

BY-LAW NO. 2023-24

**“BEING A BY-LAW TO GOVERN THE PROCEEDINGS OF THE MUNICIPAL COUNCIL,
THE CONDUCT OF ITS MEMBERS AND THE CALLING OF MEETINGS”**

WHEREAS pursuant to Section 238 subsection 2 of the Municipal Act, 2001, every Council and local board shall adopt a procedural by-law to govern the calling, place and proceedings of meetings;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Township of Nairn and Hyman hereby enacts as follows:

1. **THAT** the rules and regulations contained in this by-law shall be observed in all proceedings of the Council and shall be the rules and regulations for the dispatch of business by Council and its committees as defined in Section 238. Advisory Committees that are not committees as defined in Section 238 are encouraged by Council to abide by this by-law.
2. **THAT** this By-law shall also be known as Policy #2023-2 and as attached as Appendix “A” to this By-law.
3. **THAT** this By-law may be cited as the “Procedural Bylaw”.
4. **THAT** By-law No. 2018-39 is hereby repealed.

Read a first and second time this 17th day of July, 2023.

Read a third time and passed in open Council this 17th day of July, 2023.

Mayor

Clerk



**The Corporation of the
Township of Nairn and Hyman
MUNICIPAL POLICY**

Appendix "A" to By-law No. 2023-24

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

**Section A
Policy Statement**

- 1.0 The Township of Nairn and Hyman is a level of government, requiring formality and procedures in its Meetings. Such procedures are intended to result in clear, informed and written decisions, that provide the information necessary for municipal staff to carry out such direction of Council.
- 2.0 The Township of Nairn and Hyman believes that best practices, transparency and accountability in policy making result in good governance
- 3.0 The Township of Nairn and Hyman , pursuant to section 238 of the *Municipal Act*, 2001, is required to establish the procedures governing the Meetings of Council and Committees, the conduct of its Members and the calling of Meetings.
- 4.0 It is the intention of the Township of Nairn and Hyman through the adoption by by-law, to establish the procedures which address the rules of order which shall be observed in all proceedings of Council, Committees of Council and Local Boards unless specifically provided otherwise.
- 5.0 In addition to this Procedural By-law, Members of Council shall also be governed by the following documents and legislation:
 - ✓ *Municipal Act, 2001*
 - ✓ *Municipal Conflict of Interest Act*
 - ✓ *Municipal Code of Conduct Policy*
 - ✓ *Municipal Elections Act*
 - ✓ *Municipal Freedom of Information and Protection of Privacy Act*
 - ✓ *Accessibility for Ontarians with Disabilities Act*
 - ✓ *Occupational Health and Safety Act*
 - ✓ *Emergency Management and Civil Protection Act*
 - ✓ *Safe Drinking Water Act*



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

- ✓ *Violence and Harassment in the Workplace Policy*
- ✓ *Staff Council Relations Policy*
- ✓ *Complaint Policy*
- ✓ *Planning Act*
- ✓ *Accountability and Transparency Policy*
- ✓ *Travel Expenses Policy*
- ✓ *Remuneration of Council Members Policy*

- 6.0 It shall be the duty of all Members of council to make themselves familiar with this By-law and the above-noted documents and legislation and shall rely upon them, among other documents when making decisions and exercising their collective powers.
- 7.0 The Clerk is the advisor to Council or any other person on the application of this By-law.

Section B Definitions

- 1.0 **“Ad-Hoc Committee”** means a Committee to advise Council on a specific issue or project. An Ad-Hoc Committee shall be governed by clear terms of reference, set out in a Resolution or By-Law which includes language indicating when the Committee will cease to exist.
- 2.0 **“Agenda”** means the list of business to be conducted at a Meeting.
- 3.0 **“Chair”** means the person presiding at a Meeting.



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

- 4.0 **“Clerk”** means the person appointed by the Municipality pursuant to Section 228 of the *Municipal Act*, and other relevant legislation.
- 5.0 **“CAO / Clerk-Treasurer”** means the person appointed by the Municipality as CAO / CAO / Clerk-Treasurer with such duties as determined by the Municipal Act and Council;
- 6.0 **“Committee of the Whole”** means a Committee of all Members of Council.
- 7.0 **“Confirmatory Bylaw”** means a by-law passed at the conclusion of Council meetings, confirming the actions of Council taken at that meeting and any previous meetings which did not have a confirmatory by-law, in respect of each resolution and other actions taken, so that every decision of Council at that meeting shall have the same force and effect as if each and every one of them had been the subject-matter of a separately enacted by-law.
- 8.0 **“Consent Agenda”** means a list of items of a routine nature that do not require substantial discussion or debate at a Council Meeting. Items on the Consent Agenda are approved in a single Resolution without discussion.
- 9.0 **“Council”** means the elected Members of the Municipal Council.
- 10.0 **“Council Package”** means a copy of the Agenda, Closed Meeting Agenda, Reports and all other information that Members require prior to a Meeting.
- 11.0 **“Closed Meeting”** means a Meeting of Council or Committee that is not open to the public pursuant to Section 239 of the *Municipal Act* or other legislation.
- 12.0 **“Conflict of Interest”** means a Conflict of Interest as defined in the *Municipal Conflict of Interest Act*.
- 13.0 **“Delegation”** means a person or group who provides information to Council or a Committee.
- 14.0 **“Deputy Mayor”** Shall mean the Councillor who placed first (1st) in the most recent municipal election and who has been appointed by bylaw as Deputy Mayor at the Inaugural Meeting of Council.
- 15.0 **“Electronic Meeting”** means a Meeting that may be live-streamed on an appropriate internet based software platform or lacking internet access, Meetings may be held by telephone conference or other available electronic means. Such Meetings are subject to additional rules contained in this Bylaw;



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

- 16.0 **“Electronic Means”** shall refer to the Means by which an Electronic Meeting is conducted
- 17.0 **“Emergency Meeting”** means a meeting, held without written notice where there is insufficient time to provide notice of a Special Meeting, to deal with an Urgent Matter confronting the Municipality.
- 18.0 **“Ex Officio”** means that the Mayor is a Member of all Committees of Council established by Council, unless prohibited by law. The Mayor, as an *Ex Officio* Member, is not entitled to vote and is not counted towards quorum, unless legally specified otherwise.
- 19.0 **“Head of Council”** means the Mayor or, in the absence of the Mayor, the Deputy Mayor.
- 20.0 **“Local Board”** means a Local Board as defined in the *Municipal Act*, and shall include the Police Services Board, Public Health Board and Public Library Board.
- 21.0 **“Meeting”** means any regular, special or other Meetings of Council, a Local Board or a Committee where a Quorum of Members is present, and Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, Local Board or Committee as stated in Section 238 of the *Municipal Act*.
- 22.0 **“Member”** means a Member of Council, Local Board or Committee.
- 23.0 **“Motion”** means a written question moved and seconded by two Members, presented at a Meeting, read by the Chair, Clerk or Committee Secretary subject to debate and voting by Council or a Committee. When a Motion passes, it becomes a Resolution or By-Law.
- 24.0 **“Motion to Amend”** means a Motion to vary the main Motion before Council or a Committee.
- 25.0 **“Municipal Act”** means the *Municipal Act*, 2001, S.O. c.25. as amended.
- 26.0 **“Municipality”** means the Corporation of the Township of Nairn and Hyman.
- 27.0 **“Notice of Motion”** means an advance notice to Members regarding a matter on which Council will be asked to take a position.
- 28.0 **“Officer(s)”** means a person, such as the CAO, Clerk, Treasurer, Chief Building Official, By-law Enforcement Officer, Fire Chief and Integrity Commissioner, who holds a position of responsibility with definite rights and duties prescribed by statute



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

or By-Law.

- 29.0 **“Order of Business”** means the sequence of business to be introduced and considered in a Meeting.
- 30.0 **“Point of Information”** means a request or statement directed to the Chair, or through the Chair to another Member or to the Staff, for or about information relevant to the business at hand, but not related to a Point of Procedure;
- 31.0 **“Point of Order”** is a verbal statement made by a Member to the Chair when the Member believes there has been a contravention of the rules laid out in the Procedural By-Law.
- 32.0 **“Point of Privilege”** shall mean a statement by a Member calling attention to a matter where the integrity of an individual (personal) or the entire Council or Committee is perceived to be in question.
- 33.0 **“Quorum”** means a simple majority of Members of Council or Committee.
- 34.0 **“Recorded Vote”** means a vote in Council or Committee where the names of the Members and the position in favour or against a Motion are recorded in the minutes.



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

- 35.0 **“Regular Meeting”** means a scheduled Meeting held at regular intervals in accordance with the approved schedule of Meetings.
- 36.0 **“Report”** means a written or other Report from the CAO / Clerk-Treasurer, Department Heads, Staff or Committee which is approved by the CAO / Clerk-Treasurer.
- 37.0 **“Resolution”** means a Motion that has been voted on by Council.
- 38.0 **“Special Meeting”** means a Meeting that is called for a specific time and for a specific purpose to deal with an important matter that has arisen between Regular Meetings.
- 39.0 **“Standing Committee”** means a Committee comprised solely of Members of Council.
- 40.0 **“Table”** means to postpone or suspend consideration of a pending motion.
- 41.0 **“Unfinished Business”** means matters listed in the Agenda which have not been dealt with in their entirety at a previous Meeting.
- 42.0 **“Urgent”** means, for the purposes of calling an Emergency Meeting, a matter that is occurring or imminent, and if not brought forward immediately, could result in or cause:
- a) Danger to the life, health or safety of individuals;
 - b) Damage to property;
 - c) An interruption of the essential services provided by the Municipality;
 - d) Immediate and significant loss of revenue by the Municipality;
 - e) Legal Issue and/or
 - f) Prejudice to the Municipality.

Section C Scope

- 1.0 This By-law shall apply to the Council of the Township of Nairn and Hyman, all Local Boards and Committees.



**The Corporation of the
Township of Nairn and Hyman
MUNICIPAL POLICY**

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

**Section D
Responsibilities**

- 1.0 The Responsibilities of this Bylaw shall be as contained in Section E, Policy Detail.

**Section E
Policy Detail**

1.0 General Meeting Rules

1.1 Observation of the Rules

1.1.1 The rules contained in this By-Law shall be observed in all Meetings of Council and with necessary modifications in every Committee Meeting.

1.1.2 In order to further provide for orderly meetings, and if required, the Clerk may refer to Roberts Rules of Order for further explanation of the rules contained in this By-Law.

1.2 Suspending Procedural By-Law

This By-Law may be suspended, except for those rules or regulations set out by legislation, with the consent of at least two-thirds (2/3) of the Members of Council and may be suspended before, during or after a Meeting.

1.3 Mayor

The Mayor shall act as the Chair for all Council Meetings. The Mayor may delegate his or her authority to Chair any Meeting.

1.4 Absence of Mayor

In the absence of the Mayor, if he or she refuses to act or if the office is vacant, the Deputy Mayor shall carry out the Mayor's duties and shall have all the rights, powers and authority of the Head of Council.

1.5 Absence of Deputy Mayor

1.5.1 If both the Mayor and the Deputy Mayor are unable to act as Head of Council for a Meeting, Council shall appoint an Acting Mayor who shall have all the rights, powers and authority of the Head of Council



**The Corporation of the
Township of Nairn and Hyman
MUNICIPAL POLICY**

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

for the purposes of that Meeting. The CAO / Clerk-Treasurer shall call the Meeting to order.

1.5.2 An Acting Mayor or Chair may be designated by secret ballot.

1.6 Meeting Location

Unless otherwise authorized by Council or this Bylaw, all Meetings of Council shall be held in the Council Chambers, located at, 64 McIntyre Street, Nairn Centre, Ontario.

1.7 Electronic Meetings

1.7.1 If Council, a local board or committee, decides, for any reason, to hold meetings electronically, the internet link, phone number or other electronic connection data to access the meetings will be published on the Municipality's website and in the meeting agenda. Should circumstances exist that the Municipality's website is not available, notice shall be provided in a manner that will provide access to the largest number of ratepayers possible in the circumstances.

1.7.2 A Member attending and present during an Electronic Meeting shall be counted for purposes of quorum at the commencement and at any point in time during the Meeting and shall be entitled to vote through a vote recorded by the Clerk as if they were attending the Meeting in person.

1.7.3 An Electronic Meeting may include a Closed Meeting, which shall be conducted with members of the public excluded therefrom and in accordance with this Section.

1.7.4 A public notice of an Electronic Meeting shall include enough information as to provide the public with the ability to reasonably access and/or otherwise observe, by such means identified in the notice, the open session of the Electronic Meeting.

1.7.5 Despite any other Section hereof, any person desiring to present verbally to, or to make a request of, or present correspondence to, Council at and/or during an Electronic Meeting, shall first give the requisite notice thereof to the Clerk and meet all other requirements of these Rules of Procedure, and provided such requirements have been met, shall only be permitted to make such presentation, request



**The Corporation of the
Township of Nairn and Hyman
MUNICIPAL POLICY**

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

or present such correspondence in writing, provided further that such written presentation, request and/or correspondence is received by the Clerk as required in this bylaw.

- 1.7.6 The Rules of Procedure shall continue to apply to an Electronic Meeting held pursuant to this Section. In the event of any inconsistency and/or conflict between this Section and any other Section of these Rules of Procedure, this Section shall prevail to the extent of the inconsistency and/or conflict.
- 1.7.7 In the event of technical failure during the meeting, Council, the local board or committee may take a recess to allow staff to reinstate the electronic participation. If a member can no longer participate by electronic means, it will not affect the validity of the meeting or decisions made.

1.8 Electronic Attendance by Member

- 1.8.1 Notwithstanding Section 1.7 above, Members of Council, Local Boards and Committees shall be permitted to participate electronically in a meeting that is open or closed to the public in accordance with Section 238(3.3) (b) of the Municipal Act, 2001, as amended.
- 1.8.2 Every effort shall be made by members to attend meetings physically in person, notwithstanding the following circumstances members may participate electronically in a meeting to the extent and in the manner set out in this By-law:
- a) It is not safe or possible to attend an in person meeting due to a natural weather event;
 - b) Health and safety restrictions as determined by the CAO / Clerk-Treasurer in consultation with the Mayor or Emergency Management Committee;



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

- c) Restrictions or guidelines set out by the Sudbury and District Health Unit, the Ontario Provincial Police or the Province of Ontario.

- 1.8.3 In accordance with this by-law, a member of Council, local board or committee may participate fully in a meeting by electronic means (via teleconference or video conference). This applies to regular, special, emergency and closed sessions of council and meetings of local boards and committees.
- 1.8.4 Electronic participation shall mean participation by teleconference or video conference or as otherwise noted in this bylaw.
- 1.8.5 A Member attending and present during an Electronic Meeting shall be counted for purposes of quorum at the commencement and at any point in time during the Meeting and shall be entitled to vote through a vote recorded by the Clerk as if they were attending the Meeting in person.
- 1.8.6 Votes cast by members of Council, Local Boards and Committees electronically shall be counted towards the overall decision and done by recorded vote.
- 1.8.7 In the case that members of Council participate electronically in closed sessions, all members must attest to the fact that they recognize they will be in a closed session and are able to ensure confidentiality.
- 1.8.8 In the case of a loss of connection, or any connection issue which impedes the ability of a Member(s) to participate in the meeting in real time, the meeting will continue without attempts by either staff or the Member(s) to reconnect unless such loss of connection results in a loss of quorum, in such case the Clerk shall refer to Section 1.7.7.
- 1.8.9 Notwithstanding anything in Section 1.8, members must attend 75% of meetings in person in any given year unless an absence due to illness or family emergency brings the member under the 75% attendance level.

***The Corporation of the
Township of Nairn and Hyman
MUNICIPAL POLICY***

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

1.9 Health and Safety Issues

Council may decide to hold a Meeting electronically because health and safety issues dictate that members of the public should not gather together in Council chambers including, but not limited to, cases of epidemic or pandemic. When Council makes this decision, the reasons for the decision not to permit physical attendance of the public shall be recorded in the minutes. Council shall have regard to recommendations and advice from the applicable authority including but not limited to the Federal Government. Provincial Government or Public Health officials

1.10 Quorum

Any Member of a council, of a local board or of a committee of either of them who is participating electronically in a meeting shall be counted in determining whether or not a quorum of Members is present at any point in time.

1.11 General Conduct

- 1.11.1 Each Member participating in a meeting by Electronic Means shall be available at least fifteen (15) minutes before the beginning of the meeting to assist staff in establishing the electronic connection.
- 1.11.2 Each Member participating by Electronic Means will mute his or her electronic device when he or she is not speaking.

1.12 Voting

- 1.12.1 The Mayor will canvass Members participating by Electronic Means about their intention to speak to a matter on the floor and will notify each Member when it is his or her turn to speak.
- 1.12.2 After putting a Motion to a vote, each Member participating by Electronic Means will be required to identify how he or she wishes to vote.

1.13 Leaving an Electronic Meeting

- 1.13.1 Each Member participating by Electronic Means shall inform the Chair about his or her intentions to leave the meeting either on a temporary or permanent basis.



***The Corporation of the
Township of Nairn and Hyman
MUNICIPAL POLICY***

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

1.13.2 A Member(s) participating by Electronic Means will be deemed to have left the meeting when they are no longer electronically connected to the meeting.

1.14 Loss of Quorum

If at any time during an electronic Meeting, Quorum cannot be maintained, the Meeting shall automatically be recessed until there is Quorum again or until the Chair adjourns the Meeting.

1.15 Recording

If Council holds meetings electronically, they will be recorded and the recording of the open session of the meeting will be posted on the Municipality's website at the discretion of the Clerk, keeping in mind the time and cost.

1.16 Amendment

Council may hold a special meeting to amend this procedural by-law.

1.17 Clerk

A Clerk or Deputy Clerk must be present at all Council Meetings or other Meetings where there is a Quorum of Council. The Clerk or Deputy Clerk may attend by electronic means except during the declaration of an emergency under the Emergency Management and Civil Protection Act when the Clerk must attend in person.

1.18 Quorum

1.18.1 Quorum must be present at all Meetings.

1.18.2 If Quorum is not present fifteen (15) minutes after the time appointed for the Meeting, the Meeting will be automatically adjourned until the next Regular Meeting or until a Special Meeting is called to deal with matters intended to be dealt with at the adjourned Meeting.

1.18.3 The CAO / Clerk-Treasurer shall record the names of the Members present at the fifteen (15) minute time limit and will include those names on the Minutes for the adjourned Meeting and will include those Minutes on the Agenda for the next Meeting.



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

- 1.18.4 If at any time during a Meeting, Quorum cannot be maintained, the Meeting shall automatically be recessed until there is Quorum again or until the Chair adjourns the Meeting.

1.19 Minutes

- 1.19.1 Minutes of all Meetings will be recorded without note or comment.
- 1.19.2 After approval, Minutes of all Meetings, except Closed Meetings, will be posted in accordance with the applicable municipal policies.

1.20 Bylaws

- 1.20.1 All Bylaws must be read once and formally approved by a majority of the Council members present and voting at a Meeting of the Council.
- 1.20.2 Bylaws may be read more than once and up to three times and formally approved by a majority of the Council members present and voting at a Meeting of the Council should the Council deem the Bylaw to be of significant interest to the ratepayers.
- 1.20.3 The provision in Section 1.20.2 must be expressed through a Resolution presented either at the Meeting where the Bylaw is being considered or at a previous Meeting.
- 1.20.4 The Township shall include a Confirmatory Bylaw prior to the conclusion of any Meeting, but such bylaw shall not apply to the Minutes of any Closed Meeting.

1.21 Arriving Late/Leaving Early

If a Member arrives after a Meeting has started or leaves before the end of the Meeting, the CAO / Clerk-Treasurer will record in the Minutes the time of arrival/departure. If a Member needs to leave before the end of a Meeting, they must inform the Chair and be excused. The best practice is to advise the Chair at the beginning of the Meeting that the Member needs to leave before the end of the Meeting.

1.22 Staff Attendance

Staff have a statutory duty to provide advice to Council. As such, staff, and particularly Officers and Department Heads, are expected to attend Council Meetings and to provide advice on a regular basis. Staff and Officers shall attend Meetings of Council when required by the CAO / Clerk-Treasurer.



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

1.23 Declarations of Conflicts of Interest

- 1.23.1 Where a Member has a pecuniary interest and discloses that interest in accordance with Section 5 of the *Municipal Conflict of Interest Act*, the Member will:
- a) Provide a written statement of the interest and its general nature to the CAO / Clerk-Treasurer in accordance with **Schedule "A"**;
 - b) Will leave their seat at the Council table while the issue is considered; and,
 - c) Will take no steps to influence the decision in any way, either prior to, during or after the Meeting, even if the Member did not attend the Meeting where the matter was discussed.
- 1.23.2 If the Member is not at a Meeting where a matter in which they have a conflict of interest was discussed, they must declare the conflict at the next Meeting and complete the written statement. Alternatively, if the Member knows they will not be at the Meeting where they have a conflict of interest in an item Council will consider, they can advise the CAO / Clerk-Treasurer and complete the declaration prior to the Meeting.
- 1.23.3 If the Member has a conflict of interest with an item on the closed meeting agenda, the Member will, during the open meeting before the meeting is closed, declare that the Member has a conflict with an item on the closed meeting agenda. In the open meeting, the Member shall only refer to the agenda item number, not the subject matter or reason for the conflict. In the closed meeting, the Member shall then state the subject matter and reason for the conflict.
- 1.23.4 Members will, at all times, comply with their statutory obligations pursuant to the *Municipal Conflict of Interest Act*.

1.24 Rules of Debate

- 1.24.1 The Rules of Debate shall include:
- a) The Chair shall preside over the Meeting, ensure good order and decorum, and rule on procedural questions.



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

- b) If the Chair desires to leave the chair for the purpose of taking part in the debate or for any other reason, he/she shall designate another Member to fill his/her place until he/she resumes the Chair.
- c) All Agenda items to be discussed are to proceed by Motion.
- d) Each Motion requires a moving Member and a seconding Member. If no Member agrees to move or second the Motion, the item will be struck from the Agenda and will not be subject to debate.
- e) The Chair or the CAO / Clerk-Treasurer will read the Motion or question.
- f) The mover has the first right of speaking on that Motion, after the Chair has read the Motion or question.
- g) The seconder has the next right of speaking on the Motion after the mover has spoken.
- h) After the mover and the seconder have spoken, the Chair will canvas each remaining Member for their opinion on the Motion.
- i) After being recognized by the Chair, every Member shall respectfully acknowledge the Chair before speaking on any matter.
- j) Except for the provision in Section 1.24.1 (b), the Chair shall speak last on any matter.
- k) A Member shall not speak a second time on a matter until all Members have had a chance to speak, except:
 - i. With permission of Council,
 - ii. If questioned by another Member; or
 - iii. To explain comments which the Member believes have been misunderstood



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

- l) No Member, without the permission of Council or the Committee, shall speak to a matter or in reply for longer than five (5) minutes.
- m) Motions and amendments to a Motion must be moved and seconded in writing and signed by the mover and seconder.
- n) A Motion may be withdrawn at any time prior to the vote thereon with the consent of the majority of Members present.
- o) When a matter is being debated, no other Motion shall be entertained other than a Motion:
 - i. to refer the matter to a certain body;
 - ii. to amend the Motion;
 - iii. to Table the Motion;
 - iv. to adjourn the Meeting;
 - v. that the vote be taken.
- o) A Motion to refer or Table shall be heard before any Motion or amendment, except a Motion to adjourn.
- p) A Motion to refer shall require direction as to the body to which it is being referred and a date the body is to Report to Council or Committee. A Motion to refer is not debatable.
- q) A Motion to Table must give a reason and a date to which the matter is deferred. Only the date of deferral is debatable. The Motion requires a two-thirds (2/3) majority.
- r) A Motion that the vote be taken shall not be entertained by the Chair until each of the Members has had an opportunity to speak on the matter at least once.
- s) Once a Motion that the vote be taken is passed, the original Motion and any amendments shall be voted upon without further debate.

1.25 Conduct

- 1.25.1 Members are required to follow the Municipality's Code of Conduct during all Meetings.



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

1.25.2 No Member shall:

- a) Shall speak disrespectfully of His Majesty the King or any Member of the Royal Family, the Governor-General, Lieutenant-Governor, or a Minister of the Crown.
- b) Speak disrespectfully of the Mayor, Deputy Mayor, Member, Staff, or any Member of the Public;
- c) Engage in private conversation while in the Council Chambers in such manner as to interrupt the proceedings of council;
- d) Speak on any subject other than the subject in debate;
- e) Speak in open Council about matters discussed in a Closed Meeting until authorized by Council;
- f) Interrupt a Member who is speaking by speaking out, or making a noise or disturbance, except to raise a procedural question; and
- g) Disobey the procedural rules or the decisions of the Chair or of the Council or Committee.

1.25.3 At a Meeting, no person shall:

- a) Speak disrespectfully of the Mayor, Deputy Mayor, a Member, any staff person, or any Member of the Public;
- b) Use offensive words;
- c) Disobey the procedural rules or the decisions of the Chair or of the Council or Committee;
- d) Leave his or her seat while a vote is being taken and until the results of the vote are declared;
- e) Make any disruptive noise or disturbance;
- f) Enter the Meeting while a vote is being taken;
- g) Walk between a Member who is speaking and the Chair; and
- h) Display signs or placards, applaud, engage in conversation or any other behaviour, which may disrupt debate.



**The Corporation of the
Township of Nairn and Hyman
MUNICIPAL POLICY**

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

- 1.25.4 Electronic devices must be silenced during a Meeting and must not be used to disrupt a Meeting.
- 1.25.5 No persons, except Members, the CAO / Clerk-Treasurer or the Secretary of a Committee, may approach Members without permission from the Chair.
- 1.25.6 No person shall speak aloud at a Meeting or address Members without first receiving permission from the Chair.
- 1.25.7 Any person who contravenes any of the rules in this By-Law are guilty of misconduct and, after an initial warning, may be removed from the Meeting by the Chair.

1.26 Questions during Debate

- 1.26.1 A Member may, through the Chair, ask a question arising out of or request an explanation of the previous speaker's remarks.
- 1.26.2 A Member may, through the Chair, ask questions during the discussion on any item on the Agenda and ask questions on the item to any staff member of the Municipality in attendance at the Meeting.
- 1.26.3 Any Member may, at any time during the debate, request that a Motion under discussion be read by the Chair. A Member may only make such a request once and may not interrupt another Member while they are speaking.
- 1.26.4 Not under any circumstances is a Member to engage in conversation, ask a question or otherwise communicate with the public who may be attending the Meeting.

1.27 Points of Order

- 1.27.1 When a Member believes there is a violation of this By-Law, the Member shall state that they wish to raise a Point of Order. Once recognized by the Chair, the Member shall raise the Point of Order. A Point of Order can only be raised during the Meeting.
- 1.27.2 Upon raising the Point of Order, a Member shall explain the violation of the rules and the Chair shall rule upon the Point of Order.
- 1.27.3 Once the Point of Order has been dealt with, the debate shall resume, unless the ruling has changed this procedure.



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

- 1.27.4 Any Member may appeal a ruling of the Chair by announcing their appeal to the Members. An appeal must be made immediately following the Chair's ruling. If the appeal is not made immediately, the Chair's ruling shall be final.
- 1.27.5 Upon appeal, the Member shall state the reasons for the appeal. The Chair may then indicate why the appeal should be rejected.
- 1.27.6 Without debate on the appeal, the Members, apart from the Member making the appeal and the Chair, shall vote on the appeal.
- 1.27.7 If the appeal is upheld by the majority of voting Members, the Chair shall change his or her ruling; accordingly, if the appeal is rejected then the ruling stands.
- 1.27.8 As soon as the Point of Order is disposed of the business is resumed exactly where it was interrupted at the time of the Point of Order;
- 1.27.9 No Member shall disobey the rules of Council or a decision of the Mayor, Chair or Council on questions of order or procedure or an interpretation of the rules of Council.

1.28 Points of Privilege

- 1.28.1 A Member may rise on a Point of Privilege due to a comment defaming one's character or relating to the rights and privileges of Council or any of its Members
- 1.28.2 If a Point of Privilege, is one requiring immediate action it may interrupt a Member's speech; for example, if the Member speaking cannot be heard. If the Point of Privilege does not require immediate action, then the Member shall wait for the speaking Member to finish his or her speech. At the conclusion of the speech by the speaking Member, the Member raising the Point of Privilege shall then rise
- 1.28.3 Points of Privilege take precedence over all other motions except a motion to adjourn.
- 1.28.4 Once recognized by the Chair, the Member shall raise the Point of Privilege. A Point of Privilege can only be raised during the Meeting.
- 1.28.5 Upon raising the Point of Privilege, a Member shall explain the violation and the Chair shall rule upon the Point of Privilege.



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

- 1.28.6 Once the Point of Privilege has been dealt with, the debate shall resume.
- 1.28.7 The Member who raised the Point of Privilege may appeal a ruling of the Chair by announcing their appeal to the Members. An appeal must be made immediately following the Chair's ruling. If the appeal is not made immediately, the Chair's ruling shall be final.
- 1.28.8 Upon appeal, the Member shall state the reasons for the appeal. The Chair may then indicate why the appeal should be rejected.
- 1.28.9 Without debate, the Members, apart from the Member making the appeal and the Chair, shall vote on the appeal.
- 1.28.10 If the appeal is upheld by the majority of voting Members, the Chair shall change his or her ruling; accordingly, if the appeal is rejected then the ruling stands.
- 1.28.11 As soon as the Point of Privilege is disposed of the business is resumed exactly where it was interrupted at the time of the Point of Privilege.
- 1.28.12 Where a person (including a Member) has been warned about misconduct and has continued the conduct, the Chair may expel the person from the Meeting. If such person refuses to leave, the Chair may recess or adjourn the Meeting without any Motion to do so until such time as the person has left the Meeting room.
- 1.28.13 If the person engaging in misconduct is a Member and the Member apologizes, he or she may, by vote of the majority Council, be permitted to retake his or her seat.

1.29 Points of Information

- 1.29.1 A Member may rise on a Point of Information requesting information on a specific question, either about process or about the content of a motion.
- 1.29.2 A person may rise on a Point of Information to offer information that is considered necessary for Council on the subject being debated. This provision is not used to offer debate.



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

- 1.29.3 A Point of Information is requested to the Chair, or through the Chair to another Member or staff member, to provide information relevant to the business at hand.

1.30 Voting - General

- 1.30.1 Once the vote is called by the Chair, no Member shall speak to any issue, ask any question or present any other Motion until the vote has been taken.
- 1.30.2 Voting shall be by way of a "show of hands" in favour or against, except when a Recorded Vote is requested.
- 1.30.3 A Member may request a Recorded Vote on any Motion. Such request may be made before, during or after the vote. When a Recorded Vote is requested, the CAO / Clerk-Treasurer shall call each Member's name in alphabetical order and request and record their vote on the Motion. Notwithstanding the alphabetical calling of names, the Chair shall vote last in a Recorded Vote. After completion of a Recorded Vote, the CAO / Clerk-Treasurer shall announce the result.
- 1.30.4 If a Member present at a Meeting fails to or refuses to vote, their vote will be counted as a vote against the Motion.
- 1.30.5 The Chair shall announce the results of the vote once the vote is completed.
- 1.30.6 If during a non-recorded vote, a Member disagrees with the Chair's results of the vote, the Member may object immediately to the Chair's declaration and require a Recorded Vote be taken.
- 1.30.7 If there is a tie vote, the Motion will be defeated.
- 1.30.8 When the question under consideration contains multiple options/issues, the Motion may be split upon request by a Member and each option/issue will be voted on separately. The Motion shall be split without debate.



***The Corporation of the
Township of Nairn and Hyman
MUNICIPAL POLICY***

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

1.31 Corrections

A Motion containing a minor or typographic error may be corrected on the request of the mover and seconder and the correction shall be made in writing on the face of the Motion and initialed by the mover and seconder.

1.32 Proxy Voting

Proxy Voting shall not be allowed under this By-law.

1.33 Amendments

1.33.1 The following rules shall apply to amendments to Motions:

- a) A "Motion Amendment" is a change to the question asked in the Motion;
- b) an "Amendment to an Amendment" is a change to the proposed Motion Amendment;
- c) only one amendment (whether a Motion Amendment or an Amendment to an Amendment) can be presented at a time;
- d) when an amendment has been decided upon, another may be introduced;
- e) the order of voting shall be:
 - i. an Amendment to an Amendment shall be voted upon;
 - ii. A Motion Amendment shall be voted upon next, and
 - iii. the Motion, as amended, shall finally be voted upon.

1.33.2 An amendment which is simply a rejection of the Motion will not be permitted.

1.34 Friendly Amendments

Friendly Amendments are editorial changes that may be allowed if nobody objects. Any Member may object and deny a request for a Friendly Amendment.

1.35 Voting - Reconsideration

1.35.1 When a Motion has been decided, any Member who voted with the majority may move for the Motion to be reconsidered. The



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

reconsidering of the Motion shall be called the "Motion to Reconsider". Members who were not in the majority cannot move for a Motion to Reconsider.

1.35.2 Before a Motion to Reconsider is heard, the Motion to Reconsider must be added to the Agenda. The Motion to Reconsider shall only be added to the Agenda upon Council's approval.

1.35.3 The process whereby a Motion to Reconsider is added to the Agenda is set out below:

- a) A Member who voted in the majority shall move for the Motion to Reconsider to be added to the Agenda;
- b) The Chair shall ask the Member to affirm that they voted with the majority;
- c) The Chair shall hold a vote whereby the Members shall vote on whether to allow the Motion to Reconsider to be added to the Agenda;
- d) When the Member is moving to have the Motion to Reconsider added to the Agenda of the same Meeting as that at which the Motion was originally voted on, the majority of Members must agree to add the Motion to Reconsider to the Agenda.
- e) Where the Member is moving to have the Motion to Reconsider added to the Agenda of a Meeting other than that at which the Motion was originally voted on, a two-thirds (2/3) majority must agree to add the Motion to Reconsider to the Agenda.
- f) Once the Motion to Reconsider is added to an Agenda, the Motion to Reconsider follows the same process as all other Motions.
- g) No Motion shall be reconsidered more than twice in the same calendar year.
- h) A Motion to Reconsider any decided matter shall not be used or operate to stop or delay an action on the decided matter.
- i) Debate on a motion to add a Motion to Reconsider to the



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

Agenda must be confined to reasons for or against reconsidering the Motion.

- j) No Committee shall reconsider any question decided by Council during the current term nor consider any other matter which could involve a decision inconsistent with such Council decision, unless specifically authorized by Council.

2.0 Roles and Responsibilities

2.1 Head of Council. (*Municipal Act*, s.225)

2.1.1 It is the role of the Head of Council to:

- a) Act as Chief Executive Officer (“CEO”) of the Municipality;
- b) Preside over Council Meetings so that its business can be carried out efficiently and effectively;
- c) Assign the seating arrangements in Council Chambers for all Members prior to the First Meeting of Council;
- d) Provide leadership to Council;
- e) Provide information and recommendations to Council with respect to the role of Council;
- f) Represent the Municipality at official functions;
- g) Uphold and promote the purposes of the Municipality;
- h) Promote public involvement in the Municipality’s activities;
- i) Act as the representative of the Municipality both within and outside the Municipality and promote the Municipality locally, nationally and internationally;
- j) Participate in and foster activities that enhance the economic, social and environmental well-being of the Municipality and its residents; and
- k) Carry out these duties and any other duties prescribed by the *Municipal Act* or any other legislation, policies or bylaws wherein such duties are defined;



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

2.2 Chair

2.2.1 It is the role of the Chair to:

- a) Open Meetings by calling the Meeting to order;
- b) Address the business listed on the Agenda;
- c) Receive and have read to Council all Motions presented by Members;
- d) Put to a vote all Motions which are moved and seconded, and announce the result of a vote;
- e) Decline to put Motions to a vote which breach the Procedural By-Law or other Legislation;
- f) Enforce, on all occasions, order, polite conduct and decorum among all present at a Meeting;
- g) When, in the Chair's opinion, the words or conduct of any person, including a Member, is in contravention of the Procedural By-Law or is causing unreasonable disruption to the Meeting, rule the person out of order and require the person to cease the activity or vacate the Meeting;
- h) Provide information to Members on any matter relating to the business of the Municipality;
- i) Authenticate by signature all By-Laws, Resolutions and Minutes;
- j) Rule on any points of order, privilege or information raised by Members;
- k) Maintain order, and, where it is not possible to maintain order, adjourn Meetings to a time to be named by the Mayor without any Motion being put forward; and
- l) Call for the adjournment of the Meeting when business is concluded.

2.3 Council. (*Municipal Act, s.224*)

2.3.1 It is the role of Council to:



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

- a) Represent the public and to consider the well-being and interests of the Municipality;
- b) Develop and evaluate the policies and programs of the Municipality;
- c) Determine which services the Municipality provides;
- d) Ensure that administrative policies, practices, and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
- e) Ensure the accountability and transparency of the operations of the Municipality, including the activities of the senior management of the Municipality;
- f) Maintain the financial integrity of the Municipality; and,
- g) Carry out duties of council prescribed by the *Municipal Act*.

2.4 Clerk. (*Municipal Act*, s. 228)

2.4.1 It is the duty of the Clerk to:

- a) Record, without note or comment, all Resolutions, decisions and other proceedings of Council;
- b) If required by any Member present at a vote, record the name and vote of every Member voting on any matter or question;
- c) Keep the originals or copies of all By-Laws and of all minutes of the proceedings of Council;
- d) Perform other duties required under the *Municipal Act* or any other Act; and
- e) Prepare and circulate Council Packages to all Members.
- f) Perform any other duties as assigned by the Municipality;
- g) Where appropriate, may delegate, in writing, the duties of the Clerk to another person in accordance with Section 228(4) of the *Municipal Act*.



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

2.5 Staff. (*Municipal Act*, s. 227)

2.5.1 It is the duty of Staff to:

- a) Implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions;
- b) Undertake research and provide advice to Council on the policies and programs of the Municipality; and,
- c) Carry out other duties required under the *Act* and other duties assigned by the Municipality.

2.6 Members of the Public.

2.6.1 It is the role of Members of the Public to:

- a) Attend Meetings which are open to the public;
- b) Follow the rules of order, polite conduct and decorum;
- c) Provide input and information to Council only at Meetings, or portions of Meetings specifically designed for public engagement and in a manner dictated by Council (e.g., writing, in person, electronic, etc.).

2.7 Public Question Period

2.7.1 Through this bylaw, Council has made a provision for a Public Question Period that is noted as occurring prior to the consideration of a Confirmatory Bylaw. The rules of the Public Question Period shall be as follows and strictly enforced:

- a) A maximum of three (3) persons shall be permitted up to three (3) minutes each to respectfully ask a question or make a comment.
- b) Such persons are required to register with the Clerk before the meeting begins.
- c) Issues raised during the Public Question Period shall only be



***The Corporation of the
Township of Nairn and Hyman
MUNICIPAL POLICY***

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

permitted to be raised once per year and Council has the right to refuse further questions or comments on a recurring issue.

- d) Issues raised by more than one (1) person that are identical or similar to issues already raised shall be governed by Section 2.7.1 (c) above.
- e) Persons speaking, are required to direct their questions or comments to the Chair using respectful language and shall not use identifiable names or titles.
- f) No person participating in the Public Question Period shall:
 - i. Shall speak disrespectfully of His Majesty the King or any Member of the Royal Family, the Governor-General, Lieutenant-Governor, or a Minister of the Crown.
 - ii. Speak disrespectfully of the Mayor, Deputy Mayor, a Member, any staff person, or any Member of the Public;
 - iii. Use offensive words;
 - iv. Interrupt any person who is participating in the Public Question Period
 - v. Disobey the procedural rules or the decisions of the Chair or of the Council or Committee;
 - vi. Make any disruptive noise or disturbance;
 - vii. Display signs or placards, applaud, engage in conversation or any other behaviour, which may disrupt the Public Question Period.
 - viii. The Mayor reserves the right to remove from the meeting, any person who violates Section 2.7.1 (f) (vii).



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

3.0 Meetings

3.1 First Meeting

- 3.1.1 The First Meeting of the newly elected or acclaimed Council after a regular election shall be held on the first Monday in December at 7:00 PM.
- 3.1.2 At the First Meeting after a regular election, the Clerk shall administer the declarations of office and oaths of allegiance, and the Code of Conduct for all Members.
- 3.1.3 The First Meeting after a by-election under section 266 of the *Municipal Act*, shall be held on the third Monday after the by-election at 7:00 P.M.
- 3.1.4 At the First Meeting after a by-election the Clerk shall administer the declarations of office and oaths of allegiance, and the Code of Conduct for all new Members.
- 3.1.5 No business shall be conducted at any First Meeting until the declarations of office and oaths of allegiance and Code of Conduct have been administered to all Members.

3.2 Regular Meetings

3.2.1 Time and Place.

Regular Meetings shall be held on the 2nd Monday of each month starting at 7:00 P.M. at the Township of Nairn and Hyman, 64 McIntyre Street, Nairn Centre, Ontario.

3.2.2 Rescheduling of Meeting

The location and date of any Regular Council Meeting can be rescheduled by way of Motion.

3.2.3 Election Year

Following a regular election, Council shall only meet as is deemed necessary by the Head of Council and the Clerk, until the new term of Council takes effect.

3.2.4 Special Meetings



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

A Special Meeting is a Meeting that is called for a specific time and for a specific purpose to deal with an important matter that must be dealt with before the next Regular Meeting.

3.2.4 The Head of Council.

The Head of Council may, at any time, summon a Special Meeting by providing a Notice of the Meeting to Members twenty-four (24) hours before the Meeting.

3.2.5 Upon receipt of a petition from the majority of Council, the Clerk may summon a Special Meeting by providing a Notice of Meeting to Members twenty-four (24) hours before the Special Meeting.

3.2.6 The only business to be dealt with at a Special Meeting is that which is listed in the Notice of the Meeting.

3.2.7 Portions of a Special Meeting may be closed, depending on the business of the Special Meeting, as provided in the *Municipal Act*.

3.3 Emergency Meetings

3.3.1 An Emergency Meeting may be called by the Head of Council and/or the Clerk-Treasurer, without written notice, to deal with an Urgent Matter.

3.3.2 The CAO / Clerk-Treasurer will attempt to notify all Members, the Chief Administrative Officer and the appropriate staff about the Emergency Meeting in the most expedient manner available and as soon as possible. The Clerk shall make a reasonable effort to advertise the Emergency Meeting to the public.

3.3.3 Only business dealing directly with the Urgent Matter shall be dealt with at the Emergency Meeting.

3.3.4 Quorum is still required at an Emergency Meeting.

3.3.5 These provisions shall apply, with necessary modifications, to Committees and Local Boards.



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

3.4 Closed Meetings

- 3.4.1 A Closed Meeting is a Meeting, or a portion of a Meeting, that is not open to the Public.
- 3.4.2 No Member, Officer, Person or employee shall disclose the subject matter or deliberation of a Closed Meeting, unless expressly authorized to do so by Council or the Committee.
- 3.4.3 Persons attending a Closed Meeting that are not a Member, Officer or employee, shall be required prior to attending the Meeting, to sign a Non-Disclosure Statement and file it with the Clerk.
- 3.4.3 After the Closed Meeting is adjourned the Chair shall report to the public:
 - a) That the Meeting has resumed open session; and,
 - b) The general nature of the matters dealt with in the Closed Meeting.
- 3.4.4 A Meeting may be closed where the matter to be discussed is, as contemplated in Section 239(2) of the *Municipal Act*, as follows:
 - 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



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

other body may hold a Closed Meeting under another Act;

- h) Information explicitly supplied in confidence to the Municipality or Local Board by Canada, a Province or Territory or a Crown agency of any of them;
- i) A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the Municipality or Local Board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- j) A trade secret or scientific, technical, commercial or financial information that belongs to the Municipality or Local Board and has monetary value or potential monetary value; or
- k) A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the Municipality or Local Board.

3.4.5 A Meeting may be closed if the Meeting is held for the purpose of educating or training the Members and at the Meeting 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.

3.4.6 A Meeting must be closed if the subject matter being considered is, as detailed in Section 239(3) of the *Municipal Act*, as follows:

- a) A request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the Council, Board, Commission or other body is the Head of an institution for the purposes of that *Act*;
- b) An ongoing investigation respecting a Municipality, a Local



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

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) of the *Municipal Act*.

- 3.4.7 A Meeting must be closed if the subject matter being considered is a harassment, complaint or investigation, pursuant to the *Occupational Health and Safety Act*.

3.5 Cancelled Meetings

- 3.5.1 A Meeting may be cancelled by the Head of Council, in consultation with the CAO / Clerk-Treasurer, in the following instances:

- a) Quorum cannot be achieved;
- b) By Council Resolution;
- c) In the event of an unforeseen, significant event; or,
- d) The Meeting is no longer required.

- 3.5.2 For the purposes of section 3.6(a), an unforeseen, significant event includes, but is not limited to, the following:

- a) Safety concern for participants in the Meeting, including Members and Members of the Public (e.g. snow storm, closing of a highway);
- b) Loss of heat/electricity or water;
- c) Clerk/Deputy Clerk's inability to attend;
- d) An emergency that has been declared under the Emergency Management and Civil Protection Act;
- e) The inability of a required participant to attend; and/or
- f) The Meeting becomes redundant.

- 3.5.3 The CAO / Clerk-Treasurer will attempt to notify all Members, and the appropriate staff about the cancelled Meeting in the most expedient manner available and as soon as possible. The CAO / Clerk-



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

Treasurer shall make a reasonable effort to advertise to the public that the Meeting has been cancelled.

4.0 Notice of Meetings

4.1 Annual Schedule of Meetings

- 4.1.1 The Clerk shall, by January 31st of each calendar year, submit a schedule of the upcoming Regular Meetings for each Council year for consideration and adoption by Council.
- a) The Clerk shall post on the municipal website notice of all Meetings. This posting will constitute notice to the public of the Meeting.
 - b) The Clerk may amend the schedule from time to time with the direction of Council to reflect scheduling conflicts and holidays. The Clerk's amendments shall be circulated to all Members and will be posted on the municipal website as soon as possible after the amendments are made. Such amendments shall be subject to a Resolution of Council.
 - c) The Clerk shall give at least twenty-four (24) hours' notice to the public of all Special Meetings and Committee Meetings unless the time for notice is waived unanimously and by Motion by Members who are in attendance at the Special Meeting or Committee Meeting.
 - d) Where a statute or the Notice By-Law requires, notice will be published in accordance with the statute/By-Law. The notice will also be posted on the municipal website.
 - e) Nothing in this Procedural By-Law prevents the Clerk from using more comprehensive methods of notice or providing for a longer notice period.



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

- f) Lack of receipt of notice or failure to comply with the notice provisions of this Procedural By-Law shall not invalidate the Meeting or any decision of Council or the Committee made at the Meeting.

5.0 Agenda

5.1 Agenda

- 5.1.1 It shall be the duty of the CAO / Clerk-Treasurer to prepare the Agenda of all Meetings. When and if necessary, the CAO / Clerk-Treasurer may consult with the Mayor on the contents of the Agenda. Notwithstanding any consultation with the Mayor, the Clerk shall have the final say on all items on the Agenda that is to be published.
- 5.1.2 All Council Agendas shall be prepared by the Clerk in writing and shall be in accordance with the attached ***Schedule "B"***.
- 5.1.3 The Council Meeting shall consider the items to be dealt with in accordance with the order that is set out in the Agenda unless otherwise decided by Resolution of the Members present at the Meeting.
- 5.1.4 Items on the Agenda, but not dealt with at the Meeting, will be placed on the next Regular Meeting Agenda under "Unfinished Business" unless set to a subsequent Meeting by Resolution of the Members present.
- 5.1.5 If a Member wishes to add an item that is not otherwise on the Agenda, when Council is considering the Meeting Agenda, the Member shall advise Council of the item and the Member shall require a two-thirds majority vote to have the item considered.
- 5.1.6 If a Member wishes to add an item to the Agenda prior to the Agenda being published, the Member may email the CAO / Clerk-Treasurer detailing the item to be placed on the Agenda along with providing any written material. In any event, the Member must comply with Section 5.1.7 and if not the Member may use Section 5.1.5 to place the matter on the agenda.



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

5.1.7 All items to be included on the Agenda will be provided to the CAO / Clerk-Treasurer by Members, Staff or the Public no later than ten (10) calendar days before the Meeting. Reports for a Meeting will be finalized and filed with the CAO / Clerk-Treasurer no later than seven (7) calendar days before the Meeting.

5.1.8 The complete Agenda will be sent to all Members the Friday before each Meeting and posted on the website and available to ratepayers the same day.

5.2 Notice of Motion (before the main agenda deadline)

A Member can submit a Notice of Motion (***Schedule "E"***) on new business to be considered at a meeting of Council. The Notice of Motion must be provided to the CAO / Clerk-Treasurer no later than 4:30 p.m. on the Tuesday of the week preceding the meeting at which the Motion is to be introduced, be in writing, signed by the mover and seconder and be complete and correct.

5.3 Motion Without Notice (between the main agenda closing and start of the meeting)

A Motion Without Notice is a request to Council to consider matters without notice to the public (i.e., they did not appear on the published agenda). Thus such Motions should be urgent, otherwise they may be denied by the Chair

5.4 Motion Without Notice (During the Meeting)

5.4.1 A Member can also submit Motions Without Notice during the Meeting itself. Since there is no public notice and no opportunity for public comment, these types of new business matters are not encouraged by this By-law. Council must agree to add the Motion Without Notice, with at least a two-thirds (2/3) majority vote.

5.4.2 Instructions on how to prepare any Notices of Motion can be directed to the Clerk.

5.5 Reports to Council shall be in the standard form set out in ***Schedule "C"***.



**The Corporation of the
Township of Nairn and Hyman
MUNICIPAL POLICY**

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

- 5.6 Individuals or Bodies wishing to have a matter placed on the Agenda will provide the CAO / Clerk-Treasurer with a completed form as shown in **Schedule "D"** to this By-Law.
- 5.7 The CAO / Clerk-Treasurer may decline to add items and/or Reports to an Agenda. Reasons to decline include, but are not limited to the following:
- a) More time is required to prepare Staff Reports for Council;
 - b) The Delegation Request Form was not submitted by the deadline;
 - c) The Delegation Request Form is incomplete;
 - d) The subject matter of the Delegation is outside of the jurisdiction of Council;
 - e) The subject matter is with respect to a matter that should be discussed in a Closed Meeting;
 - f) The Meeting Agenda is already too lengthy;
 - g) The subject matter is set to be discussed on another Agenda;
 - h) The issue is frivolous or vexatious;
 - i) The issue has been or is to be considered by the Committee of Adjustment;
 - j) Council has previously considered or decided the issue and a Delegation has appeared before Council with respect to the same issue;
 - k) Council previously indicated that it will not hear further from this Delegation or;
 - l) The issue should be referred to the CAO / Clerk-Treasurer for action.
- 5.8 Council Packages will be provided to Council the Friday before the Meeting.
- 5.9 **Closed Meeting Agenda**
In the event the CAO / Clerk-Treasurer receives items for a Closed Meeting Agenda, they shall be placed on the Closed Meeting Agenda and provided to



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

Council in a separate confidential Council Package. At the end of the Closed Meeting, the Closed Meeting Agendas will be collected by the CAO / Clerk-Treasurer and destroyed.

5.10 Adjournment

5.10.1 A Motion to adjourn does not need a seconding Member.

5.10.2 A Motion to adjourn a Meeting will be considered at any time except the following:

- a) When another Member has been recognized by the Chair and is speaking on a matter, or
- b) During the taking of a vote.

5.10.3 If a Motion to adjourn is defeated, the moving Member may not bring another Motion to adjourn until the Agenda is completed.

5.11 Curfew

Meetings shall be automatically adjourned at 11:00 p.m. unless otherwise determined by Resolution passed by a majority of the Members present.

5.12 Amendment

Any provision contained in this By-Law may be repealed, amended or varied and additions may be made to this By-Law by a majority vote, provided that no Motion for that purpose may be considered unless notice thereof has been given in accordance with the Municipality's Notice By-Law.

5.13 Mandatory Review

This By-Law shall have a mandatory review one year following the date of approval and then once per council term thereafter.

Section F Schedules

Schedule A – Member Declaration of Conflict of Interest



The Corporation of the Township of Nairn and Hyman MUNICIPAL POLICY

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

Schedule B – Agenda Format

Schedule C – Staff Reports

Schedule D – Request for a Council Delegation

Schedule E – Notice of Motion

Section E Policy Adoption and Review Guidelines

Date of Adoption by	Policy No.	By-law No.	Date of Most Recent Review by Council	Planned Date of Next Review
July 17, 2023	2023-2	2023-24		

Section F References to Related Policies or Bylaws

Policy Title	Policy Section	Policy Number
Procedural Bylaw		
Council Code of Conduct		
Staff – Council Relations		
Harassment in the Workplace		
Accountability & Transparency Policy		
Notice Policy		
Respect in the Workplace Policy		
Public Conduct Policy		
Procedures for Committees		



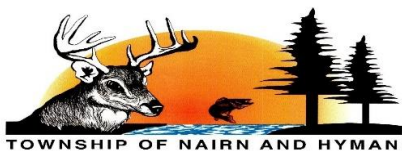
***The Corporation of the
Township of Nairn and Hyman
MUNICIPAL POLICY***

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

**“Schedule A”
Member Declaration of Conflict of Interest**

See next page

**The Corporation of the
Township of Nairn and Hyman
MUNICIPAL POLICY**



Council Member's Declaration of Pecuniary Interest

Pursuant to Subsection 5.1, of the *Municipal Conflict of Interest Act*, R.S.O. 1990 (In force and effect on March 1, 2019), Council members must complete this form prior to the Council meeting at which they will be making a declaration of pecuniary interest, direct or indirect. Each member who is declaring a pecuniary interest shall read the statement at the appropriate time during the applicable meeting, then provide this written statement to the Clerk.

Declaration:

I, _____, declare a pecuniary interest
(Print Full Name)

in Item _____ on the _____ Council agenda.
(Agenda Item #) (Date of Council Meeting)

I am making this declaration because (General nature of pecuniary interest):

I confirm that I will not vote on the matter, I will not take part in discussion on any question in respect of the matter, and I will not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

Signature

Date

Clerk's Acknowledgement:

Received on _____ by _____
(Date) (Print Name)

Signature of Clerk or Designate



**The Corporation of the
Township of Nairn and Hyman
MUNICIPAL POLICY**

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

**“Schedule B”
Agenda Format**

TIME:

PLACE: Nairn Community Centre

1. OPEN MEETING
2. DECLARATION OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF
3. DELEGATIONS
4. PUBLIC MEETING (If Required)
5. DISCUSSIONS ARISING FROM THE PREVIOUS COUNCIL MINUTES
6. APPROVAL OF COUNCIL MINUTES FROM PREVIOUS MEETINGS
7. MINUTES/REPORTS
8. CORRESPONDENCES
9. MOTIONS
10. BY-LAWS
11. FOR INFORMATION ONLY
12. OTHER BUSINESS
13. MATTERS FOR CLOSED SESSION
14. PUBLIC QUESTION PERIOD
15. CONFIRMATORY BY-LAW
16. ADJOURNMENT



**The Corporation of the
Township of Nairn and Hyman
MUNICIPAL POLICY**

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

**Schedule “C”
Staff Report Format**

Staff Report to Council

Date:

Report Number:

From:

Subject:

Recommendation

Introduction/Background

Analysis

Financial Impact

Options

Appendixes



**The Corporation of the
Township of Nairn and Hyman
MUNICIPAL POLICY**

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: 2023-24

**Schedule "D"
Request for a Council Delegation**

DELEGATION REQUEST FORM

NAME OF DELEGATE(S):

DELEGATION STATUS:

☐

Representing a Group/Organization/Business

Name of Group/Organization/Business: _____

☐

Attending as an individual

SUBJECT MATTER: _____

DATE OF MEETING: _____

RECOMMENDATION TO COUNCIL/COMMITTEE: (Please indicate below what action you would like the Township to take with respect to the above-noted subject matter. Use a separate page if more space is required or attach additional documentation.)

***The Corporation of the
Township of Nairn and Hyman
MUNICIPAL POLICY***

Note:

- All Delegation Request Forms and any additional documentation must be submitted to the Clerk no later than ten (10) calendar days before the meeting.
- The Clerk may decline a request for delegation for reasons outlined in the Procedural Bylaw Section 5.7 (a) to (l).
- Delegations are not confirmed until you are contacted by the Clerk to confirm your place on the agenda.
- Each delegation is permitted five (5) minutes to present, followed by an opportunity for questions from Council Members.

FOR INTERNAL USE ONLY

CONTACT INFORMATION:

Contact Name: _____

Contact Number: _____

Mailing Address: _____

E-mail Address: _____

ADDITIONAL DOCUMENTATION AND PRESENTATION MATERIALS:

Additional documentation attached?

Clerk's Acknowledgement:

Received on _____ by _____

(Date)

(Print Name)

Approved for Council Meeting Date:

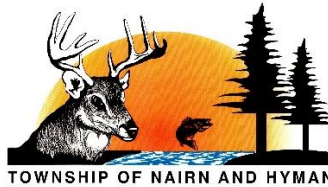
Signature of Clerk or Designate



**The Corporation of the
Township of Nairn and Hyman
MUNICIPAL POLICY**

POLICY TITLE: Procedural Bylaw	SUBJECT: Proceedings of Meetings
Policy Section:	Policy #: 2023-2
Effective Date: July 17, 2023	By-law: D

**Schedule "E"
Notice of Motion**



NOTICE OF MOTION FORM

Member of Council: _____
_____ (Print Name)

Hereby files a **NOTICE OF MOTION** to be included on the Agenda for the meeting of Council,

which is scheduled to be held on: _____
_____ (insert date)

SUBJECT: _____

and which **NOTICE OF MOTION** to read as follows:

***The Corporation of the
Township of Nairn and Hyman
MUNICIPAL POLICY***

Signature of Member of Council: _____

FOR CLERK'S OFFICE USE ONLY:	
Date Received:	
Time Received:	
Entered in Council Agenda for meeting date of:	