

**The Corporation of the
Township of East Zorra-Tavistock**

County of Oxford

**By-law #2018-01
The Procedural By-law**

(as amended by By-laws #2020-11 & #2022-04)

A by-law to repeal By-law #2007-55, as amended, and to enact a new by-law to regulate the proceedings of the Council and Committees of the Township of East Zorra-Tavistock.

Whereas the Municipal Act, S.O. 2001, Chapter 25, Section 238(2) requires Council to pass a by-law for governing the calling, place and proceedings of meetings;

And Whereas Section 238(2.1) requires that the procedure by-law shall provide for public notice of meetings;

And Whereas Council deems it desirable to set out regulations governing the proceedings of Council and its committees and members;

**NOW THEREFORE COUNCIL OF THE TOWNSHIP OF EAST ZORRA-TAVISTOCK
ENACTS AS FOLLOWS:**

1.0 GENERAL

1.1 This by-law may be cited as "THE PROCEDURAL BY-LAW".

1.2 Any procedure required by this by-law may be suspended by a majority vote of the members of Council present.

1.3 No amendment or repeal of this by-law or any part thereof shall be considered at any meeting of Council unless notice of the proposed amendment or repeal has been given at a previous regular meeting of Council and the waiving of this notice by Council is prohibited.

2.0 APPLICATION

2.1 The rules and regulations contained in this by-law shall be observed in all proceedings of Council.

2.2 The rules and regulations contained in this by-law shall be observed in all proceedings of committees, sub-committees, boards and groups appointed or authorized by Council to make recommendations or carry out business on behalf

of the Township of East Zorra-Tavistock, subject the appropriate modifications as set in Section 20.

3.0 MEETINGS

3.1 Meetings shall mean any regular, special or other meeting of Council, of a local board, of committees, sub-committees and groups appointed or authorized by Council to make recommendations or carry out business on behalf of the Township, where:

3.1.a A quorum of members is present;

3.1.b Members discuss or otherwise deal with any matter in any way that materially advances the business or decision making of the Council, local board, committee, sub-committee and groups appointed or authorized by Council to make recommendations or carry out business on behalf of the Township.

3.2 All meetings shall be open for attendance by the public except for matters set out in Section 13 of this By-law. All decisions of Council shall be made in public.

Presiding Officer

3.3 The Mayor shall be the Presiding Officer at all meetings of Council.

3.4 If the Mayor is absent from the township, or if he/she is absent through illness, or if he/she refuses to act, or if the office is vacant, the Deputy Mayor shall assume the duties of the Mayor and have all rights, powers and authority of the Mayor, while so acting.

3.5 If both the Mayor and Deputy Mayor are absent from the township, or if they are absent through illness, or if they refuse to act, or if their office is vacant, a member of Council shall be appointed by Council to act from time to time in the place of the Mayor and shall have all the rights, powers and authority of the Mayor, while so acting.

Quorum

3.6 Four members of Council, not prevented from voting by any pecuniary interest, shall constitute a quorum.

3.7 If members present are ineligible to vote due to any pecuniary interest, they shall not be counted in making up the quorum. If, however, in such a case, the number of members remaining is insufficient to make up a quorum, the remaining members, provided there are at least 2, shall be deemed to constitute a quorum, in accordance with the Municipal Conflict of Interest Act R.S.O. 1990 c. M.50 Section 7(1).

- 3.8 As soon after the hour of the meeting as there shall be a quorum present, the Presiding Officer shall take the chair and call the meeting to order.
- 3.9 If no quorum is present one-half hour after the time appointed for the meeting, the Clerk shall record the names of the members present and the meeting shall stand adjourned until the date of the next regular meeting.
- 3.10 If the Mayor does not attend the meeting within fifteen (15) minutes after the time appointed for a meeting, the Deputy Mayor shall take the chair, call the meeting to order and preside until the Mayor arrives. If both the Mayor and Deputy Mayor fail to attend the meeting within fifteen (15) minutes after the time appointed for a meeting, the Clerk shall call the meeting to order and a member of Council shall be appointed by resolution of Council to preside until the Mayor or Deputy Mayor arrive.
- 3.11 If it is known the Mayor and/or Deputy Mayor will not be attending the meeting or will be late attending the meeting, the meeting shall proceed as set out in Section 3.9 but with the fifteen (15) minute provision removed.

Curfew

- 3.12 No item of business may be dealt with at a Council meeting after five (5) hours of the meeting commencing.

Notice of Meetings

- 3.13 The Clerk shall give notice of each meeting to members of Council through the provision of an Agenda.
- 3.14 The Agenda shall be accompanied by any matter, so far as known, to be brought before such meeting.
- 3.15 The Agenda shall be delivered a minimum of forty-eight (48) hours prior to the meeting.
- 3.16 Delivery can be by the following methods:
- 3.16.a Delivered by email to the members email address;
- 3.16.b Delivery of a hard copy and/or electronic copy to the member's residence or place of business.
- 3.17 Delivery shall be deemed to have taken place when the last agenda is delivered or sent as per Section 3.15.
- 3.18 Failure to receive the Agenda shall not affect the validity of holding the meeting or of any action taken at the meeting.

3.19 Notice of meetings to the public in accordance with Section 238(2.1) of the Municipal shall be provided by the following means:

3.19.a Posting of meeting information on the Township Website;

3.19.b Inclusion of upcoming meetings on the agenda for regular council meetings.

Regular Meetings

3.20 Regular meetings of Council shall be held on the first Wednesday of the month at 9:00 a.m. and on the third Wednesday of the month at 7:00 p.m. in the Oxford County Council Chambers, Oxford County Administration Building, Woodstock, Ontario, unless Council, by resolution directs otherwise.

3.20.a In accordance with Section 236 (1) of the Municipal Act, meetings shall be held within the municipality or an adjacent municipality, as set out in the municipality's procedural by-law. Despite the foregoing and Section 3.20 of this by-law, in the case of an emergency, or where an emergency has been declared to exist in all or part of the municipality under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, Council may hold its meetings at any location within or outside the municipality. *(By-law #2020-11)*

3.20.b Where an emergency has been declared to exist in all or part of the municipality under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, members of Council may participate/ vote electronically in a meeting which is open or closed to the public during any period when an emergency has been declared to exist. As well, and despite Sections 3.6 to 3.11 (inclusive) of this by-law, a member of Council who is participating/ voting electronically in such a meeting may be counted in determining whether or not a quorum of members is present at any point in time. *(By-law #2020-11)*

3.21 When the day for a regular meeting falls on a public or civic holiday, Council shall meet at the same hour on the next day following that is not a public or civic holiday, unless Council decides otherwise at a previous meeting.

Special Meetings

3.22 The Head of Council may at any time summon a special meeting of Council or upon receipt of a petition signed by a majority of the Members of Council, the Clerk shall summon a special meeting for the purpose and at the time mentioned in the petition.

3.23 Notice of a special meeting shall be given to the members through the provision of an Agenda setting out the time, date and location of the meeting and shall state the business to be considered at such a meeting. Notwithstanding Section

- 3.14, notice of a Special Meeting shall be delivered a minimum of twenty-four (24) hours prior to the meeting.
- 3.24 An email and/or telephone message shall also be left for each member regarding the special meeting.
- 3.25 The only business to be dealt with at a special meeting is that for which the meeting has been called and set out in the Agenda for the meeting.
- 3.26 Where a special meeting is public in nature, notice of a special meeting shall be posted at the Hickson Municipal Office, forwarded to local newspapers and if there exists, a group of people having special concerns related to the matter to be discussed at the special meeting. A spokesperson for this group should also be notified, if possible. Notification of the meeting does not entitle members of the public to address Council without leave.

Inaugural Meeting of Council

- 3.27 The inaugural meeting of Council shall take place at 7:00 p.m. on the first Wednesday following November 15th, in the year of the election. The Agenda shall be modified for the inaugural meeting to make provisions for officially commencing the office of the members of Council. *(By-law #2022-04)*

Committee of the Whole

- 3.28 The Presiding Officer may appoint another Member of the Committee to act as Committee Chairperson while he/she is speaking to a question or while he/she is temporarily absent from the meeting.
- 3.29 The Committee Chairperson shall maintain order in the Committee and report the proceedings to Council.
- 3.30 The rules governing the proceedings of Council meetings and the conduct of Council Members shall be observed in Committee of the Whole so far as they are applicable, except that:
- 3.30.a Motions may be moved orally except where the Presiding Officer requests that the motion be in written form;
- 3.30.b A seconder shall not be required on motions.
- 3.31 The number of times a Member may speak on any question shall not be limited unless a Member moves that the vote be now taken.
- 3.32 No Member shall speak more than once except to make an explanation until every Member who desires to speak has had an opportunity.

- 3.33 If a Member disobeys the rules of the Council or disobeys the decision of the Committee Chairperson on questions of order or practice, or disobeys the interpretation of the rules of Council and if he/she persists in such disobedience after having been called to order by the Committee Chairperson, the Committee Chairperson shall forthwith suspend the proceedings of the Committee and report the circumstances to Council, and the Presiding Officer shall forthwith put the question, no amendment, adjournment or debate being allowed, "That such Member be ordered to leave their seat for the duration of the meeting of Council", but if the Member apologizes, they may, by vote of Council, be permitted to retake their seat.

4.0 DUTIES OF THE PRESIDING OFFICER

- 4.1 It shall be the duty of Presiding Officer:
- 4.1.a to open the meeting of Council by taking the Chair and calling the Members to order;
 - 4.1.b to announce the business before Council in the order in which it is to be acted upon;
 - 4.1.c to receive and submit, in the proper manner all motions presented by the Members of Council;
 - 4.1.d to put to a vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and to announce the result;
 - 4.1.e to decline to put to a vote, motions which infringe the rules of procedure;
 - 4.1.f to restrain the Members, within the rules of order, when engaged in debate;
 - 4.1.g to enforce on all occasions the observance of order and decorum among the Members;
 - 4.1.h to call by name any Member persisting in breach of the rules of order of Council, thereby ordering him to vacate the Council Chamber;
 - 4.1.i to receive all messages and other communications and announce them to Council;
 - 4.1.j to authenticate, by his/her signature when necessary, all by-laws, resolutions and minutes of Council;
 - 4.1.k to inform Council, when necessary or when referred to for the purpose, in a point of order or usage;

- 4.1.l to represent and support Council, declaring its will, and implicitly obeying its decisions in all things;
- 4.1.m to ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of Council;
- 4.1.n to adjourn the meeting when the business is concluded;
- 4.1.o to adjourn the meeting without question put in the case of grave disorder arising in the Council Chamber;
- 4.1.p to expel any person for improper conduct at a meeting of Council.

5.0 AGENDA

- 5.1 The Clerk shall have prepared and printed for the use of the members of Council at the regular meetings of Council an agenda under the following headings:
 - 1. Call to Order and Opening Remarks
 - 2. Approval of Agenda
 - 3. Disclosure of Pecuniary Interest and General Nature Thereof
 - 4. General Business:
 - a) Minutes of the Previous Meeting
 - b) Accounts Summary Confirmation
 - c) Communications and Petitions
 - 5. Public Meetings/ Hearings, Delegations and Appointments
 - 6. Reports of Municipal Officers and Committees
 - 7. By-laws
 - 8. Unfinished and Other Business
 - 9. Closed to the Public Session
 - 10. Confirming By-law
 - 11. Adjournment
- 5.2 When it appears that any matter may be more conveniently considered in Committee of the Whole, Council may on motion resolve into Committee of the Whole, and the proceedings taken in Committee of the Whole when adopted by Council shall be deemed to be proceedings of Council. The Head of Council may preside in Committee of the Whole or may designate another Member to preside.
- 5.3 At any time prior to preparation of the Agenda, a member of Council may request an item of business be included in the Agenda.
- 5.4 The business of Council shall be taken up in the order in which it appears in the Agenda, unless decided otherwise by the Presiding Officer.

6.0 APPROVAL OF THE AGENDA

- 6.1 The Agenda for each meeting shall be approved by resolution.
- 6.2 An item of business not contained in the Agenda circulated to members, cannot be introduced at a meeting without the approval of Council expressed by resolution. Additional Agenda items shall be approved for inclusion when the Agenda is approved. In the interest of openness and transparency of Council business, members should consider the actual urgency and/or time sensitivity of adding items of business to the Agenda that was circulated to members prior to the meeting.

7.0 MINUTES

- 7.1 The Minutes shall record:
 - 7.1.a The place, date and time of the meeting;
 - 7.1.b The names of the Presiding Officer, present and absent members of Council and staff members present;
 - 7.1.c The reading (if requested), correction and confirmation of the minutes of prior meetings;
 - 7.1.d All other proceedings of the meeting without note or comment whether the meeting is closed to the public or not.
- 7.2 For the implementation of Item 7.1.d, separate minutes for the open and closed portion of the meeting shall be maintained by the Clerk.
- 7.3 Minutes for the closed portion of the meeting shall be maintained by the Clerk in such a manner that they are not disclosed publicly.
- 7.4 It shall be the duty of the Clerk to ensure that the minutes of the last regular or special meetings of Council, and minutes and reports from all special and standing committee and board meetings held within fourteen (14) days of a regular meeting of Council, are included with the Agenda.

8.0 COMMUNICATIONS AND PETITIONS

- 8.1 Every communication, including a petition designed to be presented to Council, shall be legibly written or printed and shall not contain any obscene or improper matter or language and shall be signed by at least one person and filed with the Clerk.

9.0 PUBLIC MEETINGS & HEARINGS, DELEGATIONS AND APPOINTMENTS***Public Meetings and Hearings***

- 9.1 Matters requiring a Public Meeting or Hearing that may take place at a Council meeting shall be included under Delegations and Appointments on the Agenda. The procedure to be followed at a Public Meeting or Hearing shall be in accordance with this section, subject to any requirements set out in the laws or regulations requiring and governing such a meeting or hearing.
- 9.2 Two or more Public Meetings and/or Hearings can scheduled for the same time on the Council agenda when the Clerk deems it appropriate based on the nature of the application and the amount of time it is expected for the meeting/hearing to take.

Delegations

- 9.3 Persons desiring to present information verbally or make a request of Council shall give notice to the Clerk prior to the preparation of the Agenda for the meeting they wish to attend. The Clerk shall give due consideration to the length of the agenda and the number of Public Meetings, Hearings, Delegations and Appointments already scheduled. If, due to time constraints, it is not possible to for the requester to be placed on the agenda for the meeting they wish to attend, the Clerk shall recommend the earliest possible date when their delegation may be accommodated. The person shall provide written background material regarding their presentation for inclusion in the Agenda. Delegations will be heard at as close to the time set out in the Agenda as possible.
- 9.4 After the Agenda has been prepared, persons desiring to verbally address Council may still request permission to address Council and all such requests, if granted, shall be processed by Council during Approval of the Agenda.
- 9.5 Persons addressing Council shall be limited to no more than ten (10) minutes except that when a delegation consists of more than five (5) persons it shall be limited to two (2) speakers, each limited to speaking for no more than ten (10) minutes. The Clerk is authorized to book the appropriate amount of time for public meetings, hearings, and presentations that may warrant additional time beyond that which is specified in this section.
- 9.6 Delegations may address Council uninterrupted for the duration of their presentation, subject to the time limit set out above. After the presentation from the delegation, Council may ask questions of the delegation. After hearing the delegation Council may consider the matter immediately or may defer the matter to gather additional information. If Council elects to consider the matter presented by the delegation immediately discussion shall be limited to the members of Council, unless, Council gives leave for the delegation or another person to address Council regarding the matter.

Appointments

- 9.7 Presentations invited by Council or Staff such as from consultants, other levels of government or agencies, presentations for training purposes etc. shall be given a time limit at the discretion of the Presiding Officer.
- 9.8 All invited presentations appearing before Council shall be heard at the time of the accompanying Staff report, if applicable. Otherwise, the presentation shall be heard as it appears in the order of business on the agenda.

10.0 REPORTS OF OFFICERS AND COMMITTEES

Reports of Officers

- 10.1 All departmental and staff reports shall be in written format and signed by the department head or designate, and be submitted through the Chief Administrative Officer.
- 10.2 Tenders and quotations shall be reported under Reports of Officers and Committees subject to the requirements of the Purchasing Procedure.

Committee Reports

- 10.3 All reports of a committee or board shall be in written format and shall contain the recommendation(s) for the consideration of Council. Minutes from the committee or board meeting shall accompany the report for the information of Council. Minutes of Committee meetings yielding no recommendations to Council shall be submitted for Council information only.
- 10.4 Reports from committees and boards shall be adopted or otherwise disposed of by motion of Council.

Verbal Reports

- 10.5 Verbal reports from members of Council and Staff may be heard under Reports of Officers and Committees.

Conference Reports

- 10.6 Members of Council and Staff shall report on all conferences, seminars and training sessions attended on behalf of the Township. Reports may be verbal and/or written depending on the nature of the information to be reported.

11.0 BY-LAWS

- 11.1 Every by-law shall be introduced upon motion by a Member of Council, specifying the title of the by-law.
- 11.2 Every by-law when introduced shall be in typewritten form, and shall contain no blanks except such as may be required to conform to accepted procedure or to comply with the provisions of any act, and shall be complete with the exception of the number and date thereof.
- 11.3 Every by-law shall have three readings prior to it being passed.
- 11.4 The first reading of a by-law shall be decided without amendment or debate.
- 11.5 If Council determines that the by-law is to be considered in Committee of the Whole, it shall be so considered previous to the third reading thereof.
- 11.6 If Council so determines, a by-law may be taken as read.
- 11.7 The Clerk shall set out on all by-laws enacted by Council the date of the several readings thereof.
- 11.8 Every by-law enacted by the Council shall be numbered and dated and shall be sealed with the seal of the Corporation and signed by the Clerk and the Presiding Officer and shall be filed for safekeeping by the Clerk.

12.0 UNFINISHED AND OTHER BUSINESS

- 12.1 Any item of business which has been discussed by Council at a prior meeting but not disposed of, may be raised again at any subsequent regular meeting of Council when "Unfinished and Other Business" is called for on the Agenda, subject to such business being approved for inclusion when "Approval of the Agenda" is considered.
- 12.2 **Notice of Motion**
 - 12.2.a "Notice of Motion" means an advance notice from an individual member to all other members that they will be asked to take a position on a matter at a future meeting. A Notice of Motion will be considered under "Unfinished and Other Business" on the Agenda
 - 12.2.b A member may introduce a notice of motion at a meeting and the motion shall form part of the Agenda at a subsequent meeting of Council. A Notice of Motion shall not be considered or otherwise disposed of unless the mover of the motion is in attendance at the meeting.

12.2.c There shall be no debate or discussion on the motion until it appears on an Agenda for consideration.

12.2.d At the meeting where the Notice of Motion is considered, it shall be treated as any other motion, requiring it to be moved and seconded before being debated or adopted.

13.0 CLOSED TO THE PUBLIC SESSION

13.1 “Closed to the Public Session” means a closed session of a Council, of a local board, of committees, sub-committees and groups appointed or authorized by Council to make recommendations or carry out business on behalf of the Township, which is closed to the public in accordance with the requirements of the Municipal Act.

13.2 Council may adjourn to a Closed to the Public Session (Committee of the Whole, In Camera) to consider matters pertaining to:

13.2.a the security of the property of the municipality or local board;

13.2.b personal matters about an identifiable individual, including municipal or local board employees;

13.2.c a proposed or pending acquisition or disposition of land by the municipality or local board;

13.2.d labour relations or employee negotiations;

13.2.e litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

13.2.f advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

13.2.g a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;

13.2.h The meeting is held for the purpose of educating or training the members and at the meeting no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee;

13.2.i 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;

- 13.2.j 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;
- 13.2.k 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; and/or,
- 13.2.l 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.
- 13.3 Council shall, by resolution, adjourn to a Closed to the Public Session as Committee of the Whole, In Camera and shall state the general nature of the matter to be considered at the Closed to the Public Session.
- 13.4 No resolution or record of the meeting shall disclose any information that the head of an institution is not permitted to disclose under the Municipal Freedom of Information and Protection of Privacy Act.
- 13.5 All documents related to matters considered in the Closed to the Public Session shall be marked "CONFIDENTIAL" and only circulated to members of Council and staff having responsibility for such matters. Such documents shall only be considered in the Closed to the Public Session.
- 13.6 All decisions pertaining to matters considered in the Closed to the Public Session shall be made after the Closed to the Public Session adjourns and Council reconvenes in public.
- 14.0 MOTIONS**
- 14.1 Every motion shall be in writing, with the name of the mover and seconder being recorded on the motion by the Clerk or designate.
- 14.2 A motion must be formally seconded before the Presiding Officer can put the question to Council or the motion be recorded in the minutes.
- 14.3 When a motion is presented to Council in writing, it shall be read or if it is a motion which may be presented orally, it shall be stated by the Presiding Officer before debate.
- 14.4 A motion regarding a matter which is beyond the jurisdiction of the Council shall not be in order.

- 14.5 After a motion is read or stated by the Presiding Officer it shall be deemed to be in possession of Council but may, with the permission of Council, be withdrawn at any time before decision or amendment.

Motion to Amend

- 14.6 A motion to amend shall:
- 14.6.a be presented in writing;
 - 14.6.b receive disposition of Council before a previous amendment or the question;
 - 14.6.c not be further amended more than once provided that further amendment may be made to the main question;
 - 14.6.d be relevant to the question to be received;
 - 14.6.e not be received proposing a direct negative to the question;
 - 14.6.f not propose a separate and distinct disposition of a question;
 - 14.6.g be put in the reverse order to that in which it is moved.

Motion to Adjourn

- 14.7 A motion to adjourn shall:
- 14.7.a always be in order except as provided by these rules;
 - 14.7.b not be in order when a Member is speaking or during the verification of a vote.

Privilege

- 14.8 A motion on a matter of privilege shall receive disposition of Council forthwith upon receipt and, when settled, the question so interrupted shall be resumed from the point where it was suspended.

15.0 RECONSIDERATION

- 15.1 When a question has been brought before Council and voted upon, it shall not be voted upon a second time unless a resolution to reconsider is moved by a member from among those who voted with the majority.

- 15.2 If the motion for reconsideration is made the same day the first vote is taken, it shall be decided without debate. If the motion to reconsider is not made until a following meeting, it shall be brought forward under "Other and Unfinished Business" and is open for debate.
- 15.3 The question shall not be reconsidered unless a majority votes therefor.
- 15.4 No question shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.
- 15.5 If a motion to reconsider is decided in the affirmative, such reconsideration of the original motion shall become the next order of business, unless the motion calls for a future definite date, and debate on the motion to be reconsidered may proceed as though it had never previously been voted on.
- 15.6 Debate on a motion for reconsideration must be confined to reasons for or against reconsideration.
- 15.7 A member who is absent at the time a vote is taken on a motion which subsequently becomes the subject of a motion for reconsideration, shall be deemed for the purposes of reconsideration to have voted with the majority.

16.0 VOTING ON MOTIONS

- 16.1 Unless otherwise specified in this By-law or any Act or regulation, a majority vote of the quorum of Council shall be required to carry a motion.
- 16.2 Except where otherwise expressly provided by this By-law or any Act or regulation, any question on which there is an equality of votes shall be deemed to be in the negative.

Presiding Officer may vote

- 16.3 The Presiding Officer, except where he/she is disqualified from voting by reason of pecuniary interest, may vote with the other members on all questions.

Procedure for voting

- 16.4 Immediately preceding the taking of the vote, the Presiding Officer or Clerk shall state the question in the precise form in which it will be recorded in the minutes.
- 16.5 After a question is finally put by the Presiding Officer or Clerk, no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the results have been declared.
- 16.6 When the Presiding Officer calls for the vote on a question, each Member shall occupy his/her seat and shall remain in his/her place until the result of the vote

has been declared by the Presiding Officer, and during such time no Member shall walk across the room to speak to any other Member or make any noise or disturbance.

Unrecorded Vote

- 16.7 The manner of determining the decision of Council on a motion shall be by a show of hands when the vote is unrecorded.
- 16.8 If a Member disagrees with the announcement of the Presiding Officer that a question is carried or lost he/she may, but only immediately after the declaration by the Presiding Officer, appeal the declaration and request that a recorded vote be taken.

Recorded Vote

- 16.9 A request for a recorded vote can only be made before the vote is taken except as set out in Section 16.8.
- 16.10 When a member requests a recorded vote, all Members present at the Council meeting shall vote in alphabetical order, starting with the person who called for the recorded vote, unless they are prohibited by a pecuniary interest.
- 16.11 If two or more persons call for a recorded vote at the same time, the presiding officer will determine who called first and that person will vote first.
- 16.12 For a recorded vote, members shall vote orally, with those in favour of the motion saying "YES" and those opposed to the motion saying "NO". The Clerk shall record each vote on the motion and announce the results of the vote.
- 16.13 When a recorded vote is requested by a Member, or is otherwise required, the Clerk shall record, in the Minutes, the Member requesting the recorded vote and the name and vote of every Member on any matter or question.
- 16.14 If any Member at a meeting of Council when a question is put and a recorded vote taken does not vote, he/she shall be deemed as voting in the negative, except where he is prohibited from voting by a pecuniary interest.

17.0 RULES OF DEBATE

- 17.1 Every Member prior to speaking to any question or motion shall address the Presiding Officer. When two or more Members request to speak, the Presiding Officer shall designate the Member who has the floor who shall be the Member who, in the opinion of the Presiding Officer, spoke first. Every Member present at a meeting of Council when a question is put forth shall vote thereon unless prohibited by a pecuniary interest.

- 17.2 When a Member is speaking no other Member shall interrupt her/him except to arise a point of order.
- 17.3 Any Member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.
- 17.4 No Member shall speak more than once to the same question without leave of the Council, except that a reply shall be allowed to be made only by a Member of Council who has presented the motion to Council, but not by any Member who has moved an amendment or a procedural motion.
- 17.5 No Member, without leave of Council, shall speak to the same question, or in reply, for longer than ten minutes.
- 17.6 The following matters and motions with respect thereto may be introduced orally without written notice and without leave, except as otherwise provided by this Procedural By-law:
- 17.6.a a point of order or personal privilege
 - 17.6.b presentations of petitions
 - 17.6.c to lay on the table
 - 17.6.d to postpone indefinitely or to a day certain
- 17.7 The following motions may be introduced without notice and without leave, but such motions shall be in writing and signed;
- 17.7.a to refer
 - 17.7.b to adjourn
 - 17.7.c to amend
 - 17.7.d to suspend the Rules of Procedure
- 17.8 Except as provided by Section 17.6 all motions shall be in writing and signed by the mover and seconder.
- 17.9 In all unprovided cases in the proceedings of Council or in the Committee of the Whole, the matter shall be decided by the Presiding Officer, subject to an appeal to Council upon a point of order.
- 17.10 All proceedings of the Council not specifically provided for in this by-law, shall be dealt with in accordance with ROBERTS RULES OF ORDER.

18.0 POINTS OF ORDER AND PRIVILEGE

- 18.1 The Presiding Officer shall preserve order and decide all questions of order.
- 18.2 When a Member rises to a point of order he/she shall ask leave of the Presiding Officer to raise a point of order and after leave is granted he/she shall state the point of order to the Presiding Officer and sit down and remain seated until the Presiding Officer shall have stated and decided the point of order.
- 18.3 Thereafter, a Member shall only address the Chair for the purpose of appealing the Presiding Officer's decision to Council.
- 18.4 If no Member appeals, the decision of the Presiding Officer shall be final.
- 18.5 The Council, if appealed to, shall decide the question without debate and its decision shall be final.

19.0 CONDUCT OF MEMBERS OF COUNCIL

- 19.1 No Member shall speak disrespectfully or use offensive words or unparliamentary language in or against the Reigning Sovereign, or of any of the Royal Family, or of the Governor-General, the Lieutenant-Governor of any province, or any Member of the Senate, the House of Commons of Canada, the Legislative Assembly of the Province of Ontario, or Oxford County Council.
- 19.2 No Member shall:
 - 19.2.a speak disrespectfully or use offensive words or un-parliamentary language in or against Council as a whole, or against any member of Township Council, Township Staff or members of the public;
 - 19.2.b speak on any subject other than the subject in debate;
 - 19.2.c criticize any decision of Council except for the purpose of moving that the question be reconsidered;
 - 19.2.d disobey the rules of the Council or a decision of the Presiding Officer or of Council on questions of order or practice or upon the interpretation of the rules of Council;
- 19.3 Where a Member persists in any such disobedience after having been called to order by the Presiding Officer, the Presiding Officer may forthwith put the question; no amendment, adjournment or debate being allowed, "that such Member be ordered to leave his/her seat for the duration of the meeting of the Council" but if the Member apologizes he/she may, by vote of Council, be permitted to retake his/her seat.

20.0 REPRESENTATION AT OXFORD COUNTY COUNCIL MEETINGS

20.1 The Mayor shall represent the Township at all Oxford County Council meetings.

20.2 In the absence of the Mayor or the inability for the Mayor to participate, the Deputy Mayor shall represent the Township at Oxford County Council meetings.

21.0 COMMITTEES, SUB-COMMITTEES, BOARDS OF COUNCIL

21.1 In this Section Committee includes all committees, sub-committees, boards, groups, either standing or ad hoc, appointed or authorized by Council to make recommendations or carry out business on behalf of the Corporation of the Township of East Zorra-Tavistock.

21.2 When applying this by-law to committees and other bodies the following substitutions may be applied as appropriate:

Referred to in this By-law	To be used when referring to Committees
Council	Committee, Sub-Committee, Board
Mayor	Chairperson
Deputy Mayor	Vice-Chairperson
Clerk	Committee Secretary
Meeting Date and Time of Council	Regular Meeting Date and Time of the Committee

21.3 Committees shall appoint a Chairperson and Vice Chairperson from amongst its members at the first meeting of the year.

21.4 A majority of the whole number of members required to constitute the committee, not prevented from voting by any pecuniary interest, shall constitute a quorum.

22.0 REPEAL

22.1 That By-law #2007-55, as amended, is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 17th DAY OF JANUARY, 2018.

seal

Maureen Ralph, Deputy Mayor

Will Jaques, Clerk