interest and the General Nature Thereof
- (iii) Approval of Minutes
- (iv) Additions and Approvals of Agenda
- (v) Delegations (10 minutes)
- (vi) Questions of the Delegation from Council
- (vii) Presentations (estimated time per presenter)
- (viii) Communications
- (ix) Consent Reports
- (x) Discussion Reports
- (xi) Deferred Reports
- (xii) Verbal Reports
- (xiii) Confidential Reports
- (xiv) New/Other Business
- (xv) Adjournment

9.1.3 “Special” Meeting Agendas

9.1.3.1 The Clerk, in consultation with the Chair, shall have prepared for the use of the Members at special meetings, an agenda as follows:

- (i) Call to Order
- (ii) Disclosure of Pecuniary Interest and the General Nature Thereof
- (iii) “Business”
- (iv) Adjournment

9.1.4 Steering and Sub-Committee Meeting Agendas

9.1.4.1 The Clerk, in consultation with the Chair, shall have prepared for the use of the Members at Steering and Sub-Committee meetings, an agenda as follows:

- (i) Call to Order
- (ii) Disclosure of Pecuniary Interest and the General Nature Thereof
- (iii) Approval of Minutes
- (iv) Business
- (v) New/Other Business
- (vi) Next Meeting
- (vii) Adjournment

9.2 General

- 9.2.1 The business of each meeting shall be taken up in the order in which it stands on the agenda unless, by a majority vote, the Members decide otherwise.
- 9.2.2 The Clerk shall determine the appropriate meeting at which items of business shall be considered in accordance with this By-Law.
- 9.2.3 Where employees of the Corporation have been directed by Council to carry out a specific action and it is determined subsequently that the action cannot be carried out in accordance with Council's directions, Council will be notified as soon as possible of these findings and further direction shall be requested of Council.
- 9.2.4 The CAO shall attend Council, Committee of the Whole and Committee meetings (both open and closed session) with the right, as given by the Chair, to speak but not to vote.
- 9.2.5 Directors shall attend a meeting unless otherwise notified by the Chief Administrative Officer.

9.3 Disclosure of Pecuniary Interest and/or Conflict of Interest and General Nature Thereof

- 9.3.1 Prior to a particular matter being addressed, Members shall declare any direct or indirect pecuniary interests they may have, and the general nature thereof, on the prescribed form, attached as Appendix B, in connection with that matter pursuant to the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50, as amended.
- 9.3.2 Members shall declare a conflict of interest in accordance with the Code

of Conduct for Councils and Local Boards.

9.3.3 The Clerk shall maintain a registry in which a copy of the following shall be kept:

- a. each declaration filed; and
- b. each declaration recorded.

9.3.4 Where a Member has a pecuniary interest or conflict of interest, the Member shall not take part in the discussion of, or vote on any question in respect of the matter and shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

9.3.5 If the declared pecuniary interest or conflict of interest is with respect to an item on a Closed Session Agenda, in addition to complying with the requirements of this subsection, the Member shall forthwith leave the Closed Session, or that part of the Closed Session during which the matter is under consideration. The Chair in their Rise and Report shall state the declaration of pecuniary interest or conflict of interest disclosed during the Closed Session.

9.3.6 Where the interest of a Member has not been disclosed as required by Section 9.5.1 or 9.5.2 above, by reason of the Member's absence from the Meeting, the Member shall disclose the interest at the first subsequent Meeting thereafter.

9.3.7 A Council Member shall not ask another Member of County Council, County Staff, or County Solicitors whether that member should declare a pecuniary interest or conflict of interest.

9.3.8 Notwithstanding section 9.3.7 a Member of County Council, County Staff, or County Solicitor may offer an opinion to any Member of Council with regards to a potential conflict of interest; however, County Council and Staff do have the authority to refer potential conflicts and/or questions to the Integrity Commissioner.

9.4 Delegations and Presentations

9.4.1 Delegations

9.4.1.1 Persons who wish to appear as delegations must submit a written request to the Clerk outlining the purpose of their delegation to appear before a Committee, at least seven (7) days in advance of the meeting.

9.4.1.2 A staff report may accompany all delegations assigned to the agenda when necessary, otherwise if directed by Committee under New/Other Business, a staff report shall be placed on the

next applicable agenda.

9.4.1.3 Delegations shall be assigned by the Clerk to a Committee of the Whole agenda and only assigned to a Council agenda if time sensitive.

9.4.1.4 If there are a substantial amount of delegation requests for one particular meeting, the Clerk, in consultation with the Chair may defer a delegation request to a subsequent meeting.

9.4.1.5 Delegations in regards to items on the agenda that have not submitted a request within the specified time may be heard by the Committee by two-thirds vote.

Sample:

“THAT, the delegation regarding _____ be added to the agenda.”

or

“THAT, the delegation regarding _____ be added to the next Committee agenda.”

9.4.1.6 Delegations are to be limited to ten (10) minutes followed by a question period for Committee or Council Members for clarification.

9.4.1.7 The role of delegations is to provide information and not enter into debate with Council or Committee Members or staff.

9.4.1.8 Verbal reports will be accepted, however, written and electronic reports are preferred and shall be retained by the Clerk as an official record and are required 3 days in advance.

9.4.1.9 Delegations may speak at a meeting only with respect to the requested topic which was approved and listed on the agenda for that particular meeting.

9.4.1.10 Delegations who have previously appeared on the same subject matter, shall be limited to providing new information only in their subsequent appearances.

9.4.1.11 Delegations consisting of more than one person shall be limited to two speakers, being limited to no more than five minutes each. The second speaker shall not repeat information provided by the previous speaker from that delegation and will be confined by the Chair to presenting new and/or additional information.

9.4.1.12 Delegations' requesting to appear at a meeting may be declined if one has failed to follow established by-laws, policy, procedures or protocol; or as prescribed in an applicable governing statute and /or regulation. Council is to be advised of all refusals prior to

the requested meeting date.

9.4.1.13 Delegations are not permitted to address Committee on a policy matter upon which Council has already made a decision within the last 12 months, if it is in regard to a policy matter, or unless Council has decided to reconsider the matter.

9.4.1.14 Council discussion pertaining to staff direction related to a delegation shall be addressed under "New/Other Business".

9.4.1.15 Action may be taken in the form of a motion under New/Other Business if the matter presented by the delegation is considered by Council as time sensitive.

9.4.2 Presentations

9.4.2.1 Presentations shall be assigned to a Committee of the Whole agenda and only assigned to a Council agenda if time sensitive.

9.4.2.2 A staff report will be provided only if directed by Council or Committee.

9.4.2.3 The role of the presenter is to provide information and not enter into debate with Council or Committee Members or staff.

9.4.2.4 Verbal reports will be accepted, however, written and electronic reports are preferred and shall be retained by the Clerk as an official record and are required 3 days in advance.

9.4.2.5 Questions directed to staff by any presenter shall be received through the Chair.

9.5 Written Communications & Correspondence

9.5.1 Communications that are addressed to Council or that relate to County matters shall be circulated to the appropriate Committee of the Whole.

9.5.2 Communications delivered by electronic mail (email) to each member of Council will not be circulated to the appropriate Committee of the Whole, unless requested to be brought forward to the appropriate Committee of the Whole agenda by a member of Council.

9.5.3 Council may acknowledge receipt of communication(s) delivered by electronic mail (email), however shall refrain from entering into email conversations which have the potential to be considered a "meeting", subject to the open meeting requirements (i.e. include a quorum of council and discussing items that may be moving business forward).

9.5.4 Communications that are not legible or that contain any defamatory allegations, or impertinent or improper matter, will not be circulated to

Council. Every communication shall be signed by at least one person giving their name and mailing address.

- 9.5.5 Communications delivered by electronic mail shall contain the electronic mail address of the sender as well as a name and mailing address, and have attached to it only those documents which are in a printable format.
- 9.5.6 Correspondence delivered by facsimile transmission shall contain the facsimile number as well as the name and mailing address of the sender.
- 9.5.7 Communications separated for discussion and/or action will be considered in the order that they were removed. The balance of the communications will be received for information once the items identified have been dealt with accordingly.
- 9.5.8 When required, staff shall provide the information necessary for Council to respond accordingly to communications listed on the agenda.
- 9.5.9 When a response is required, the Warden, as spokesperson for the County shall respond or direct the appropriate staff to respond to the communications/correspondence.

9.6 Reports

9.6.1 Committee Reports to Council

- 9.6.1.1 Every Committee of the Whole and the Striking Committee shall report to Council.
- 9.6.1.2 The Committee Chair will offer a report for approval which shall contain an "A" section for information, and a "B" section requiring action by Council.
- 9.6.1.3 The "A" section of reports will be read only when the Chair of the Committee is directed by Council, by unanimous consent, to do so.
- 9.6.1.4 Recommended motions for information only may be included in Section "A" of the Report.
- 9.6.1.5 The "B" section of reports will be read at the podium by the Chair of the Committee in its entirety unless otherwise requested or directed by Council, by majority consent, not to do so.
- 9.6.1.6 Prior to the adoption of a Committee report, any Member may request that an item be separated for consideration, or to be voted on separately.
- 9.6.1.7 When a request to separate an item from the report is accepted by the Chair, a motion to consider the separated item as

recommended by the Committee, will be the next order of business prior to the adoption of the remaining report.

9.6.2 Staff Reports to Committee of the Whole

9.6.2.1 Staff reports will generally be given in writing and attached to the meeting agenda. The standard staff report format has been adopted as set out in Schedule "C".

9.6.2.2 Reports other than those that require action or direction, or are of an administrative nature may be included as "Consent Reports" unless required by regulations or directed by Council.

9.6.2.3 Verbal reports will only be used when updating the committee on a matter previously presented at a meeting in the form of a written staff report.

9.6.3 Confidential Reports

9.6.3.1 Confidential documents will be provided in a secure manner to Council Members prior to the meeting, specifically via iCompass meeting management software (a secure internet site that requires a user to go to a web-site and login before they can access in-camera files). This technology allows users to view directly from the web-site (online) and/or download the document to be read off-line. Upon request, the Clerk will provide a hard copy of the confidential document during the closed session and collect prior to returning to open session for destruction. (also explained in item 8.11.11)

9.6.3.2 On the occasion that documents are not distributed via secure iCompass in advance, staff reports that are "confidential" shall be copied onto brown paper, watermarked and marked "**CONFIDENTIAL**" in the upper right hand corner. (See Sub-Section 8.11 Closed Session).

9.6.3.3 The Clerk shall ensure that any material relating to any matter for which a meeting may resolve into "closed session" under the Municipal Act, is circulated as confidential material pending Council's approval of release to the public.

9.7 New/Other Business

9.7.1 New Business shall not be considered unless it is of an emergency, time sensitive, congratulatory or condolence nature.

9.7.2 Other Business shall not be considered unless it is of an urgent nature or time sensitive and should otherwise be referred to the next meeting of the committee or the appropriate committee.

- 9.7.3 New/Other Business may be heard at Council by a two-thirds vote.
- 9.7.4 New/Other Business may be heard at a Committee by a two-thirds vote.
- 9.7.5 The request to hear New/Other Business will not be debatable.
- 9.7.6 Members requesting additions under New/Other business shall put forward those items under Section 4. "Additions and Approvals of the Agenda".
- 9.7.7 Discussion pertaining to staff direction related to a delegation shall be addressed under "New/Other Business".
- 9.7.8 Action may be taken in the form of a motion under New/Other Business if the matter presented by the delegation is considered by Council as time sensitive.

9.8 Unfinished Business

- 9.8.1 Items on an agenda which have not been dealt with, shall be repeated on each subsequent agenda until resolved or removed from the agenda by resolution.

10.0 COMMENCEMENT AND ADJOURNMENT OF MEETINGS

10.1 Quorum

- 10.1.1 If no quorum is present thirty (30) minutes after the time appointed for a Meeting of Council or Committee, the Clerk shall record the names of the Members present and the meeting shall stand adjourned until the date of the next meeting, either regular, special or emergency.
- 10.1.2 When quorum is lost as a result of declarations of pecuniary interest by one or more Members, the remaining Members shall be deemed to constitute quorum, provided the number is not fewer than two.
- 10.1.3 The Chair shall call the meeting to order as soon after the hour fixed for the holding of the meeting that a quorum is present.
- 10.1.4 If the chair is not available at the time appointed for a Meeting of Council or Committee, the most recent Past Warden or most recent Past Committee Chair will conduct the meeting until the arrival of the Warden or Committee Chair.
- 10.1.5 Council members shall notify the Clerk when intending to be absent from a Council, Special, Committee of the Whole, Steering Committee or Sub-Committee Meeting for the purpose of ensuring a quorum.
- 10.1.6 When a quorum is lost, the meeting shall stand recessed. However, if a quorum is not regained within 10 minutes the meeting shall stand

adjourned.

10.2 Recess

10.2.1 At a Council meeting, a motion to recess shall be brought forward and shall set a time (ex. recess for 5 minutes) or state “until called to order by the Chair”.

10.2.2 At a Committee meeting, the Committee shall recess by majority consent and shall set a time (ex. recess for 5 minutes) or state “until called to order by the Chair”.

10.3 Adjournment

10.3.1 All meetings shall adjourn no later than 10:00 p.m., unless a motion to proceed beyond 10:00 p.m. is approved.

10.3.2 Notwithstanding Subsection 10.3.1 above, no meetings shall proceed beyond the hour of 10:30 p.m.

11.0 MOTIONS

11.1 Motion Process

11.1.1 Where members of the public are to be heard on a matter, members of Council and/or Committee shall not put forward a motion until the delegation has completed their presentation and had the opportunity to answer all questions from attending members. Once a motion has been duly moved and seconded, no further comment from the public shall be allowed.

11.1.2 For Council and Committee of the Whole meetings, a motion shall be formally seconded before the Chair can put the question or a motion can be recorded in the minutes.

11.1.3 For Steering and Sub-Committee meetings, a motion shall need to be formally moved and seconded before the Chair can put the question or a motion can be recorded in the minutes.

11.1.4 A Motion for a Council meeting may be reduced to writing and shall contain the signatures of the mover and seconder, save and except for when the meeting is held wholly electronically. This requirement shall be suspended.

11.1.5 A Motion for a Committee meeting shall not need to be reduced to writing, but will be included in the minutes.

11.1.6 Every Member present is entitled to vote on every motion, unless the Member has declared a pecuniary interest.

- 11.1.7 Every Member present, except the Chair, shall be deemed to vote against the motion if they decline or abstain from voting, unless disqualified from voting by reason of a declared pecuniary interest.
- 11.1.8 The Chair may vote on all motions but need not declare his/her intention to vote. The Chair shall be required to vote to break a tie.
- 11.1.9 After a motion has been duly moved, seconded, and read, it shall immediately be open to debate. The mover shall have the opportunity to make the introductory and closing remarks thereon.
- 11.1.10 No Member shall speak more than twice until every Member has had an opportunity to speak towards the motion.
- 11.1.11 Any Member may request that any motion under debate be repeated by the Clerk or Chair for the benefit of clarification but not so far as to interrupt a Member while speaking.
- 11.1.12 A motion on which the voting results in a tie shall be considered lost.
- 11.1.13 When the motion under consideration contains distinct recommendations, a Member may request that the vote be taken separately on each proposal. (See the motion to "Divide" in the Motion Table)
- 11.1.14 The Chair shall call the vote immediately after all Members desiring to speak to the motion have spoken.
- 11.1.15 Upon the Chair calling for a vote, no further speakers shall be permitted.
- 11.1.16 The manner of determining the vote on a motion shall be by show of hands.
- 11.1.17 No vote shall be taken at any meeting by any method of secret voting, except where permitted or required by law.
- 11.1.18 The Chair shall announce the result of every vote.
- 11.1.19 If a Member disagrees with the announcement of the result of any vote, the Member may object immediately to the announcement and require that the vote be retaken.

11.2 Ranking Motions

Note: Refer to table in Schedule "D".

11.3 Reconsideration of a Motion

11.3.1 General Provisions

- 11.3.1.1 Reconsideration of a motion shall only be permitted at Council

meetings.

11.3.1.2 A motion to reconsider a previous decision of Council shall only be introduced by a Member who voted with the majority on the original motion or who was not in attendance when the vote was called.

11.3.1.3 A motion to reconsider may be seconded by any Member.

11.3.1.4 When a motion to reconsider is defeated, another motion to reconsider cannot be put forward for a one year period.

11.3.1.5 Debate on a motion for reconsideration shall be confined to reasons for or against reconsideration or to such matters as new information which has come forward, an error in documentation presented or incorrect statements made during the original debate.

11.3.1.6 A motion to reconsider shall not be in order if Council is made aware the question or by-law has been implemented, resulting in legally binding commitments as of the date the motion to reconsider is moved.

11.3.2 Notice of Intention

11.3.2.1 A notice of the intention to reconsider a motion shall be placed on the next Council agenda. At the meeting a motion to reconsider will be brought forward.

11.3.3 Motion to Reconsider

11.3.3.1 When a motion for reconsideration is introduced, no discussion of the original motion shall be allowed unless the motion for reconsideration is approved by at least two-thirds of the Council present.

11.3.4 A motion to reconsider shall not be amended but may be debated.

11.3.5 The original motion shall be reconsidered as the next order of business, unless the motion to reconsider shall include the date of when the original motion is to be reconsidered.

11.3.6 Should a motion to reconsider be defeated, the original motion shall not be debated or voted upon until eligible under this By-Law.

11.3.7 Original Motion

11.3.7.1 The original motion being considered shall be stated in the exact manner in which it was voted on.

11.3.7.2 The debate on the original motion being considered as a result

of an affirmative motion of reconsideration shall proceed as though it had never previously been voted on.

11.4 Recorded Votes

11.4.1 Recorded votes shall be permitted at all meetings of Council including Committee of the Whole, Sub-Committee and Steering Committees. The Weighted Vote shall only apply at Council Meetings.

11.4.2 A recorded vote shall be taken when called for by any Member.

11.4.3 A Member may call for a recorded vote prior or immediately subsequent to the taking of the vote.

11.4.4 All Members, including the Warden, shall be required to vote when a recorded vote is called for, except when absent or disqualified by a declared pecuniary interest.

11.4.5 When a recorded vote is permitted and required, the Chair will pose the question and the Clerk will call for those members in favour to rise, at which time the Clerk shall record the name of each Member standing and their vote in favour, and upon completion of the recording, the Clerk will call those Members opposed to rise, at which time the Clerk shall record the name of each Member standing and their vote in opposition on the Recorded Vote Form. The Clerk will also record the number of Members absent and/or abstained. The Recorded Vote Form will then be included as an attachment to the minutes.

11.4.6 On a recorded vote, failure to vote by a Member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed a negative vote.

11.4.7 The Clerk shall tabulate and announce the results of the vote.

11.5 Point of Privilege

11.5.1 A Member may raise a point of privilege directing attention to a matter that affects the rights of the Member or Members.

11.5.2 A point of privilege shall take precedence over any other matter except during verification of a vote.

11.5.3 A Member shall state the point of privilege to the Chair at the time of occurrence.

11.5.4 A Member shall not be permitted to enter into any argument or introduce any motion not related to the point of privilege.

11.5.5 When the integrity of the CAO or other employee of the Corporation has been questioned, the CAO shall be permitted to make a statement to the

Members.

11.6 Point of Order

11.6.1 A Member may raise a point of order to a perceived violation of the rules of procedure, except during verification of a vote.

11.6.2 A Member shall state the point of order to the Chair at the time of the occurrence and shall quote the appropriate section of this By-Law.

11.6.3 The Chair shall decide upon the point of order and advise the Members of the decision.

11.6.4 Unless a Member immediately appeals the Chair's decision, the decision of the Chair shall be final.

11.6.5 If the decision of the Chair is appealed, the question "Shall the ruling of the Chair be upheld?" a vote shall be called without debate, and its results shall be final. A Recorded Vote shall not be permitted.

11.7 Appeal Decision of the Chair

11.7.1 The Chair shall decide upon the point of privilege and advise the Members of the decision.

11.7.2 Unless a Member immediately appeals the Chair's decision, the decision of the Chair shall be final.

11.7.3 If the decision of the Chair is appealed, the question "Shall the ruling of the Chair be upheld?" vote shall be called without debate, and its results shall be final. A Recorded Vote shall not be permitted.

11.7.4 When the matter has been determined to be a point of privilege, the Member shall be afforded an opportunity to propose a motion in relation to that point of privilege.

12.0 BY-LAWS

12.1 By-Law Approval Process

12.1.1 Every by-law shall be listed on the agenda by an identifying number, followed by a brief description of the intent of the By-Law.

12.1.2 One motion shall be introduced to pass all of the by-law without amendment or debate, providing that all by-laws shall be read and voted on, except as specified below.

12.1.3 The Chair shall then invite debate on any by-law(s) set forth in the motion to pass all of the by-laws and any member wishing to debate one or more of the by-laws shall advise the Chair, following which:

- a. the by-law(s) shall be separated from the motion;
- b. the motion shall be voted on;
- c. amendments to the separated by-law(s) may be proposed during the course of the debate

12.1.4 In the event that a by-law requires intermediate steps, the by-law shall have its own motion without amendment or debate, indicating that it will come into effect once such intermediate steps are completed.

12.1.5 Each by-law for which a member declares a pecuniary interest shall be introduced and voted on separately.

12.1.6 By the conclusion of the debate:

- a. if no amendments have been proposed to any of the separated by-law(s), the Chair shall call for a vote on the by-law(s) and, if applicable, any by-law(s) falling within Section 11.1.3
- b. if amendments have been proposed to any of the separated by-law(s):
 - a. any by-law(s) without proposed amendments and, if applicable, any bylaw(s) falling within Article 11.1.3 shall be voted on;
 - b. the Chair shall report the proposed amendments to the members;
 - c. each amendment shall be voted on separately without further amendment or debate; and
 - d. the Chair shall call for a vote on each separated bylaw, incorporating any approved amendments.

12.1.7 Upon a two-thirds vote of the Members present, third reading of any by-law may be postponed until the next meeting.

12.1.8 The Clerk shall be authorized to make minor corrections to any by-law resulting from technical, or typographical errors prior to the by-law being signed.

12.1.9 Every by-law passed by Council shall be signed by the Warden and the Clerk, sealed with the seal of the Corporation, show the date of all readings, and shall be bound in a volume for the year in which it was passed.

12.2 By-Law versus Resolution

12.2.1 A resolution is a less permanent rule and shall express the decision of a

council in respect of a temporary or distinct matter. A resolution shall not prescribe a permanent rule of local government. A resolution expresses the will of the governing body on a special occasion which is not likely to recur. A resolution shall not replace a by-law required by law.

12.2.2 In accordance with Section 5 of the Municipal Act, a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise. A by-law shall be used, but not limited to, implement policy, memorandums of understanding, agreements and permanent rules. Whether an authorizing by-law is required depends on the subject matter of the item of business transacted by a municipal corporation and whether it is being transacted under the Municipal Act, 2001, as amended.

12.3 Confirmatory By-Law

12.3.1 The proceedings at every regular and special meeting of Council shall be confirmed by by-law, so that every decision, unless required by an Act, Regulation or By-Law, of Council at that meeting and every resolution passed thereat shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.

13.0 AMENDMENT OF PROCEDURAL BY-LAW

No amendment or repeal of this by-law or any part thereof shall be considered at any meeting of Council unless:

- a. Notice of intention of proposed amendment or repeal has been given at a previous regular meeting of Council (Municipal Act, 2001, Part VI, Section 238, Subsection 4, as amended); and
- b. One notice in a local paper, a minimum of ten (10) days prior to passing the by-law is given (By-Law No. 2007-68).

The waiving of this notice by Council is prohibited. (By-Law No. 2007-68)

14.0 ULTRA VIRES

Should any sections of this by-law, including any section or part of any schedules attached hereto be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

15.0 BY-LAWS TO BE REPEALED

THAT, By-Law No. 2020-05 and By-Law No. 2020-07 be repealed.

16.0 EFFECTIVE DATE

This By-Law will come into effect on the day of its passing.

By-Law read a first and second time this XX day of May, 2022.

By-Law read a third time and finally passed this XX day of May, 2022.

Jasmin Ralph
Clerk

John Fenik, Warden

DRAFT

SCHEDULE “A” Inaugural Meeting

Nomination Process in a non-municipal election year:

Nomination Forms provided to Councillors on November 1st for the position of Warden and/or Committee Chair(s). The nomination form requires the signatures of the nominee and two county councillors (duly moved and seconded) and must be submitted to the Clerk (in person or electronically) by the end of the first regular County Council meeting in November.

At the second regular County Council meeting in November, County Council will receive a report on valid nominations received for the position of Warden and Committee Chairs.

In the event an election is required, voting is by secret ballot at the Inaugural meeting in December (first Wednesday of the month at 2:00 pm).

New #’s	Agenda Item:	Rules:	Conducted By:
i	Call to Order	The Inaugural meeting shall be held on the first Wednesday of December at 2:00 pm. The Clerk shall notify all Members at least one (1) week in advance of the meeting as to time and date.	Outgoing Warden
ii	Roll Call	The Clerk shall ensure that a majority of the members are present.	Clerk
iii	Devotional Service	May be Selected by the Outgoing Warden	Reverend
iv	Introduction of M.P.s, M.P.P. and Past Wardens		Outgoing Warden
v	Remarks from Outgoing Warden		Outgoing Warden
vi	Declaration of Office for All Members of Council	Conducted in the year of an election as per Section 232 (1), M.A. 2001	Clerk
vii	Appointment of a Scrutineer	Past Warden not currently on Council. Motion	Clerk
viii	Election of Warden	The Clerk shall act as Presiding Officer for the purpose of election of the Warden.	Clerk
	Nominations	The Clerk shall review the report on valid nominations received for the position of Warden.	Clerk

Xii	Candidates to address Council	<p>Nominees shall speak in the reverse order of their nomination.</p> <p>Each Nominee shall be entitled to a maximum of five (5) minutes to address Council.</p>	Clerk
xiii	Questions of Candidates from the Floor	Up to a maximum of ten (10) minutes shall be devoted to receiving questions of Candidates, after which no questions shall be received.	Clerk
xiv	Declare Recess to Vote		Clerk
xv	Voting	<p>The election of Warden shall be by secret ballot.</p> <p>Each member shall have one (1) vote. The nominee receiving in excess of half of the votes cast, shall be declared as Warden.</p> <p>Where no nominee receives in excess of half of the votes cast, the nominee receiving the lowest number of votes shall be dropped from the future ballots.</p> <p>In the case of equality of votes, subsequent ballots shall be undertaken until:</p> <p>The election results for the Warden:</p> <ol style="list-style-type: none"> 1. resolves equal votes, or 2. permits advancement of eligible candidates through a prescribed elimination procedure (Appendix "A") 3. produces a successful candidate by receiving in excess of half the votes cast <p>The Clerk and Chief Administrative Officer shall count the votes and shall forthwith announce the results.</p> <p>All ballots shall be destroyed following the election of Warden.</p> <p>The number of votes cast per candidate shall remain confidential.</p>	Clerk, Chief Administrative Officer and Scrutineer
xvi	Announcement of Successful Candidate		Clerk

xxiii	Election of Committee of the Whole Chairs	<p>The Clerk shall act as Presiding Officer for the purpose of election of Committee of the Whole Chairs.</p> <p>a) Corporate Services b) Community Services c) Community Development d) Public Works <i>(steps xxiv to xxxii repeated for each Chair position, excluding xxix which will be conducted only once)</i></p>	Clerk
	Nominations	The Clerk shall review the report on valid nominations received for the position of Warden.	Clerk
xxvii	Candidates to address Council	Nominees shall speak in the reverse order of their nomination.	Clerk
xxviii	Questions of Candidates from the Floor	Up to a maximum of ten (10) minutes shall be devoted to receiving questions of Candidates, after which no questions shall be received.	Clerk
xxix	Declare Recess to Vote		Clerk
xxx	Voting	<p>The election of Chair shall be by secret ballot.</p> <p>Each member shall have one (1) vote.</p> <p>The nominee receiving the majority of the votes cast, shall be declared as chair of the respective Committee.</p> <p>Where no nominee receives in excess of half of the votes cast, the nominee receiving the lowest number of votes shall be dropped from the future ballots.</p> <p>In the case of equality of votes, subsequent ballots shall be undertaken until:</p> <p>The election results for the Committee of the Whole Chairs:</p> <ol style="list-style-type: none"> 1. resolves equal votes, or 2. permit advancement of eligible candidates through a prescribed elimination procedure (Appendix "A") 	

		<p>3. produces a successful candidate by receiving in excess of half the votes cast</p> <p>The Clerk and Chief Administrative Officer shall count the votes and shall forthwith announce the results.</p> <p>The number of votes cast per candidate shall remain confidential.</p> <p>All ballots shall be destroyed following the election of Committee of the Whole Chairs.</p>	
xxxi	Announcement of Successful Candidate		Clerk
xxxii	Adjournment	Verbal Motion.	Clerk

Nomination Process in a municipal election year:

- The election of the Warden and Committee Chairs will take place at the Inaugural meeting in December (first Wednesday of the month at 2:00 pm) after the declarations of office have been made by the councillors.
- There will be no requirement for nomination forms, as verbal nominations for all positions will come from the floor at the meeting.
- In the event an election is required, voting is by secret ballot.

#'s	Agenda Item:	Rules:	Conducted By:
i	Call to Order	<p>The first meeting of Council in each year shall be held no later than the third Wednesday of December at the hour of 2:00 p.m. or at such hour as may be fixed by by-law.</p> <p>The Clerk shall notify all Members at least one (1) week in advance of the meeting as to time and date.</p>	Clerk in the year of an election
ii	Role Call	The Clerk shall ensure that a majority of the members are present.	Clerk
iii	Devotional Service	Selected by staff in an election year	Reverend
iv	Introduction of M.P.s, M.P.P. and Past Wardens		Outgoing Warden
v	Remarks from Outgoing Warden		Outgoing Warden (if re-elected)
vi	Declaration of Office for All Members of Council	Conducted in the year of an election as per Section 232 (1), M.A. 2001	Clerk
vii	Appointment of a Scrutineer	Past Warden not currently on Council. Motion	Clerk
viii	Election of Warden	<p>The Clerk shall act as Presiding Officer for the purpose of election of the Warden or alternatively the Deputy Clerk.</p> <p>The Clerk shall report to Council that it is the duty of the Council to elect the Warden - Written Motion.</p>	Clerk
ix	Call for Nominations from the Floor for Lanark County Warden	<p>Verbal Motion(s) for Nominations.</p> <p>Up to a maximum of ten (10) minutes shall be devoted to receiving nominations</p>	Clerk

#s	Agenda Item:	Rules:	Conducted By:
		<p>for the office of Warden, after which no nominations shall be received.</p> <p>Each mover and seconder shall be entitled to a maximum of five (5) minutes to address Council in support of their nominee.</p>	
x	Nominations Close	Verbal Motion	Clerk
xi	Nominations Stand	Clerk asks candidates if they wish their name to stand.	Clerk
xii	Candidates to address Council	<p>Nominees shall speak in the reverse order of their nomination.</p> <p>Each Nominee shall be entitled to a maximum of five (5) minutes to address Council.</p>	Clerk
xiii	Questions of Candidates from the Floor	Up to a maximum of ten (10) minutes shall be devoted to receiving questions of Candidates, after which no questions shall be received.	Clerk
xiv	Declare Recess to Vote		Clerk
xv	Voting	<p>The election of Warden shall be by secret ballot.</p> <p>Each member shall have one (1) vote. The nominee receiving in excess of half of the votes cast, shall be declared as Warden.</p> <p>Where no nominee receives in excess of half of the votes cast, the nominee receiving the lowest number of votes shall be dropped from the future ballots.</p> <p>In the case of equality of votes, subsequent ballots shall be undertaken until:</p> <p>The election results for the Warden:</p> <ol style="list-style-type: none"> 1. resolves equal votes, or 2. permits advancement of eligible candidates through a prescribed 	Clerk, Chief Administrative Officer and Scrutineer

#'s	Agenda Item:	Rules:	Conducted By:
		<p>elimination procedure (Appendix "A")</p> <p>3. produces a successful candidate by receiving in excess of half the votes cast</p> <p>The Clerk and Chief Administrative Officer shall count the votes and shall forthwith announce the results.</p> <p>All ballots shall be destroyed following the election of Warden.</p> <p>The number of votes cast per candidate shall remain confidential.</p>	
xvi	Announcement of Successful Candidate		Clerk
xvii	Newly Elected Warden Escorted to Chair	<p>Council Members shall rise while the newly elected Warden is escorted to the Warden's Chair.</p> <p>The Outgoing Warden will remove the Chain of Office before welcoming the new Warden.</p>	Mover and Seconder of their Nomination
xviii	Warden Takes Declaration of Office	<p>The new Warden will then be sworn in by the Clerk, they will sign the declaration of office, after which time all members will take their seats.</p> <p>Prescribed form (<i>section 232 Municipal Act, 2001</i>)</p>	Newly Elected Warden
xix	Warden Assumes the Chain of Office	The Chain of Office is placed on the newly elected Warden.	Outgoing Warden
xx	Presentation of Past Warden's Pin	The Outgoing Warden is presented with a Past Warden's Pin by the newly elected Warden.	Newly Elected Warden
xxi	Warden's Remarks and Introduction of Special Guests		Warden
xxii	Announcement of the Selection of the Striking Committee	The newly elected Warden shall appoint a Striking Committee consisting of five (5) Members of Council.	Warden
xxiii	Election of	The Clerk shall act as Presiding Officer	Clerk

#'s	Agenda Item:	Rules:	Conducted By:
	Committee of the Whole Chairs	<p>for the purpose of election of Committee of the Whole Chairs or alternatively the Chief Administrative Officer.</p> <p>a) Corporate Services b) Community Services c) Community Development d) Public Works</p> <p><i>(steps xxiv to xxxii repeated for each Chair position, excluding xxix which will be conducted only once)</i></p>	
xxiv	Call for Nominations from the floor for Committee of the Whole Chairs	<p>Verbal Motion(s) for Nominations.</p> <p>Up to a maximum of ten (10) minutes shall be devoted to receiving nominations for Chairs, after which no nominations shall be received.</p> <p>Each mover and seconder shall be entitled to a maximum of five (5) minutes to address Council in support of their nominee.</p>	Clerk
xxv	Nominations Close	Verbal Motion	Clerk
xxvi	Nominations Stand	Clerks asks candidates if they wish their name to stand.	Clerk
xxvii	Candidates to address Council	Nominees shall speak in the reverse order of their nomination.	Clerk
xxviii	Questions of Candidates from the Floor	Up to a maximum of ten (10) minutes shall be devoted to receiving questions of Candidates, after which no questions shall be received.	Clerk
xxix	Declare Recess to Vote		Clerk
xxx	Voting	<p>The election of Chair shall be by secret ballot.</p> <p>Each member shall have one (1) vote.</p>	

#'s	Agenda Item:	Rules:	Conducted By:
		<p>The nominee receiving the majority of the votes cast, shall be declared as chair of the respective Committee.</p> <p>Where no nominee receives in excess of half of the votes cast, the nominee receiving the lowest number of votes shall be dropped from the future ballots.</p> <p>In the case of equality of votes, subsequent ballots shall be undertaken until:</p> <p>The election results for the Committee of the Whole Chairs:</p> <ol style="list-style-type: none"> 1. resolves equal votes, or 2. permit advancement of eligible candidates through a prescribed elimination procedure (Appendix "A") 3. produces a successful candidate by receiving in excess of half the votes cast <p>The Clerk and Chief Administrative Officer shall count the votes and shall forthwith announce the results.</p> <p>The number of votes cast per candidate shall remain confidential.</p> <p>All ballots shall be destroyed following the election of Committee of the Whole Chairs.</p>	
xxxi	Announcement of Successful Candidate		Clerk
xxxii	Adjournment until Regular Meeting	<p>Verbal Motion.</p> <p>Council's regular business shall be dealt with on the day immediately following the Inaugural Meeting at the hour of 7:00 p.m.</p>	Clerk

APPENDIX “A”

Voting Procedure:

Each member of council shall have one (1) vote and is entitled to vote on all ballots.

The nominee receiving in excess of half the votes cast shall be declared as the successful candidate.

Unless a candidate(s) is eliminated from a ballot through the following process, all Candidates will be included in the subsequent ballots.

When the result of the vote creates a tie, subsequent votes shall be conducted as follows:

Example: All sixteen Councillors are in attendance for the vote and there are four Candidates running for one position, the following scenarios could occur:

Scenario 1

Candidate A – 4 votes

Candidate B – 4 votes

Candidate C – 4 votes

Candidate D – 4 votes

A subsequent ballot and vote will be held for Candidates A, B, C, & D with the candidate receiving the least amount of votes eliminated. If the results remain unchanged subsequent votes will be conducted until the results determine a successful candidate or reduces the number of candidates.

This may also result in further scenarios as described below.

Scenario 2

Candidate A – 7 votes

Candidate B – 3 votes

Candidate C – 3 votes

Candidate D – 3 votes

Candidate A did not receive in excess of half the votes cast, therefore a subsequent ballot is required.

A subsequent ballot and vote will be held for Candidates A, B, C, & D with the candidate receiving the least amount of votes eliminated. Should the results of the subsequent vote remain unchanged then subsequent votes will be conducted until the results change the scenario.

Scenario 3

Candidate A – 6 votes
Candidate B – 6 votes
Candidate C – 2 votes
Candidate D – 2 votes

Candidates A and B combined received excess of half of the votes cast therefore Candidates C and D shall be removed from the next ballot.

Scenario 4

Candidate A – 10 votes
Candidate B – 2 votes
Candidate C – 2 votes
Candidate D – 2 votes

Candidate A received in excess of half the votes cast and is declared as the successful Candidate and the election for that position is complete.

When the result of the vote creates a tie, three (3) subsequent votes shall be conducted as per Appendix A of the Inaugural Meeting Process, found in Schedule A of this document. If a tie remains after the final vote, the names of nominees shall be placed in a hat and Clerk shall draw the name of the elected Warden and/or Committee Chair.

SCHEDULE "B"
In-Camera Motion Form



**CLOSED MEETING
MOTION FORM**

Date: _____

Topic Title: _____

Committee:

- ☐ **Economic Development** ☐ **Public Works**
☐ **Community Services** ☐ **Corporate Services** ☐ **County Council**
☐ **Other** _____

Motion #: _____

Moved By: _____

Seconded By: _____

"THAT, Council/Committee move "in camera" at _____ to address a matter pertaining to:

- ☐ security of the property of the municipality or local board;

- ☐ personal matters about an identifiable individual, including municipal or local board employees;

- ☐ a proposed or pending acquisition or dispersion of land by the municipal or local board;

- ☐ labour relations or employee negotiations;

- ☐ litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

- ☐ the receiving of advice that is subject to solicitor/client privilege, including communications necessary for that purpose;

- ☐ a matter in respect of which a council, board, committee or other body has authorized a meeting to be closed under another Act;

- ☐ 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;

☐ 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;

☐ 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

☐ 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. organization;

☐ 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).
-

☐ 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).

Details: _____

AND THAT

remain in the room.

Warden/Chair _____

[M.A. 2001, c. 25, s. 239(2) &(3) (3.1)]



DECLARATION OF INTEREST MUNICIPAL CONFLICT OF INTEREST ACT

Date: _____

Name of Member: _____

Committee:

- ☐ County Council ☐ Committee of the Whole
☐ Other _____

I _____ declare a

potential (☐ deemed / ☐ direct / ☒ indirect) pecuniary interest on item

_____ for the following reason:

Signature of Member

Please note: In accordance with Section 6.1 (1) and (2) of the Municipal Conflict of Interest Act this document will form part of a registry that will be maintained by the Clerk. This Registry shall be made available for public inspection.

For an "indirect pecuniary interest" see Section 2 of the *Municipal Conflict of Interest Act*

For a "deemed" direct or indirect pecuniary interest see Section 3 of the *Municipal Conflict of Interest Act*

[M.C.I.A. 1990, c.M. 50, s.5]

Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50

(March 26th, 2018 version)

Indirect pecuniary interest

2 For the purposes of this Act, a member has an indirect pecuniary interest in any matter in which the council or local board, as the case may be, is concerned, if,

(a) the member or his or her nominee,

(i) is a shareholder in, or a director or senior officer of, a corporation that does not offer its securities to the public,

(ii) has a controlling interest in or is a director or senior officer of, a corporation that offers its securities to the public, or

(iii) is a member of a body,

that has a pecuniary interest in the matter; or

(b) the member is a partner of a person or is in the employment of a person or body that has a pecuniary interest in the matter. R.S.O. 1990, c. M.50, s. 2.

Interest of certain persons deemed that of member

3 For the purposes of this Act, the pecuniary interest, direct or indirect, of a parent or the spouse or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member. R.S.O. 1990, c. M.50, s. 3; 1999, c. 6, s. 41 (2); 2005, c. 5, s. 45 (3).

**SCHEDULE “C”
Staff Report Format**

THE COUNTY OF LANARK

COMMITTEE NAME

DATE

Report of the,
Authors Title

TITLE OF REPORT

1. STAFF RECOMMENDATIONS

It is recommended:

THAT, (*suggested motion*)

2. PURPOSE

3. BACKGROUND

4. DISCUSSION

5. ANALYSIS AND OPTIONS

6. FINANCIAL IMPLICATIONS

7. LOCAL MUNICIPAL IMPACT

8. CONCLUSIONS

9. ATTACHMENTS

Prepared and Recommended By:

Approved for Submission By:

**Name
Title**

**Name
Chief Administrative Officer**

SCHEDULE “D”
Motions

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
Adjourn	YES	NO	<ul style="list-style-type: none"> shall be resolved prior to any other motion being moved 	<ul style="list-style-type: none"> Council shall immediately rise and no further proceedings shall take place all unfinished business on the agenda shall be included on the agenda of the next meeting 	<ul style="list-style-type: none"> the meeting shall resume at the point immediately prior to the point at which the motion to adjourn was moved a subsequent motion to adjourn at the same meeting may not be introduced prior to further business being conducted 	NO	<ul style="list-style-type: none"> shall not include qualifications or additional statements shall always be in order except when a Member is speaking or the Members are voting
Extend Curfew	YES	NO	<ul style="list-style-type: none"> shall be resolved prior to any other motion being moved 	<ul style="list-style-type: none"> no meetings shall proceed beyond the hour of 11:30 p.m. 	<ul style="list-style-type: none"> the Chair shall immediately declare the meeting adjourned 	NO	<ul style="list-style-type: none"> shall always be in order except when a Member is speaking or the Members are voting shall require a two-thirds vote of the Members present
Recess	YES EXCEPT AT COMMITTEE	NO	<ul style="list-style-type: none"> shall be resolved prior to any other motion being moved 	<ul style="list-style-type: none"> the meeting shall recess 	<ul style="list-style-type: none"> the meeting shall not recess 	TIME ONLY	<ul style="list-style-type: none"> shall be in order if no question is pending
Withdraw	YES Mover & Seconder of the main motion	NO	<ul style="list-style-type: none"> shall receive disposition prior to any other motion being presented 	<ul style="list-style-type: none"> the motion is withdrawn 	<ul style="list-style-type: none"> vote on the main motion 	NO	<ul style="list-style-type: none"> majority vote

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
Close Debate (Call the Question)	YES	NO	<ul style="list-style-type: none"> shall apply to the motion or amendment under debate 	<ul style="list-style-type: none"> Council shall immediately vote on the question without further debate or comment 	<ul style="list-style-type: none"> debate shall continue 	NO	<ul style="list-style-type: none"> shall not be permitted in any committee shall require a two-thirds vote of the Members present
Defer (Postpone/ Table)	YES	YES DATE, TIME AND MERITS OF THE DEFERRAL ONLY	<ul style="list-style-type: none"> shall be resolved prior to the main motion shall be resolved prior to the preceding motion 	<ul style="list-style-type: none"> no further debate until motion returns to the agenda 	<ul style="list-style-type: none"> vote on the main motion 	YES DATE AND TIME ONLY	<ul style="list-style-type: none"> shall not include qualifications or additional statements shall preclude amendment, but not debate, to the preceding motion until the motion to defer to a certain date and/or time is resolved
Refer (Commit)	YES	YES	<ul style="list-style-type: none"> shall preclude any amendment or debate to any previous motion unless resolved in the negative 	<ul style="list-style-type: none"> there shall be no further debate 	<ul style="list-style-type: none"> vote on the main motion 	YES	<ul style="list-style-type: none"> shall state the committee, employee or solicitor of the Corporation to which the matter shall be referred
Amend Main Motion (Primary Amendment)	YES	YES	<ul style="list-style-type: none"> shall receive disposition prior to the main motion 	<ul style="list-style-type: none"> Council shall vote on the main motion as amended 	<ul style="list-style-type: none"> vote on the main motion or secondary amendment may be proposed 	YES	<ul style="list-style-type: none"> shall not propose a negative to the main motion shall not propose two distinct proposals of amendment to the main motion shall not change the intent of the main motion shall have only one motion to amend the main motion at one time

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
Amend Amendment (Secondary Amendment)	YES	YES	<ul style="list-style-type: none"> shall receive disposition prior to the primary amending motion 	<ul style="list-style-type: none"> Council shall vote on the primary amending motion as amended 	<ul style="list-style-type: none"> vote on the primary amending motion propose a secondary amendment 	NO	<ul style="list-style-type: none"> shall not propose a direct negative to the primary amending motion shall not propose two distinct proposals of amendment to the primary amending motion shall not change the intent of the primary amending motion shall have only one motion to amend the primary amending motion at one time an amendment of the third degree is not permitted
Defer Indefinitely (Postpone/ Table Indefinitely)	YES	YES	<ul style="list-style-type: none"> shall be resolved prior to the main motion shall be resolved prior to any preceding motion 	<ul style="list-style-type: none"> the preceding motion and any amendments thereto shall be removed from Council's consideration indefinitely the motion to defer indefinitely may be reconsidered 	<ul style="list-style-type: none"> disposition of the main motion can not put forward another motion to defer indefinitely regarding the main motion 	NO	<ul style="list-style-type: none"> shall not include qualifications or additional statements shall preclude amendment, but not debate, to the preceding motion until the motion to defer indefinitely is resolved

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
Divide	YES	YES	<ul style="list-style-type: none"> shall receive disposition prior to the main motion 	<ul style="list-style-type: none"> the debate and vote shall be on separate and distinct proposals from the main motion 	<ul style="list-style-type: none"> disposition of the main motion in its entirety 	YES	<ul style="list-style-type: none"> shall only be in order when the main motion to be divided contains two or more separate and distinct proposals
Main	YES	YES	N/A	<ul style="list-style-type: none"> the motion is carried 	<ul style="list-style-type: none"> the motion is defeated 	YES	<ul style="list-style-type: none"> majority vote unless otherwise provided

SCHEDULE E

Livestreaming Policy and Procedure

Regular and special meetings of Council, Committee of the Whole, Land Division Committee, shall be livestreamed.

The following meetings shall be exempt from live streaming:

- Proceedings of Advisory and working groups of Boards and Committees; and all closed session meetings.

PROCEDURE:

1. Staff shall ensure that meetings as noted above are livestreamed through an appropriate platform which is accessible to all members of the public.
2. If technical issues are encountered that makes the livestream feed unavailable during the meeting, the following shall apply:
 - a. If the meeting is open to the public for physical attendance, the meeting shall proceed as per the stated agenda. Staff will inform the meeting Chair as soon as practicable that the livestream is unavailable.
 - b. If the meeting is held wholly electronically and/or there is no opportunity for the public to view proceedings through other means, the meeting shall cease until such time as technical issues are resolved. After thirty minutes without resolution, the meeting shall be deemed to be adjourned.
3. Members of the public or media may record the proceedings of meetings that are livestreamed.
4. In accordance with the Municipal Act, minutes of meetings are to be recorded without note or comment by the Clerk or designate. The approved written minutes shall be the official record of all meetings.
5. Video files from live streaming that are on the internet are part of the public realm and as such are subject to alteration by a member of the public with no municipal control over such alterations. The County assumes no liability associated with any alterations that are made by a member of the public on the internet.
6. The County shall not maintain a record of the broadcast for any length of time, the videos shall not be made available beyond the livestreaming of the meeting.
7. Signage shall be posted in the Council Chambers to advise members of the public that meetings are being broadcasted.
8. A notation will be added to all Council, Committee of the Whole, and LDC agendas to make presenters and members of the public aware that proceedings are being broadcasted.

9. The Presiding Officer shall make a statement at the commencement of Council, Committee of the Whole, and LDC meetings to make presenters and members of the public aware that proceedings are being broadcast.

DRAFT