



Hastings Highlands

PROCEDURE BYLAW 2024 – 001

ADOPTED BY THE COUNCIL

ON THE

17th day of January 2024

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Bylaw 2024-001

To Govern the Proceedings of the Council of The Corporation of the Municipality of Hastings Highlands

Whereas The *Ontario Municipal Act, 2001* authorizes the Council of every Municipality to pass Bylaws for governing the proceedings of its Council, the conduct of its Members and the calling of Meetings; and

Whereas every Municipality and Local Board shall pass a Procedure Bylaw for governing the calling, place and proceedings of Meetings; and

Whereas The Council of The Corporation of The Municipality of Hastings Highlands considers it advisable to pass such a Bylaw; and

Whereas The Council shall also follow the regulations as set out within the *Municipal Conflict of Interest Act*; and the parliamentary authority of *Robert's Rules of Order*, as provided.

Now Therefore Be It Resolved That The Council of The Municipality of Hastings Highlands Enact As Follows:

ARTICLE 1 SHORT TITLE

1. Short Title

This Bylaw may be referred to as the "Procedure Bylaw" or the "Rules of Procedure".

ARTICLE 2 INTERPRETATION

2. Defined:

2.1 Abstain

Means a decision by a Member to not vote.

Occurs when a Member is present but refrains from voting in favour or against a motion.

2.2 Act

Means the *Municipal Act, 2001*, chapter 25, as amended.

2.3 Agenda

Means the order in which business is considered at a Meeting.

2.4 Appeal – motion to

Means to challenge a ruling or decision of the chair. A Member can move to appeal a decision of the Chair. A seconder is needed, and Council will vote on the appeal to determine the matter. The Chair will say "Shall the ruling of the Chair be upheld?" If it is a tie then the appeal fails, and the ruling of the Chair is upheld.

2.5 Bylaw

Means an enactment, in a form approved by Council, passed for the purpose of giving effect to decisions or proceedings of Council.

2.6 Chair

Means the person presiding at a meeting of Council, or Committee, as the case may be;

2.7 CAO

Means the Chief Administrative Officer of The Corporation of The Municipality of Hastings Highlands, delegated by Bylaw and as referred to under Section 229 of the *Municipal Act*.

2.8 Clerk

Means the Municipal Clerk of The Corporation of The Municipality of Hastings Highlands, or their delegate, appointed by Bylaw and as referred to under Section 228 of the *Municipal Act*.

2.9 Closed Meeting Investigator

Means the person the municipality may appoint as an investigator to investigate, in an independent manner, complaints about Closed Meetings.

2.10 Closed Session / Closed Meeting

Means a Meeting, or part of a meeting of the Council or a Committee, which is not opened to the public as permitted under the *Municipal Act*, as amended. See Article 9.

2.11 Code of Conduct

Means the adopted policy of conduct in force for Members of Council, Committee Members and Local Boards.

2.12 Committee

Means any Standing, Ad Hoc, or Statutory Committee or similar entity which has been duly appointed by the Council of The Corporation of the Municipality of Hastings Highlands.

2.12.1 Standing Committee

Means a Committee constituted to perform a continuing function and remain in existence permanently or for the life of the Council that establishes them and are appointed by Bylaw or Resolution.

2.12.2 Ad Hoc Committee

Means a Special Purpose Committee of limited duration, created by Council to inquire into and report on a particular matter or concern that has a specific task and objective, and which dissolves automatically upon submitting its final report unless otherwise directed by Council. One or more Members of Council to be appointed.

2.12.3 Statutory Committee

Means Committees established pursuant to a specific enabling statute such as a Committee of Adjustment established pursuant to the *Planning Act*, a Municipal Election

Compliance Audit Committee established pursuant to the *Municipal Elections Act* and any other body established pursuant to enabling legislation which services in an arms-length (quasi-judicial) capacity on behalf of or in cooperation with the Municipality.

2.13 Correspondence

Includes but is not limited to the following: Letter, memorandum, report, notice, electronic mail, facsimile, petition, brochure, media release, newspaper/magazine article, etc. Correspondence addressed to Council, the Mayor, the Clerk or any other staff member that are intended to be brought to the formal attention of the Council,

2.14 Committee Chair or Chair

Means the Chair of a Standing, Ad Hoc or Statutory Committee appointed by Council.

2.15 Confirming Bylaw

Means a bylaw passed at the conclusion of Council meetings confirming the actions taken at a meeting in respect of each resolution and other actions taken, so that every decision of Council at that meeting and any previous Special 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 bylaw.

2.16 Consent Agenda

Items of business which are generally routine in nature and would not require debate, that may be approved by a single motion, subject to the agreement of all Members. Should a Member wish to discuss an item, they would request the item be extracted from the consent agenda and that item would be discussed separately;

2.17 Corporation

Means The Corporation of the Municipality of Hastings Highlands.

2.18 Council

Means the Council of The Corporation of The Municipality of Hastings Highlands, which was elected by registered voters or appointed by virtue of a vacancy. A group of elected people gathered in one place for a common purpose to make laws or decisions for the Corporation of The Municipality of Hastings Highlands.

2.19 Council Chambers

Means the Council Chambers located in the Hastings Highlands Centre Municipal Office at 33011 Highway 62 in Maynooth, Ontario.

2.20 Days

Means seven consecutive days of a week, taking into account working days, Monday to Friday and weekend days, Saturday and Sunday.

2.21 Debate

Means a discussion to put forth reasons for or against, in which a difference of opinion is expressed.

2.22 Decorum

Means dignified propriety of behaviour and speech. An observance or requirement of polite and appropriate behaviour.

2.23 Delegation

Means the process whereby an individual or group appears before Council or Committee to submit a new request for action or bring Council or Committee up-to-date on a project, idea or concept that falls under Council's mandate.

2.24 Deputy Clerk

Means the Deputy Clerk(s) of the Municipality of Hastings Highlands, appointed by Bylaw and as referred to under Section 228 of the *Municipal Act*.

2.25 Deputy Mayor

Means the Member of Council elected or appointed by virtue of a vacancy to act from time to time in the place and stead of the Mayor.

2.26 Electronic Meeting

Means municipal Council and Committee Meetings called and held in full or in part via electronic means as determined and provided by the Clerk, including but not limited to audio teleconference, video teleconference, or via means of the internet and with or without in-person attendance;

2.27 Electronic Participation means participation in a Meeting from a remote location by such electronic means or service as determined and provided by the Clerk, and "participate electronically" has a corresponding meaning;"

2.28 Emergency Management and Civil Protection Act means the *Emergency Management and Civil Protection Act, R.S.O. 1990*, Chapter E.9, as amended.

2.29 Emergency means any period of time during which an emergency has been declared to exist in all or part of a municipality by the Head of Council or the Lieutenant Governor in Council or by the Premier, under sections 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*.

2.30 Ex officio means by virtue of the office or position and the Mayor is an ex officio Member of all Committees who, when attending a Committee Meeting, shall have full voting privileges and shall be counted for the purpose of the Committee's quorum. There is no requirement for the Mayor to attend all Committee meetings and shall be exempt from Section 4.14.

2.31 Hours

Means consecutive hours that follow each other, during the course of twenty-four (24) hours in a seven (7) day period.

2.32 Integrity Commissioner

Means a person who is retained by the Municipality who reports to council. The Integrity

Commissioner's role is to perform, in an independent manner, the functions assigned by council with respect to the application of a code of conduct for Members of Council and local boards and procedures, rules and policies governing the ethical behaviour of Members of Council and local boards. The Municipality is required to provide access to an Integrity Commissioner.

2.33 Local Board

Means a municipal service board, transportation commission, board of health, planning board, or any other board commission, Committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities, **excluding** a school board, a conservation authority, a public library board and a police service board.

2.34 Majority

Means more than half of the Council or Committee present.

2.35 Majority Vote

Means more than half of the votes cast by Members present and legally entitled to vote, vote in the same manner.

2.36 Mayor

Means the elected Head of Council or appointed by virtue of a vacancy and Chief Executive Officer of The Corporation of the Municipality of Hastings Highlands or the Deputy Mayor in their absence.

2.37 Meeting

Means any regular, special or other meeting of a council, or a local board, of a committee of either of them, 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.

2.38 Member

Means a person elected or appointed as a Member of the Council of The Corporation of the Municipality of Hastings Highlands, including the Mayor and Deputy Mayor, or appointed Member of a Committee, as it may apply.

2.39 Motion

Means a formal proposal by a Member for the consideration of Council or Committee that certain action be taken.

2.40 Municipal Office

Means the Municipal Office located at 33011 Highway 62 in Maynooth, Ontario.

2.41 Municipality

Means The Corporation of The Municipality of Hastings Highlands.

2.42 Notice of Motion

Means an advance notice preferably provided electronically to the Clerk by a Member

advising Members of a substantial matter on which Council will be asked to take a position.

2.43 Pecuniary Interest

Means a direct or indirect pecuniary interest within the provisions of the *Municipal Conflict of Interest Act, 1990*, chapter M.50, as amended.

2.44 Petition

Means a formal written request made to Council which requests a particular action within the authority of Council.

2.45 Point of Privilege

Means a question by a Member who believes that another Member has spoken disrespectfully towards that Member or another Member, Municipal staff or a delegation or who considers that his or her integrity or that of a Member or Municipal staff has been called into question by a Member.

2.46 Point of Information

Means a request directed to the Mayor or through the Mayor to another Member or to members of administration for information relevant to the business at hand, but not related to a point of order.

2.47 Point of Order

Means a question by a Member calling attention to a possible violation of the rules or customary procedures of this Bylaw.

2.48 Position or Opinion

Means something believed or accepted as true by a person.

2.49 Postpone

Means to delay consideration of a matter until later in the same meeting or to the next meeting of the same body, or to a certain meeting that is specified in the motion to postpone.

2.50 Presentation

Means the process whereby an individual or group is invited to appear before Council or Committee to bring Council or Committee up-to-date on a project, idea or concept. A presentation may or may not include a request for action.

2.51 Presiding Member

Means the Mayor or Deputy Mayor or Chair of the Meeting.

2.52 Quorum

Means the minimum number of voting Members who must be present at a properly called meeting in order to conduct business. A quorum must have a majority of Members who are not prohibited by statute from voting.

2.53 Recommendation

Means a suggestion or proposal as to the best course of action, typically found in Agenda Item Reports in the form of a motion.

2.54 Recorded Vote

Means documenting in the minutes of a Council or Committee meeting the name of each Member and their vote on a matter or question, being for, against, abstain, absent or disqualified pursuant to Section 246 (1) of the Act.

2.55 Resolution

Means a formal determination made by the Council or a Committee on the basis of a motion, duly placed before a regularly constituted Meeting of the Council or a Committee for debate and decision, duly passed and therefore represents the vote and will of Council.

2.5 Rules of Procedure

Means the rules and special rules and regulations as provided for within this Bylaw, and where this Bylaw is silent, the rules and regulations provided in *Robert's Rules of Order, Newly Revised*, as provided.

2.57 Time

Means that the "*Time Act*" shall govern the time within this Procedure Bylaw.

**ARTICLE 3
GENERAL PROVISIONS**

3.1 Suspension – Rules Regulations – Applicable – Majority

The rules and regulations contained within this Bylaw shall be observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business of all Council Meetings and in Committees, provided that the rules and regulations contained herein may be suspended for a single matter by majority vote of Members of the Council or Committee in any case for which provision is not made herein and shall not be debatable or amendable.

3.1.1 Committee – Relaxed

Notwithstanding Article 3.1, these rules and procedures may be relaxed in a Committee Meeting, if the subject matter so permits.

3.1.2 Addressing Council Members

All Members, except the Mayor, are to be addressed as: "Councillor (surname inserted)" and/or "Deputy Mayor (surname inserted)".

3.1.3 Addressing the Chair

The Chair and/or Mayor shall be addressed as "Chair (surname inserted)" or "Mayor (surname inserted)" or "Mr./Ms. Mayor" or "Your Worship".

3.2 Calculation – Majority

Majority means more than half of the total Members present and not prohibited by statute from voting.

3.3 Parliamentary Authority

In relation to the proceedings of Council and Committees and for which Rules of Procedure have not been provided in this Bylaw, *Robert's Rules of Order*, Newly Revised, as provided, shall be referenced where practicable.

3.4 Official Language of Business

Any person participating in a Meeting of the Council or Committee may address themselves in English after the Chair has recognized them.

3.5 Seating of Council / Committee Members – Chambers

The seating of elected Members of Council, or appointed Committee Members at the Council table, shall be as follows:

-The Chair shall be seated in the Centre

On the Right side of the Chair sits the Deputy Chair

Council/Committee Members shall be seated on either side of the Chair and Deputy Chair at the discretion of the Chair. Members of staff shall be seated at the discretion of the Chair.

3.6 Severability of Bylaw

If a court or tribunal of competent jurisdiction declares any portion of this Bylaw to be illegal or unenforceable, that portion of this Bylaw shall be considered to be severed from the balance of the Bylaw, which shall continue to operate in full force and effect.

ARTICLE 4 MEETINGS

4.1 Inaugural – Time – Place – Location

The inaugural meeting of the Council, following a regular election, shall be considered the first meeting of the new Council and held on the third Monday in November of an election year beginning at 6:30 P.M. in accordance with the *Municipal Elections Act* Section 6(1) and Section 230 of the *Municipal Act, 2001*. The meeting will be held in the Council Chambers of The Corporation of The Municipality of Hastings Highlands, or in Emond Hall, if deemed necessary. Meetings not held in Council Chambers will not be live-streamed or recorded, due to technical limitations.

4.1.1 Inaugural Meeting

The Clerk shall be responsible for the Agenda of the Inaugural Meeting and the arrangements for the Inaugural proceedings. The contents of the Agenda shall be as follows:

AGENDA

- a) Opening of the Meeting (opening ceremonies)
- b) Mayor's Declaration of Office and Oath of Allegiance
- c) Deputy Mayor's Declaration of Office and Oath of Allegiance
- d) Councillors' Declaration of Office and Oath of Allegiance
- e) Councillors' Inaugural Address

- f) Deputy Mayor's Inaugural Address
- g) Mayor's Inaugural Address
- h) Adjournment

4.1.2 Declaration of Office

At the first Meeting after a regular election and after a by-election pursuant to Section 232(1) of the *Municipal Act, 2001*, a person shall not take his or her seat on the council of a municipality until the person has taken the Declaration of Office in the official language of the English version of the established form provided by the Ministry of Municipal Affairs specifically for that purpose.

4.2 Meetings – Location

Unless extenuating circumstances dictate otherwise (Article 4.8) all Meetings of the Council of The Corporation of The Municipality of Hastings Highlands shall be held in the Council Chambers of The Corporation of The Municipality of Hastings Highlands. The public is welcome to attend all open meetings of Council. Seating is limited due to safety and accessibility requirements, and is available on a first-come, first-served basis.

4.3 Regular – Special – Schedule – Designated – Time

Regular Meetings of Council shall begin at 9:00 a.m. Yearly scheduled Special Meetings of Council shall begin at 9:00 a.m., unless otherwise provided. The Clerk will prepare annually a schedule of Regular Council Meetings and scheduled Special Meetings. The schedule will be posted on the Municipal Website, the Municipality's meetings portal and available in the Municipal Office.

4.4 Schedule – December of Election Year – No Meeting

In the year of an election, to accommodate orientation training, there will be no Regular Meeting scheduled in the month of December.

4.5 Audio Recording Equipment – Public/Media

Only audio recording equipment may be used by the public and the media to record all or any portions of a Meeting that is open to the public, provided that it is visible and not disruptive to the conduct of the Meeting. (Video not allowed).

4.6 Notice – Public Meeting

Notice shall be given of all Regular Council Meetings, Special Meetings and Committee Meetings by posting such notices on the municipal website, in the window in the reception area and at the rear of building of the municipal office not less than forty-eight (48) hours in advance of the time fixed for the meeting. For accountability and transparency purposes, notices shall include the names of the Bylaws that will be reviewed and/or considered by Council.

4.7 Extenuating Circumstances or Inclement Weather – Changes to Meetings

In the event of extenuating circumstances or inclement weather, the date, place, time and method (electronic) of any Meeting may be postponed or changed by the Clerk, in

consultation with the Mayor and CAO, if applicable, by advising as many Members as they are able to reach. Postponement shall not be for any longer than the next regularly scheduled Meeting of Council or Committee. The public and media will be advised forthwith after the decision has been made. Notice of the change shall be provided by posting a notice on Facebook, on the Municipality's website as well as posting the notice on the entrance window of the main lobby and rear of building of the Municipal Office.

4.7.1 Extenuating Circumstances or Inclement Weather - Electronic Member Participation

Any Member who is not physically present in the location where a Meeting takes place is permitted to participate electronically in both Open and Closed Session and shall have the same rights to speak and vote as if the Member was physically present in the following circumstances:

For medical reasons, illness, caregiver challenges, conflicting meetings that are directly related to that Member's furthering or representing Hastings Highlands business, vehicle failure, inclement weather making travel unsafe, funerals, natural disasters or in the event of a situation or pandemic where physical distancing, limited gatherings or quarantine measures are required by local, provincial or federal public health agencies. Every effort should be made to attend meetings in-person, however if extenuating circumstances apply, Members shall inform the Clerk in writing of their inability to attend in-person with the applicable extenuating circumstance twenty-four (24) hours in advance of the Meeting, in order to facilitate the emailing of the electronic meeting link to the Member.

4.8 Cancellation of Meetings

The Clerk, in consultation with the Mayor and CAO, if applicable, may cancel any Meeting if it is determined there is not sufficient business to be conducted. The Council, public and media will be advised forthwith after the decision to cancel has been made. Adequate notice of the change shall be provided by posting a notice of cancellation on Facebook, on the Municipality's website and the entrance window of the main lobby and rear of building of the Municipal Office.

4.9 Statutory Holidays

In the event that a Meeting is scheduled on a public or civic holiday, Council shall meet at the same hour on the next following day, which is not a public or civic holiday.

4.10 Attendance at Regular Meetings of Council, Operations and Special Meetings

Every Member of Council, Clerk, and/or every Municipal Department Head, as directed by the CAO, shall attend the applicable portion of each Operations Meeting of Council and Special Meeting of Council or shall advise the Clerk in writing of their inability to attend twenty-four (24) hours in advance of the Meeting.

4.11 Attendance at Regular Meetings of Council, Planning

Every Member of Council, Clerk, Planner and/or Building/Planning Clerk and selected Department Heads (if applicable) as directed by the CAO, shall attend the applicable

portion of each Planning Meeting of Council or shall advise the Clerk in writing of their inability to attend twenty-four (24) hours in advance of the Meeting.

4.12 Attendance at Committee Meetings

Every Member of Committee, as appointed and applicable staff, as directed by the CAO, shall attend the applicable portion of each Committee Meeting or shall advise the Clerk in writing of their inability to attend twenty-four (24) hours in advance of the Meeting, unless otherwise directed by a Committee Terms of Reference.

4.13 Absent from Meeting

The office of a Member of Council or Committee becomes vacant if the Member is absent from the Meetings of Council or Committee for three (3) consecutive months without being authorized to do so by a resolution of Council. This does not include meetings where the Mayor sits *ex officio* (by virtue of office).

4.14 Open to Public – Council – Committees – Exception

Meetings of the Council and its Committees shall be opened to the public except as provided for in Article 10.1 of this Bylaw. Electronic Meetings are deemed as “open to public”.

4.14.1 Meetings Open to Public – Record

All Council Meetings opened to the public shall be recorded without note or comment on all resolutions, decisions and other proceedings.

4.15 Live Streaming/Recording of Municipal Meetings

All Council and Committee meetings of Open Session shall be video livestreamed, via the municipality’s YouTube Channel **if** held in Council Chambers. Audio livestreaming is also an acceptable electronic method. Retention of the recordings on the municipality’s YouTube channel will be for one year.

4.16 Special Meetings

4.16.1 Special Meeting – Mayor

The Mayor, in consultation with the CAO and/or Clerk, may at any time summon a Special Meeting of Council by giving direction to the Clerk stating the date, time and purpose of the Special Meeting. The agenda will be limited to the item(s) consulted on with the Mayor meaning no business other than that indicated in the written or verbal notice shall be considered at the Special Meeting.

4.16.2 Special Meeting – Members of Council

Upon receipt of the petition of the majority of the Members of Council, the Clerk shall summon a Special Meeting for the purpose and at the date and time mentioned in the petition. Once received by the Clerk, no Member shall remove their name from the petition.

4.16.3 Notice by Clerk

The Clerk shall give all Members and Public notice of a Special Meeting of Council that is not on the yearly schedule not less than forty-eight (48) hours in advance of the appointed time for such a Meeting.

4.16.4 Delivery – Notice

Notice of the Meeting shall be provided to Members of Council, by electronic mail or as otherwise practicable within the circumstances. In addition, notice of all Meetings of Council shall be posted on the Municipality's website and posted in the window in reception area and at the rear of building of the municipal office not less than forty-eight (48) hours in advance of the time fixed for the Meeting.

4.16.5 Nature of Business – Notice for Special Meeting

The written or verbal notice shall indicate the nature of the business to be considered, date, time and place of the Special Meeting.

4.16.6 Special Meeting – Place

All Special Meetings of Council shall be held in the Council Chambers unless an alternative location is specified in the notice of Meeting as provided for under Article 4.8. Meetings not held in Council Chambers will not be live-streamed or recorded, due to technical limitations.

4.17 Emergency Meeting – Notice Not Required

Notwithstanding any other provision of this Bylaw, an Emergency Meeting may be held, without written notice to deal with an emergency or extraordinary situation provided that an attempt has been made by the Clerk to notify the Members about the Meeting as soon as possible and in the most expedient manner available.

4.18 Emergency Council Meeting – Location

In the event of an emergency declared by the Head of Council or any other Lead Agency as identified in the *Emergency Management Act* within the confines of a declared emergency where The Corporation of The Municipality of Hastings Highlands Municipal Office is not accessible, the Municipal Office may be relocated and Council Meetings may be held at any other convenient location, within or outside the geographical boundaries of the Municipality which is accessible to Members of Council and staff or by an Electronic Meeting. In-person meetings not held in Council Chambers will not be live-streamed or recorded, due to technical limitations.

4.19 Curfew – Meeting Adjournment

Meetings of the **Regular** Meeting of Council shall stand adjourned at the hour of Four o'clock (4:00 p.m.) Should Members of Council wish to continue dealing with business beyond the hour of Four o'clock (4:00 p.m.), a motion and vote shall be required to suspend the rules in order to continue the Meeting.

4.20 Leave of Chambers

Members shall not leave their place within the Council Chambers, until the Chair has

declared the Meeting adjourned or if they have a pecuniary interest. Permission to leave an open session to use the rest room shall not be needed. Special permission for other reasons will be at the request of the Chair.

ARTICLE 5 ELECTRONIC MEETINGS AND ELECTRONIC PARTICIPATION

5.1 Electronic Meeting

A meeting may be conducted by Electronic means because of Extenuating Circumstances or Inclement Weather (Article 4.8) or as deemed necessary by the CAO and Clerk in consultation with the Mayor or Deputy Mayor.

5.2 Electronic Meeting - Public Notice

The public notice for all Electronic Meetings, shall be given in accordance to the notice provisions outlined in Article 4.7 and will state the electronic meeting method.

5.3 Electronic Meeting - Chair

The Mayor or Deputy Mayor or Committee Chair shall lead the meeting and be present from a designated meeting location, preferably Council Chambers, where possible.

5.4 Electronic Meeting and Electronic Participation – Quorum

Members 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 as if they were attending the meeting in person.

5.5 Electronic Meeting – Notice to Clerk

For a meeting that is to be held in Council Chambers, Members are encouraged to notify the Clerk Twenty-Four (24) hours in advance if that is possible, that they intend to participate electronically with the permitted reason from Article 4.8.1.

5.6 Electronic Meeting – Request to Speak

The Chair will ask each participating Member to raise their hand if they wish to speak on the current item during debate, starting with the mover, then seconder, then remaining Members.

5.7 Electronic Meeting and Electronic Participation – Voting

Members shall keep their camera on at all times during the meeting in order to be seen raising their hand during a vote. If they have joined by telephone, their name will be called to vote verbally.

5.8 Electronic Meeting and Electronic Participation – Failed Connection

Members are expected to ensure that their connection is stable and able to support their participation without connectivity gaps or outside interference/interruptions.

If for any reason an individual Member's or multiple Members' electronic connection to the meeting fails or their video fails during proceedings, a brief recess may be called in order for staff to assist the Member in re-establishing it. If the connection still cannot be re-established, the meeting shall then resume without that Member. If the electronic connection fails to such a degree that quorum is lost, the meeting shall stand in recess until such time as the connection is re-established. If the connection cannot be re-established to the point where a quorum can be maintained, the meeting shall stand adjourned, and any items of business shall be carried over to a future meeting.

5.9 Electronic Meeting – Member Conduct

Each Member shall remain silent and attentive to the proceeding when not assigned as the speaker. Each Member to listen for their name to be assigned as speaker. Each Member to take direction from the Chair in order to facilitate an effective, efficient and orderly Electronic Meeting.

5.10 Electronic Meeting – Public Access

The Public shall be given access to a live broadcast of the proceedings to satisfy open meeting requirements subject to Section 239.1 of the *Municipal Act*.

5.11 Electronic Meeting and Electronic Participation – Closed Session

An Electronic Meeting may include a Closed Session that shall be conducted in the absence of the public and in accordance with Article 10. Members and staff who are participating remotely will be issued a confidential link or activation code to log on or dial into the closed session. Members and staff must ensure that no other person is in the location from which they are taking part in the meeting or make appropriate arrangements so that no other person can see or hear any of the confidential deliberations taking place. If this is not possible, the Member must withdraw from the meeting until it has resolved back into public session. A verbal confirmation of confidentiality will be required at the start of the meeting.

5.12 Electronic Participation – Presentations, Delegations and/or Petitions

An Electronic Meeting shall permit approved Presentations, Delegations and Petition participants to attend electronically. Refer to Articles 15, 16 and 17 of this Bylaw for submission requirements and deadlines.

5.13 Electronic Meeting – Public Comment Period

An Electronic Meeting shall permit members of the public to make comments or ask questions to Council, through the Chair, without debate or criticism in regard to a staff report, Council report or bylaw listed on the agenda. These comments or questions may be sent in writing to the attention of the Municipal Clerk before or during a meeting and will be received by Council. In consideration of time restraints, electronic comments are limited to 250 words. There will be no expectation/requirement for Council to reply to each comment or question. This portion of the Agenda should not exceed a total of

Fifteen (15) minutes. Questions and Comments cannot be recorded in the minutes as per the *Municipal Act, 2001*, S.O. 2001 c. 25, Section 228 (1)(a).

The Municipality expects and promotes respectful interactions, which show regard for the rights, dignity, health and safety of all. The Municipality will not tolerate or condone any disrespectful behaviour that a reasonable person would consider humiliating, demeaning, offensive or intimidating in accordance with the Workplace Violence and Harassment Policy of the Municipality, as amended. Any person in breach of this expectation may be asked to leave by the Chair.

5.14 Application and Conflict

Notwithstanding the foregoing, the Procedure Bylaw shall continue to apply to an Electronic Meeting held pursuant to this Article and any Provincial legislation or order shall prevail to the extent of any conflict.

ARTICLE 6 ROLES

6.1 Council

It is the role of Members of Council to:

- 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 and the activities of the senior management of the Municipality.
- f) Maintain the financial integrity of the Municipality; and
- g) Carry out the duties of Council under this or any other Act.

- Section 224, *Municipal Act*

6.1.1 Individual Authority – Not Provided

No individual Council Member may direct any Member of the Administration and/or staff, to perform such duties that have not been authorized by Resolution of the Council.

6.1.2 Established Policies – Members – Respect

Members of Council shall respect and adhere to the Policies set by the Council and under no circumstances take it upon themselves individually to circumvent established Policies.

6.1.3 Questions – Operational Concerns – Members of Council

Questions or issues surrounding operational concerns or complaints, excluding basic

issues covered shall be directed to the Chief Administrative Officer, who will then direct the questions or issues to the appropriate Manager.

6.2 Head of Council – Mayor

It is the role of the Head of Council to:

- a) Act as Chief Executive Officer of the Municipality.
- b) Preside over Council Meetings so that its business can be carried out efficiently and effectively.
- c) Provide leadership to the Council.
- d) Maintain decorum in Council Chambers.
- e) Without limiting clause (c), to provide information and recommendations to the Council with respect to the role of Council described in Section 5.1(d) and (e) of this Bylaw.
- f) To represent the Municipality at official functions.
- g) To carry out the duties of the Head of Council under this or any other Act;
- Section 225, *Municipal Act*

It is the role of the **Head of Council as Chief Executive Officer** of a Municipality to uphold and promote the purposes of the Municipality;

- a) Promote public involvement in the Municipality's activities;
- b) Act as the representative of the Municipality both within and outside the Municipality, and promote the Municipality locally, nationally and internationally; and;
- c) Participate in and foster activities that enhance the economic, social and environmental well-being of the Municipality and its residents.
-Section 226.1 of the *Municipal Act*

6.3 Duties of the Mayor or Chair

It is the role of the Mayor or Chair (as applicable) to perform the following duties:

- a) To open all Meetings by taking the Chair and calling the Members to order.
- b) To preside at all Meetings.
- c) To announce the business before the Council/Committee and the order in which it is to be acted upon.
- d) To receive and submit, in the proper manner, all motions presented by the Members of Council or Committee.
- e) To put to a vote all motions, which are moved and seconded, or necessarily arise in the course of the proceedings, and to announce the result of the vote.
- f) To sit *ex officio* as Member of all standing and other Committees of the Council and be entitled to participate and vote at Meetings.
- g) To select Members of all standing Committees, Boards and Commissions and to appoint Committee Chairs and vice-Chairs when deemed necessary.
- h) To decline to put to a vote, motions which infringe upon the Rules of Procedure.

- i) To enforce the Rules of Procedure.
- j) To ensure that the decisions of Council are in conformity with the laws and bylaws governing the activities of the Municipal Corporation and Committees.
- k) To restrain Members when engaged in debate, to remain within the Rules of Procedure.
- l) To enforce on all occasions the observance of order and decorum among the Members.
- m) To call by name any Member persisting in a breach of the Rules of Procedure and order the Member to vacate the Council Chambers (see Article on Code of Ethics).
- n) Permit questions to be asked through the Chair of any officer of the Municipality in order to provide information to assist any debate.
- o) To call a Five (5) minute rest period when deemed appropriate. (This Council has chosen a Ten (10) minute rest period at a minimum every two (2) hours).
- p) Provide information to Members of Council on any matter touching on the business of the Municipality.
- q) Receive all messages and other communications and announce them to the Council.
- r) Authenticate by signature, when necessary, all bylaws and resolutions of Council.
- s) Rule on any points of order raised by the Members of Council.
- t) Inform the Members of Council of the proper procedure to be followed.
- u) Represent and support the Council, declaring its will and implicitly obeying its decisions in all matters.
- v) Where it is not possible to maintain order, the Chair, may without any motion being put, (put to a vote) adjourn the Meeting to a time to be fixed by the Chair.
- w) To order any individual or group in attendance at the Meeting to cease and desist any behaviour which disrupts the order and decorum of the Meeting and to order the individual or group to vacate the council chamber where such behaviour persists.
- x) Answer questions and enquiries from the public; and
- y) Adjourn the Meeting when the business is concluded.

- *Robert's Rules of Order*

6.4 Role of Municipal Administration

It is the role of the officers and employees of the Municipality 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 this or any other Act and other duties assigned by the Municipality.

- Section 227, *Municipal Act*

6.5 Clerk

It is the role of the Clerk to:

- a) Record, without note or comment, all resolutions, decisions and other proceedings of the Council.
- b) If required by any Member present at a vote, to record the name and vote of every Member voting on any matter or question.
- c) Keep the originals or copies of all bylaws and of all Minutes of the proceedings of the Council.
- d) Perform the other duties required under this Act or under any other Act; and
- e) Perform such other duties as are assigned by the Municipality.

-Section 228, *Municipal Act*

6.6 Deputy Clerk(s)

A Municipality may appoint Deputy Clerk(s) who have all the powers and duties of the Clerk under this and any other Act.

-Section 228, *Municipal Act*

6.7 Chief Administrative Officer

It is the role of the Chief Administrative Officer to:

- a) Exercise general control and management of the affairs of the Municipality for the purpose of ensuring the efficient and effective operation of the Municipality;
- b) Perform such other duties as assigned by the Municipality.

-Section 229, *Municipal Act*.

ARTICLE 7 DUTIES

7.1 Council

7.1.1 Preparation of Members to Council Meeting

It is the responsibility of every Member of Council to come prepared to every Meeting by having read all the material supplied, including Agendas and staff reports, to facilitate discussion and the determination of action at the Meeting.

7.1.2 Requests for Substantive Reports

All requests for substantive reports shall be by Council Resolution, which shall identify the appropriate Department or Manager and objectives of the report.

7.1.3 Interference – Direct

No Member(s) shall have the authority to direct or interfere with the performance of any work by Administration of The Corporation of The Municipality of Hastings Highlands. All inquiries shall be directed through the office of the Chief Administrative Officer.

7.2 Mayor and Committee Chair

7.2.1 Public Meeting – Call to Order

The Mayor or Committee Chair shall preside over the conduct of Meetings, including the

preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the Meeting, subject to an appeal to the Council or Committee, as the case may be.

7.2.2 Recognize Speakers

The Mayor or Committee Chair shall recognize any Member of Council or Committee (as the case may be) who wishes to speak and determine the order of the speakers.

7.2.3 Motions – Received – Submitted – Results Announced

The Mayor or Committee Chair shall receive and submit in the proper manner, all motions presented by the Members and to put to vote all questions, which are duly moved and to announce the result.

7.2.4 Mayor May Speak or Vote – Participation in Debate

The Mayor or Committee Chair may speak and/or vote on any question but if they wish to speak to a motion or to make a motion they shall first leave the Chair by designating the Deputy Chair, and if the Deputy Chair is absent, by designating another Member to act in their stead until the issue has been fully resolved, after which the Chair may resume their Chair. (Also see Article 9.13)

7.2.5 Debate – Enforces Rules – Restrain Members

It shall be the duty of the Chair to restrain the Members within the rules of procedure when engaged in debate.

7.2.6 Decorum – Order – Enforced

It shall be the duty of the Chair to enforce on all occasions the observance of order and decorum among the Members.

7.2.7 Bylaws – Resolutions – Minutes – Authentication

It shall be the duty of the Chair to authenticate, by their signature, when necessary, all Bylaws, resolutions and Minutes of the Council.

7.2.8 Point of Order – Inform Members

It shall be the duty of the Chair to inform the Members on any point of order and rule on them to be included in the minutes of the meeting.

7.2.9 Disorder – Adjourn – Suspend – Recess – Meeting

It shall be the duty of the Chair to adjourn the Meeting without the question being put, or to suspend or recess the sitting for a time to be named, if considered necessary because of grave disorder arising in the Meeting.

7.3 Head of Council – Deputy Mayor

7.3.1 Elected – Act in Place and Stead of Head of Council

Through election of the Deputy Mayor, they will act in the place and stead of the Head of Council, when the Head is unable to act.

7.3.2 Duties – Powers – Authority

The Deputy Mayor while performing the duties in the place of the Head of Council shall have all of the duties, rights, powers and authority of the Head of Council during the absence, illness or refusal to act by the Head of Council.

ARTICLE 8 CONDUCT DURING MEETINGS – DECORUM

The following rules of conduct and decorum shall be adhered to at all times during all Meetings:

8.1 Council Floor – Encroachment

No person, with the exception of a Member or an authorized employee of the Municipality shall be allowed to come within or behind the horseshoe during a Meeting without the permission of the Chair.

8.2 Distribution of Information – Handouts

No person except a Member or an authorized employee of the Municipality shall before or during a Meeting place on the desks of Members or otherwise distribute any material whatsoever. All material without exception shall be submitted to the Clerk for distribution to Members, upon the approval of the Chair.

8.3 Sovereign – Royal Family – To Be Respected

No Member shall speak disrespectfully of the reigning sovereign or any of the Royal Family or of the Governor General, the Lieutenant Governor or any Province or any Member of the Senate, the House of Commons of Canada or the Legislative Assembly of the Province of Ontario.

8.4 Members – Municipal Staff

No Member shall speak disrespectfully or shall use offensive words against Members of the Council or any Member thereof including municipal employees.

8.5 Speaking – Subject of Debate Only

No Member shall speak on any subject other than the subject currently being debated.

8.6 Criticize – Decision – Exception

No Member shall criticize any decision of the Council except for the purpose of moving the question to be reconsidered or rescindment of a resolution.

8.7 Profane Remarks – Expelled

Any individual (Member of Council or other), making personal impertinent, slanderous and profane remarks, against a Member, Administration or other, may be expelled from the Meeting room by the Chair.

8.8 Rules of Procedure – Disobey

No Member shall disobey the Rules of Procedure or a decision of the Chair or of the Council on questions of order or practice or upon the interpretation of the Rules of Procedure.

8.9 Breach – Seat Vacated

Where a Member has been called to order by the Chair for failing to observe the provisions of the Rules of Procedure and the Member persists in any disobedience after having been called to order by the Chair, the Chair may order the Member to vacate their seat and remove them from the ongoing Meeting.

8.10 Dress Code – Meetings of Council

All Members of Council shall wear proper business attire (ties optional) during Meetings of Council.

8.11 Members of the Public – Conduct – shall:

8.11.1 Remain seated, except for the person who has been given permission to speak, through the Chair.

8.11.2 Refrain from making noise or engage in a conversation between one another.

8.11.3 Listen to the person who is speaking and shall not interrupt said person.

8.11.4 Respect the fact that no person shall address Council or Committee without permission by having been recognized by the Chair.

8.11.5 Address questions and remarks to the Chair.

8.11.6 Be allowed to take photographs during in the public meetings.

8.11.7 Not bring any signs or placards into the meeting room.

8.11.8 Not make detrimental comments, or speak ill of, or malign the integrity of staff, the public, Mayor, Chair, Members of Council or Committee.

8.11.9 Any Member of the public found to be disrespecting Article 8 during a Meeting, may be expelled from the Meeting room by the Chair.

**ARTICLE 9
RULES OF DEBATE**

9.1 Chair Preserve Order

The Chair shall preserve order and decorum and decide on questions of order subject to an appeal to the Council/Committee by any Member.

9.2 Addressing the Chair

Before speaking on any motion, any Member shall indicate their desire to speak by the raised hand and shall not speak until recognized by the Chair.

9.3 Mover and Seconder

After the Chair, the Member who moves a main motion has the first right of speaking on that motion, and the seconder has the right of speaking second on the motion. The mover has the last right to speak on the motion.

9.4 Order of Speakers

When two or more Members wish to address the Chair, the Chair shall recognize the Member, who in their opinion was first recognized followed by the second Member.

9.5 Disturbance by Member

No Member shall disturb another Member or the Council itself by any disorderly behaviour disconcerting to any Member speaking.

9.6 Offensive Words

No Member shall use offensive words during any Meeting of Council or Committee Meeting against any Member of Council or staff.

9.7 Voting – Members – Seated

When the Chair calls for the vote on a motion, each Member shall occupy their seat and shall remain there until the Chair has declared the result of the vote, and during such time no Member shall walk across the room to speak to any other Member or make any noise or disturbance.

9.8 Speaking Interruption

When a Member is speaking no Member shall pass between the speaker and the Chair or interrupt the speaker except to raise a point of privilege, appeal a decision of the Chair, or raise a point of order.

9.9 Speaking – Motion Read Upon Request

Any Member may require a motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.

9.10 Speaking – Duration Time Limit – Five (5) Minutes

No Member shall speak to the same question or in reply for longer than Five (5) minutes. Any extension of the time frame limits greater than Five (5) minutes is at the discretion of the Chair. A right of reply shall be allowed to a Member who has made a substantive motion to Council.

9.11 Question – Motion Under Discussion

A Member may concisely ask a question through the Chair only for the purpose of obtaining information relating to the motion under discussion.

Questions may be asked only of:

- i) The Chair;
- ii) staff;
- iii) A previous speaker; and,
- iv) A delegation/presentation

9.12 Question – Integrity of Staff

A Member, while asking questions through the Chair, shall at no time put into question the Municipal Employee's personal or professional integrity.

9.13 Chair Participation – Step Down – Other Designated

If the Chair desires to ‘leave the Chair’ for the purpose of moving a motion and participating in debate, the Chair shall designate the Deputy Chair, or if not available another Member to Chair the Meeting until such time as the motion(s) and any subsidiary motion(s) applicable to the main motion are disposed. The Chair shall ‘pass the gavel’ to the designate Chair at such time. This action is not required to form part of the minutes.

9.14 Motion – Seconded – Before Debate

All motions shall be seconded before they are debated or voted on. The seconder’s name does not form part of the open session minutes, however, does form part of the closed session minutes.

9.15 Motion – Stated by the Chair

After the Chair puts any motion, (puts to a vote) no Member shall speak to the motion nor shall any other motion be introduced until the result of the motion has been declared, and the Chair has stated as to whether the motion has been carried or lost.

**ARTICLE 10
CLOSED MEETINGS**

10.1 Closed to Public – Closed Meeting

A meeting or part of a meeting of the Council or its Committees may be closed to the public, by Resolution, if the subject matter being considered is:

- 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; 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;
- l) 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;
- m) An ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*;
- n) Educational or training sessions, if the following are both satisfied:
 - 1. The meeting is held for the purpose of educating or training the members; and
 - 2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council or Committee

10.2 Closed to Public – Agenda

Agendas shall include closed meeting items, when required, including information surrounding the nature of the closed meeting item. The Agenda will also include confidential reports for discussion and minutes for approval.

The Clerk shall distribute by electronic mail or Council shall view via their user name and password on the meetings portal all confidential reports and materials for Closed Meetings.

10.3 Closed to Public – Confidential Reports

Whenever possible, written closed meeting reports are preferred over verbal reports as the former provides for a more detailed account of the confidential record. Whenever possible, written reports are to be distributed in advance in order to ensure that Council or Committee is prepared for any decisions they may need to consider in relation to a closed meeting discussion.

Staff who are considering labelling a report “confidential”, and therefore to be considered a closed meeting matter, should, if necessary, seek advice from the Chief Administrative Officer or Clerk to ensure that the subject matter meets the criteria for a closed meeting discussion.

10.4 Closed to Public – Resolution To Go Into a Closed Session

A resolution to go into a Closed Session should voluntarily disclose as much information as possible about the subject matter to be discussed to provide transparency and accountability to the public. The reason must meet the criteria as set out in Section 239 of the *Municipal Act, 2001*.

If Council or a Committee is going into a closed session under Section 239 then the resolution must also include the following:

- Notation that the meeting is going into closed session under Section 239 of the *Municipal Act*
- A description of the subject matter to be discussed and the fact that the meeting is being closed under the specific subsection.

10.5 Closed to Public – Clerks Attendance

The Clerk or their delegate shall attend all closed meetings and record the proceedings, including procedural motions and direction given to staff.

10.6 Closed to Public – Discussion and Voting

In relation to a matter considered in a closed meeting pursuant to Section 10.1 Council or Committee may vote:

- a) On procedural motions;
- b) On motions to rise, report and introduce a proposed recommendation on an open meeting agenda; or
- c) To give direction to officers, employees, agents or a third-party of the Municipality.

It is recommended that where voting is permitted that formal motions be utilized for voting.

The Chair shall prohibit discussion of any matter that was not disclosed in the resolution authorizing the closed meeting. Votes held in closed meetings shall be by a show of hands unless a recorded vote is requested by a Member in accordance with the regulations contained in the Act. The Chair may ask for a show of hands for any Members voting in the negative.

10.7 Closed to Public – Leave of Meeting

Where a Meeting or part of a Meeting is closed to the public, all persons not specifically invited to remain by the Council shall take leave from the Council Chambers. When in Closed Session, no one shall leave or re-enter the Meeting room without the approval of the Mayor or Committee Chair.

10.8 Closed to Public – Minutes and Rise and Report from Closed

The Clerk or delegate takes minutes of the closed meeting.

Upon resuming the open session, the Chair shall state that the Council or Committee discussed only those matters identified in the resolution to go into a Closed Session and;

Confirmation that no motions were carried in closed other than procedural motions or directions to staff and;

If practicable, the Chair *may* make an additional verbal report in regards to item(s) on the closed agenda, a procedural resolution or a direction made to staff for the purpose of clarification and/or to be included in the minutes.

10.9 Closed to Public - Approval of Closed Session Minutes

All official minutes closed to the public shall be recorded without note or comment on all resolutions, decisions and other proceedings. Closed Meeting minutes shall be approved at the next Closed Meeting.

10.10 Closed to Public-Circulation of Closed Session Minutes and Confidential Reports

Closed Session minutes and confidential reports shall be published through the meetings portal and notification sent to the Members.

Recipients shall not copy, forward or in any way share the confidential information.

10.11 Closed to Public - Confidential Matters

Members are to ensure that confidential matters disclosed to them during Meetings closed to the public are kept confidential, even after the Member ceases to be a Member of Council. Any Member, who contravenes the confidentiality clause, may be subject to penalties in accordance with the Council Code of Conduct.

**ARTICLE 11
VIOLATION OF CONFIDENTIALITY**

11.1 Council response – Closed Meeting Enquiries

The response of Council Members to enquiries about any matter dealt with during a closed Meeting, prior to it being reported publicly, shall be ***“this matter is still under advisement”***, ***“no comment”***, or words to that affect.

11.1.1 Violation of Article 11

Any violation to this regulation “Article 11” may result in exclusion of the offending Council Member, requiring a majority vote, from future Closed Meetings of Council and that Member shall no longer be provided with correspondence, materials or information proposed to be dealt with by Members of Council at a Closed Meeting.

11.1.2 Exclusion – Closed Meetings

The determination of whether or not a violation to the closed Meeting provisions of this Bylaw and the length of the exclusion from Closed Meetings, if so determined, shall be made by Council at a Closed Meeting and the issues shall be considered by Council prior to the affected Member being excluded from any Closed Meetings by a majority vote. The results of Council’s deliberation shall be reported publicly.

11.1.3 Separate Resolution – Per Member

If the purported violation to the Closed Meeting provisions of this Bylaw by more than one Member is to be considered, a separate resolution of Council with respect to each affected Member is to be considered.

11.1.4 Member Not Permitted to Vote

Notwithstanding Section 10.1.1 the Member affected shall not be permitted to vote on a motion respecting his purported violation of the Closed Meeting provision of the Procedure Bylaw, their exclusion from Closed Meetings or the length of any such exclusion.

11.1.5 Reports of Closed Meeting Investigator

Reports from Closed Meeting Investigations must be brought to Council in an Open Meeting if the Closed Meeting Investigator has recommendations for Council. In that case, a resolution will be required upon receipt of the Closed Meeting Investigator's report stating how Council intends to deal with the Investigator's findings and recommendations. All reports from the Closed Meeting Investigator are placed on the Municipal Website, as reports must be made publicly available.

11.1.6 Release of Information

The release of any information about matters dealt with by Council at a Closed Meeting shall be by the Chair or their delegate only upon direction of the majority of Council.

ARTICLE 12 GENERAL ORDER OF BUSINESS

12.1 Agenda – Content

The business of the Council shall be considered in the order set forth on the Agenda for the Operations Meetings. The Planning Meetings will differ in that they will not contain Monthly or Quarterly Staff Reports, Mayor and Municipal Councillor's Reports or Resolutions from Other Municipalities/Levels of Government, unless required by the Clerk. Special Meeting Agendas are to be set based on the purpose of each meeting. The Chair, with the approval of the majority of the Members of Council present may vary the order in which the items are presented prior to beginning Municipal business to better deal with matters before the Council.

12.2 Modifications to a Published Agenda

After initial publication of the agenda, the Clerk or designate may add or revise documents due to errors, omissions, or if correspondence has been received. The agenda shall continue to be republished, if necessary and as practicable, until 4:00 p.m., the day prior to the meeting date. The Clerk or designate will notify Council or Committee and applicable staff by email or by notification within the Civic Web automated email message with details of the change that has been made, along with a link to the updated document. Notification of the publication(s) may also be sent to external agenda subscribers if the reason for republication is deemed substantial. Details of the changes made are not able to be sent to external subscribers in Civic

Web. Council Members are encouraged to sign in to the Civic Web Portal to access the live agenda and minutes link, as they will be the most accurate public record.

12.3 Modifications to Items on Agenda

Agendas shall be generally formatted in the following manner; however, modifications to the business items to be included on the Agenda or the order of business may be temporarily modified without requiring an amendment to the Procedure Bylaw.

12.3.1 Call to Order

The Clerk shall record and include in the minutes, all Members of Council, present or absent as well as Members of Administration who are present at all Council Meetings.

12.3.2 Opening Ceremonies

- i) Land Acknowledgement
- ii) National Anthem - played at every Regular Council Meeting

12.3.3 Deletions or Additions to the Agenda

- i) Additions or revisions to the agenda may occur *at* a meeting if it is matter of urgency that cannot wait until the next meeting. As soon as the addition or revision is added to the agenda, if practicable, the agenda shall be republished with notification given to Members, staff and subscribers. If the addition or revision takes place on the day of the meeting, the agenda shall be republished to include the item *after* the meeting ends.
- ii) The Chair shall acknowledge any deletions or additions that are not captured in the agenda for the purpose of including in the minutes.
- iii) If a Member is aware before the meeting starts that they will be withdrawing a motion, they may withdraw it at this point as a deletion to the agenda. They may also announce it after the motion is read under the appropriate MOTIONS section of the agenda.

12.3.4 Approval of Agenda

12.3.5 Disclosure of Pecuniary Interest

- i) Members of Council shall disclose in writing any possible direct or indirect pecuniary conflict of interest, with explanation, dealing with any business item on the Agenda or with a matter discussed at a previous Meeting from which a Member was absent.
(*Municipal Conflict of Interest Act*)

12.3.6 Delegate Alternate Chair Authority

Near the beginning of every Meeting of Council, Regular or Special when the Deputy Mayor is the Chair for that Meeting, a motion will be put before Council to delegate an Alternate Chair Authority for the purpose of the Chair, should Deputy Mayor wish to participate in debate during the Meeting, or in the case when both the Mayor and Deputy Mayor must leave due to a pecuniary interest.

12.3.7 Delegate Alternate Deputy Chair Authority

Near the beginning of every Meeting of Council, Regular or Special, when the Deputy Mayor is absent for that Meeting, or will be declaring a pecuniary interest, a motion will be put before Council to delegate an Alternate Deputy Chair Authority for the purpose of the Chair, should Mayor wish to participate in debate during the Meeting.

12.3.8 Announcements and Community Events

Members may speak for no more than Three (3) minutes each on announcements and/or community events. No action shall be taken on these items, and they do not form part of the minutes.

12.3.9 Respect in the Workplace

The Municipality expects and promotes respectful interactions which show regards for the rights, dignity, health and safety of all. The Municipality will not tolerate or condone any disrespectful behaviour or comments that a reasonable person would consider humiliating, demeaning, offensive or intimidating in accordance with the Workplace Violence and Harassment Policy of the Municipality, as amended. Any person in breach of this expectation may be asked to leave by the Chair.

12.3.10 Public Comment Period

After publication of an agenda, Members of the public may see fit to comment or ask questions to Council, through the Chair, without debate or criticism in regard to a staff report, Council report or bylaw listed on the agenda. These comments or questions may be sent in writing to the attention of the Municipal Clerk before or during a meeting and will be received by Council. In consideration of time restraints, electronic comments are limited to 250 words. In-person comments are welcomed and limited to Five (5) minutes each. There will be no expectation/requirement for Council to reply to each comment or question. This portion of the Agenda should not exceed a total of Fifteen (15) minutes. Questions and Comments cannot be recorded in the minutes as per the *Municipal Act, 2001*, S.O. 2001 c. 25, Section 228 (1)(a).

12.3.11 Adoption of Minutes

Approval of Draft minutes from previous Meetings of Council or if in Committee, previous Meetings of Committee (see Article 14).

12.3.12 Presentations

See Article 15

12.3.13 Delegations

See Article 16

12.3.14 Petitions

See Article 17

12.3.15 Consent Agenda

In consultations with the Mayor, the Clerk may list consent items that may be approved

collectively. Comprised of Tenders/RFP's, Reports, Council Member's Reports, Resolutions from other Municipalities/Levels of Government, Correspondence, Pending Municipal Items and Future Municipal Events for Members of Council that may be approved by a single motion, without debate, subject to the agreement of all Members.

A Member may make brief comments to consent item prior to the consideration of the adoption of the matters listed, however, if a Member wishes to debate or amend the recommendation of an item, or if the Member declares a pecuniary interest, the item shall be removed from the consent agenda list and dealt with as a separate item with its own motion. Consent Items will be listed in this section and the full agenda item will be found under its department heading, highlighted in order to locate more easily.

Procedure is as follows:

Chair: "We are on the Consent Agenda, does anyone wish to make a brief comment, pull anything out for discussion/debate or need a separate vote?"

12.3.16 Tenders/Requests for Quotation/Requests for Proposal

Tenders, RFQ and RFP's will be presented to Members of Council by report from Department Heads. Recommendations contained in the report shall be submitted to Council for adoption under the heading of Tenders and/or Requests for Quotation/Proposal.

12.3.17 Reports and Bylaws from Departments

Reports shall be presented to Members of Council by Municipal staff at the request of the Mayor or the Chief Administrative Officer. Reports are to be completed using the Municipality's meetings portal. Any Recommendations and Bylaws contained in the report shall be submitted to Council for adoption under the headings of each Department, e.g., Planning, Building, Bylaw Enforcement, Fire, Community Services, Library/Cultural, Finance, Operations, Clerk, and Administration.

Agenda items may be moved out of the below order, if necessary, while building the agenda, at the discretion of the Clerk.

- a) Planning;
 - i) Public Meetings-Hearings

Public Meetings are to be held in accordance with the *Planning Act*, the *Municipal Act*, or other relevant legislation or Bylaw. The Public Meeting is acknowledged within the body of the Regular Meeting Agenda when the Planning Item is placed on the Agenda. The Chair will acknowledge the item as a Public Hearing. The Chair will give an opportunity for the Planning Department to speak on the Planning Item. The Chair will then call for submissions from the Public. Public may provide verbal comments not exceeding Five (5) minutes each. The public may attend in-person, virtually or by telephone by registering with the Secretary-Treasurer in advance of the meeting as set out in the 'Notice of Public Hearing'. It is the responsibility of the interested member of the public to have technology in place to connect to the meeting if joining electronically or calling

into the meeting by telephone. After all submissions have been provided in the Public Hearing, the Chair will then state that the Public Hearing is complete.

ii) Committee of Adjustment Minutes

- b) Building (monthly reports)
- c) Bylaw Enforcement (quarterly reports)
- d) Fire (quarterly reports)
- e) Community Services (quarterly reports - including Customer Service)
- f) Library/Cultural (quarterly reports)
- g) Finance (quarterly reports)
- h) Operations (monthly reports)
- i) Clerks
- j) Administration

12.3.18 Mayor's Report

The Mayor may provide recommendations to Council by way of report in addition to his quarterly Mayor's Report.

12.3.19 Council Members Reports/Committee Minutes

Reports from Members of Council about a conference or training session they attended shall appear here. Committee Meetings of Council (other than Committee of Adjustment) and external Committee minutes shall appear in this section.

12.3.20 Motions (For Which Notice Has Been Given)

(Notice of) Motions that are received by the prescribed deadline (see Article 12.4) will appear in the agenda and be considered by Members.

12.3.21 Resolutions From Other Municipalities/Levels of Government

Staff may prepare recommendations related to the matter for Council's consideration. Correspondence related to Resolutions from other Municipalities already decided on by Council will form a part of the Clerk's records, but not placed on an Agenda. The Council's receipt of motions from other municipalities does not constitute endorsement by the Municipality of any recommendations or actions they may contain.

12.3.22 Correspondence

Includes but is not limited to the following: Letter, memorandum, report, notice, electronic mail, facsimile, petition, brochure, media release, newspaper/magazine article, etc. The agenda may, at the request of the writer, include those pieces of external correspondence addressed to Council, the Mayor, the Clerk or any other staff member that are intended to be brought to the formal attention of the Council, and may be received for information. All correspondence will be approved and placed on the Agenda at the discretion of the Clerk, in consideration of correspondence requirements and items accepted. Correspondence will not be read aloud. There will be no expectation/requirement for Council to comment on, or answer questions contained in

correspondence items. Furthermore, the Council’s receipt of correspondence does not constitute endorsement of the correspondence by the Municipality of any recommendations it may contain or actions it may advocate.

12.3.22.1 Correspondence Requirements

- Correspondence shall be submitted in accordance with the timelines defined below
- Correspondence must be legible and in an accessible electronic format, where able.
- Correspondence that has been sent to Council and is intended to appear on an upcoming agenda shall be forwarded by the writer to the Clerk clerk@hastingshighlands.ca for consideration

Meeting Type	Correspondence Submission Deadline
Regular Meeting of Council	Monday - Nine (9) days prior to the Meeting Date by Four o’clock (4:00 p.m.)*
Committee Meeting of Council	Nine (9) days prior to the Meeting Date by Four o’clock (4:00 p.m.)*
*Statutory Holiday – If the Monday is a statutory holiday, then the deadline will be the previous Friday. If that Friday is also a statutory holiday, as in the case with <i>Good Friday</i> , then the deadline is the Thursday before <i>Good Friday</i> .	

12.3.22.2 Correspondence – Items Not Placed on the Agenda

There may be occasions when correspondence is not placed on a Council Agenda. This may be due to:

- The correspondence addressed to Council relates directly to a staff function and will be sent directly to the appropriate department for response or action
- The correspondence contains a ‘Customer Service Request’ that can be dealt with by Municipal staff as part of normal Municipal operations
- Staff is preparing a report in response to the concerns and the correspondence will be placed on the same agenda as the staff report
- The correspondence is being forwarded to a Committee of Council, as it may be more appropriate for the Committee to hear the concerns first
- The correspondence was anonymous and will not be acknowledged, circulated, or placed on an Agenda

- The correspondence contains content that is deemed to contain promotional or advertising material
- The correspondence contains information which is not suitable for a public agenda and will be dealt with on a confidential basis
- The correspondence is addressing concerns outside of the jurisdiction of Municipal Government

Please note that all correspondence submitted to the Municipality of Hastings Highlands, that is approved by the Clerk will form part of the public record and will become a public document as it appears in an Agenda package posted on our website when this matter is before Council or a Committee of Council. In an effort to protect the privacy of those submitting correspondence for the agenda, it is the responsibility of the writer to omit any identifiable information that they deem personal. Email addresses can be redacted at the request of the Clerk.

Correspondence deemed by the Clerk to contain defamatory statements, allegations, inferences, impertinent, disrespectful, improper matters, or an affront to the dignity of Council and staff shall not be included on the agenda. The Correspondence will be circulated separately to Council and if applicable, Committee.

The Clerk, at their discretion, may choose to place correspondence on the agenda with improper excerpts redacted.

12.3.23 Pending Municipal Items

The Clerk shall maintain a pending list, which lists outstanding resolutions (referred to as *motions* in this section) awaiting a staff report or action to be taken by staff and/or Council. Once completed, the item will be removed from the pending list. Such pending list shall be monitored by Council.

From time-to-time, **Council** may bring forward a notice of motion to 'rescind a motion previously adopted' that appears on the pending list, which has the effect of cancelling a motion altogether. (If the original motion has been acted upon and that action cannot be undone, the motion cannot be rescinded. However, any unexecuted part could be rescinded or amended).

The Clerk shall maintain pending lists in a similar fashion for each Committee of Council. Such pending list shall be monitored by the Committee.

From time-to-time, a **Committee** Member may submit a notice of motion to recommend that Council 'rescind a motion previously adopted' that appears on their pending list, which has the effect of cancelling a motion altogether. (If the original motion has been acted upon and that action cannot be undone, the motion cannot be rescinded. However, any unexecuted part could be rescinded or amended).

12.3.23.1 Pending Municipal Items – End of Council Term

Nearing the end of the Council Term and subject to the discretion of the CAO, the Pending Municipal Items list shall be reviewed by the outgoing Council for a realistic review of what can be accomplished with consideration given staff resources, timelines to complete etc. Council Members may submit a notice of motion to remove items on the list that they no longer wish to action.

12.3.24 Future Municipal Events for Members of Council

12.3.25 Remarks For the Good of the Order

Robert’s Rules of Order suggests there should always be an opportunity to deviate from strict germaneness to speak about something which is clearly worth talking about. This is a way of asking for off-topic “general conversation” topics to be raised. The context implies that it means, “Does anyone else have something to say?” Members may speak to items that they feel they do well (give praise or recognize unity) or ways of improving the meetings. This is not a section for handling complaints or debate and no motions shall come from this section of the agenda. The time limit for this section of the agenda shall not exceed ten (10) minutes.

12.3.26 Public Comment Period

See Article 12.3.10

12.3.27 Notice of Motions (see Article 19.14)

Notice of Motions shall not be read, discussed or deliberated. The Chair will ask Members if they have any notices to be submitted to the Clerk for consideration for the next Meeting agenda. These notices shall not be included in this meeting’s agenda but will be included in the minutes if the Clerk has received them by the end of this meeting day. A Member will still have permission to submit a Notices of Motion in accordance with the deadlines listed in the chart below. All notices submitted by the deadline will appear on the Motions section of the next Meeting agenda.

Meeting Type	Notice of Motion Submission Deadline
Regular Meeting of Council	Monday - Nine (9) days prior to the Meeting Date by Four o’clock (4:00 p.m.)*
Committee Meeting of Council	Nine (9) days prior to the Meeting Date by Four o’clock (4:00 p.m.)*
*Statutory Holiday – If the Monday is a statutory holiday, then the deadline will be the previous Friday. If that Friday is also a statutory holiday, as in the case with <i>Good Friday</i> , then the deadline is the Thursday before <i>Good Friday</i> .	

12.3.28 Closed Session – If Needed Rises to Go into Closed Session

12.3.29 Closed Session – If Needed Rises and Reports from Closed Session

12.3.30 Confirmatory Bylaw

At the conclusion of all Regular Council Meetings and prior to adjournment, a Bylaw shall be brought forward to confirm the proceedings of the Council at that Meeting or any previous Special Meetings in respect of each motion, resolution and other action taken. A Confirming Bylaw then introduced shall be passed without debate.

12.3.31 Adjournment

When all business listed on the Agenda has been completed and disposed of, the Chair may declare the Meeting Adjourned, until the next Regular Meeting of Council or for Committees, the next Committee Meeting.

12.4 Items Submitted for Agenda

The Clerk shall accept items for any agenda from staff and from Members of Council up to the agenda deadlines listed below.

Meeting Type	Submission Deadline
Regular Meeting of Council	Monday - Nine (9) days prior to the Meeting Date by Four o'clock (4:00 p.m.)*
Closed Session (in a Regular Meeting of Council)	To be determined by CAO in consultation with the Clerk
Special Meeting of Council	Nine (9) days prior to the Meeting Date by Four o'clock (4:00 p.m.)* (only submissions from staff or Mayor for the purpose of preparing a report for a Special Meeting agenda)
Closed Session (in a Special Meeting of Council)	To be determined by CAO in consultation with the Clerk
Committee Meeting of Council	Nine (9) days prior to the Meeting Date by Four o'clock (4:00 p.m.)*
*Statutory Holiday – If the Monday is a statutory holiday, then the deadline will be the previous Friday. If that Friday is also a statutory holiday, as in the case with <i>Good Friday</i> , then the deadline is the Thursday before <i>Good Friday</i> .	

12.5 Publication of Agenda

The Clerk shall prepare and publish the Agenda in accordance with the schedule listed below. The Agenda shall be obtained via a link on the Municipal website to the Municipality’s meetings portal <https://hastingshighlands.civicweb.net>. Members of Council and staff will have logins to the meetings portal.

Meeting Type	Publication of Agenda
Regular Meeting of Council	Thursday - Six (6) days prior to the Meeting Date by Four o'clock (4:00 p.m.)*
Closed Session (in a Regular Meeting of Council)	To be determined by CAO in consultation with the Clerk

Special Meeting of Council (scheduled)	Six (6) days prior to the Meeting Date by Four o'clock (4:00 p.m.)*
Closed Session (in a Special Meeting of Council)	To be determined by CAO in consultation with the Clerk
Committee Meeting of Council	<p>Meetings Scheduled for Monday, Tuesday, Wednesday, Thursday</p> <p>- Six (6) days prior to the Meeting Date by Four o'clock (4:00 p.m.)*</p> <p>Meetings Scheduled for Friday</p> <p>- Seven (7) days prior to the Meeting Date by Four o'clock (4:00 p.m.)*</p>
<p>*Statutory Holiday – If a statutory holiday falls during the week of preparation of the Agenda, the date and publication time shall be at the discretion of the Clerk, however every effort will be made to ensure that the publication date and time remains the same.</p>	

12.5.2 Publication of Special Agenda to Council

The Agenda for a Special Meeting shall be available on the Municipality’s meetings portal <https://hastingshighlands.civicweb.net> at least forty-eight (48) hours prior to the scheduled Meeting.

12.5.3 Preparation of Special Agenda

For Special Meetings, called by the Mayor or by a petition of the majority of the Members of Council, the Agenda shall be prepared by the Clerk for the purpose stated by the Mayor or within the petition.

12.6 Questions and Clarifications from Members of Council to Staff on Agenda Items

When a Member of Council has a question or requests more information from a staff member in writing, staff shall request the Member of Council to email their question(s) or request(s) and to include the CAO in the **Cc:** section if they have not already done so. Staff shall follow-up with a written email reply as soon as they have the information.

The staff Member’s email window shall be addressed as follows:

To: staff Member’s own email address

BCc: all Members of Council, CAO and Clerk, applicable staff members

These responses are intended to provide *information only* to Members of Council as several Members of Council commonly have the same question. The blind copy (BCc) feature shall be used to eliminate group email threads.

12.7 Questions and Clarifications from Committee Members to Staff on Agenda Items

When a Member of Committee has a question or requests more information from a staff member in writing, staff shall request the Member of Committee to email their question(s) or request(s) and to include the appropriate Department Head (and CAO, if applicable) in the **Cc:** section if they have not already done so. Staff shall follow-up with

a written email reply as soon as they have the information.

The staff Member's email window shall be addressed as follows:

To: staff Member's own email address

BCc: all Members of Committee, Department Head (or CAO, if applicable) and Clerk (or Secretary/Treasurer, if applicable), applicable staff members

These responses are intended to provide *information only* to Members of Committee as several Members of Committee commonly have the same question. The blind copy (BCc) feature shall be used to eliminate group email threads.

ARTICLE 13 QUORUM

13.1 Call to Order – Quorum Present

As soon after the hour fixed for holding the Meeting of the Council as there is a quorum present, the Chair shall call the Members to order.

13.2 Quorum

A majority of Members of the Council shall constitute a quorum.

13.3 Quorum – Not Present – Time Limit

If there is no quorum present within Fifteen (15) minutes after the time fixed for holding the Meeting of Council or Committee, the Clerk shall take down the names of the Members present and the Meeting shall stand adjourned until the next Meeting, or at the call of the Chair.

13.4 Rescheduled Meeting

Where required, the Clerk shall provide notice of any re-scheduled Meeting to Members of Council by email, telephone or as is otherwise practicable within the time available.

13.5 Unfinished Business – Resume

All business listed on the Agenda, where the Meeting has been adjourned for lack of a quorum, shall be added to the next regularly scheduled Meeting.

13.6 Mayor – Absent

In the case of the Mayor/Chair not attending within Fifteen (15) minutes after the hour fixed for holding the Meeting of the Council, and provided that a quorum is present, the Deputy Mayor/Deputy Chair shall take the Chair and call the Members to order; and they shall preside until the arrival of the Mayor/Chair.

13.7 Mayor and Deputy Mayor – Absent

In the absences of the Mayor/Chair and Deputy Mayor/Chair, and if a quorum is present, the Clerk shall call the Members to order. A Chairperson shall be chosen by majority vote from among the Members present who shall preside over the Meeting until the arrival of the Mayor/Chair and/or Deputy Mayor/Chair.

13.8 Quorum – Municipal Conflict of Interest – Remedy for Lack

Where the number of Members who, by reason of the provisions of *The Municipal Conflict of Interest Act*, are disabled from participating in a Meeting is such that at that Meeting the remaining Members are not of sufficient number to constitute a quorum, then, despite any other General or Special Act, the remaining number of Members shall be deemed to constitute a quorum, provided such number is not less than Two (2).

**ARTICLE 14
MINUTES**

14.1 Contents – Recorded By Clerk

The Clerk shall prepare and cause the minutes to be taken of each Meeting of Council, which shall include:

- a) The place, date and time of the Meeting(s)
- b) The name(s) of the Chair or elected official and the record of the attending Members of Council and Administration. Should a Member enter after the commencement of a Meeting or leave prior to adjournment, the time shall be noted by the Member's name
- c) All declared pecuniary interest and the reason it was declared
- d) The reading, if requested, correction and adoption of the minutes of prior Meetings
- e) All other proceedings of Council without note or comment
- f) The time the Meeting is adjourned

14.2 Included in Agenda

Draft minutes of the last Regular Meeting(s) of Council or Committee and of all Special Council Meetings held subsequent to the last Regular Meeting, shall be included in the Agenda and may be adopted by Council or Committee without having been read at the Meetings at which the question of their adoption is considered.

14.2.1 Minutes – Special Meetings

Should a Special Meeting be held during or after final preparations of an Agenda for an upcoming Regular Meeting, the draft minutes of those Special Meetings shall be scheduled at the next regularly scheduled Meeting.

14.3 Adoption – Without Reading

The Council may adopt the Draft Council minutes without being read.

14.4 Closed Meeting – Minutes – Adoption

All draft minutes generated by a Meeting closed to the public shall be presented to Council Members for adoption at the next scheduled Meeting closed to the public.

14.5 Minutes – Confirmation – Signing

When the minutes have been adopted, the Mayor/Chair who presided the meeting and the Clerk who presided the meeting shall sign them.

14.6 Administrative Authority of Clerk

The Clerk is authorized to amend bylaws, minutes and other Council and Committee documentation for technical, typographical or other administrative errors and omissions for the purpose of ensuring an accurate and complete record of proceedings.

ARTICLE 15 PRESENTATIONS

15.1 Presentation Defined

An invitation may be made by the Mayor, Council or staff to an individual, group or organization to present to Council either electronically, by telephone or in-person on matters that fall under the Council's mandate and align with Council's strategic priorities.

15.2 Presentations - Heard

A maximum of any Two (2) Delegations/Presentations/Petitions will be heard at each Meeting of Council or Committee Meeting, or at the discretion of the Clerk. Each presentation shall be limited to Two (2) speakers. Requests received after the Agenda is deemed full shall be considered at the next scheduled Regular, Special or Committee Meeting of Council. Except for points of order or privilege, Members of Council shall not interrupt a presenter while they are addressing Council or Committee. Members may address a presenter only to ask questions of clarification and not to express opinions or enter into debate or discussion. Council shall hear presentations for information purposes only. Presentations that request action to be taken by the Council must recognize that Council needs time to consider the presentation that they have just heard. Action may be brought forth by a staff report, if staff deems it practicable and/or by a Member submitting a notice of motion at the end of the meeting or before the deadline for the next agenda.

The Municipality expects and promotes respectful interactions, which show regard for the rights, dignity, health and safety of all. The Municipality will not tolerate or condone any disrespectful behaviour that a reasonable person would consider humiliating, demeaning, offensive or intimidating in accordance with the Workplace Violence and Harassment Policy of the Municipality, as amended. Any person in breach of this expectation may be asked to leave by the Chair.

15.3 Presentations – Time Limit

Council shall hear any presentation for information purposes only. Presentations shall be limited to a maximum of Fifteen (15) minutes but can be extended at the discretion of the Clerk, who recognizes the need for a time extension or the Chair, during the meeting.

15.4 Presentation – Submission Deadline

Presentations are received in accordance with the submission deadlines defined below. Late presentations will be placed on the next Regular, Special or Committee Meeting of Council. *A Presentation will only be placed on a Special Meeting agenda if a Special Meeting has previously been called for this purpose.

Meeting Type	Presentation Submission Deadline
Regular Meeting of Council	Monday - Nine (9) days prior to the Meeting Date by Four o'clock (4:00 p.m.)*
Special Meeting of Council	Nine (9) days prior to the Meeting Date by Four o'clock (4:00 p.m.)
Committee Meeting of Council	Nine (9) days prior to the Meeting Date by Four o'clock (4:00 p.m.)*
*Statutory Holiday – If the Monday is a statutory holiday, then the deadline will be the previous Friday. If that Friday is also a statutory holiday, as is the case with <i>Good Friday</i> , then the deadline is the Thursday before <i>Good Friday</i> .	

15.5 Presentations – Connectivity

It is the responsibility of the interested member of the public to have technology in place to connect to the meeting if joining electronically or calling into the meeting by telephone. If for any reason a presenter has lost connection if appearing electronically, a brief recess may be called for them to reestablish the connection. If the connection cannot be reestablished, staff will make every attempt to contact the party. If the party cannot re-connect, the Chair will decide how to proceed.

15.6 Presentations – Acknowledgement Letter

A thank you letter from the Office of the Mayor shall be prepared and sent to the presenter(s) following each presentation.

**ARTICLE 16
DELEGATIONS**

16.1 Delegations Defined

A request made for a Delegation may be made to the Council/Committee by individuals, groups or organizations for matters that fall under the Council’s mandate and that relate to a new request for action or to bring Council/Committee up-to-date on a project, idea or concept either electronically, by telephone or in-person.

16.1.1 Delegations – Heard

A maximum of any Two (2) Delegations/Presentations/Petitions will be heard at each Meeting of Council or Committee Meeting, or at the discretion of the Clerk. Each delegation shall be limited to Two (2) speakers. Requests received after the Agenda is deemed full shall be considered at the next scheduled Regular, or Committee Meeting of Council. Except for points of order or privilege, Members of Council shall not interrupt a delegate while they are addressing Council or Committee. Members may address a delegate only to ask questions of clarification and not to express opinions or enter into debate or discussion. Council shall hear Delegations for information purposes only. Delegations that request action to be taken by the Council must recognize that Council needs time to consider the delegation that they have just heard. Action may be brought forth by a staff report, if staff deems it practicable and/or by a Member submitting a notice of motion at the end of the meeting or before the deadline for the next agenda.

The Municipality expects and promotes respectful interactions, which show regards for the rights, dignity, health and safety of all. The Municipality will not tolerate or condone any disrespectful behaviour that a reasonable person would consider humiliating, demeaning, offensive or intimidating in accordance with the Workplace Violence and Harassment Policy of the Municipality, as amended. Any person in breach of this expectation may be asked to leave by the Chair.

16.1.2 Delegations –Time Limit

The Delegation shall be limited to a maximum of Ten (10) minutes but can be extended at the discretion of the Chair.

16.2 Delegation Statements – Unsubstantiated/Unapproved

Whenever a Delegation in its presentation, offers comments or statements that are deemed to be erroneous and unsubstantiated, any Member of Council, or municipal staff, may be recognized by the Chair on a “Point of Order” whereby the Member of Council or municipal staff so recognized by the Chair, may bring necessary corrections or clarifications to the comments or statement said by the individual(s). If a delegate introduces new discussion items or material at their delegation/presentation that Council has not been given with its agenda, the Chair will request that the delegate pause the presentation and not refer to the unapproved material for the remainder of their delegation-

16.3 Delegation – Submission Form - Requirements

Any person desiring to address the Council shall complete the form prescribed for Delegations/ which forms Schedule A1 of this bylaw. The form shall be submitted to the Clerk of the Municipality of Hastings Highlands in accordance with the deadlines and requirements specified below. The submission form shall form part of the Clerk’s records and pertinent information from this form will be placed in the Council agenda. The delegation form shall be completed and remitted in an electronic format, where possible or legibly printed. The written notice of delegation shall state the topic to be discussed and any request to be made of the Council/Committee Members. The form shall be dated and authorized by at least one person and shall include their name with appropriate contact information such as a current municipal and email address. Any material that is to be distributed or displayed to the Council (Power Point presentation, supplemental information, speaking notes etc.) shall be forwarded in accordance with the deadlines listed in section 15.4 of this bylaw.

16.4 Delegation – Connectivity

It is the responsibility of the delegate to have technology in place to connect to the meeting if joining electronically or calling into the meeting by telephone. If for any reason a delegate has lost connection if appearing electronically, a brief recess may be called for them to reestablish the connection. If the connection cannot be reestablished, staff will make every attempt to contact the party. If the party cannot re-connect, the Chair will decide how to proceed.

16.5 Delegation – Deadline and Late Submissions

All requests, including supplemental information shall be received in accordance with the deadlines defined in the table below. Council will not accept Power Point presentations and supplemental information that are submitted electronically or upon *arrival* on the meeting day, as that does not leave Council time to review the material. Submissions for a delegation received after the deadline shall be considered at the next scheduled Regular or Committee Meeting.

Meeting Type	Delegation Submission Deadline
Regular Meeting of Council	Monday - Nine (9) days prior to the Meeting Date by Four o'clock (4:00 p.m.)*
Committee Meeting of Council	Nine (9) days prior to the Meeting Date by Four o'clock (4:00 p.m.)*
*Statutory Holiday – If the Monday is a statutory holiday, then the deadline will be the previous Friday. If that Friday is also a statutory holiday, as is the case with <i>Good Friday</i> , then the deadline is the Thursday before <i>Good Friday</i> .	

16.5.1 Refusal of Delegation Requests

The Clerk in consultation with the Mayor and CAO has authority to refuse Delegation requests under the following circumstances:

- i) The request is not submitted within the time required in Article 16.5 of this Bylaw; No written submission together with handouts or materials is provided with the request or the submission is incomplete;
- ii) The subject matter that the person wishes to address or the outcome that the person seeks from the Council is not within the Municipality’s authority or normal realm of Council business;
- iii) In order to avoid repetition and to ensure an opportunity for the expression of different points of view but except as required by law, Council will decline to hear any person who has an identifiable common interest or concern with any person who has already appeared and spoken within the Term of Council, unless new information is being presented. The Clerk, in consultation with the Mayor and CAO shall make this determination.
- iv) The request is repetitive, vexatious or frivolous in nature; or any other reason deemed appropriate under the circumstances.
- v) The person wishes to address the Council to request financial support for a purpose, which falls within the criteria of the Municipality’s established *Miscellaneous Grant Program*, and has missed the deadline for the application;
- vi) The issue has been or will be considered by the Committee of Adjustment or any other Committee of Council;

- vii) A Delegation has appeared before Council with respect to the same issue previously considered and/or decided by Council within the Term of Council;
- viii) The Delegate wishes to have a bylaw (or part thereof) or a decision of Council considered, reviewed or repealed/rescinded.
- ix) The matter is deemed to be routine or administrative in nature and can be referred to staff for resolution or action;
- x) A tender or request for proposal which is either proposed, pending, or actually before Council or a Committee of Council for its consideration;
- xi) The issue is specific to a labour/management dispute, or other matter properly held in closed session;
- xii) Legal issues including the enforcement of Bylaws, litigation and potential litigation, or any matters before the court or tribunal;
- xiii) Insurance claims; or
- xiv) Contract negotiations

16.6 Delegations – Acknowledgement Letter

A thank you letter from the Office of the Mayor shall be prepared and sent to the delegate(s) following each delegation(s).

ARTICLE 17 PETITIONS

17.1 Petition Defined

A petition is a formal written request made to Council which requests a particular action within the authority of Council.

17.2 Petition – Heard

A maximum of any Two (2) Delegations/Presentations/Petitions will be heard at each Meeting of Council or Committee Meeting, or at the discretion of the Clerk. Requests received after the Agenda is deemed full shall be considered at the next scheduled Regular or Committee Meeting of Council. Except for points of order or privilege, Members of Council shall not interrupt a speaker while they are addressing Council or Committee. Members may address a petitioner only to ask questions of clarification and not to express opinions or enter into debate or discussion. Should the petitioner(s) not want to *present* electronically or by telephone or in-person before Council, the petition will be published in the Agenda and indicate ‘no presenter’. Council shall hear petitioners for information purposes only. Petitioners that request action to be taken by the Council must recognize that Council needs time to consider the petition that they have just received. Action may be brought forth by a staff report, if staff deems it practicable and/or by a Member submitting a notice of motion at the end of the meeting or before the deadline for the next agenda.

The Municipality expects and promotes respectful interactions, which show regard for the rights, dignity, health and safety of all. The Municipality will not tolerate or condone any disrespectful behaviour that a reasonable person would consider humiliating, demeaning, offensive or intimidating in accordance with the Workplace Violence and Harassment Policy of the Municipality, as amended. Any person in breach of this expectation may be asked to leave by the Chair.

17.2.1 Petitions – Time Limit

The Petition shall be limited to a maximum of Ten (10) minutes but can be extended at the discretion of the Chair.

17.3 Petition Requirements

A Petitions must contain:

- at least 25 original signatures
- the 'petition request' at the top of each page of signatures
- no electronic web-based documents
- contact information for each signer
- contact information for the organizer of the petition

It is required by the Clerk's Department that petitions be completed on the Municipality's Petition Template (Schedule C) to ensure that the petition contains the information required.

The Clerk will refuse to put a petition on the agenda where the petition request:

- involves current or pending litigation or a matter before the court or tribunal;
- involves insurance claims;
- involves administrative complaints that have not been reported and investigated through the administrative process;
- is beyond the jurisdiction of Council; or
- is contrary to the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*;
- contains defamatory statements, allegations, inferences, impertinent, disrespectful or improper matters

17.4 Petition Submission Deadline

Petitions are to be delivered to the Clerk's Office clerk@hastingshighlands.ca or delivered in person to the Municipal Office. Petitions are to be received in accordance with the submission deadlines defined below. Late petitions will be placed on the next Regular or Committee Meeting of Council.

Meeting Type	Petition Submission Deadline
Regular Meeting of Council	Monday - Nine (9) days prior to the Meeting Date by Four o'clock (4:00 p.m.)*
Committee Meeting of Council	Nine (9) days prior to the Meeting Date by Four o'clock (4:00 p.m.)*
*Statutory Holiday – If the Monday is a statutory holiday, then the deadline will be the previous Friday. If that Friday is also a statutory holiday, as is the case with <i>Good Friday</i> , then the deadline is the Thursday before <i>Good Friday</i> .	

17.5 Petition – Connectivity

It is the responsibility of the petitioner to have technology in place to connect to the meeting if joining electronically or calling into the meeting by telephone. If for any reason a petitioner has lost connection if appearing electronically, a brief recess may be called for them to reestablish the connection. If the connection cannot be reestablished, staff will make every attempt to contact the party. If the party cannot re-connect, the Chair will decide how to proceed.

17.6 Petition – Acknowledgement Letter

A thankyou letter from the Office of the Mayor shall be prepared and sent to the petitioner(s) following each presentation.

**ARTICLE 18
MOTIONS IN GENERAL**

18.1 Motions In General

All motions and resolutions initiated by a Member during a meeting that are not included in the agenda shall preferably be sent by electronic fillable form by the mover to the Clerk, in order to form part of the minutes.

18.2 One Motion At A Time

There shall not be more than one main motion before Council at one time.

18.3 Motions Read

18.3.1 Debate On Motion – Mover Speaks First

No Member shall speak on any motion until it has first been moved by a Member and seconded. The Chair may request permission to forego reading out lengthy motions in order to save time. The mover of the motion, once recognized by the Chair, may speak first and/or last if the Member so wishes.

18.4 State The Question

Immediately prior to voting on a motion, the Chair shall state the question in its precise form as it is to be recorded in the minutes, including any amendments (if any) to the question.

18.5 Withdrawal of The Motion by Mover

A request to withdraw a motion may only be made by the Member who moved the motion. A request to withdraw a motion may be made without the consent of the seconder of the motion.

18.5.1 In Order

A request to withdraw a motion shall be in order anytime during debate.

18.5.2 Objection To Withdrawal

If any Member objects to the withdrawal of the motion, a motion to maintain the question may be entertained and become a main motion.

18.5.3 No Objection To Withdrawal

If no Member objects to the withdrawal of the motion, the motion shall be considered withdrawn without the necessity of a seconder or a vote.

18.5.4 Recording of Withdrawal

A withdrawn motion shall be recorded in the minutes.

18.6 Modification of The Motion by Mover

Modification of motions by the Mover shall be carried out by introducing a motion to amend. (See Section 19.4 Amend – Motion to)

18.6.1 Withdrawal by Secunder

If the Member who seconded the original motion withdraws as seconder after an amendment has been carried, the Chair may ask for another seconder.

18.7 Reading of The Motion

Any Member, during debate, may require that the question, or proposed motion under discussion be read a second time, however the Member may not interrupt another Member speaking.

18.8 Renewal of a Motion – Bringing a Motion Back Before Council

If a motion has been lost, a Member may reintroduce it or similar, as a Notice of Motion at a subsequent Meeting.

ARTICLE 19 MOTIONS – CONSIDERATION – INTERPRETATION

19.1 Point of Order – Rules of Procedure – Breached

- (a) A Member may raise a Point of Order when such Member feels there has been:
 - (i) a deviation or departure from the rules set out in this Bylaw; or
 - (ii) a deviation from the matter under consideration and the current discussion is not within the scope of the proposed Motion.
 - (iii) use of improper offensive or abusive language.

- (b) Where a Member raises a Point of Order, the Chair shall:
 - (i) interrupt the matter under consideration;
 - (ii) ask the Member raising the Point of Order to state the substance of and the basis for the Point of Order; and
 - (iii) rule on the Point of Order immediately without debate by Council or Committee. No further business shall be conducted until the Chair has ruled.
- (c) A Member may appeal the ruling of the Chair to Council or Committee which will then decide whether to uphold the decision or overturn the decision. The motion to appeal needs a seconder, then the Member has the right to state their case, and the Chair has the right to reply. The motion is carried if there is a majority vote of the Members present. If there is no appeal, the decision of the Chair is final.

19.2 Point of Information

Where a Member is uncertain of a particular issue being discussed, the Member may, with permission, ask the Chair to clarify. If the Chair is unsure of the answer, the Chair may direct the question to another Member or to staff present at the meeting. All requests for information shall be on the business pending.

19.3 Point of Privilege – Integrity of Member

- (a) At any time, for the purpose of drawing attention to a matter, a Member may raise a Point of Privilege if they consider their integrity, the integrity of Council or Committee as a whole or Municipal staff has been called into question.
- (b) Where a Member raises a Point of Privilege, the Chair shall:
 - (i) interrupt the matter under consideration;
 - (ii) ask the Member raising the Point of Privilege to state the substance of and the basis for the Point of Privilege; and
 - (iii) rule on the Point of Privilege immediately without debate by Council or Committee.
- (c) A Member may appeal the ruling of the Chair to Council or Committee which will then decide whether to uphold the decision or overturn the decision. The motion to appeal needs a seconder, then the Member has the right to state their case, and the Chair has the right to reply. The motion is carried if there is a majority vote of the Members present. If there is no appeal, the decision of the Chair is final

19.3.1 Motion – Receives Disposition – Main Motion

A motion resulting from a point of privilege shall receive disposition by the Council forthwith, and following such disposition, the motion so interrupted shall immediately be considered at the point where it was suspended.

19.4 Amend – Motion To

A motion to Amend is a proposal to alter the information contained within the Main Motion, by changing its wording.

19.4.1 Debatable or Un-debatable

A motion to amend is debatable unless the motion to which it adheres to is un-debatable.

19.4.2 Written – When Requested

A motion to amend shall be presented in writing when requested by the Chair.

19.4.3 Relevant – To Main Motion

A motion to amend shall be relevant to the main motion.

19.4.4 Cannot Be Contrary

A motion to amend which in effect, is nothing more than a rejection of the main motion is not in order (no negative amendments to the main motion).

19.4.5 Amended – Primary – Secondary

A main motion may have a Primary and Secondary amendment applied to it.

19.4.6 Amendment – Disposition

A Secondary motion to Amend the Primary motion to amend shall receive the disposition of the Council, before dealing with the main motion in its amended form or not.

19.5 Refer – Motion to

A motion to Commit or Refer may be introduced to send a pending motion to a relatively small group of selected persons – a Committee.

19.5.1 Debate On Motion To Refer

The debate can extend only to the desirability of referring the main motion.

19.6 Postpone To A Certain Time – Definitely – Motion To

The motion to postpone is the motion by which action on a pending motion can be put off, within limits, to a definite day, Meeting, or hour, or until after a certain event. A motion to postpone is applied to a motion because debate has shown reasons for holding off a decision until later.

19.7 Lay On The Table – Motion To

The motion to Lay on the Table is used to interrupt the pending business to permit doing something else immediately. It enables the Members to lay the pending question aside temporarily when something else of immediate urgency has arisen or when something else needs to be addressed before consideration of the pending question is resumed.

19.8 Appeal – Motion To

Any Member wishing to challenge or appeal a ruling or decision of the Chair must do so immediately following the ruling, or the decision of the Chair shall be final. The Member

would move to appeal a decision of the Chair. A seconder is needed, and the Member then has the right to state their case, and the Chair has the right to reply. Council will vote on the appeal to determine the matter. The Chair will say “Shall the ruling of the Chair be upheld?” If it is a tie then the appeal fails, and the ruling of the Chair is upheld.

19.9 Adjourn – Motion To

The motion to adjourn means to close the Meeting. This motion is generally used at the end of a detailed and prepared Agenda when business has been completed. The time of adjournment shall be noted in the minutes of the Meeting.

19.10 Reconsider – Motion To

The motion to reconsider enables only Council, (a Committee has no authority to reconsider a motion) within a limited time and without notice, to bring back for further consideration a motion that has already been voted on. The purpose of reconsideration of a vote is to permit correction of a hasty decision or to consider added information or a changed situation that has developed since the taking of the vote in that meeting.

19.10.1 When Can Reconsideration Be Moved

A motion to reconsider can only be used in the **same meeting** at which the decided matter has occurred.

19.10.2 Member – Move To Reconsider

A motion to reconsider a resolution (a decided matter) can only be made by a Member who voted with the prevailing side or a Member who did not vote.

May Move a Motion to Reconsider:

-A Member for who vote “for” if the original motion carried

May **Not** Move a Motion to Reconsider:

-A Member for who vote “against” if the original motion lost
-A Member was absent from the vote
-A Member didn’t vote
-A Member abstained in a recorded vote

The motion shall require the approval of a majority of Council that is present. A motion to reconsider is not amendable and debate must be confined to reasons for or against reconsideration. However, the mover of a motion to reconsider may provide a brief and concise statement outlining the reasons for proposing such reconsideration.

19.10.3 Reconsider Adopted

If a motion to reconsider has been adopted, it temporarily nullifies the previous decision and places the Meeting back at the point prior to taking the vote on the original motion, and consideration of the original matter shall become the next order of business.

19.10.4 Discussion on Motion of Reconsideration

There shall be no discussion on the main question permitted until the motion for reconsideration is adopted.

19.10.5 Reconsideration – Only Once

No motion or report shall be reconsidered more than once at any Meeting.

19.10.6 Reconsideration – Not Permissible

A motion to reconsider a resolution (a decided matter) shall be out of order and cannot be reconsidered under the following conditions:

- a) When the provisions of the resolution has been partially carried out.
- b) If the action approved in the resolution cannot be reversed.
- c) When a legally binding agreement, commitment and/or contract has been made and is in place on the date that a motion to reconsider is to be debated.

19.11 Rescind or Amend Something Previously Adopted – Motion To

A motion to rescind or amend a previous action of Council is used to change something previously adopted by Council by either by striking out the entire action or by changing part of it. It shall be submitted to the Clerk as a Notice of Motion for inclusion on the agenda. It requires a majority vote of the Members present. If this motion is carried, the previously adopted motion is reversed or changed.

19.11.1 Rescind or Amend – Action Already Taken

A motion to rescind or amend is not in order when action has been taken on the order of Council which it cannot undo. The part of an order of Council which has not been acted upon, however, may be rescinded or amended.

19.12 Recess

The Chair will call for a Ten (10) minute rest period at a minimum when a Department Head or Member(s) wishes to have a short intermission of the Council's proceedings. A recess does not close or adjourn the Meeting. Once the recess is completed, business resumes at exactly the point where it was interrupted. The time of recess shall be noted in the minutes of the Meeting, no motion is necessary.

19.13 Reconvene

The Chair will reconvene after the Member(s) have had a short intermission of the Council's proceedings, commonly for only a few minutes. Once reconvened, business resumes at exactly the point where it was recessed. Time of reconvening shall be noted in the minutes of the Meeting, no motion is necessary. The Chair will state that a quorum is in attendance before resuming the meeting.

19.14 Notice of Motion

A Notice of Motion may be introduced by a Member at a Meeting by preferably delivering an electronically filed notice of motion form to the Clerk before or during the Notice of Motion section of the agenda or by the submission deadline listed below in 19.13.1

19.14.1 Notice of Motion – Consideration

A Notice of Motion shall be considered at the next Regular Meeting if it is submitted to the Clerk by the deadline for insertion into the Council or Committee agenda.

Meeting Type	Submission Deadline
Regular Meeting of Council	Monday - Nine (9) days prior to the Meeting Date by Four o'clock (4:00 p.m.)*
Committee Meeting of Council	Nine (9) days prior to the Meeting Date by Four o'clock (4:00 p.m.)*
*Statutory Holiday – If the Monday is a statutory holiday, then the deadline will be the previous Friday. If that Friday is also a statutory holiday, as in the case with <i>Good Friday</i> , then the deadline is the Thursday before <i>Good Friday</i> .	

19.14.2 Notice of Motion – Placed On Agenda

Motions will be placed on the agenda in order of receipt. If motions submitted are of a similar subject matter, they will be grouped by subject matter in order of receipt.

19.14.3 Notice of Motions – Contradictory

Motions which are contradictory to each another will be voted on in the order they are placed on the agenda. Once a motion has been carried by Council, any other contradictory motions will be deemed out of order by the Chair.

19.14.4 Notice of Motion – No Debate

Notice of Motions introduced near the end of the Meeting shall not be read, discussed, debated or deliberated. The Chair will ask if there are any Notice of Motions at this time and the Clerk will record them in the meeting minutes under 'Notice of Motions'. If they are submitted after the Meeting day, they will not be recorded in the Meeting minutes but will placed on the agenda for the next Meeting under 'Motions'.

19.14.5 Notice of Motion – No Action

No staff time is to be allocated to a notice of motion item until such time as it becomes a motion, is seconded, and then carried by Members of Council or Committee.

19.14.6 Consideration – Mover Absent

A Motion shall not be considered by the Council or Committee if the mover of the proposed motion is not in attendance at the Meeting when the proposed motion is being considered. It shall be placed on the next regular meeting agenda.

19.14.7 Seconded – By Any Member

Any Member may agree to second a proposed motion at the time it is on the Agenda at the next Meeting under Motions (for which notice has been given).

**ARTICLE 20
RESOLUTIONS**

20.1 Resolutions – Motions – Debated Separately

Every matter listed under Motions (for which notice has been given) shall be dealt with individually.

20.2 Resolutions – Consecutively Numbered

All resolutions presented to the Council shall be consecutively numbered on a yearly basis.

20.3 Execution of Documents

Whenever the execution of any document endorsed by the Council is required to give effect to any Resolution or Bylaw of the Municipality duly endorsed by motion of Council, the Mayor and Clerk shall have general authority for and in the name of the Municipality to execute and to affix the Corporate Seal of the Municipality to such documents.

ARTICLE 21 VOTING

21.1 Voting

Except as otherwise provided, every Member of Council or Committee shall have one vote.

21.2 Motion – Majority – Required Exception

The vote required to pass a motion shall be a majority.

21.3 Voting – Process

Council/Committee Members shall vote by raising their hand, with the exception of a recorded vote. The Chair may ask for a show of hands for any Members voting in the negative.

21.4 Recorded Votes

Where a vote is required to be recorded by request of a Member immediately before or after the taking of the vote, each Member that is both present and qualified to vote, shall announce their vote openly, and any failure to vote by a Member who is not disqualified shall be deemed to be a negative vote.

21.4.1 Recorded Votes – Order of Voting

When a Member present requests a recorded vote, all Members present at the Council or Committee meeting must vote in alphabetical order, unless otherwise provided by statute, with the Chair voting last. The names of those who voted for, against, to abstain, are absent or didn't vote due to a pecuniary interest shall be noted in the Minutes of the applicable meeting. The Clerk shall report the results of the vote to the Chair, who shall announce the results.

21.5 Voting – Number of Members – Calculation

In any vote required of the whole Council or Committee, the number of Members constituting the Council or Committee shall be determined by excluding:

i) the number of Members who are present at the meeting but who are excluded from voting by reason of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c.M.50 and

ii) the number of seats that are vacant on the Council by reason of section 259(1) of the *Municipal Act, 2001, S. 2001, c.25*, as amended.

21.6 Absent from Seat

When the Chair calls for the vote on any question, each Member shall occupy their seat until such time as the result of the vote has been declared, and during such time, no Member shall walk across the room, speak to any other Member, or make any noise or disturbance. A Member who is absent from their seat does not have the right to vote.

21.7 Result – Announced by Chair

The Chair shall announce the result of every vote.

21.8 Tie Vote – Motion Deemed Lost

Any question on which there is a tie vote shall be deemed to be lost. “Motion Lost”

21.9 Failure to Vote/Abstain – Deemed Negative

A failure to vote or an abstention by a Member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.

21.10 Proxy Voting – No Votes By Proxy

A proxy vote is used to allow a Member of Council to appoint another Member of the same Council to act in their place when they are absent and to cast predetermined votes on their behalf. Council shall **not allow** votes by proxy.

21.11 Secret Ballot – Forbidden

No vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.

21.12 Division of a Question

21.12.1 Independent Motion – Separate Vote

When a motion relating to a single subject contains several parts, each of which is 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 question – by adoption of the motion for “*Division of a Question*” (or *divide the question*).

21.12.2 Motion to Divide

A motion made by a single Member may be made to request that the motion be divided when a series of independent resolutions or main motions dealing with different subjects, is offered in one motion and where one or more resolutions must receive separate consideration. (Not debatable and non-amendable).

21.12.2.1 Motion to Divide – Vote Taken Separately

Upon a majority vote, the vote on each recommendation or proposition shall be taken separately, and no vote shall be required to be taken on the matter as a whole.

21.13 Disputed Vote

Should a Member disagree with the announcement of the Chair that a motion is carried or lost, the Member may, but only immediately after the declaration of the vote by the Chair, object to the Chair's decision and may request a recorded vote to be taken.

21.14 Chair Votes

The Chair shall vote as any other Members.

ARTICLE 22 BYLAWS

22.1 Form – Typewritten Compliance – Relevant Act

Every Bylaw when introduced shall be in typewritten form and shall comply with the provisions of any relevant Act. - *Municipal Act, Sec. 233(5)*

22.2 Reading – Bylaws

It shall not be necessary to have the Bylaws read in their entirety unless a majority vote by the Council requires that the Bylaw be read. It shall not be necessary to give more than one (1) reading of each Bylaw.

22.3 Debate – Bylaws

Any Bylaw may be debated and is subject to amendments or may be referred for future consideration and re-introduced in the same manner or in an amended manner at a future Meeting.

22.4 Bylaw Adoption

After Bylaws have passed, the Clerk shall be responsible for their correctness to ensure they reflect the will of the Council.

22.5 Endorsement and Enactment – Bylaws

All Bylaws shall be numbered consecutively for each year and be maintained and kept by the office of the Clerk for archival purposes.

ARTICLE 23 DISCLOSURE OF PECUNIARY INTEREST

23.1 Disclosure of Pecuniary Interest

At all times and under all circumstances, Members shall be guided by and shall have regard to the *Municipal Conflict of Interest Act*.

23.2 When Present at Meeting at Which Matter Considered

Where a Member, either on their own behalf or while acting for, by, with or through another 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, in accordance with the *Municipal Conflict of Interest Act*:

- a) 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 questions 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.

23.3 Where Member to Leave Closed Meeting

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

The following rules apply if the matter under consideration at a meeting or a part of a meeting is to consider whether to suspend the remuneration paid to the member under subsection 223.4 (5) or (6) of the *Municipal Act, 2001*:

- a) Despite clauses 20.2 (b) or (c), the member may take part in the discussion of the matter, including making submissions to Council or the local board, as the case may be, and may attempt to influence the voting on any question in respect of the matter, whether before, during or after the meeting. However, the member is not permitted to vote on any question in respect of the matter.
- b) In the case of a meeting that is not open to the public, the member may attend the meeting or part of the meeting during which the matter is under consideration.

23.4 When Absent from Meeting at Which Matter Considered

Where the interest of a Member has not been disclosed by reason of the member's absence from a particular meeting, the member shall disclose the member's interest and otherwise comply at the first meeting of the Council or Committee, as the case may be, attended by the member after the particular meeting.

23.5 Written Statement re Disclosure

At a meeting at which a member disclosed an interest, or as soon as possible afterwards, the member shall file a written statement of the interest and its general nature with the Clerk or the secretary of the committee or local board, as the case may be.

23.6 Influence

Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter that is being considered by an officer or employee of the Municipality or local board, or by a person or body to which the Municipality or local board has delegated a power or duty, the member shall not use his or her office in any way to attempt to influence any decision or recommendation that results from consideration of the matter.

23.7 Disclosure To Be Recorded in Minutes

The Clerk shall record every declaration of interest and the general nature thereof, where the meeting is open to the public, in the minutes of the open meeting.

The Clerk shall record every declaration of interest and the general nature thereof, where the meeting is closed to the public, in the minutes of the Closed Meeting.

Every declaration of interest made, but not the general nature of that interest, shall, where the meeting is *not* open to the public, be recorded in the minutes in the portion of the open meeting wherein the disclosure was made.

23.8 Requirement to Establish Registry

Every municipality and local board shall establish and maintain a registry in which shall be kept,

- (a) a copy of each statement
- (b) a copy of each declaration recorded

The registry shall be available for public inspection in the manner and during the time that the municipality or local board, as the case may be, may determine.

23.9 Disclosure of Pecuniary Interest – Chair

If the Chair has made a disclosure of pecuniary interest on any matter before Council, the Chair shall withdraw from the Chair during the deliberations on that matter. The Deputy Mayor/Chair will resume the seat of Chair.

23.10 Failure By Any Member of Council to Comply

The failure of one or more Members to comply with this “Article 23” DISCLOSURE OF PECUNIARY INTEREST shall not affect the validity of the Meeting in regard to the said matter.

ARTICLE 24 COMMITTEES

24.1 Procedure

Except as otherwise provided for herein, a Committee of Council shall conform to the rules governing protocol and procedures as detailed within this Procedure Bylaw and within the Bylaws establishing and Terms governing Committees for The Corporation of the Municipality of Hastings Highlands. Committee motions must be moved and seconded.

24.2 Committee

Committee means a Standing, Statutory or Ad Hoc Committee established by Council.

24.3 Committee Composition

The Mayor may not create a Committee.

The Mayor is *Ex officio* on all Committees and:

- may attend Meetings
- may participate in Meetings, including Closed Meetings of Committee

- may vote in Meetings
- may chair meetings if required
- may be appointed as Chair if required
- attendance counts towards quorum

Staff shall only be advisors used for support, resources and advice to Committees.

Staff shall not be Committee Members.

Staff shall create the Agenda for Committee Meetings.

Staff Member or department head may be a recording secretary, or the Committee may appoint a secretary, but a Member of Council may not be the recording secretary for the Committee.

24.4 Committee Minutes

- Committee minutes shall provide an authoritative and permanent record of proceedings
- Provide formal evidence of decisions made and of expenditure and actions authorized
- Provide a record of policy decisions made
- Provide a starting point for action to be taken in the future
- Inform Members not present at the Meeting
- Assist the conduct of subsequent Meetings
- Draft minutes of Committee Meetings (not yet approved at the following Committee Meeting) may be accepted by Council for expedient workflow

24.5 Ad Hoc Committee of Council

Council may, at any time, appoint an Ad Hoc Committee to enquire into and report on any matter specific to one subject matter that does not have a continuous nature. The Committee will provide recommendations, advice and information to Council and will dissolve automatically upon completion of the project or by the end of the Council Term, unless otherwise directed by Council.

The Committee will have a clear mandate and a well-defined Terms of Reference that must include:

- a) the Committee's mandate/terms of reference;
- b) alignment with the strategic plan
- c) the number of Members;
- d) the composition of membership;
- e) reporting relationships;
- f) staff and other resources to be made available;
- g) defined timeline for completion of the assigned tasks;
- h) requirement for the Chair to submit a final report to Council upon completion of the mandate.

When Council decides to include members of the public on an Ad Hoc Committee, the Clerk will place an advertisement in a local newspaper, on the municipal website and social media inviting members of the public to apply to be a Member of the Committee.

24.6 Standing Committee

A Standing Committee is an advisory body to Council to consider policy matters regarding Departments within the Municipality and on any other matter that Council deems it necessary. Council Members who are appointed to Standing Committees shall be appointed every Term of Council.

24.7 Statutory Committee

A Statutory Committee means Committees established pursuant to a specific enabling statute such as a Committee of Adjustment established pursuant to the *Planning Act*, a Municipal Election Compliance Audit Committee established pursuant to the *Municipal Elections Act* and any other body established pursuant to enabling legislation which services in an arms-length (quasi-judicial) capacity on behalf of or in cooperation with the Municipality.

24.7.1 Statutory Committee – Committee of Adjustment

The Committee of Adjustment has its own Terms of Reference. Where this Committee's Terms of Reference are silent, The Committee will refer to the *Planning Act*, then this document and then Robert's Rules of Order.

ARTICLE 25 REPEAL – ENACTMENT

25.1 Bylaw – Previous

That Bylaw 2021-018 is hereby repealed.

25.2 Amendment or Repealment

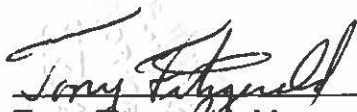
No amendment or repealment of the Bylaw or any part thereof shall be considered at any Meeting of Council, unless notice of the proposed amendment or repealment has been given as per Article 4.7. Notice cannot be waived and shall be mandatory, unless in the case of a declared emergency.

25.3 Effective Date

This Bylaw shall come into force upon passing.

Read a first time on the 6th day of December 2023

Enacted and Passed on this 17th day of January, 2024



Tony Fitzgerald, Mayor

Suzanne Huschilt, Municipal Clerk



SCHEDULE A

Procedure Bylaw 2024-001 of the
Municipality of Hastings Highlands

Instructions for a Presentation to Council or Committee

Pursuant to the Procedure Bylaw of Council, all Presentations shall be scheduled at each Regular Meeting of Council or scheduled Special Meetings of Council (if applicable) or a Committee Meeting.

**Please Note: *Presentations Are Limited to A Maximum of Fifteen (15) Minutes
Instructions on Accepting an Invitation to Give a Presentation**

1. Any person or group invited to address the Council or Committee shall submit to the Clerk no later than the Monday, 9 days prior to meeting at Four o'clock (4:00 p.m.) contact information and related presentation materials in order to include in the agenda for their review before the Meeting.

2. The presentation materials shall not contain any defamatory statements, allegations, inferences, impertinent, disrespectful or improper matters, or deemed by the Clerk to be an affront to the dignity of Council or Committee or staff. If not all supporting documents are received by the deadline then the presentation will not appear before Council or Committee at that meeting.

At the Meeting

All Presentations shall be scheduled on the Agenda immediately following the Adoption of Minutes. The Chair will invite the individual(s) making the Presentation to speak on their subject matter. Presentations are limited to Fifteen (15) minutes but may be extended at the discretion of the Chair. The presentation shall not contain any defamatory statements, allegations, inferences, impertinent, disrespectful or improper matters.

Following the Presentation, **only** Members of Council or Committee or staff may ask you questions for clarification. The presenters are not permitted to speak to the gallery. Upon closure of the discussion, Council or Committee shall receive the Presentation for information purposes. If a request for action on the part of Council or Committee is made, the matter will be introduced at a future meeting or will be referred to Administration or Committee, if applicable for future report or further advice.

Individuals who submit information to Council or Committee should be aware that any personal information contained within their communications may become part of the public record, made available through the Council or Committee Agenda process.



SCHEDULE B
to Procedure Bylaw 2024-001 of the
Municipality of Hastings Highlands
Instructions for Delegation to Council or Committee

Pursuant to the Procedure Bylaw of Council, all requests to make a Delegation shall be scheduled at each Regular Meeting of Council or a Committee Meeting.

Please Note: *Delegations-Are Limited to A Maximum of Ten (10) Minutes

Instructions on Requesting a Delegation

1. Any person desiring to address the Council or Committee shall complete the request form prescribed for Delegation under Schedule A1, and submit it to the Clerk no later than the Monday, 9 days prior to meeting at Four o'clock (4:00 p.m.) The form should be legibly printed by hand, but the preferred method is a fillable electronic format. The delegation request form shall not contain any defamatory statements, allegations, inferences, impertinent, disrespectful or improper matters, or deemed by the Clerk to be an affront to the dignity of Council/Committee or staff. If a request form is received after the deadline date or if the Agenda is deemed full, the request may be considered at the next scheduled Meeting.


2. Related or background information shall also be provided at the time of submitting the request and/or by the deadline. Such material shall be included in the agenda for review before the Meeting. The delegation materials shall not contain any defamatory statements, allegations, inferences, impertinent, disrespectful or improper matters, or deemed by the Clerk to be an affront to the dignity of Council or Committee or staff. If not all supporting documents are received by the deadline then the delegation will not appear before Council or Committee at that meeting.

At the Meeting

All Delegations shall be scheduled immediately following Presentations, or immediately following Adoption of Minutes. The Chair will invite individual(s) making the Delegation to speak on their issue(s). Delegations are limited to Ten (10) minutes but may be extended at the discretion of the Chair. The delegation shall not contain any defamatory statements, allegations, inferences, impertinent, disrespectful or improper matters.

Following the Delegation, **only** Members of Council or Committee or staff may ask questions for clarification. The Delegate is not permitted to speak to the gallery. Upon closure of the discussion, Council or Committee shall receive the Delegation for information purposes. If a request for action on the part of Council or Committee is made, the matter will be introduced at a future meeting or referred to Administration or Committee, if applicable for future report or further advice.

Individuals who submit information to Council should be aware that any personal information contained within their communications may become part of the public record, made available through the Council Agenda process.

 SCHEDULE B - DELEGATION REQUEST FORM	
Date:	Council or Committee Meeting Date Requested:
Applicant Name (and title if applicable)	
Organization Name (if applicable)	
Address:	
Telephone of contact person:	
E-mail address:	
Please Note: All Delegations are limited to ten (10) minutes	
Subject Matter of Delegation:	
Purpose of Delegation/Petition:	<p>Note: If requesting action of Council, you must detail all information necessary to inform Members of Council or Committee of your request. If necessary, add a separate sheet and attach it.</p> <input type="checkbox"/> Information only <input type="checkbox"/> Requesting funding <input type="checkbox"/> Requesting letter of support <input type="checkbox"/> Other (provide details below)
Name of individual(s) giving the delegation (max 2 speakers)	1. 2.
Documentation to be provided:	<p>please outline type of information to be forwarded:</p> <input type="checkbox"/> Handouts <input type="checkbox"/> Power-Point presentation <input type="checkbox"/> Publication in the Agenda (one original or electronic copy) must be provided to the Clerk no later than 4:00 p.m. 9 days prior to the meeting. Council Meeting deadline is Mon. at 4p.m.
Technical requirement	<input type="checkbox"/> Flipchart <input type="checkbox"/> Television Screen <input type="checkbox"/> Other (provide details)
<p>By typing my name, I, _____ understand and agree to the procedures for Delegation as detailed within this Schedule and agree to abide by them.</p>	
<p>Date:</p>	



SCHEDULE C

Procedure Bylaw 2024-001 of the
Municipality of Hastings Highlands
Instructions for a Petition to Council

A petition is a formal written request made to Council or Committee which requests a particular action within the authority of Council. It is required by the Clerk’s Department that petitions be completed on the Municipality’s Petition Template (Schedule C) to ensure that the petition contains the information required.

Petition Procedure

Petitions are to be delivered to the Clerk’s Office clerk@hastingshighlands.ca or delivered in person to the Municipal Office. Petitions are to be received in accordance with the submission deadlines defined below. Late petitions will be placed on the next Regular, ~~Special~~ or Committee Meeting of Council.

Petition Requirements

Petitions must contain:

- at least 25 original signatures
- the ‘petition request’ at the top of each page of signatures
- no electronic web-based documents
- contact information for each signer
- contact information for the organizer of the petition

The Clerk will refuse to put a petition on the agenda where the petition request:

- involves current or pending litigation;
- involves insurance claims;
- involves administrative complaints that have not been reported and investigated through the administrative process;
- is beyond the jurisdiction of Council; or
- is contrary to the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*;
- contains defamatory statements, allegations, inferences, impertinent, disrespectful or improper matters

Meeting Type	Petition Submission Deadline
Regular Meeting of Council	Monday - Nine (9) days prior to the Meeting Date by Four o’clock (4:00 p.m.)*
Committee Meeting of Council	Nine (9) days prior to the Meeting Date by Four o’clock (4:00 p.m.)*
*Statutory Holiday – If the Monday is a statutory holiday, then the deadline will be the previous Friday. If that Friday is also a statutory holiday, as is the case with <i>Good Friday</i> , then the deadline is the Thursday before <i>Good Friday</i> .	



SCHEDULE C

Procedure Bylaw 2024-001 of the
Municipality of Hastings Highlands
Petition Request Form

**Municipality of
Hastings Highlands**
33011 HWY 62N
Maynooth, Ontario
K0L 2S0

www.hastingshighlands.ca

Name/Address for Organizer of **Petition**

Page _____ of _____

To: The Council of the Municipality of Hastings Highlands or The _____ Committee

Whereas: (provide a brief description of issue/problem and **the request of Council**)

We the undersigned, petition the Council of the Municipality of Hastings Highlands (as described above):

Name (print)	Address	Signature

All information submitted is collected in accordance with the *Municipal Act, 2001*, s.8 and 239(1) and may be used in Council and/or Committee deliberations, and disclosed in full, including email, names and addresses to persons requesting access to records. All information submitted to the municipality is subject to the *Municipal Freedom of Information Act* (MFIPPA). Questions about this notice of collection should be directed to the Clerk's Office 613-338-2811 ext. 277, 33011 Hwy 62N, Maynooth, Ontario, K0L 2S0. clerk@hastingshighlands.ca



SCHEDULE D

Procedure Bylaw 2024-001 of the
Municipality of Hastings Highlands

Notice of Motion Form for Council

In accordance with the Corporation of the Municipality of Hastings Highlands Procedure Bylaw;

Member of Council:

Hereby files a Notice of Motion to be included on the Agenda for the Regular Meeting of
Council, which is scheduled to be held on:

Subject:

And which Notice of Motion to read as follows:

That Council

Comments (optional):

This section to be completed by the Municipal Clerk:

Date received:

Time received:

This notice will be a Motion at Meeting Date:



SCHEDULE E

Procedure Bylaw 2024-001 of the
Municipality of Hastings Highlands

Notice of Motion Form for Committees of Council

**In accordance with the Corporation of the Municipality of Hastings
Highlands Procedure Bylaw;**

Member of Committee:

Hereby files a Notice of Motion to be included on the Agenda for the _____
Committee meeting, which is scheduled to be held on:

Subject:

And which Notice of Motion to read as follows:

That the _____ Committee

Comments (optional):

This section to be completed by the Municipal Clerk:

Date received:

Time received:

This notice will be a Motion at Committee Meeting Date:



SCHEDULE F

Procedure Bylaw 2024-001 of the
Municipality of Hastings Highlands

Motion before Council

Date: _____ Resolution No.: (Clerk to fill in if approved) _____

Moved by: _____ Seconded by: _____

Motion: _____



SCHEDULE G

Procedure Bylaw 2024-001 of the
Municipality of Hastings Highlands

Motion before Committee of Council

Date: _____ Resolution No.: (Clerk to fill in if approved) _____

Moved by: _____ Seconded by: _____

Motion: _____

SCHEDULE H

Procedure Bylaw 2024-001 of the Municipality of Hastings Highlands



Hastings Highlands

Beautiful By Nature

DECLARATION OF PECUNIARY INTEREST

Pecuniary Interest Guidelines Procedures for Disclosure

If a matter comes before Council, or a Board or Committee, that a member believes he or she has a pecuniary interest in, the member must:

1. Orally declare the Pecuniary Interest and General Nature Thereof portion of the agenda.
2. Refrain from attempting in any way, whether before, during or after the meeting to influence the voting on any such matter. When the matter of pecuniary interest comes forward for consideration, refrain from participating in the discussion or voting on the matter. If the matter is being considered during a closed meeting, the member must leave the meeting room until discussion and voting on the matter are concluded.
3. Complete and submit the Declaration of a Pecuniary Interest Form below and provide to the Clerk or Committee/Board Secretary before the meeting where the matter will be discussed.

Council or Committee Meeting Regular Meeting Special Meeting Committee Meeting

Date of Meeting

Name of Member declaring Conflict

I, _____ declare a pecuniary interest on subject and item
identified on this meeting's agenda (or a past meeting agenda held on _____ at which
meeting I was absent).

My pecuniary interest is (please check one): Direct Indirect

My pecuniary interest relates to (please check all that apply):

myself my spouse my child a parent

The general nature of my pecuniary interest is as follows:

Date Received by Clerk:

For an "indirect pecuniary interest" see Section 2 of the *Municipal Conflict of Interest Act*. For a "deemed" direct or indirect pecuniary interest see Section 3 of the *Municipal Conflict of Interest Act*.



SCHEDULE I – Motions/Points Table

Procedure Bylaw 2024-001 of the
Municipality of Hastings Highlands

Motion	Debatable	Non-Debatable	Amendable	Non-Amendable	Article
Adjourn		X		X	19.9
Point of Privilege		X		X	Chair Rules 19.3
Lay on the Table		X		X	19.7
Move the Previous Question (end debate)		X		X	-
Postpone	X brief debate is limited to reasons for and time of postponement			X	19.6
Amend	X		X		19.4
Main Motion	X		X		18.3.1
<p>The above listed motion and points are listed in established order of precedence. When any one of them is pending, you may not introduce another that is listed below, but you may introduce another that is listed above it.</p>					
Point of Order		X		X	Chair Rules 19.1
Point of Information		X		X	19.2
Take from the Table		X		X	-
Reconsider	X only if original motion was debatable			X	19.10
Suspend the rules of procedure		X		X	Majority 3.1
Refer	X		X		19.5
Divide the Question		X	X		21.12
Extend Regular meeting beyond 4:00 p.m.	X			X	Majority 4.19
Appeal the Chair's Ruling		X		X	19.8

NOTES