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Notice Intention to Consider a New Procedure By-law

Take Notice that Council of the Corporation of the Town of Arnprior intends to consider a new Procedure By-law, governing the proceedings of Council and its Committees. Council will receive a staff report outlining the proposed by-law and the changes with regards to legislative compliance at their Regular Meeting on Monday, February 11, 2019 beginning at 6:30 p.m.

A by-law to adopt the proposed Procedure By-law will be considered by Council at its Regular Meeting, on Monday, February 25, 2019 beginning at 6:30 p.m. in the Council Chambers at 105 Elgin Street West, Arnprior, ON K7S 0A8.

Comments regarding the proposed procedure by-law will be received by Maureen Spratt, Town Clerk, by February 21, 2019 at telephone 613-623-4231 ext. 1817, by email mspratt@arnprior.ca, or at 105 Elgin Street West, Arnprior, ON K7S 0A8.

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Section 1. Definitions

In this by-law:

“**Act**” means the Municipal Act, c.25 as amended or replaced from time to time.

“**Ad Hoc Committee**” means a special purpose committee of limited duration and scope, created by Council to inquire and report on a particular matter or concern, and which dissolves automatically upon submitting its final report unless otherwise directed by Council.

“**Advisory Committee**” means a Committee of Council comprised of one or more Members of Council and/or members of the public appointed by Council for a specific purpose or mandate.

“**Agenda**” means the order in which business is conducted at a meeting.

“**Awards**” means ceremonial presentations or other forms of official recognition to or from the Town of Arnprior or other public entities.

“**Board**” means a local board as defined in the Municipal Act, 2001, as amended

“**Bulk Agenda**” means the portion of the agenda containing more than one agenda item that may be approved by Council or Committee without debate, such as Bulk By-laws being approved by one motion.

“**By-law**” means an enactment, in a form approved by Council, passed for the purpose of giving effect to decisions or proceeds of Council

“**Chair**” means the Member responsible for presiding at the meeting and may be referred to herein as the Presiding Officer.

“**Chief Administrative Officer**” means the individual appointed as Chief Administrative Officer of the Town of Arnprior pursuant to Section 229 of the *Municipal Act* and may be referred to as the C.A.O. herein.

“**Clerk**” means the individual appointed as the Clerk of the Town of Arnprior pursuant to Section 228 of the *Municipal Act*, or in the absence of the Clerk, the Deputy Clerk, of the Town of Arnprior pursuant to Section 228 (2) of the *Municipal Act*.

“**Closed Session Meeting**” means that part of a meeting that is closed to the public in accordance with Section 239 of the *Municipal Act*, other than those persons specifically invited to remain and may also be referred to as “In Camera.”

“**Communication device**” means and includes cellular phones, smart phones, pagers, computers with a link to the Internet, similar piece of technological equipment used for communication or recording purposes, except for duly authorized cable television broadcasts and recording equipment utilized by the Clerk’s Office for the purposes of producing minutes.

“Confirmatory By-law” means a by-law passed at the conclusion of Council meetings, confirming the actions of Council taken at that meeting and any previous meetings which did not have a confirmatory by-law, in respect of each resolution and other actions taken, so that every decision of Council at that meeting shall have the same force and effect as if each and every one of them had been the subject-matter of a separately enacted by-law.

“Conflict of Interest” means a conflict of interest of a Member as set out in the *Municipal Conflict of Interest Act*, R.S.O. , c. M.50 and any other Applicable Law.

“Council” means the Council of the Corporation of the Town of Arnprior comprised of duly elected officials.

“Delegation” means an oral address by and at the request of a member of the public which may be supported by written material and is included on the agenda.

“Department Head” means either of the General Manager, Client Services/Treasurer, General Manager, Operations or the Fire Chief.

“Deputy Clerk” means a person(s) appointed as the Deputy Clerk within the meaning of the *Municipal Act*.

“Deputy Mayor” means the member of Council appointed in accordance with Section 3.1, 3.2, and 3.3 of this by-law, to serve as the Deputy Mayor for a specific time.

“Ex-Officio Member” means a member by virtue of his/her office and would not otherwise be a member. He/she has all the rights of a member unless otherwise stated.

“Inaugural Meeting” means the first meeting of a new Council after a municipal election where the declarations of office are made.

“Majority Vote” means an affirmative vote by the majority of the Members, who are both present at a Meeting and are qualified to vote.

“Mayor” means the head of Council as set out in the *Municipal Act*.

“Meeting” means any regular, special or other meeting of a council, of a local board or of a committee of either 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.

“Member of Committee” means a Citizen Member of the public who has gone through a selection process, and has been appointed by Council to act in an advisory capacity with regard to specific areas of the organization (i.e. Client Services, Operations, Community Development, Accessibility).

“**Member of Council**” means a Member of Council; elected or appointed, in accordance with the *Municipal Elections Act, 1996*, S.O. 1996, c. 32.

- “**At a Council Meeting**” means a Member of Council who acts in a legislative capacity or as a legislative body, each having one equal vote.
- “**At a Committee Meeting**” means a Member of Council appointed to a specific Advisory Committee, and who acts in an advisory capacity.

“**Municipal Act**” means the Ontario *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

“**Notice of Motion**” means a written notice including the name of the mover, advising Council or Committee that the motion described will be brought forward for debate at the subsequent Council meeting.

“**Motion**” means an item placed before the Council or Committee, which has been properly moved and seconded by Members, that Council resolve and effect a decision and includes a Committee recommendation contained in a Committee report.

“**Pecuniary Interest**” means relating to or connected with money, pursuant to the relevant Conflict of Interest Legislation.

“**Presentations**” are organized by the C.A.O. or Clerk based on recommendations from Department Heads to present information to Council.

“**Presiding Officer**” means the Mayor, or in the absence of the Mayor, the Deputy Mayor, at a regular or special meeting of Council, or the Member of Council appointed as the Chair of a Committee or, in the absence of either, another Member of Council appointed in accordance with the provisions of this by-law. The Presiding Officer may also be referred to as the Chair.

“**Quorum**” means the majority of the total number of the Voting Members of the Council or Committee, or as may be specifically set out in Council approved Terms of Reference for a Committee. The Ex-Officio Member does not affect quorum.

“**Recorded Vote**” means a written record of the name and vote of every Member on any motion or question at any Member’s request that the vote be recorded.

“**Resolution**” means the decision on any motion passed, Committee recommendation or staff reports adopted in a meeting of Council.

“**Rules of Order**” means the rules to regulate debate and the conduct of Members of Council, staff and public during an actual meeting of the Council or Committee.

“**Special Meeting**” means a meeting of Council that is arranged outside of the normal meeting schedule to deal with only specific item(s) of business in accordance with this by-law.

“**Striking Committee**” means a committee of all members of Council responsible for recommending appointments to Agencies, Boards, Advisory Committees and Commissions.

“**Town**” means the Corporation of the Town of Arnprior, which may be referred to also as the municipality.

Section 2. Rules & Regulations

- a) In all the proceedings at or taken in Council, the rules and regulations set out in this by-law shall be observed and shall be the rules and regulations for the order and dispatch of business in the Council and in the Committees thereof.
- b) No rule or regulation of the Council shall be suspended except on motion carried by a vote of two-thirds of the Members present.
- c) Amendments to the rules and regulations set out in this by-law shall only be made on a motion carried by a vote of two-thirds of the Members present.
- d) The requirement for a vote of two-thirds of the Members shall not apply to the vote with respect to motions pertaining to this implementing by-law.

Section 3. Appointment of Members

3.1 Deputy Mayor

- a) The Deputy Mayor shall act in the place and stead of the Mayor when the Mayor is absent from the Municipality or absent through illness or the office is vacant. While so acting, such member has and may exercise all the rights, powers and authority of the Mayor with respect to the role of presiding at the meeting.
- b) At the beginning of the term of a newly-elected Council and as necessary thereafter, the process set out in section 3.2 below shall be followed for Deputy Mayor Appointments and the Clerk shall prepare and distribute the Deputy Mayor Rotation List for Council's information.

3.2 Term of Deputy Mayor

The term of appointment shall be on an eight (8) month rotational basis. The Deputy Mayor rotation shall be listed pursuant to the same criteria as set out in Section 5.4 Seating Arrangements.

3.3 Substitute Deputy Mayor

If during the term of appointment, the Deputy Mayor appointed for that term is absent from the municipality or absent through illness, the next successive Councillor listed on the Deputy Mayor Rotation List shall be the Deputy Mayor.

3.4 Member of Upper-Tier Council – County Councillor

The County Councillor shall be Council’s representative on County Council and shall represent the Town in County Council business. The County Councillor shall report any relevant information stemming from County Council business at Council and in a timely manner to Town Council.

3.5 Appointment of Alternate Member to Upper Tier Council

- a) Council may appoint one of its Members as an Alternate Member of the Upper Tier Council to act in place of the member of upper-tier council appointed for that term when they are unable to attend a meeting of the upper tier council for any reasons, subject to the following limitations:
 - i. No more than one Alternate Member may be appointed during the term of Council;
 - ii. Notwithstanding Section 3.5 a) i. if the seat of the appointed Alternate Member becomes vacant, Council may appoint another of its members as an Alternate Member for the remainder of the term of Council;
 - iii. Council may not appoint an alternate for the Alternate Member; and
 - iv. When acting in their capacity as an Alternate Member on the Upper Tier Council, the Alternate Member shall adhere to all policies, procedures, practices, and codes of conduct established by the Upper Tier Council.
- b) At the first regular meeting of a new term of council, the Mayor shall be appointed as the alternate member of upper-tier council in accordance with Section 268 of the Municipal Act.

3.6 Council Appointments to Advisory Committees

Council shall normally appoint Councillors to Advisory and other Committees as necessary.

3.7 Public Appointments to Advisory Committees

Council shall normally appoint members of the public to Committees as necessary, following recommendations made by the Striking Committee (see Section 4.6), to commence from the time of appointment and continue as determined by the mandate of the Committee.

Section 4. Meetings

4.1 Inaugural Meeting of Council

- a) The Inaugural meeting of Council shall take place at 6:30 p.m. on or before the first Tuesday of December of every election year and normally on the First Monday.

- b) The Head of Council's Inaugural Address shall take place at the Inaugural meeting of Council.
- c) Every Member of Council shall make and subscribe a "Declaration of Office" and an "Oath of Allegiance" at the Inaugural meeting of Council, or if absent, in the office of the Clerk or at the next subsequent meeting of Council, as well as sign as having read and understood the Council Code of Conduct, before assuming any duties of office.

4.2 Regular Meetings of Council

- a) The next and each succeeding regular meeting of Council shall be held on the second and fourth Monday of every month at 6:30 p.m. except in the months of July, August, and December, where there will only be one meeting as set out in the Annual Meeting Schedule.
- b) In the event that the day for a regular meeting of Council occurs on a public or civic holiday, Council shall meet at the same hour on the following Tuesday, unless the Council, by resolution passed at a regular meeting, directs otherwise.

4.3 Annual Meeting Schedule

In December of each year, the Clerk provides Council with a report setting out the exceptions to the regular Council meeting schedule for the upcoming year. Notice will be placed on the Town Website 10 days prior to bringing the report forward to Council.

4.4 Special Meetings

- a) The Mayor, may, at any time, call a special meeting of Council upon giving a minimum of 24 hours' notice.
- b) The Clerk must summon a special meeting of Council when a majority of councillors present a written petition asking for a special meeting for a specific purpose. The meeting must be called for that purpose and at the time noted in the petition but the Clerk must give at least 24 hours' notice of the meeting to all members of Council. All councillors listed on the petition must be present at the special meeting.

4.5 Emergency Meeting

If a matter arises that, in the opinion of the C.A.O. is considered to be of an urgent, time sensitive or emergency nature, or that could affect the health or well-being of the constituents of the Town of Arnprior, or if a state of emergency is declared, or if so directed by a provincial ministry, the notice requirements of this by-law may be reduced and the C.A.O. shall provide as much notice as is reasonable under the circumstances.

4.6 Striking Committee

- a) The Striking Committee shall be comprised of all Members of Council. Normally, in

January following the Inaugural Meeting of Council, or when vacancies warrant, the Striking Committee shall convene at a date and time arranged by the Clerk.

- b) The duties of the Striking Committee, which shall be chaired by the Mayor, are to:
 - i. fill all vacancies which may arise during the course of the year on local boards, Committees and commissions, for the term of Council;
 - ii. determine who shall Chair each of the Committees, for the term of Council;
 - iii. report the Striking Committee's recommendations at the first regular meeting of Council which follows the Striking Committee meeting.

4.7 Advisory Committees

- a) When Council solicits members of the public to participate on a special purpose Advisory Committee, the Clerk will place an advertisement in a local newspaper or on the Town's website inviting members of the public to apply to be a member of the committee.
- b) Any Member of Council may attend meetings of a special purpose Advisory Committee, but may not vote if not appointed to the committee as a member.
- c) Council Members appointed to Advisory Committees are there to act in an advisory capacity, like the Citizen Members appointed, as all final decisions are made by Council as a whole at a Council Meeting.

4.8 Closed Meetings

Pursuant to Section 239 of the *Municipal Act*, all meetings must be open to the public, except that a meeting or part of a meeting may be closed to the public if the subject matter being considered is:

- a) the security of the property of the municipality or local board;
- b) personal matters about an identifiable individual including municipal or local board employees;
- c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- d) labour relations or employee contract negotiations;
- e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- g) a matter in respect of which Council, board or a committee has authorized a meeting to be closed under any Act;
- h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if

disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

- j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

4.9 Closed Meetings – Other Criteria

A meeting or part of a meeting shall be closed to the public if the subject matter being considered is:

- a) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
- b) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) of the *Municipal Act*, or the investigator referred to in subsection 239.2 (1).

4.10 Closed Meetings for Educational or Training Session Purposes

Pursuant to Section 239 of the *Municipal Act*, a meeting of a Council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:

- a) the meeting is held for the purpose of educating or training the members, and
- b) 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.

4.11 Closed Meetings Attendees

- a) Where a meeting or part of a meeting is closed to the public, all persons not specifically invited by Council or the C.A.O to remain shall retire from the meeting.
- b) All members of Council may attend any Closed Meeting, or part of a meeting which is closed to the public. If a Council member has declared a pecuniary interest in a matter, he/she is not permitted to attend the meeting when such matter is being discussed.
- c) The Chief Administrative Officer and the Clerk shall attend all closed meetings and at the discretion of the C.A.O. other members of staff or special invitees or advisors may be invited to attend where such is deemed appropriate by the C.A.O.

4.12 Closed Meetings Reports & Documentation

- a) The Clerk's Office distributes confidential reports as well as Closed Meeting Minutes and Agendas to Council Members unless a Councillor has declared a pecuniary interest.
- b) If the report pertains to a pecuniary interest or property matter, it will be enclosed in a separate envelope with a note as to the subject matter attached to the outside. Should a Council Member have a pecuniary interest in the matter, they should return the envelope to the Clerk unopened. This will assist Council in compliance with the Municipal Conflict of Interest Act.
- c) All originals of Closed Meeting Reports or related documents are retained by the Clerk in confidential files. Confidential reports and information distributed to Members and staff shall be returned to the Clerk immediately after the matter has been dealt with by Council or Committee for shredding.
- d) Should a report be issued by a Closed Meeting Investigator which finds that a meeting or part of a meeting that was the subject of an investigation by that person appears to have been closed to the public contrary to section 239 of the Municipal Act, 2001, or to this procedure by-law, Council must pass a resolution advising how it intends to address the report.

4.13 Closed Meetings General

- a) Discussion during a closed meeting shall be limited to the issue and nothing in this by-law confers the power on any Member or Members of Council to make any decision or take any action unless or until such action is presented and decided upon at a duly called and constituted open meeting of Council.
- b) Generally voting shall not occur during a closed meeting; however, a vote may occur during a closed meeting provided that the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, or persons retained by or under contract with the municipality in accordance with section 239 (6) of the *Municipal Act*.
- c) Before holding a training meeting or part of a meeting that is to be closed to the public, Council or the Committee must pass a resolution stating the fact that a closed meeting is taking place and the general nature of its subject matter as well as the section of the *Municipal Act* that allows the meeting to be closed to the public.

4.14 Reporting in Open Session

- a) The Mayor or chair shall report out in an open meeting immediately following the closed meeting and summarize the actions taken in the closed meeting.
- b) Matters discussed in a closed meeting which require a decision will be brought forward to an open meeting of Council or committee.

Section 5. General Rules of Meetings

5.1 Location of Council & Committee Meetings

The Council and its Committees shall meet ordinarily in the Council Chambers at the Town Hall. Meetings may be held at alternate locations as determined by Council, or the CAO for purposes of accommodation in regard to accessibility and/or space required, while providing notice on the Town website a minimum of 48 hours in advance of the meeting. If the location of a Council/Committee is changed, this location information shall be posted on the door of the Town Hall, the website, and sent to the press for their information.

5.2 Communication Devices

Communication devices shall not be permitted to be utilized when Council is holding a meeting, unless it is deemed necessary for Bona-fide Council business, such as accessing electronic documents both prior to and during Council and Committee Meetings.

5.3 Attendance

Every Member of Council and those municipal employees directed by the C.A.O. shall attend each meeting of Council or shall advise the Clerk and C.A.O. of their inability to attend.

5.4 Leaves of Absence

The office of a Member of Council will become vacant if the Member is absent from the meetings of Council for three consecutive months unless the leave of absence is authorized by a resolution of Council.

Notwithstanding the foregoing, an office is not vacated by a Member of Council who is absent for twenty consecutive weeks or less if the absence is 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. A resolution of Council is not required to authorize such leave of absence. The Member shall provide the Clerk and/or his/her designate with written notice of the leave of absence for twenty 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.

5.5 Seating Arrangements

The Mayor shall sit in the centre seat at the Council table. The County Councillor shall sit in the seat to the immediate right of the Mayor. The Councillor with the greatest seniority of service on Council shall sit in the seat immediately left of the Mayor. The remaining seats shall be filled in an alternating order, right to left, in order of seniority and thereafter in order of votes polled in the latest municipal election.

5.6 Call to Order

- a) As soon after the hour fixed for the holding of the meeting of Council with a quorum present, the Presiding Officer shall assume the Chair and call the meeting to order. In the event that the Presiding Officer does not attend within fifteen minutes after the time appointed for a meeting of the Council, the Deputy Mayor shall assume the Chair and preside over the meeting until the Head of Council arrives. In the case of Advisory Committees, the Vice Chair shall follow the same procedures as set out for the Deputy Mayor.
- b) Upon being called to order all Members of Council and appointed officials shall immediately take their seats and shall remain seated unless otherwise excused by the Presiding Officer.

5.7 Quorum

As soon as there is a quorum after the time fixed for the meeting, the Presiding Officer shall assume the Chair and call the members to order.

5.8 No Quorum

If no quorum is present fifteen minutes after the time appointed for a meeting of Council, the Clerk shall record the names of the Members of Council present and the meeting shall stand adjourned until the date of the next meeting of Council, regular, special or emergency.

5.9 Curfew

All meetings of Council or Committees shall adjourn by 10:00 p.m. unless a motion to proceed beyond curfew is carried by a majority of Members present before 10:00pm.

If there is no motion to proceed beyond curfew and the meeting is still in progress; Council shall reconvene at the next regular meeting, at which time any unfinished business shall be dealt with before any new business.

5.10 Vacancy on Council

If a vacancy occurs during the term of the Council, such vacancy shall be filled in accordance with Section 263 of the *Municipal Act*.

5.11 Agenda Items

Agenda items must be received by the Clerk as per the internal Council/Committee Meeting Agenda Package Process. For delegations, see Section 7.8.2.

Section 6. Notice of Meetings

6.1 Notice to Council or Committee Members

- a) The Clerk shall provide written notice of meetings by hand delivery, or e-mail to each member so as to be received not later than 48 hours in advance of each regular meeting.
- b) Notice of all Special Meetings will set forth the matters to be considered at such Special Meeting and will be given to all members of Council not less than twenty-four hours in advance of the time fixed for the meeting; and the Clerk shall give such other notice of the meeting to members by telephone, e-mail or as otherwise practical within the circumstances.

6.2 Web Site Agenda Posting & Package/Print Items

- a) The agenda for regular meetings of Council shall be made available in the Clerk's Office at Town Hall and on the Town's website at least 48 hours in advance of the time fixed for the meeting. Agendas and package items will be distributed electronically to both staff and members of Council, however the Clerk's Office will make necessary accommodations where required. Printed copies of the Agenda Items will be made for the press.
- b) If a person is desirous of receiving any print item on the agenda they may request a copy by contacting the Clerk's Office which may be delivered by email, fax or picked up at the Clerk's Office.

6.3 Effect of Lack of Proper Notice

Lack of receipt of the notice shall not affect the validity of holding the meeting.

Section 7. Order of Business - Agenda

7.1 Preparation of the Agenda

The Clerk or his/her designate shall prepare and circulate an agenda for each Council meeting at least 48 hours prior to each meeting. The content of each Council agenda shall be determined by the C.A.O. and prepared by the Clerk, in consultation with the Mayor, and agenda shall be prepared in the following order:

Content of Agenda & Order of Items – Council Meetings

- Call to Order
- Roll Call
- Adoption of Agenda (Additions/Deletions)
- Disclosure of Pecuniary Interest

- Question Period (on previous Council Business)
- Adoption of Minutes of Previous Meeting(s) (Except Minutes of Closed Meeting)
- Awards/Delegations/Presentations
- Public Meetings
- Matters Tabled/Deferred/Unfinished Business
- Staff Reports
- Committee Reports and Minutes
- Notice of Motions
- County Councillor's Report from County Council
- Correspondence and Petitions
- By-laws & Resolutions
- Announcements
- Media Questions
- Closed Meeting
- Confirmatory By-law
- Adjournment

7.2 Call to Order

The Presiding Officer shall call the meeting to order. The opening remarks of the Presiding Officer shall be at the sole discretion of the Presiding Officer and shall normally relate to items of special interest.

7.3 Roll Call

The Presiding Officer shall ask the Clerk to call the roll upon calling the meeting to order. The Clerk then shall call the roll and take down the names of Members of Council present, by seating arrangement, with the Presiding Officer being called last.

7.4 Adoption of the Agenda (Additions/Deletions)

Additions or deletions from the agenda shall be considered during the Adoption of the Agenda section and require a majority vote of Council. The C.A.O. and Clerk may amend the agenda prior to the start of the meeting where deemed appropriate and such amended agenda shall be provided to Council noting the amendment(s).

7.5 Disclosure of Pecuniary Interest

- a) It is the responsibility of each member to identify any pecuniary interest on any item or matter before the Council or Committee, in accordance with the provisions of the Conflict of Interest legislation currently in effect.
- b) Where a member has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Council or Committee at which the matter is the subject of consideration, the member shall:

- i) Prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
 - ii) Not take part in the discussion or vote on any question with respect to the matter; and
 - iii) Not attempt in any way before, during and/or after the meeting to influence the voting on any such question
- c) Where a meeting is not open to the public, in addition to complying with the requirements of 7.5 b) the member shall forthwith leave the meeting for the part of the meeting during which the matter is under consideration
- d) If the matter under consideration at a meeting or a part of a meeting is to consider whether to suspend the remuneration paid to the member the following rules shall apply:
- i) Despite section 7.5 b) the member may take part in the discussion of the matter, including making submissions to council or the local board, as the case may be, and may attempt to influence the voting on any question in respect of the matter, whether before, during or after the meeting, in accordance with Section 5.2(2) of the Municipal Conflict of Interest Act, as may be amended from time to time. However, the member is not permitted to vote on any question in respect of the matter.
 - ii) Despite section 7.5 c) in the case of the meeting that is not open to the public, the member may attend the meeting or part of the meeting during which the matter is under consideration
- e) Where the interest of a member has not been disclosed by reason of his/her absence from the particular meeting, the member shall disclose the interest and otherwise comply at the first meeting of Council or Committee as the case may be, attended by the member after the particular meeting.
- f) The Clerk shall record the particulars of any disclosure of pecuniary interest made by the member(s) and such record shall appear in the minutes of that particular meeting.
- g) At a meeting which a member discloses an interest under section 7.5, or as soon as possible afterwards, the following rules apply:
- i. the member shall file a written statement of the interest and its general nature with the Town Clerk or secretary of the committee or local board, as the case may be, in accordance with section 5.1 & 5.2 (1) of the MClA, as may be amended from time to time;
 - ii. The Town Clerk and local board shall establish and maintain a registry in which shall be kept, a copy of each statement/declaration filed; and

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

7.6 Question Period

- a) The Question Period of the Agenda provides an opportunity for the public to receive updates or ask questions on matters which have been previously discussed at Council, with Council having the option to:
 - i. provide a response immediately in consultation with Staff.
 - ii. direct the person to seek information from Staff during regular business hours; or
 - iii. direct Staff to provide an update at a future Council meeting.
- b) The Presiding Officer has the discretion to regulate public questions and inquiries during the Question Period.
- c) Question Period shall not be a venue to discuss new matters; however, the public has the option to apply as a Delegation for bona-fide municipal business.

7.7 Adoption of Minutes from Previous Meeting(s)

- a) Minutes of meetings shall record:
 - i. the place, date and time of the meeting;
 - ii. the names of the presiding officer and the record of the attendance of the members as well as members who are absent;
 - iii. the later arrivals or early departures of members;
 - iv. declarations of interest;
 - v. the reading, if requested, correction and confirmation of the minutes of prior meetings;
 - vi. the mover and seconder of all motions;
 - vii. all other proceedings of the meeting without note or comment
 - viii. the time of adjournment.
- c) If the minutes have been delivered to the members of the Council, then the minutes shall not be read, and a resolution that the minutes be adopted as if read shall be in order.
- d) Prior to confirmation of the minutes of the previous meeting or meetings, as the case may be; if required by any member, such minutes or so much thereof as may be required, shall be clarified by the Clerk.
- e) The minutes shall be approved by a resolution of Council. Once approved, they shall be

signed by the Mayor and by the Clerk or his/her respective designate and posted on the Town's website.

7.8 Awards/Delegations/Presentations

7.8.1 Awards

Awards are Ceremonial Presentations or other forms of official recognition to or from the Town of Arnprior or other public entities.

7.8.2 Delegations

- a) The intent of delegations of bona-fide municipal interest is to provide a forum for the public to bring matters of interest or concern to the attention of Council. All delegations shall appear before Council, unless the C.A.O or Council otherwise declares. Matters regarding the daily operations or functions of the Corporation will be referred by the Clerk to the appropriate Staff person; however, if after having consulted with Staff, the person still wishes to bring the matter before Council, the delegation process will be followed.
- b) All delegation requests must pertain to bona-fide municipal business of interest and materials must be submitted to the Clerk a minimum of one (1) week prior to the meeting date the delegation is to be present.
- c) The Clerk shall acknowledge receipt of all such requests to make a delegation and list the delegation on the next available Council meeting agenda or on an agenda for a meeting date suitable to the delegation.
- d) Every delegation shall be supported on the Agenda for the meeting by correspondence which states concisely the purpose of the delegation and the municipal business action being requested.
- e) Delegations shall be restricted to a maximum of five (5) minutes. Delegations shall be limited to a maximum of two (2) spokespersons. A maximum of three (3) delegations shall appear before Council at any one meeting, for a total time allotment of fifteen (15) minutes for delegations. Such appearance before Council shall be acknowledged and arranged by the Clerk.
- f) Notwithstanding the foregoing, the Presiding Officer may, with the consent of the majority of the members present, extend such time allotment.
- g) Upon completion of the delegation, Members of Council may address questions to the delegate with respect to the subject matter; and can either debate the issue immediately or defer debate to a future Council meeting, at which time each matter of business raised by delegates shall be listed under the "Matters Tabled/Deferred/Unfinished Business" section on the Agenda.

7.8.3 Presentations

Presentations are organized by the C.A.O or Clerk based on recommendations of Department Heads to present information to Council. Presenters will be afforded fifteen (15) minutes to address Council, excluding follow up questions.

7.9 Public Meetings

Public meetings are intended to satisfy specific requirements set out through applicable law such as, but not limited to the *Planning Act*.

7.10 Matters Tabled/Deferred/Unfinished Business

All business called pursuant to the Agenda and not disposed of, shall be placed as unfinished business on the Agenda for the next regular meeting.

7.11 Staff Reports

- a) Reports may be prepared for information purposes, or for matters requiring the approval or direction of Council. The report author or department head shall present the report to Council and respond to questions as required prior to a vote.
- b) When a vote is taken it will be on the recommendation(s) and the report itself and will reflect the wording "report and resolution carried".

7.12 Committee Reports & Minutes

Committee reports and minutes shall be included in this section of the agenda. Where requested, Committee Chairs shall present reports of Committees or respond to questions. Members of Council may seek clarification or request a presentation from the Chair.

7.13 Notice of Motions

A notice of motion, with a mover may be introduced by the mover at a regular meeting of Council or Committee for consideration at the next regular meeting at which point a seconder must come forward in order to debate the motion.

7.14 County Councillor's Report from County Council

The County Councillor shall make a verbal report regarding the status of issues currently under debate by Renfrew County Council, as well as outlining any other current pertinent County matters.

7.15 Correspondence & Petitions

7.15.1 Correspondence Information Items

Should no action be recommended by the C.A.O., will be submitted in bulk and Council will receive them as information and file accordingly. Council may, by mover and seconder and a majority vote, direct action be taken notwithstanding the recommendation of the C.A.O.

7.15.2 Correspondence Action Items

Will be submitted in bulk and the staff recommendations outlined will be voted upon by Council.

7.15.3 Petitions

- a) Every petition and communication to be presented to the Council must be clearly written or printed and must not contain any impertinent or improper matter. Petitions must be signed by at least one person.
- b) Every such petition shall be delivered to the Clerk one (1) week preceding the meeting of the Council and shall be included in the Agenda for that meeting.
- c) All petitions on any subject will be forwarded to Council for consideration. Council may, at its discretion refer the petition to an appropriate Advisory Committee for consideration or staff department for direct handling.

7.16 By-laws & Resolutions

- a) All by-laws shall be listed on a bulk agenda and may be carried by an individual motion in bulk. Any Member of Council may request that a by-law be removed from the bulk agenda to seek clarification, for debate or separate vote.
- b) All resolutions recommended by staff which do not require a supporting staff report shall be added to the agenda in this section. Motions from Members of Council shall not appear in this section, but shall follow the Notice of Motion provisions as set out in sections 1 and 7.13.

7.17 Announcements

The Announcements section of the Agenda is intended for members to update and inform other members and the public on the status of various issues and current events. No advance notice is required for items to be discussed as such items are intended to be for information purposes only.

7.18 Media Questions

The Media Questions referred to on the Agenda shall be limited to a total of no more than five (5) minutes. Questions shall be directed to the Presiding Officer and limited to items that

appear on the Agenda of that evening. The Presiding Officer may ask another Member of Council, or staff to assist in providing a response.

7.19 Closed Meeting

Closed Meeting shall be in accordance with section 239 of the Municipal Act, and sections 4.8, 4.9, 4.10, 4.11, 4.12, 4.13 of this by-law, both as amended.

7.20 Confirmatory By-law

- a) There shall be a confirmatory by-law immediately prior to adjournment for the purpose of confirming decisions or direction given. A motion to pass a by-law to confirm the proceedings of a meeting of Council shall be voted on without debate.
- b) The only item of business following the passage of the Confirmatory By-law shall be the motion to adjourn.

7.21 Adjournment

A motion to adjourn pursuant to section 8.6 below is required to conclude business.

Section 8. MOTIONS

8.1 Priority of Motion on the Floor

When a motion is under consideration, no other motion may be received except a motion:

- to defer
- to table
- to amend
- to put the question
- to recess, or
- to adjourn

8.2 Motion to Defer

- a) A motion to defer must include time, place, and the purpose of the deferral, if applicable.
- b) A motion to defer may direct to a committee, to staff, or elsewhere.
- c) A motion to defer is not debatable except as to time, place, and direction.

The mover of the motion that is the subject of the deferral may, however, speak before the vote is taken.

- d) When a motion to defer is passed, the motion to which it applies is removed from debate along with any amendments that have been moved.
- e) The motion to which the motion to defer applies cannot be reintroduced until the time specified in the motion to defer.

8.3 Motion to Table

- a) A motion to table is not to be amended or debated.
- b) A motion to table applies to the motion and any amendments thereto under debate at the time when the motion to table was made.
- c) A tabled motion is deemed to have been withdrawn if it has not been decided by the Council or Committee either in the affirmative or the negative during the term of Council or Committee in which the motion was introduced.
- d) Staff may from time to time “table” a report/by-law/presentation, which requires time for review/comment, and this is not to be considered as a formal “Motion to Table”, which would be voted upon by Council.

8.4 Motion to Amend

- a) A motion to amend is debatable.
- b) There may be only one motion to amend a motion to amend at a time. Debate is confined to the amendment to the motion to amend. When that question is settled, another amendment to the motion to amend may be made. Once all the amendments have been settled, a vote takes place on the main motion, or if any amendment has carried, on the main motion as amended.
- c) A motion to amend must be recorded by the Clerk.
- d) A motion to amend shall go through the process outlined in Appendix A.

8.5 Motion to Put the Question

- a) A motion to put the question is not debatable.
- b) To carry, a motion to put the question requires 2/3 of the members present and voting to vote for the motion.
- c) If the motion to put the question carries, a vote on the motion must take place without further debate.

8.6 Motion to Recess

- a) The Chair may suggest a recess of the meeting or an adjournment to another day, for example, to obtain information needed by the meeting. To have effect, this suggestion must be moved and seconded, and passed by a majority of members present.
- b) A member may move a motion to recess at any time during a meeting, but not so as to interrupt a speaker or during a vote.
- c) A motion to recess is debatable.
- d) The Presiding Officer may recess or adjourn a disorderly meeting that cannot be brought to order, without the need for a vote.

8.7 Motion to Adjourn

- a) A motion to adjourn is not debatable.
- b) A motion to adjourn is always in order except when a member is speaking or during a vote.
- c) If a motion to adjourn carries, the meeting must immediately come to a halt, regardless of the stage of proceedings.
- d) If a motion to adjourn fails, a new motion to adjourn may not be made until the conclusion of the item which is currently being debated or discussed.

8.8 Motions Requesting Staff Reports

- a) Any request for staff reports and other substantive reports must be made by Council resolution.
- b) Any motions, the carriage of which would result in a budgeting impact, are to be referred to staff for a report with regard to the budgetary impact before being debated at Council.

8.9 Motion to Reconsider Past Decision

- a) A motion for reconsideration of a decided matter is not in order when the motion has been implemented, resulting in legally binding commitments that are in place on the date on which the motion to reconsider is to be debated. It is understood that Council's power to re-examine issues generally remains intact, and its lawful power to pass by-laws and its powers permitted under the *Municipal Act*, the *Planning Act*, or other provincial acts remain.
- b) Section 8.9 a) is not meant to limit motions for reconsideration of Council policies

other than specific Council actions.

- c) A motion to reconsider a substantive resolution, by-law, question, or decided matter must be made by a member who voted with the majority on the original motion or resolution. The Presiding Officer may ask the mover to confirm how the mover previously voted on the issue in question.
- d) If a member is absent during the vote on the original motion or resolution, the member may not request that a motion be reconsidered at a subsequent meeting.
- e) A motion to reconsider a decided matter must be noted to the Clerk one week in advance of the meeting, where the reconsideration is to be debated. The motion to reconsider must be printed on the agenda.
- f) A motion to reconsider a matter may be brought forward only once in the twelve month period from the date the matter was first decided. Twelve months after a motion has been decided, Council may revisit the motion without a 2/3 requirement.
- g) A motion of reconsideration applies only to a matter previously decided by the current Council. A new Council may review any matter decided by a previous Council, provided contractual agreements or obligations have not been implemented or executed.
- h) No debate on a motion to reconsider is permitted. However, the mover and seconder of a motion to reconsider may provide a brief and concise statement outlining the reasons for proposing such reconsideration.
- i) A motion for reconsideration of a decided matter requires 2/3 of the members present and voting to vote for the motion.
- j) If a motion to reconsider carries, reconsideration of the decided matter is the next order of business. Debate on the matter being reconsidered proceeds as though it had never previously been considered.

8.10 Motion to Reconsider at Same Meeting

- a) A motion to reconsider a decided matter may be introduced at any time when it is made at the same meeting at which the original motion was decided.
- b) Section 8.9 a), b), c) h), i), and j) apply to a motion to reconsider at the same meeting.
- c) A motion of reconsideration of a matter decided at the same meeting requires a majority of members present and voting, in order to vote on the motion.

Section 9. Rules of Debate & Conduct of Members in Council

9.1 Role of the Presiding Officer

- a) The Presiding Officer 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 meetings, subject to an appeal by any member to the Council from any ruling of the Presiding Officer.
- b) The Mayor shall preside over all Council meetings and shall be so recognized.
- c) Every member, previous to any question or motion, shall be recognized by the Presiding Officer and shall respectfully address the Presiding Officer.
- d) When two or more members wish to speak, the Presiding Officer shall name the member who, in his/her opinion, first raised his/her hand.

9.2 Rules of Debate

- a) No member, without leave of the Council, shall speak to the same question, or in reply, for longer than five (5) minutes except that Council, upon motion thereof, may grant extensions of time for speaking of up to five (5) minutes for each time extended.
- b) A member may ask a question, stated concisely, of the previous speaker for explanation of any part of the previous speaker's remarks.
- c) A member may ask questions of the Chair or staff member presenting the report to obtain information relating to a report before the Council or to any clause contained therein at the time that the report or the clause is being considered.
- d) 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.
- e) A member may not:
 - i. speak disrespectfully;
 - ii. use offensive words or non-parliamentarian language;
 - iii. disobey the rules of the Council or decision of the Presiding Officer, or of the Council on questions of order or practice or upon the interpretation of the rules of the Council;
 - iv. leave his/her seat or make any noise or disturbance while a vote is being taken and until the result is declared;
 - v. pass between a member who is speaking and the Chair.
- f) In the event that any member persists to be in a breach of the foregoing section, after having been called to order by the Chair, he/she may be ordered by the Chair to leave his/her seat for that meeting; but in the case of ample apology being made by the offender, he/she may, by vote of the members present, be permitted forthwith to resume his/her seat.

Section 10. Point of Privilege

10.1 Council Rights/Privileges-Takes Precedence

When a member desires to address the Council on a matter that concerns the rights or privileges of the Council collectively, or of himself/herself as a member thereof; he/she shall be permitted to raise such as a point of privilege, and a point of privilege shall take precedence over other matters.

Section 11. Point of Order

11.1 Violation of the Rules of Procedure

- a) When a member desires to call attention to a violation of the rules of procedure; he/she shall ask leave of the Chair to raise a point of order, and after leave is granted, he/she shall state the point of order with a concise explanation and the Chair shall rule on the point of order.
- b) When the Chair calls a member to order; the member shall cease speaking until the point of order is dealt with, and the member shall not speak again without permission of the Chair unless to appeal the ruling of the Chair.

Section 12. Ruling of the Chair

- a) Unless a member immediately appeals to Council regarding a ruling of the Chair on points of privilege/rules of procedure, the Chair's decision is final.
- b) If the question is appealed, the Council shall decide the question without debate and its decision shall be final.

Section 13. Voting

13.1 Rules of Voting

- a) When the matter under consideration contains distinct recommendations or propositions, upon the request of any member, a vote upon each recommendation or

proposition shall be taken separately and no vote shall be required to be taken on the matter as a whole.

- b) After the Chair commences to take a vote, no member shall speak to or present another motion until the vote has been taken on such motion, amendment or sub-amendment.
- c) Unless prohibited by statute, by show of hands, every member present at a meeting when a vote is taken on a matter shall vote thereon; and, if any member present persists in refusing to vote he/she shall be deemed as voting in the negative, and any questions in which there is an equality of votes shall be deemed to be negative.
- d) If a member disagrees with the announcement of the Chair of the result of any vote, except a recorded vote, he/she shall object immediately to the Chair's declaration and require that the vote be retaken.
- e) No vote shall be taken in Council by ballot or by any other method of secret voting.
- f) Notwithstanding this section; in lieu of a recorded vote, a member may request that his/her dissenting vote be entered upon the minutes of the Council.

13.2 Recorded Vote

- a) Any member may, before the question is decided, require that the vote be recorded;
- b) If a vote is to be recorded as herein provided, the Clerk shall call the vote by calling the Member of Council by name in alphabetical order with the Presiding Officer having the last vote, announce the division, and shall record them in the minutes.

Section 14. Financial Reports

The General Manager, Client Services/Treasurer or delegate will present a Financial Report twice during the calendar year after the approval of the budget. The Financial Report will normally occur in May/June and in October/November of each year and shall appear in the Staff Reports section of the agenda.

Section 15. Electronic Conferencing

In the interest of cost efficiencies and at the recommendation of the C.A.O., it shall be allowable for a professional who acts in an advisory capacity to Council to provide the advice to Council by electronic means such as telephone or video conferencing.

Section 16. By-laws

- a) Every by-law shall be in type written 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 thereon.
- b) The Clerk shall endorse on all by-laws enacted and passed in Open Council the date of enactment and passing and by-law number and the Clerk shall be responsible for the correctness of such by-laws should they be amended.
- c) Bylaws shall be grouped together and read in bulk agenda format for enactment and passing, unless requested to be removed from the bulk agenda, in accordance with section 7.16 a) of this by-law. By-law(s) may be enacted and passed on a motion as follows:

"That By-law (number - XXXX-year) be and it is hereby enacted and passed."

- e) Every by-law enacted by the Council shall be numbered and dated, signed by the Clerk and Mayor, sealed with the corporate seal and deposited with the Clerk for safekeeping.

Section 17. Procedure By-law to be Reviewed

This By-law shall be reviewed by the Clerk's Office not less than every five (5) years and in the event of any recommended changes, the Clerk shall make such changes and presented them to Council within five (5) years of the last time this by-law was enacted.

Appendix A

Motion to Amend Process

A motion to amend will be recorded in the minutes as follows:

1. State the original motion. If Council chooses to amend the proposed motion the original proposed motion will be recorded in the minutes as follows:
 “.....(*original proposed motion*).....”
 Resolution AMENDED

2. An amendment(s) will then be proposed and voted on by Members of Council, and recorded in the minutes as follows:
 “That the resolution be amended by
 - *Inserting or adding* _____ (*words, sentences, or paragraphs*)”
 - *“Striking out* _____ (*words, sentences or paragraphs*)”
 - *Substituting* _____ *by striking out/ replacing with* _____ (*applied to paragraphs or entire motions*)”
 - *Striking out* _____ *and inserting* _____ (*words*)”
 Resolution CARRIED

3. The approved amended motion will be restated and recorded in the minutes as follows: “.....(*new approved amended motion*).....”
 Resolution CARRIED As Amended

Example of Single Amendment:

1. Original Motion:
 “That Council direct staff to paint the house blue.”
 Resolution AMENDED

2. Amendment to the Original Motion:
 “That the resolution be amended by striking out the word “blue” and inserting the word “red”.”
 Resolution CARRIED

3. Restated Amended Motion:
 “That Council direct staff to paint the house red.”
 Resolution CARRIED As Amended

Example of Multiple Amendments:

1. Original Motion:
“That Council direct staff to paint the house blue.”
Resolution AMENDED

2. Amendment to the Original Motion:
“That the resolution be amended by striking out the word “blue” and inserting the word “yellow”.
Resolution LOST

3. Amendment to the Original Motion:
“That the resolution be amended by striking out the word “blue” and inserting the word “purple”.
Resolution LOST

4. Amendment to the Original Motion:
“That the resolution be amended by striking out the word “blue” and inserting the word “red”.
Resolution CARRIED

5. Restated Amended Motion:
“That Council direct staff to paint the house “red.”
Resolution CARRIED As Amended



Declaration of Interest

Municipal Conflict of Interest Act

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

Declaration

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

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

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

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

Signature

Date

Clerk's Acknowledgement:

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

Signature of Clerk or Designate