

BY-LAW NO. 7151-25  
OF  
THE CORPORATION OF THE COUNTY OF SIMCOE  
A By-law to Govern the Calling, Place and Proceedings  
of the Meetings of Council and Committees.

Whereas Section 238(2) of the *Municipal Act, 2001, S.O. 2001, c. 25* (“Municipal Act”), provides that every municipality shall pass a By-law governing the calling, place and proceedings of meetings; and

Whereas by the adoption of Resolution 2025-271, the Council of the County of Simcoe deems it expedient to enact a new updated Procedure By-law that reflects legislative requirements, to govern the calling, place and proceedings of the meetings of Council and Committees of the Corporation of the County of Simcoe;

Now therefore, the Council of the Corporation of the County of Simcoe hereby enacts as follows:

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## **SHORT TITLE**

This By-law shall be cited as the Procedure By-law.

## **PART 1 - GENERAL**

### **1.0 DEFINITIONS**

For the purpose of this By-law:

**"Business Sections"** means the divisions within a regular Committee of the Whole meeting each dedicated to specific subject matters within the scope and responsibility of Council;

**"Business Section Chair"** means the person appointed by Council to preside during their respective section at a regular Committee of the Whole meeting;

**"Business Section Vice-Chair"** means the person appointed by Council who would preside over the proceedings of their respective section at a regular Committee of the Whole meeting in the absence of the Chair;

**"Chair"** means the person appointed by Council or a Committee to preside at a meeting;

**"Chief Administrative Officer"** means the Chief Administrative Officer of the Corporation of the County of Simcoe;

**"Clerk"** means the County Clerk of the Corporation of the County of Simcoe or their designate;

**"Closed Session"** means a meeting or a part of a meeting which is not open to the public in accordance with the Municipal Act;

**"Committee"** means any Committee of Council or similar body of which at least 50 per cent of the members are also members of one or more councils or local boards, and includes the Committee of the Whole, Special or Ad Hoc Committees, Advisory Committees or a Task Force of Council;

**"Committee of the Whole"** means all members of Council and appointed members sitting as a Committee for the purpose of conducting business in a less formal manner in accordance with this By-Law;

**"Confirmatory By-law"** means a By-law passed for the purpose of giving general effect to the decisions or proceedings of Council;

**"Consent Items"** means items placed in a section of the agenda that is used to adopt items with one motion. Consent items may be pulled from the list of consent items by any member, for further discussion, debate or motion;

**"Council"** means the Council of the Corporation of the County of Simcoe;

**"Delegation"** means an address to Council or a Committee at the request of a person or an organization wishing to speak;

**"Deputy Warden"** means the person elected by Council to fulfill the duties of Head of Council in the Warden's absence, and to support the Warden under their guidance and direction;

**"Electronic Meeting"** means a meeting held in whole or in part by videoconference, or other form of electronic means;

**"Head of Council"** means the Warden for the County of Simcoe or any member acting in the capacity of the Warden;

**"Majority Vote"** means an affirmative vote of more than one half of the members present and eligible to vote;

**"Meeting"** means any regular, special, or other meeting of Council, or of a Local Board or a Committee of either of them where, a quorum is present and where 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;

**"Member"** means a member of Council, a member of Committee or an alternate member of Council appointed by a lower-tier municipality under Section 268 of the Municipal Act;

**"Motion"** means a proposal by a member presented in a meeting, in accordance with the rules of procedure, to deal with a matter before Council or Committee;

**"Presentation"** means an address to Council or Committee that has the consent of the Warden or Chair and was arranged at the request of Council, Committee or staff, and may include the presenting of an award, certificate, cheque, etc.;

**"Quorum"** means the number of members required to be present at a meeting to validate the transaction of business, that number being more than half of the members of the Council or Committee who are eligible to vote;

**"Recess"** means a short intermission in meeting proceedings which does not close the meeting, and after which business will immediately be resumed at exactly the point in proceedings where it was stopped;

**"Recorded Vote"** means a written record of the name and vote of every member present, voting on any matter or question at a Council meeting;

**"Resolution"** means the decision of Council on any motion;

**"Two-thirds Majority Vote"** means an affirmative vote of at least two-thirds of the members present and eligible to vote at a meeting. Weighted vote shall not apply to decisions where this By-law requires a two-thirds majority vote;

**"Vice-Chair"** means the person appointed by Council or Committee who would preside over the proceedings of a Committee meeting in the absence of the Chair;

**"Weighted Vote"** refers to a vote where the number of votes allocated to members of Council is prescribed by County By-law and is a written record of the name and vote of every member present, voting on any matter or question. A weighted vote shall only occur in a meeting of Council upon request and must be requested only prior to a matter or question being put.

## **2.0 APPLICATION/INTERPRETATION**

### **2.1 Application**

The rules of procedure contained in this By-law, or any standing or special rules of order adopted by the Corporation of the County of Simcoe shall be observed in all proceedings of Council and, with necessary modifications, its Committees and Boards. Failure to strictly adhere to the rules of procedure contained in this By-law shall not invalidate the action(s) of Council or a Committee acting in good faith.

### **2.2 Statutes Affecting By-law**

Whenever any reference is made in this By-law to a statute of the Legislature of the Province of Ontario, such reference shall be deemed to include all subsequent amendments to such statute and all successor legislation to such statute.

### **2.3 Matters Not Specifically Provided for in this By-law**

Matters not specifically provided for in this By-law shall be decided by the Warden or Chair, in accordance with as far as practicable, parliamentary procedures as generally outlined in "Robert's Rules of Order". The Clerk may be called upon to provide advice regarding procedural matters. Following receipt of any advice from the Clerk, the Warden or Chair shall announce their ruling.

## **2.4 Notice Required for Amendment or Repeal of By-law**

This By-law, or any part thereof, shall not be amended or repealed at any meeting of Council unless notice of the proposed amendment or repeal has been given at a previous meeting of Council. The requirement to give this notice shall not be waived.

## **2.5 Suspension of the Rules of this By-Law**

Except for statutory provisions or unless otherwise provided for within this By-law, any provision of this By-law may be suspended in whole or in part by Council on obtaining not less than two-thirds majority vote and weighted vote shall not apply.

## **2.6 Statutory Requirements**

Notwithstanding anything in this By-law, where Council or a Committee convenes for the purpose of holding a hearing as required by any statute or By-law, the provisions of the statute and the Statutory Powers Procedure Act, as applicable, shall govern the proceedings. If there is found to be any conflict between this By-law and any statute or By-law, the provisions of the statute or By-law shall prevail.

## **2.7 Schedules**

Schedules 1, 2 and 3 to this By-law shall form part of this By-law.

## **2.8 Severability**

If any section or part of this By-law is found by any court of competent jurisdiction to be invalid, such section or part shall be deemed to be severable and shall not affect the validity or enforceability of any other provisions of this By-law or the By-law as a whole.

# **PART 2 - DUTIES/RESPONSIBILITIES AND POWERS**

## **3.0 DUTIES AND RESPONSIBILITIES OF COUNCIL**

### **3.1 Role of Council**

In accordance with the Municipal Act, it is the role of Council:

- a) to represent the citizens of Simcoe County and to consider the well-being and interests of the County;
- b) to develop and evaluate the policies and programs of the County;
- c) to determine which services the County provides;
- d) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of County Council;
- e) to ensure the accountability and transparency of the operations of the County, including the activities of the senior management of the County; and
- f) to maintain the financial integrity of the County; and
- g) to carry out the duties of the County Council under the Municipal Act or any other Act.

## **4.0 CONDUCT OF MEMBERS**

### **4.1 Respectful Conduct**

Members in attendance at meetings shall conduct themselves with decorum in accordance with the provisions of this By-law and in a manner that demonstrates professionalism and fosters respect and recognition for the formal nature of such proceedings.

### **4.2 Right to Participate**

Members shall have the right to full participation in the proceedings of Council unless prohibited by law or as otherwise prescribed in this By-law.

### **4.3 Restrictions**

Unless otherwise prescribed in the Municipal Act, no member shall:

- a) be absent from the meetings of Council for three successive months without authorization by way of resolution of Council;
- b) speak disrespectfully of the Reigning Sovereign, or of any member of the Royal Family, the Governor General, the Lieutenant Governor of any Province, any member municipality, any other Council member or any official or employee of the County;
- c) use indecent, offensive or insulting language in or against Council or any member;
- d) engage in private conversation while in a Council meeting or use electronic devices including cellular phones, portable devices and computers for the purposes of facilitating or engaging in private discussion with regard to any matter on the agenda and/or any matter under debate at a meeting, except for the purpose of communicating a proposed motion to the Clerk;
- e) use electronic devices including cellular phones, portable devices and computers in a manner which interrupts or is disruptive to the proceedings of the Council;
- f) make noise or disturbance while a vote is being taken and until the result of the vote is announced;
- g) where a matter has been discussed in a meeting or part of a meeting closed to the public (closed session), and where the matter remains confidential, disclose the content of the matter or the substance of deliberations of the closed session; except to the extent that Council has previously released or disclosed the matter in public;
- h) criticize any decision of Council except for the purpose of moving a motion that the matter be reconsidered;
- i) disobey the rules of the Council or a decision of the Warden or Council on questions of order or practice or the interpretation of the rules of Council;
- j) absent themselves from and during any meeting without notifying the Warden or Clerk;

k) during any meeting, be dressed in a manner that is considered as unprofessional or which demonstrates a lack of due respect for the proceedings.

#### **4.4 Pregnancy and Parental Leave**

Notwithstanding Subsection 4.3 a), a member is permitted to take a leave in accordance with the rules of the County's Pregnancy and Parental Leave for Members of Council policy.

#### **4.5 Improper Conduct - Order to Vacate**

A member may be required to vacate the meeting for a portion of, or for the balance of a meeting when, in opinion of the Chair, a member is not conducting themselves in a proper manner and/or persists in breaching the rules of procedure. In such cases, the Chair, after three warnings, will order the member to vacate the meeting. Should the member refuse to leave the meeting, the Chair shall take the necessary action to expel the member. Should the member be requested to vacate the meeting, they shall do so immediately and such member forfeits their entitlement to compensation as provided under this By-law or the Council Remuneration By-law and policies of the County.

#### **4.6 Warden's Entry and Exit from Council Chamber**

At the commencement and upon adjournment of meetings of Council, members shall rise, if able, and maintain their position until the Warden has entered/exited the Council Chamber.

#### **4.7 Compliance with Policies and Code of Conduct**

All members shall adhere to this By-law and any other requirements related to conduct as may be contained within the Council Code of Conduct and any other County policies or By-laws adopted by Council.

### **5.0 POWERS AND DUTIES OF WARDEN AS HEAD OF COUNCIL**

The process for the election of Warden shall be in accordance with Schedule 1 to this By-law.

#### **5.1 Statutory Duties**

In accordance with the Municipal Act, it is the role of the Warden:

- a) to preside over meetings of County Council so that its business is carried out efficiently and effectively;
- b) to provide leadership to County Council;
- c) without limiting clause b), to provide information and recommendations to County Council with respect to the role of Council described in Subsections 3.1 d) and e) of this By-law;
- d) to represent the County at official functions; and

- e) to carry out the duties of the Head of Council under the Municipal Act or any other Act.

As Chief Executive Officer, pursuant to Section 226.1 of the Municipal Act, the Warden shall:

- a) uphold and promote the purposes of the County;
- b) promote public involvement in the County's activities;
- c) act as the representative of the County both within and outside the County, and promote the County locally, nationally and internationally; and
- d) participate in and foster activities that enhance the economic, social and environmental well-being of the County and its residents.

## **5.2 Warden Presides at Meetings of Council**

The Warden shall preside at all meetings of Council. In the absence of the Warden, the Deputy Warden shall preside.

## **5.3 Duties as Chair**

The Chair shall preside over meetings of Council in a manner that provides for business to be carried out efficiently and effectively and shall:

- a) open the meeting of Council by taking the position of Chair and calling the members to order;
- b) announce the business before the Council in the order in which it is to be acted upon and close the meeting when business has been concluded or recess the meeting as required;
- c) maintain order and preserve decorum during the meeting;
- d) receive, submit to a vote and announce the results of the vote for all motions, resolutions and By-laws presented;
- e) decline to put to a vote, motions which do not comply with the rules of procedure, or which are not within the jurisdiction of Council;
- f) rule on all procedural matters;
- g) expel or exclude from any meeting any person whom the Chair feels has exhibited improper conduct at the meeting;
- h) to authenticate by way of signature, as necessary, all direction, By-laws, and proceedings of Council;
- i) adjourn or suspend the meeting, without any motion being put, if they consider it necessary because of grave disorder.

## **5.4 Absence of Warden and Deputy Warden**

Should the Warden and Deputy Warden not be in attendance at a Council meeting within fifteen (15) minutes of the time a quorum is present after the scheduled commencement time for a meeting of Council, or after resumption of the meeting after a recess, the Clerk shall call the Members to order and a Chair shall be chosen

from amongst the Business Section Chairs (Committee of the Whole), as per the order below, and that individual shall preside until the arrival of the Warden or Deputy Warden:

- a) the Performance Management Business Section Chair shall preside; in their absence,
- b) the Human Services Business Section Chair shall preside; in their absence;
- c) the Corporate Services Business Section Chair shall preside.

#### **5.5 Warden Vacating the Chair**

The Warden may designate any other member to preside over a portion of a Council meeting when they leave the Chair for any reason.

#### **5.6 Substitution - Powers**

Any member appointed to preside over a meeting shall have and may exercise all the rights, power, authority and is subject to the obligations of the Chair as it relates to the chairing of proceedings, and as provided for under this By-Law.

#### **5.7 Substitution - Meetings**

The Warden shall be authorized to request the Deputy Warden to act as their representative at meetings of Committees to which they are a member by virtue of being the Warden. While attending, the Deputy Warden shall have full voting privileges and shall be counted for the purposes of quorum.

#### **5.8 Ex-Officio Member - Warden**

The Warden shall be an ex-officio member of all Committees of Council by virtue of the office and when attending, shall have full voting privileges and shall be counted for the purposes of quorum.

#### **5.9 Official Representative of the County**

The Warden will be expected at all times to maintain positive public relations in carrying out duties. The Warden will be the official spokesperson for County Council and coordinate the presentation of the County's position to the public and to other external public bodies, agencies and organizations. The Warden will be the official representative of County Council at all official functions to which the County may be invited. In the event that it becomes impossible for the Warden to attend a function, the Warden may appoint the Deputy Warden or another member of Council to act as a delegate as may be appropriate. Regular reports regarding the Warden's activities shall be placed on the consent agenda for each meeting of Council.

#### **5.10 Warden - Use of Vehicle**

While on County business, the Warden shall have the use of a vehicle for which the County shall be responsible for all associated expenses.

### **5.11 Report Improper Conduct**

It shall be the duty of the Warden to report to Council through the appropriate Committee, the name of any Member of any Committee or Board who does not appear to be properly performing their obligations to the committee or board on which they were appointed.

### **5.12 Vacancy - Office of the Warden**

In the event the Office of the Warden should become vacant, within the meaning of the Municipal Act, Council shall fill the vacancy in the Office of the Warden in the same manner as the Warden was originally appointed and in accordance with the election procedures set out in this By-law. The person appointed to fill the vacancy shall hold office for the remainder of the term of the person they replaced.

## **6.0 DUTIES AND RESPONSIBILITIES OF DEPUTY WARDEN**

The process for the election of Deputy Warden shall be in accordance with Schedule 1 to this By-law.

### **6.1 Substitution - Absence of the Warden**

The Deputy Warden shall act in the place of the Head of Council when the Head of Council is absent or refuses or is unable to act and while so acting, the Deputy Warden shall have the power and duties of the Head of Council pursuant to the Municipal Act.

### **6.2 Governance Committee**

The Deputy Warden shall be the Chair of the Governance Committee and present the reports of the Governance Committee to Council.

### **6.3 Ex-Officio Member - Deputy Warden**

The Deputy Warden shall have an ex-officio vote only on other Committees while acting in the absence of the Warden.

### **6.4 Assistance to Warden**

It shall be the duty of the Deputy Warden to provide assistance to the Warden under their guidance and direction.

### **6.5 Vacancy - Office of the Deputy Warden**

In the event the Office of the Deputy Warden should become vacant, within the meaning of the Municipal Act, Council may fill the vacancy in the Office of the Deputy Warden in the same manner as the Deputy Warden was originally appointed and in accordance with the election procedures set out in this By-law. The person appointed to fill the vacancy shall hold office for the remainder of the term of the person they replaced.

## **PART 3 - COUNCIL MEETINGS**

### **7.0 MEETINGS OF COUNCIL**

#### **7.1 Location for Council Meetings**

Meetings of Council shall be held in the Council Chamber at the County of Simcoe Administration Centre, 1110 Highway 26, Midhurst or other such location which may be designated by the Warden or Council from time to time or published on the agenda.

#### **7.2 Inaugural Meeting**

Unless provided otherwise in a meeting notice, the Inaugural Meeting of Council shall be held in-person at 1:00 p.m., on the second Tuesday in December following a regular municipal election. The Mid-term Inaugural Meeting shall be held in-person at 1:00 p.m. on the second Tuesday in December approximately halfway through a Council term, if required.

##### **7.2.1 Public Holiday**

In the event that the regularly scheduled day for the Inaugural falls on a public holiday, the Inaugural meeting shall be held at the same hour on the next day following that is not a public holiday.

##### **7.2.2 Inclement Weather or Emergency**

The Clerk, in consultation with the Chief Administrative Officer, may postpone the Inaugural Meeting if they are of the opinion that weather conditions and/or an emergency situation warrants such postponement for public safety or other similar reasons, and reschedule the meeting to the first suitable day following at the same hour.

##### **7.2.3 Notification of Postponement**

The Clerk shall inform the members elect prior to the scheduled time of postponed meeting and the alternate date of the meeting.

##### **7.2.4 Agenda/Proceedings**

The Clerk shall be responsible for the content of the agenda of the Inaugural Meeting. Inaugural meetings of Council shall be for the purpose of electing and declaring the appointments of Warden, Deputy Warden and Business Section Chairs and Vice-Chairs of Committee of the Whole. No other business other than what is stated on the Inaugural agenda shall be conducted.

#### **7.3 Regular Meetings**

Unless provided otherwise on a published agenda, all regular meetings of County Council shall be held at 9:00 a.m. on the second and fourth Tuesday of each month, in accordance with the schedule adopted annually by Council, except:

- a) as otherwise specified in this By-law;
- b) during the months of July, August and December;

- c) where amended, as per schedule approved by Council, to accommodate member attendance at conferences or to avoid conflicts with significant events such as Remembrance Day or municipal elections;
- d) as directed by resolution of Council.

#### **7.4 Special Meetings**

Special Meetings of Council may be called in accordance with the following provisions:

- a) **Special Meetings - Annual Schedule of Meetings**  
The annual schedule of Council meetings may include provisions to hold special meetings for such matters as budget deliberations, strategic planning or other matters which require time for special delegations, presentations or reports.
- b) **Special Meeting at Call of Warden**  
The Warden may at any time call a Special Meeting of Council. The Special Meeting shall be held on the date and time as designated for this purpose by the Warden.
- c) **Special Meeting by Petition of Majority**  
The Clerk shall call a Special Meeting upon receipt of a petition of the majority of members of Council for the purpose and on the date and at the time mentioned in the petition.

The only business that shall be dealt with at a Special Meeting of Council is that which is listed in the agenda.

#### **7.5 Cancellation of Meetings**

##### **7.5.1 Cancellation Due to Lack of Quorum**

Where a quorum is not present within 15 minutes after the hour fixed for the meeting, the Clerk shall record the names of the members of Council present and the meeting shall be adjourned and, in consultation with the Warden, make arrangements to reschedule the meeting to an alternate time, date and/or location.

##### **7.5.2 Cancellation Due to Weather or Emergency**

The Warden may cancel or alter the format of any meeting if they are of the opinion that weather conditions and/or an emergency situation warrants such cancellation for public safety or other similar reasons. When the Warden has cancelled a meeting, the Clerk shall inform all members prior to the scheduled time of the cancelled meeting and the alternate date, time and/or location if the meeting has been rescheduled.

#### **8.0 PUBLIC ACCESS TO MEETINGS**

##### **8.1 Meetings - Open to the Public**

All regular and special meetings of Council shall be open to the public, unless permitted to be closed in accordance with the provisions of the Municipal Act, and no

person shall be excluded from a meeting open to the public except for improper conduct or for breach of this By-law.

## **8.2 Public Meetings/Hearings**

Public meetings/hearings (except those where authority for decision-making has been delegated to a Committee of Council) shall be held at meetings of Council, in accordance with applicable legislation. Notice shall be provided in accordance with legislation or any County By-laws or policy. Delegations shall be heard at such meetings as prescribed by the applicable legislation or any County By-laws or policy.

## **8.3 Meetings - Taping, Televising, Recording of Meetings**

Meetings which are not closed to the public may be taped, televised or otherwise electronically or mechanically recorded provided that:

- a) approval is obtained from the Director of Public Affairs or the Clerk to tape, televise, or record the proceedings in advance of the meeting; and
- b) the taping, televising or recording is carried out in a manner that does not interfere with the proceedings of the meeting.

## **8.4 Evening Meetings - Adjournment**

Adjournment for any evening meetings shall be 10:00 p.m. The Council shall adjourn at that hour unless this rule is temporarily suspended by a majority vote of the members present.

## **8.5 Clerk Present at all Meetings**

Pursuant to the Municipal Act, the Clerk, or their designate, shall be present at all meetings of Council, including closed session meetings and special meetings of Council. This provision of the By-law may not be suspended.

## **8.6 Public Decorum**

Members of the public present during Council proceedings shall maintain order and shall not address Council except with the permission of the Chair.

Members of the public who display signs, placards, posters, clothing or other advertising devices, whether political or otherwise, that demonstrate a lack of respect for the formal nature of Council meetings may be requested by the Chair to leave or remove these items.

Members of the public shall abide by the provisions within this By-law regarding taping, televising, and recording of meetings.

No member of the public shall use flash photography in a manner that interferes with or is disruptive to the proceedings.

Members of the public present during Council proceedings shall refrain from engaging elected officials on the Chamber floor before, during or after meetings and from entering the Members' Lounge.

No member of the public shall applaud participants in debate or engage in conversation or other behaviour which is disruptive to the proceedings of Council.

No member of the public shall bring into the Council Chamber, any food or beverages, cellular telephones or other electronic devices which emit a sound, which is disruptive to the proceedings of Council, unless such device is turned off.

No person shall use indecent, offensive or insulting language or speak disrespectfully of the Royal Family, the Governor General, the Lieutenant Governor or any Province, any member of Council or any employee of the County.

Any person, who is not a member of Council, who contravenes any provision this subsection, may be expelled from the meeting by the Chair or in accordance with the direction of Council.

### **8.7 Media - Decorum**

Members of the media present during Council or Committee proceedings shall:

- a) refrain from engaging elected officials on the Chamber floor before, during or after meetings;
- b) abide by the provisions within this By-law regarding taping, televising, recording of meetings;
- c) use flash photography in a manner that does not interfere with the proceedings;
- d) turn off or silence all cellular or smart phones or other electronics which emit sound;
- e) conduct their activities in a quiet manner;
- f) co-ordinate media interviews through the Public Affairs team;
- g) refrain from entering the Members Lounge.

## **9.0 NOTICE OF MEETINGS**

### **9.1 Notice - Regular Meetings**

Notice to members, by way of posting of the agenda, for all regular meetings of Council, shall be provided by the Clerk to each member not less than five calendar days prior to the date set for the meeting.

### **9.2 Notice to the Public**

The Clerk shall provide notice to the public of all regular and special meetings of Council, agendas, cancellations and rescheduling by:

- a) electronically publishing the schedule of meetings of Council;
- b) updating the schedule of meetings of Council within 24 hours of any changes being made to the schedule; or

c) posting the agenda and agenda items for regular meetings of Council not less than five (5) calendar days in advance of the meeting date.

### **9.3 Notice - Content**

Notice of meetings of Council shall include the date, time and location/format of the meeting. The agenda for the meeting may constitute notice of such meeting.

### **9.4 Failure to Meet Notice Provisions**

Notice which is substantively given but which is irregular or not otherwise in strict compliance with this By-law will not invalidate the holding of a meeting or any action taken at a meeting.

### **9.5 Notice - Cancellation/Postponement**

Should it be necessary to cancel or postpone a regular meeting of Council, the Clerk shall set out, by way of written notice, the day, time and place of the rescheduled meeting and circulate such notice at least 48 hours prior to the rescheduled meeting, to each member, at the contact address the member has provided to the Clerk.

### **9.6 Notice - Special Meetings**

Notice of Special Meetings shall provide for a minimum of 24 hours notice to members, staff and public by way of posting of the agenda to the County website. In an emergency situation, notice may be waived by the Warden, in consultation with the Clerk.

## **10.0 COUNCIL AGENDAS**

### **10.1 Order of Business**

The business of Council shall, in all cases, be taken up in the order in which it appears on the agenda, unless the Warden deems it prudent to adjust the Order of Business during the meeting.

### **10.2 Duty of Clerk to Prepare Agendas**

The preparation of all agendas shall be the duty, responsibility and at the discretion of the Clerk.

### **10.3 Revisions to the Agenda**

Following the posting of the agenda, additions or deletions to the agenda shall not be allowed except with the approval of the Chair in consultation with the Chief Administrative Officer and Clerk. Should additions, amendments or deletions be necessary, such changes shall be published to the agenda and communicated to members prior to the meeting or circulated to members at the commencement of the meeting.

Any changes to the agenda, in accordance with this section, shall not be subject to the notice requirements set out in the notice section of this By-law or any other notice provision policy of the County.

#### **10.4 Hearing Part of Council Meeting**

Where any statute confers a right to be heard by Council before the passing of a By-law, or where Council by statute is required to hold a public meeting before the passing of a By-law, such meeting or hearing may be held during a regular Council meeting or at any Committee having jurisdiction over the subject matter of the By-law.

### **11.0 QUORUM**

#### **11.1 Quorum is Majority**

A majority of the members of Council is necessary to form a quorum.

#### **11.2 Quorum Required to Call Meeting to Order**

At the hour appointed for any meeting and following a lunch recess, the Clerk shall call the roll and record the names of the members of Council present. The Warden shall take the position of Chair and proceed with the business of the meeting if a quorum is present.

#### **11.3 No Quorum**

Refer to Subsection 7.5.1 - "Cancellation of Meetings".

#### **11.4 Number to Constitute Quorum - Conflict of Interest**

Where the number of members, who by reason of the Municipal Conflict of Interest Act, are prohibited from participating in a meeting is such that, at that meeting, the remaining members are not of sufficient number to constitute a quorum, then the remaining number of members shall be deemed to constitute a quorum, provided this number is not fewer than two.

### **12.0 DISCLOSURES OF PECUNIARY INTEREST**

#### **12.1 Member to Comply with Municipal Conflict of Interest Act**

Every member of Council, as defined by the Municipal Conflict of Interest Act, as may be amended from time to time, shall comply with the provisions of the Municipal Conflict of Interest Act including the written declaration of any pecuniary interest.

#### **12.2 Method of Disclosure**

Where a member has any pecuniary interest, direct or indirect, in any matter and is present at a meeting at which the matter is the subject of consideration, the member shall:

- a) at the beginning of each meeting and prior to any consideration of the matter at the meeting, disclose the member's interest and the general nature thereof; and
- b) not take part in the discussion of, or vote on any question in respect of the matter; and
- c) not attempt in any way whether before, during or after the meeting to influence the voting on the matter.

### **12.3 Member May Leave Open Meeting**

Any member declaring a pecuniary interest may, at their discretion, leave the meeting until Council has dealt with the matter in relation to which the interest has been declared.

### **12.4 Member Shall Leave Closed Session**

Where a meeting is not open to the public, in addition to complying with the requirements of the Municipal Conflict of Interest Act, the member declaring the interest, shall leave the meeting or the part of the meeting during which the matter is under consideration.

### **12.5 Member Absence - Disclosure at Next Meeting**

Where the interest of a member has not been disclosed due to the members absence from a particular meeting, the member shall disclose their interest and otherwise comply at the first meeting of Council which the member attends following the meeting where the matter was discussed.

### **12.6 Record of Disclosure**

The Clerk shall record every declaration of interest and the general nature thereof made by a member and this record shall appear in the minutes of the meeting. Declarations of interest made at a meeting or portion of a meeting, closed to the public, shall be recorded in the minutes or report of the meeting.

## **13.0 CLOSED SESSION**

### **13.1 Meetings - Closed to the Public**

Pursuant to the Municipal Act, a meeting or part of a meeting may be conducted in closed session if the subject matter being considered relates to:

- a) the security of the property of the municipality or local board;
- b) personal matters about an identifiable individual, including municipal 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 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) 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;
  - 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; or
  - l) the education or training of members provided that no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

### **13.2 Closed Session - Other Criteria**

Pursuant to the Municipal Act, a meeting or part of a meeting shall be conducted in closed session if the subject matter is:

- a) a request under the Municipal Freedom of Information and Protection of Privacy Act if the council or board is the head of an institution for the purposes of that Act; or
- 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 the Municipal Act, or the investigator referred to in Subsection 239.2 (1).

### **13.3 Closed Session - Resolution Required**

Prior to Council resolving into a closed session under the Municipal Act, Council shall state by resolution:

- a) the fact of holding the closed session;
- b) the general nature of the subject matter to be considered; and
- c) the specific provision under the Act which permits the closing of the meeting.

## **14.0 ELECTRONIC MEETINGS**

### **14.1 Electronic Meetings - General**

Any meeting of Council, a local board or Committee of Council may be conducted by electronic meeting, in accordance with the schedule adopted annually by Council, and subject to any protocols that may be determined necessary by the Warden, in consultation with the Clerk, to facilitate the meeting. Members are expected to be mindful of established guidelines for participating in an electronic meeting.

The Warden has the discretion to determine the extent to which any meeting will be conducted electronically and may alter the format of a meeting if, in their opinion and in consultation with the Clerk, it is optimal to do so.

### **14.2 Electronic Formats**

Meetings may be scheduled in the following formats:

- a) Electronic; or
- b) In-person and electronic (hybrid); or
- c) In-person.

The format of the meeting shall be published on the agenda for each meeting.

### **14.3 Quorum and Voting**

Members participating electronically shall be counted toward quorum in an open or closed meeting.

A member participating electronically in a meeting must always be visible unless otherwise prevented due to technology limitations disclosed to all participants before the calling of the vote. In the case of a recorded or weighted vote at Council, the Clerk will mark absent any member participating electronically who is not visible onscreen when asked to announce their vote, unless otherwise directed by the Chair.

### **14.4 Electronic Participants - Closed Session**

Members participating electronically must remain visible to all members during closed session when the meeting is held by videoconference.

Electronic participants must safeguard the confidentiality of closed session by ensuring no person or device can see or hear the discussion.

### **14.5 Livestreaming and Public Access**

#### **14.5.1 Livestreaming**

The County shall make reasonable efforts to record and livestream or broadcast all Council and Committee of the Whole meetings where it is technologically feasible, at the discretion of the Clerk.

#### **14.5.2 Technical Disruptions**

In the event of technical failure or disruption to the meeting or livestream, the meeting shall be recessed for up to 15 minutes so reasonable efforts can be made to reestablish connection.

For a fully electronic meeting when connection cannot be reestablished after 15 minutes, the meeting shall be adjourned and rescheduled.

For a hybrid or in-person meeting when connection cannot be reestablished after 15 minutes, the Chair may proceed with the meeting if a quorum is present.

#### **14.5.3 Meeting Recording Retention**

Council and Committee of the Whole meeting recordings are to be made available for public viewing for one year from the date of the meeting. The

County reserves the right to keep a convenience copy of any recording for longer than one year.

#### **14.5.4 Public Access to Fully Electronic Meetings**

The County shall ensure public access to fully electronic meetings through livestreaming. Livestreaming of fully electronic meetings of Council and Committees of Council shall be a requirement for a meeting to be conducted to allow public access and adhere to open meeting requirements.

#### **14.5.5 Public Access to Hybrid and In-person Meetings**

Livestreaming of hybrid and in-person meetings of Council and Committees of Council is for convenience purposes only and the method of public access to a meeting in these formats is in-person attendance. For greater clarity, should there be technical failure or disruption with the livestream of a hybrid or in-person meeting, the meeting may continue in-person and is deemed to meet open meeting requirements.

#### **14.6 Use of Artificial Intelligence Companions/Notetakers**

Artificial intelligence companions or notetakers shall not be used by or accompany any member participating in an electronic meeting.

### **PART 4 - ADDITIONAL MEETING PROCEDURES**

#### **15.0 RULES OF DEBATE**

##### **15.1 Recognition of Member**

Members wishing to address Council shall make their request known to the Chair by raising their hand or by any other method as permitted by the Chair and, upon recognition by the Chair, shall direct all comments through the Chair.

##### **15.2 Order of Speakers**

When two or more members indicate their desire to speak at the same time, the Warden/Chair shall designate the order of speakers.

##### **15.3 Limitations - Speaking**

Members shall:

- a) confine their comments to the motion.
- b) not speak more than twice to the same motion without Council's permission, except that a reply shall be permitted from a member who has presented the motion.
- c) not speak to any motion or question for longer than five minutes without an extension of the limit being granted by Council.
- d) not speak more than once until every member who desires to speak has spoken with the exception that one supplementary question may be permitted with each opportunity to speak. The Chair shall have discretion to provide latitude where

appropriate under this subsection, however, in applying such latitude, the Chair shall endeavour to ensure it is provided equitably.

#### **15.4 Interruptions**

When a Member is speaking, no other member shall interrupt the member speaking except to raise a point of order, privilege or personal privilege.

#### **15.5 Request to Read Motion**

A member may require a motion or question under discussion to be read at any time during the debate but not so as to interrupt the member speaking.

#### **15.6 Participation of Warden**

The Warden as a member of Council, Committee or other body has the same rights in debate as any other member. However, impartiality is to be exercised, as much as possible, while presiding over the proceedings of Council.

Should the Chair, while presiding, wish to vacate the Chair in order to move a motion or fully engage in debate, the Chair shall designate the Deputy Warden or another member to assume the Chair in their place until the issue on the floor is resolved.

The Chair retains the right to call to the attention of the members present any crucial factor relating to a matter under consideration if they believe such factor has been overlooked.

### **16.0 PRESENTATIONS**

#### **16.1 General**

Presentations are defined as an address to Council or Committee arranged at the request of the Warden, Council, a County Board, Committee or staff. Such presentations shall be limited to:

- a) Staff presentations that provide additional information to an item on the agenda or are generally related to County programs and services;
- b) Presenting of an award, certificate, cheque;
- c) County employee recognition type events; or
- d) Recognition of staff, County Councillors and/or County accomplishments.

With the exception of Subsection 16.1 a), presentations shall be coordinated by the Clerk, with the consent of the Warden. Staff presentations shall be coordinated by the Clerk and Chief Administrative Officer.

Scheduling of presentations shall be subject to the number of requests for presentations and volume of material on the agenda.

## **17.0 DELEGATIONS**

### **17.1 General**

Requests to make a delegation, received by the Clerk, shall be directed to the appropriate Committee Chair for consideration.

### **17.2 Delegations Before Council**

Delegation requests to address Council directly, without first appearing before the appropriate Committee, will be at the Warden's discretion and subject to the following considerations:

- a) the substance of the request relates to a matter which will be before Council;
- b) where the Warden deems the matter of sufficient importance and/or urgency and/or there is insufficient time to put it before Committee; or
- c) any statutory right to be heard (public meetings/hearings)

### **17.3 Scheduling of Delegations**

Delegations shall be scheduled at the sole discretion of the Warden, in the case of Council and Committee of the Whole, and may consult with the appropriate Business Section Chair. In the case of all Other Committees, delegations shall be scheduled at the discretion of the respective Committee Chair. Scheduling is subject to the number of requests received for that particular meeting and urgency of request or subject matter.

### **17.4 Restrictions - Time and Number of Speakers per Delegation**

Subject to Section 17.5, delegates shall be limited to ten minutes of speaking time. A delegation representing a group or organization shall be limited to two speakers. The 10 minute time limit shall apply regardless of whether there is more than one speaker in the group. In the case of a statutory public meeting/hearing, the speaking time will be as published on the notice.

Notwithstanding the above, time involved in receiving and answering questions from Committee or Council members shall not be deducted from the time limit for the delegation.

### **17.5 Extensions - Time Limits**

The Warden/Chair shall have the discretion to extend the time limit where appropriate.

### **17.6 Restrictions - Other**

Delegations concerning litigation or potential litigation including those matters before administrative tribunals, insurance matters or legal claims, employee relations or union negotiations, or matters of an administrative nature wherein the delegate has not yet proceeded through the prescribed process will not be heard at any Committee or Council meeting, unless extenuating circumstances apply and the consent of the Warden/Chair is granted.

Delegations pertaining to a matter that was considered at a statutory public meeting/hearing or will be the subject of an upcoming statutory public meeting/hearing shall not be permitted unless exceptional circumstances apply and the consent of the Warden/Chair is granted.

### **17.7 Process - Delegation Request**

Each request for delegation, along with any supporting documentation, is to be made in writing to the Clerk no later than ten calendar days in advance of the meeting date.

Requests for delegation are to include the complete name of the presenter(s), an outline of the nature and purpose of the delegation, material to be covered, the presenter(s) contact information, including mailing address and e-mail, along with the telephone number at which the individual or the contact person may be reached during normal business hours. A request may not be considered complete if the information provided is not sufficient, at the discretion of the Clerk.

Any PowerPoint presentation or other material to be used or presented at the meeting is to be forwarded to the Clerk's Department no later than 12:00 p.m. (noon) on the business day preceding the meeting date.

Delegates shall address the Chair from the presenter's table on the Council Chamber floor or as designated by the Chair and shall state their name and who they are representing.

### **17.8 Delegate - Decorum**

No delegate shall:

- a) speak disrespectfully of any person;
- b) use indecent, offensive or insulting language;
- c) speak on any subject other than the subject for which they have received approval to address Council or Committee on;
- d) disobey the rules of procedure or a decision of the Warden/Chair or Council/Committee. The Warden/Chair may limit or terminate any delegation for disorder or any other breach of this By-law. Should the Warden/Chair rule that the delegation is concluded, the person(s) appearing shall immediately end the delegation and exit the Chamber floor.

### **17.9 Delegate - Other Restrictions**

No person, except members and authorized County staff shall:

- a) be permitted to approach individual members or the Chair at the dais during a Council or Committee meeting without the permission of the Chair;
- b) directly address Council or Committee without permission of the Warden/Chair;
- c) engage in any activity or behaviour that would affect or interfere with the Council or Committee deliberations.

## **18.0 COMMUNICATIONS AND PETITIONS**

### **18.1 Communications - General**

Communications received from the public, a lower-tier member municipality, a municipality, or another level of government, may be placed on an upcoming agenda at the discretion of the Warden, in consultation with the Chief Administrative Officer and Clerk.

Regarding communication received from a lower-tier member municipality, only communications which are specifically addressed to the County related to County programs and services or contain a specific request of the County, may be placed on an upcoming agenda.

### **18.2 Content**

Communications, including petitions, intended to be presented to Council or Committee shall not contain any defamatory allegations, impertinent or inappropriate matter. For all communications submitted there shall be a designated contact person to whom the Clerk or staff can communicate on behalf of Council.

### **18.3 Petitions - General**

Petitions may be submitted as part of a communication or presented as part of a delegation. To ensure signatories understand their information will be a public document and subject to disclosure, petitions must be on a standard County form provided by the Clerk's Department for them to be included on an agenda.

### **18.4 Communications - Referral to Committee**

Any communication within the jurisdiction of a Committee may first be placed on the agenda for the appropriate Committee unless the communication relates to a subject or report scheduled to be considered by Council.

## **19.0 MINUTES**

### **19.1 Record of Proceedings - Council Meetings**

The Minutes of Council meetings shall record:

- a) the place, date and time of the meeting;
- b) the name of the Warden/Chair, along with the attendance of members; and
- c) all resolutions, decisions, and other proceedings of Council without note or comment.

### **19.2 Record of Proceedings - Closed Session**

The Minutes of Council closed sessions shall record:

- a) the general nature of the matter(s) discussed;
- b) the specific provision(s) under the Act that permitted the closing of the meeting;
- c) the members in attendance;
- d) the starting and concluding times for the closed session; and
- e) any direction, instructions or other proceedings.

### **19.3 Approval of Previous Minutes**

The Minutes of each Council meeting shall be presented to Council for approval at their next regular meeting.

## **20.0 BY-LAWS**

### **20.1 Readings**

All By-laws coming before Council shall be adopted upon a single reading, unless there is a requirement for more than one reading, pursuant to Provincial or Federal statute or regulation or at the discretion of Council.

### **20.2 Adoption of By-laws**

The adoption of By-laws presented to Council, with the exception of the Confirmatory By-law, may be the subject of one motion.

At the request of any member, any By-laws(s) may be discussed or voted on individually.

No By-law, except a By-law to confirm the proceedings of Council, shall be presented to Council unless its subject matter has been approved by Council.

No By-law may be defeated on the floor of Council without reconsideration of the original matter/motion which gave rise to the consideration of the By-law.

### **20.3 Confirmatory By-law**

The proceedings at every meeting of Council shall be confirmed by By-law so that every decision of Council at that meeting and every resolution thereof shall have the same force and effect as if each and every one of them had been the subject matter of a separate By-law duly enacted.

### **20.4 Minor or Clerical Revisions**

The Clerk is authorized to make minor deletions, additions or other grammatical and clerical errors or changes to any By-law before it is signed and sealed, for the purpose of ensuring correct and complete implementation of the actions of Council forming the subject matter of the By-law.

### **20.5 Amendments to By-laws**

Amendments to By-laws approved by Council shall be deemed to be incorporated into the By-law and if the By-law is enacted by Council, the amendments shall be inserted by the Clerk.

### **20.6 Execution of By-laws**

Every By-law enacted by Council shall be signed by the Warden or the member who presided as Chair at the meeting, and the Clerk. The corporate seal shall be affixed to the By-law and the By-law shall be numbered, dated and retained by the Clerk.

## **21.0 APPOINTMENTS**

### **21.1 Appointments by the Governance Committee**

The Warden, Deputy Warden and Business Section Chairs and Vice-Chairs, shall form the Governance Committee, whose duty it shall be, among other things, to submit recommended appointments of members to various Committees, Boards and external Committees and Boards as outlined in the Governance Committee Terms of Reference.

### **21.2 Weighted Vote on Appointments**

Weighted vote shall not apply on votes at Council regarding appointments.

## **22.0 COMPENSATION**

### **22.1 Remuneration - General**

Members of Council shall be compensated in accordance with this By-law and any other By-laws, resolutions or policies of the County of Simcoe pertaining to remuneration or compensation for elected officials.

### **22.2 Per Diems and Mileage - Meetings**

Members of Council shall be eligible to receive a per diem and mileage reimbursement at a rate established by Council from time to time, for the following:

- a) attendance at meetings of Council and Committee of the Whole,
- b) attendance at meetings of special Committees or Boards to which they have been appointed as Council's representative,

The following exception shall apply:

- a) the Warden and Deputy Warden are not eligible to receive a per diem for meetings attended.

Mileage amounts are to be computed using the shortest practicable route and shall be reimbursed only for such distances as the member actually drives to and attends the meeting or event for which mileage is being claimed.

### **22.3 Attendance - Council and Committee of the Whole Meetings**

Meetings of Committee of the Whole when held on the same day as a meeting of Council shall be deemed one meeting for the purpose of a per diem payment.

Members of Council shall not be absent from any Council meeting or Committee of the Whole meeting or absent themselves during any proceedings without first notifying the Warden and Clerk.

Subject to appointment By-laws, alternate members may attend meetings on behalf of members.

Attendance shall be monitored throughout the course of the meeting and shall be confirmed by the calling of the roll at the commencement of the meeting, or by the calling of the roll at any other time throughout the meeting as determined by the Warden. The roll shall be called after a noon recess and those not present shall receive only one-half of their per diem payment.

Members who leave the meeting prior to the adjournment of the day's proceedings shall be subject to receipt of only one-half of the per diem allowance, unless otherwise approved by the Warden.

#### **22.4 Member - Leave of Absence**

A member of Council may be granted leave of absence from Council meetings with pay, by the Warden or resolution of Council, only if they are absent because of their own illness or death in their immediate family ("immediate family" is defined as spouse, child, parent, sibling, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, grandparent or grandchild). This provision shall not apply to meetings of Committee or Boards.

#### **22.5 Remuneration - Delegated Responsibilities/Attendance**

The Warden shall have the discretion to authorize the payment of a per diem and/or mileage for any extra meetings attended by a member of Council who is delegated to represent the Warden at special functions on occasions when they are unable to attend.

Members of Council delegated to attend conferences shall receive compensation in accordance with County Policy/By-law or as otherwise established by Council.

#### **22.6 Cities of Barrie and Orillia**

Elected officials of the Cities of Barrie and Orillia shall not be eligible to receive compensation from the County of Simcoe for their participation at meetings of County Committees.

#### **22.7 Approval and Payment of Member Per Diems/Mileage**

The Clerk shall submit all per diems claimed for attendance at Council and Committee of the Whole meetings to the Warden following each meeting.

The Warden shall be required to approve all per diem and mileage reimbursements for members.

Such amounts shall be paid on the payroll date following submission of the approved payroll, being no later than the month following the date in which the per diem or expenses were incurred or as otherwise prescribed by County policy.

## **PART 5 - MOTIONS AND VOTING**

### **23.0 MOTIONS**

#### **23.1 Introduction of Motions**

No member shall present any matter/item to the Council for its consideration unless:

- a) the item relates to a matter on the agenda for that meeting; or
- b) the matter is of an urgent nature and waiving of the notice period is granted by Council by way of a two-thirds majority vote.

Notwithstanding Subsection 23.1 a) above, no motion to rescind or that has the effect of being contrary or opposite to a motion entered upon the minutes shall be received or put, unless notice of intention to introduce such a motion is given in accordance with Reconsideration provisions within this By-law.

#### **23.2 Ultra Vires**

A motion related to a matter that is beyond the scope of Council's powers (ultra vires), shall not be in order except where the matter is, in the opinion of the majority of Council (the question of opinion to be decided without debate) to do with the welfare of the citizens of the County of Simcoe generally and/or such motion is to request/seek involvement of the appropriate governing body.

#### **23.3 Providing Wording for Motions/Amendments to Clerk in Advance**

Where a Member intends to present an alternate motion or an amendment to a motion on the agenda, the proposed wording should be provided to the Clerk in advance of the meeting so that the Clerk can have ready the alternate wording for the proposed motion(s) or amendment(s).

### **24.0 NOTICES OF MOTION**

#### **24.1 Notice of Motion Provisions**

Members are encouraged to provide Notices of Motion in writing to the Clerk no later than eight days in advance of the date of the regular meeting at which the Notice of the Motion is to be presented; or where it has not been possible to meet the agenda deadline, such notice shall be provided to the Clerk no later than 12:00 p.m. noon on the last business day preceding the date of the regular meeting at which the Notice of Motion is to be introduced. The Clerk, upon receipt of a Notice of Motion delivered in this manner shall include the motion in full in the agenda under "Notices of Motion" for the next regular meeting of the Council.

Notices of Motion introduced during a meeting shall be presented to the Warden and Clerk in writing.

Notices of Motion shall only be permitted to be introduced and considered at Council meetings.

## **24.2 Disposal of Notice of Motion**

A Notice of Motion shall not be discussed, considered or otherwise disposed of by Council at the regular meeting at which notice is first introduced but may be discussed, considered or otherwise disposed of at a subsequent meeting of the Council provided the mover of the motion is in attendance at the meeting. The Notice of Motion will be provided to the members in the agenda for consideration under "Motions of Which Notice Has Been Given".

## **24.3 Notice of Motion Deemed Withdrawn**

When a Notice of Motion has been on the agenda for two successive Council meetings after which notice has been given and not proceeded with, it shall be deemed withdrawn unless otherwise directed by Council.

## **24.4 Dispensing With Requirement for Notice**

A motion may be introduced without notice if Council, without debate, dispenses with the requirement for notice on an affirmative two-thirds majority vote.

## **25.0 MOTIONS WITH RANKING**

### **25.1 Ranking of Motions**

Motions relating to an item under consideration shall be voted on in the following order (each matter or motion takes precedence over those that fall below it in the list):

- a) a motion to adjourn;
- b) a motion to recess;
- c) a motion to call the question (call the vote);
- d) a motion to defer (postpone);
- e) a motion to refer;
- f) a motion to amend;
- g) the main motion.

If one of the above motions is pending, any motion listed above it is in order. Those listed below it are not in order.

### **25.2 Motion - To Adjourn**

A motion to adjourn is used to bring the proceedings to a close.

A motion to adjourn takes precedence over any other motion:

- a) requires a seconder;
- b) is not amendable;
- c) is not debatable;
- d) is always in order, except:
  - i. when another member is in possession of the floor;
  - ii. when a vote has been called;
  - iii. when the members are voting;

- iv. when a member has indicated to the Chair their desire to speak;
- v. on the matter before Council.

When a motion to adjourn has been decided in the negative, no further motion to adjourn shall be made until Council has conducted further proceedings.

### **25.3 Motion - To Recess**

A recess is intended to provide for a short intermission in the meeting proceedings which does not close the meeting; after which business will be resumed at exactly the point where it was interrupted. A recess may proceed at the call of the Chair and without a formal motion or vote where there is a tacit consensus of members to take such recess.

Where there is no such consensus, a motion to recess:

- a) requires a seconder;
- b) is not in order when another member is in possession of the floor;
- c) is not debatable;
- d) shall specify the length of the recess;
- e) may only be amended with respect to the length of the recess.

### **25.4 Motion - To Call the Question (Call the Vote)**

A motion to call the question enables immediate closure of debate. Such motion shall not be put until all speakers who have indicated a desire to speak as listed by the Chair have spoken and the mover has had the opportunity to reply. A motion to call the question:

- a) does not require a seconder;
- b) is not in order when another member is speaking;
- c) is not allowable in meetings of Other Committees;
- d) is not debatable, except to provide the reasons for moving the motion;
- e) is not amendable;
- f) cannot be made when there is an amendment to a main motion under consideration.

Upon receiving an affirmative vote on the motion to 'call the question', the main motion under debate is to be put forward without any further debate.

A member who moves a motion to 'call the question' shall not be allowed to speak to the question again if the motion is decided in the negative.

### **25.5 Motion - To Defer (Postpone)**

A motion to defer (or Postpone Definitely) is a motion by which action relating to a pending motion may be put off, within limits, to a definite day, meeting, or hour, or until after a certain event has occurred.

A motion to defer is always in order, except when a member is speaking; during a vote; or immediately following the affirmative vote on a motion to call the vote on a question.

A motion to defer:

- a) requires a seconder;
- b) is not amendable;
- c) is not debatable;
- d) may be made while the main motion or an amendment is on the floor and takes precedence;
- e) shall specify a date or time period within which, consideration of the matter is to be deferred.

### **25.6 Motion - To Refer**

A motion to refer is a motion by which a matter, action or a pending motion can be sent or directed to a Committee, other body, County staff or other official named in the motion, to report back to Council or Committee. A motion to refer:

- a) requires a seconder;
- b) is not in order when another member has possession of the floor;
- c) is debatable provided that comments are confined to the merits of referring and the instructions included; debate with regard to the main motion is not permitted;
- d) is amendable with respect to the Committee or other body to which the matter is to be referred and the instructions to that Committee or other body;
- e) shall take precedence over all amendments or debate of the original motion until it is decided.

A motion to refer a matter shall indicate the Committee, body, staff or official to whom the matter is to be referred and may contain instructions as to the time period in which matter is to be brought back.

### **25.7 Motion - To Amend**

A motion to amend the main question is intended to perfect the main motion. Amendments can be done in four ways (1) striking out words, (2) inserting words or paragraph, (3) striking out and inserting words, or (4) substituting one main motion or paragraph of a main motion for another.

A motion to amend:

- a) requires a seconder;
- b) is not in order when another member is in possession of the floor;
- c) is debatable;
- d) is amendable, however, an amendment to the amendment (secondary amendment) is not;
- e) must be relevant to the main motion;
- f) shall not be in order if it is contrary to or in direct opposition to the main motion.

Only one motion to amend a main motion (primary amendment) shall be on the floor at any one time.

Only one motion to amend an amendment (secondary amendment) shall be on the floor at any one time. A secondary amendment cannot be amended and must be relevant to the primary amendment.

Voting on a main motion which has been amended shall be conducted in the following order:

- a) vote on the secondary amendment (motion to amend amendment);
- b) vote on the primary amendment (motion that amends main motion);
- c) vote on main motion (as amended).

### **25.8 Main Motion**

A main motion means a proposal that has been moved by a member and seconded by a member and presented in accordance with this By-law to deal with a matter before Council or Committee.

A main motion:

- a) requires a seconder;
- b) has the lowest rank;
- c) is amendable; and
- d) is debatable

### **25.9 Substantive Motion**

An amendment shall be out of order if it is ruled by the Warden/Chair to be a substantive (new) motion and not an amendment.

## **26.0 MOTIONS WITHOUT RANKING**

### **26.1 Motions - Incidental**

Motions which are incidental to the business at hand do not have ranking and may be introduced as provided for in this By-law. Incidental motions are as follows:

- a) Point of Order;
- b) Appeal the Decision;
- c) Divide the Question;
- d) Withdrawal of Motion;
- e) Suspension of the Rules.

### **26.2 Point of Order**

A Point of Order refers to a question raised by a member with a view to calling to the attention of the Chair and the members, a departure from this By-law or the rules, procedures and/or generally accepted practices of Council.

A Point of Order is to be raised immediately upon being noted by a member. If the point is not brought up in a timely fashion, it may only be brought up if the breach of the rules persists.

A Point of Order:

- a) takes precedence over any pending question out of which it may arise;
- b) does not require a seconder;
- c) can be applied to any breach of the rules;
- d) is in order when another member has the floor.

### **26.3 Point of Privilege or Personal Privilege**

A Point of Privilege or Personal Privilege refers to a question raised by a member where they consider a statement by a member to impugn the integrity of the Council (Privilege) or their own integrity (Personal Privilege). When a Point of Privilege is raised, it shall be considered and decided by the Chair immediately. The decision of the Chair on a Point of Privilege may be appealed to Council pursuant to Subsection 26.5 of this By-law.

### **26.4 Chair's Ruling**

The Chair has the authority to rule on Points of Order and Points of Privilege or Personal Privilege. No further business shall be conducted until the Chair has decided on the issue raised. The Chair's ruling is final unless appealed.

### **26.5 Appeal of the Ruling**

Where any member disagrees with the ruling of the Chair, the member may appeal the ruling. In this instance, the member would state, without being recognized by the Chair, that the decision of the Chair is appealed. The Chair may ask for discussion, with the member putting forth the appeal having the right to speak first.

When discussion is complete, the Chair shall call a vote on the question of upholding the ruling of the Chair. The Chair shall have the opportunity to provide further explanation of the ruling prior to calling the vote.

The ruling of the Chair shall be upheld by a majority vote of the members present. Weighted vote shall not apply.

Council's decision is final in the case of an appeal.

### **26.6 Motion - To Divide the Question**

A motion to divide the question pertains to a request that a motion be divided into parts, which are capable of standing alone, so they may be voted on separately.

When a motion under consideration contains distinct propositions that are capable of standing as a complete proposition if the others are removed, the parts can be separated to be considered and voted on as if they were distinct questions provided that a recorded vote has not previously been called. A question may be divided into

separate parts at the call of the Chair and without a formal motion or vote where there is a tacit consensus of members for such question to be divided.

Where there is no such consensus, a motion to divide the question:

- a) requires a seconder;
- b) is in order when another member has the floor;
- c) is not amendable; and
- d) is not debatable.

### **26.7 Withdrawal of Motions**

After a motion or amendment has been read or stated by the Warden, it shall be deemed to be in the possession of Council, but may, with the tacit consensus of members, be withdrawn by the mover and seconder at any time before a decision or amendment. A motion or amendment successfully withdrawn is as though it had never been made and is not reflected in the record of the proceedings.

### **26.8 Motion - To Suspend the Rules**

A motion to suspend the rules is used when Council wishes to do something during a meeting that would violate one or more of its regular rules. In such a case, a motion can be adopted to suspend the rules, provided that such suspension does not conflict with this or any other By-laws of the County, or any other statute prescribing rules of procedure applicable to County Council.

A motion to suspend the rules:

- a) requires a seconder
- b) is not amendable
- c) is not debatable
- d) requires a two-thirds majority vote

### **26.9 Motion - To Reconsider**

A motion to reconsider is a motion which would provide for consideration of a question on which a vote of Council has previously been taken or has the effect of being contrary or opposite to a motion entered upon the minutes of Council.

### **26.10 Reconsideration - General Provisions**

- a) A motion to reconsider a previous decision of Council shall only be introduced by a member who voted on the prevailing side of the original motion or who was not in attendance when the vote was called. Before accepting a motion to reconsider, the Chair may ask the member to confirm that they voted on the prevailing side of the original motion or confirm they were not in attendance when the vote was called.
- b) No question, after it has been decided by Council, shall be reconsidered within one year following the date the decision of Council was made.
- c) No question, after it has been decided by Council, shall be reconsidered more than once during the term of Council.

- d) No motion to reconsider may, itself, be the subject of a motion to reconsider.
- e) Actions of Council that cannot be reversed or suspended cannot be reconsidered.

#### **26.11 Reconsideration - Notice of Intention**

Notice of intention to reconsider a previous decision of Council shall be presented in accordance with Section 24 "Notices of Motion".

#### **26.12 Reconsideration - Restrictions**

- a) When a motion to reconsider is introduced, no discussion of the original motion or decided matter shall be allowed unless the motion to reconsider is approved by an affirmative two-thirds majority vote.
- b) Debate on a motion to reconsider shall be confined to reasons for or against reconsideration.
- c) If a motion to reconsider is decided in the affirmative at a meeting of Council, then consideration of the original decided matter may become the next order of business or may be referred to a subsequent meeting.
- d) Should a motion to reconsider be defeated, the original motion or decision to be reconsidered shall not be debated or voted upon until eligible under this By-law.

### **27.0 VOTING**

#### **27.1 Warden - Call for Vote**

The Chair, after they consider a fair and reasonable debate has taken place, may call for the vote and announce the vote on all questions.

#### **27.2 Method of Voting**

Members shall vote by raising their hand or by any other method as permitted by the Chair, except where a recorded or weighted vote has been requested. Votes taken by a "show of hands" shall be counted as one vote per member. In the case where the Chair or member is uncertain of the result of a vote that was taken by a "show of hands", they may request that the vote be re-taken.

Where in the opinion of the Chair the vote is clear and there is no reasonable doubt as to the side which has prevailed, the Chair may rule that such a request from a member for a vote to be re-taken is out of order.

#### **27.3 Failure to Vote**

Any member present at a meeting at the time of a vote, who refrains from voting, shall be deemed to have voted in the negative, except where the member is prohibited from voting by statute.

#### **27.4 Members - One Vote**

Every member present at a meeting of Council where a question is put shall vote on the question except when prohibited to vote by statute and each member shall have one vote, with the exception of a weighted vote.

### **27.5 Weighted Vote**

A weighted vote only applies while in Council and shall be applied in cases where a weighted vote has been requested by a member or as otherwise prescribed by legislation or By-law.

Any member present at the time of a vote on any question, without rising or addressing the Warden, may request a weighted vote. The member needs merely to call out "weighted vote".

Such a request:

- a) must be requested only prior to a matter or question being put;
- b) does not require a seconder;
- c) is in order even when another member has the floor;
- d) is not debatable;
- e) does not require a vote of the Council.

Weighted vote shall not apply on a decision to adopt a By-law to change the composition of County Council under Section 218 and Section 219 of the Municipal Act.

### **27.6 Recorded Vote**

Any member present at the time of a vote on any question, without rising or addressing the Warden, may request a recorded vote. The member needs merely to call out "recorded vote".

Such a request:

- a) may be made as soon as the question has been put, or after the vote has been taken and the vote announced, but before another motion is presented;
- b) does not require a seconder;
- c) is in order even when another member has the floor;
- d) is not debatable;
- e) does not require a vote of the Council.

### **27.7 Clerk Responsibilities - Weighted and Recorded Vote**

In the event that a recorded or weighted vote is requested, the Clerk shall:

- a) call the name of each member present in alphabetical order by surname, beginning with the member who requested the recorded or weighted vote, and ending with the Warden, with the exception of any member who is disqualified from voting by any Act,
- b) at the conclusion of the vote, report the result of the vote to the Warden.
- c) note the response beside the member's name in the minutes of the meeting.

### **27.8 Council Member Responsibilities - Weighted and Recorded Vote**

In the event that a recorded or weighted vote is requested, the members shall:

- a) unless disqualified from voting by any Act, announce their vote openly when called;
- b) remain seated until the result of the vote has been declared by the Warden; and
- c) shall not make any other motion or speak to the question or any other member or make any noise or disturbance.

The Warden shall announce the result of the vote openly. Any failure to vote by a member who is not disqualified shall be deemed to be a negative vote.

**27.9 Proxy Vote Not Permitted**

For greater certainty, proxy voting as set out in Section 243.1 of the Municipal Act, or any successor Section, shall not be permitted pursuant to this By-law.

**27.10 Tie Vote**

Unless otherwise prescribed, any motion on which there is an equality of votes shall be deemed to be lost.

**27.11 Secunder May Vote in Opposition**

A member who seconds a motion in order to initiate debate or discussion, may vote against the motion.

**27.12 Voting - Warden**

The Warden shall be eligible to vote on all issues before Council, subject to any legislation prohibiting they vote.

**27.13 Majority Vote**

All decisions of Council shall require a majority vote unless otherwise set out in this By-law or any other By-law or Act.

**27.14 Decisions - Two-thirds Majority Vote**

The following decisions of Council shall require a two-thirds majority vote:

- a) motion to consider a matter previously deferred indefinitely or deferred to a time or eventuality that has not been reached or occurred under Section 25 of this By-law;
- b) a motion to reconsider a question decided within the previous year under Section 26 of this By-law;
- c) a motion to waive notice in respect of a notice of motion;
- d) a motion to consider a substantive (new) matter not appearing on the agenda for the meeting; and
- e) a motion to suspend the provisions of this By-law pursuant to Section 2 of this By-law.

Weighted vote shall not apply to decisions where this By-law requires a two-thirds majority vote.

## **PART 6 - COMMITTEES**

### **28.0 COMMITTEE OF THE WHOLE**

#### **28.1 Committee of the Whole - Rules of Procedure**

The rules, procedures and conduct of Council shall apply to Committee of the Whole so far as they are applicable and subject to the specific rules for Committee of the Whole set out in this Section and in this By-law.

If there is found to be any conflict between the procedures prescribed for Council and those for Committee of the Whole as provided for within this Section, the provisions within this Section shall prevail.

#### **28.2 Warden to Chair at Meetings of Committee of the Whole**

Unless otherwise provided for within this By-law:

- a) the Warden shall Chair proceedings of Committee of the Whole.
- b) in case of the absence of the Warden, the Deputy Warden shall Chair the proceedings of Committee of the Whole.
- c) in the absence of the Warden and Deputy Warden:
  - i. the Performance Management Business Section Chair shall Chair; in their absence;
  - ii. the Human Services Business Section Chair shall Chair; in their absence;
  - iii. the Corporate Services Business Section Chair shall Chair.

#### **28.3 Committee of the Whole - Regular Business**

Unless otherwise provided for in this By-law or on an agenda, Council shall conduct its regular business using a Committee of the Whole system, meetings of which will be divided into areas of service delivery as detailed in Schedule 3 to this By-law.

#### **28.4 Election of Business Section Chairs and Vice-Chairs**

An election shall be held to select the Business Section Chair and Vice-Chair of each area of service delivery in accordance with the procedures set out in Schedule 2 to this By-law.

#### **28.5 Role of Business Section Chairs and Vice-Chairs**

It shall be the duty of the Business Section Chairs, or in their absence, the Vice-Chairs, to preside during the portion of the meeting related to their respective area of service delivery.

Additionally, in support of and under the guidance of the Warden, it shall be the role of Business Section Chairs and Vice-Chairs to work with staff on issues

management, communicate with other Committee members, advocate with the Province and engage with the member municipalities.

#### **28.6 Location and Time of Meetings**

Council shall meet in Committee of the Whole in accordance with the annual schedule approved by Council and generally on the second and fourth Tuesday of each month commencing immediately following the regular meeting of Council. The scheduled meetings shall be held in the Council Chamber at the County of Simcoe Administration Centre, 1110 Highway 26, Midhurst or other such location which may be designated by the Warden or Council from time to time or published on the agenda.

#### **28.7 Reports of Committee of the Whole**

All items considered by Committee of the Whole while convening in accordance with this section shall be forwarded to the next regular meeting of Council in the form of a Committee Report.

The Business Section Chair, or in their absence the Vice-Chair, shall present the recommendations for their respective sections to Council. Any member of Council may present the reports to Council when the Business Section Chair and Vice-Chair are absent.

#### **28.8 Committee of the Whole - Held as Part of Council Meeting**

Council may convene a session of Committee of the Whole at any time. Where Council convenes into Committee of the Whole at a session of Council, it shall do so upon resolution of Council.

The proceedings of the Committee of the Whole, when held as part of the proceedings at a Council Meeting, shall be reported as soon as the Committee of the Whole rises. Council may consider the adoption of the Committee of the Whole recommendations in one motion.

A motion to adjourn the meeting of Committee of the Whole is not allowed under this subsection.

#### **28.9 Other Matters for Consideration**

New substantive business not related to an item on the agenda shall not be permitted to be introduced under the Other Matters for Consideration portion of a Committee of the Whole agenda. Other Matters for Consideration may only be used to pose questions regarding items already on an agenda. For greater clarity, if a new item of business is being introduced, it would require a two-thirds majority vote on a motion to consider a substantive (new) matter not appearing on the agenda for the meeting in accordance with Section 27.14 of this By-law.

## **29.0 OTHER COMMITTEES**

### **29.1 Committees - Other**

Council may from time to time establish Other Committees of Council, including Sub-Committees, Advisory Committees or Task Forces and shall determine the membership, mandates and reporting practices of such in a Terms of Reference.

### **29.2 Other Committees - Rules of Procedure**

The rules, procedures, and conduct of Council shall apply to all Other Committees so far as they are applicable and subject to the specific rules for Other Committees set out in this Section, including:

- a) the limit on the number of times a member may speak on any question shall not apply; however, members are encouraged to refrain from speaking more than once until every member who desires to speak has spoken;
- b) a majority vote shall be required to decide all matters before Committee;
- c) the rules relating to the introduction of new business shall be as set out in Sections 29.13 and 29.14.

If there is found to be any conflict between the procedures prescribed for Council and those for Other Committees as provided for within this Section, the provisions within this Section shall prevail.

### **29.3 Location and Time of Meetings**

Regular meetings of Other Committees are to be held in accordance with the annual schedule approved by Council or in accordance with the Committee's Terms of Reference, or as published on the agenda. All meetings are to be held at the County of Simcoe Administration Centre, 1110 Highway 26, Midhurst, Ontario, or other such location that may be designated by designated by the Warden, Council or Committee from time to time or published on the agenda.

### **29.4 Election of Chair and Vice-Chair**

The Chairs and Vice-Chairs of Other Committees will be elected in accordance with the provisions of each Committee's Terms of Reference.

The Clerk or designate shall preside at the meeting of each Committee during which the election of a Chair and Vice-Chair is required.

The following election procedures shall be followed:

- a) nominations need not be seconded;
- b) nominees may withdraw their name prior to the vote being held;
- c) neither the nominee nor their mover will be entitled to speak to the nomination;
- d) election may be held by secret ballot;

- e) the nominee receiving the greatest number of votes will be elected to the position;
- f) where an election is held by secret ballot, there shall be no announcement as to the number of votes cast for any or each candidate; and
- g) in the case of an equality of votes, the successful candidate shall be determined by placing the name of each candidate into a ballot box, and one name drawn by a person chosen randomly by the Clerk. The name of the candidate drawn shall be declared elected.

#### **29.5 Preside Over Meetings of Committee**

The Chair, or in their absence, the Vice-Chair, shall preside at every meeting of Committee.

#### **29.6 In the Absence of the Chair and/or Vice-Chair**

In the event the Chair of a Committee is not in attendance at the Committee at which they are to preside within 15 minutes after the time appointed for the commencement of the meeting, the Committee Vice-Chair shall call the meeting to order and preside until the arrival of the Committee Chair.

Should the Committee Chair and Committee Vice-Chair not be in attendance at the meeting within 15 minutes after the time appointed for the commencement of the meeting, then those members in attendance shall appoint, from amongst themselves, a member to act in the place of the Committee Chair for that meeting. The member appointed shall call the members to order and shall preside until the arrival of the Committee Chair or the Committee Vice-Chair.

#### **29.7 Term of Office**

The term of appointment of members to Committees shall be concurrent with the term of Council or as prescribed in the Terms of Reference or other terms set out for such appointment.

#### **29.8 Member Attendance at Meetings of Committee**

Any member of County Council may attend any meeting of Committee that they are not a member of, but such member shall only have the right to participate in the discussion at the invitation of the Chair and shall not have voting privileges. The non-appointed member of Council shall attend at their own discretion and shall not be entitled to payment of any per diem nor are they eligible for mileage reimbursement.

Other Committees may not pass motions to suspend the rules of this By-law.

#### **29.9 Reports of Other Committees**

All items considered by a Committee shall be forwarded to Council, or to the body they have been directed to report through, in the form of a Committee Report.

### **29.10 Quorum**

If no quorum is present 15 minutes after the time appointed for a meeting, the Clerk shall record the names of those members present and the meeting shall stand adjourned until the next meeting and all business shall be deferred until that meeting.

Should an Other Committee meeting be adjourned for lack of quorum and if there are matters of business that are deemed urgent by the Chair of the Committee or Clerk, these matters may be placed on the Council Agenda, by way of a County Officer's report.

### **29.11 Voting**

The method of voting in Council is applicable to voting in Other Committee meetings, save and except that recorded votes shall not be permitted and weighted vote shall not apply.

The Chair, Vice-Chair, or any member acting in place of the Chair may vote on all motions/recommendations presented in Committee.

### **29.12 Consent Agenda Items**

Items on the agenda for Other Committee meetings may be adopted in a single motion under the Consent Agenda portion of the meeting. At the request of any member, any specific item(s) of business listed under the Consent Agenda portion of the agenda shall be subject to individual consideration. To bring a matter forward for consideration, a member needs only to request during the consent portion of the meeting that such item(s) be brought forward.

### **29.13 Other Matters for Consideration**

New substantive business not related to an item on the agenda shall not be permitted to be introduced under the Other Matters for Consideration portion of any Other Committee agenda. Other Matters for Consideration may only be used to pose questions regarding items already on an agenda or for a member to voice their desire that the Chair and staff consider a future item be brought forward to the Committee.

### **29.14 Communications Received After Publication of Agenda**

Any communication within the jurisdiction of a Committee, received prior to a meeting of that Committee but not in sufficient time for inclusion with its agenda, shall be reviewed by the Committee Chair and/or Clerk, and:

- a) if the communication is deemed by the Committee Chair and/or Clerk to pertain to a matter listed on the agenda, it may be submitted as an addendum or an "on desk" item for that meeting;
- b) if the communication is deemed by the Committee Chair and/or Clerk not to pertain to a matter listed on the agenda or requires further information, it may

be included on the agenda for a subsequent meeting, unless the Committee Chair is of the opinion that urgency requires the item be dealt with and directs that it be submitted as an addendum or an "on desk" item.

**29.15 Reconsideration**

A motion to rescind or that has the effect of being contrary or opposite to a motion entered upon the minutes of Council shall only be permitted at Council, except for instances when Committee is considering a Committee Item that recommends or provides an option that justifies reconsideration as a viable alternative.

**29.16 Limited Authority**

No Committee has the power to pledge the credit of the County, to commit the County to any particular action or to give specific direction to any staff member, unless specifically granted such power in the Terms of reference, By-law or resolution governing such Committee.

**PART 7 - REPEAL AND EFFECT**

**30.0 REPEAL**

**30.1 Repeal By-law**

By-laws No. 6703, 6842, 6867 and all other amendments thereto are hereby repealed.

**31.0 EFFECT**

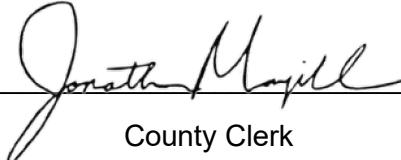
**31.1 By-law In Force and Effect**

This By-law shall come into force and take effect immediately upon the approval of County Council.

By-law enacted this 10th day of November, 2025.

  
Warden



  
County Clerk

## **SCHEDULE 1 - ELECTIONS OF WARDEN AND DEPUTY WARDEN**

### **1.0 PART (1) - ELIGIBILITY AND TERM - WARDEN AND DEPUTY WARDEN**

#### **1.1 No Restriction With Regard to Previous Appointment**

Any member of County Council shall be eligible for election to the Office of Warden or Deputy Warden, whether or not they have previously served in such capacity.

#### **1.2 Term and Timing of Appointment**

The County Warden and Deputy Warden shall hold office for a two-year term and until such time as their successors are appointed.

The members elect, being at least a majority of Council, shall, pursuant to the requirements of the Municipal Act, proceed to elect a Warden and Deputy Warden from amongst themselves in accordance with Part 4 of this Schedule.

### **2.0 PART (2) - DECLARATIONS OF INTEREST FOR OFFICE OF WARDEN AND DEPUTY WARDEN - REGULAR MUNICIPAL ELECTION YEAR**

#### **2.1 Members Interested in Declaring Candidacy for Office of Warden/Deputy Warden**

Members wishing to declare their interest in candidacy for the Office of Warden and Deputy Warden in a regular municipal election year, will be given an opportunity to address Council elect at the Council Orientation Session held prior to the Inaugural Meeting.

#### **2.2 Order of Presentations**

The order of presentation shall be determined by the Clerk drawing the names of members declaring their candidacy from a box. The order in which the names are drawn shall determine the order of speaking.

#### **2.3 Chair - Presentations**

During the Orientation Session where declarations of interest are being made pursuant to Subsection 2.1, the Clerk or their designate, shall Chair that portion of the session.

## **2.4 Time Limit**

Each member declaring their interest in candidacy for the Office of Warden and Deputy Warden shall be given 10 minutes to address Council elect at the Orientation Session held in accordance with Subsection 2.1. After each address, a 10 minute speaking allotment will be permitted to allow members of Council elect to ask questions of the member declaring their interest.

## **3.0 PART (3) - MID-TERM NOMINATIONS FOR OFFICE OF WARDEN AND DEPUTY WARDEN**

### **3.1 Timing - Mid-Term Nomination Day - 4th Tuesday in October**

Mid-term nominations for members of Council seeking candidacy for the Office of Warden or Deputy Warden shall be received by County Council prior to adjournment of the regular Council meeting held on the fourth Tuesday in October (Mid-term Nomination Day) approximately halfway through a Council term.

### **3.2 Chairing of Proceedings**

The Clerk shall preside over the nomination proceedings for the Office of Warden and Deputy Warden on the fourth Tuesday in October (Mid-term Nomination Day).

### **3.3 Order of Nominations**

Nominations for the Office of the Warden and Deputy Warden shall occur in the following order:

- a) Nominations for Warden
- b) Nominations for Deputy Warden

### **3.4 Nominations**

Each nomination for the Office of the Warden and Deputy Warden shall be duly moved and seconded.

Upon calling for nominations a minimum of three times and where it appears by asking for further nominations and receiving no response, the Clerk shall call for a motion declaring the nominations to be closed.

After declaring the nominations closed, the Clerk shall confirm with all nominees whether they wish their nomination to stand or choose to decline.

**3.5 Withdrawal of Nominations**

Mid-term nominations may be withdrawn up until the close of nominations on Nomination Day or prior to a vote being taken at the Mid-term Inaugural Meeting.

**3.6 Candidates May Address Council**

Each mover and/or seconder of a nomination, and/or each candidate shall be entitled to address Council for not more than a combined total of five minutes.

**3.7 Order of Speakers**

Speakers shall be called upon to address Council in order of the nominations.

**3.8 Where Only One Candidate - Incumbent Warden/Deputy Warden - No Inaugural Meeting to be Held**

Where there is only one Council member nominated for candidacy to the Office of Warden and they are the incumbent, that member shall be declared appointed and no Mid-term Inaugural Meeting will be called in December, provided that the Office of the Deputy Warden is also acclaimed.

Where there is only one Council member nominated for candidacy to the Office of Deputy Warden and they are the incumbent, that member shall be declared appointed and no Mid-term Inaugural Meeting will be called in December, provided that the Office of the Warden is also acclaimed.

For greater certainty, where both the incumbent Warden and Deputy Warden are acclaimed on nomination day, no Mid-term Inaugural Meeting will be held.

The Oath of Office shall be administered by the Clerk and the member(s) appointed shall be given the opportunity to address Council.

**3.9 Only One Candidate, Other Than the Incumbent - Mid-Term Inaugural Meeting Shall be Held**

Where there is only one Council member nominated for candidacy for the Office of the Warden and/or Deputy Warden and they are someone other than the incumbent, the member shall be sworn in at the Mid-term Inaugural Meeting to be called in December of the same year.

### **3.10 Two or More Nominees - Mid-Term Inaugural Meeting**

Where two or more Council members are nominated for candidacy for the Offices of either the Warden or Deputy Warden, an election shall be held at a Mid-term Inaugural Meeting to be held in December of the same year.

## **4.0 PART (4) - INAUGURAL ELECTION PROCESS - WARDEN AND DEPUTY WARDEN**

### **4.1 Chairing of Proceedings**

The Clerk shall preside at the Inaugural Meeting until the election of Warden has been completed.

### **4.2 Order of Elections**

Election of the Warden and Deputy Warden shall occur in the following order:

- a) Election of Warden
- b) Election of Deputy Warden

### **4.3 Nominations**

#### **4.3.1 Nominations - Municipal Election Year Inaugural**

Upon calling for nominations a minimum of three times and where it appears by asking for further nominations and receiving no further response, the Clerk shall call for a motion declaring the nominations closed.

#### **4.3.2 Nominations - Mid-Term Inaugural**

The Clerk shall announce those nominations previously declared at the Mid-term Nomination Day.

No new or additional nominations shall be permitted at the Mid-term Inaugural Meeting.

### **4.4 Withdrawal of Nominations**

Any member nominated at the Inaugural Meeting in a municipal election year or at the Mid-term Nomination Day may withdraw their nomination at any time prior to the vote being called at the Inaugural Meeting.

**4.5 Candidates Address Council**

Each mover and/or seconder of a nomination, and/or each candidate shall, prior to the vote being taken, be entitled to address Council for not more than a combined total of five minutes.

**4.6 Order of Speakers**

Speakers shall be called upon to address Council in order of the nominations.

**4.7 Where Two or More Candidates**

Where two or more members are nominated, a vote shall be held.

**4.8 Method of Vote**

Where there are two or more nominees, the election of Warden/Deputy Warden shall be by secret ballot. In accordance with the Municipal Act, each member shall have one vote only.

There shall be no announcement as to the number of votes cast for any or each candidate.

**4.9 Majority Vote Required**

Where there is more than one eligible candidate, the vote of a majority of the members present and entitled to vote is required in order to be elected Warden/Deputy Warden.

**4.10 Ballot Vote Method**

The Clerk shall provide each member with a ballot on which each member may identify or otherwise mark the name only of their preferred candidate.

**4.11 Use of Scrutineers**

Each candidate shall be eligible to appoint a member of Council to oversee but not interfere with the ballot counting process.

**4.12 Declaration of Elected - Majority Vote**

If two or more candidates wish to stand, and if on the first vote, a candidate receives a majority of the votes cast by the members present, they shall be declared elected.

**4.13 No Majority**

**4.13.1** However, if no candidate receives such a majority, the name of the candidate receiving the least number of votes shall be dropped, subject to Subsection 4.13.2 below and a vote

retaken continuously in the same manner until a candidate receives a majority of votes.

**4.13.2** If two or more members are nominated and if no candidate receives a majority of the votes and two or more candidates are tied with the lowest number of votes, a special vote between these candidates will be held to determine which will be dropped in order to proceed with the election under Subsection 4.13.1 above. The candidate with the least number of votes will be dropped from the ballot.

**4.14 No Majority - Equality of Votes**

In the case of an equality of votes, a subsequent ballot shall be undertaken. If a candidate receives a majority of the votes cast by the members present on the subsequent ballot, they shall be declared elected.

However, if the subsequent ballot results in an equality of votes, the successful candidate shall be determined by secret ballot whereby the name of each candidate will be placed on a ballot, placed in a ballot box, and one name drawn by a person chosen randomly by the Clerk. The name of the candidate drawn shall be declared elected.

**4.15 Oath and Declaration of Office**

Subject to Part 3 of this Schedule, the Warden and Deputy Warden shall take the Oath/Declaration of Office following the election process for their respective Office.

**4.16 Destruction of Ballots**

Once the Warden and Deputy Warden have taken the Oath/Declaration of Office, a motion shall be made to destroy all ballots.

## **SCHEDULE 2 - ELECTIONS OF BUSINESS SECTION CHAIRS AND VICE-CHAIRS**

### **1.0 PART (1) - BUSINESS SECTION CHAIRS AND VICE-CHAIRS**

The process for election of the Committee of the Whole Business Section Chairs shall be carried out in the following order pursuant to the provisions contained in this part:

- 1) Performance Management Section - Business Section Chair
- 2) Human Services Section - Business Section Chair
- 3) Corporate Services Section - Business Section Chair
- 4) Performance Management Section - Business Section Vice-Chair
- 5) Human Services Section - Business Section Vice-Chair
- 6) Corporate Services Section - Business Section Vice-Chair

#### **1.1 No Restriction With Regard to Previous Appointment**

Any member of County Council shall be eligible for election of Business Section Chair or Vice-Chair, whether or not they have previously served in such capacity.

#### **1.2 Timing and Term of Appointment**

An election, pursuant to the election provisions contained in this part, to elect the Business Section Chairs and Vice-Chair of each of the Business Sections will be held either:

- a) at the Inaugural Meeting held in a municipal election year; or
- b) where a Mid-Term Inaugural Meeting is held, following the election of the Warden and Deputy Warden; or
- c) where no Mid-Term Inaugural meeting is held, prior to adjournment of the regular Council meeting held on the 4<sup>th</sup> Tuesday in November approximately halfway through a Council term.

The Business Section Chairs and Vice-Chairs shall hold office for a two-year term and until such time as their successors are appointed.

Notwithstanding the foregoing, Council may, by resolution, direct that the election of the Chairs and Vice-Chairs of the Business Sections be held on another day.

Elections shall be held in an open meeting of County Council.

**1.3 Chairing of Election Proceedings**

The Warden may appoint a member of Council to Chair the Committee of the Whole and vacate the Chair.

**1.4 Nominations**

Nominations need not be seconded.

Upon calling for nominations a minimum of three times and where it appears by asking for further nominations and receiving no response, that there are no further nominations, the Chair shall call for a motion declaring the nominations closed.

After declaring the nominations closed, the Chair shall confirm with the nominees whether they wish their nomination to stand or choose to decline.

**1.5 Candidates Address Council**

After nominations have been closed, each mover of a nomination and/or each candidate shall, prior to the vote being taken, be entitled to address Council for not more than a combined total of five minutes.

**1.6 Order of Speakers**

Speakers shall be called upon to address Council in order of nomination.

**1.7 Withdrawal of Nomination**

A nominated member may withdraw their nomination at any point prior to a vote being called.

**1.8 Where Only One Nominee**

If only one member is nominated, they shall be declared appointed.

**1.9 Where Two or More Nominees**

If two or more members are nominated, a vote shall be held.

**1.10 Method of Vote**

Where more than one member is nominated, the election shall be held by secret ballot.

There shall be no announcement as to the number of votes cast for any or each candidate.

**1.11 Members - One Vote Only**

Each member shall have only one vote.

**1.12 Ballot Vote Method**

Clerk shall provide each member present with a ballot on which each member may identify or otherwise mark the name only of their preferred candidate(s).

**1.13 Use of Scrutineers**

Each candidate shall be eligible to appoint a member of Council to oversee but not interfere with the process.

**1.14 Majority Vote Required**

Where there is more than one eligible candidate, the vote of a majority of the members present and entitled to vote is required in order to be elected.

**1.15 Declaration of Elected - Majority Vote**

If two or more candidates wish to stand, and if on the first vote, a candidate receives a majority of the votes cast by the members present, they shall be declared elected.

**1.16 No Majority**

- a) If, however, no candidate receives such a majority, the name of the candidate receiving the least number of votes shall be dropped, subject to Subsection 1.16 b) below, and a vote retaken continuously in the same manner until a candidate receives a majority of votes.
- b) If two or more members are nominated and if no candidate receives a majority of the votes and two or more candidates are tied with the lowest number of votes, a special vote between these candidates will be held to determine which will be dropped in order to proceed with the election under Subsection 1.16 a) above. The candidate with the least number of votes will be dropped from the ballot.

**1.17 No Majority - Equality of Votes**

In the case of an equality of votes, a subsequent ballot shall be undertaken. If a candidate receives a majority of the votes cast by the members present on the subsequent ballot, they shall be declared elected.

However, if the subsequent ballot results in an equality of votes, the successful candidate, shall be determined by secret ballot whereby the names of each candidate will be placed on separate, equal sized pieces

of paper, placed in a box, and one name drawn by a person chosen randomly by the Warden or member appointed to Chair the meeting. The name of the candidate drawn from the box shall be declared elected.

**1.18 Destruction of Ballots**

Once the Warden or member appointed to Chair the meeting has announced the successful candidate, a motion shall be made to destroy the ballots.

**1.19 Post-Election Procedures**

Following the election of the Business Section Chairs and Vice-Chairs, the Warden or member appointed to Chair the meeting will request a motion to confirm the appointments of the Business Section Chairs and Vice-Chairs.

## **SCHEDULE 3 - COMMITTEE OF THE WHOLE - REGULAR MEETINGS**

### **1.0 PART (1) - AREAS OF SERVICE DELIVERY**

Regular Committee of the Whole meetings shall be separated into the following areas of service delivery:

#### **1.1 Performance Management**

Performance Management shall be responsible for:

- a) Performance Management and Business Planning (Budgets)
- b) Strategic Planning and Reorganization Implementation
- c) Human Resources and Labour Relations
- d) Information Technology
- e) Chief Administrative Officer, Clerk and Communications
- f) Council Organization and Compensation
- g) Purchasing/Asset Management
- h) Archives
- i) Museum

#### **1.2 Human Services**

Human Services shall be responsible for:

- a) Community Housing
- b) Early Learning and Child Care System Management
- c) Housing and Homelessness Services
- d) Partnerships, Policy and Business Intelligence
- e) Community Support and Wellbeing (Ontario Works)
- f) Paramedic Services
- g) Long Term Care (Committee of Management)
- h) Emergency Management
- i) Health Unit Matters

#### **1.3 Corporate Services**

Corporate Services shall be responsible for:

- a) Roads and Engineering
- b) Solid Waste Management
- c) Planning
- d) Forestry
- e) Economic Development
- f) Tourism
- g) Risk Management
- h) Fleet Management



**3.3 Participation**

External representatives shall only participate in the portion of the Committee of the Whole meeting for the purpose of which they have been appointed.

External representatives may participate in each meeting electronically should that option be afforded to other members and so long as the meeting is not otherwise prescribed as being mandatory in-person only. The Warden may have discretion to apply these rules.

**3.4 Voting on Prescribed Matters**

During the taking of a vote, the external representatives shall be included for determining a majority vote and quorum only for those matters as prescribed.

**3.5 Participation Restriction - City in Arrears of Payment**

External representatives shall only participate in Committee of the Whole meetings provided the City is not in arrears of payment of any bill rendered for service provided by that Committee. Arrears of payment will mean in excess of 30 days.