



Oxford County Procedure By-law

**By-law No. 6268-2020
As amended by Resolution of Council August 9, 2023**

Chloé J. Senior, Clerk

**By-Law No. 6268-2020 Schedule “A”
As amended by Resolution of Council November 24, 2021
And by By-law 6417-2022
And by Resolution of Council August 9, 2023**

**Rules of Order and Procedures Governing Oxford County Council
and Its Committees, the Calling of Meetings
and the Conduct of Its Members**

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1. DEFINITIONS

- 1.1 “Act” means the *Municipal Act, 2001* S.O. 2001, Chapter 25, as amended from time to time.
- 1.2 “Ad Hoc Committee” means a committee, sub-committee or similar entity of which at least 50 per cent of the members are also members of Council, appointed by Council to review and report on a specific issue. Once the final report is delivered and a resolution of the Council is adopted concerning the specific issue, the Ad Hoc Committee is automatically dissolved.
- 1.3 “Business day” means the days of the week in which the Council or Committee shall conduct its business transactions and hold its meetings, excluding Saturday and Sunday or statutory holidays.
- 1.4 “Chair” means the position of the person appointed to preside, or presiding at, a meeting, whether that person is the regular presiding officer or not.
- 1.5 “Clerk” means the person duly appointed, by By-law pursuant to Section 228 of the *Act*, as the Clerk of the County.
- 1.6 “Closed Session” means a meeting of the Council or Committee that is not open to the public, pursuant to Section 239 of the *Act*.
- 1.7 “Committee” means any advisory or other committee created by Council, of which at least one member is also a member of Council, which is established under any Act with respect to the affairs or purposes of one or more municipalities.
- 1.8 “Confidential matter” means those items of business discussed in *Closed Session*.
- 1.9 “Council” means the elected members of the County when they sit in deliberative assembly.
- 1.10 “County” means the County of Oxford.
- 1.11 “Deputy Warden” means the member of Council appointed, by By-law or resolution, pursuant to Section 242 of the *Act*, to act in the place of the head of Council (Warden) when the head of Council is absent or refuses to act or, when the office of the head of Council is vacant, and while so acting such member has all the powers and duties of the head of Council.
- 1.12 “Electronic Meeting” means a meeting called and held in full or in part via electronic means (including, but not limited to, audio teleconference, video teleconference, or via means of the internet), and with or without in-person attendance.
- 1.13 “Emergency” means a situation or impending situation caused by the forces of nature, an accident, an international act or otherwise constitutes a danger of major proportions of life or property.
- 1.14 “Enclosure” means the part of the Council Chamber that is physically separate from the public gallery that accommodates Council members, staff and media seating.

- 1.15 “Ex-officio Committee Member” means a member has the right, but not the obligation, to participate in the proceedings of the committee, and is not counted in determining the number required for a quorum or whether a quorum is present at a meeting. Cannot attend a committee meeting if by attending a quorum of Council is created.
- 1.16 “Meeting” means an event wherein business is transacted for any regular or special purpose by the Council or local board, or a committee or sub-committee of either of them, as the case may be, where:
- (a) a quorum of members is present, and
 - (b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, local board or committee.
- 1.17 “Member” means a candidate duly elected to hold office with the County of Oxford, pursuant to the *Municipal Elections Act, 1996*, S.O. Chap. 32, as amended; or a person appointed by the Council to a Committee.
- 1.18 “Motion for Division of the Assembly” means a motion made after the Chair has stated the *Question*, requiring a vote, either about to be taken on a *Question*, or any other motion under consideration, or a vote previously taken, and the results announced by the Chair, to be taken again by rising of each member present, and does not include a vote by show of hands.
- 1.19 “Personal Privilege” means a motion to *Raise a Question of Privilege*, of an urgent nature, that affects a right or privilege of the Council, Committee or of an individual member.
- 1.20 “Point of order” means a statement made by a member during a meeting, drawing to the attention of the Chair a breach of the rules of procedure.
- 1.21 “Privileged Motion” means a motion that does not relate to pending business, but that does relate to special matters of immediate and overriding importance which, without debate, should be allowed to interrupt the consideration of anything else. A Privileged Motion involves one of the five following motions, listed in ascending order of precedence: *Call for the Orders of the Day*, *Raise a Question of Privilege*, *Recess*, *Adjourn*, and *Fix the Time to Which to Adjourn*.
- 1.22 “Quasi-Judicial Board” means a local board or committee that has been delegated Council’s decision-making powers, for example, the Land Division Committee.
- 1.23 “Question” means a motion that has been appropriately placed before the Council or Committee. Only once duly recognized by the Chair and “on the floor” can a motion be debated and put to a question of the members for proper resolution (*Question On the Floor*).
- 1.24 “Quorum” means, in the case of Council, a majority of members (6) representing at least one-half of the lower-tier municipalities (4), pursuant to Section 237 of the *Act*. In the case of a Committee of Council, a majority of the whole number of members of the Committee, including the Chair.

- 1.25 “Rules of Procedure” means the rules and regulations provided in this By-law and, where necessary, Robert’s Rules of Order (Newly Revised).
- 1.26 “Recorded vote” means a vote taken on a matter of business, whereupon the Clerk duly notes the name of each member present and their vote in the minutes, as provided for in Section 246 of the *Act*. Section 246(2) specifically notes that a failure to vote by a member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.
- 1.27 “Secretary” means the person responsible for recording the Minutes of Council or committee meetings, the preparation of the agenda and the preparation of any resulting correspondence, as delegated by the Clerk.
- 1.28 “Steering Committee” means any advisory body, roundtable or other body Council establishes to advise on specific areas of interest, with members of the public and staff making up more than 50 per cent of the membership and Council members or other elected officials making up the rest.
- 1.29 “Substantive Motion” means any original main motion that introduces a substantive question as a new subject for the consideration of the Council, except one of the following:
1. to refer;
 2. to amend;
 3. to lay on the table;
 4. to postpone indefinitely or to another day certain; or,
 5. to adjourn.
- 1.30 “Warden” means the head of Council and the Chief Executive Officer of the County of Oxford, pursuant to Section 225 of the *Act*.

2. GENERAL PROVISIONS

- 2.1 The short title of this By-law is the “County of Oxford Procedure By-law.”
- 2.2 The rules and regulations contained in this By-law shall be observed in all proceedings of the Council and Committees appointed by Council. The rules and regulations contained herein that are discretionary and not mandatory under Statute may be temporarily suspended by a majority vote of the Council or Committee members present.
- 2.3 In respect to questions or concerns regarding these rules and regulations, the decision of the Chair presiding shall be final, subject to only an appeal to the Council, pursuant to Section 4.2.3. In the case of a conflict concerning the application of these rules, “Robert’s Rules of Order (Newly Revised)” may be consulted as an interpretative aid.
- 2.4 All meetings of the Council of the County of Oxford and all meetings of the Committees of Council shall be open for attendance by the public, except in the case of a *Closed Session*, as noted in Section 12, Public Access to Meetings.

3. COUNCIL MEETINGS

3.1 PUBLIC NOTICE OF MEETINGS

The Clerk shall give public notice of all regular open and closed Council and committee meetings by inclusion on the website at least 72 hours prior to the meeting.

3.1.1 The Clerk may, at their discretion, publish notice of Council and committee meetings in a local newspaper or other local media source.

3.1.2 Public notice shall include:

3.1.2.1.1 Date;

3.1.2.1.2 Time;

3.1.2.1.3 Location of meeting; and

3.1.2.1.4 Method of participation for Council, the public and staff (in-person, electronic or a combination of both)

3.1.2.1.5 The Clerk shall give public notice of all special open and closed meetings of Council and committee by inclusion on the County website as soon as possible after the meeting is called and no later than 48 hours prior to the meeting.

3.1.2.1.6 Section 3.1.2.5 shall not apply to emergency meetings called under Section 3.6.4. The Clerk shall give public notice for emergency meetings called under Section 3.6.4 by inclusion on the County website as soon as possible after the meeting is called.

3.1.2.1.7 County Council may approve a meeting calendar outlining all meetings of Council and committee to be held within a specific timeframe.

3.2 PLACE

3.2.1 The meetings of the Council of the County of Oxford shall be held at the Council Chamber, located at 21 Reeve Street, Woodstock, Ontario. Closed Session may be held in an adjacent room to Council Chamber, pursuant to Section 236 of the *Act*. Meetings may be held at another location, within or outside of the County, in case of emergency or under other provisions contained in the *Act*.

3.3 REVISED AGENDA

3.3.1 The Clerk shall prepare a revised agenda advising Council or committee of the names of the registered delegates and written submissions relating to matters on the agenda and endeavor to provide the revised agenda to council or committee 18 hours prior to the meeting.

3.3.2 Items or matters will not be added to the agenda after distribution to Council or committee unless directed by the Warden, Committee Chair or CAO and if the urgent nature of the matter requires a decision prior to the next Council or committee meeting. Following addition, Council or Committee will be notified by the Clerk of such additions.

3.4 INAUGURAL MEETING

3.4.1 The Inaugural Meeting of the municipal Council of the County of Oxford after a regular election held pursuant to Sections 3, 4 and 5 of the *Municipal Elections Act*, S.O. 1996, Chap. 32, shall be held on the fourth Wednesday of November at 4:00 p.m. This Inaugural Meeting will be only for the purposes of Filing of Certificates, presenting Declarations of Office and Oaths of Allegiance, and electing the Warden and Deputy Warden pursuant to the provisions of Sections 4.1 and 5.1.

3.5 REGULAR COUNCIL MEETINGS

3.5.1 After the Inaugural Meeting, the Council shall meet in regular session on the second and fourth Wednesday of every month, commencing at 9:30 a.m., unless otherwise provided for by resolution of the Council.

3.5.2 Notwithstanding Section 3.5.1, the Council shall not meet in regular session on the fourth Wednesday for each of the months of July, August, and December, unless otherwise provided for by resolution of the Council.

3.5.3 If such Council meeting day is Remembrance Day, a public or civic holiday, the Council shall meet at the same hour the next following business day which is not a public or civic holiday unless otherwise provided for by resolution of Council.

3.5.4 As soon after the time appointed for a meeting of the Council as a quorum is present, the Warden shall assume the Chair and call the meeting to order.

3.6 CALLING OF SPECIAL COUNCIL MEETINGS

3.6.1 The Warden or Chair may at any time summon a special meeting of Council within 48 hours. The Warden or Chair shall also summon a special meeting of Council when so requested in writing by a majority of Members of Council.

3.6.2 Upon receipt of a written petition of the majority of the Members of Council, the Clerk shall summon a special meeting for the purpose mentioned in the petition.

3.6.3 Upon the calling of a special meeting, the Clerk shall give notice to all members, not less than 48 hours prior to the time fixed for the meeting of the:

- Time;
- Place; and
- Business to be considered

- 3.6.4 On emergency or extraordinary occasions, the Warden or Chair may call a special Council meeting without the notice provided in Section 3.1.2.1.5.
- 3.6.5 Only items disclosed on the meeting agenda may be considered by Council. Items will not be added to the special meeting on a revised agenda.

3.7 ELECTRONIC MEETINGS

- 3.7.1 Electronic participation in meetings shall be permitted during any period of time. For further clarity, Council and committee meetings may be conducted as a hybrid meeting with provisions for Council, committee members, staff, presentations or delegations to participate.

All such meetings shall be open to the public unless the meeting is closed to the public pursuant to Section 239 of the *Municipal Act* and Section 12, Public Access to Meetings. The Clerk, in consultation with the Warden or Chair and CAO, may direct that a Council or committee meeting may be conducted electronically or as a hybrid meeting.

- 3.7.2 Council and committee members shall be permitted to participate by electronic means in any Council or committee meeting. Any Member participating by electronic means shall have the ability to:

- 3.7.2.1 Register a vote;
- 3.7.2.2 Be counted towards determining quorum for both open and closed session; and
- 3.7.2.3 Participate in a meeting that is closed to the public.

- 3.7.3 The Council or committee member who wishes to participate by electronic means shall provide the Clerk a minimum of 48 hours' notice, or as much time that is practically required to ensure appropriate preparations for a hybrid meeting.
- 3.7.4 All participants attending a meeting by electronic means that is closed to the public shall declare at the start of the closed session that they will maintain the confidentiality of the closed session through ensuring that they are alone and that any discussions cannot be overheard.
- 3.7.5 External stakeholders and the members of the public may participate by electronic means in any meeting. Those wishing to participate in the meeting by electronic means shall provide the Clerk with a minimum of 48 hours' notice, or as much time as is practically required to ensure appropriate preparations for a hybrid meeting.
- 3.7.6 Electronic meetings shall be conducted in a manner which will ensure the adequate communications during the meeting and allow members of the public to hear and observe meetings open to the public. Procedures will not be contrary to prevailing Provincial legislation.
- 3.7.7 All meetings of Council and committee will be livestreamed, and all meetings shall be recorded. Meeting recordings shall be made publicly available for later viewing, except:

3.7.7.1 In times of technological failure (e.g., Internet outage, system crash). Failure to livestream or produce a recording does not call the meeting into question.

3.7.7.2 If meetings are closed to the public under Section 239 of *the Act*.

3.7.8 While voting is taking place, the members must use both video and audio.

3.7.9 Staff and members participating in a meeting electronically must use both video and audio when addressing Council.

3.8 ABSENCE OF COUNCIL MEMBER INCLUDING WARDEN AND/OR DEPUTY WARDEN

3.8.1 A member's seat will become vacant if the member is absent from the meetings of council for three successive months without being authorized to do so by a resolution of council.

3.9 ABSENCE OF WARDEN AND/OR DEPUTY WARDEN

3.9.1 In case the Warden does not attend within fifteen (15) minutes after the time appointed for a meeting of Council, the Deputy Warden shall call the meeting to order and preside as Chair.

3.9.2 In case the Deputy Warden is unable to attend the meeting, the members will, by resolution duly moved and seconded, appoint a Chair. While so presiding, the Chair shall have all the powers of the head of Council.

3.9.3 Should the Warden or Deputy Warden, as the case may be, arrive after the meeting has been called to order, the presiding officer shall relinquish the position of the Chair to the Warden, or Deputy Warden as the case may be, immediately after the current item of business on the Council Orders of the Day is considered or otherwise disposed.

3.10 ABSENCE OF A COUNCIL MEMBER OTHER THAN THE WARDEN OR DEPUTY WARDEN

3.10.1 If a person who is a member of the council of an area municipality and a member of County Council is **unable to act** as a member of those councils **for a period exceeding one month**, the council of the respective area municipality may appoint one of its members as an alternate member of County Council to act in place of the member until the member is able to resume acting as a member of those councils. This subsection does not authorize the appointment of an alternate head of Council of the County.

3.10.2 If the offices of a person who is a member of council of both an area municipality and the County **becomes vacant** and the vacancies will not be filled for a period exceeding one month, the council of the respective area municipality may appoint one of its members as an alternate member of County Council until the vacancies are filled permanently. This subsection does not authorize the appointment of an alternate head of Council of the County.

- 3.10.3 The council of an area municipality may appoint one of its members as an **alternate member** of County Council to act in place of a person who is a member of the councils of the area municipality and the County when the person is unable to attend a meeting of County Council for any reason.

This subsection does not allow for more than one alternate member during the term of council unless the seat of the member who has been appointed as an alternate member becomes vacant, then another of its members may be appointed; the appointment of an alternate member to act in place of an alternate member appointed under subsection 3.10.1 or 3.10.2; or the appointment of an alternate head of Council of the County.

- 3.10.4 When an alternate member is appointed under subsection 3.10.1, 3.10.2 or 3.10.3, the following rules will apply:

1. The area municipality will advise County Council of any appointment in writing providing a certified appointment resolution.
2. An alternate member shall take the Oath of Office, administered by the Clerk, prior to taking their seat on County Council.
3. An alternate member shall not represent a County Councillor at an Inaugural meeting, or any County board or agency.
4. An alternate member may, in the absence of the County Councillor, participate at meetings of County Council, its committees and information sessions.
5. Upon notice under subsections 3.10.1 and 3.10.2, the County Councillor's compensation and expense reimbursement eligibility will cease and will be provided to the alternate member in the same manner.
6. An alternate member, appointed at the discretion of an area municipality under subsection 3.10.3, shall not receive compensation and expense reimbursement by the County for any meetings of County Council they are required to attend in the absence of the County Councillor.
7. An alternate member, appointed under subsection 3.10.3, shall not be eligible to be reimbursed for attendance at conventions, seminars, or training.
8. An alternate member, appointed under subsections 3.10.1, 3.10.2, and 3.10.3, while acting in their capacity, shall be governed by all applicable policies of the County such as but not limited to the Council Code of Conduct.
9. An alternate member, appointed under subsections 3.10.1 and 3.10.2, shall have access to applicable support resources such as but not limited to the County's Integrity Commissioner.
10. A County Councillor requesting an alternate member, under subsection 3.10.3, to act in their place at a meeting shall make their best effort to advise the County Clerk's office by email forty-eight hours in advance of the meeting to enable the alternate member access to Closed Session items.

3.11 QUORUM AND COMMENCEMENT OF MEETINGS

3.11.1 Unless there is a quorum present within fifteen (15) minutes after the time appointed for the meeting of the Council or committee, the Council or committee will stand adjourned until the next meeting date.

3.11.2 As soon as there is a quorum present, the Warden or Chair shall call the members to order. In the absence of the Warden or Chair, the Deputy Warden or vice Chair shall act in their place. In the absence of both the Warden or Chair and Deputy Warden or Vice Chair, the Clerk shall call the members to order, and the council or committee shall choose a Chair from the members present and that person shall preside over the meeting or until the arrival of the Warden or Chair or Deputy Warden or vice Chair.

3.11.3 If, at any time during a meeting, quorum is lost, the meeting shall automatically be recessed until a quorum is re-established. If the loss of a quorum continues for fifteen (15) minutes, the meeting shall stand adjourned either until the next regular meeting or until a special meeting is called to deal with the matters remaining from the adjourned meeting. This clause shall also apply if quorum is lost during an electronic meeting because of technology issues.

3.12 DISCLOSURES OF PECUNIARY INTEREST

3.12.1 Prior to a particular matter being addressed, members shall declare any pecuniary interest they may have, and the general nature thereof, in connection with that matter pursuant to the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended. Such members shall then be precluded from participating in any way regarding the matter in question.

3.13 MEETING CANCELLATION

3.13.1 When it is deemed to be advisable, the Warden is authorized to change the location, date and/or time of, or cancel, the next regular Council meeting subject to agreement of the majority of the members of Council, having been polled by the Clerk, and the provisions of Section 3.1 being met.

3.13.2 In the case of a local board or committee, the Chair is authorized to change the location, date and/or time of, or cancel, the next regular meeting subject to agreement of the majority of the members of the local board or committee, having been polled by the Secretary, and the provisions of Section 3.1 being met.

3.14 RECESS

3.14.1 When it is deemed to be advisable, the Warden is authorized to call a recess of the Council meeting.

3.15 ADJOURNMENT OF COUNCIL AND SPECIAL MEETINGS

3.15.1 Council shall adjourn at 1:30 p.m. during meetings unless otherwise decided before that hour by a majority vote of the members present. If Council is adjourned before the agenda is completed, Council shall establish a time and date for consideration of the balance of the agenda.

3.15.2 Only one motion to extend the automatic adjournment beyond the prescribed time shall be permitted per meeting, and the maximum allowable extension shall be one (1) hour.

3.15.3 A motion to adjourn may be made by any member who has been recognized by the Warden or Chair. The motion must be moved and seconded. A motion to adjourn shall not be made during a vote on any other motion.

3.15.4 Notwithstanding Section 3.15.1, if a motion to extend the automatic adjournment time is required prior to the hearing of all delegates on a matter being considered at the time such motion to adjourn is made, Council shall not adjourn the meeting until all listed delegates on the matter have been heard. Once the listed delegates have been heard, Council shall deal with the matter being considered at the time the motion to adjourn was made, as well as any other time-sensitive issues on the agenda identified by the Clerk.

4. WARDEN

4.1 ELECTION

4.1.1 Section 233 of the *Act* requires the Council to appoint the head of Council ("Warden") at its first meeting. No other business of Council shall be conducted until the head of Council is confirmed.

For the appointment of the Warden, the following regulations and procedures shall be followed:

4.1.1.1 The Warden shall be elected by open vote during the Inaugural Meeting of Council.

4.1.1.2 Each member of Council shall have one vote and shall not abstain from voting.

4.1.1.3 The Clerk will preside over the election.

4.1.1.4 In advance of accepting any nominations, the Clerk shall announce the name of a person in attendance at the Inaugural Meeting, but not a member of Council, who will draw ballots to decide on any equality of votes. The person may be a local judge.

4.1.1.5 Each nomination motion shall be in writing, and duly seconded.

4.1.1.6 Where more than one nominee stands for election, a vote shall be taken.

4.1.1.7 To be elected as Warden, a nominee shall obtain a vote of the majority of the members present.

4.1.1.8 In conducting the vote, the Clerk shall call the names of the members at random, and each member shall, after their name is called, verbally indicate the name of the nominee they are supporting.

4.1.1.9 If there are more than two nominees who agree to stand and, if upon the first vote, no nominee receives the majority required for election, the name of the nominee receiving the least number of votes shall be dropped from the ballot. The Council shall proceed to vote anew and so continue until either:

1. a nominee receives the majority required for election at which time such nominee shall be declared elected; or
2. if it becomes apparent by reason of an equality for the least number of votes that one nominee cannot be dropped, then the Clerk shall place the names of the candidates with the least votes on equal size pieces of paper in a box and one name shall be drawn by the person chosen in accordance with Section 4.1.4 and the name of that nominee shall be dropped from the ballot.
3. and further, once the nominee to be dropped has been decided, all the remaining nominees, including the leading candidate(s), will be placed on the next ballot.

4.1.10 In the case of an equality of votes for Warden where only two nominees remain, the successful nominee shall be determined by the Clerk who will place the names of the nominees on equal size pieces of paper in a box and one name shall be drawn by the person chosen in accordance with Section 4.1.4 and that nominee shall be the successful candidate.

4.1.11 When a nominee has received a majority vote of Council, there shall be no further ballots.

4.1.12 The successful nominee, upon being named Warden by the Clerk, shall take an oath of office prior to taking any further action in this capacity as head of Council and Chief Executive Officer. This oath is to be administered by a Judge or the Clerk.

4.2 DUTIES

4.2.1 It shall be the duty of the Warden or other duly appointed presiding officer:

1. to act as Chief Executive Officer of the Municipality;
2. to preside as Chair over Council meetings so that its business can be carried out efficiently and effectively;
3. to provide leadership to the Council;
4. to provide information and recommendations to the members of Council with respect to Council's role to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;

5. to provide information and recommendations to the members of Council with respect to Council's role to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
6. to represent the municipality at all official functions;
7. to carry out the duties of the head of Council under the *Act* or any other Statute of the Province;
8. to open the meeting of Council by taking the Chair and calling the members to order;
9. to announce the business before the Council in the order in which it is to be acted upon;
10. to receive, in the proper manner, all motions presented by the members of Council and to submit these motions as questions for proper debate;
11. to put to a vote all questions which are duly moved and seconded, or necessarily arise in the course of proceedings and to announce the results;
12. to decline to put to a vote motions which infringe upon the Rules of Procedure;
13. to restrain the members, within the Rules of Procedures, when engaged in debate;
14. to enforce on all occasions the observance of order and decorum among the members and those before Council;
15. to call by name any member persisting in breach of the Rules of Procedure, thereby ordering the member to vacate the meeting place;
16. to receive all messages and other communications and announce them;
17. to authenticate by his or her signature, when necessary, all By-laws and Minutes of the Council;
18. to inform the members of the Council, when necessary or when referred to for the purpose, on any point of order;
19. to represent and support the Council, declaring its will and implicitly obeying its decisions in all matters;
20. to ensure that the decisions of the Council are in conformity with the laws and By-laws governing the activities of the Council;
21. may be ex-officio a member of all committees of the Council;
22. to perform all other duties as defined by Council;
23. to adjourn the meeting without question in the case of grave disorder arising during the meeting, or suspend the sitting of Council, until a time to be named by the Warden; and,
24. to adjourn the meeting when the business of Council is concluded.

4.2.2 The Warden may, without leaving the Chair, speak to any question under consideration and prior to the question being disposed of by Council.

4.2.3 When the Warden is called upon to decide a point of order or procedure, the Warden shall state the rule or authority applicable to the case, and make a ruling, if necessary in consultation with the Clerk; and, if an objection is made to the ruling by at least two members, the Warden shall submit said ruling to a vote of Council, without debate, in the following words:

"SHALL THE RULING OF THE CHAIR BE SUSTAINED?".

and the decision of the Council shall be final.

- 4.2.4 When two or more members concurrently request to speak on an issue, the Warden shall name the member who is first to be heard and the other member(s) shall have the privilege of speaking thereafter in the order named by the Warden.
- 4.2.5 The Warden, except when disqualified to vote by reason of pecuniary interest or any other Statute of the Province, may vote on consideration of a motion for *Division of the Assembly*, and may vote with the other members on all questions.
- 4.2.6 When the Warden sees fit to exercise the right to vote on any question before the Council, the Warden may explain the vote.
- 4.2.7 As Chief Executive Officer of the County, the Warden shall:
1. uphold and promote the purposes of the municipality;
 2. promote public involvement in the municipality's activities;
 3. act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
 4. participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.

5. DEPUTY WARDEN

- 5.1 Prior to the appointment of a Deputy Warden, the term of office for Deputy Warden will be decided by open vote during the Inaugural Meeting or a regular Meeting of Council. If the term is decided to be less than the full term of the present Council, nomination dates will be decided by open vote during the Inaugural Meeting of Council.
- 5.2 The appointment of a Deputy Warden will be in accordance with Section 4.1, with the necessary substitutions.
- 5.3 The Warden cannot be nominated or stand for appointment to the position of Deputy Warden.
- 5.4 The duties of the Deputy Warden are the same as noted in Section 4.2 but can only be exercised when the Warden is absent or refuses to act or his/her office is vacant, pursuant to the *Act* or any other Statute of the Province.
- 5.5 The duties of the Deputy Warden may include other duties as defined by Council.

6. ORDER OF BUSINESS

- 6.1 The order of business for the regular meetings of Council shall be as follows:
1. Call to Order
 2. Approval of Agenda
 3. Disclosures of Pecuniary Interest and the General Nature Thereof
 4. Adoption of Council Minutes of Previous Meeting
 5. Public Meetings
 6. Delegations, Presentations and Consideration Thereof

7. Consideration of Correspondence
8. Reports from Departments (including presentations)
9. Unfinished Business
10. Motions
11. Notice of Motions
12. Enquiries
13. Closed Session (agenda shall state the general nature of matters to be dealt with in closed session)
14. Consideration of Matters Arising from the Closed Session
15. By-laws (including Confirming By-law)
16. Adjournment

7. CONDUCT AT MEETINGS

7.1 Council and Committee Members:

- 7.1.1 Council and Committee Members shall govern themselves according to Council's Code of Conduct (Policy No. 9.17).
- 7.1.2 The Warden or Chair shall preserve order and rule on points of order and privilege.
- 7.1.3 Every member desiring to speak shall indicate so in order to be recognized by the Warden or Chair.
- 7.1.4 Every member, on being recognized, shall remain seated in their place and address themselves to the Warden or Chair.
- 7.1.5 Have the right to speak first in debate, if they are the author of the *Question on the Floor* or other motion under consideration.
- 7.1.6 When intending to introduce a motion, do so immediately, but may preface the motion with a few words of explanation, of which such words must not become a speech.
- 7.1.7 A member called to order by the Warden or Chair, shall immediately cease further comment and may appeal the call to order to the Council or Committee. The Council or Committee, if appealed to, shall decide on the case without debate and by way of a majority vote of the members present. If there is no appeal, the decision of the Warden or Chair shall be final.
- 7.1.8 No member shall, without leave of the Council or Committee:
 - 7.1.8.1 Speak to an issue for more than five (5) minutes (cumulative).
 - 7.1.8.2 Use offensive words or speak disrespectfully of the Warden, Members of Council, committee, staff or the public, the Reigning Sovereign, or any member of the Royal Family, of the Governor-General of Canada, of the Lieutenant-Governor of any Province, of any member of the Senate, of any member of the House of Commons of Canada, or any member of the Legislative Assembly of the Province of Ontario.

- 7.1.8.3 Speak on any subject other than the subject under debate.
- 7.1.8.4 Speak in contempt of any decision of the Council or committee;
- 7.1.8.5 Leave his or her seat or make any noise or disturbance while a vote is being taken or until the result is declared; and
- 7.1.8.6 Disobey the rules or decisions of Council or a decision of the Warden or Chair on points of order or privilege, or upon the interpretation of the Rules of Procedure. If a member persists in such disobedience after having been called to order by the Warden or Chair, the member may be ordered by Council or committee to leave his or her seat for the meeting. In the event that a member refuses to vacate their seat, the Warden or Chair may request that the member be removed by the Clerk and/or staff as required. In case of adequate apology being made by the member, they may, by way of majority vote of the members present, be permitted to take their seat.
- 7.1.8.7 A member shall not leave the meeting when they do not intend to return thereto without first advising the Warden or Chair.

8. RULES OF DEBATE IN COUNCIL

- 8.1 Every member present at a meeting of the Council when a question is put to vote (*Putting the Question*), shall vote thereon unless prohibited by any Statute of the Province, in which case the Clerk shall so record in the minutes.
- 8.2 If any member present at a meeting of the Council when a question is put to a vote and a recorded vote is taken, does not vote, he or she shall be deemed as voting in the negative except where he or she is prohibited from voting by any Statute of the Province, pursuant to Sec. 246(2) of the *Act*.
- 8.3 If a member disagrees with the announcement of the Chair that a question is carried or lost the member may, but only immediately after the declaration of the result by the Chair, object to the Chair's declaration and request a recorded vote to be taken or make a motion for *Division of the Assembly*.
- 8.4 When a recorded vote is requested, either before or after the vote, but before proceeding with the next item of business, the Clerk shall call the names of each member at random, and the Clerk shall record the name and vote of every member on any matter or question.
- 8.5 When the Chair calls for the vote on a question, each member shall occupy his or her seat and shall remain in his or her place until the result of the vote has been declared by the Chair, and during such time no member shall speak to any other member or make any noise or disturbance.
- 8.6 When a member is speaking no other member shall pass between the speaker and the Chair or interrupt the speaker except to raise a point of order.

- 8.7 Any member may require the *Question on the Floor* or motion under discussion to be read at any time during the debate but not so as to interrupt a member while speaking.
- 8.8 No member shall speak more than once to the same question without leave of the Council, except that a reply shall be allowed to be made only by a member who has presented the motion to the Council, but not by any member who has moved an amendment or a procedural motion.
- 8.9 No member shall speak to the same question, or in reply, for longer than four (4) minutes, without leave of Council.
- 8.10 A member may ask a question only for the purpose of obtaining information relating to the matter under discussion and such question must be stated concisely and asked only through the Chair.
- 8.11 Notwithstanding Section 8.10, when a member has been recognized as the next speaker, then immediately before speaking, such member may ask a question of or through the Chair on the *Question on the Floor* or matter under discussion but only for the purpose of obtaining information, following which the member may speak.
- 8.12 The following matters and motions with respect thereto may be introduced orally without written notice and without leave, except as otherwise provided by these Rules of Procedure:
1. a point of order;
 2. a privileged question;
 3. presentation of a petition;
 4. to adjourn;
 5. to lay on the table;
 6. to put the *Question on the Floor* to a vote.
- 8.13 The following matters and motions with respect thereto may be introduced without notice and without leave, but such motions shall be in writing signed by the mover and seconder, except as otherwise provided by these Rules of Procedure:
1. to amend;
 2. to suspend the Rules of Procedure;
 3. to postpone indefinitely;
 4. to postpone to a certain time;
 5. to go into the Committee of the Whole.
- 8.14 In all cases not listed in Sections 8.12 and 8.13, during the proceedings of the Council or in the Committee of the Whole, the matter or motion shall be decided by the Chair who may, if necessary, consult with the Clerk, subject to an appeal to the Council upon a point of order, in accordance with Section 4.2.3.

9. MOTIONS AND AMENDMENTS

9.1 NOTICE(S) OF MOTION

- 9.1.1 Notice of all new motions, except motions listed in Sections 8.12 and 8.13, shall be given in writing and duly signed at a meeting of Council or Committee, but shall not be debated until the next regular meeting of Council or Committee unless such motion is delivered to the Clerk or Committee Secretary at least six (6) days preceding the date of the meeting at which such motion is to be introduced; and such motion shall be printed in full on the Agenda for that meeting of the Council or Committee and each succeeding meeting until the motion is considered or otherwise disposed.
- 9.1.2 Notwithstanding Section 9.1.1, during Council's review and consideration of annual business plans and budgets, all amending motions shall be tabled in writing and duly signed as Notices of Motion to be debated at the Budget meeting specifically identified for budget debate. The Clerk will ensure that all such motions are printed in full on the agenda for the meeting when debate is scheduled to occur.
- 9.1.3 When a member's *Notice of Motion* has been called from the Chair for two (2) successive meetings and not duly considered or otherwise disposed, it shall be dropped from the agenda unless the Council or Committee otherwise decides.
- 9.1.4 If, at the third meeting, such *Notice of Motion* is put to a question by the Chair and not considered or otherwise disposed, it shall be deemed to have been withdrawn.
- 9.1.5 Any motion may be introduced without notice if the Council, without debate, dispenses with the notice requirements of Section 9.1, on the affirmative vote of at least two-thirds of the members present and voting.

9.2 MOTION TO BE SECONDED

- 9.2.1 A motion must be formally seconded before the Chair *States the Question* and can put the *Question* to a vote, or before the Clerk can record the motion and its result in the minutes.

9.3 STATING THE QUESTION

- 9.3.1 When a motion is presented in Council in writing, it shall be read aloud by the Chair.
- 9.3.2 Notwithstanding Section 9.3.1, at his or her discretion, the Chair may choose not to read the motion aloud.
- 9.3.3 When a motion is presented in Council orally, it shall be stated by the Chair and recorded by the Clerk before debate can occur.

9.4 MOTION ULTRA VIRES

9.4.1 A motion in respect of a matter which is beyond the jurisdiction of the Council or Committee shall not be in order.

9.5 QUESTION ON THE FLOOR

9.5.1 After a motion is stated by the Chair it shall be deemed to be in the possession of the Council or Committee, but the motion may, with the permission of the Council, be withdrawn by the mover and seconder at any time before the Question is put or any amendment(s) made thereto.

9.5.2 A *Question on the Floor* for decision must duly be considered or otherwise disposed before any other motion can be received, except motions in respect of matters listed in Section 8.12.

9.5.3 A motion to refer a *Question on the Floor* to Committee of the Whole, a Committee of Council or an Advisory Body shall preclude all amendments of the main question until the motion to refer is duly considered or otherwise disposed.

9.6 PREVIOUS QUESTION

9.6.1 A motion for the *Previous Question* is the motion used to bring the Council to an immediate vote on one or more pending *Questions*. It has the effect of closing debate and preventing any further amendment of the *Question on the Floor*. It does not prevent the making of any *Privileged Question*, nor does it prevent a special-order set for a particular hour from interrupting the pending business.

9.6.2 A motion for the *Previous Question* only can be moved using the following words:
“THAT THE QUESTION NOW BE PUT.”

9.6.3 A motion for the *Previous Question* cannot be proposed when an amendment, pursuant to Section 9.7, is under consideration.

9.6.4 A motion for the *Previous Question* is not allowed in Committees.

9.7 AMENDMENTS

9.7.1 A motion to *Amend* shall adhere to the following rules:

1. be presented in writing (*Primary Amendment*) and duly seconded;
2. be relevant or germane to the *Question On the Floor*;
3. not be used to amend something previously adopted;
4. not be worded such as to propose a direct negative of the *Question on the Floor*;
5. be duly considered or otherwise disposed of by Council or Committee before a previous amendment of the same question;
6. be amended only once (*Secondary Amendment*), and any further amendment must be to the main question;
7. be put to a vote in the reverse order to that in which it is so moved; and,
8. may be used to separate and dispose of distinct parts of a question.

9.8 PRIVILEGED MOTION

9.8.1 A *Privileged Motion* shall receive the immediate consideration of the Chair and when resolved the *Question on the Floor*, so interrupted, shall be resumed at the point where it was suspended.

9.9 DIVISION OF A QUESTION

9.9.1 A motion to *Divide* the *Question on the Floor*:

1. can be applied only when the main *Question* can be divided properly into parts that can be considered and acted upon if none of the other parts is adopted, and where the effect of adopting all the other parts will be exactly the same – no more, no less – as adoption of the main *Question*;
2. takes precedence over the main *Question*, or related amendments, but it cannot be made while an amendment to the main *Question* is pending;
3. is out of order when another member has the floor;
4. must be seconded;
5. is not debatable; and,
6. cannot be reconsidered.

9.10 MOTION TO ADJOURN

9.10.1 A motion to *Adjourn* shall always be in order, except as provided in Section 9.10.2.

9.10.2 A motion to *Adjourn* is not in order when:

1. a member is speaking to the *Question on the Floor*;
2. a member has already indicated to the Chair that he or she desires to speak to the *Question on the Floor*;
3. proposed during a vote or during the verification of a vote; or,
4. proposed immediately following the affirmative resolution for the *Previous Question*.

9.10.3 A motion to *Adjourn* a regular meeting of Council must state the time at which the next session or meeting of Council is to be held.

9.10.4 A motion to *Adjourn* the final regular meeting of Council's term, wherein unfinished business remains at the time of adjournment, has the effect of causing said unfinished business to fall to the ground. Such business may be introduced at the next session of Council, however, the same as if it had never been brought up.

9.11 RECONSIDERATION OF A COUNCIL DECISION

9.11.1 Council may reconsider an entire resolution that was decided upon during any term of Council. A reconsideration of a portion of a resolution shall not be permitted. Such reconsideration can either amend the previous decision or rescind it.

- 9.11.1.1 No resolution shall be reconsidered more than once during the term of Council.
- 9.11.1.2 A motion to reconsider shall not be reconsidered.
- 9.11.2 A resolution that was decided by Council cannot be reconsidered if the action has been taken in implementing the resolution resulting in legally binding commitments that are in place on the date the motion to reconsider is considered by Council.
- 9.11.3 If Council passes a resolution and adopts the same matter by by-law, only the resolution may be reconsidered. If the decision resulting from the reconsideration warrants, the by-law will be amended or repealed accordingly.
- 9.11.4 A motion to reconsider shall be introduced by way of a notice of motion to Council pursuant to Section 9.1.
- 9.11.5 No delegations shall be permitted to speak on a notice of motion to reconsider.
- 9.11.6 Only a Member of Council who voted with the majority in respect of a previous decision or who was absent from the vote or was not a Member of Council at the time may move or second a motion for reconsideration.
- 9.11.7 A motion to reconsider must be carried in the affirmative by a vote of two thirds of the entire Council.
- 9.11.8 Any revision to the budget in budget confirmation years shall not be deemed a reconsideration.
- 9.11.9 If a motion to reconsider is decided in the affirmative:
 - 9.11.9.1 The reconsideration effectively returns Council to just prior to the original Council decision.
 - 9.11.9.2 Reconsideration of the original motion shall then be the next order of business unless the motion specifies a future date.
- 9.11.10 A notice of reconsideration received from the Local Planning Appeals Tribunal shall not be deemed a reconsideration of a Council decision.

10. VOTING ON MOTIONS

- 10.1 Immediately preceding the taking of the vote, the Chair shall state the *Question on the Floor* in the form introduced, in the precise form in which it will be recorded in the minutes.
- 10.2 After a *Question on the Floor* is stated by the Chair, 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.

- 10.3 Only members present when the *Question on the Floor* is stated by the Chair shall be entitled to vote on the question.
- 10.4 The manner of determining the decision of the Council or Committee on a *Question on the Floor* shall be decided prior to the vote being taken and at the discretion of the Chair, unless otherwise decided by Council or Committee, and may be by voice, show of hands, rising or otherwise, but shall never be by secret ballot, pursuant to Section 244 of the *Act*.
- 10.5 Whenever the vote in consideration of the *Question on the Floor* results in a tie, the question shall be deemed to have been resolved in the negative, except in the election of the Warden or Deputy Warden, whereupon the provisions of Section 4.1.9 shall apply.

11. BY-LAWS, PRESENTATIONS, DELEGATIONS, WRITTEN SUBMISSIONS AND MINUTES

11.1 BY-LAWS

- 11.1.1 The Clerk shall submit to Council a summary of all by-laws proposed for adoption that includes the by-law numbers and titles.
- 11.1.2 A complete copy of every proposed by-law shall be attached in electronic format to the agenda.
- 11.1.3 Every By-law, previous to it being adopted by Council, shall receive three readings.
- 11.1.4 The Clerk shall be responsible for their correctness should they be amended at a Council meeting.
- 11.1.5 Every by-law passed by Council shall:
 - 11.1.5.1 Be signed by the Warden, or the presiding officer;
 - 11.1.5.2 Be signed by the Clerk or designate;
 - 11.1.5.3 Be sealed with the County seal; and
 - 11.1.5.4 Indicate the date of passage.

11.2 PUBLIC PRESENTATIONS

- 11.2.1 A request from an outside organization or individual to make a presentation to Council or committee shall only appear on an agenda upon approval of the CAO or designate.
- 11.2.2 Public presentations are for information only.
- 11.2.3 Public presentations at a meeting shall be limited to a maximum of fifteen (15) minutes and shall be heard at the beginning of a Council or committee meeting.

- 11.2.4 Presentations by outside organizations or individuals shall not be permitted for the sole purpose of generating publicity or promotion.
- 11.2.5 Outside organizations or individuals shall provide the Clerk with written material for inclusion on the agenda six (6) days prior to the meeting date.
- 11.2.6 Presentations by outside organizations or individuals shall not be added on the revised agenda.

11.3 COUNTY STAFF PRESENTATIONS

- 11.3.1 Presentations by County staff at meetings shall endeavor to be a maximum of fifteen (15) minutes.
 - 11.3.1.1 Third parties hired on behalf of the County fall under Section 11.3.
- 11.3.2 Presentations by staff providing information with no accompanying report shall be heard at the beginning of a regular Council or Council Planning meeting.
- 11.3.3 Where a staff or third-party presentation accompanies an item on an agenda, the item shall be placed under items for discussion with the report and shall be brought forward for consideration immediately after the presentation has been made. If delegates wish to speak on an item with a presentation, the item shall not be considered until all delegates on the item have been heard.

11.4 DELEGATIONS

- 11.4.1 A delegate may address Council or committee for a period of time not exceeding fifteen (15) minutes. Council or committee may extend the time period by a majority vote of the members present. Such a motion shall be decided without debate.
- 11.4.2 For the purpose of Council and committee meeting agendas, delegates have up to 24 hours prior to the meeting time to notify the Clerk that they wish to delegate or to submit written submissions on items on the agenda.
- 11.4.3 A delegate may only address Council or committee with respect to an item on the agenda.
- 11.4.4 Delegates shall only be permitted at Council budget meetings designated for the explicit purpose of receiving budget delegations.
- 11.4.5 No delegation shall be made to Council or committee on matters relating to litigation or potential litigation, including those matters which are before and under the jurisdiction of any court or administrative tribunals unless such matter is referred to Council by the said administrative tribunal or court.
- 11.4.6 No delegate shall speak on a matter that is not within the jurisdiction of the Council or committee. The Warden and committee Chairs in consultation with the CAO (or designate) will determine if a matter is within the jurisdiction of the Council or committee.

- 11.4.7 No delegations shall be made to notices of motion on a Council or committee agenda. Delegations will have an opportunity to speak at a subsequent Council or committee meeting when that item will be discussed.
- 11.4.8 No delegations shall be permitted to speak on a notice of motion to reconsider.
- 11.4.9 No delegations shall be made at workshops.
- 11.4.10A delegate may not address Council or committee with respect to a by-law on the agenda.
- 11.4.11 Delegates shall not be permitted to appear before Council or committee for the sole purpose of generating publicity for an event.
- 11.4.12 No delegations shall be permitted to speak to presentations at Council.
- 11.4.13 No delegations shall be permitted to closed Agenda items.
- 11.4.14 A delegate shall only register themselves to speak and may not register other delegates.
- 11.4.15 If a delegate is unable to attend the meeting for which they are registered they may provide their written submission to the Clerk.
- 11.4.16 Delegates wishing to speak to a matter not on the agenda:
 - 11.4.16.1 Shall provide the Clerk in writing a request outlining the subject matter of the delegation and the action being requested to be taken by Council.
 - 11.4.16.2 The Clerk will advise the Warden or appropriate Chair and CAO of the request.
 - 11.4.16.3 The Clerk will advise the requestor that the Warden, appropriate Chair and CAO have been made aware of the request.
 - 11.4.16.4 The requestor will be advised of the actions taken or when the item is coming forward to Council or committee.
- 11.4.17 For Special Council meetings called under Section 3.6.1, delegations may be permitted at the discretion of the Warden or Chair in consultation with the CAO (or delegate). If delegations are not permitted, a note to that effect will be posted on the County website and/or included on the meeting agenda.

11.5 WRITTEN SUBMISSIONS

- 11.5.1 Individuals may submit written correspondence on matters listed on the agenda by the timelines specified in Section 11.4.2 and 11.4.17 for inclusion on the agenda and revised agenda.

- 11.5.2 Written submissions shall not contain any obscene or defamatory content or language.
- 11.5.3 The individual or group initiating or submitting the written submission to the Clerk must provide a key contact name, mailing address and telephone contact information.
- 11.5.4 Personal information will be redacted from the information published in the agenda.
- 11.5.5 Submissions that relate to a matter listed on the agenda should be submitted in accordance with the timelines specified in the public notice section to ensure inclusion on the agenda and revised agenda.
- 11.5.6 Submissions not relating to a matter listed on the agenda will be included on the subsequent information items in accordance with a petition policy approved by County Council.
- 11.5.7 No written submissions shall be accepted with respect to a by-law on the agenda.
- 11.5.8 Written submissions for Council budget meetings shall only be accepted for those budget meetings designated for receiving written submissions.

11.6 MINUTES

- 11.6.1 The minutes of the Council or Committee shall consist of:
 - 11.6.1.1 A record of the place, date and time of meeting;
 - 11.6.1.2 The name of the Chair, a record of all members present, and the names of those absent;
 - 11.6.1.3 The reading, if requested, correction and adoption of the Minutes of prior meetings;
 - 11.6.1.4 All other proceedings of the meeting without note or comment.
- 11.6.2 At the close of each meeting or session, the Clerk or Committee Secretary will transcribe the proceedings of such meeting in the minute book and immediately after the Approval of the Agenda at the next meeting of Council or Committee, the minutes of the previous meeting shall be considered so that any errors therein may be corrected, and the Chair shall then sign such minutes in open Council or Committee. The Clerk or Committee Secretary shall ensure that a copy of the minutes of each meeting is delivered to each member of the Council or Committee at least forty-eight (48) hours prior to the next meeting of Council or Committee.
- 11.6.3 When a matter of Question on the Floor is referred from one meeting to the next, the Clerk or Committee Secretary shall record it as unfinished business and

ensure the matter is brought forward as Unfinished Business before the Council or Committee at its next meeting.

11.6.4 The Clerk or Committee Secretary and/or their designate shall attend all Closed Meetings and record the proceedings, including procedural motions and direction given to staff, without note or comment.

11.6.5 The Clerk may delegate the Clerk's duties with respect to recording minutes in a Closed Meeting of Council or committee to a staff person. For Closed Meetings of Committee or Council where the CAO's performance or contract is addressed, the Clerk may delegate the Clerk's duties with instructions to a third party.

12. PUBLIC ACCESS TO MEETINGS

12.1 Except as otherwise provided in this Section, all Meetings shall be open to the public.

12.2 As per the Canadian Charter of Rights and Freedoms, meetings shall be conducted to respect the freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication.

12.3 When determined by the County Clerk, security personnel (third party, by-law enforcement officer, or Sergeant-at-Arms) shall be present to oversee the media and public areas of the gallery.

12.4 If a member of the public or media is determined to be disruptive by the Warden or presiding officer, the Warden or presiding officer will ask the person to stop being disruptive. In the event that the disruptive behaviour continues, the Warden or presiding officer will direct the security personnel, who shall provide the person with a warning. If the warning is not adhered to by the person, the security personnel shall advise the Chair, Warden or presiding officer.

12.5 When advised by security personnel that the disruptive behaviour is continuing, or if the Warden or presiding officer deems the person to exhibit improper conduct, the person may be expelled from the meeting. If the decision is made to expel the person from the meeting, security personnel will request the person to leave the meeting room. If the person is noncompliant to the request to leave the room, security personnel will contact local police services for assistance.

12.6 In the absence of security personnel, the County Clerk (or designate), shall assume the role of security personnel.

12.7 A meeting or part of a meeting may be closed to the public if the subject matter being considered is:

12.7.1 the security of the property of the County or a local board;

12.7.2 personal matters about an identifiable individual, including County or local board employees;

12.7.3 a proposed or pending acquisition or disposition of land by the County or local board;

- 12.7.4 labour relations or employee negotiations;
 - 12.7.5 litigation or potential litigation, including matters before administrative tribunals, affecting the County or local board;
 - 12.7.6 the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - 12.7.7 a matter in respect of which Council, a board, a committee or other body may hold a closed meeting under another Act;
 - 12.7.8 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;
 - 12.7.9 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;
 - 12.7.10 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
 - 12.7.11 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.
- 12.8 A meeting or part of a meeting shall be closed to the public if the subject matter being considered is:
- 12.8.1 A request under the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56*, if Council is designated as head of the Institution for the purposes of that Act; or
 - 12.8.2 an ongoing investigation respecting the County, a local board or a municipally controlled corporation by the Ombudsman appointed under *Ombudsman of Ontario Act*, an Ombudsman referred to in subsection 223.13(1) of the *Municipal Act, 2001*, or the Investigator referred to in subsection 239.2(1) of the *Municipal Act, 2001*.
- 12.9 A Meeting of Council or of a committee may be closed to the public if the following conditions are **both** satisfied:
- 12.9.1 The meeting is held for the purpose of educating or training the members; and that;
 - 12.9.2 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 or Committees.

- 12.10 Before holding a Meeting or part of a Meeting that is to be closed to the public, Council or Committee shall state by resolution:
- 12.10.1 The fact of the holding of the Closed Session and the general nature of the matter to be considered at the Closed Session; or
 - 12.10.2 In the case of a meeting under Section 12.9, the fact of the holding of the Closed Session, the general nature of its subject matter and that it is to be closed under that Section.
- 12.11 Only items contained in the resolution provided for in Section 12.10 shall be considered by the Council or Committee in Closed Session.
- 12.12 A meeting shall not be closed to the public during the taking of a vote except where:
- 12.12.1 The provisions of this By-law or the *Act* permit or require the meeting to be closed to the public; and
 - 12.12.2 The vote is for procedural matter or for giving directions or instructions to officers, employees or agents of the County or persons retained by or under a contract with the County.
- 12.13 After the Council agenda has been adopted by resolution, a motion to move into Closed Session is only in order if the motion relates to an item already on the approved agenda and a Closed Session is permitted in accordance with the provisions of this by-law.
- 12.14 After the motion to move into Closed Session has been adopted, the Warden or presiding officer shall remind all persons of the public and media (and designated staff) that are vacating the room to ensure all of their personal belongings and equipment are also removed, **or**:
- 12.14.1 Council will leave the Council Chamber and reconvene in Room 129 or other designated meeting place.
- 12.15 The Warden or presiding officer shall provide sufficient time to accommodate the public and media (and designated staff) to orderly vacate the room, up to a maximum of five minutes.
- 12.16 In the event there is heavy or bulky media equipment, and upon the discretion of the County Clerk (or designate), the equipment may be left in the meeting room if the equipment is verified by the Clerk to be powered off, unplugged, and pointed away from the Council seating areas.
- 12.17 If an emergency occurs during a Closed Session meeting, the meeting will be automatically deemed suspended in order for staff to manage the emergency.
- 12.18 If a non-emergency event occurs during a Closed Session meeting, the Warden or presiding officer will openly declare the meeting suspended in order for staff to manage the event.

- 12.19 If an unauthorized recording device is located during a Closed Session meeting, the Warden or presiding officer will openly declare the meeting suspended in order for staff to manage the event. The County Clerk (or designate) shall attempt to locate the owner of the device. The owner will be asked to demonstrate that the device did not record the Closed Session meeting to the satisfaction of the Clerk. If the device inadvertently recorded during the Closed Session meeting, the Clerk will request that the owner of the device erase the recording to the satisfaction of the Clerk. If the owner of the device is non-compliant to the request of the Clerk, local police services may be called for assistance.
- 12.20 After the Closed Session has concluded, the Warden or presiding officer shall provide sufficient time for the media and public to return to the media table.
- 12.21 All deliberations while in Closed Session shall remain confidential unless otherwise agreed upon by a Majority vote of Council. Only the final results of deliberations may be made public when such disclosure is authorized by Council.
- 12.22 Electronic mobile devices, personal or municipal are not permitted in Closed Session unless prior permission has been granted by the Warden and CAO.
 - 12.22.1 Only municipally supplied computers are permitted to be used during Closed Session unless prior permission has been granted by the Warden and CAO.

13. COMPOSITION AND DUTIES OF COMMITTEES OF COUNCIL

- 13.1 Council may at any time, on motion of a member duly considered and agreed to in the affirmative, strike a Committee, Quasi-Judicial Board, Ad Hoc Committee or Steering Committee, as the case may be, to consider and report on any matter or to perform any special service within the spheres of jurisdiction of the County, pursuant to Section 11 of the *Act*. Unless specifically provided for in the striking resolution and/or by-law, such committee shall dissolve as soon as the services for which that committee was appointed are performed.
- 13.2 For every Committee and Quasi-Judicial Board established by Council, Council shall adopt a terms of reference, and this terms of reference shall be reviewed with each term of Council and prior to any new committee appointments.
- 13.3 The terms of reference adopted by Council under 13.2 above must include the:
 - 13.3.1 Composition of the committee, including term of office for lay appointments if the term does not coincide with the term of Council;
 - 13.3.2 Committee mandate;
 - 13.3.3 Specific duties, including delegated duties (if any); and
 - 13.3.4 Requirement for a term report to provide a status update on the activities and accomplishments of the committee.
- 13.4 The powers and duties of Committees, Quasi-Judicial Boards, Ad Hoc Committees and Steering Committees shall be pursuant to the striking resolution and/or by-law of Council

as adopted, giving direction, but shall not include the decision-making authority of Council, pursuant to Section 11 of the Act, except in the case of a Quasi-Judicial Board, or as otherwise explicitly provided for in the striking resolution and/or by-law.

- 13.5 Unless Council specifically sets out in the striking resolution and/or by-law, or unless legislation provides otherwise, the term of office for member appointments to committees shall coincide with the term of Council.
- 13.6 Unless the terms of reference provide otherwise, or unless legislation provides otherwise, the term of office for lay appointments to committees shall coincide with the term of Council or until their successors are appointed.
- 13.7 Lay appointments to Committees, Quasi-Judicial Boards, Ad Hoc Committees and Steering Committees shall be in accordance with the following procedure:
 - 13.7.1 Where non-elected members (lay persons) are required to serve on any Committee, Quasi-Judicial Board, Ad Hoc Committee or Steering Committee, Council shall instruct the Clerk to publicly advertise these positions in consultation with the Manager of Strategic Communication and Engagement or designate.
 - 13.7.2 If an interview(s) with the applicant(s) is required with the Council or Striking Committee, said interview(s) will take place in a *Closed Session* of Council or the Striking Committee. A recommendation to the Council will be brought forward in a timely manner to ensure the composition of the Committee, Quasi-Judicial Board, Ad Hoc Committee or Steering Committee, as the case may be, is established by resolution and/or by-law.
- 13.8 A majority of the members of a committee is necessary to constitute a quorum.
- 13.9 The provisions of Section 3.9 apply if no quorum is present, with the necessary substitutions.
- 13.10 The *Order of Business* of meetings of Committees, Quasi-Judicial Boards, Ad Hoc Committees and Steering Committees shall be pursuant to Section 6 with the necessary substitutions and omissions.
- 13.11 The *Rules of Conduct* of the members of Committees, Quasi-Judicial Boards, Ad Hoc Committees and Steering Committees shall be pursuant to Section 7.
- 13.12 The *Rules of Debate* for Committees, Quasi-Judicial Boards, Ad Hoc Committees and Steering Committees shall be pursuant to Section 8, with the necessary substitutions, except Sections 8.8 and 8.9 shall not apply to limit the ability of or time allowed for any member to speak to a question or item under discussion.
- 13.13 Motions and Amendments thereto shall be considered in accordance with Section 9.
- 13.14 All decisions of the Committees, Ad Hoc Committees and Steering Committees shall be in the form of recommendations to Council, except as otherwise explicitly provided by Council resolution and/or by-law striking the committee and shall be forwarded by the Secretary to the Clerk for inclusion in the agenda of the next meeting of Council.

13.15 An employee of the County shall be the Secretary of the Committee, Quasi-Judicial Board, Ad Hoc Committee or Steering Committee and shall act as a resource person in a non-voting capacity.

14. REPEAL OR AMENDMENT OF THIS BY-LAW

14.1 This By-law is not to be amended or repealed except by a majority of all members of Council present.

14.2 No amendment or repeal of this By-law is to be considered at any meeting of the Council unless notice of the proposed amendment or repeal has been given at a previous regular meeting of the Council.

15. MISCELLANEOUS

15.1 For the purposes of this By-law, words used in the present tense include the future tense; words in singular number include the plural and words in the plural include the singular number; and the word "shall" is mandatory.

BY-LAW NO. 6268-2020
Schedule "B"
as amended by Resolution of Council November 24, 2021, and August 9, 2023

ELECTRONIC MEETING PROTOCOL

Procedure By-Law No. 6268-2020 shall continue to apply to an Electronic Meeting held pursuant to this Electronic Meeting Protocol (hereinafter, "Protocol"). Amendments to this Protocol may be permitted to be made by simple majority vote of Council to accommodate an effective and efficient meeting, so long as any such amendments are not contrary to prevailing Provincial legislation or orders.

Prior to Electronic Meeting

The method and technology used for an Electronic Meeting in Open or Closed Session will be determined by the Chief Administrative Officer based on the resources available.

General

Where an Electronic Meeting is held, Council Members, Staff, Delegates and Registered Members of the Public may attend by Electronic means.

Staff will ensure that the general public are able to watch and/or hear the business to be carried out at meetings which are held in Open Session by using an online streaming service in order to ensure that that the meeting is open and transparent.

Conduct

- i. Members of Council participating in a meeting electronically must use both video and audio.
- ii. Staff and members of the public participating in a meeting electronically must use both video and audio when their agenda item is being considered.
- iii. When participating in a meeting electronically, the manner of voting shall be by show of hands unless otherwise stated by the Chair. Failure to show a hand shall be considered a negative vote.
- iv. Staff shall mute their microphone and turn off their camera unless they are presenting or responding to a Member.
- v. Each Member shall mute their microphone and remain attentive to the proceeding when not assigned the floor by Chair.
- vi. When participating electronically in Closed Session discussions, Members and Staff must ensure confidentiality is maintained at all times.

Internet and Other IT Disruptions

In the event of an internet or other IT disruption compromises the ability of participants or the public to participate or stream in the Electronic Meeting, in the opinion of the Chair, the Chair shall call a recess and take such steps as necessary to address the issue and reconvene the meeting in a timely manner or, where this is not possible, adjourn the meeting to a later date.

The Oxford County Electronic Meeting Protocol shall continue to apply for Public Meetings, Boards and Committees.