

THE CORPORATION OF THE TOWNSHIP OF STRONG
BY – LAW #2007-1545

BEING a By-law to establish the Proceedings of Council
the Conduct of its members and the calling of Meetings

WHEREAS pursuant to Section 238(2) of the Municipal Act, 2001, c.25, every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings, and

WHEREAS pursuant to Section 238 (4) of the Municipal Act, 2001, c.25, before passing a by-law under subsection (2), a Municipality and local board shall give notice of passing the Procedural by-law by way of a notice in the Annual Newsletter.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF STRONG DOES

HEREBY ENACT AS FOLLOWS:

1. In this By-law:
 - a) "Clerk" means the Clerk of the Township of Strong
 - b) "Council" means the Council of the Township of Strong
 - c) "Head" means the Mayor of the Township of Strong

2. The Rules and Regulations contained in this by-law Shall Be Observed in all proceedings of the Council and shall be the Rules and Regulations for the dispatch of business by council and its committees

Council Meetings:

3. Regular meetings of Council shall be held in the Council Chambers on the Second and Fourth Tuesday of each month at 5:30 pm. The Fourth Tuesday is the Public meeting for By-law review.
4. The Inaugural Meeting of Council after a regular election shall be held on the first meeting in December at 5:30 pm
5. Council may, by resolution, alter the date and/or time of a regular meeting provided that adequate notice of the change shall be by placing an ad in the local paper.
6. Pursuant to Section 239 (1) of the Municipal Act, 2001, c.25, Except as provided in section 2 **ALL MEETINGS** shall be open to the public
239(2) Exceptions: A meeting or part of a meeting may be closed to the public if the subject is:
 - a) the security of the property of the municipality or local board

- b) Personal matters about identifiable individual, including municipal or board employees
- c) a proposed or pending acquisition or disposition of land by the municipality or board
- d) labour relations or employee negotiations
- e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or board
- f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose
- g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another act
- h) the subject matter relates to the consideration of 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.

Section 239(4) Before holding a meeting or part of a meeting that is to be closed to the public, a municipality or local board or committee of either of them **shall state by resolution,**

- a) the fact of the holding of the closed meeting; and
- b) the general nature of the matter to be considered at the closed meeting

Subject to Section 239(6), a meeting shall not be closed to the public during the taking of a vote

Despite Section 244, a meeting may be closed to the public during a vote if

- a) subsection (2) permits or requires the meeting 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.

7. Calling of special meetings

Section 240 (a) The head of council may at any time call a special meeting; and

(b) upon receipt of a petition of the majority of the members of council, the clerk shall call a special meeting for the purposes and at the time mentioned in the petition

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8. **Head of Council** except where otherwise provided, shall preside at all meetings of council and call the members to order

9. **Power to expel** – The head of council or other presiding officer may expel any person for improper conduct at a meeting
10. **Absence of head** – A municipality may by by-law or resolution appoint a member of council to act in the place of the head of council when the head of council is absent or refuses to act or the office is vacant and while so acting such member has all the powers and duties of the head of council.
11. **Voting** – except as otherwise provided, every member of council shall have one vote
12. **Open Voting** – except as provided in Section 233, no vote shall be taken by ballot or by any other method of secret voting and every vote so taken is of no effect.
13. **Tie Vote** – any question on which there is a tie vote shall be deemed to be lost, except where otherwise provided in any Act
14. **Recorded Vote** – if 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 or her vote openly and the clerk shall record each vote.
15. **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**.
16. **BY-LAWS** – the By-laws and resolutions of a municipality shall be passed in English Only.
17. **OFFICIAL PLAN** adopted by the municipality shall be in English Only
18. **PROCEEDINGS** – of every council and every committee of council may conduct its proceedings in English only.
19. **Minutes** – the minutes of proceedings shall be kept in English only.
20. **Seal** – Every by-law shall be under the seal of the corporation and shall be signed by the Clerk and the Head of council or presiding officer at the meeting at which the by-law was passed. The by-law can be sealed at any time in order to validate the by-law.
21. **NOTICE** – when required to give Notice under a provision of this ACT, the municipality shall, except as otherwise provided, give the notice in a form and manner and the times that the council considers adequate to give reasonable notice under the provision: Council determines that unless otherwise directed **NOTICE PROVISION FOR THE TOWNSHIP OF STRONG SHALL BE: Notice will be in the newsletter insert with the Tax Bill and on the Web Page.**
22. **Hearings:** If a council is required by law to hold a hearing or a public meeting before doing an act, passing a by-law or making a decision, the council may delegate that responsibility to a committee of council.
23. **Action of Council:** - The committee shall provide its recommendations to council after which council may pass the by-law or make the decision No further hearings/public meetings are required.
24. **Proceedings** – If the decision to be made by council on a matter is a statutory power of decision within the meaning of the *Statutory Powers Procedures Act*, the hearing must be conducted by this act.
25. **The Head of Council duties is:**
 1. to announce the business before council in the order in which it is to be acted upon
 2. to receive and submit in the proper manner all motions presented
 3. to put to a vote all motions that are moved and seconded and announce the result
 4. to decline to put to a vote motions that infringe upon the rules of procedure

5. to enforce order and decorum among the members and/or guests of council
6. to call by name, any member persisting in a breach of the rules of order
7. to authenticate by signature all by-laws; resolutions and minutes of council
8. to inform council, when necessary, on a point of order
9. to select the members of council who are to serve on Committees of Council
10. to represent and support Council in all its decisions in all things
11. to ensure that Decisions of Council are in conformity with the governing by-laws
12. to determine manner of declaring decision on a vote – show of hands, voice, etc
13. to adjourn the meeting, without question, in the case of grave disorder arising in the Council Chamber
14. to order any individual or group in attendance to cease and desist any behaviour that disrupts the order and decorum of the meeting and to order the individual or group to vacate the council chambers where such behaviour persists.

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AGENDA AND SUPPORTING MATERIAL

- 26.**
- a) The Clerk shall prepare the agenda for council and committee meetings as assigned
 - b) The Agenda and supporting material shall be available by the Friday prior to the meeting
 - c) Individuals or groups wishing to appear before council shall advise the clerk not later than 3:30 pm on the Thursday prior to the meeting, and the clerk may determine deferral to a subsequent meeting.
 - d) Written reports of Department Heads shall be made by the Monday before the meeting
 - e) Agenda material shall be listed as follows and may be modified from time to time:

1. Delegations	10. By-laws – introduce
2. Minutes of previous meetings	11. By-law – enactment
3. Business arising from minutes	12. Correspondence
4. Disclosure of Pecuniary Interest	13. Resolution to move into closed session
5. Payment of Accounts	14. New Business
6. Petitions of Council	15. Resolution go past curfew of 9:30 pm

7. Staff Reports

16. Adjournment

8. Motions

9. Notice of Motions

- f) The Business of the Council shall be taken up in the order as listed on the agenda unless otherwise decided by the Head or Presiding Officer

27. QUORUM – Generally Three members of council constitutes a quorum.

28. Curfew – Council and Committee meetings shall stand adjourned at 9:30 pm unless a resolution of council has been passed to extend the curfew

29. Conduct of Members of Council and Guests shall not:

1. Use Recording Devices at the Council or Committee meetings as they are PROHIBITED
2. Use offensive language against the Council, Staff or Guest
3. Disturb the Speaker or Assembly by disorderly conduct
4. Speak on any subject other than the subject in debate
5. Resist the Rules of Council or a decision of the Head on the Rules of Council
6. Leave a meeting without first obtaining permission from Head
7. be permitted to retake their seat after being ordered to vacate the chambers without making an apology to council
 - interrupt the member who has the floor except to raise a point of order
 - allowed to address council or speak in debate without permission of the Head
8. introduce a motion unless council agrees on a majority vote to dispense with notice
9. second a motion before a motion is voted upon and is recorded in the minutes
10. present a motion in writing before it is accepted, read and voted upon or amended
11. withdraw a motion - Once the motion is read by the Head, it may not be withdrawn without consent of a majority of members
12. speak more than once to the same question or motion without consent of the Head
13. address council unless through the chair and only when recognized to do so unless otherwise authorized by the Head
14. introduce a motion to a) refer a motion; b) to amend a motion c) defer a motion unless in writing without the consent of a majority of members

29 a MOTIONS

-The Clerk or other officer may present a motion in writing with consent of council

-Council may employ a confirming resolution or by-law immediately prior to adjournment for the purpose of validating decisions or direction given that is not set out in a by-law or resolution.

- 30. Point of Order and Privilege** – The Head shall preserve order and decide on questions of order and council, if appealed to, shall decide the question without debate and the decision is final.
- 31. BY-LAWS** – No by-law shall be presented to council unless the subject matter has been considered and approved by council.
- Every by-law shall be introduced, specifying the title of the by-law at a Public Meeting held on the 4th Tuesday of the Month, Every by-law shall be in typewritten form and available 14 days prior to the Public meeting. This constitutes the First Reading of the Draft By-law. Any by-law may be referred to: committee, department head, or solicitor for review or comment during first and second readings
 - The second reading of a draft by-law shall be decided with amendment if required
 - Every by-law shall be given three readings before enacting the by-law by Resolution
 - Upon passage, by-laws shall be numbered, signed by the Head and Clerk and Sealed

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- 32. GENERAL** – When the Head is absent on a temporary basis, under no circumstances shall the council make 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.
- Following an Election, the Clerk shall provide each member of Council with a copy of this Procedural by-law, including any amendments thereto.
 - Any procedure under this by-law that is discretionary may be suspended with consent of a majority of the members present.
- 33. Conflict of Interest** – In all matters and under all circumstances, the Members of Council shall be guided by and shall have regard to the Municipal Conflict of Interest Act, or its successors.

- 34. Delegations:** - Individuals or groups that are listed on the Agenda shall be limited to no more than a 15 minute presentation except if the group is more than 5 persons then 2 speakers shall be limited to 10 minutes each.
- 35. Repeal by-law #2002 - 1457**

READ A FIRST TIME THIS 22ND DAY OF MAY 2007

READ A SECOND TIME THIS 22nd DAY OF MAY 2007

READ A THIRD TIME AND FINALLY PASSED ON A MOTION BY Vi Montpetit

SECONDED BY Chris Ellis THIS 22nd DAY OF MAY 2007

Stephen R. Rawn, Mayor

Diana Georgie, Clerk

CERTIFIED to be a true
copy of by-law #2007-1545
enacted in open council
this 22nd day of May 2007