

AGENDA / ORDRE DU JOUR

- A) Declaration of Pecuniary Interest / Déclaration d'intérêts pécuniaires**
- B) Addendum (if applicable) and Agenda / Addenda (si nécessaire) et Ordre du jour**
 B-1 Resolution to approve the Addendum
 B-2 Resolution to adopt the Agenda
- C) Delegations / Petitions / Délégations / Pétitions**
 C-1 International Plowing Match and Rural Expo – Cookbook Project (*Presenter: Jean Beauchemin*)

**COMMITTEE OF THE WHOLE MEETING /
COMITÉ PLÉNIER**

- D-1) Environmental / L'environnement **NIL****
- D-2) Emergency Measures and Public Safety / Mesures d'urgence et sécurité publique**
 D-2 (a) By- Law Enforcement Update (Robert Pilon)
- D-3) General Government / gouvernement général**
 D-3 (a) Procedural Issues Clarification
 D-3 (b) Additional changes to Procedural By-Law
- D-4) Planning / Planification **NIL****
- D-5) Economic Development / Développement économique **NIL****
- D-6) Social Services and Health / Services sociaux et santé **NIL****
- D-7) Public Works / Travaux publics **NIL****
- D-8) Community Services / Services communautaires **NIL****
- D-9) Sewer and Water / Les égouts et l'eau **NIL****

**REGULAR COUNCIL MEETING /
RÉUNION RÉGULIÈRE**

- E) Planning / Planification..... **NIL****

- F) **Correspondence and Accounts / Comptes et courrier** **NIL**
- G) **Unfinished Business / Affaires en marche** **NIL**
- H) **Notice of Motion / Avis de motion**
- I) **New Business / Affaires nouvelles**
- I-1 Motion Reconsider Decision to accept OPP Contract Proposal
(Rescind By-Law 2017-85)
(Notice of Motion made February 6, 2018 by Mayor Joanne Savage)
- I-2 Motion to place the question of Policing on the 2018 Municipal Election Ballot
(Notice of Motion made February 6, 2018 by Mayor Joanne Savage)
- J) **Addendum / Addenda**
- K) **Information & Questions / Information et questions**
- K-1 Mayor’s Report
- L) **Closed Meeting / Réunion à huis clos** **NIL**
- M) **Adjournment / Ajournement**
- M-1 Resolution to adopt By-law **2018/09** confirming proceedings of meeting
- M-2 Resolution to adjourn the meeting



REQUEST FOR DELEGATION / WRITTEN SUBMISSIONS

A request for a delegation or presentation before Council must be in the form of a written submission to the Municipal Clerk. The following background information form must be duly completed and submitted by not later than 4:30 p.m. on the Wednesday prior to the requested meeting.

PLEASE PRINT CLEARLY:

Council Meeting Date:

FEBRUARY 13, 2018

Subject:

COOK BOOK PROJECT

Name:

JEAN BEAUCHEMIN

Address:

Phone:

Home:

Business / Cell:

Fax:

519-803-0940

E-Mail:

JEAN.BEAUCHEMIN@CAMBRIANCOLLEGE.CA

Name of Group or Person(s) being represented (if applicable):

2019 INTERNATIONAL PLOWING MATCH and RURAL EXPO

Details of nature of the business/purpose (additional information can be attached separately):

Presentation Requirements:

Easel

Projection Equipment

Other:

Please be advised that your delegation/presentation will be recorded in video and audio format as part of Council meetings and will be subject to media broadcast (Eastlink and internet). Personal information on this form will be used for the purpose of sending correspondence relating to matters before Council and Committee of the Whole. Your name, address, comments, and any other personal information, is collected and maintained for the purpose of creating a report that is available to the general public in a hard copy format pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, C.M 56, as amended.

Submit your completed form to:

Municipal Clerk
Municipality of West Nipissing
101 – 225 Holditch Street
Sturgeon Falls, ON P2B 1T1
e-mail: mducharme@westnipissing.ca
Tel: 705-753-2250 • Fax: 705-753-3950

Visit ... www.westnipissingouest.ca

REPORT TO COUNCIL February 13th, 2018

WEST NIPISSING BYLAW OFFICER

- Started on Monday December 18th, 2017
- Orientation to Municipal office and systems
- Obtain uniform and equipment required to do the job
- Learn bylaws – there are several and some are quite involved (parking, building standards, zoning) This is ongoing
- Follow up on older Service Requests and respond to new ones. So far have “closed” a total of 38 with several more “in progress”
- Working on Disabled Parking issues. This area needed a lot of work and is a serious concern in the community. Visited most agencies and businesses in community and also audited Disabled Parking spaces on Municipal Streets. Council will soon see the fruits of this initiative by way of an amended Schedule H
- Communication strategy commenced concerning parking and other bylaw issues. Article in Tribune with further follow up on website and Facebook page.
- Champlain Motel investigation

Recent issues include, snow, snow and snow. Also parking, parking, parking, as well as dogs, dogs, dogs.

I can say that the job has been very interesting and I have had the pleasure of working with some great people.

Questions

MEMORANDUM

TO: Mayor and Council
FROM: Jay Barbeau, CAO
DATE: February 9, 2018
RE: **Procedural Matters – Clarification**

Following the meeting on February 6, 2018, I have received received a number of enquiries from members of Council, media and local citizens concerning the procedural matters. In an attempt to be fair to all who enquired, I will attempt to respond to the questions I received with the following information which I have verified with our solicitors.

1. When a **POINT OF ORDER** is raised (a question as to whether someone is violating the rules), the Chair must immediately stop discussion and rule on the point of order even if it means interrupting a member who is speaking. A point of order does not require a seconder nor is it debatable. The Chair's ruling is subject to appeal by any member, who must state clearly the reasons for appeal, at which time the Chair must call for a vote by roll call and, if the majority of the members agree with the Chair, the ruling is upheld and the appeal rejected. If the majority agree with the appellant, the appeal is upheld and the chair's ruling must be changed.

There are no sanctions on points of Order; however it is understood that if the Chair has ruled on a point of Order that the infraction is not to be repeated. A further point of order can be raised if the action continues and if unacceptable conduct by a member is ongoing despite the Chair's ruling, the Chair or Presiding Officer may ask the member to leave.

2. **RECONSIDERATION:** a motion to reconsider a decision of Council must be made by a **prevailing member**. In other words, someone from the winning side has to change their mind. The rationale for this is to ensure that a matter not be brought back over and over. The motion to reconsider must be dealt with first and debate must be confined to the reasons for the reconsideration itself (For example, a motion to reconsider being made because there is new information which was not available at the time of the original motion). If the motion to reconsider is defeated, the matter rests and there is no further discussion.

In the case of the Motion being brought by the Mayor with respect to the matter of the OPP By-Law passed on December 5, 2018, any member may raise a point of order that the Mayor, not being a prevailing member, does not have the authority under the Procedural By-Law to bring the motion.

Mr. Veldboom also observed that the Procedural By-Law indicates that the role of the Mayor or Chair is to receive and submit motions made by the members and that a point of Order could also have been raised with respect to the Notice of Motion, since it is not the role of the Chair role to raise motions.

Joie de vivre



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MEMORANDUM

TO: Mayor and Council
FROM: Melanie Ducharme, Municipal Clerk/Planner
DATE: February 9, 2018
RE: **Procedural By-Law – further amendments**

Attached is a further draft of the Procedural By-Law, in which the additional items which were discussed at the meeting of February 6th, have been included. All other accepted changes have been incorporated and highlighting removed.

- 1.1.7 Consent Agenda – removed;
- 1.1.9 New definition for “Electronic Device”;
- 2.11 Inaugural Meeting – language included to state that the meeting shall be ceremonial only;
- 4.4 Title changed to reflect situations where meeting may be chaired by the Deputy Mayor or other person;
- 4.5 New Section to provide for Duties of Committee Chairs;
- 5.1.12 Use of electronic devices specified for members at meetings of Council;
- 5.2.9 Use of electronic devices specified for members at meetings of Committee;
- 8.4.2 Remove Clerk’s discretion in accepting Petitions;
- 9.1 Notice of Motion moved between Unfinished and New Business on Agenda formats;
- 14.0 Heading Changed;
- 14.5 Housekeeping amendment re: 14.1.1;
- 14.8 – 14.12 New Provisions for Petitions;

Joie de vivre



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

WHEREAS pursuant to Section 238(2) of the *Municipal Act, 2001*, S. O. 2001 c. 25, authorizes a Municipality and local board shall adopt a procedure by-law to govern the calling, place and proceedings of meetings;

AND WHEREAS pursuant to Section 223.2 (1) of the *Municipal Act, 2001*, S.O. 2001, c.25, authorizes the municipality to establish a Code of Conduct for members of the council and of local boards;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING HEREBY ENACTS AS FOLLOWS:

The rules and regulations contained in this By-law shall be observed in all proceedings of the Council and shall be the rules and regulations for the conduct of business by Council and its committees, as applicable.

1.0 DEFINITIONS

1.1 IN THIS BY-LAW:

- 1.1.1** “**Agenda**” means those items which are to be dealt with by Council or a Committee at a meeting;
- 1.1.2** “**Chairperson**” means the person presiding at a meeting;
- 1.1.3** “**Clerk**” means the Clerk of the Corporation of the Municipality of West Nipissing
- 1.1.4** “**Closed Session**” means a meeting or part of a meeting that is not open to the public, to discuss matters authorized by the Municipal Act, 2001, as amended;
- 1.1.5** “**Committee**” means any advisory or other committee, subcommittee or similar entity composed of members of one or more Councils, and established by Council from time to time;
- 1.1.6** “**Committee of the Whole**” means a committee meeting held where all of Council is invited to discuss in greater detail specific issues which fall within the sub-committee categories of Community Services Committee, Economic Development Committee, Environmental Committee, General Government Committee, Planning Committee, Emergency Measures and Public Safety Committee, Public Works Committee, Sewer and Water Committee and Social Services and Health Committee.
- ~~**1.1.7** “**Consent Agenda**” means those items on a Council or Committee agenda which are of a routing or repetitive nature, or are unlikely to require debate, and may be approved in one action, rather than filing resolutions for each item separately~~
- 1.1.8** “**Council**” means the Municipal Council for the Corporation of the Municipality of West Nipissing; or committee assembly, as the case may be;
- 1.1.9** “**Electronic Device**” means any cellular telephone, laptop computer, tablet, pager or personal digital assistant;
- 1.1.10** “**Meeting**” means any regular, special or other meeting of a council, of a local board or of a committee of them, where;
- (A) a quorum of members is present; and
- (B) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.
- 1.1.11** “**Members**” means any member of Council or a Committee, as the case may be;
- 1.1.12** “**Motion**” means a question to be considered by the Council or Committee which is moved, seconded, presented, read by the Chairperson or Clerk and is subject to debate. When a motion is adopted, it becomes a resolution;
- 1.1.13** “**Municipality**” means the Corporation of the Municipality of West Nipissing;
- 1.1.14** “**Quorum**” means a majority of the whole number of members required to

constitute a Council or Committee. In this municipality a quorum is five members of the Municipal Council and a majority of whole numbers of members for Committees, as the case may be;

1.1.15 “Resolution” means a motion that is carried or defeated and therefore represents the vote and will of Council.

1.1.16 “Substantive” means any point being considered for action by Council that materially changes the course of business for the Municipality.

2.0 CONVENING MEETINGS OF COUNCIL

2.1 INAUGURAL MEETING

2.1.1 The Inaugural meeting of Council after a regular election shall be held on a date and time set by this Procedural By-law and in accordance to the provisions of the Municipal Act, 2001, as amended. **No business, other than ceremonial matters pertaining to the swearing in of members shall be conducted at the Inaugural meeting.**

2.2 REGULAR MEETINGS

2.2.1 Regular meetings of Council shall be held every third Tuesday of each month at 6:30 p.m. in Council Chambers, unless so changed by resolution of Council.

2.2.2 If the designated meeting day falls on a public holiday, the Council shall meet on the following regularly scheduled meeting date.

2.2.3 Council may, by Resolution passed by 2/3 of the members present, dispense with or alter the date, time or place of a regular meeting, provided that adequate notice of the change is posted at the Municipal Office and provided that the location be within the boundaries of the Municipality.

2.3 COMMITTEE OF THE WHOLE

2.3.1 Meetings of the Committee of the Whole shall be held on the first and second Tuesday of each month at 6:30 p.m. .

2.3.2 Council may, by Resolution passed by 2/3 of the members present, dispense with or alter the date, time or place of a committee meeting, provided that adequate notice of the change is posted at the Municipal Office and provided that the location be within the boundaries of the Municipality or adjacent municipality.

2.4 SPECIAL MEETINGS

2.4.1 The Head of Council may, at any time, summon a special or emergency meeting.

2.4.2 Upon receipt of a petition from the majority of the members of Council or Committee, the Clerk shall summon a special meeting for the purpose and at the time mentioned in the petition.

2.4.3 Special or emergency meetings shall be held in the Council Chamber, unless otherwise stated in the notice.

2.5 OUTSIDE MUNICIPALITY

2.5.1 As per the Municipal Act, 2001 s. 238(3), meetings may be held at a place outside the municipality within an adjacent municipality.

3.0 NOTICE OF MEETINGS

3.1 REGULAR MEETINGS

3.1.1 Subject to Section 3.2.3 herein, the Clerk shall give notice of the meeting to all Council members or Committee members and to the public, and where required, to such other persons as the Chairperson or the Clerk deems advisable and conforming to the provisions in this By-law.

3.1.2 The notice shall be in the form of an Agenda which shall first make mention of the day, time and place for the meeting.

3.2 SPECIAL MEETINGS

3.2.1 The notice of a special meeting shall specify the date, the place, the time and the purpose of the meeting.

3.2.2 The special meeting shall be held not sooner than 24 hours following the Head’s

summons or receipt of the petition, as the case may be, and the Clerk shall provide notice of the special meeting to all members of Council and to the public immediately following receipt of the summons or petition.

- 3.2.3** The notice of a special meeting shall be in the form of an Agenda which shall first make mention of the time, date and place for the meeting;
- 3.2.4** Notwithstanding the provisions of Section 3.2.3, notice of an emergency meeting may be given by telephone or personal contact, as determined by the Clerk and as time permits.
- 3.2.5** Despite Section 3.2.2 herein, a special meeting may be held as soon as practicable following receipt of the summons or petition, as the case may be, upon a 2/3 vote of Council to suspend such requirement.
- 3.2.6** Lack of proper notice of a meeting will not affect the validity of holding a meeting or of any action taken at the meeting provided that all members attend the meeting or members who are in attendance individually inform the clerk that they consent to the holding of the meeting event though they cannot be present

4.0 ROLES AND DUTIES

4.1 ROLE OF THE MAYOR

- 4.1.1** To act as Chief Executive Officer of the Municipality.
- 4.1.2** To provide leadership to the Council.
- 4.1.3** To preside over Council Meetings
- 4.1.4** To represent the Municipality at official functions.
- 4.1.5** To act as Council's representative when dealing with other levels of government, their agencies and the private sector and the media on matters relating to Council supported decisions.
- 4.1.6** To carry out the duties of the Municipal Act or any other Act.

4.2 ROLE OF COUNCIL

- 4.2.1** To represent the public and to consider the well-being and the interests of the Municipality.
- 4.2.2** To develop and evaluate the policies and programs of the Municipality.
- 4.2.3** Subject to legislative restrictions, to develop regulations to be adopted in by-law and resolutions for the over-all benefit of the community.
- 4.2.4** To determine the services the Municipality provides in accordance with applicable legislation.
- 4.2.5** To ensure that administrative practices and procedures are in place to implement the decisions of Council.
- 4.2.6** To maintain the financial integrity of the Municipality.
- 4.2.7** To carry out the duties of Council under the Municipal Act or any other Act.

4.3 ROLES OF MUNICIPAL ADMINISTRATION

- 4.3.1** To implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions.
- 4.3.2** To undertake research and to provide advice to Council on the policies and programs of the Municipality.
- 4.3.3** To carry out other duties required under this act and other duties assigned by the Municipality.

4.4 DUTIES OF THE MAYOR/PRESIDING OFFICER

- 4.4.1** To open the meeting by taking the chair and calling the members to order;
- 4.4.2** To receive and submit, in the proper manner all motions presented by the members;
- 4.4.3** To put to a vote all questions which are moved and seconded or which necessarily arise in the course of the proceedings, and to announce the results of such vote;

- 4.4.4 To decline to put to a vote motions which infringe upon the rules of procedure;
- 4.4.5 To enforce on all occasions the observance of order and decorum among the members and guests;
- 4.4.6 To call by name any person persisting in breach of the rules of order of the Council or Committee thereby ordering the person to vacate the Council Chamber or other place of meeting, as the case may be;
- 4.4.7 To authenticate by signature all By-laws, resolutions and minutes of the Council or Committee;
- 4.4.8 To rule on any points of order raised by members;
- 4.4.9 To determine the process for selecting the members of Council who are to serve on Committees, and have such approved by resolution of Council, from time to time;
- 4.4.10 To represent and support the Council or Committee, declaring its will and implicitly obeying its decisions in all things;
- 4.4.11 To ensure that the decisions of Council or Committee are in conformity with the laws and By-laws governing the activities of the Municipal Corporation or Committees;
- 4.4.12 To maintain order. Where it is impossible to maintain order, the Mayor may, without any motion being put, adjourn the meeting to a time to be named by the Mayor.
- 4.4.13 To expel from a meeting any person or group who continues to disrupt the meeting after being so warned and who engages in improper conduct;
- 4.4.14 To adjourn the meeting when the business is concluded.
- 4.4.15 To sit as ex-officio member of all committees of the Council and entitled to vote at meetings.
- 4.4.16 To act in accordance with the Oath of Allegiance and Oath of Elected Office.
- 4.4.17 To clearly qualify any statement which deals with matters which have not been approved or adopted by Council either by resolution or by-law as being their personal opinion and not that of Council as a whole when addressing other levels of government, their agencies, the private sector and the media.

4.5 DUTIES OF COMMITTEE CHAIRS

- 4.5.1 To take the chair of his or her committee when directed to do so by the Mayor or presiding officer;
- 4.5.2 To enforce on all occasions the observance of order and decorum among the members and guests;
- 4.5.3 To call by name any person persisting in breach of the rules of order of the Council or Committee thereby ordering the person to vacate the Council Chamber or other place of meeting, as the case may be;
- 4.5.4 To rule on any points of order raised by members;
- 4.5.5 To represent and support the Mayor and Council, declaring its' will and implicitly obeying its decisions in all things;
- 4.5.6 To ensure that the decisions of his or her Committee are in conformity with the laws and By-laws governing the activities of the Municipal Corporation or Committees;
- 4.5.7 To maintain order. Where it is impossible to maintain order, the Committee Chair may, without any motion being put, adjourn the Committee.
- 4.5.8 To expel from a meeting any person or group who continues to disrupt the meeting after being so warned and who engages in improper conduct;
- 4.5.9 To adjourn the Committee meeting when the business is concluded.
- 4.5.10 To act in accordance with the Oath of Allegiance and Oath of Elected Office.
- 4.5.11 To clearly qualify any statement which deals with matters which have not been approved or adopted by Council either by resolution or by-law as being their personal opinion and not that of Council as a whole when addressing other levels of government, their agencies, the private sector and the media.

4.6 DUTIES OF COUNCILLORS

- 4.6.1 To prepare for meetings, including reviewing the agenda and background information prior to the meeting.
- 4.6.2 To speak only to the subject under debate.
- 4.6.3 To vote on all motions before Council unless prohibited from voting by law.
- 4.6.4 To observe proper procedure and decorum at all meetings.
- 4.6.5 To state questions to be asked through the Mayor and/or Chair.
- 4.6.6 To support the Council.
- 4.6.7 To attend all meetings to which the member has been appointed by Council.
- 4.6.8 To act in accordance with the Oath of Allegiance and Oath of Elected Office.
- 4.6.9 To clearly qualify any statement which deals with matters which have not been approved or adopted by Council either by resolution or by-law as being their personal opinion and not that of Council as a whole when addressing other levels of government, their agencies, the private sector and the media.

4.7 DUTIES OF THE CLERK

- 4.7.1 To prepare and distribute agendas electronically or in hard copy, as requested, for all meetings of Council and Committee of the Whole in accordance with this By-law.
- 4.7.2 To record, without note or comment, all resolutions, decisions and other proceedings of the Council.
- 4.7.3 If requested by any member present at a vote, to record the name and vote of every member voting on any matter or question.
- 4.7.4 To keep the originals or copies of all by-laws and of all minutes of the proceedings of the Council.

5.0 CONDUCT OF MEMBERS OF COUNCIL OR COMMITTEE

5.1 NO MEMBER AT A REGULAR MEETING SHALL:

- 5.1.1 Speak aloud at a meeting or address members without first receiving permission of the Chairperson to do so;
- 5.1.2 Use profane or offensive words or insulting expressions against the Council or against any member, staff or guest;
- 5.1.3 Resist the rules of Council or disobey the decisions of the Mayor or presiding officer or of Council on questions or order or practice or upon the interpretation of the rules of Council;
- 5.1.4 Leave their seat or make any noise or disturbance while a matter is being considered or discussed by Council; while a vote is being taken or until the results are declared;
- 5.1.5 Disturb another member, staff or guest by any disorderly conduct disconcerting the speaker or the assembly;
- 5.1.6 Interrupt any member while speaking through, speaking out, noise or disturbance except to raise a point of order;
- 5.1.7 Speak on any subject other than the subject in debate;
- 5.1.8 Enter the meeting while a vote is being taken;
- 5.1.9 Leave a meeting without first obtaining permission from the Mayor or presiding officer;
- 5.1.10 Be permitted to retake their seat after being ordered to vacate, having committed a breach of any rule of the Council until the next meeting and without making an apology to Council.
- 5.1.11 Be permitted to use a cell phone while in Council Chambers during the meeting.
- 5.1.12 All electronic devices shall be set to silent mode during a meeting. Electronic devices shall be permitted at the council table for the purpose of accessing the

Agenda electronically and for obtaining such information as is required by the member to conduct the business of council. Electronic devices shall not be for the purpose of exchanging emails, texting, posting on social media or digital communication amongst members during the meeting.

5.2 NO MEMBER AT A COMMITTEE MEETING SHALL:

- 5.2.1 Speak aloud at a meeting or address members without first receiving permission of the Chairperson to do so;
- 5.2.2 Use profane or offensive words or insulting expressions against the Council or against any member, staff or guest;
- 5.2.3 Resist the rules of Council or disobey the decisions of the presiding officer or of Council on questions or order or practice or upon the interpretation of the rules of Council;
- 5.2.4 Disturb another member, staff or guest by any disorderly conduct disconcerting the speaker or the assembly;
- 5.2.5 Speak on any subject other than the subject in debate;
- 5.2.6 Leave a meeting without first obtaining permission from the Mayor or presiding officer;
- 5.2.7 Be permitted to retake their seat after being ordered to vacate, having committed a breach of any rule of the Council until the next meeting and without making an apology to Council.
- 5.2.8 Be permitted to use a cell phone while in Council Chambers during the meeting.
- 5.2.9 All electronic devices shall be set to silent mode during a meeting. Electronic devices shall be permitted at the council table for the purpose of accessing the Agenda electronically and for obtaining such information as is required by the member to conduct the business of council. Electronic devices shall not be for the purpose of exchanging emails, texting, posting on social media or digital communication amongst members during the meeting.

5.3 PREGNANCY AND PARENTAL LEAVE FOR MEMBERS OF COUNCIL.

- 5.3.1 Any Member of Council shall provide the Municipal Clerk written notice of an absence of 20 consecutive weeks or less as a result of the Member's pregnancy, the birth of the Member's child or the adoption of a child by the Member in accordance with Subsection 259(1.1) of the *Municipal Act, 2001*
- 5.3.2 When such notice is provided, the following process would be followed and the resulting information brought forward for Council consideration by way of motion at the Council meeting immediately following the Clerk's receipt of the written notice:
 - (A) In the written notice, a Ward Councillor shall indicate the Member(s) of Council whom he/she wishes to provide concurrence under the *Delegation of Authority By-law* for matters in the Ward Councillor's Ward during the Ward Councillor's absence; and
 - (B) In the written notice, the Ward Councillor shall indicate the Member(s) of Council whom he/she recommends Council appoint as a Member of any Committee(s) on which the Ward Councillor sits, on an interim basis for the duration of the Ward Councillor's leave; and
 - (C) The motion to Council shall recommend that Council delegate to the Municipal Clerk the interim authority to approve the payment of expenses of the Member(s) of Council to whom concurrence has been delegated in accordance with (a), above.

6.0 CONDUCT OF MEMBERS OF THE PUBLIC

6.1 NO PERSON AT A MEETING SHALL:

- 6.1.1 Speak aloud at a meeting or address members without first receiving permission of the Chairperson to do so;
- 6.1.2 Use profane or offensive words or insulting expressions against the Council or Committee or against any member, staff or guest;

- 6.1.3 Resist the rules of Council or Committee or disobey the decisions of the Mayor or presiding officer or of Council or Committee on questions of order or practice or upon the interpretation of the rules of Council;
- 6.1.4 Leave his seat or make any noise or disturbance while a matter is being considered or discussed by Council or Committee or while a vote is being taken and until the results of such vote are declared;
- 6.1.5 Disturb another or the Council or Committee or staff or guest by any disorderly conduct disconcerting to the speaker or the assembly.
- 6.1.6 Enter the meeting while a vote is being taken;
- 6.1.7 Be permitted to attend another meeting of Council or Committee after being ordered to vacate, having committed a breach of any rule of Council, and without having first met with the Mayor or presiding officer and the Chief Administrative Officer, and having satisfied the Mayor that their conduct at future meetings will be in conformity to the rules of this By-law.
- 6.1.8 Be permitted to use a cell phone while in Council Chambers during the meeting

7.0 DISCLOSURE OF CONFIDENTIAL INFORMATION

- 7.1 Where a matter is discussed during a closed session permitted under the provisions of this By-law, members of Council or Committee, staff or other persons in attendance shall not discuss or repeat the discussion, in whole or in part, with any other person outside of the closed session.
- 7.2 Following a closed session, members of Council or Committee, staff or other persons in attendance are hereby instructed to resist their response to public and media inquiries as to the content of a closed session to “No Comment” unless appointed by resolution passed by 2/3 of the members present as the official spokesperson, or to issue a press release or comments approved by Council or Committee, as the case may be.
- 7.3 Any violation will result in sanctions by Council befitting the severity and damages incurred. Such sanctions may include penalties ranging from a public reprimand highlighting the general nature of the violation, the exclusion from further discussions and correspondence regarding the confidential subject matter that was breached or in the most egregious case, may result in the complete exclusion from all further closed sessions. In such case, the offending person will no longer be provided with correspondence, materials or information proposed to be dealt with in closed session; and
- 7.4 Such violation shall be recognized by Council or Committee and the exclusion of the offending member, staff or persons shall be by resolution passed by 2/3 of the members present during a closed session.

8.0 PREPARATION OF THE AGENDA

- 8.1 The Clerk shall prepare Agendas of Council and Committee meetings as applicable and when expedient, may extend this responsibility to another member of the administration staff.
- 8.2 All items to be included in the Agenda shall be brought to the Clerk or designate no later than by end of business day on the Wednesday preceding the Council or Committee meeting. Supporting documentation shall be provided to the Clerk by no later than end of business day on the Thursday preceding the Council or Committee meeting.
- 8.3 Any Agenda item which may require research and/or preparation by staff, shall be submitted to the CAO for approval, prior to being delivered to the Clerk for inclusion on a subsequent Agenda unless such item is of a time-sensitive nature requiring an action or decision by Council;
- 8.4 **THE CLERK SHALL:**
 - 8.4.1 Accept items for any Agenda from the Mayor or presiding officer and from members of Council or Committee.
 - 8.4.2 Receive correspondence and petitions from the public and if, in the opinion of the Clerk, the matter warrants the consideration of Council or Committee, place the correspondence or petition on the Agenda. When in the opinion of the Clerk, the correspondence or petition should be first dealt within Committee, it shall be directed to the appropriate Committee for consideration and the subsequent

recommendation is to be included in a future Agenda of Council.

- 8.4.3** Insofar as is practicable, Council and Committee Agendas along with supporting material, shall be prepared and made available to members of Council or Committee and Department Heads not less than 2 business days prior to the regular meeting.

9.0 AGENDA FORMATS

- 9.1** Agendas shall be generally formatted as follows but modifications to the matters to be included in the order of business may be effected without requiring amendment to this By-law, particularly with respect to the Closed Session portions which may be altered in order to accommodate the passing of required resolution(s):

9.1.1 Committee of the Whole Format (1st and 2nd Tuesday of the month)

- A) Declaration of Pecuniary Interest / *Déclaration d'intérêts pécuniaires*
- B) Addendum / Agenda approval / *Addenda et Ordre du jour*
- C) Delegation & Petitions / *Délégation et pétitions*
(1 delegation permitted)

COMMITTEE OF THE WHOLE MEETING / COMITÉ PLÉNIER

- D-1) General Government / *gouvernement général*
- D-2) Planning / *Planification*
- D-3) Emergency Measures and Public Safety / *Mesures d'urgence et sécurité publique*
- D-4) Economic Development / *Développement économique*
- D-5) Social Services and Health / *Services sociaux et santé*
- D-6) Public Works / *Travaux publics*
- D-7) Community Services / *Services communautaires*
- D-8) Sewer and Water / *Les égouts et l'eau*
- D-9) Environmental / *L'environnement*

REGULAR COUNCIL MEETING / SÉANCE RÉGULIÈRE

- E) Planning / *Planification*
- F) Correspondence and Accounts / *Courrier et Comptes*
- G) Unfinished Business / *Affaires en marche*
- H) Notice of Motion**
- I) New Business / *Affaires nouvelles*
- J) Addendum / *Addenda*
- K) Information & Questions and Mayor's Report / *Information et questions et Rapport du maire*
- L) Closed Meeting / *Réunion à huis clos*
- M) Adjournment / *Ajournement*

9.1.2 Regular Council meeting (3rd Tuesday of the month)

- (A) Declaration of pecuniary interest / *Déclaration d'intérêts pécuniaires*
- (B) Addendum & Agenda approval / *Approbation - addenda et l'ordre du jour*
- (C) Delegations & Petitions / *Délégations et pétitions*
(2 delegations permitted)
- (D) Planning / *Planification*;
- (E) Correspondence and accounts / *Courrier et Comptes*
- (F) Unfinished business / *Affaires en marche*
- (G) Notice of Motion**
- (H) New Business / *Affaires nouvelles*;
- (I) Addendum / *Addenda*
- (J) Information & Questions and Mayor's Report / *Information et questions et Rapport du maire*

(K) Closed Meeting / *Réunion à huis clos*

(L) Adjournment / *Ajournement*;

9.2 The items on the Agenda of each meeting shall be taken in the order in which they stand on the Agenda unless otherwise decided by resolution passed by 2/3 of the members present.

9.3 All items on an Agenda NOT dealt with at a meeting shall be placed on the Agenda for the next regular meeting unless otherwise decided by resolution passed by 2/3 of the members present.

10.0 COMMENCEMENT OF MEETINGS

10.1 Call to Order - As soon as there is a quorum after the hour fixed for the meeting the Chairperson shall take the chair and call the meeting to order.

10.2 If the Mayor or Acting Mayor or Committee Chairperson is not present at a meeting by the commencement of the meeting, the Clerk shall call the meeting to order and the members present shall, from amongst themselves, appoint a member to act as Chairperson in the place and stead of the Chairperson until the Chairperson arrives.

10.3 Roll Call - Once the Chairperson has called the meeting to order, the Clerk shall record the names of the members present.

10.4 If a member arrives at a meeting after the roll call has been made, the Clerk shall note the time of arrival in the minutes.

11.0 QUORUM

11.1 A quorum is required to commence and continue any meeting of Council or Committee of the Whole.

11.2 A quorum of this Council or Committee of the Whole shall be a majority of the total of five (5) members, being five (5) members present.

11.3 **No quorum** - Unless a quorum is present within thirty (30) minutes after the time appointed for the commencement of the meeting, the meeting shall automatically be deemed to stand adjourned until the next regular meeting or until a special meeting is called to deal with the matters intended to be dealt with at the adjourned meeting.

11.4 The Clerk shall record the names of such members present at the expiration of the thirty (30) minute time limit and such record shall form part of the Agenda at the next regular meeting.

11.5 If at any time during the meeting there is no quorum, the meeting shall automatically be deemed to stand recessed until there is a quorum again in attendance or should the lack of a quorum continue for thirty (30) minutes, then the meeting shall automatically be adjourned until the next regular meeting, or until a special meeting is called to deal with the matters still to be dealt with at the adjourned meeting.

11.6 Despite the establishment of quorum, no substantive by-law or resolution may be passed at any reading without the requisite majority vote of Council (5 yeas).

12.0 ADDENDUM

12.1 There shall only be an Addendum to an Agenda for a meeting when one or more items arise after the closing of the deadline for preparation of the Agenda and prior to the meeting, which items the Clerk believes are of urgent nature and require the immediate consideration of Council or Committee at the meeting.

12.2 Before any addendum may be dealt with, a resolution must be passed by 2/3 of the members present, authorizing the Council or Committee to deal with all or any of the items on the Addendum.

13.0 DISCLOSURES OF PECUNIARY INTEREST

13.1 Any member who has a direct or indirect pecuniary interest on matters brought before Council or Committee is required by law to make a disclosure of his/her pecuniary interest in the following manner:

13.1.1 Disclose the interest and its general nature at the meeting, prior to any discussion taking place;

- 13.1.2 Refrain from taking part in the discussion of the matter;
- 13.1.3 Refrain from voting on the matter;
- 13.1.4 Make no attempt to influence the voting at any time before, during or after the meeting.
- 13.2 **Closed meeting:** If the matter in which the member has a pecuniary interest is discussed at a meeting closed to the public, the member must disclose their interest as outlined above, and also leave the meeting, or that portion of the meeting dealing with the matter.
 - 13.2.1 A member's disclosure of pecuniary interest during a closed meeting must also be recorded in the minutes of the next meeting that is open to the public. This can be achieved when the member makes a disclosure of pecuniary interest on the resolution adopting the minutes of the closed meeting in question, at which time the member is again prohibited from discussion or voting on the minutes related to the matter.
- 13.3 **Not in attendance:** If the matter in which the member has a pecuniary interest is discussed at a meeting not attended by the member, the member must disclose his/her interest in the appropriate manner at the first meeting attended after said meeting
- 13.4 **Chairperson:** If the Mayor or presiding officer has made a disclosure of pecuniary interest on any matter before Council or Committee, the Chairperson shall withdraw from the chair during the deliberations on that matter.
 - 13.4.1 In the event that the Mayor or presiding officer has made a disclosure of pecuniary interest on a matter before Council or Committee, the Chairperson shall withdraw from the chair during the deliberations on that matter.
 - 13.4.2 In the event that the Mayor or presiding officer and the Acting Mayor or chairperson are unable to chair the portion of a meeting in which a disclosure of pecuniary interest applies, the remaining members present shall, amongst themselves, appoint a member to act as Chairperson for that portion of the meeting.

14.0 DELEGATIONS AND PETITIONS

- 14.1 A delegation may be heard by Council or Committee at a meeting provided that the following requirements are complied with:
 - 14.1.1 **Delegation shall be permitted at all meetings of council as follows:**
 - (A) Committee of the Whole (1st and 2nd Tuesdays of the month) there shall be one (1) delegation permitted
 - (B) Regular meeting (3rd Tuesday of the month) there shall be two (2) delegations permitted
 - 14.1.2 A delegation shall submit to the Clerk a written request to be placed on the Agenda, together with a written submission to be included in the Agenda, outlining the matters that the delegation wishes to present to Council or Committee;
 - 14.1.3 Such requests must be submitted to the Clerk no later than 4 business days prior to the regular meeting, and the Clerk may make a determination as to deferral of delegations to subsequent meetings or referral to the appropriate Committee or Department Head;
 - 14.1.4 The Clerk shall reply to such requests in writing or by telephone, as time permits, indicating approval, refusal, deferral or referral of the delegation and the reasons thereof.
- 14.2 A delegation shall be listed on the Agenda and heard in the order determined by the Clerk
- 14.3 Only one person shall be permitted to address Council or Committee for each delegation representing a group or organization. If additional persons are required, they would do so only with the permission of the Chair.
- 14.4 A delegation shall have up to fifteen (15) minutes to make its presentation. Such time limit may be extended by such amount of time as the Council or Committee deems advisable by resolution passed by 2/3 of the members present.
- 14.5 There shall not be more than two (2) delegations at any regular meeting of Council or one (1) delegation at a Committee of the Whole meeting.
- 14.6 (i) No delegation will be permitted to address the Council or Committee with respect

to a specific issue dealt with during closed sessions, under the provisions of the Municipal Act, 2001, as amended.

- (ii) Presentations are not allowed on employer/employee matters from individuals or unions/organizations representing employees where the matter to be presented are part of a collective agreement or where there is a contractual agreement with the Municipality of West Nipissing.

14.7 Presentations by a delegation shall be followed by questions to the delegation from members of Council or Committees.

14.8 Every communication or Petition intended for presentation to the Council, Committee of the Whole shall be legibly written or printed and shall be signed by at least one (1) person, giving his or her address. Upon request, a blank form of Petition will be provided by the Clerk's office.

14.9 The request conveyed in the Petition will be considered by the Committee of the Whole for disposition. Where required due to timing, Petitions may be considered directly by Council as an item under New Business;

14.10 For reasons of privacy, the names and addresses included with the Petition will be provided to members of Council, but not published in the Agenda;

14.11 Staff may prepare recommendations related to the matter for Council's or Committee's consideration;

14.12 The Municipality is not responsible for the accuracy or reliability of any information contained in any petition submitted.

15.0 MINUTES

15.1 It is the duty of the Clerk to duly record in a book, without note or comment, all resolutions, decisions and other proceedings of the Council or Committee.

15.2 The Minutes shall also record:

15.2.1 The place, date and time of the meeting;

15.2.2 The names of the Council or Committee members in attendance and the absence of any members and the reason for their absence, if know.

15.3 Council or Committee shall adopt at a public meeting all minutes of previous meetings submitted by the Clerk. During the adoption of the minutes of a previous meeting, no changes can be made in the action taken at previous meetings by Council or Committee, except for changes in the form of errors. Omissions in the recording of any action taken at the previous meeting may be made in adopting the minutes.

16.0 CORRESPONDENCE

16.1 **For Information** - Correspondence for information only included in the Agenda for consideration of Council or Committee shall be deemed to be accepted by Council or Committee whether there are questions or discussions at the meeting on such correspondence or not.

16.2 **For Action** - Correspondence for action shall be deemed to be dealt with by Council or Committee upon the passing of a resolution expressing Council or Committee's decision or action.

16.3 All correspondence identified "Confidential" which is received by Members of Council or Committee shall be returned to the Clerk's Office for proper disposal immediately following the meeting at which Council or Committee dealt with the matter.

17.0 MOTIONS

17.1 Motions shall be debated in the order of their presentation on the Agenda.

17.2 **Ultra Vires** - A motion relating to a matter not within the jurisdiction of Council or Committee is not in order and shall not be entertained by the Chairperson.

17.3 **New Matters** - Members of Council or Committee, the Clerk and other officers may introduce matters to be dealt with by motion, subject to the notice provisions in this By-law

17.3.1 A motion for introducing a new matter shall not be presented without notice unless Council or Committee, without debate, dispenses with such notice by a

2/3 vote of members present

- 17.4 Mover & Second** - Every motion, amendment to a main motion, or amendment to an amendment must be formally moved and seconded before the Chairperson can put the question to Council or Committee, and prior to any discussion on the question.
- 17.5** Any member may require a motion under discussion to be read by the Chairperson at any time during the debate but not so as to interrupt another member who is speaking.
- 17.6 Disposition** - A motion properly before the Council or Committee for consideration must receive disposition before any other motions can be received, unless it is a motion to amend, to refer to a committee or staff for report, to defer indefinitely or to a specified time, to adjourn the meeting or that the vote be now taken.
- 17.7 Motion to refer** - A motion to refer shall require direction as to the body to which it is being referred to, and is not debatable.
- 17.8 Motion to defer** - A motion to defer must include a reason for the deferral, and a time certain to which the matter is deferred.
- 17.8.1** A motion to refer or defer shall take precedence over any motion or amendment except a motion to adjourn.
- 17.9 Amendments** - Amendments are changes in the form of a motion. An amendment is designed to alter or vary the main motion without materially changing its intent or meaning. It may propose certain words be omitted, replaced or added.
- 17.9.1** An amendment modifying a motion may be made provided it is not contrary to the main intention of the motion. An amendment relating to a different subject is not in order.
- 17.9.2** A motion to amend shall be made in writing and shall be relevant to the main motion.
- 17.9.3** Limitation - Only one amendment at a time can be presented to a main motion and only one amendment to an amendment can be presented.
- 17.9.4** Order of Vote - An amendment to the amendment shall be voted on first, then if no other amendment to the amendment is presented, the amendment to the main motion shall be voted on next, then if no other amendment to the main motion is presented, the main motion as amended, shall be put to a vote.
- 17.10 Withdrawal** - Every motion is the property of the Council or Committee once it has been presented to the Chairperson and read to the meeting, but may be withdrawn at any time prior to the vote thereon with the consent of the majority of members present.
- 17.11 Reconsideration** - when a Council or Committee has decided either for or against a certain question, it shall not reconsider the same question
- a) Within the ensuing 12 month period unless a motion to reconsider, presented by a prevailing member, has been passed by 2/3 of the members present.
 - b) Outside the 12 month period, unless a motion to reconsider, presented by a prevailing member, has been passed by a majority of the members present;
 - c) Where the original motion was an affirmative vote in the nature of a contract when the other party to the contract has been notified; and
 - d) Debate on a motion to reconsider must be confined to reasons for or against reconsideration.
- 17.11.1** If a motion to reconsider is decided in the affirmative, such reconsideration shall not be made until a subsequent meeting of Council or Committee must be presented to the Clerk in the form of a Notice of Motion prior to the preparation of the Agenda for that meeting.
- 17.11.2** No more than two motions to reconsider the same question shall be permitted within the ensuing 12 month period following the date of the original decision.
- 17.11.3** In the event of a resolution that was defeated due to an equality of votes, both sides shall be considered as prevailing.

18.0 VOTING

- 18.1** Voting shall be by way of a “show of hands” in favour or against, except when a recorded vote is requested by any members.
- 18.2** The Chairperson, except where disqualified to vote, may vote on all questions, and when

so doing, shall vote last.

- 18.3** After the Chairperson commences to take a vote on a question, no member shall speak to such question or present any other motion until a vote has been taken on such question.
- 18.4** The Chairperson or the Clerk shall announce the results of the vote once the vote is completed.
- 18.5** **Recorded vote** - Where a vote is taken for any purpose and a member requests immediately prior or after to the taking of the vote that the vote be recorded, each member present, except otherwise prohibited by law to vote, shall announce his vote openly and individually in favor or against the question.
- 18.5.1** The Clerk shall call by name the members present in alphabetical order except for the Chairperson whose name shall be called last, and the Clerk shall so record each member's vote, and such vote shall be recorded in the minutes
- 18.5.2** Every member present at a meeting other than the Chairperson who refuses or fails to vote during a recorded vote, and when permitted by law to vote on the question, shall be deemed as voting against the question.
- 18.5.3** After completion of the recorded vote the Clerk shall announce the results.
- 18.6** **Recorded vote for/Against** - If there is no request for a recorded vote, a member may request the Clerk to record his/her vote only, either for or against the question, as the case may be.
- 18.7** **Votes Equal** - Any question on which there is an equality of votes shall be deemed to defeated, except where expressly provided in legislation.

19.0 BY-LAWS

- 19.1** No By-law, except the By-law to confirm the proceedings of Council shall be presented to Council unless the subject matter has been considered and approved by Council or Committee.
- 19.2** Every By-law shall be presented in printed format and shall contain no blanks except as may be required to conform to accepted procedure, or to comply with provisions of any Act.
- 19.3** A By-law shall be introduced by the Clerk reading the resolution which will state:
- 19.3.1** Who is the proposer and who is the seconder;
- 19.3.2** Whether the By-law is being read a first time only, a first and second time only or a first, second and third time and passed; and
- 19.3.3** A short description of its contents.
- 19.4** A copy of the By-law shall be included in the Agenda and a description of such By-law shall be incorporated into the By-law resolution. If a majority of Council present wished the By-law to be read in its entirety, the Clerk shall do so.
- 19.5** Every by-law shall be enacted after one reading, unless otherwise required by legislation, a majority vote of Council is required.
- 19.6** Council shall, from time to time, employ a confirmatory By-law immediately prior to adjournment for the purpose of validating decisions and directing officers and staff to take action when required.

20.0 NOTICES OF MOTION

- 20.1** **Before Meeting** - Notices of motion may be submitted to the Clerk by a member at any time and each notice of motion the Clerk has received prior to the preparation of the Agenda shall be included on the Agenda for that meeting under the item "motions".
- 20.2** **At Meeting** - A notice of motion, in writing, may also be received by the Clerk prior to the closing of the meeting and in this event, the Chairperson or Clerk shall read the notice of motion and it shall be duly recorded in the minutes and shall form part of the Agenda for the subsequent meeting under the item "motions".
- 20.3** A motion not on the Agenda or Addendum shall not be presented without prior notice unless required under this section.
- 20.4** **Suspend Notice** - Despite section 20.1 herein, any motion may be included without notice, if Council or Committee dispenses with such notice by resolution passed by 2/3 of the

members present.

- 20.5** The presentation of a notice of motion does not require a mover or seconder until it comes before a meeting for debate.
- 20.6** A motion for which notice was given in accordance to this By-law must be moved or seconded at the meeting on which it appears on the Agenda for debate.
- 20.7** A notice of motion must be presented in the appropriate motion format on the notice of motion form.

21.0 ANNOUNCEMENTS AND INQUIRIES

- 21.1** Announcements may be made by any member of the Council or Committee with permission of the Chairperson and such announcements generally shall consist of brief verbal reports (i.e. conference attendance, meeting report, community event announcement).
- 21.2** Announcements and inquiries may be made by the members of the public present, after being acknowledged by the Chairperson. Inquiries may be made for the purpose of clarification of items dealt with by the members or to make suggestion of items to be considered by Council or Committee at future meetings.
- 21.3** The Announcements and Inquires section may be canceled, at the discretion of the Council, without notice, by resolution passed by 2/3 of the members present.

22.0 CLOSED SESSION

- 22.1** All Council and Committee meetings shall be open to the public.
- 22.2** Despite section 22.1, a meeting or part of a meeting shall be closed to the public if the subject matter being considered is:
 - 22.2.1** The security of the property of the Municipality or Local Board;
 - 22.2.2** Personal matters about an identifiable individual, including Municipal or local board employees;
 - 22.2.3** A proposed or pending acquisition or disposition of land for Municipal or local board purposes;
 - 22.2.4** Labor relations or employee negotiations;
 - 22.2.5** Litigation on or potential litigation, including members before administrative tribunals, affecting the Municipality or local board;
 - 22.2.6** The receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - 22.2.7** A matter in respect of which a Council, Committee or other body has authorized a meeting to be closed under another Act;
 - 22.2.8** A matter that relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act, if the Council, board, commission or other body is designated as head of the institution for the purposes of that Act.
 - 22.2.9** 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;
 - 22.2.10** 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
- 22.3** Before holding a meeting or part of a meeting that is to be closed to the public, a Council or local board shall state by resolution;
 - 22.3.1** The fact of the holding of the closed meeting; and
 - 22.3.2** The general nature of the matter to be considered at the closed meeting.
- 22.4** Except as in section 22.5, a meeting shall not be closed to the public during the taking of a vote.
- 22.5** Despite section 22.4, a meeting may be closed to the public during the taking of a vote if:
 - 22.5.1** Section 22.2 permits or requires a meeting to be closed to the public, and
 - 22.5.2** The vote is for a procedural matter or for giving directions or instructions to

officers, employees or agents of the Municipality or local board, or persons retained under contract with the Municipality or local board;

- 22.6 The presentation of the annual report of the auditors shall be presented to the whole Council and debated in Closed Session. Once approved in open Council, it shall be made available to the public.
- 22.7 Upon completion of the Closed Session, a motion to adjourn the Closed Session shall be passed and any votes as may be necessary to take in open session shall be then taken.

23.0 **ADJOURN AND CURFEW**

- 23.1 ***Adjourn at 10:00 p.m.*** - Council or Committee meetings shall stand adjourned at 10:00 p.m. in session at that hour unless continued by resolution passed by 2 /3 of the members present.
- 23.2 ***Extend to 10:30 p.m.*** - Where by section 23.1 a meeting continues past 10:00 p.m., the meeting shall be deemed to be automatically adjourned at 10:30 p.m. unless continued by the unanimous consent of all members present.
- 23.3 Members of Council or Committee, and the public, may not leave their places upon adjournment until the Chairperson leaves the chair.

24.0 **RULES OF DEBATE**

24.1 **Rules of debate (regular meeting)**

- 24.1.1 The Chairperson may speak on any matter either before the commencement of the debate on that matter, or to close the debate on any matter after everyone else is wishing to speak has spoken.
- 24.1.2 If the Chairperson wished to take part in the debate, the Chairperson must leave the chair and call on another member to act in the Chairperson's place and stand until the debate is closed and in such case the Chairperson waives his/her privilege to close the debate and the member acting in the Chairperson's place may close the debate.
- 24.1.3 After being recognized by the Chairperson, every member shall respectfully acknowledge the Chair prior to speaking on any matter.
- 24.1.4 Members will only speak on an issue which is before Council and when requested by the Chair to do so.
- 24.1.5 When discussing or debating an issue at a regular meeting, members will only be allowed to speak once on a subject matter stating their intention to either support the motion or defeat the motion. Members will only be allowed to speak again on the issue to clarify a point that they made if asked to do so by the Chair or another member or to request clarification on a point raised by another member.

24.2 **Rules of debate (Committee of the Whole)**

- 24.2.1 Members will only speak on an issue which is before the Committee and when requested by the Chair to do so.
- 24.2.2 Recognizing that meetings of the Committee of the Whole are to fully discuss matters in detail to ensure that matters have been fully researched and developed before ratification at Council, rules of debate will be less stringent to allow for a full discussion. Members may be allowed to speak more than once on the same subject matter to ensure that all points raised are clearly understood before reaching a consensus on the issue.

25.0 **POINTS OF ORDER**

- 25.1 The Chairperson shall preside over the conduct of the meeting, 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.
- 25.2 When a member wishes to call attention to what the member believes to be a violation of the rules of procedure, the member shall, when once recognized by the Chairperson, raise the point of order.
 - 25.2.1 On raising the point of order, a member shall state the point of order with concise explanation and the Chairperson shall rule upon the point of order.
- 25.3 Unless a member immediately appeals the ruling of the Chairperson, the ruling on the

point of order shall be final.

- 25.4 If an appeal is made, the member appealing shall, after announcing the appeal, state the reasons for the appeal and the Chairperson may then indicate why the appeal should be rejected and the ruling upheld.
- 25.5 Without debate, the members by roll call will then vote on the appeal and its decision shall be final.
- 25.6 If the appeal is upheld, then the Chairperson shall change his/her ruling accordingly; if the appeal is rejected, then the Chairperson's ruling stands.

26.0 SEAT ALLOCATION

- 26.1 The seating order of the members of Council shall be at the discretion of the Head of Council. The seating arrangement established shall be in effect for the full four-year term of Council.

27.0 SELECTION FOR COMMITTEES, CHAIRS OF COMMITTEE OF THE WHOLE AND DEPUTY MAYOR

- 27.1 The Mayor, in consultation with Council, will determine the process for selection for Committees, Chairs for Committee of the Whole and for the position of Deputy Mayor. The Members will respect the final decision of the Mayor once the process has been agreed to by the majority of Council.
- 27.2 Any Acting or Deputy Mayor shall, pursuant to Section 23(1) of the Municipal Act, have *the authority to carry out all roles and duties of the Mayor as provided in Sections 4.1 and 4.4;*

28.0 POINTS NOT PROVIDED FOR

- 28.1 Subject to the provisions of the Municipal Act, and except as expressly provided for in this By-law, Robert's Rules of Order shall be referred to and abided by as far as applicable when questions arise respecting the interpretation of the rules contained in this By-law, and on all points of order or procedure not provided for in this By-law.
- 28.2 Subject to section 28.1, all points of order or procedure not provided for in this By-law shall be decided by a vote of Council or Committee members present.

29.0 SUSPENSION OF PROCEDURES

- 29.1 Any standing rule, order of Council or Committee, or provision in this By-law may be suspended, for a particular meeting, by resolution of Council or Committee passed by 2/3 of the members present.

30.0 AMENDMENT OR REPEAL OF BY-LAW

- 30.1 Any provision contained in this By-law may be amended, varied or repealed and additions may be made to the by-law by a majority vote, provided that no motion for that purpose be considered unless notice thereof has been given at a preceding regular meeting, and such notice may not be waived.
- 30.2 All By-Laws inconsistent with this By-Law namely 2015/32, 2016/64 and 2016/87 are hereby repealed.

ENACTED AND PASSED THIS [redacted]th DAY OF [redacted], 2017 AS WITNESSED BY THE SEAL OF THE CORPORATION AND THE HANDS OF ITS PROPER OFFICERS.

JOANNE SAVAGE
MAYOR

MELANIE DUCHARME
CLERK



The Corporation of the Municipality of West Nipissing /
La Corporation de la Municipalité de Nipissing Ouest

Resolution No.

2018 /

FEBRUARY 13, 2017

Moved by / *Proposé par* :

Seconded by / *Appuyé par* :

MOTION

WHEREAS the Municipality by By-Law No. 2017-85, enacted on December 5, 2017, accepted a Contract Policing Proposal made by the Ontario Provincial Police;

AND WHEREAS Council has received a Petition requesting the Municipality of West Nipissing to Rescind By-Law No. 2017-85 and to hold a referendum by placing the question of policing on the Ballot for the 2018 Election;

BE IT RESOLVED that the Council for the Municipality of West Nipissing reconsiders its decision and rescinds By-Law No. 2017-85.

	YEAS	NAYS
BRISSON, Denise		
DUHAIME, Yvon		
FORTIER, Guy		
LARABIE, Roland		
MALETTE, Léo		
RESTOULE, Jamie		
ROBERGE, Normand		
TESSIER, Guilles		
SAVAGE, Joanne (MAYOR)		

Carried: _____

Defeated: _____

Deferred or tabled: _____



The Corporation of the Municipality of West Nipissing /
La Corporation de la Municipalité de Nipissing Ouest

NOTICE OF MOTION FORM

In accordance with Section 20.0 "NOTICES OF MOTION" of the Corporation of the Municipality of West Nipissing Procedural By-Law:

Member of Council: JOANNE SAVAGE
(print name)

Hereby files a **NOTICE OF MOTION** to be included on the Agenda for the meeting of Council, which is scheduled to be held on: February 13, 2018
(enter date)

SUBJECT: REFERENDUM FOR POLICING

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

 To place the question
 OF POLICING ON THE 2018 MUNICIPAL
 ELECTION BALLOT

Member of Council: Joanne Savage
(signature)

FOR CLERK'S OFFICE USE ONLY:	
Date received:	February 6, 2018
Time received:	9:30 pm (approx)
Entered in Council Agenda for meeting date of:	Feb 13, 2018



The Corporation of the Municipality of West Nipissing /
La Corporation de la Municipalité de Nipissing Ouest

Resolution No.

2018 /

FEBRUARY 13, 2017

Moved by / *Proposé par* :

Seconded by / *Appuyé par* :

MOTION

WHEREAS the Municipality by By-Law No. 2017, enacted on December 5, 2017, accepted a Contract Policing Proposal made by the Ontario Provincial Police;

AND WHEREAS Council has received a Petition requesting the Municipality of West Nipissing to Rescind By-Law No. 2017-85 and to hold a referendum by placing the question of policing on the Ballot for the 2018 Election;

BE IT RESOLVED that the Council for the Municipality of West Nipissing agrees to undertake to place the question of local policing on the 2018 Election Ballot.

	YEAS	NAYS
BRISSON, Denise		
DUHAIME, Yvon		
FORTIER, Guy		
LARABIE, Roland		
MALETTE, Léo		
RESTOULE, Jamie		
ROBERGE, Normand		
TESSIER, Guilles		
SAVAGE, Joanne (MAYOR)		

Carried: _____

Defeated: _____

Deferred or tabled: _____