

CORPORATION OF THE NATION MUNICIPALITY
BY-LAW NO. 91-2024

BEING a By-Law to repeal By-laws No.19-2024 and to regulate the proceedings of Council and its local boards, the conduct of its members and the calling of meetings.

WHEREAS, pursuant to Section 238(2) of the Municipal Act, 2001 as amended, every Council of a municipality shall adopt a procedure By-Law for governing the calling, place and proceedings of meetings;

AND WHEREAS, the Council of the Corporation of The Nation Municipality deems it essential to provide regulations for the orderly administration of business of Council and a defined basis for matters of procedure;

AND WHEREAS Section 238 (3.1) of the Municipal Act, 2001, as amended, stipulates that a municipality's procedure by-law may provide that a member of council, of a local board or of a committee of either of them, can participate electronically in a meeting to the extent and in the manner set out in the by-law;

AND WHEREAS Section 238 (3.3) stipulates that an applicable procedure may provide that a member of Council participating electronically may be counted in determining whether a quorum of members is present at any point in time and that a member of a council can participate electronically in a meeting that is open or closed to the public.

THEREFORE, the Council of the Corporation of The Nation Municipality enacts as follows:

1. That the rules and regulations contained in Schedules "A" and "B" attached hereto shall be observed in all proceedings of Council and its local boards and shall be the rules and regulations for the order and dispatch of business of Council and its local boards.
2. That By-law 19-2024 is rescinded upon the third reading and passing of this by-law.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED IN OPEN COUNCIL
THIS 24 DAY OF JUNE 2024.**

Francis Brière, Mayor

Aimée Roy, Clerk

SCHEDULE A

Article I - Short Title

1. Short Title

This By-law may be referred to as the “Procedural By-law” or the “Rules of Procedure”.

Article II - Interpretation

2. Definitions

2.1 Act – Means the Municipal Act, 2001, as amended from time to time.

2.2 Acting Mayor – Means the Member of Council appointed by By-law to act from time to time in the place and stead of the Mayor.

2.3 Ad Hoc Committee – Means a Special Purpose Committee of limited duration, created by Council to inquire into and report on a particular matter or concern and which dissolves automatically upon submitting its final report unless otherwise directed by Council.

2.4 Adjournment – Means the termination of a meeting.

2.5 Agenda – Means the order in which business is taken up within a meeting.

2.6 Alternate Member – Means the Member of The Council of The Nation Municipality appointed by Council to act in the place of the Mayor at the UCPR Council meetings and committees at the Mayor’s request when the Mayor is unable to attend.

2.7 Assembly – Means a group of elected people gathered in one place for a common purpose to make laws or decisions for The Nation Municipality.

2.8 Chair – Means the Mayor or Acting Mayor or Presiding Officer or Chairman at a meeting.

2.9 Chief Administrative Officer – Means the Chief Administrative Officer of The Nation Municipality, as referred to under Section 229 of The Municipal Act.

2.10 Clerk – Means the Clerk of The Nation Municipality, appointed by By-law and as referred to under Section 228 of The Municipal Act.

2.11 Closed Meeting – Means a meeting of the Council or Committee, which is not opened to the public and which is provided for under Section 239(2)(3), (3.1) of The Municipal Act.

2.12 Committee – Means any advisory or other committee, subcommittee, or similar entity of which at least 50% of the members are also members of Council or local boards.

2.13 Committee Chair or Chair – Means the Chair of a Standing Advisory or Special Committee appointed by Council.

2.14 Consent Items Motion – Means a motion, which allows a grouping of items on an Agenda, which do not require discussion or debate, and to be dealt with under one motion of Council.

2.15 Council – Means the Council of the Corporation of The Nation Municipality which was elected by registered voters or who has been appointed by virtue of a vacancy.

2.16 Council Chambers – Means the area beyond the municipal office especially designated for meetings of the Council.

2.17 Days – Means seven consecutive days of a week, considering working days, Monday to Friday and weekend days, Saturday and Sunday.

2.18 Debate – Means a discussion to put forth reasons for or against, in which a difference of opinion is expressed.

2.19 Electronic Meetings – shall mean a regular or special meeting of Council held virtually as permitted by statute. Electronic meetings may be conducted by way of telephone or other electronic means, following instructions provided by the Municipal Clerk in order to ensure that the meeting may proceed in the most transparent and effective manner under the circumstances. Meetings held electronically will be live streamed on a public platform, following the instructions of the clerk.

2.20 Holiday – Means any Statutory Holiday as prescribed in Provincial or Federal legislation.

2.21 Hours – Means consecutive hours, that follow each other, during the course of 24 hours in a seven-day period.

2.22 Local Board – Means a municipal service board, transportation commission, public library board, board of health, police services board, planning board, or any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities, excluding a school board and a conservation authority.

2.23 Majority – Means “more than half”; meaning more than half of the votes cast by persons entitled to vote, excluding blanks or abstentions, at a regular or properly called meeting. For example, if 5 votes are cast, a majority (more than $2\frac{1}{2}$) is 3.

2.24 Mayor – Means the Head of Council and Chief Executive Officer of The Corporation of The Nation Municipality or the Acting Mayor in his/her absence.

2.25 Meeting – Means any regular, special or other meetings of a Council, of a local board or of a committee of either of them, where:

- a) a quorum of members is present, and
- b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, local board or committee.

2.26 Member – Means a Member of The Council of The Nation Municipality.

2.27 Municipal Office – Means the Municipal office located at 958, route 500 Owest / West Casselman, Ontario

2.28 Municipality – Means the Corporation of The Nation Municipality.

2.29 Notice of Motion – Means a written notice, including the names of the mover and seconder, advising Council that the motion described therein is to be brought at the next meeting of Council.

2.30 Personal Privilege – Means the raising of a question, which concerns a Member of Council, or the Council collectively, when a Member believes that their rights, immunities or integrity or the rights, immunities or integrity of the Council have been impugned.

2.31 Point of Information – Means a request directed to the Mayor or through the Mayor to another Member or to Members of Administration for information relevant to the business at hand, but not related to a point of procedure.

2.32 Point of Order – Means a matter that a Member considers to be a departure from or contravention of the rules, procedures or generally accepted practices of Council.

2.33 Position or opinion – Means something believed or accepted as true by a person.

2.34 Presiding Member – Means the Mayor or Acting Mayor or Chair of the meeting.

2.35 Question of Privilege – Means a matter that a Member considers to be a question to their integrity or the integrity of Council, which relates to the rights and privileges of the Assembly or any of its Members to be brought up for possible immediate consideration because of its urgency.

2.36 Quorum – Means a majority of Members of Council or Committee present at the meeting for business to be validly transacted.

2.37 Recess – Means a short intermission within a meeting for a fixed period which does not destroy the continuity of a meeting, after which time the proceedings are immediately resumed at a point where they were interrupted.

2.38 Recorded Vote – Means the recording of the name and vote of every Member voting on any matter or question.

2.39 Resolution – Means a formal determination made by the Council or a Committee based on a motion, duly placed before a regularly constituted meeting of the Council or a Committee for debate and decision, and duly passed.

2.40 Rule or Rules of Procedure – Means the rules and special rules and regulations as provided for within this Procedural By-law.

2.41 Special Committee – Means Special Committees of the Council of The Nation Municipality, where one or more Members of the Council participate, but not all Members of the Council, as well as the appointment of non-Members and who assemble to discuss a particular subject matter of interest to the Council.

2.42 Standing Committee – Means a committee constituted to perform a continuing function and remain in existence permanently or for the life of the Council that establishes them and are appointed by By-law or Resolution.

2.43 Two-Thirds Vote – Means that a motion of 2/3's of Members present, and voting should be required and where the votes cast are in the Affirmative – meaning that the affirmative votes are at least twice the negative votes.

Article III - General Provisions

3.1 GENERAL

3.1.1 Meetings of Council shall be held at the Council Chambers located at 958 Route 500 West, Casselman, Ontario or electronically. Public notice of meetings shall be posted on the municipal website.

3.1.2 The Council may decide, by resolution, to hold a meeting at another location to accommodate a very large gathering or a situation where it is deemed more feasible to locate and assemble elsewhere and only after proper notice has been given or posted.

3.1.3 A meeting of the Councils of two or more municipalities for the consideration of matters of common interest may be held within any one of those municipalities or in an adjacent municipality.

3.2 Suspension – Rules Regulations – applicable – two-thirds vote

The rules and regulations contained within this By-law shall be observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business of all Council meetings and in Committees, provided that the rules and regulations contained herein may be suspended by two-thirds (2/3) vote of Members of the Council in any case for which provision is not made herein and shall not be debatable or amendable.

3.2.1 Suspension – Rules Regulations – not permissible -The suspension of rules and regulations shall not apply to a Notice of Motion.

3.3 Calculation – Two-thirds vote (2/3)

3.3.1 A two-thirds vote shall be deemed to have been accomplished with the following voting in the affirmative:

- Two of three Members present.
- Three of four Members present.
- Four of five Members present.
- Four of six Members present.
- Five of seven Members present.

3.2 Parliamentary Authority

The governing legislation, the Procedural By-law, or any standing or special rules of order adopted by The Nation Municipality shall govern the procedures of Council. Where inconsistencies exist, the current edition of “Robert’s Rules of Order, latest edition” shall be the parliamentary authority, which governs the proceedings of The Nation Municipality.

3.3 Official Languages of Business

Any person participating in a meeting of the Council or Committee may address themselves in English or French after the Chair has recognized them.

3.4 Seating of Council Members – Chambers

3.4.1 The seating of elected Members of Council, at the Council table, shall be at the discretion of the Mayor. Consideration should be given to seating newly elected members next to experienced members.

3.4.2 A member of the Council can make a request for a seating change at any meeting for any duration period.

3.4.3 In the event of a vacant seat during a Council term, the Mayor shall have the deciding voice as to the seating arrangements.

3.5 Severability of By-law

3.7.1 If a court or tribunal of competent jurisdiction declares any portion of this By-law to be illegal or unenforceable, that portion of this By-law shall be severed from the balance of the By-law, which shall continue to operate in full force and effect.

Article IV - Meetings

4.1 Inaugural: time, place, and location

4.1.1 The Inaugural Meeting of a new Council after a regular election and after a by-election, shall be considered the Council's first meeting and shall be held no later than 31 days after its term commences. Following a regular election, the Inaugural Meeting will be held in the Council Chambers of The Nation Municipality Municipal Office on November 15, commencing at 6:00 p.m. In the event November 15 is on a weekend or on a public or civic holiday, the meeting shall be held at the same hour on the next following day.

4.1.2 Inaugural Meeting – The Clerk shall be responsible for the content of the agenda of the Inaugural Meeting and the arrangements for the Inaugural Proceedings. The contents of the agenda shall be as follows:

- a) Opening of the Meeting (opening ceremonies)
- b) Mayor's Declaration of Office and Oath of Allegiance
- c) Councillors' Declaration of Office and Oath of Allegiance
- d) Councillors' Inaugural Address
- e) Mayor's Inaugural Address
- f) Adjournment

4.1.3 Declaration of Office – At the first meeting of a new Council after a regular election and after a by-election, pursuant to Section 232(1) of *The Municipal Act, 2001*, a Member of Council shall not take a seat on the Council, until the person takes the Declaration of Office in the English or French version of the form established by the Minister for that purpose.

4.2 Regular Meetings

4.2.1 Regular meetings of the council shall be held on the second (2nd) and fourth (4th) Mondays of every month, at the time and place indicated on the agenda. With the exceptions of the month of January, where there will be one (1) regular meeting held on the last Monday of the month; the month of July, when there will be no regular meeting; the month of August where there will be one (1) regular meeting held on the second Monday of the month; and the month of December, where there will be one (1) regular meeting held on the second (2) Monday of the month.

4.3 Extenuating Circumstances

4.3.1 In the event of extenuating (emergency) circumstances, the date, place, and time of any meeting may be changed by the Mayor or by a majority vote of the Members of Council. Additionally, the Council may alter the date and/or time of a regular meeting by resolution, provided that adequate notice of the change is posted and published when possible.

4.4 Statutory Holidays

4.4.1 If a meeting is scheduled on a public or civic holiday, the Council shall meet at the same hour on the next following business day, which is not a public or civic holiday.

4.5 Notice – Public Meeting

4.5.1 Notice shall be given of all public meetings of the Council on the previous Agenda, detailing the order of business, immediately following the “Confirming Bylaw,” which will indicate the next meetings. The Public Notice of meetings shall be published on the municipal website the Wednesday before the meeting date, when practicable.

4.6 Special Meetings

4.6.1 Special Meeting– Mayor – In addition to Public Meetings, the Mayor, in consultation with the CAO and Clerk, may at any time summon a Special Meeting of Council by giving direction to the Clerk stating the date, time and purpose of the Special Meeting.

4.6.2 Special Meeting – Members of Council – Upon receipt of the petition of the majority of the Members of Council, the Clerk shall summon a Special meeting for the purpose and at the date and time mentioned in the petition.

4.6.3 Notice by Clerk – The Clerk shall give all Members notice of a Special Meeting of Council at least forty–eight (48) hours before the appointed time for such a meeting.

4.6.4 Delivery – Notice – Notice of the meeting shall be provided to Members of Council by electronic mail and attempt to contact the Members by telephone or as otherwise practical within the circumstances. In addition, notice of all Special Meetings of Council shall be posted on the Municipality’s website and posted on the information board in the main lobby of the municipal office not less than forty-eight (48) hours in advance of the time fixed for the meeting. Notice shall also be given to the local media by electronic mail.

4.6.5 Nature of Business – Notice – The written or verbal notice shall indicate the nature of the business to be considered, date, time and place of the Special Meeting.

4.6.6 No Other Business – No business other than that indicated in the written or verbal notice shall be considered at the Special Meeting.

4.6.7 Special Meeting – Place – All Special Meetings of the Council shall be held in the Council Chambers, unless an alternative location is specified in the notice of meeting as provided for under section 4.4.

4.7 Emergency Meeting

4.7.1 Notwithstanding any other provision of this By-law, an Emergency Meeting may be held, without written notice, to deal with an emergency or extraordinary

situation, provided that an attempt has been made by the Clerk or their designate to notify the Members about the Meeting as soon as possible and in the most expedient manner available.

4.8 Location – Emergency Council Meetings

4.8.1 In the event of an emergency declared by the head of Council or any other Lead Agency, as identified in the “*Emergency Management Act*” within the confines of a declared emergency, where The Nation Municipality Municipal Office is not accessible, the Municipal Office may be relocated and Council Meetings may be held at any other convenient location, within or outside the geographical boundaries of the municipality, which is accessible to Members of Council and staff.

4.9 Open to Public – Council – Committees – exception

4.9.1 Meetings of the Council and its Standing Committees shall be open to the public except as provided for in Sections 4.11 of this Bylaw.

4.9.2 Meetings Open to Public – Record – All Council meetings open to the public shall be recorded electronically in the form of resolutions and minutes, without note or comment (see General Provisions) and kept for archival purposes.

4.10 Closed to Public – Closed Meeting

4.10.1 Except as provided in this section, all meetings shall be open to the public. (*Municipal Act s.239(1)*).

4.10.2 Exceptions – As provided for under all sub-sections of section 239 of the current *Municipal Act*, as amended.

4.11 Closed to Public – Resolution

4.11.1 Before holding a meeting or part of a meeting that is to be closed to the public, a municipality or local board or committee of either of them shall state by resolution.

- (a) the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting; or
- (b) in the case of a meeting under subsection (3.1), the fact of the holding of the closed meeting, the general nature of its subject-matter and that it is to be closed under that subsection.

4.12 Closed to Public – Leave of Meeting

4.12.1 Where a meeting or part of a meeting is closed to the public, all persons not specifically invited to remain by the Council shall take leave from the Council Chambers. When in closed session, no one shall leave or re-enter the meeting room without the approval of the Mayor or Committee Chair.

4.13 Closed Meeting - records

4.13.1 All meetings closed to the public shall be recorded without note or comment on all resolutions, decisions, and other proceedings. After the Roll Call and at each time that a member of Council or staff joins a virtual closed session meeting the Mayor will ask if any person has any restrictions to comply with the closed session meeting and the Clerk shall record and include this in the minutes.

4.14 Confidential Matters

4.14.1 Members are to ensure that confidential matters disclosed to them during meetings closed to the public are kept confidential. Any Member who contravenes the confidentiality clause may be subject, by majority vote of the Council, to penalties in accordance with ARTICLE X - Code of Ethics.

4.15 Cancellation – Rescheduling of Meetings

4.15.1 By Exception, the Council may, if the consequences support it, cancel a regularly scheduled meeting by submitting and endorsing a notice of motion to this effect at a preceding meeting of Council, or prior and further endorsing the Resolution by majority vote at the immediately subsequent meeting. Adequate notice of the change, when approved, shall be provided by posting a notice of cancellation on the Municipality’s Website as well as posting the notice on the main information board located in the lobby of the municipal office and providing notice to the local media.

4.16 Curfew – Meeting Adjourned

4.16.1 Meetings of the Council shall be adjourned at the hour of 23h00 (11:00 p.m.). Should Members of Council wish to continue dealing with business beyond the hour of 11:00 p.m., a motion of 2/3’s of Members present, and voting shall be required to suspend the rule and to continue the meeting.

4.17 Leave of Chambers

4.17.1 Members shall not leave their place within the Council Chambers until the Chair has declared the meeting adjourned.

4.18 Electronic Participation

4.18.1 Members shall participate electronically in a Meeting, which is open or closed to the public in the event of a situation or pandemic in which physical distancing, limited gatherings or quarantine measures are required by local, provincial or federal public health agencies, or when the majority of Council or Committee members wish to meet electronically and that their agreement has been confirmed by Council or the Committee to the Clerk at least forty-eight (48) hours in advance of the time fixed for the meeting.

4.18.2 Any Member participating electronically shall be counted in determining whether a quorum of Members is present at any point in time and shall have all the rights of any other Member who is participating in person.

4.18.3 The technology used shall enable electronic participation of Members in decision-making and ensure the meeting can be open to the public, for example, but not limited to, telephone, video or audio-conferencing.

4.18.4 At the conclusion of a meeting, any member of Council may request that the next regular meeting be held virtually. If the majority of Council members agree to this request, then the next meeting will be held solely in a virtual format, with no option for hybrid attendance. If the majority does not support the request, the member who proposed the virtual meeting will have the option to be absent from the next meeting.

4.19. COMMITTEE MEETINGS

4.19.1 Committees shall report to and shall be responsible to Council whether they are permanent, standing, temporary, special or ad hoc committees.

4.19.2 Committees will review policies or plans, formulate procedures and recommend plans of action to Council.

4.19.3 Committees must have formal goals and complete their specific tasks efficiently with clean and precise recommendations to Council and when necessary, propose alternative recommendations that Council may consider before making a decision.

Article V - Public Questions

5. Public Questions

5.1 Following the publishing of a public meeting agenda, members of the public may submit one question via our online submission form (available on the municipal website) or in writing to the Clerk (by email or mailed to the Municipality).

5.2 Questions received must abide by the following guidelines:

5.2.1 All questions must be related to an item on the agenda.

5.2.2 Questions must use appropriate and respectful language (foul, derogatory language will not be tolerated).

5.3 Questions will be read out loud and answered at the item the question pertains to during the council meeting.

5.4 In the event that an item is added to the agenda on the day of the meeting, questions pertaining to the added item will be permitted at the subsequent meeting.

5.5 Questions will be kept in accordance with our records management and retention by-law.

5.6 Council members are still available via different communication methods to answer resident questions should they arise.

5.7 Council encourages residents to discuss their matters of importance with members of Council if they so wish.

Article V - Roles

6. Roles

6.1 Council

6.1.1 It is the role of Council to:

- a) Represent the public and to consider the well-being and interest of the municipality
- b) Develop and evaluate the policies and programs of the municipality
- c) Determine which services the municipality provides
- d) Ensure that administrative policies, practices and procedures and controllership policies, are in place to implement the decisions of Council
- e) Ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality

- f) Maintain the financial integrity of the municipality; and
- g) Carry out the duties of the Council under this or any other Act.

6.1.2 Individual Authority – not provided – No individual Council Member may direct any Member of the Administration and/or staff to perform such duties not authorized by Resolution of the Council.

6.1.3 Established Policies – Members – respect – Members of Council shall respect and adhere to the Policies set by the Council and under no circumstances take it upon themselves individually to circumvent established Policies.

6.1.4 Information – by Staff – Members of Council – Members of Council may request information from Department Heads who have been assigned the responsibility of providing information, such as meeting times, copies of documents, information on standard operating procedures, etc.

6.1.5 Questions – Operational Concerns – Complaints – Council members may contact department heads directly with questions or issues surrounding operational concerns or complaints. The Chief Administrative Officer (CAO) shall be copied (cc'd) on all such communications to ensure proper coordination and oversight.

6.2 Head of Council as Chief Executive Officer

As chief executive officer of a municipality, the head of council shall

- a. Uphold and promote the purposes of the municipality;
- b. Promote public involvement in the municipality's activities;
- c. Act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
- d. Participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.

6.3 Head of Council – Mayor

It is the role of the Head of Council to:

- a. Act as chief executive officer of the municipality;
- b. Preside over Council meetings so that its business can be carried out efficiently and effectively;
- c. Provide leadership to the Council;
- d. Without limiting clause (c), to provide information and recommendations to the Council with respect to the role of Council described in Section 5.1 (d) and (e) of this By-law;
- e. To represent the municipality at official functions;
- f. To carry out the duties of the head of Council under this or any other Act; and
- g. To perform the duties of Chair as detailed within (Schedule A3) of this By-law.

6.4 Role of Municipal Administration

It is the role of the officers and employees of the municipality to:

- a. Implement the Council's decisions and establish administrative practices and procedures to carry out the Council's decisions.

- b. Undertake research and provide advice to Council on the policies and programs of the municipality; and
- c. Carry out other duties required under this, or any other Act and other duties assigned by the municipality.

6.5 Clerk

It is the role of the Clerk to:

- a. Record, without note or comment, all resolutions, decisions and other proceedings of the Council.
- b. If required by any Member present at a vote, to record the name and vote of every Member voting on any matter or question.
- c. To keep the originals or copies of all By-laws and of all minutes of the proceedings of the Council on paper or electronically as determined by the document management and retention by-law.
- d. Perform the other duties required under this Act or under any other Act; and
- e. Perform such other duties as are assigned by the municipality.

6.6 Chief Administrative Officer

- a. It is the role of the Chief Administrative Officer to:
 - a. Exercise general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and
 - b. Perform such other duties as assigned by the municipality.

Article VII - Duties

7. Duties

7.1 Council

7.1.1 Preparation of Members to Council Meeting – It is the responsibility of every Member of Council to come prepared to every meeting by having read all the material supplied, including agendas and staff reports, to facilitate discussion and the determination of action at the meeting. Wherever possible, the Member(s) shall make inquiries from staff regarding materials supplied in advance of the meeting.

7.1.2 Requests for substantive reports – All requests for substantive reports shall be by Council Resolution, which shall identify the appropriate Department or Manager and objectives of the report.

7.1.3 Communication Protocol – For questions, operational concerns, and complaints, Council members should follow the protocol outlined in section 6.1.5 to ensure proper coordination and oversight.

7.2 Mayor and Committee Chair

7.2.1 Public Meeting – call to order – The Mayor or Committee Chair shall preside over the conduct of meetings, including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meeting, subject to an appeal to the Council or Committee, as the case may be.

7.2.2 Recognize speakers – The Mayor or Committee Chair shall recognize any Member of Council or Committee (as the case may be) who wishes to speak and determine the order of the speakers.

7.2.3 Motions – received – submitted – results announced – The Mayor or Committee Chair shall receive and submit in the proper manner, all motions presented by the Members and to put to vote all questions, which are duly moved, and to announce the result.

7.2.4 Mayor may speak or vote – participation in debate – The Mayor or Committee Chair may speak and/or vote on any question, but if they wish to make a motion, they shall first leave the Chair by designating the Acting Mayor, who was chosen at the beginning of the term. If the Acting Mayor is absent, they shall designate another Member to act in their stead until the issue has been fully resolved, after which the Mayor may resume the Chair.

7.2.5 Debate – enforces rules – restrain Members – It shall be the duty of the Chair to restrain the Members, within the rules of procedure when engaged in debate.

7.2.6 Decorum – order – enforced – It shall be the duty of the Chair to enforce on all occasions the observance of order and decorum among the Members.

7.2.7 By-laws – resolutions – minutes – authentication – It shall be the duty of the Chair to authenticate, by his/her signature, when necessary, all By-laws

7.2.8 Point of Order – inform Members – It shall be the duty of the Chair to inform the Members on any point of order.

7.2.9 Disorder – adjourn - suspend – recess – meeting – It shall be the duty of the Chair to adjourn the meeting without the question being put, or to suspend or recess the sitting for a time to be named if considered necessary because of grave disorder arising in the meeting.

7.3 Head of Council – Acting Mayor

7.3.1 Appointment – Act in place and stead of Head of Council – The Council shall, immediately following a new municipal election, during its Inaugural meeting, appoint by By-law, Member(s) of Council, to act in the place and stead of the Head of Council (recommendations from the Mayor) when the Head is absent from the Municipality, is absent through illness, or refuses to act. This appointment will be for a 2-year term to be re-evaluated for another recommendation by the Mayor after the 2-year period.

7.3.2 Duties – powers – authority – The Acting Mayor while performing the duties in the place of the Head of Council shall have all the duties, rights, powers and authority of the Head of Council during the absence, illness or refusal to act by the Head of Council.

7.4 Alternate Member (for Temporary Replacement, Member of Upper-tier Council)

7.4.1 Appointment – Act in place and stead of Mayor at the United Counties of Prescott and Russell (UCPR) Council meetings and committees – The Mayor shall recommend the alternate member for temporary replacement of the member of Upper-tier Council to act in the place and stead of the Mayor at the UCPR Council meetings and committees at the Mayor's request when the Mayor is unable to

attend for a period exceeding one month to be approved by Council by By-law. If the Mayor is unable to make the recommendation due to an illness, the Acting Mayor shall make the recommendation in the place of the Mayor.

Article VIII - Conduct During Meetings – Decorum

8. Decorum

The following rules of conduct and decorum shall always be adhered to during all meetings.

8.1 Council Floor – encroachment

No person, except for a Member of Council or an authorized employee of the Municipality shall be allowed to come to the Council floor within the Council's seating area during a meeting of the Council, without the permission of the Mayor.

8.2 Distribution of information – handouts

No person except a Member of Council or an authorized employee of the Municipality shall before or during a meeting of the Council, place it on the desks of Members or otherwise distribute any material whatsoever. All material, without exception, shall be submitted to the Clerk for distribution to Members of Council, upon the approval of the Mayor.

8.3 Sovereign – Royal Family – to be respected.

No Member shall speak disrespectfully of the reigning sovereign or of any of the Royal Family or of the Governor General, the Lieutenant Governor or any Province or any Member of the Senate, the House of Commons of Canada or the Legislative Assembly of the Province of Ontario.

8.4 Members of Council – Municipal Staff

No Member shall speak disrespectfully, or shall they use offensive words in or against Members of the Council or any Member thereof including municipal employees.

8.5 Speaking – subject of debate only

No Member shall speak on any subject other than the subject currently being debated.

8.6 Criticize – decision – exception – reconsideration.

No Member shall criticize any decision of the Council except for the purpose of moving the question to be reconsidered.

8.7 Profane Remarks - expelled.

Any individual (Member of Council or other), making personal impertinent, slanderous and profane remarks, against a Member of Council, Administration or other, may be expelled from the meeting room by the Mayor/Chair.

8.7.1 – No individual shall complain to the Chair by using offensive or abusive language, and if the individual refuses to apologize, the individual will be ordered to vacate the room immediately.

8.8 Rules of Procedure - Disobey

No Member shall disobey the Rules of Procedure or a decision of the Mayor or of the Council on questions of order or practice or upon the interpretation of the Rules of Procedure.

8.9 Breach – seat vacated.

Where a Member has been called to order by the Mayor for failing to observe the provisions of the Rules of Procedure and the Member persists in any such disobedience after having been called to order by the Mayor, the Mayor may immediately put the question, no amendment, adjournment or debate being allowed, that such Member be ordered to leave his/her seat for the duration of the meeting of the Council. But if the Member apologizes, he/she may, by vote of the Council, be permitted to retake his/her seat.

8.10 Dress Code – Regular meeting Council

All Members of Council shall wear proper business attire (ties optional) or Official Nation Municipality Branded attire during Council meetings or official functions.

8.11 Members of the Public – Code of Conduct

Shall:

8.11.1 remain seated, except for the person who has been given permission to speak, through the Chair.

8.11.2 refrain from making noise or engaging in a conversation between one another.

8.11.3 listen to the person who is speaking and shall not interrupt said person.

8.11.4 respect the fact that no person shall address Council without having been recognized by the Chair.

8.11.5 Address questions and remarks to the Chair

8.11.6 Any Member of the public found to be disrespecting the code of conduct during a meeting shall be removed from the ongoing meeting.

8.12 Members of Committees of Council – Code of Conduct

Committee members are always to behave ethically and professionally and agree to adhere to the Code of Conduct for Members of Council in effect.

Article IX - Rules of Debate

9. Rules of Debate

9.1 Chair Preserve Order - The Mayor/Chair shall preserve order and decorum and decide questions of order subject to an appeal to The Council/Committee by any Member.

9.2 Addressing the Chair - Any Member before speaking on any motion shall indicate his/her desire to speak by the raised hand and shall not speak until recognized by the Chair.

9.3 Order of Speakers - When two or more Members wish to address the Chair, the Mayor shall recognize the Member, who in his/her opinion, was first recognized followed by the second Member.

9.4 Disturbance by Member- No Member shall disturb another Member, or the Council itself, by any disorderly behavior disconcerting to any Member speaking.

9.5 Offensive Words - No Member shall use offensive words during any meeting of Council or Committee meeting against any Member of Council or staff.

9.6 Voting – Members – seated - When the Chair calls for the vote on a motion, each Member shall occupy his/her seat and shall remain there until the Chair has declared the result of the vote, and during such time no Member shall walk across the room to speak to any other Member or make any noise or disturbance.

9.7 Speaking Interruption

When a Member is speaking, no Member shall pass between the speaker and the Chair or interrupt the speaker except to raise a question of privilege, appeal from the decision of the Chair, or raise a point of order.

9.8 Speaking – motion read upon request - Any Member may require a motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.

9.9 Speaking - Duration Time Limit – five (5) minutes - No Member shall speak to the same question or in reply for longer than five (5) minutes and no Member shall speak more than once to the main question without approval of the Council, except, in explanation of a material part of his speech which may have been misunderstood, but they may not introduce new matter. A right of reply shall be allowed to a Member who has made a substantive motion to Council.

9.10 Question – motion under discussion - A Member may concisely ask a question through the Chair only for the purpose of obtaining information relating to the motion under discussion.

9.11 Question Integrity of Staff - A Member, while asking questions through the Chair, shall at no time put into question the Municipal Employee's personal or professional integrity.

9.12 Chair Participation - step down - other designated - If the Chair desires to leave the Chair for the purpose of debate or moving a motion, the Chair shall designate another Member to Chair the meeting until such time as the motion(s) and any subsidiary motion(s) applicable to the main motion are disposed.

9.13 Motion – seconded – before debate -All motions shall be seconded before they are debated or voted on.

9.14 Motion – stated by the Chair -After the Mayor/Chair puts any question, no Member shall speak to the question, nor shall any other motion be introduced until the result of the question has been declared, and the Chair has stated as to whether the question has been adopted or defeated.

Article X Code of Ethic

10.1 Closed Meetings – confidentiality - public interest

- i. Upon the completion of Council meetings that are closed to the public, only the decisions of Council with respect to any of the enumerated items listed in Section 7.4 herein and the directions provided to the Administration with respect to this decision, shall be reported publicly and

only to the extent that is required by the public interest and permitted by law.

- ii. The substance of matters, their discussions by Council and the information pertaining to these matters that were debated or discussed at a Council meeting closed to the public, shall be maintained as confidential, unless they are specifically authorized, by Council or legislation, to be released generally or subject to conditions, if such conditions were complied with.
- iii. The agenda or items noted on the agenda at a closed meeting shall not be released to the public.
- iv. The release of the information noted in section 10.1 i, shall only be made by the Mayor or his or her delegate and only upon being so directed by Council.
- v. Prior to the authorized release of information by the Mayor or his or her delegate, when responding to enquiries about any closed meeting, Members of Council shall only be authorized to respond by saying that the matter is still under advisement, that they have no comment to make at that time, or words to that effect.

10.2 Obligation of Confidentiality

- i. Subject to the terms of this Section on closed meetings and the provisions of section XIII of the Code of Ethics, it is the duty of each Member of Council to keep as confidential information disclosed and discussed at a closed meeting and this duty continues even after a Member of Council ceases to be a Member of Council.
- ii. A Member of Council who is absent at a closed Council meeting is not to be provided with the information, documentation and details of the discussions at that meeting. Such Member of Council is however entitled to receive the minutes of such meeting and may contact the CAO and/or the Mayor to obtain information concerning the missed closed meeting.
- iii. Members of Council are responsible to ensure that all materials provided to them for a closed meeting are and remain at all times in their exclusive possession on a confidential basis, that they not be allowed to be viewed by the public under any circumstances and, after the closed meeting has been completed, that all such materials be immediately returned to the clerk of the municipality in their entirety, without retaining any copies or photographs of these materials in their possession.

10.3 Personal opinions of Council Members

- i. Unless Council by vote decides otherwise, upon authorized public disclosure of confidential reports or information discussed at a closed meeting of Council, Members of Council may express their own personal opinion only on these disclosed matters and on the decision of Council on the matter as well as the direction provided to the Administration with respect thereto, but only to the extent that these matters were previously properly disclosed to the public.
- ii. Furthermore, in expressing their opinion on these matters, Members of Council shall not, under any circumstances, disclose the specific positions or opinions (written or verbal) of other Members of Council or of the municipal Administration, nor shall they contravene any of their obligations pursuant to the Code of Ethics, including but not limited to sections XII and

XIII dealing respectively with communicating the attitudes and decisions of Council to the public and their duty of Confidentiality.

- iii. 10.4 Violation of the closed meeting rules
- iv. Any violation of this article on closed meetings by a Member of Council may result in the exclusion of the offending Member of Council from future closed meetings of Council by, amongst other things: the exclusion of the Member of Council from future closed meetings for a limited time period and/or the Member no longer being provided with the correspondence, materials and information proposed to be dealt with by Members of Council at a closed meeting. The exclusion of the Member of Council from closed meetings or other sanction shall not exceed a period of three (3) months from the time of the exclusion resolution.
- v. In the event that Council proposes to exclude a Council Member from closed meetings and prior to doing so, Council shall provide the said alleged offending Member with notice of a meeting where this issue will be dealt with. At such a meeting, the alleged offending Member of Council shall be allowed to make submissions to Council as to the circumstances of the breach and why he or she should not be subject to this exclusion, which meeting shall be closed to the public. Following the representations of the Member of Council, the other Members of Council shall then discuss and debate the matter and then put the matter to a vote.
- vi. The decision of Council to exclude a Member of Council must be made by a resolution to that effect and must state the terms and the duration of the exclusion. This decision must be just and reasonable and in accordance with the gravity of the infraction and considering the previous history of conduct of the defaulting Member of Council.
- vii. The Member of Council affected by a motion to exclude him or her from closed meetings shall not be permitted to vote. A resolution of two-thirds (2/3) of the remaining Members of Council shall be required to so exclude the Member of Council from closed meetings.
- viii. The result of Council's vote shall be reported out publicly.
- ix. If Council proposes to exclude more than one Member of Council from closed meetings, each member must be dealt with separately and in a distinct resolution of Council.

Article XI General Order of Business

11. Agenda

11.1 Agenda – content - The business of the Council shall be considered in the order set forth on the Agenda however, the Presiding Officer, with the approval of the majority of the Members of Council present, may vary the order in which the items are presented, prior to approval, to better deal with matters before the Council. See Schedule B.

11.2 Roll Call - The Clerk shall record and include in the minutes all Members of Council present or absent as well as Members of Administration who are present at all Council meetings.

11.3 Additions to Agenda - By exception, the Clerk, at the request or consent of the Mayor and/or CAO, may add business items to the published Agenda beyond the posted date, though this is not recommended. However, no additions shall be made past 4 PM on the Friday preceding the meeting.

11.4 Modifications to Agenda

Agendas shall be generally formatted in the following manner, however modifications to the business items to be included on the Agenda or the order of business may be temporarily modified without requiring an amendment to the Procedural By-law.

11.5 Adoption of the Agenda including amendments and/or additions

The Agenda, in its original presentation or its amended state, shall be approved by majority vote of Members of Council present and voting.

11.6 Disclosure of Pecuniary Interest

Members of Council shall disclose any possible conflict of interest, and its general nature dealing with any business item on the agenda or with a matter discussed at a previous meeting from which a Member was absent. The Member shall also file a written statement of pecuniary interest and its general nature with the Clerk or the secretary of the committee. (*Conflict of Interest Act*) (REFER TO ARTICLE XX)

11.7 Adoption of Council Minutes

The minutes of the preceding meeting shall be submitted to Council in order that any errors therein may be corrected by Council, and when adopted, such minutes shall be signed by the Mayor or Acting Mayor and the Clerk or Deputy Clerk. (REFER TO ARTICLE XII).

11.8 Presentations - Delegations - Petitions – Deadline

Schedule A1 and A2, forming part of this By-law provides the Template form detailing the way requests for Presentations/Delegations/Petitions shall be filed with The Municipality to have such matter included to the Agenda for Council's review and/or debate.

11.8.1 Submission of Application

Every request submitted, shall be filed with the Clerk no later than 4:00 P.M. on the Thursday (7 days prior) of the week preceding the printing of the Agenda; shall be legibly written or printed; shall not contain any defamatory allegations, or impertinent or improper matter, shall be dated and signed by at least one person and shall include his/her name with appropriate contact information such as a current municipal and e-mail address and shall include any material that is to be distributed or displayed to the Council.

11.9 Consent Items (includes but not limited to – caption)

The following note shall be added on the Agenda for Consent Items: All items listed under the Consent Agenda will be enacted by one motion. A majority vote is required for the adoption of Consent Items. There will be no separate discussion of these items unless a request is made prior to the time Council votes on the motion that a consent item is to be separated from the motion. The separated item(s) shall be considered immediately thereafter.

11.9.1 – Consent items included but not necessarily limited to are as follows:

- i. Proclamations and Flag Raising Requests
- ii. Routine matters
- iii. Minutes from Council Committees and Boards
- iv. Minutes from the United Counties of Prescott and Russell
- v. Minutes of South Nation Conservation Authority
- vi. Paylist

11.9.2 Proclamations – Deadline

Schedule A4, forming part of this By-law provides the Template form detailing the way requests for Proclamations shall be filed with the Municipality in order to have such matter included to the Agenda for Council’s review and/or debate.

11.10 Reports from Departments and Council Committees

Reports shall be presented to Members of Council by Department Heads, at the request of the Mayor or the Chief Administrative Officer. Committee recommendations, except for the Committee of Adjustment, shall be brought to Council by the Chair following a Committee meeting, any resolutions and By-laws contained in the report shall be submitted to Council for adoption under the headings of “Resolutions and/or By-laws”.

11.11 Reports – with By-law

Any report requiring additional endorsement by By-law – the By-laws shall be separate from the report and listed under the Section dealing with By-laws.

11.12 Reports – Official Resolution

Any report requesting endorsement by Official Resolution - the Official Resolution shall be prepared and provided for approval under a separate document and added to the Resolution Section of the Agenda.

11.13 Reports from an Investigator or the Ombudsman

Reports, shall be presented to Members of Council by the Clerk. Any resolution and By-law contained in the report shall be submitted to Council for adoption under the headings of “Resolutions and/or By-laws”. Pursuant to subsection 239.2 (12) of the *Municipal Act*, a municipality or a local board is required to pass a resolution stating how it intends to address a report from an Investigator or from the Ombudsman.

11.14 Notices of Motions (Article XVI)

11.15 Resolutions (Article XVI)

11.16 By-laws (Article XVIII)

11.17 New Business Reports (Article XIX)

11.18 Other Business

Business presented by Council Members – Any other business brought forward by Members of Council shall be channeled through the Chair.

11.19 Public Consultations - Hearings

Public Meetings are to be held in accordance with *The Planning Act*, or other relevant legislation or By-law and followed by a question period as required.

11.20 Announcements

A round table is proposed by the Mayor allowing Members in attendance to announce activities or events in the municipality.

11.21 Strategic Discussion

Topics brought forward by administration for discussion.

11.22 Closed Session

Refer to Article IV “Meetings” at sections 4.11 to 4.15 for further details on the procedures of closed session meetings and note the time the meeting was adjourned.

11.22.1 Report out of Closed Session

Refer to Article IV “Meetings” at sections 4.11 to 4.15 for further details on the procedures of closed session meetings. Note the time at which the open session reconvened, report in public out of closed session about what transpired in closed session and record it in the open minutes.

11.23 Confirming By-law

At the conclusion of all Regular and Special Council Meetings and prior to adjournment, a By-law shall be brought forward to confirm the proceedings of the Council at that meeting in respect of each motion, resolution and other action taken. A Confirming By-law then introduced, shall be taken as read a first, second and third time and finally adopted without debate.

11.24 Next Meeting

The next regular public meeting of the Council shall be noted. At the meeting, the Mayor will ask Council members if there are any special requests to have the next meeting held by electronic participation. If there is, the Council will vote on the request and the Clerk will record and include this in the minutes and prepare the next Agenda and post it on the website.

11.25 Adjournment

When all business listed on the Agenda has been completed and disposed of, the Mayor may declare the meeting Adjourned until the next regular meeting, without motion.

11.26 Delivery of Agenda

The Clerk or her/his delegate shall prepare and make available by 4:30 p.m. on the Wednesday preceding a regularly scheduled Council Meeting (insofar as is practicable) an agenda package for Members of Council. The agenda packages shall be distributed by e-mail with a link to the Municipality’s website to all Members of Council and heads of departments.

11.27 Public availability

Where practicable, agenda packages are to be made available for public viewing by 4:30 p.m. on the Wednesday before each regularly scheduled meeting, at the Clerk’s office and on the Municipality’s website at www.nationmun.ca. Public notification shall be deemed to have been given by the posting of the Council Agenda on the Municipality’s website as noted above.

11.28 Delivery of Special Agenda

The Agenda package for a Special Meeting, where practicable, shall be sent to all Members of Council at least 48 hours prior to the scheduled meeting by e-mail with a link to the Municipality’s website.

11.29 Preparation of Special Agenda

For Special Meetings, called by the Mayor or by a petition of the majority of the Members of Council, the Agenda shall be prepared by the Clerk for the purpose stated by the Mayor or within the petition.

11.30 Preparation of Regular Agenda

For Regular Meetings, the Agenda shall be prepared by the Clerk and the subjects approved by at least two (2) of the following three (3) persons: Clerk/CAO/Mayor.

Article XII - Quorum

12. Quorum

12.1 Call to Order – Quorum Present

As soon after the hour fixed for holding the meeting of the Council, as there is a quorum present, the Chair shall call the Members to order.

12.2 Quorum

A majority of Members of the Council shall constitute a quorum.

12.3 Quorum – not present - time limit

If there is no quorum present within fifteen (15) minutes after the time fixed for holding the meeting of the Council, the Clerk shall call the roll and take down the names of the Members present, and the meeting shall stand adjourned until the next regular meeting, or at the call of the Chair.

12.4 Rescheduled Meeting

Where required, the Clerk shall attempt to provide notice of any rescheduled meeting to Members of Council by telephone, e-mail, or as is otherwise practical within the time available. The media and public at large shall also be notified as detailed within section 4.15.1

12.5 Unfinished Business – resume

All business listed on the Agenda, where the meeting has been adjourned for lack of a quorum, shall be added to the adjourned meeting, or to the next regularly scheduled meeting, whichever is first.

12.6 Mayor – absent

In the case of the Mayor not attending within fifteen (15) minutes after the hour fixed for holding the meeting of the Council, and provided that a quorum is present, the Acting Mayor shall take the Chair and call the Members to order; and he/she shall preside until the arrival of the Mayor.

12.7 Mayor – Acting Mayor – absent

In the absence of the Mayor and Acting Mayor, and if a quorum is present, the Clerk shall call the Members to order. A Chairperson shall be chosen from among the Members present, who shall preside over the meeting until the arrival of the Mayor or Acting Mayor.

12.8 Quorum – Municipal Conflict of Interest – remedy for lack

Where the number of Members who, by reason of the provisions of *The Municipal Conflict of Interest Act*, are disabled from participating in a meeting is such that at that meeting the remaining Members are not of sufficient number to constitute a quorum, then, despite any other General or Special Act, the remaining number of Members shall be deemed to constitute a quorum, provided such number is not less than two (2).

Article XIII - Minutes

13. Minutes

13.1 Contents – recorded by Clerk.

The Clerk shall prepare and cause the minutes to be taken of each meeting of Council, which shall include:

- a. The place, date and time of the meeting(s)
- b. The name(s) of the presiding officer or officers and the record of the attending Members of Council and Administration. Should a

- Member enter after the commencement of a meeting or leave prior to adjournment, the time shall be noted by the Member's name.
- c. Every declaration of interest and the general nature thereof
 - d. Every declaration of interest made, but not the general nature of that interest, shall where the meeting is not open to the public, be recorded in the minutes of the next meeting that is open to the public
 - e. The reading, if requested, correction and adoption of the minutes of prior meetings
 - f. All other proceedings of Council without note or comment.
 - g. The time that the meeting is adjourned.

13.2 Included in Agenda - Minutes of the last regular meeting(s) of Council and of all Special Council Meetings held after the last regular meeting, shall be included in the agenda and may be adopted by Council without having been read at the meeting at which the question of their adoption is considered.

13.2.1 Minutes – Special meetings – Should a special meeting be held during or after final preparations of an agenda for an upcoming regular meeting, the minutes of those special meetings shall be scheduled at the next regularly scheduled meeting.

13.3 Adoption - without reading - The Council may adopt the Council minutes without being read.

13.4 Closed Meeting - minutes – adoption - All minutes generated by a meeting closed to the public shall be presented to Council Members for adoption at the next scheduled meeting closed to the public.

13.5 Minutes – confirmation – signing - When the minutes have been adopted, the Mayor, or Elected Official who presided over the meeting, and the Clerk or designate who recorded the minutes of the meeting shall sign them, and in their absence, the Acting Mayor and/or Clerk's designate.

Article XIV Presentations - Delegations – Petitions

14. Requests

14.1 Heard – request submitted – deadline.

Persons wanting to address Council for making a Presentation or Delegation/Petition with respect to items for Council consideration that fall under the Council's mandate shall be heard during a Regular meeting.

14.1.1 Form submission and deadline – Individuals wishing to submit a request shall complete a Delegation/Petition Form (Schedule A1) (or) Presentation Form (Schedule A2) and return the form, with supporting documentation to the Clerk, no later than 4:00 p.m. on the Thursday (7 days prior) preceding the preparation and distribution of the printed Agenda for the next Regular Meeting of Council.

14.1.2 Late submissions – All requests received after the deadline date of 4:00 p.m. on Thursday as provided for in Article 14.1.1 above or if the agenda is deemed full, the request shall be considered at the next scheduled Regular meeting.

14.1.3 Requests Denied – Requests for Delegation, who have previously addressed Council on a topic already dealt with, shall not be granted, unless they can prove that they have new information not previously presented to Council.

14.2 Presentations defined - A request made for a presentation may be made by the Council to an individual, group or organization or it may be made to the Council by individuals, groups or organizations for matters that fall under the Council's mandate. Should the request for presentation be made where it requires that the Council act, the request shall be made under "Delegations".

14.2.1 Presentations – time limit – Council shall hear any presentation for information purposes only, and presentations shall be limited to a maximum of ten (10) minutes.

14.3 Delegations defined - A request made for a delegation may be made to the Council by individuals, groups or organizations for matters that fall under the Council's mandate. Delegations that request action to be taken by the Council shall be referred to the Administration, by majority vote, for a report that shall be dealt with at an ensuing Council meeting.

14.3.1 Delegations or Petitions – time limit – Council shall hear Delegations for information purposes only, and the delegation shall be limited to a maximum of ten (10) minutes.

14.4 Delegations – previously heard by – Planning Advisory Committee (if in place)

A request made for a delegation regarding any aspect of an Official Plan Amendment, Zoning By-law Amendment or Plans of Subdivisions or Condominiums will not be accepted between the conclusion of a public meeting that was conducted in accordance with the Planning Act and final reading of the By-law.

14.5 Delegation/Presentation – deemed – inappropriate for Council - If it is deemed inappropriate for a delegation or presentation to address the Council, the Clerk shall notify the individuals making the request and provide the Council with a supporting explanation. This written explanation shall be delivered to the Council via its regular correspondence. If a Council member wishes to hear the delegation/presentation, they shall request it via Section xx – Council Member Items. The delegation/presentation may then be invited to present at the following regular Council meeting, provided that a majority of the Council approves the request.

14.6 Delegation/Presentation statements – unsubstantiated - Whenever a delegation/presentation in its presentation, offers comments or statements that are deemed to be erroneous and unsubstantiated, any Member of Council, or Municipal official, may be recognized by the Chair on a "Point of Order" whereby the Member of Council or city official so recognized by the Chair, may bring necessary corrections or clarifications to the comments or statement said by the individual(s).

14.7 Delegation/Presentation – During Election Campaign - A request made for a delegation or presentation from a registered candidate will not be accepted during a municipal election campaign period.

Article XV Motions in General

15. Motions in General

All motions and resolutions shall be in writing and signed by the mover and seconder and given to the Clerk.

15.1 One motion at a time - There shall not be more than one main motion before the Council at one time.

15.2 Motions Read - Every motion introduced and duly seconded shall be received and read by the Chair, except as provided for by the Rules of Procedure.

15.2.1 Debate on Motion – Mover speaks first – No Member shall speak on any motion until it has first been read. The mover of the motion, once recognized by the Chair, may speak first and/or last if the Member so wishes.

15.3 State the Question - Immediately prior to voting on a motion, the Chair shall state the question in its precise form as it is to be recorded in the minutes, including any amendments (if any) to the question.

15.4 Withdrawal of the Motion - Before the Chair states the motion, it belongs to the mover of the motion, and he/she may ask to withdraw or modify the motion without the permission of the assembly. The Chair shall either repeat the motion in its modified version or state that the motion has been withdrawn.

15.4.1 Withdraw the motion - in order anytime during debate - After debate has begun on a motion, a request by the mover to withdraw the motion may be in order. However, permission by the Assembly must be given to do so.

15.4.2 Objection to withdrawal – If any Member objects to the withdrawal of the motion, a motion to maintain the question may be entertained and become a main motion.

15.4.3 No objection to withdrawal – If no Member objects to the withdrawal of the motion, the motion shall be considered withdrawn without the necessity of either a seconder or a vote.

15.4.4 Modification to Motion – prior to stating the question – Prior to the Chair stating the motion, another Member may ask the Chair if the mover of the motion will accept a change to the motion. The mover may either accept or reject the proposed change. If the mover rejects the proposed change, the Member suggesting the change, may propose an amendment after the motion has been read by the Chair.

15.4.5 Second withdraws – If the person who seconds the motion withdraws as second from the modified form, the Chair may ask for another second.

15.4.6 Recording of withdrawal – A withdrawn motion need not be recorded in the minutes unless the motion has been carried over as unfinished business from a previous meeting.

15.5 Reading of the motion - Any Member, during debate, may require that the question under discussion be read a second time, however the Member may not interrupt another Member speaking.

Article XVI Motions - Consideration – Interpretation

16. Point of Order

16.1 Point of Order – rules of Procedure – breached - A point of order may be called by a Member to bring attention to any breach of the Rules of Procedure of the Council.

16.1.1 Language – improper offensive – A point of order may be called by a Member to bring attention to the use of improper offensive or abusive language.

16.1.2 Discussion – not valid – outside proposed motion – A point of order may be called by a Member to bring notice of the fact that the matter under discussion is not within the scope of the proposed motion.

16.1.3 Proceedings – other – informality – irregularity – A point of order may be called by a Member to bring attention to any other informality or irregularity in the proceedings of the Council.

16.1.4 Member – rises - decision announced – When a Member rises on a point of order, the Chair shall recognize the Member and address the point of order. No further business shall be conducted until the Chair has ruled on the point of order.

16.2 Point of Information - Where a Member is uncertain of a particular issue being discussed, the Member may ask the Chair to clarify, or if the Chair is unsure of the answer, may direct the question to another Member. All requests for information shall be on the business pending or on a parliamentary situation.

16.3 Question of Privilege – integrity of Member - Where a Member considers that the integrity of a Member of Council (or Council as a whole) has been called into question, the Member may, as a matter of privilege, rise at any time, with the consent of the Chair, no debate being allowed, for the purpose of drawing the attention of the Council to the question.

16.3.1 Motion – receives disposition – main motion – A motion resulting from a question of privilege shall receive disposition by the Council forthwith, and following such disposition, the motion so interrupted shall immediately be considered at the point where it was suspended.

16.4 Appeal - Motion to - A motion to appeal the decision of the Chair shall be made only at the time the ruling is made by the Chair. If any debate or business has intervened, it is too late to appeal. Must be seconded.

16.5 Postpone Indefinitely - Motion to - A motion to postpone indefinitely may be introduced when an embarrassing main motion has been brought before the assembly and the assembly does not want to deal with it. At this point, a Member can propose to dispose of the question, without bringing a direct vote to the matter. A motion to postpone indefinitely may only be introduced, immediately after the embarrassing main motion has been made and before debate has begun, after which it is too late to bring this motion forward.

16.6 Amend - Motion to - A motion to Amend is a proposal to alter the information contained within the Main Motion, by changing its wording.

16.6.1 Debatable or un-debatable – A motion to amend is debatable unless the motion to which it adheres to is un-debatable.

16.6.2 Written – when requested – A motion to amend shall be presented in writing when requested by the Chair.

16.6.3 Relevant – Germane to Main Motion – A motion to amend shall be germane to the main motion.

16.6.4 Contrary to main motion – A motion to amend shall not be in order if it is contrary to the main motion.

16.6.5 Amended – Primary – Secondary – A main motion may have a Primary and Secondary amendment applied to it.

16.6.6 Amendment – disposition – A Secondary motion to Amend the Primary motion to amend shall receive the disposition of the Council, before dealing with the main motion in its amended form or not.

16.7 Commit or Refer - Motion to - A motion to Commit or Refer may be introduced to send a pending question to a relatively small group of selected persons – a committee – so that the question may be carefully investigated and put into better condition for the assembly to consider.

16.7.1 Debate on Motion to Commit or Refer – The debate can extend only to the desirability of committing the main question and to the appropriate details of the motion to commit, not to the merits of the main questions.

16.8 Postpone to a Certain Time – Definitely (motion to Defer) - The motion to Postpone is the motion by which action on a pending question can be put off, within limits, to a definite day, meeting, or hour, or until after a certain event. A motion to postpone is applied to a question either so that it may be considered at a more convenient time, or because debate has shown reasons for holding off a decision until later.

16.9 Call the Question – Put – Previous Question - Motion to - The motion to call the previous question is used to bring the assembly to an immediate vote on one or more pending questions. This motion requires a mover and seconder and requires 2/3's of the assembly for its adoption. This motion immediately closes the debate on and stops amendments to the immediately pending question and such other pending motions as the motion may specify.

16.10 Lay on the Table - Motion to - The motion to Lay on the Table is used to interrupt the pending business so as to permit doing something else immediately. It enables the assembly to lay the pending question aside temporarily when something else of immediate urgency has arisen or when something else needs to be addressed before consideration of the pending question is resumed.

16.11 Take from the Table - Motion to - After a question has been Laid on the Table it can be taken from the table by a majority vote, as soon as the interrupting business is disposed of and whenever no question is pending. Any Member can move to take a question from the table.

16.12 Recess - Motion to - A motion to recess is made when a Member (s) wishes to have a short intermission of the assembly's proceedings, commonly of only a few minutes. A recess does not close or adjourn the meeting. Once the recess is completed, business resumes at exactly the point where it was interrupted.

16.13 Adjourn - Motion to - The motion to adjourn means to close the meeting.

16.14 Reconsideration – Motion to - The motion to reconsider enables the majority of Council, within a limited time and without notice, to bring back for

further consideration a motion that has already been voted on. The purpose of reconsidering a vote is to permit correction of a hasty decision, or to consider added information or changed situation that has developed since the taking of the vote.

16.14.1 When can Reconsideration be moved – A motion to reconsider has time limits and can only be made on the same day and in the same meeting the vote to be reconsidered was taken. The motion to reconsider can be debated. Time limits on a motion do not apply to Standing or Special Committees.

16.14.2 Member – move to reconsider – A motion to reconsider can only be made by a Member who voted on the prevailing side or a Member who did not vote.

16.14.3 Reconsider Adopted – If a motion to reconsider has been adopted, it temporarily nullifies the previous decision and places the meeting back at the point prior to taking the vote on the original motion, and consideration of the original matter shall become the next order of business.

16.14.4 Discussion on Motion of Reconsideration – There shall be no discussion on the main question permitted until the motion for reconsideration is adopted.

16.14.5 Reconsideration only once – No motion or report shall be reconsidered more than once at any meeting.

16.14.6 Reconsideration – not permissible – A motion to reconsider a motion shall be out of order under the following conditions:

- a. When the provisions of the motion have been partially carried out
- b. When a vote has caused something to be done that cannot be undone
- c. When a contract has been made and the other party has been notified of the vote
- d. At an ensuing meeting of Council, unless the Member asked that the motion for Reconsideration be included in the minutes and that the motion was to be reconsidered at the next regular meeting.

16.15 Amend Something Previously Adopted or Rescind - A motion to reconsider any matter already disposed of by the current Council at a previous meeting, shall require a motion to Amend Something Previously Adopted or a motion to Rescind, provided by Notice at one meeting to be dealt with at the following meeting. With notice, this motion requires majority vote. Without notice, this motion requires 2/3's of the Members of Council, present and voting.

16.16 Notice of Motion

A Notice of Motion may be introduced by a Member at a meeting regarding a matter that would not otherwise be considered by Council at such meeting, by delivering a written copy of the motion, signed by the mover and seconder to the Clerk, who shall read it during the segment on the Agenda reserved for Notices of Motion.

16.16.1 Notice of Motion – Consideration – Notice of Motion, of which notice was given, shall be considered at the Council's next meeting.

16.16.2 Notice of Motion – no debate – Notice of Motions introduced at a public meeting of Council shall not be debated and shall be recorded on the next meeting of Council under Resolution.

16.16.4 Consideration – Mover absent – A Notice of Motion shall not be considered or otherwise disposed of by the council unless the mover of the motion is in attendance at the meeting where the Notice is being considered.

16.16.5 Seconded – by any Member – seconder not present – Any Member may agree to second a notice of motion if the originating seconder is absent from the meeting when the notice of motion is called for by the Chair.

16.16.6 Notice – delivered - time – A Notice of Motion may be delivered to the clerk no later than 12:00 p.m. (noon) on the Monday preceding the date of the next regular meeting to be included to the final agenda, at which time the motion is to be introduced, or be read during the Notice of Motion Segment of the Agenda of a regularly scheduled meeting of the Council.

Article XVII Resolutions

17. Resolutions

17.1 Resolutions – Notice of Motions – Debated Separately - Every matter listed under a Resolution or Notice of Motions introduced at a previous meeting shall be dealt with individually.

17.2 Notice – received by Clerk – included in Agenda - Notice of Motions introduced at a public meeting of Council shall not be debated and shall be recorded on the next regular meeting of Council under the heading “Resolutions”.

17.3 Consideration – disposal – deferred to other meeting - A Notice of Motion shall not be considered or otherwise disposed of by the Council unless the mover of the motion is in attendance at the meeting. Any Member may second the motion.

17.4 Notice – delivered - Notice of Motions may be delivered to the Clerk no later than 12:00 p.m. (Noon on the Monday preceding the date of the next regular meeting, to be included in the final printing of the Agenda, at which time the motion is to be introduced, or be read at the end of a regularly scheduled meeting of the Council.

Article XVIII Voting

18. Voting

18.1 Motion – simple majority – required – exception - The vote required to pass a motion shall be a simple majority which is 50% plus 1 with the exception as otherwise provided for within this By-law, by Statute or by your Parliamentary Authority of “*Robert’s Rules of Order, newly revised*”.

18.2 Absent from Seat - When the Chair calls for the vote on any question, each Member shall occupy their seat until such time as the result of the vote has been declared, and during such time, no Member shall walk across the room, speak to any other Member, or make any noise or disturbance. A Member who is absent from his/her seat does not have the right to vote.

18.3 Tie Vote – motion deemed negative - In the case where a resolution on which the voting results are equal, the motion shall be deemed defeated or lost for want of a majority.

18.4 Refusal to vote – deemed negative – Refusal to vote by a Member not disqualified, shall be deemed a negative vote.

18.5 Un-recorded vote - The manner of determining the decision of the Council on a vote to a motion, shall be at the discretion of the Chair and may be by voice vote, by show of hands, by standing or otherwise.

18.6 Recorded Vote – Request - Any Member, prior to or immediately after the taking of the vote, may require that the vote be recorded. Recorded votes are recorded within the minutes.

18.7 Vote Taken – Unanimous - When an un-recorded vote has been taken, and the vote has been adopted, the vote is deemed to be unanimously in favor of the question approved.

18.8 Secret Ballot – forbidden - No vote shall be taken during a meeting of the Council by secret ballot or other form of secret vote.

18.9 Division of a Question

18.9.1 Independent Motion - Separate Vote – When a motion relating to a single subject contains several parts, each of which can stand as a complete proposition if the others are removed, the parts can be separated to be considered and voted on as if they were distinct questions – by adoption of the motion for “*Division of a Question*” (or *divide the question*).

18.9.2 Motions to Divide – A motion made by a single Member may be made to request that the motion be separated when a series of independent resolutions or main motions dealing with different subjects, is offered in one motion and where one more resolution must receive separate consideration.

18.9.2.1 – Upon a majority vote, the vote on each recommendation or proposition shall be taken separately and no vote shall be required to be taken on the matter.

18.10 Disputed Vote - Should a Member disagree with the announcement of the Mayor that a question is carried or defeated, the Member may, but only immediately after the declaration of the vote by the Mayor, object to the Mayor’s decision and may request a recorded vote be taken.

18.11 Mayor (Chair) need not vote: The Mayor (Chair) may participate in any vote, but he/she must vote when the vote is recorded.

Article XIX By-Laws

19. By-Laws

19.1 Description – number of readings – listed on Agenda - All By-laws, together with a brief description and the notation of the number of readings required, shall be listed on the agenda for the meeting at which they are to be read.

19.2 Form – typewritten compliance – relevant Act - Every By-law when introduced shall be in typewritten form and shall comply with the provisions of any relevant Act.

19.3 Reading– By-laws - It shall not be necessary to have the By-laws read in their entirety unless a majority vote by the Council requires that the By-laws be read, or a particular By-law be read.

19.4 Debate– By-laws – Third Reading - Any By-law may be debated at the Third Reading and is subject to amendments or referred for future consideration and re-introduced in the same manner or in an amended matter at a future meeting within a three-month period.

19.5 By-law adoption – one motion - One motion shall be to give all By-laws first, second and third readings. If a Member of Council has a question about a particular By-law, he/she may move that Council exempt a particular By-law from the main motion to allow for further debate. After all By-laws have passed, the Clerk shall be responsible for their correctness to ensure they reflect the will of the Council.

19.6 Endorsement and enactment – By-laws - The Clerk shall indicate on all By-laws enacted by the Council, the dates of all readings and shall include the consecutive number and annual date. All By-laws shall be maintained and kept by the office of the Clerk for archival purposes.

Article XX New Business

20. New Business

20 New Business – routine nature

Any item of business that is of a routine nature that has been introduced to Members of Council requiring a formal resolution that was not previously placed on the Agenda shall be considered as a New Business Motion.

20.2 New Business – in writing – mover and seconder – filed - All New Business motions shall be introduced in writing, with a mover and seconder and filed with the Clerk.

20.3 New Business – filing time – inclusion on agenda - New Business motions, submitted by a Member of Council, that are filed prior to noon on the Monday preceding a regular meeting shall be included in the printing of the Agenda.

20.4 New Business – voted on individually - All New Business motions shall be voted on individually.

20.5 New Business – Non-routine – Notice of Motion - New Business motions that are not of a routine matter, shall be received and read by the Clerk as a “Notice of Motion” and re-introduced at the next regularly scheduled meeting of Council under Resolution for Council discussion, such as but not limited to expenditures, changes in policy etc.

20.6 New Business – introduced – regular meeting - Motions of a new business nature may be filed with the Clerk during the regular meeting of Council and shall be read during the New Business Section of the Agenda. The mover of the motion shall provide copies of the proposed New Business motion to the Clerk and all Members of Council prior to the meeting at which the motion is being introduced.

20.7 Matters not under council authority - Any matter not considered to be matters under the Municipal Council’s authority, after consultation with the Mayor, Chief Administrative Officer, and Municipal Clerk, shall not be accepted.

Article XXI Disclosure of Interest

21. Disclosure

21.1 Conflict of Interest - At all times and under all circumstances, Members shall be guided by and shall have regard to the *Municipal Conflict of Interest Act*.

21.2 Declaration of Interest - Where a Member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting at which the matter is the subject of consideration, the Member:

- a) Shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- b) Shall not take part in the discussion of, or vote on any question in respect of the matter; and
- c) Shall not attempt in any way before, during or after the meeting to influence the voting on any such question.

21.2.1 Closed Meeting Declaration – When a meeting is not opened to the public, in addition to complying with the requirements of Section 21.2 above, the Member shall forthwith leave the meeting for the part of the meeting during which the matter is under consideration.

21.3 Pecuniary Interest When Absent - Where the interest of a Member has not been disclosed by reason of the Member's absence from a particular meeting, the Member shall disclose the interest and otherwise comply with the requirements of Section 21.2 at the first meeting of the Committee or Local Board as the case may be, attended by the Member after the particular meeting.

21.4 Written Statement re Disclosure and Influence

21.4.1 Written Statement re disclosure - At a meeting at which a Member discloses a pecuniary interest, or as soon as possible afterwards, the Member shall file a written statement of the interest and its general nature with the Clerk of the Municipality or the Secretary of the Committee or Local Board, as the case may be; and

21.4.2 Influence

Where a Member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter that is being considered by an officer or employee of the Municipality or Local Board, or by a person or body to which the Municipality or Committee or Local Board has delegated a power or duty, the Member shall not use his or her office in any way to attempt to influence any decision or recommendation that results from consideration of the matter.

21.5 Record of Disclosure

- a) Every declaration of interest and the general nature thereof shall be recorded in the minutes of the meeting by the Clerk of the Municipality or Secretary of the Committee or Local Board, as the case may be.
- b) Every declaration of interest made, but not the general nature of that interest, shall, where the meeting is not open to the public, be

recorded in the minutes of the next meeting that is open to the public.

21.6 Registry

21.6.1 Requirement to Establish Registry – Every Municipality and Local Board shall establish and maintain a registry in which shall be kept:

- a) a copy of each statement filed under Section 21.4; and
- b) a copy of each declaration recorded under Section 21.2.

21.6.2 Access to Registry – The registry shall be available for public inspection in the manner and during the time that the Municipality or Local Board may determine.

21.7 Failure by any Member of Council to comply with - The failure of one or more Members to comply with the declaration shall not affect the validity of the meeting regarding the said matter.

Article XXII Committees

22. Committees

22.1 Procedure - Except as otherwise provided herein, a Committee of Council shall conform to the rules governing protocol and procedures as detailed within this Procedural By-law.

22.2 Committee - Committee means a Standing, Statutory, Sub-Committee or Ad Hoc Committee established by Council.

22.3 Ad Hoc Committee of Council - The Council may, at any time, appoint an Advisory or Ad Hoc Committee to enquire into and report on any matter specific to one subject matter and that does not have a continuous nature. It is a Committee established for the purpose of dealing with a special project with a clear mandate and a start and finish date.

22.4 Standing Committee - A Standing Committee is an advisory body to the Council to consider policy matters regarding Administration, Finance, Planning, Environmental, Public Works, Parks Recreation, Police and Fire Services and on any other matter that Council deems it necessary.

22.4.1 Sub-Committee – A Sub-Committee means a Committee established by a Standing Committee with a clear mandate that has a beginning and end and reports directly to the creating Standing Committee.

22.5 Statutory Committee - A Statutory Committee means committees established pursuant to a specific enabling statute such as a Committee of Adjustment established pursuant to the *Planning Act*, a Property Standards Committee established pursuant to the *Building Code Act*, a Municipal Election Compliance Audit Committee established pursuant to the *Municipal Elections Act* and any other body established pursuant to enabling legislation which services in an arms-length (quasi-judicial) capacity on behalf of or in cooperation with the municipality.

Article XXIII General Provisions - Council and Committees of Council

23. General Provisions

23.1 Recording Equipment - Audio and video recording equipment may be used by staff, the public and the media to record all or any portions of a meeting that is open to the public, provided that it is not disruptive to the conduct of the meeting. The location and use of such recording equipment shall be at the discretion of the Clerk of The Nation Municipality.

23.2 General Notice Requirements - The Corporation of the Nation Municipality will provide notice of Council Meetings, Committee Meetings, Budget Meetings, financial statements, committee schedules, and changes to the Rules of Procedure by posting such notices via The Municipality's website at www.Nationmun.ca

23.2.1 Notices on social media – Upon the Municipalities' participation in social media such as Facebook, Twitter etc., notices of meetings may also be posted thereon.

23.3 Execution of Documents - Whenever the execution of any document, endorsed by Council is required, to give effect to any Resolution or By-law of the municipality, duly endorsed by motion of Council, the Mayor and Clerk shall have general authority for and in the name of the municipality to execute and to affix the Corporate Seal of the Municipality to such documents.

Article XXIV Repeal - Enactment

24.1 By-laws – previous - That By-law 19-2024 known as The Nation Municipality's Procedural By-law, previously approved on March 18, 2024, is hereby repealed.

24.2 Amendment or repeal - No amendment or repeal of this By-law or any part thereof shall be considered at any meeting of the Council, unless notice of the proposed amendment or repeal has been given at a Regular Meeting of the Council with a vote of approval of two-thirds vote of Members of Council, present and eligible to vote.

24.3 Effective date

This By-law shall come into full force and effect upon final reading thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 24 DAY OF JUNE 2024.

SCHEDULE B

Agenda Template:

1. Roll Call
2. Additions and Modifications
3. Adoption of the Agenda
4. Disclosure of Pecuniary Interest
5. Adoption of Council Minutes
6. Presentations, Delegations, and Petitions
7. Consent Items
8. Reports from Departments and Council Committees
9. Reports from an Investigator or the Ombudsman
10. Notices of Motion
11. Resolutions
12. By-laws
13. New Business Reports
14. Other Business presented by Council Members
15. Public Consultations & Hearings
16. Announcements
17. Strategic Discussion
18. Closed Session
19. Confirming By-law
20. Notice of public meeting
21. Adjournment