

THE CORPORATION OF THE TOWNSHIP OF FARADAY

BY-LAW NO. 38-2019

Being a By-Law for governing the calling, place and proceedings of meetings of the Municipal Council for the Corporation of the Township of Faraday

WHEREAS the Municipal Act, 2001, S.O. 2001, c.25, Section 238, requires that every municipality shall pass a Procedure By-Law for governing the calling, place and proceedings of meetings;

AND WHEREAS Council deems it expedient to pass such a By-Law;

NOW THEREFORE the Council of the Corporation of the Township of Faraday **HEREBY ENACTS AS FOLLOWS:**

1 DEFINITIONS

- 1.1 **"ACT"** means the Municipal Act, 2001, as amended from time to time.
- 1.2 **"ACTING HEAD OF COUNCIL"** shall first mean the Deputy Reeve and secondly another designate who shall act as presiding officer in the absence of the Reeve or Deputy-Reeve.
- 1.3 **"AGENDA"** means the list of business to be conducted at a Meeting.
- 1.4 **"CHAIR"** means the person presiding at a Meeting.
- 1.5 **"CLERK"** means the Clerk of the Corporation of the Township of Faraday or his/her designate who shall have all the powers and duties of the Clerk under this and every other Act.
- 1.6 **"COUNCIL"** means the elected and sworn members of the Council of the Corporation of the Township of Faraday.
- 1.7 **"COUNCIL PACKAGE"** means a copy of the Agenda, reports and all other information that Members require prior to a meeting.
- 1.8 **"CLOSED SESSION"** means a meeting of Council or Committees that is not open to the public pursuant to Section 239 of the Municipal Act or other legislation. Also referred to as "In Camera".
- 1.9 **"COMMITTEE OF THE WHOLE"** means a meeting of Council in Committee format for discussion purpose only.
- 1.10 **"COMMITTEE"** means any advisory or other committee, subcommittee or similar entity of which at least 50 percent of the members are also members of one or more councils or local boards and approved by Council in the form of a resolution or By-Law.
- 1.11 **"COMMITTEE CHAIR"** means the Chairperson of any committee and the Committee Chair shall have the same powers during a Committee Meeting of Council as Head of Council during Council Meetings whether or not the Chair is a voting member.
- 1.12 **"CONFLICT OF INTEREST"** means a pecuniary interest as defined in the *Municipal Conflict of Interest Act*.
- 1.13 **"ELECTRONIC PARTICIPATION"** means the participation of a member of Council through video conferencing means (such as Skype or FaceTime) when the member cannot otherwise be present at the meeting location.
- 1.14 **"HEAD OF COUNCIL"** means the Reeve or the Deputy-Reeve in the absence of the Reeve.

- 1.15 **"LOCAL BOARD"** means a local board as defined in the Municipal Act, 2001, and does not include police services boards or library boards.
- 1.16 **"MEETING"** means any regular, special, or other meeting of Council, a Local Board or Committee where a quorum of Members is present and Members discuss or otherwise deal with any matter in a way that materially advances the business or decision making of the Council, Local Board or Committee.
- 1.17 **"MEMBER"** means a member of Council, Local Board or Committee and includes the Reeve.
- 1.18 **"MUNICIPALITY"** means the Corporation of the Township of Faraday.
- 1.19 **"ORDER OF BUSINESS"** means the sequence of business to be introduced and considered in a Meeting, as outlined on the Agenda.
- 1.20 **"POINT OF PROCEDURE"** means a statement made by a Member to the Chair when the Member believes there has been a contravention or the rules laid out in the Procedural By-Law.
- 1.21 **"PRESENTATION"** means a person or group (including a member, staff or public) who provides information to council or Committee. May also be referred to as a Petition or Delegation.
- 1.22 **"QUORUM"** shall mean a majority (more than half) of the whole number of members of Council or a Committee except where a member has or members have declared a pecuniary interest pursuant to the *Municipal Conflict of Interest Act*, the quorum may be less than half plus one of the whole number of members but shall not be less than two.
- 1.23 **"RECORDED VOTE"** shall mean a Member present at a meeting at the time of a vote requests immediately before or after the taking of the vote that the vote be recorded, each member present, except a member who is disqualified from voting by any Act, shall announce his/her vote openly and the clerk shall record each vote.
- 1.24 **"REGULAR MEETING"** shall mean a scheduled meeting held at regular intervals in accordance with the approved schedule of Meetings.
- 1.25 **"RESOLUTION"** shall mean a Motion that has been approved by Council.
- 1.26 **"SPECIAL MEETING"** shall mean a meeting that is called for a specific time and for a specific purpose to deal with an important matter that has arisen between Regular Meetings.
- 1.27 **"TOWNSHIP"** shall mean the Corporation of the Township of Faraday.

2 INTENT OF BY-LAW

- 2.1 The rules and regulations hereinafter provided shall govern the proceedings of the Council and the Committees thereof. Any part or parts of the By-Law may be suspended if agreed upon by a majority of the Members present unless the part or parts is prescribed by statute or law.
- 2.2 All Points of Order or procedure not provided for in these Rules shall be decided in accordance with Robert's Rules of Order and the Reeve shall submit the ruling without debate.

- 2.3 Any materials to be distributed to Council shall be given to the Clerk for said purpose.
- 2.4 During a session of Council no person but a member thereof shall be allowed to come or approach beyond the Delegation Table without permission from the Chair.
- 2.5 No person present at a meeting of Council, Committee or Local Board shall speak or behave in a riotous, disorderly, or unseemly manner or otherwise disturb or interrupt the proceedings of the Council and any person who shall contravene this provision shall be deemed guilty of improper conduct and a breach of this By-Law.

3 DUTIES OF THE REEVE

- 3.1 It shall be the duty of the Reeve or other presiding officer to carry out the responsibilities set forth in the Municipal Act, 2001, Sections 225 and 226.1 and:
 - 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 motions which are moved and seconded, or necessarily arise in the course of the proceedings and to announce the result;
 - e) to vote on all matters, which are moved and seconded, or necessarily arise in the course of the proceedings;
 - f) to decline to put to vote motions which infringe upon the rules of procedure;
 - g) to enforce the Rules of Procedure;
 - 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 or procedure and order the member to vacate the Council chamber;
 - j) to permit questions to be asked through the Reeve of any office of the Township in order to provide information to assist any debate when the Reeve deems it proper;
 - k) to provide information to Members of Council on any matter touching on the business of the Township;
 - l) to receive all petitions and communications and announce them to Council;
 - m) to authenticate by signature all By-Laws, Resolutions and minutes of the Council;
 - n) to rule on any points of order raised by Members of Council;
 - o) to inform the Council of the proper procedure to be followed;
 - p) to represent and support the Council, declaring its will and implicitly obeying its decisions in all things;
 - q) where it is not possible to maintain order, the Reeve may, without any motion being put, adjourn the meeting to a time to be named by the Reeve;
 - r) to adjourn the meeting when the business is concluded; and
 - s) to order any individual or group in attendance at the meeting to cease and desist any behavior which disrupts the order and decorum of the meeting and to order the individual or group to vacate the Council chamber, where such behavior persists.
 - t) to communicate the requests and positions of Council to other levels of Government as appropriate.

4 COUNCIL, LOCAL BOARD AND COMMITTEE MEETINGS

- 4.1 The First or Inaugural Meeting of Council after a regular election shall be held on the first Wednesday in December, at 9:00 a.m. in the Township of Faraday Council Chamber.
- 4.2 Regular meeting of Council shall be held in the Township of Faraday Council Chambers on the first Wednesday of the month at 9:00 a.m. and if a second meeting is necessary, the third Thursday evening of the month at 7:00 p.m.
- 4.3 Notice of Council Meeting and Committee Meetings shall be given by;
 - a) publication of future meetings in previous Agendas;
 - b) posting of meeting Agendas on the Township website prior to the meeting and
 - c) In the case of Special Meetings, notice shall be given by posting of the Agenda on the Township website as soon as is practicable after notice of the Special Meeting has been given and any other notification that is permitted with the timeframe.
- 4.4 Council may by Resolution, alter the date and/or time of Council, Local Boards and Committee meeting. Alterations of dates and times should be made two weeks in advance of the meeting whenever possible. Notice(s) will be posted at the Township Office at 29860A Highway 28, Bancroft, Ontario and on the municipal website (www.faraday.ca).
- 4.5 A majority of the voting members shall constitute a quorum of Council, Local Boards and Committees. As the Council of the Corporation of the Township of Faraday is comprised of five members, three members must be present to constitute a quorum.
- 4.6 If there is no quorum present within thirty minutes after the time appointed for the 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 such regular meeting.
- 4.7 No Council meeting shall continue past five hours of the start time of the meeting, unless a majority of Council votes in favour of extending the hour to complete the business of the day.
- 4.8 The Head of Council at any time may summon a special meeting of Council, subject only to twenty-four hours of notice being provided to all members by the Clerk or designate. In the event of an emergency, the twenty-four hour notice requirement can be waived at the discretion of the Clerk or designate.
- 4.9 The Clerk or designate shall summon a special meeting upon receipt of a petition of the majority of the Council members for the purpose and at the time and date mentioned in the petition, provided that at least twenty-four hours' notice of the meeting is given to all members by the Clerk or designate.
- 4.10 The Reeve shall preside at all meetings of the Council.
- 4.11 When the Reeve is absent or refuses to act, or the office is vacant, the Deputy-Reeve shall act in the place and stead of the head and while so acting the Deputy-Reeve has and may exercise all the rights, powers and authority of the Reeve.
- 4.12 The Reeve or presiding officer may expel from a meeting anyone who engages in improper conduct.

5 OPEN MEETING PROVISIONS

- 5.1 All Council, Local Board and Committee meetings shall be open to the public and no person shall be excluded therefrom except for improper conduct.
- 5.2 The Reeve or designate may expel or exclude from any meeting any person who has engaged in improper conduct at the meeting if the Reeve or designate is satisfied that evidence exists to support expulsion or exclusion and states the reason for the expulsion or exclusion.
- 5.2 A meeting or part of a meeting may be closed to the public if the subject matter being considered is:
- a) the security of the property of the Township of local board;
 - b) personal matters about an identifiable individual, including Township or local 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 the purpose;
 - g) a matter in respect of which a Council, Board, Committee or other body may hold a closed meeting under another Act;
 - h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
 - i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons or organization;
 - j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
 - k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.
- 5.3 A meeting shall be closed to the public if the subject matter being considered is,
- a) a request under the Municipal Freedom of Information and Protection of Privacy Act, if the council, board, commission or other body is the head of an institution for the purposes of that Act.
 - b) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman referred to in subsection 223.13(1) of this Act, or the investigator referred to in subsection 239.2(1). 2014, c. 13, Sch. 9, s. 22;

- 5.4 A meeting of council, or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:
- a) the meeting is held for the purpose of educating or training the members;
 - b) at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of council, local board or committee.
- 5.5 Before all or part of a meeting is closed to the public, the Council shall state by resolution:
- a) the fact of the holding of the closed meeting;
 - b) the general nature of the matter considered at the closed meeting.
- 5.6 Subject to Section 5.7, a meeting shall not be closed to the public during the taking of a vote.
- 5.7 Despite Section 244 of the Municipal Act, a meeting may be closed to the public during the taking of a vote if:
- a) Section 4.2 and 4.3 permits or requires the meeting to be closed to the public; and
 - b) 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 of either of them or persons retained by or under a contract with the municipality or local board.
- 5.8 The rules of Council shall be observed in closed meetings as far as may be applicable.
- 5.9 After consideration of a matter in the closed session and the report from the closed session is in the possession of Council, any resulting action of Council by way of resolution or By-Law of the Municipality shall be debated and voted upon in a public session, unless the subject matter under consideration must remain confidential as it pertains to issues noted in 5.2 or 2.3.
- 5.10 No member or other person attending a closed session shall without the authorization of Council, release confidential reports or information considered at a closed meeting or discusses the content of such reports or information with persons other than members of Council or appropriate municipal staff members and/or agents of council concerned with the reports or information.

6 AGENDAS AND SUPPORTING MATERIALS

- 6.1 The Clerk shall prepare agendas of Council and Committee meetings as assigned.
- 6.2 Insofar as is practicable, Council agendas, along with supporting material, shall be prepared and made available to members on the Friday prior to a regular meeting.
- 6.3 Individuals or groups wishing to appear before Council at a regular meeting, shall advise the Clerk not later than 12:00 p.m. on the Wednesday prior to the meeting and the Clerk may make a determination as to deferral of delegations to a subsequent meeting
- 6.4 Written reports of officers shall, insofar as is practicable, be made available to Council by 4:30 p.m. on the Wednesday prior to the meeting.

6.5 Agendas shall be general 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.

- 1) Call to Order;
- 2) Moment of Silence;
- 3) Disclosure of Pecuniary Interest;
- 4) Minutes of Previous Meetings;
- 5) Business arising from the Minutes;
- 6) Correspondence;
- 7) Motions;
- 8) Petitions and Delegations;
- 9) Accounts;
- 10) Staff Reports;
- 11) Resolution, to move to an in-camera (closed) session, if Required;
- 12) Notices of Motion (for consideration at subsequent meeting);
- 13) By-Laws;
- 14) Confirming By-Law;
- 15) Adjournment.

6.6 As defined in the *Municipal Conflict of Interest Act*: Where a member has a pecuniary interest in any matter, including that of a spouse, child and is present at a meeting of Council or Committee at which the matter is the subject of consideration, the member;

- a) shall, prior to any consideration of the matter at the meeting, verbally disclose the interest and its general nature;
- b) shall not, at any time, take part in the discussion or vote on, any question in respect of the matter;
- c) shall not, at any time, attempt either on his or her own behalf or while acting for, by or through another person, in any way whether before, during or after the meeting to influence the voting on any such questions;
- d) shall immediately leave the meeting or part of the meeting during which the matter is under consideration and remain absent from it where the matter is under consideration during closed session; and
- e) where the interest of a member has not been disclosed by reason of the member's absent from a meeting wherein the matter was discussed, the member shall disclose the interest at the next Council or Committee meeting attended by the member.

6.7 The business of the Council shall be taken up in the order as listed on the agenda unless otherwise decided by the Reeve of presiding officer.

6.8 The agenda will be available to the public through the Township's website on the Friday evening prior to the scheduled meeting.

6.9 Amendments and/or addendums may be made to Council agendas up to, but no later than, four hours before the scheduled meeting. Efforts will be made by all staff to limit late addendums, where possible. All addendums will be noted on the agenda and made available to Council and the public, through the Township's website, immediately upon changes being finalized.

7. MINUTES

7.1 Minutes shall record:

- a) the place, date and time of meeting;
- b) the names of the Council in attendance and absent;
- c) the names of staff present;

- d) the reading, if requested, correction and confirmation of the Minutes of prior meetings;
- e) declarations of interest;
- f) the motions considered and votes taken by Council; and
- g) all the other proceedings of the meeting without note or comment.

7.2 A resolution that the Minutes be confirmed shall be in order.

7.3 After the Minutes have been confirmed they shall be signed by the Reeve or designate and by the Clerk or designate.

8. IN CAMERA MINUTES

8.1 In Camera Minutes shall record:

- a) where the meeting took place;
- b) when the meeting started and adjourned;
- c) the names of council and staff in attendance;
- d) whether any participants left or arrived while the meeting was in progress and if so, at what time this occurred;
- e) any motions, including who introduced the motion and seconders; and
- f) all votes taken and all direction given.

9 DELEGATIONS

9.1 Persons or groups wanting to appear before Council shall advise the Clerk or designate no later than 12:00 noon on the Wednesday prior to the meeting and shall provide a written submission detailing the nature of the request to Council for inclusion in the agenda package.

9.2 Persons or groups making a presentation shall be limited in speaking to not more than Fifteen (15) minutes. A person may speak longer than fifteen (15) minutes if granted leave by the Head of Council.

9.3 All such persons desiring to make a presentation to Council shall, in writing identify who they are as well as which group or organization, if any, they claim to represent or be a member of and the topic of their presentation.

9.4 All references in this section to "persons" shall also include, where appropriate, reference to "group" or "organization" so that where there is a number of persons who wish to speak who are all part of the same group or organization the group or organization shall only be permitted one delegation time slot of ten (10) minutes, unless permission for other members to have their own delegation time is otherwise granted by the Head of Council or by motion of Council.

9.5 Subject to Section 6.6, no person shall be permitted to speak to Council more than once on the same topic without the prior permission of the Head of Council. Such permission is to be sought no later than 12:00 noon on the Wednesday prior to the Council meeting or by motion of Council where special circumstances so warrant.

9.6 No person shall be permitted to address Council regarding a position previously adopted by Council without a motion of reconsideration.

9.7 Any person wishing to present correspondence directly to Council shall do so through the Clerk's office no later than 12:00 noon on the Wednesday prior to the meeting and the Clerk.

10 CONDUCT OF MEMBERS OF COUNCIL AND GUESTS

10.1 No member shall;

- a) use offensive words or unparliamentary language in or against the Council, or against any member, staff or guest;

- b) disturb another, or the Council, staff or guest, by any disorderly conduct disconcerting to the speaker or the assembly;
 - c) speak on any subject other than the subject in debate;
 - d) where a matter has been discussed in camera, and where the matter remains confidential, disclose the content of the matter or the substance of the deliberations of the in camera meeting;
 - e) resist the rules of Council or disobey the decisions of the Reeve or presiding officer or of Council on questions of order or practice or upon the interpretation of the rules of Council;
 - f) leave a meeting without first obtaining permission from the Reeve or presiding officer;
 - g) 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;
 - h) interrupt the member who has the floor except to raise a point of order;
- 10.2 No person shall be allowed to address Council or speak in debate without permission of the Reeve or presiding officer.
- 10.3 Subject to Section 10.4 and insofar as is practicable, notice of motions except those listed in Section 10.21 and 10.22, shall be given in writing to the Clerk not later than 4:30 p.m. on the Wednesday prior to the next regular meeting so that the matter may be included in the Council agenda package.
- 10.4 Any motion may be introduced without notice if Council, without debate, agrees on a majority vote to dispense with notice.
- 10.5 A motion must be formally seconded before the question can be put or a motion recorded in the minutes.
- 10.6 When a motion is presented in Council in writing it shall be read, or, if it is an oral motion, stated by the Reeve or presiding officer.
- 10.7 A motion to amend shall:
- a) be presented in writing;
 - b) be dealt with by Council before a previous amendment or the main motion;
 - c) not be further amended more than once provided that further amendment may be made to the main motion;
 - d) be relevant to the main motion;
 - d) not propose a direct negative to the main motion.
- 10.8 Once read or stated by the Reeve or presiding officer a motion may not be withdrawn without the consent of the majority of the members.
- 10.9 Immediately prior to voting of a motion, the Reeve or presiding officer shall state the question in the precise form it is to be recorded in the minutes, including any amendments to the questions.
- 10.10 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.
- 10.11 Members shall not speak more than once to the same question without the consent of the Reeve or presiding officer.
- 10.12 On an unrecorded vote, the manner of determining the decision on a motion shall be at the discretion of the Reeve or presiding officer and may be by voice, show of hands, standing or otherwise.
- 10.13 Where a vote is taken for any purpose and a member requests, before or after 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 Reeve 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 shall record each vote.

- 10.14 The Reeve or presiding officer, except where disqualified to vote, may vote on all questions and when so doing, shall vote last.
- 10.15 Except where expressly provided in Statute, any question on which there is an equality of votes shall be deemed to be defeated.
- 10.16 Unless otherwise authorized by the Reeve or presiding officer, all members, staff and guests shall address Council through the Chair and only when recognized to do so.
- 10.17 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.
- 10.18 When two or more members seek to address Council, the Reeve or presiding officer shall designate the member who may speak first.
- 10.19 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.
- 10.20 The following members and motions may be introduced orally without written notice and without leave except as otherwise provided by rules:
- a) a point of order or personal privilege;
 - b) presentation of petitions;
 - c) to lay on the table (to defer temporarily);
 - d) to postpone indefinitely or to a specific day;
 - e) to move the previous question (immediate vote on the main motion).
- 10.21 The following motions may be introduced without notice and without leave but such motions shall be in writing and signed:
- a) to refer;
 - b) to adjourn;
 - c) to amend;
 - d) to suspend the rules of procedure;
- 10.22 Except as provided in Section 10.20, all motions shall be in writing and signed by the mover and seconder.
- 10.23 Council may from time to time, employ a confirming resolution immediately prior to adjourning for the purpose of validating decisions or direction given which is minor in nature and not set out in a By-Law or resolution.

11 ELECTRONIC DEVICES IN COUNCIL CHAMBERS

- 11.1 The following are policies outlining the use of electronic devices in the Council Chambers by members of Council and Township staff:
- a) In deference to the public meeting at hand, members should make every effort to refrain from sending or receiving electronic communication of a personal nature during Council meetings, though as volunteers it may sometimes be necessary to send or receive very urgent/emergency family or business communications during meetings.
 - b) Members shall not use electronic communication devices to review or access information regarding matters not under consideration before Council during a meeting.
 - c) Members should not access the internet concerning any matter pending before Council during a Council meeting.

- d) Members should not use electronic devices during a Council meeting for personal use.
 - e) No electronic devices shall be allowed in closed session meetings.
- 11.2 The following are policies outlining the use of electronic devices in Council Chambers by members of the public:
- a) In deference to the public meeting at hand, members of the public and Township should turn electronic devices off during the entire meeting in Council Chambers.
 - b) Members of the public must exit the Council Chambers if they wish to make/receive a telephone call.
 - c) Meetings which are not closed to the public may be taped or recorded electronically or mechanically provided that permission has been granted by the Reeve or Presiding Officer and so long as the taping or recording is carried out in a manner that does not interfere with proceedings of the meeting.
 - d) The Reeve or designate may request that an individual vacate the Council Chambers if their behavior is deemed to be disruptive to the business at hand.
 - f) if the member of the public has been ordered to vacate the Council Chambers after committing a breach of any rule within Section 10.1 and 10.2 of this By-Law and the Reeve or designate determines that the disruptive nature of the behavior warrants an apology to Council, said member shall not be permitted to enter the Council Chambers without making an apology and without the consent of Council expressed by a majority of the members present, determined without debate.
 - g) If the member of the public has been ordered by the Reeve or designate to vacate the Council Chambers after committing a breach of any rule within Section 9.2 of this by-law, and the Reeve or designate determines that the disruptive nature of the behavior does not warrant an apology, the Reeve or designate may allow the member of the public to re-enter Council Chambers quietly after the disruptive behavior has ended.
 - h) The provisions of Section 9.2 apply to all meetings of Council, Local Boards and Committee meetings.

12 ELECTRONIC PARTICIPATION

- 12.1 A member participating electronically cannot be counted towards quorum.
- 12.2 A member participating electronically is not permitted to participate in Closed Sessions of Council.
- 12.3 Electronic participation is not permitted for Committee meetings or Local Board meetings.
- 12.4 A member participating electronically cannot act as Chair of the meeting.
- 12.5 The electronic participation must be arranged with the Clerk no less than twenty four (24) hours in advance of the meeting and the reason given for electronic participation must be to the satisfaction of the Clerk.
- 12.6 A member participating electronically may vote, provided they were present electronically for the entirety of the discussion surrounding the resolution on the table.

- 12.7 If the electronic communication is lost, the Clerk will make note in the minutes that the participant left the meeting and the Clerk will make every attempt to have the participant rejoin the meeting.

13 POINTS OF ORDER AND PRIVILEGE

- 13.1 The Reeve or presiding officer shall preserve order and decide questions or order.
- 13.2 The Council, if appealed to, shall decide the question without debate and its decision shall be final.

14. BY-LAWS

- 14.1 No By-Law shall be presented to Council unless the subject matter has been considered and approved by Council
- 14.2 Every By-Law shall be introduced upon motion by a member specifying the title of the By-Law
- 14.3 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.
- 14.4 Every By-Law shall be given three readings prior to passage.
- 14.5 The First and Second readings of a By-Law shall be decided without amendment or debate.
- 14.6 By-Laws may be given three readings on the same date except when requested, otherwise by motion of the majority of the member's present or otherwise provided in law.
- 14.7 Upon passage, By-Laws shall be numbered, signed by the Reeve or presiding officer and embossed with the seal of the Corporation of the Township of Faraday.
- 14.8 Any proposed By-Law may be referred to a Committee, Department Head or other officer for review and comment, including the solicitor for the Corporation of the Township of Faraday.
- 14.9 All original By-Laws enacted by the council shall be kept by the Clerk, and shall be available for inspection by any person in accordance with the Municipal Act, 2001.
- 14.10 Draft by-laws that have been listed on the Council Agenda are available for inspection by Members of Council and any person in advance of the Council meeting.

15 GENERAL

- 15.1 When the Reeve of Council is absent on a temporary basis, under no circumstances shall the Council take a decision regarding capital spending unless provision for the capital spending is included in the estimates for that given year as approved by By-Law or unless the expenditure is required as a result of an emergency.
- 15.2 In all matters and under all circumstances the members shall be guided by and shall have regard to the *Municipal Conflict of Interest Act*, or its successor *Local Government Disclosure of Interest Act 1994*, upon Proclamation.

- 15.3 Individuals or groups which are listed on an agenda or are otherwise approved to appear before Council shall, subject to Section 5, Sub-section 1(c), be limited to not more than fifteen (15) minutes, except that a delegation consisting of more than five (5) persons shall be limited to two (2) speakers each limited to speaking not more than ten (10) minutes.
- 15.4 Following a regular or new election, the Clerk shall provide each member of Council with a copy of this By-Law, including any amendments thereto.
- 15.5 Any procedure under this By-Law which is discretionary and not mandatory under statute may be suspended with the consent of a majority of the members present.
- 15.6 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 meeting of the Council and the waiving of notice is prohibited.
- 15.7 That By-Law 10-2015 or parts of By-Laws heretofore passed inconsistent with the provisions hereof and respecting the calling, place and proceedings of meetings of the Municipal Council for the Corporation of the Township of Faraday are hereby repealed.
- 15.8 That this By-Law shall come into force and take effect upon the enactment thereof.

READ a first and second time this 6th, day of November, 2019

READ a third time and finally passed on this 6th, day of November, 2019

Original Signed, November 6, 2019
D.J. Purcell – Reeve

Original Signed, November 6, 2019
Dawn Switzer - Clerk