

**CORPORATION OF THE TOWNSHIP OF
KILLALOE, HAGARTY AND RICHARDS**

By-Law #26-2001

A BY-LAW TO GOVERN THE PROCEEDINGS OF COUNCIL AND COMMITTEES;

WHEREAS the Municipal Act R.S.O., as amended, provides that the Council of every Municipality shall pass a by-law governing the proceedings of Council and Committees;

NOW THEREFORE the Council for the Corporation of the Township of Killaloe, Hagarty and Richards enacts as follows:

1. In this by-law
 - a) "CAO/Clerk-Treasurer" means the CAO/Clerk-Treasurer of the Township of Killaloe, Hagarty and Richards
 - b) "Council" means the Council of the Township of Killaloe, Hagarty and Richards
 - c) "Head" of Council means the Reeve
 - d) "Member" means member of Municipal Council or Committee
2. The rules and regulations contained in 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 in the Council and in the Committees thereof, provided that the rules and regulations contained herein may be suspended by a vote of the Council and in any case for which provision is not made herein the procedure to be followed shall be, as near as may be, that followed in the Legislative Assembly of Ontario and its Committees.

COUNCIL MEETINGS:

3. Meetings of the Council shall be held at the Council Chambers adopted and used by the Council from time to time for such purposes. The Inaugural Meeting of Council shall take place on the first Tuesday of the month following the election at 11:00 o'clock in the morning. Regular meetings shall be held on the first and third Tuesday of each month at 7:00 PM.
4. 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.
5. The Head of Council may at any time summon a special meeting of Council, or upon receipt of the petition of the majority of the Members of the Council, the CAO/Clerk-Treasurer shall summon a special meeting for the purpose and at the time mentioned in the petition.
6. In case of the absence of the Head of Council from the Municipality, or if he/she is absent through illness, or he/she refuses to act or his/her office is vacant, another council member shall be appointed from time to time in the place instead of the Head of Council and he/she shall have all rights, powers and authority of the Head of Council, while so doing.

CALL OF MEETING TO ORDER AND QUORUM:

7. 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.
8. Subject to the provisions of the Municipal Act, and where no Presiding Officer has been appointed under Clause 6 of the By-law in case the Head of Council does not attend within fifteen minutes after the time appointed for a meeting of the Council, the CAO/Clerk-treasurer shall call the Members to order and an acting Head of Council shall be appointed from among the Members present and he/she shall, preside until the arrival of the Head of Council and while so presiding the acting Head of Council shall have all the powers of the Head of Council.

NO QUORUM:

9. If no quorum is present one half hour after the time appointed for a meeting of the Council, the CAO/Clerk-Treasurer shall record the names of the Members present and the meeting shall stand adjourned until a date for the next regular meeting is called and a quorum is present.

CURFEW:

10. Begin meeting at 7:00 PM and adjourn at 11:00 PM. If all business has not been concluded, the Presiding Officer, at his/her earliest convenience may call a special meeting to conclude business.

THE CONDUCT OF PROCEEDINGS AT A MEETING OF COUNCIL:

11. It shall be the Duty of the Head of Council or other Presiding Officer,
 - a) to open the meeting of Council by taking the chair and calling the Members to order;
 - b) to decline to put to vote motions which infringe the rules of procedure;
 - c) to restrain the Members, within the rules of order, when engaged in debate;
 - d) to enforce on all occasions the observance of order and decorum among the Members;
 - e) to call by name any Member persisting in breach of the rules of order of the Council, thereby ordering him/her to vacate the Council Chambers;
 - f) to authenticate, by his/her signature when necessary, all by-laws, resolutions, and minutes of the Council;
 - g) to inform the Council, when necessary or when referred to for the purpose, on a point of order or usage;
 - h) to represent and support the Council, declaring its will, and obeying its decisions;
 - i) to ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of Council;
 - j) to adjourn the meeting when the business is concluded;
 - k) to adjourn the meeting without question put in the case of grave disorder arising in the Council Chambers.

AGENDA:

12. The CAO/Clerk-Treasurer shall have prepared and printed for the use of the Members at the regular meetings of Council, an agenda under the following headings:
 - 1) Call to Order.
 - 2) Reeve's address
 - 3) Pecuniary Interest
 - 4) Minutes of Previous Meetings
 - 5) Delegations
 - 6) CAO/Clerk-Treasurer
 - 7) Reports – a) Road Superintendent
b) Fire Chief
 - 8) Committee Reports
 - a) Roads & Bridges
 - b) Waste Management
 - c) Personnel
 - d) Recreation
 - e) Finance
 - f) Other Committees
 - 9) Examining Accounts
 - 10) Severances
 - 11) By-Laws
 - 12) Correspondence
 - 13) Unfinished Business
 - 14) New Business
 - 15) Committee of the Whole
 - 16) Adjournment
13. 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 Council.

MINUTES:

14. Minutes shall record:
 - a) the place, date and time of meeting;
 - b) the names of the Presiding Officer or Officers and record the attendance of the Members;
 - c) the reading, if requested, correction and adoption of the minutes of prior meetings;
 - d) all other proceedings of the meeting without note or comment.
 - e) At the discretion of the Presiding Officer, a brief explanation concerning why a member will vote in a particular manner, may be placed into the minutes. If this privilege is permitted, all members must be offered the same opportunity.

PETITIONS AND COMMUNICATIONS:

15.
 - a) 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 and filed with the CAO/Clerk-Treasurer.
 - b) No person shall be allowed to record the meeting using an audio and/or audio visual recording device, without first obtaining the permission of council.

DELEGATIONS:

16. Where possible, persons desiring to present information verbally on matter of fact or make a request of Council shall give notice to the CAO/Clerk-Treasurer.

READING OF BY-LAWS AND PROCEEDINGS THEREON:

17. Every by-law shall be introduced upon motions by a Member of Council, specifying the title of the by-law.
18. Every by-law shall have three readings prior to it being passed.
19. If the Council determines that the by-law is to be considered in Committee of the Whole, it shall be so considered previous to the third reading thereof.
20. If Council so determines, a by-law may be taken as read.
21. The CAO/Clerk-Treasurer shall set out on all by-laws enacted by Council the date of the three readings thereof.
 - a) Regarding circulation of by-laws and readings of same, if the by-law has been circulated prior to the Council session, the reading of the by-law in full is waived.
 - b) Unless otherwise decided by Council, by-laws shall have first and second reading; then third reading at a subsequent meeting.
22. Every by-law when enacted by the Council shall be numbered and dated and shall be sealed with the seal of the Corporation and signed by the CAO/Clerk-Treasurer and Presiding Officer and shall be deposited by the CAO/Clerk-Treasurer in his/her office for safekeeping.

MOTIONS:

23. Any motion may be introduced without notice.
24. Seconding - A motion must be formally seconded before the Presiding Officer can put the question, or a motion be recorded in the minutes.
25. When a motion is presented in Council in writing, it shall be read out loud by the CAO/Clerk-Treasurer.

VOTING ON MOTIONS:

26. 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.
27. Unrecorded Vote - The manner of determining the decision of the Council on a motion shall be at the discretion of the Presiding Officer and may be by voice, show of hands, standing or otherwise.

RECORDED VOTE:

28. When a Member present requests a recorded vote, all Members present at the Council or Committee Meeting must vote unless otherwise prohibited by statute, beginning with the member who made the motion and proceeding in alphabetical order. The names of those who voted for and others who voted against, shall be noted in the minutes.

Any failure to vote by a Member who is not disqualified, shall be deemed to be a negative vote. Any member of Council can request a recorded vote immediately prior or immediately subsequent to the taking of a vote on any resolution or by-law.

RULES OF DEBATE:

29. Every Member prior to speaking on any question or motion shall address the Presiding Officer. When two or more Members speak, the Presiding Officer shall designate the Member who has the floor who shall be the Member who, in the opinion of the Presiding Officer, was first. Every Member present at a meeting of the Council when a question is put shall vote thereon unless prohibited by statute.
30. When the Presiding Officer calls for the vote or question, each Member shall occupy his/her seat and shall remain in his/her place until the result of the vote has been declared by the Presiding Officer, and during such time no Member shall walk across the floor to speak to any other Member or make any noise or disturbance.
31. When a Member is speaking no other Member shall pass between him/her and the Chair or interrupt him/her except to raise a point of order.
32. 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.

POINTS OF ORDER:

33. The Presiding Officer shall preserve order and decide questions of order.
34. The Council may decide the question without debate and its decision shall be final.
35. No Member 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.
36. No Member shall:
 - a) use offensive words or unparliamentary language in or against the Council or against any Member;
 - b) speak on any subject other than the subject in debate;
 - c) criticize any decision of the Council except for the purpose of moving that the question be reconsidered;
 - d) disobey the rules of the Council or a decision of the Presiding Officer of the Council on questions of order or practice or upon the interpretation of the rules of the Council; and in case a Member persists in any such disobedience after having been called to order by the Presiding Officer, the Presiding Officer may forthwith 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.
37. No person except Members and Officers of the Council shall be allowed to come to the table during the sittings of the Council without permission of the Presiding Officer of the Council upon reference.
38. When the Presiding Officer is putting the question, no Member shall leave or make a disturbance.

SUSPENSION OF RULES:

39. Any procedure required by this by-law may be suspended with consent of a majority of the Members of the Council present.

COMMITTEE MEETING:

40. Meetings of the Committee shall be held at a location designated by the Chairperson. Notice of the meeting shall be posted at the Township Office prior to the meeting being held, when possible, and/or mentioned with the regular Council Minutes.

41. The Chairperson may at any time summon a Committee meeting by notifying all Members of the Committee, all members of Council and the Township Office.

CALL OF MEETING TO ORDER:

42. As soon as the hour is fixed for the holding of the meeting of the Committee and a quorum is present, the Chairperson of the Committee shall take the chair and call the meeting to order.

NO QUORUM:

43. If no quorum is present one half hour after the time appointed for a meeting of the Committee, the Recording Secretary shall record the names of the Members present and the meeting shall stand adjourned until a date for the next regular meeting is called and a quorum is present.

CONDUCT OF PROCEEDINGS AT A COMMITTEE MEETING:

44. It shall be the duty of the Chairperson or other Presiding Officer,
- a) to open the Committee meeting by taking the chair and calling the Members to order;
 - b) to restrain the Members, within the rules of order, when engaged in debate;
 - c) to enforce on all occasions the observances of order and decorum among the Members;
 - d) to call by name any Member persisting in breach of the rules to order of the Committee, thereby ordering him/her to vacate the location designated;
 - e) to inform the Committee, when necessary or when referred to for the purpose, on a point of order or usage;
 - f) to represent and support the Committee, declaring its will, and obeying its decision;
 - g) to ensure that the decisions of the Committee are in conformity with the laws and by-laws governing the activities of the Committee;
 - h) to adjourn the meeting when the business is concluded;
 - i) to adjourn the meeting without question put in the case of grave disorder arising in the designated location.

MINUTES:

45. Minutes shall record:
- a) the place, date and time of meeting;
 - b) the names of the Presiding Officer or Officers and record the attendance of the Members;
 - c) the reading, if requested, correction and adoption of the minutes of the prior meetings;
 - d) all other proceedings of the meeting without note or comment;
 - e) the record of the minutes of the Committee meeting shall be written and held at the Township Office. That the Chairperson, when possible, have a copy or a verbal summary of the minutes for the Members of Council by the next regular Council Meeting and written minutes by the following Council Meeting.

PETITIONS AND COMMUNICATIONS:

46. Every communication, including a petition designed to be presented to the Committee 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 and filed with the CAO/Clerk-Treasurer.

DELEGATIONS:

47. Where possible, persons desiring to present information verbally on matter of fact or make a request of the Committee shall give notice to the CAO/Clerk-Treasurer or any Committee Member.

RECOMMENDATIONS:

48. Recommendations will be made and brought forth at the Regular Council Meeting.

RULES OF DEBATE:

49. Every Member prior to speaking to any question shall address the Presiding Officer. When two or more Members speak, the Presiding Officer shall designate the Member who has the floor who shall be the Member who, in the opinion of the Presiding Officer, was first.
50. If the Chairperson or Presiding Officer calls for a vote, no Member shall walk across the floor or make any noise or disturbance.

POINTS OF ORDER:

51. The Presiding Officer shall preserve order and decide questions of order.

CONDUCT OF MEMBERS OF THE COMMITTEE:

52. No Member shall:
- a) use offensive words or unparliamentary language;
 - b) disobey the rules of the Committee or a decision of the Presiding Officer of the Committee on questions of order or practice or upon the interpretation of the rules of the Committee; and in a case where the Member persists in any such disobedience after having been called to order by the Presiding Officer, the Presiding Officer may forthwith 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 Committee but if the Member apologizes he/she may, by vote of the Committee, be permitted to retake his/her seat.

AMENDMENT:

53. 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 waiving of this notice by the Council is prohibited.

EFFECTIVE DATE:

54. This by-law shall become effective upon the date of enactment and repeals all other by-laws pertaining to the governance of the proceedings of council and committees of the Township of Killaloe, Hagarty and Richards.
55. In the matter of any other by-law passed prior to this by-law that conflicts with this by-law, the terms of this by-law shall prevail.

Read a first and second time this 18th day of December, 2001.

Read a third time and finally passed this 18th day of December, 2001.

Reeve

CAO/Clerk-Treasurer