

Schedule "A" to By-law No. 61-2022



**THE CORPORATION OF
THE MUNICIPALITY OF MACHIN**

**COUNCIL AND
COMMITTEE
PROCEDURE**

**BY-LAW
61-2022**

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Part I - Introduction

Article 1 **Mission, Visions, Goals**

1.1 Preamble

The Municipality of Machin, as part of its Procedure By-law, deems it desirable to include a Mission and Vision Statement for the Municipality, which enunciates the values and goals of the Corporation.

1.2 Mission

The Municipality of Machin is a legally incorporated organization which acts in a formal manner to provide leadership, make decisions and take action regarding the establishment and implementation of policies, procedures and standards regarding matters of public concern to the people of the Municipality of Machin.

The Municipality of Machin is also a vehicle whereby the people of the municipality work together to express their identity, identify needs and desires and formulate plans which manage change and address challenges in ways that will enhance the benefits to the people of the Municipality of Machin.

1.3 Vision

The Municipality of Machin is strategically located along the Trans Canada highway and Highway 105 at the very heart of Northwestern Ontario, with a significant potential for development. The Canadian Pacific Railway main line runs through Machin, with the Canadian National Railway main line just north of our boundary. Light aircraft are serviced by our licenced Municipal Airport. Surrounded by Unorganized areas, it encompasses 262.91 square kilometres and consists of three united communities; Vermilion Bay, Eagle River and Minnitaki, each respected for its individual uniqueness. Each component part, in turn, is a supportive integral member of our larger united community. We recognize the importance of partnerships and employ them, both within the Municipality and with our neighbouring communities, to enable development and encourage social growth.

As an organization, the Municipality of Machin is respected for the high value placed on the social and economic commitment given to its residents and citizens. Our governance and organizational structures and practices are recognized for their integrity, effectiveness and efficiency.

Article 1 - Mission, Visions, Goals - Continued

1.3 Vision - continued

Our economy is based on the harvesting of renewable timber resources, and the utilization of the extensive wilderness areas that surround our community for tourism and recreational purposes. Our Municipal endeavours in each of these economic sectors reflects our need to ensure the sustainability of our community and enhance its compatibility with the physical, social and economic environment in which we exist.

The Municipality of Machin is recognized and celebrated as a community in which businesses can do business and people of all ages are proud to live, play, work and retire.

1.4 Goals

To implement and practice strategic governance and management in the Municipality of Machin so that the organization is more open, effective and efficient in the way it operates and serves the needs of the people of the Municipality of Machin.

- To enhance economic development within the Municipality of Machin by creating a structure and process which co-ordinates the encouragement, enabling and facilitation of developmental and entrepreneurial activity within the Municipality.
- To enhance the appearance of our Municipality and community and promote a sense of pride and spirit among the residents, property owners and businesses of our Municipality.
- To ensure:
 - i) all the residents of the Municipality of Machin are treated with dignity and respect by governmental employees, agencies and organizations
- To promote an environmental consciousness within the residents of our communities to preserve and enhance the sustainability of our Municipality, our communities and the natural environment within our part of Northwestern Ontario.

Part II - Definitions

Article 2

Definitions

For the purpose of this By-law, the following words shall have the meaning given herein:

- 2.1 "amendment" means a change in the form of a motion. An amendment is designed to alter or vary the terms of the main motion without materially changing its meaning. It may propose that certain words be left out, that certain words be omitted and replaced by others, or that certain words be inserted or added. Every amendment must be strictly relevant to the question being considered.
- 2.2 "Chair" means the Head of Council or Acting Head of Council at the meeting who conducts the meeting and sees that the rules of procedure are observed and is actually presiding at the time, whether that person is the regular Presiding Officer or not.
- 2.3 "Chief Executive Officer" shall mean the Mayor in accordance with the *Municipal Act*.
- 2.4 "Clerk Treasurer" Means the Clerk Treasurer of the Corporation of the Municipality of Machin.
- 2.5 "Corporation" means the Corporation of the Municipality of Machin.
- 2.6 "Committee" means a Committee established by the Council of the corporation of the Municipality of Machin.
- 2.7 "Committee Chair" shall mean the Chair of a Committee established by the Council.
- 2.8 "Committee of the Whole" means a Committee composed of all Members of Council.
- 2.9 "Council" means the Council of the Corporation of the Municipality of Machin.

Article 2 - Definitions – Continued

- 2.10 “Emergency” means a situation or the threat of an impending situation abnormally affecting the property and/or health, safety, welfare and well being of the Citizens of the Municipality or the Municipal government, which by its nature and magnitude requires a declaration of a Municipal Emergency under Section 4 or a Provincial Emergency under Section 7.0.1 of the *Emergency Management and Civil Protection Act*.
- 2.11 “Head of Council” means the Head of Council or the Acting Head of Council in the absence of the Head of Council of the Corporation of the Municipality of Machin.
- 2.12 “Holiday” means any holiday as defined in Section 29 of the Interpretation Act, R.S.O. 1990, Chapter 1.11; which shall include Sunday, New Year’s Day, Good Friday, Easter Monday, Christmas Day, the birthday or the day fixed by proclamation of the Governor General for the celebration of the birthday of the reigning Sovereign, Victoria Day, Dominion Day, Labour Day, Remembrance Day, and any day appointed by proclamation of the Governor General or the Lieutenant Governor as a public holiday or for a general fast or thanksgiving, and when any holiday, except Remembrance Day, falls on a Sunday, the next following is in lieu thereof a holiday.
- 2.13 “In-Camera” means a Committee sitting in a closed session that is not open to the public.
- 2.14 “Majority” means more than half of the Members present and voting on an issue. The count shall include only those present and not excluded from voting by the provisions of the *Municipal Conflict of Interest Act* and the Mayor or Chair shall be included in the count.
- 2.15 “Mayor” means the Head of Council or the Acting Head of Council.
- 2.16 “Meeting” means any Regular, Special, Committee, Sub-Committee, or other meeting of Council, Local Board or Advisory Body, as the case may be and shall be open to the public unless authorized to be In-Camera by the *Municipal Act*.
- 2.17 “Member” means a Member of Council or a Committee, as the case may be and includes the Chair.

Article 2 -Definitions - Continued

- 2.18 "Motion" means a question to be considered by the Council or a Committee which is moved, seconded, presented, read by the Chair and is subject to debate. When a motion is adopted, it becomes a resolution.
- 2.19 "Municipal Act" means the *Municipal Act, 2001, S.O.2001, as amended* or replaced.
- 2.20 "Municipality" means the Corporation of the Municipality of Machin.
- 2.21 "Petition for Special Meeting of Council" means the completing and filing of the form affixed hereto as Appendix "A" and forming a part of this By-Law.
- 2.22 "Point of Order" means a point raised against any proceeding or motion that the member believes is a violation of the rules such as:
- a) any breach of the Rules of Order of Council;
 - b) any defect in the constitution of any meeting of the Council;
 - c) the use of improper, abusive or offensive language;
 - d) notice of the fact that the matter under discussion is not within the scope of the proposed motion; or
 - e) any other informality or irregularity in the proceeding of Council.
- Point of Order must be raised at the time of the alleged infraction. The Chair rules on the validity of the Point of Order. This ruling may be appealed.
- 2.23 "Point of Personal Privilege" means a request for the immediate consideration of a matter affecting the comfort, safety or orderliness of a Member.
- 2.24 "Presiding Officer" means a person appointed by the Members present at a Council meeting in the event the Head of Council or the Acting Head of Council are not in attendance within fifteen (15) minutes after the hour appointed for the Council meeting, or in the event the Head of Council and/or the Acting Head of Council declare a conflict of interest with the subject matter in the meeting.
- 2.25 "Procedural By-Law" means this By-Law as amended from time to time.
- 2.26 "Public Input Meeting" means a meeting called by Council to receive the input of the public on any matter which Council wishes to receive public comment.

Article 2 -Definitions - Continued

- 2.27 "Quorum" means the number of Members needed to conduct business. The quorum required to commence and continue a meeting of Council or a Committee shall be more than fifty percent (50%) of the Members (i.e. three (3) Members of the five (5) Member Council).
- 2.28 "Recorded Vote" means the recording of the name and vote of every Member present on any matter or question.
- 2.29 "Sub-Committee" means a Committee established by Council, as required, to deal with specific subject matter.
- 2.30 "Two-Thirds Majority" means a majority (2/3) of Members present and voting on an issue. The Council shall include only those present and not excluded from voting by the provisions of the *Municipal Conflict of Interest* and the Mayor or Chair shall be included in the count.

Part III - General Provisions

Article 3

Rules - General

- 3.1 **Rules - Governing - Proceedings - Council - Committees.** Subject to the provisions of the Municipal Act, the rules established by this By-law shall be the rules governing the proceeding of the Council and its Committees.
- 3.2 **Rules - Suspended - by Resolution - Exception.** Any rules established by this By-Law, other than a quorum requirement, may be suspended at or for a particular meeting by resolution, provided a majority of all Members present vote in favour thereof, provided that the suspension of the rules does not result in a contravention of the *Municipal Act*.
- 3.3 **Rules of Order - Governing Proceedings.** Subject to the provisions of the Municipal Act and any other Act and except as expressly provided in this By-Law, the Rules of Order of the Parliament of Canada shall be the rules governing the proceedings of the Council or Committees and the conduct of the Members of same.
- 3.4 **Rules of Order - Robert's.** Application. The most recent edition of Robert's Rules of Order in existence from time to time shall be referred to and abided by as far as applicable when questions arise respecting the interpretation of the rules contained in this By-Law or respecting the Rules of Order of the Parliament of Canada.
- 3.5 **Conflict - Rules of Procedure.** In the event of any conflict between the provisions of this By-Law, and those contained in any of the authorities set out previously, the provisions of this By-Law shall apply.

Article 4

Conduct of Members of Council and Guests

- 4.1 No member/guest shall speak disrespectfully of the Reigning Sovereign, or of any of the Royal Family, or of the Governor-General, the Lieutenant-Governor of any Province, or any Member of the Senate, the House of Commons of Canada or the Legislative Assembly of the Province of Ontario.
- 4.2 No Member/guest shall:
- i) Use offensive words or un-parliamentary language in or against the Council or against any member, staff, or guest;
 - ii) Disturb another, or the Council, staff or guest, by any disorderly conduct disconcerting to the speaker or the assembly;
 - iii) Speak on any subject other than the subject in debate;
 - iv) Disobey the rules of Council or the decisions of the Head of Council, other Presiding Officer or of Council on questions of order or practice or upon the interpretation of the rules of Council;
 - v) Leave a meeting without first obtaining permission from the Head of Council or Presiding Officer;
 - vi) Be permitted to retake their seat after being ordered to vacate, having committed a breach of any rule of the Council, until the next meeting and without making an apology to Council; or
 - vii) Interrupt the Member who has the floor except to raise a Point of Order.
- 4.3 No person shall be allowed to address Council or speak in debate without permission of the Head of Council or other presiding Officer.

Article 5

Duties/Roles

5.1 Head of Council or other Presiding Officer

It shall be the duty of the Head of Council or other Presiding Officer:

- a) To open the meeting by taking the Chair and calling the Members to order.
- b) To announce the business before Council in the order in which it is to be acted upon.
- c) To receive and submit, in the proper manner, all motions presented by the Members.
- d) To put to a vote all questions which are moved and seconded, or necessarily arise in the course of the proceedings and to announce the result.
- e) To decline to put to a vote motions that infringe upon the Rules of Procedure.
- f) To designate the Member who has the floor when two (2) or more Members wish to speak at the same time.
- g) To restrain the Members within the Rules of Order when engaged in debate.
- h) To enforce on all occasions the observance of order and decorum among the Members.
- i) 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 Chambers.
- j) To authenticate by signature all By-Laws, resolutions and minutes of the Council
- k) To inform the Council, when necessary or when referred to for the purpose, on a Point of Order or usage.

Article 5 - Duties/Roles - Continued

- l) To select the Member of Council, if more than one Member wishes to serve on committees.
- m) To represent and support the Council, declaring its will and implicitly obeying its decisions in all things.
- n) To ensure that the decisions of Council are in conformity with the laws and By-Laws governing the activities of the Municipal Corporation.
- o) To adjourn the meeting without the question being put in the case of grave disorder arising in the Council Chambers.
- p) To put 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 persist.
- q) To adjourn the meeting when the business is complete.

5.2 Role of Council

It is the Role of Council:

- a) To represent the public and to consider the well-being and interests of the Municipality.
- b) To develop and evaluate the policies and programs of the Municipality;
- c) To determine which services the Municipality provides;
- d) To ensure that administrative practices and procedures are in place to implement the decisions of Council;
- e) To maintain the financial integrity of the Municipality; and
- f) To carry out the duties of Council under the *Municipal Act* or any other *Act*.

Article 5 - Duties/Roles – Continued

5.3 Head of Council

It is the role of the Head of Council:

- a) To act as Chief Executive Officer of the Municipality;
- b) To preside over Council Meetings;
- c) To provide leadership to the Council;
- d) To represent the Municipality at official functions;
- e) To carry out the duties of Head of Council under this or any other Act; and
- f) To act in an "Ex Officio" capacity of Boards and Committees.

5.4 Municipal Administration

It is the Role of the Officers and Employees of the Municipality:

- a) To implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions;
- b) To undertake research and provide advice to Council on the policies and programs of the Municipality; and
- c) To carry out other duties required under this or any Act and other duties assigned by the Municipality.

5.5 Clerk Treasurer

The Municipality shall appoint a Clerk Treasurer whose duty it is:

- a) To record without note or comment, all resolutions, decisions and other proceedings of 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;
- d) To perform the duties required under this or any other Act; and
- e) To perform such other duties as assigned by the Municipality.

Article 6

Dates, Times and Curfew of Meetings

- 6.1 The Inaugural Meeting of Council, after a regular election, shall be held on the first Monday of December at 6:00 p.m. or such hour as may be fixed by resolution, or on such day in December prior to the first Tuesday and at such hour as may be fixed by resolution of the existing Council.
- 6.2 Regular Meetings of Council shall be held in the Council Chambers on the second and fourth Monday of every month commencing at 7:00 p.m. Public Works Meetings shall be held in the Council Chambers on the second Monday of every month commencing at 6:00 p.m. Regular and Public Works meetings of Council shall stand adjourned at 9:00 p.m., unless extended with the approval of a majority of all Members of Council present at a meeting before that hour; in any event the meeting shall adjourn at 10:00 p.m. Such adjourned meeting shall stand adjourned until the date of the next Regular Meeting or until re-scheduled, at such time the unfinished business of the adjourned meeting shall be transacted.
- 6.3 Public Input Meetings shall be held by Council who by resolution direct a special meeting for the purpose of receiving public comments on any matter. All public Input Meetings shall be scheduled to start at 7:00 p.m. and adjourn automatically at 9:00 p.m.; a motion to adjourn shall not be required.
- 6.4 Sub-Committee Meetings shall be held where a majority of Council directs a Sub-Committee be established for the purpose of dealing with specific subject matter.
- 6.5 Council may, by resolution, alter the date and/or time of a Regular meeting provided that adequate notice is given to the Public of the impending change as directed by the Clerk Treasurer or designate.
- 6.6 When the day of a Regular meeting of Council falls on a public or civic holiday, the Council shall meet at the established hour on the following day which is not a public or Civic holiday nor a Saturday or Sunday.

Article 7

Special Meetings

- 7.1 The Head of Council may, at any time, summon a Special Meeting by informing the Clerk Treasurer.
- 7.2 The Special Meeting shall be held not sooner than forty-eight (48) hours following the Head of Council's summons and the Clerk Treasurer shall provide written or verbal notice of the Special Meeting immediately following receipt of the summons.
- 7.3 Notwithstanding the notice requirements set out above, in the event of a bona fide emergency, the Special Meeting may be held as soon as practicable following the receipt of the summons, and notice may be given by telephone or personal contact as determined by the Clerk Treasurer.
- 7.4 Unless otherwise specified in the notice described in Subsection 7.1, a Special Meeting shall be held in the Council Chambers.
- 7.5 The notice of a Special Meeting shall specify the purpose for the meeting and the only business to be dealt with a Special Meeting is that which is listed in the notice of the meeting, unless otherwise approved by motion at the Special Meeting.

Article 8

Calling of the Meeting to Order - Quorum

- 8.1 As soon after the hour fixed for the holding of the meeting of the Council as a quorum is present, the Head of Council shall take the Chair and call the meeting to order. A quorum is (three (3) Members of the five (5) Member Council.
- 8.2 If no quorum is present thirty (30) minutes after the time appointed for a meeting of the Council, the Clerk Treasurer shall record the names of the members present, and the meeting shall stand adjourned until the date of the next open meeting.

Article 9

Absence of Head of Council

- 9.1 Subject to the provisions of the Municipal Act, and in case the Head of Council does not attend within fifteen (15) minutes after the time appointed for a meeting of the Council, the Acting Head of Council shall call the Members to order, and he/she shall preside until the arrival of the Head of Council, and while presiding, the Acting Head of Council shall have all the powers of the Head of Council.
- 9.2 Should the Head of Council or Acting Head not attend within fifteen (15) minutes after the time appointed, the Clerk Treasurer shall call the Members to order, and if a quorum is present, a Councillor shall be chosen by the Members present and shall preside until the arrival of the Head, and in the continued absence of the Head or Acting Head, the Member so appointed shall continue as the Presiding Officer, The Presiding Officer shall have all the powers of the Head of Council and may vote as a Member.

Article 10

Open and Closed (In-Camera) Meetings

- 10.1 All meeting of the Council and its Committees shall be open to the Public.
- 10.2 Notwithstanding Subsection 10.1 above, a meeting of Council may be closed to the public if the subject matter being considered relates to:
- i) the security of the property of the municipality or board;
 - ii) personal matters about an identifiable individual, including municipal employees;
 - iii) A proposed or pending acquisition or disposition of land by the municipality;
 - iv) labour relations or employee negotiations;
 - v) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality;
 - vi) advice that is subject to solicitor-client privilege, including communications necessary for that purpose; or
 - vii) A matter in respect of which Council, or committee or other body has authorized a meeting to be closed under another Act.

Article 10 Open and Closed (In-Camera) Meetings - Continued

- 10.3 Notwithstanding Subsections 10.1 and Subsection 10.2 above,
- i) A meeting shall be closed to the public if the subject matter being considered relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act*; and if the Council, board, commission or other body is the head of an institution for the purpose of that Act.
- 10.4 Before all or part of a meeting is closed to the public, the Council shall state by resolution:
- i) the fact of the holding of the closed meeting; and
 - ii) the general nature of the matter to be considered at the closed meeting.
- 10.5 A meeting shall not be closed to the Public during the taking of a vote.
- 10.6 Meetings or sessions which are closed to the Public shall be referred to as "In-Camera" meetings.

Article 11
Public Input Meeting - Rules of Procedure

- 11.1 The meeting may be conducted with three (3) or more Members present provided that:
- i) If less than a quorum of Council is present, then no resolutions may be enacted at the meeting; and
 - ii) When less than a quorum is present but three (3) Members are present, only a motion appointing a Chair and a motion to adjourn shall be permitted.
- 11.2 Where Council has directed that a Public Input Meeting be held, the following rules shall apply to the hearing of Public Comment:
- i) All Public Input Meetings shall be scheduled to start at 7:00 p.m. and adjourn automatically at 9:00 p.m.; a motion to adjourn shall not be required.
 - ii) The Chair shall, prior to receiving Public Comment, briefly state the purpose of the Public Meeting for receiving Public Input.

Article 11 Public Input Meeting - Rules of Procedure - Continued

- iii) subject to the number of persons requesting to speak, the Chair may allow a maximum of five (5) minutes to each speaker, in order to allow as many persons as possible an opportunity to speak.
- iv) Each speaker when called to the podium shall state their first name and address, identify their interest in the matter and, if the matter is subject to the enactment of a By-Law by Council, state if they are in favour or not in favour.
- v) Each speaker shall address all their remarks to the Chair of the Public Input Meeting.
- vi) Speakers shall be heard in the following order:
 - a) those persons who have contacted the Clerk Treasurer's Office prior to the close of the Agenda to have their names placed on the Speaker's List;
 - b) those persons who have added their names to the Speaker's List following the close of the Agenda and prior to the start of the Public Input Meeting; and
 - c) if time permits, any person in the public gallery may indicate their desire to address the Public Input Meeting.
- vii) Upon the completion of a Speaker's comments, a Member of Council may ask the Speaker a question for the purpose of clarification or for obtaining additional relevant information only. No member shall enter into debate with the speaker respecting his/her comment.

**Article 12
Emergency Meeting Provisions**

- 12.1 The following Emergency Meeting provisions are in effect only during an emergency declared by the Premier, Cabinet or the Municipality under the *Emergency Management and Civil Protection Act*.
- 12.2 Council and Committee Meetings, both Open and Closed, may be conducted electronically during an emergency.
- 12.3 The Clerk Treasurer shall determine the location and time of the Council or Committee Meeting.
- 12.4 Members participating electronically will be counted in determining whether or not a quorum of members is present at any time during the Meeting.

Article 12 Emergency Meeting Provisions - Continued

- 12.5 Members participating electronically in a Closed Meeting will take all measures possible to ensure that their participation does not permit non-members to hear, see or participate in the Meeting proceedings. Security of Closed Meeting information is paramount. If a Member is unable to abide by this provision, they should not participate in the Closed Meeting.
- 12.6 The Clerk Treasurer shall determine the method of electronic participation that will be utilized and will consider the method based on available technology, access to technology by Council Members, budgetary considerations and transparency of the method to the public. The Clerk Treasurer shall provide a record of the Meeting to the member for the public as soon as practical following the Meeting upon request. This may include unapproved minutes or a video/audio recording of the Meeting and will be determined at the discretion of the Clerk Treasurer. The member of the public is required to notify the Clerk Treasurer as soon as possible of the inability to access the technology.
- 12.7 If electronic participation is proposed to be used for all members of Council, the Chair and the Clerk Treasurer will determine the most effective option to ensure that all corporate documents and records are signed as soon as possible following the Meeting.
- 12.8 The Clerk Treasurer, Council or Chair shall ensure that the Meeting is not unnecessarily delayed or interrupted due to a Member's participation via an electronic means.
- 12.9 Meetings held under the Emergency Meeting Provisions shall still require compliance with other non-conflicting Meeting Rules including provision of notice to the public, documentation protocols, and public access for accountability and transparency purposes.

Article 13
Sub-Committees and Meetings

- 13.1 Council, as required, shall establish Sub-Committees to deal with specific subject matter.
- 13.2 At least one (1) Member of Council shall serve on each Sub-Committee.

Article 13 Sub-Committees and Meetings- Continued

- 13.3 The Chair of the Sub-Committee will be either a Member of Council or any appointed member of the Sub-Committee as chosen by the Sub-Committee members.
- 13.4 All Sub-Committee meetings will be open to the public.
- 13.5 The Clerk Treasurer or designate will attend Sub-Committee meetings to record proceedings and produce Minutes which will be reported to Council in a timely manner.

Part IV - Agendas

Article 14

Agendas and Supporting Material

- 14.1 The Clerk Treasurer shall prepare Agendas of Council as assigned.
- 14.2 Any Member of Council, at any time prior to completion of the Agenda, may advise the Clerk Treasurer of an item for inclusion of the Council Agenda.
- 14.3 Any items for inclusion on the Council Agenda, including written reports of Officers and Committees, shall be submitted to the Clerk Treasurer's Office by 12:00 noon on the Wednesday immediately preceding Council meetings.
- 14.4 Insofar as is practicable, Council Agendas, along with supporting material, shall be prepared and made available for Members by 4:00 p.m. on the Thursday prior to the week in which the meetings are scheduled.
- 14.5 Any Member may, with the approval of a majority of all Members of Council present at a meeting, introduce any matter of an emergency nature for Council's consideration.

Article 14 Agendas and Supporting Material - Continued

14.6 The Agenda shall be formatted generally as follows, but modifications to be included or the order of business may be affected, with the approval of a majority of all Members of Council present at the meeting, without requiring amendment to this article.

- i) Regular Meeting:
 - 1. Call to Order
 - 2. Approval of Agenda
 - 3. Declaration of Conflict or Pecuniary Interest
 - 4. Delegation(s)
 - 5. Notice of Motions
 - 6. Approval of Previous Minutes
 - 7. Unfinished Business
 - 8. Committee Reports (Fire Report first meeting of the month)
 - 9. New Business
 - 10. Information
 - 11. In-Camera (if any)
 - 12. By-laws
 - 13. Adjourn

Article 15

Pecuniary Interest

15.1 Pecuniary Interest - Members Bound - Members are bound by the provisions of the *Municipal Conflict of Interest Act* and shall declare the pecuniary interest and its general nature.

Article 16

Delegations/Guests of Council

16.1 Individuals or groups wishing to appear before a Council meeting shall submit a request, in writing, to the Clerk Treasurer no later than twelve noon on the Wednesday prior to the meeting. The individual or group's request shall state the nature of the business to be discussed and to which the said person shall confine their remarks. (Appendix "A" attached hereto and forming a part of this By-Law may be used for this purpose)

Article 16 Delegations/Guests of Council - Continued

- 16.2 The Clerk Treasurer, in conjunction with the Head of Council, may make a determination as to deferral of delegations to a subsequent meeting.
- 16.3 A person who is not a Member of Council shall not be allowed to address Council except upon approval of Council or as may be provided by law.
- 16.4 A person who has complied with Subsection 15.1 of this By-Law, may address Council for a period not exceeding fifteen (15) minutes, except with the permission of the majority of Council Members present at the meeting.
- 16.5 A delegation consisting of more than two (2) persons shall be limited to speaking for not more than fifteen (15) minutes.
- 16.6 Subsection 15.1 to Article 15 does not apply for any guest(s) invited by Council to attend the meeting as a delegation.

Article 17

Minutes

- 17.1 At each Regular Meeting of the Council the minutes of the preceding Regular Meeting and any Special Meeting(s) shall, unless otherwise decided by Council, be submitted for adoption and, once approved by a majority of Members present, shall be signed by the Head of Council/Chair and the Clerk Treasurer or Deputy Clerk.
- 17.2 The Clerk Treasurer shall record the following information for the purpose of the Official Minutes:
- i) The place, date and time of meeting.
 - ii) The names of the Presiding Officer or Officers and record of the attendance of the Members.
 - iii) The Members having a declaration of interest.
 - iv) Any Public deputation and the name of the individual or group.
 - v) Recorded votes of Council.
 - vi) Notice of Motions
 - vii) The reading, if requested, correction and adoption of the minutes of prior meetings.
 - viii) all other proceedings of the meeting without note or comment.

Article 18

Petitions and Communications

- 18.1 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 (1) person and filed with the Clerk Treasurer.

Article 19

Notice of Motions (Resolutions)

- 19.1 Notices of Motions may be submitted to the Clerk Treasurer by a Member at any time and each Notice of Motion the Clerk Treasurer receives by twelve (12) noon on Wednesday of the week prior to the Regular Meeting shall be included on the Agenda for that meeting under the item "Notice of Motions".
- 19.2 A Notice of Motion (Resolution), in writing, may also be received by the Clerk Treasurer prior to the closing of the Regular Meeting and in this event the Presiding Officer shall either read the Notice of Motion (Resolution) or declare the Notice of Motion (Resolution) as read and it shall be duly recorded in the minutes and shall form part of the Agenda for the subsequent Regular Meeting under the item, "Motions". Appendix "B" – sample Resolution may be used for this purpose.
- 19.3 The presentation of a Notice of Motion (Resolution) does not require a seconder for the Motion until it comes before a meeting for debate.
- 19.4 A Motion with respect to a matter not on an Agenda shall not be presented without the prior notice required as per Subsection 18.1 unless a resolution to so dispose with such notice is passed by a majority of those Members present at a meeting.
- 19.5 The Member who delivers a written Notice of Motion (Resolution) to the Clerk Treasurer to be read at any meeting need not be at the meeting during the reading of the notice.
- 19.6 A Motion for which notice was given in accordance with this Article must be moved and seconded at the meeting on which it appears on the Agenda for debate; the Motion cannot be moved at any subsequent meeting without notice having been given pursuant to Subsection 18.1.
- 19.7 Where a Member's Motion has appeared on two successive Council Agendas and has not been dealt with, it shall be deemed to have been withdrawn and be dropped from the Agenda unless Council otherwise decides. The mover of a Notice of Motion (Resolution) may withdraw his or her Motion any time prior to the commencement of debate on the Motion.

Part V - Rules of Procedure

Article 20

Rules of Debate

- 20.1 When a vote is required, a Member not present in the Council Chambers when the question is called shall not be entitled to a vote on that question.
- 20.2 Every member speaking on any question or Motion shall address the Chair.
- 20.3 When two (2) or more Members wish to speak, the Chair shall designate the Member who is to have the floor and the Member, who in the opinion of the Chair, first requested to speak shall have the floor.
- 20.4 Each member shall be allowed to speak only once on the question for a maximum period of five (5) minutes, except the Member who has made a Motion and/or an amendment to such Motion, shall be permitted the final reply to close the debate, and such final reply shall be limited to three (3) minutes.
- 20.5 A member of Council may speak a second time to a question, upon the concurrence of the Members present, but only if the question has not yet been put to a vote, and the Member shall be permitted an additional three (3) minutes, after which the Member who has made the Motion being debated, shall be granted a final reply which shall be limited to three (3) minutes.
- 20.6 No person except Members of Council and Officers of the Corporation shall be allowed to come to the Council table during the sittings of the Council without permission from the Head of Council or the Council.
- 20.7 The Chair/Head of Council shall not debate the question on the floor, but shall confine their role to the proper conduct of the meeting.
- 20.8 If the Head of Council/Presiding Officer wishes to debate the question on the floor, then he/she must vacate the Chair and a temporary Chair shall be appointed by the Head of Council or the Chair of a Committee, and this shall be recorded by the Clerk Treasurer, unless a majority of Members of Council present consents to the Head of Council/Presiding Officer remaining in the Chair for that purpose, and this shall also be recorded by the Clerk Treasurer.

Article 21

Motions

- 21.1 Subject to Subsection 20.2 and insofar as practicable, Notice of Motions, except those listed in Subsections 20.4 and 20.5 shall be given in writing to the Clerk Treasurer not later than twelve (12) noon on the Wednesday preceding the next Regular Meeting so that the matter may be included in the Council Agenda Package.
- 21.2 Any motion may be introduced without notice if Council, without debate, agrees with a majority vote to dispense with notice.
- 21.3 The Clerk Treasurer and other Officers may introduce matters to be dealt with by Motion subject to the notice provisions set out in Subsection 20.1.
- 21.4 The following matters and Motions may be introduced orally without written notice and without leave except as otherwise provided by these rules:
- i) A point of order or personal privilege;
 - ii) Presentation of petitions;
 - iii) To lay on the table (to defer indefinitely);
 - iv) To postpone indefinitely or to a specific day; or
 - v) To move the previous question (immediate vote on the main Motion).
- 21.5 The following Motions may be introduced without notice and without leave, but such Motions shall be in writing and signed:
- i) To refer;
 - ii) To adjourn;
 - iii) To amend; or
 - iv) To suspend the rules of procedure.
- 21.6 When a motion is presented to Council in writing, it shall be read, or, if it is an oral Motion, it shall be stated by the Head of Council or presiding officer before debate.
- 21.7 A Motion shall be formally moved and seconded prior to any debate and before the question can be put or a Motion recorded in the minutes.
- 21.8 Disposition of Motion

Every Motion must be voted on and either carried, defeated, or deferred before any other Motion (other than a Motion to amend) can be introduced; deferred, amended, etc.

Article 21 – Motions - Continued

21.9 Friendly Amendments

Before the Chair states the Motion, a Member may rise and ask if the maker of the Motion would accept a change in it. The maker can either accept or reject the proposed change. If the maker rejects the proposed change, the Member suggesting the change can propose an amendment after it has been placed before the meeting. If the change is accepted by the maker, the changed Motion will be read.

21.10 To Table A Motion

A Motion to place a Main Motion and all pending amendments can be put aside temporarily, with the intention of bringing them back at a later time for action. To Table a Motion a seconder is required, is not debatable, cannot be amended, and requires a majority vote. Tabling a motion cannot be used to defeat a main motion by disposing of it permanently.

To take from the Table, a motion to bring a previously tabled Motion back before the Member is required. The Motion requires a seconder, is not debatable, cannot be amended and requires a majority vote.

21.11 Motion to Defer

- i) shall be in order, except as provided in this paragraph, and shall be put immediately, without debate, except as to time;
- ii) when resolved in the negative, cannot be made again until after some intermediate proceeding shall have been completed by Council;
- iii) is not in order when a Member is speaking, not during the verification of a vote; and
- iv) not in order immediately following the affirmative resolution of a Motion for the previous question.

Article 21 – Motions - Continued

21.12 A Motion to Amend:

- i) may be presented in writing or verbally;
- ii) shall be agreed to by the mover and seconder of the main Motion;
- iii) shall be dealt with by Council before a previous amendment or the main Motion;
- iv) shall not be further amended more than once, provided that further amendment may be made to the main Motion;
- v) shall be relevant to the main Motion; and
- vi) shall not propose a direct negative to the main Motion.

21.13 To withdraw a Motion:

- i) The mover and seconder may request the Motion be withdrawn prior to the Head of Council or Presiding Officer reading or stating the Motion. The motion is to be entered into the Minutes and notes as being "WITHDRAWN".
- ii) Once read or stated by the Head of Council or Presiding Officer, a Motion may not be withdrawn without the consent of the majority of Members. The Motion is to be entered into the Minutes and notes as being "WITHDRAWN".

21.14 Motion - Ultra Vires

A Motion in respect of a matter which is ultra vires (beyond Council's Authority), the Council shall not be in order unless it be a matter which, in the opinion of a majority of the Council (this question to be decided without debate), has to do with the welfare of the Municipality generally.

21.15 Suspension of Rules

Any procedure under this By-Law, which is discretionary and not mandatory under statute, may be suspended. A Motion for the suspension of a rule for the specific purpose should be moved and seconded, and insist upon unanimous assent.

Article 22
Voting on Motions

- 22.1 Immediately prior to voting on a Motion, the Head of Council or Presiding Officer shall state the question in the precise form it is to be recorded in the minutes, including any amendments to the question.
- 22.2 After a Motion as amended is finally put, no Member shall speak to the question nor shall any other Motion be made until after the vote is taken and the result is declared.
- 22.3 On an unrecorded vote, the manner of determining the decision on a Motion shall be at the discretion of the Head of Council or Presiding Officer and may be by voice, show of hands, standing or otherwise.
- 22.4 When a vote is taken for any purpose and a Member requests, immediately prior, or immediately following the vote, that the vote be recorded, each Member present, except a Member disqualified from voting by any Act, shall, in an order determined by the Head of Council or Presiding Officer, announce their vote openly, and any failure to vote by a qualified Member shall be deemed to be a negative vote, and the Clerk Treasurer shall record each vote.
- 22.5 The Head of Council or Presiding Officer, except when disqualified to vote, may vote on all questions and, when so doing, shall vote last.
- 22.6 Except where expressly provided in statute, any question on which there is an equality of votes shall be deemed to be defeated.

Article 23
Voting Reconsideration

- 23.1 No decision by Council shall be overturned without all Members of Council receiving proper notification of the proposed item for re-discussion. Proper notification shall be in the form of identifying the issue on the Agenda. Members of Council who will not be in attendance at the meeting but have concerns regarding the issue shall submit their comments in writing to the Clerk Treasurer for circulation to Council prior to holding of the meeting.
- 23.2 Any Motion that was previously defeated shall require a two-thirds majority vote for voting reconsideration.

Article 24

Points of Order and Privilege

- 24.1 The Head of Council or Presiding Officer shall preserve order and decide questions of order.
- 24.2 Any member may appeal to Council on a decision of the Head of Council or Presiding Officer on a point of order.
- 24.3 The Council, if appealed to, shall decide the question without debate, and its decision shall be final. The question so interrupted shall be resumed at the point where it was suspended.

Article 25

By-Laws

- 25.1 No By-Law shall be presented to Council unless the subject matter has been considered and approved by Council.
- 25.2 Every By-Law when introduced shall be in typewritten form and shall contain no blanks except as may be required to conform to accepted procedure or to comply with provisions of any Act.
- 25.3 Every By-Law shall be given three (3) readings prior to passage.
- 25.4 The first and second readings of a By-Law shall be decided without amendment or debate.
- 25.5 Any proposed By-Law may be referred to Committee of the Whole, Department Head or other Officer for review and comment, including the Solicitor for the Corporation.
- 25.6 By-Laws may be given three (3) readings on the same day except when requested otherwise by motion of the majority of the Members present or as otherwise provided in law.
- 25.7 Upon passage, By-Laws shall be numbered, signed by the Presiding Officer and embossed with the Seal of the Corporation.

Article 26

General Provisions

- 26.1 Following a regular or new election, the Clerk Treasurer shall provide each Member of Council with a copy of this article, including any amendments thereto.
- 26.2 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 is given at a previous Regular Meeting of Council, and the waiving of notice is prohibited.

Article 27

Effective Date

- 27.1 This By-law comes into force and takes effect November 21st, 2022.

DELEGATE REQUEST FOR COUNCIL MEETING

Name: _____ Phone Number: _____

Date and Time of Request: _____

Date of Council Meeting Attending: _____

Subject: _____

Brief Description of Issue to be Discussed:

Please note that this request must be made prior to 12:00 noon the Wednesday before Monday's Council meeting

Delegate's Signature: _____

Employee's Signature: _____

MUNICIPALITY OF MACHIN

NO. _____

MOVED BY: _____

SECONDED BY: _____

PECUNIARY INTEREST declared by: _____ before
Business discussed, and to be recorded in the minutes.

THAT Machin Council approve of

"DEFEATED" "TABLED"

"CARRIED"

MAYOR

MAYOR

DIVISION VOTE

YEAS	NAME OF MEMBER OF COUNCIL	NAYS
	(Name), Mayor	
	(Name), Councillor	
	(Name), Councillor	
	(Name), Councillor	
	(Name), Councillor	
	TOTAL	

CARRIED BY: _____

LOST BY: _____