

**CORPORATION OF THE TOWN OF LAURENTIAN HILLS  
BY-LAW No. 04-11**

**Being** a by-law to govern the procedure of Council; Standing Committees of the Whole Council and Local Boards, the conduct of its Members and the calling of meetings .

**WHEREAS** section 238 of the Municipal Act, c. 25 S.O. 2001 requires that a Municipal Council and its Committees and Local Boards shall pass a By-Law for governing the proceedings of the Council; Committees of the Whole Council; its Standing Committees and/or Local Boards and the calling and location of meetings and the conduct of the same and its Members

**NOW THEREFORE** Council of the Corporation of the Town of Laurentian Hills does enact as follows that:

**1 DEFINITIONS**

- 1.1 "Chief Administrative Office / Clerk " means the Chief Administrative Officer/Clerk of the Corporation of the Town of Laurentian Hills
- 1.2 "Committee of the Whole" means a Committee composed of the whole of Council
- 1.3 "Committees or Standing Committees and/or Local Boards" means Members of Council and/or others persons assigned by Council to its various Committees and/or Local Boards.
- 1.4 "Council" means the Council of the Corporation of the Town of Laurentian Hills,
- 1.5 "Mayor" means the Head of Council of the Corporation of the Town of Laurentian Hills and "Chairman" has the same meaning
- 1.6 "Mayor" shall also be taken to read Chairman
- 1.7 "Quorum" means a simple majority of the Council or Committee Members present
- 1.8 "Member" means a Member of the Council of the Corporation of the Town of Laurentian Hills or of a Committee and /or Local Board
- 1.9 "Seal" means the corporate seal of the Town of Laurentian Hills

**2 COUNCIL MEETINGS**

- 2.1 meetings of the Council of the Town of Laurentian Hills shall be held in the Council Chamber at Point Alexander
- 2.2 notwithstanding 2.1 above the Council may meet at any other location the Council may from time to time choose provided that notice is given by resolution passed at a Council meeting in the month preceding the change of venue and such notice is also posted on the Town's web page
- 2.3 the Inaugural meeting of the Council shall be held on the first or second Wednesday of December commencing at 7:00 p.m.
- 2.4 the first regular meeting of Council shall be held on the same Wednesday of the Inaugural session and after a time for the exchange of greetings or socializing
- 2.5 all regular meetings of Council shall be held on the Wednesday being the fifteenth day after the first Tuesday of the month except in December of an election year as in 2.4 above commencing at 7:00 p.m.
- 2.6 all meetings shall be conducted in English unless otherwise required by an individual. Cost for interpretation services, etc. shall be the responsibility of the individual requesting such services

**3 COMMITTEES OF THE WHOLE COUNCIL**

- 3.1 all Committees of the Whole Council shall meet on the first Tuesday of every month commencing at 7:00 p.m.
- 3.2 all meetings of Committees of the Whole Council shall be held in the Council Chamber at Point Alexander
- 3.3 in an election year there shall be no meetings of the Committees of the Whole Council in December of that year

- 3.4 should the agenda for Committees of the Whole be large or extended the Chief Administrative Officer with the concurrence of the Mayor may divide the meetings between the first Tuesday of the month and the next day being the Wednesday
- 3.5 all Members of Council shall sit on all Committees of the Whole Council and they shall be constituted as Committees of the Whole
- 3.6 the Mayor shall receive from Members their request for Chairing committees and in consultation shall make recommendation to the Council of the name of the Chairperson and the Vice Chairperson of each committee for concurrence

#### 4 GENERAL RULES FOR MEETINGS

- 4.1 all Council; Committee of the Whole Council and/or Local Board meetings shall be open to the public
- 4.2 before all or part of a meeting is closed to the public, the Council shall state by resolution
  - the fact of the holding of the closed meeting;
  - the general nature of the matter to be considered at the closed meeting;
- 4.3 notwithstanding paragraph 4.1 above, a meeting may be closed to the public if the subject matter being considered relates to:
  - all of the following section needs to be read in conjunction with s 239 of the Municipal Act
  - a the security of the property of the municipality or local board
  - b personal matters about an identifiable individual, including municipal or board employees
  - c a proposed or pending acquisition or disposition of land by the municipality or local board
  - d labour relations or employee negotiations
  - e litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board
  - f advice that is subject to solicitor-client privilege, including communications necessary for that purpose
  - g a matter in respect of which council, board, committee or other body may hold a closed meeting under another Act being \_\_\_\_\_
  - h a matter being the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act
  - i the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, local board or committee or either of them or persons retained by or under a contract with the municipality or local board
- 4.4 Subject to subsection i above a meeting shall not be closed to the public during the taking of a vote
- 4.5 when the day for a regular meeting of Council is a public or civic holiday, the Council shall, unless the Council decides otherwise, meet at the same hour on the next following day which is not a public or civic holiday
- 4.6 the Mayor may at any time summon a special or emergency meeting of Council
- 4.7 should the Mayor refuse to call a special meeting of Council if requested to do so by Members of Council, the Clerk shall, upon receipt of a petition of the majority of the Members of Council, summon a special meeting for the purpose and at the time mentioned in the petition
- 4.8 Council may by resolution alter the time, day or place of any Council meeting
- 4.9 in the case of the absence of the Mayor from the municipality, or if absent through illness, or refusal to act or the office is vacant, the Deputy Mayor shall act from time to time in the place and stead of the Mayor and shall have all the rights, powers, and authority of the Mayor, while so doing
- 4.10 despite 4.9 above the Deputy Mayor does not and shall not have the right of succession to the Mayor's chair should the Mayor's seat be declared vacant or die in office; nor does the Deputy Mayor have the right to sit as a Member of the County Council in the absence of the Mayor, without a resolution of the County Council

4.11 subject to the provisions of the Municipal Act, and where no Presiding Officer has been appointed and the Mayor or Deputy Mayor does not attend within fifteen (15) minutes after the time appointed for a meeting of the Council, the Clerk shall ask the Members to appoint an Acting Head of Council provided a quorum is present, until the arrival of the Head of Council and while so presiding the Acting Head of Council shall have all the rights, powers and authority of the Head of Council.

4.12 the rules and regulations contained in this By-Law shall be observed in all proceedings of the Council for the order and dispatch of business by Council its Committees and/or Local Boards.

## **5 CALLING OF MEETING TO ORDER AND QUORUM**

5.1 as soon after the hour fixed for the holding of the meeting of Council as a quorum is present, the Mayor shall take the Chair and call the meeting to order.

5.2 if no quorum is present fifteen (15) minutes after the time appointed for a meeting of the Council, the Clerk shall record the names of the Members present and the meeting shall stand adjourned until the date of the next regular or special meeting called by the Mayor

## **6 CURFEW**

6.1 no item of business shall be dealt with at a Council meeting after eleven (11) p.m.

6.2 if there is business to be transacted after the curfew the Council shall meet the following day at a time to then be decided

## **7 THE CONDUCT OF PROCEEDINGS AT A MEETING OF COUNCIL**

1.7 it shall be the duty of the Mayor or other Presiding Officer

- a to open the meeting of Council by taking the Chair and calling the Members to order
- b to announce the business before the Council in order in which it is to be acted upon in accordance with the agenda as may be modified at the time
- c to receive and submit, in the proper manner, all motions presented by the Members of Council
- d to put to vote all questions which are regularly moved and seconded or necessarily arise in the course of proceedings, and to announce the result
- e to decline to put to vote motions which infringe the rules of procedure
- f to restrain all Members, within the rules of order, when engaged in debate including himself
- g to enforce on all occasions the observance of order and decorum among all Members
- h to call by name any Member persisting in breach of the rules of order of the Council, thereby ordering the Member to vacate the Council Chamber
- i to receive all messages and other communications and announce them to the Council
- j to authenticate, by signature when necessary, all By-Laws, resolutions, and minutes of Council
- k to inform the Council, when necessary or when referred to for the purpose, on a point of order or usage
- l to appoint an ad hoc Committees of not less than three Members when required
- m to represent and support the Council, declaring its will, and implicitly obeying its decision in all things
- n to ensure that the decisions of Council are in conformity with the Laws and By-Laws governing the activities of Council
- o to adjourn the meeting when the business is concluded

- p to order any individual or group in attendance at the meeting to cease and desist any behaviour which disrupts the order and decorum of the meeting and to order the individual or group to vacate the Council Chambers where such behaviour persists
- q to adjourn the meeting without question in the case of grave disorder arising in the Council Chamber

## **8 AGENDA AND SUPPORTING MATERIAL**

- 8.1 the Clerk shall prepare agendas of Council and Committee of the Whole Council meetings as assigned
- 8.2 insofar as is practicable, Council and all agendas, along with supporting material, shall be prepared and made available to Members not later than the Friday prior to a regular meeting
- 8.3 agendas for Council and Committees shall be posted on the Town's web page as soon as the meeting package is ready for Council or Committees and also that Agenda shall be posted in hard copy on the notice board in the entry hallway of the Town office at the same time and the same shall apply for Special Meetings
- 8.4 individuals or groups wishing to appear before Council at a regular meeting shall advise the Clerk not later than 3:00 p.m. on the Thursday prior to the meeting of the nature of the presentation and the Clerk may make a determination as to deferral of delegations to a subsequent meeting
- 8.5 individual or groups which are listed on an agenda or otherwise approved to appear before Council shall be limited to not more than fifteen (15) minutes except that a delegation consisting of more than three (3) persons may divide the time between the various Members of the delegation
- 8.6 agendas shall be generally formatted as follows but modifications to the matters to be included or the order of business may be effected without requiring amendment to this by-law

Call To Order  
 Declaration of Pecuniary Interest  
 Additions and Deletions to Agenda  
 Delegations and Presentations  
 Adoption of Minutes of Previous Meetings of Council or Committees  
 Business Arising From The Minutes  
 Other Reports  
 By-Laws  
 Approval of Accounts  
 Petitions Without Representation  
 Action Items  
 Correspondence  
 Unfinished Business  
 New Business  
 Motions and Notices of Motion  
 Adjournment

- 8.7 the business of the Council shall in all cases be taken up in the order in which it stands upon the agenda unless otherwise decided by the Council.

## **9 MINUTES**

- 9.1 minutes shall record:
  - the place, date and time of meeting;
  - the names of the Presiding Officer or Officers and record the attendance of the Members and Staff
  - the reading, if requested, correction and adoption of the minutes of prior meetings
  - all other proceedings of the meeting without note or comment
- 9.2 in spite of 9.1 above the minutes of a Council or a Committee meeting may contain a Clerk's Note for clarity only, at the discretion of the Clerk, any directions or instructions given to Staff shall be noted in the minutes
- 9.3 every communication, including a petition designed to be presented to the Council, shall be legibly written or printed and shall not contain any obscene or improper matter or language and shall be signed by at least one person who is a qualified elector of the Town of Laurentian Hills and filed with the Clerk

## **10 READING OF BY-LAWS AND PROCEEDINGS THEREON**

- 10.1 every by-law shall be introduced upon motion by the Mayor requesting the first and second reading of a by-law and the Clerk shall responds in short form. Copies of all By-Law shall be given to all Member of Council with the agenda package
- 10.2 every by-law when introduced shall be in typewritten form and shall contain no blanks except such as may be required to conform to accepted procedure or to comply with provisions of any Act
- 10.3 every by-law shall have three readings prior to it being passed
- 10.4 the first and second reading of a by-law shall be decided without amendment or debate
- 10.5 By-Laws may be given three readings on the same day except when requested otherwise by motion of the majority of the Members present or as otherwise provided in law
- 10.6 the third reading of a By-Law shall be authorized in a formal resolution
- 10.7 every By-Law enacted by the Council shall be sequentially numbered and dated and shall be sealed with the seal and signed by the Mayor and the Clerk and shall be deposited by the Clerk for safekeeping

## **11 MOTIONS**

- 11.1 notice of all new motions except motions listed in section 11. below shall be given in writing, delivered to Clerk not later than 3:00 p.m on the Thursday preceding the next regular meeting so that the matter may be included in the Council agenda package and each succeeding meeting until the motion is considered or otherwise disposed of. The motion shall given over the signatures of the mover and seconder
- 11.2 any motion may be introduced without notice if the Council, without debate, dispenses with notice on the affirmative vote of at least a simple majority of the Members present and voting
- 11.3 all motions must be formally seconded before the Mayor can put the question or a motion be recorded in the minutes
- 11.4 when a motion is presented to Council in writing, it shall be read or if it is a motion which may be presented orally, it shall be stated by the Mayor before debate
- 11.5 a motion to amend
  - shall be presented in writing and
  - shall receive disposition of Council before a previous amendment or the question shall not be further amended more than once provided further amendment may be made to the main question
  - shall be relevant to the question to be received
  - shall not be received proposing a direct negative to the question
  - may propose a separate and distinct disposition of a question
  - shall be put in the reverse order to that in which it is moved

## **12 VOTING ON MOTIONS**

- 12.1 immediately preceding the taking of the vote, the Mayor shall state the question in the form introduced and shall do so if required by a Member except when a motion for the previous question has been resolved in the affirmative. The Member shall state the question in the precise form in which it will be recorded in the minutes
- 12.2 after a question is put by the Mayor no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared
- 12.3 determining the decision of the Council on a motion shall be at the discretion of the Mayor and may be by voice, show of hands, standing or otherwise
- 12.4 if a Member requests a recorded vote, all Members present at the Council or Committee of the Whole or Local Board shall vote in alphabetical order, unless otherwise prohibited by statute. The Members shall vote by signing their name opposite their typed name and under the yes or no column. The full resolution including the vote shall be recorded in the minutes. A request for a recorded vote can only be made before an unrecorded vote is taken, or immediately thereafter. Any failure to vote by a Member who is not disqualified shall be deemed to be a negative vote and shall be recorded as such
- 12.5 when the Mayor is putting the question, no Member shall leave or make a disturbance

### **13 RULES OF DEBATE**

- 13.1 when the Mayor calls for the vote on a question, each Member who has not left the table due to a declared or perceived conflict, shall occupy his/her seat and remain in his/her place until the result of the vote has been declared by the Mayor and during such time no Member shall walk across the room to speak to any other Member or make any noise or disturbance
- 13.2 when a Member is speaking, no other Member shall pass between him/her and the Chair or interrupt him except to raise a point of order
- 13.3 any Member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking
- 13.4 the following matters and motions with respect thereto may be introduced orally without written notice and without leave, except as otherwise provided by this By-Law
- a point of order or personal privilege
  - presentation of petitions
  - to postpone indefinitely or to a day certain
  - to move the previous question
- 13.5 the following motions may be introduced without notice and without leave, but such motions shall be in writing and signed by the mover and seconder
- to refer
  - to adjourn
  - to amend
  - to suspend the Rules of Procedure
  - to table
- 13.5 except as provided by section 13.4 above, all motions shall be in writing and signed by the mover and seconder
- 13.6 in all unprovided cases in the proceedings of the Council or in the Committees of the Whole Council, the matter shall be decided by the Mayor subject to an appeal to the Council upon a point of order

### **15 POINTS OF ORDER AND PRIVILEGES**

- 15.1 the Mayor shall preserve order and decide questions of order
- 15.2 if appealed to, the Council shall decide the question without debate and its decision shall be final.

### **16 CONDUCT OF MEMBERS OF COUNCIL**

- 16.1 no Member shall:
- a) speak disrespectfully of the Reigning Sovereign or any Member of the Royal Family or the Queen's Representatives
  - b) speak disrespectfully of any Member of the Parliament of Canada or the Legislative Assembly of Ontario
  - c) use offensive words or unparliamentary language in or against the Council or Member of the Council or former Member of the Council or against any member of Staff or former member of staff or a guest
  - d) speak on any subject other than the subject in debate
  - e) criticize any decision of the Council except for the purpose of moving that the question be reconsidered
  - f) disobey the rules of the Council or a decision of Mayor or of the Council on questions of order or upon the interpretation of the rules of the Council
- 16.2 in the case where a Member persists in any such disobedience after having been called to order by the Mayor, the Mayor may forthwith put the question, no amendment, adjournment or debate being allowed, "that such Member be ordered to leave his seat for the duration of the meeting of the Council", but if the Member apologizes he/she may, by vote of Council, be permitted to retake his/her seat
- 16.3 no person except Members and Officers of the Council shall be allowed to attend during the closed sessions of the Council without permission of the Mayor, such decision being duly recorded in the minutes

**17 COMMITTEES OF THE WHOLE COUNCIL OR OTHER COMMITTEES OR LOCAL BOARDS**

17.1 a the first meeting of the Town Council following a regular election when the provision of section 3.6 above have been met - the following shall be the Rules of Practice for the Committees of the Whole Council, its other Committees and/or Local Boards of the Town of Laurentian Hills.

17.2 the Committees of the Whole Council shall be as follows with a Chairman and Vice-Chairman and all other Members of Council

**Protection to Persons & Property**

this Committee shall be responsible for the study and research of all matters referred by Council pertaining to the following functions: Fire Department, Building/Plumbing Inspection, By-Law Enforcement (other than Planning matters), Property Standards, Animal Control, Municipal Building and Property, Emergency Planning (includes 9-1-1) and Community

**Public Works**

this Committee shall be responsible for the study and research of all matters referred by Council pertaining to the following functions: Roads, streetlights, Water & Sewer System, Airport, Waste Management (sites), Recycling, Municipal Grounds Maintenance. Policing

**Community & Social Service**

this Committee shall be responsible for the study and research of all matters referred by Council pertaining to the following functions: Resource Centre/Nursery School, Library, Recreation (facilities, programs, community events, parks, horticultural), Visitor Centre, Senior Citizen and Children issues.

**Planning**

this Committee shall be responsible for the study and research of all matters referred by Council pertaining to the following functions: Planning and Zoning, Industrial, Commercial and Residential Development, Reforestation, Shoreline Assistance and Economic Development.

**Finance & Personnel**

this Committee shall be responsible for the study and research of all matters referred by Council pertaining to Finance, including the Annual Estimates, Capital Budgeting, Investments, monitoring of actual Revenues and Expenditures and, pertaining to Personnel, Policies and Procedures, including administrative and staff-related concerns.

**18 RULES OF PERFORMANCE AND PRACTICE**

18.1 each Committee of the Whole Council and/or Local Board shall hold regular monthly meetings and report their activities to the next Regular Council Meeting. Dates and times for the Committee meeting shall be as set out in section 3 above

18.2 all Committee and/or Local Board meetings shall be open to the public

18.3 notwithstanding paragraph 18.2 above, a meeting of a Committees and/or Local Boards may be closed to the public under the rules set out in section 4.3

18.4 before all or part of a meeting is closed to the public, the Committee and/or Local Board shall state by resolution

- the fact of the holding of the closed meeting
- the general nature of the matter to be considered at the closed meeting

18.5 subject to section 3 above a meeting shall not be closed to the public during the taking of a vote

18.6 when the day for a regular meeting of a Committee and/or Local Board is a public or civic holiday, the Committee and/or Local Board shall, unless the Committee and/or Local Board decides otherwise, meet at the same hour on the next following day which is not a public or civic holiday

- 18.7 the Chairman may summon special or emergency meetings of the Committee/Local Board. Or if the Chairman fails to act then upon receipt of a petition of the majority of the Members of the Committee, the Clerk shall summon a special meeting for the purpose and at the time mentioned in the petition
- 18.8 in the case of the absence of the Chairman of the Committee and/or Local Board, or if absent through illness, or refusal to act or the position is vacant, an alternate shall be appointed to act from time to time in the place and stead of the Chairman and shall have all the rights, powers, and authority of the Chairman while so doing
- 18.9 each Committee meeting should not be more than one hour in duration, not including delegations or presentations
- 18.10 the Chief Administrative Officer or Treasurer shall prepare an annual draft budget for all functions under the Committees jurisdiction, in cooperation with appropriate staff, for consideration of the Finance and Personnel Committee as soon as possible in each year
- 18.11 the Clerk or Deputy Clerk shall prepare an Agenda, attend all meetings and prepare a report on the Committee findings and recommendations. In the case of the Planning Committee, this role shall be performed by the Planning Coordinator
- 18.12 a monthly list of accounts shall be presented to the Finance and Personnel Committee who shall examine the list of accounts as prepared by staff in advance of the Council meeting
- 18.13 the Chief Administrative Officer or Treasurer shall following the setting of the annual budget prepare and present to the Finance and Personnel Committee a monthly comparison of actual expenditures compared to budget through to the end of December in each calendar year and the Committee shall acknowledge receipt at the following Council meeting
- 18.14 a Committee may request the attendance at meetings of persons with a particular knowledge or expertise on specific issues which will assist in the Committee's deliberations

## **19 CALLING OF MEETING TO ORDER AND QUORUM**

- 19.1 a quorum of a Committee shall constitute a total of three Members present
- 19.2 the Chairman shall call the meeting to order if a quorum is present (see section 1.4)
- 19.3 if no quorum is present fifteen (15) after the time appointed for a meeting of the Committee and/or Local Board, the Clerk shall record the names of the Members present and the meeting shall stand adjourned until the date of the next regular or special meeting called by the Chairman
- 19.4 no item of business may be dealt with at a Committee and/or Local Board meeting after eleven (11:00) p.m.

## **20 CONDUCT OF PROCEEDINGS AT A MEETING OF OF COMMITTEES AND/OR LOCAL BOARDS**

- 20.1 it shall be the duty of the Chairman
  - a to open the meeting by taking the Chair and calling the Members to order
  - b to announce the business before the Committee in order in which it is to be acted upon in accordance with the agenda or as may be modified at the time
  - c to receive and submit, in the proper manner, all motions presented by the Members of the Committee
  - d to put to vote all questions which are regularly moved and seconded or necessarily arise in the course of proceedings, and to announce the result
  - e to decline to put to vote motions which infringe the rules of procedure
  - f to restrain all Members, within the rules of order, when engaged in debate, including himself
  - g to enforce on all occasions the observance of order and decorum among all Members
  - h to call by name any Member persisting in breach of the rules of order of the Committee, thereby ordering the Member to vacate the Chamber



- i to receive all messages and other communications and announce them to the Committee
- j to authenticate, by signature when necessary, all resolutions, and minutes of Committee
- k to inform the Committee, when necessary or when referred to for the purpose, on a point of order or usage,
- l to appoint an ad hoc Committees of not less than two Members when required
- m to represent and support the Committee, declaring its will, and implicitly obeying its decision in all things
- n to ensure that the decisions of Committee are in conformity with the Laws and By-Laws governing the activities of Council and its Committees
- o to adjourn the meeting when the business is concluded,
- p to order any individual or group in attendance at the meeting to cease and desist any behaviour which disrupts the order and decorum of the meeting and to order the individual or group to vacate the Chambers where such behaviour persists
- q to adjourn the meeting without question in the case of grave disorder arising in the Chamber

**21 AGENDA AND SUPPORTING MATERIAL**

- 21.1 the agenda and material shall follow the procedures set out in section 8 above

**22 MINUTES**

- 22.1 minutes of Committees and/or Local Boards shall follow the procedures set out in section 9 above

**23 CONDUCT OF MEMBERS OF COMMITTEE AND/OR LOCAL BOARDS**

- 23.1 the conduct of Members shall be as in set out in section 16 above

**24 SUSPENSION OF RULES**

- 24.1 any procedure required by this By-Law may be suspended with consent of a majority of the Members of the Council or Committee present

**25 AMENDMENT**

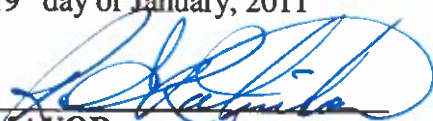
- 25.1 no amendment or repeal of this By-Law or any part thereof shall be considered at any meeting of the Council unless notice of proposed amendment or repeal has been given at a previous regular meeting of the Council and the By-Law is being replaced by a new one and the waiving of this notice by the Council is prohibited
- 25.2 three readings of any amendment or repeal of this By-Law at a single meeting of Council is prohibited

This By-Law shall come into force and effect on the date of passage hereof

By-Law Nos. 9-02; 27-03; 21-06; 2-07; 25-07 and all other By-Law pertaining to govern the Proceedings of Council and/or its Committees is hereby repealed and rescinded

**READ** a first and second time this 8<sup>th</sup> day of December, 2010

**READ** a third and final time and passed this 19<sup>th</sup> day of January, 2011

  
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 MAYOR

  
 \_\_\_\_\_  
 CLERK