

The Corporation of the
Township of Billings

By-Law 2015-17

Being a By-Law to Regulate the Proceedings of the Council of the
Corporation of the Township of Billings

The Council of the Township of Billings enacts as follows

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1.0.0 DEFINITIONS:

“**Adjournment**” shall mean the temporary discontinuation of a meeting or portion of a meeting with the intent to return to finish the subject matter on the agenda.

“**Ad Hoc Committee**” A committee established by Council for the purpose of dealing with a special project with a clear mandate and a start and finish date.

“**Agenda**” and “**Order of the Day**” shall be considered synonymous;

“**Chair**” means the person presiding at a meeting;

“**Clerk Treasurer**” means the Clerk Treasurer of the Corporation of the Township of Billings and the Municipality of Billings;

“**Clerk**” means the Clerk Treasurer or the Acting Clerk of the Corporation of the Township of Billings and the Municipality of Billings;

“**Committee**” means any advisory or ad hoc committee established by Council but does not include the Committee of the Whole;

“**Committee of the Whole**” means a Committee comprised of all members of Council;

“**Council**” means the Municipal Council of the Corporation of the Township of Billings and the Municipality of Billings;

“**Deputy Mayor**” means the Council Member appointed by Council who shall act in the absence of the Head of Council as defined as defined in the Municipal Act.

“**Head of Council**” shall mean the Mayor of the Township of Billings and Municipality of Billings;

“**Head of Department**” means the Clerk Treasurer, the Public Works Superintendent or the Fire Chief.

“**In camera**” shall refer to a Meeting of the Council of the Corporation of the Township of Billings and the Municipality of Billings, closed to the Public to discuss certain items and subject matters as set out in the Municipal Act.

“**Mayor**” means the Mayor of the Corporation of the Township of Billings, and the Municipality of Billings, or Deputy Mayor in the absence or refusal of the Mayor

“**Meeting**” means a meeting of the Council or a Committee, as the case may be;

“**Member**” means a member of Council or a Committee, (whichever the context may be).

“**Motion**” and “**Resolution**” shall be synonymous, means a question to be considered by the Council or Committee which is moved, seconded, presented read by the Mayor, or Clerk, and is subject to debate. When a motion is adopted, it becomes a resolution;

“**Municipality**” and “**Township**” means the Corporation of the Township of Billings and the Municipality of Billings;

“**Point of Order**” shall be an appeal by a Member of the Council made to the Head of Council when the member notices or objects to the proceedings of the meeting. Such objection must be due to the fact that the proceedings are in variance with the governing by-law, the approved procedures of the meeting or on a procedure to deal with a previous decision. The point of order halts proceedings while the Head of Council (presiding member) rules whether or not it is valid.

“**Point of Privilege**” shall be an appeal by a Member of Council made to the Head of Council (presiding member) with respect to a situation that affects the comfort, convenience, integrity, rights or privileges of a meeting or of an individual member (i.e. noise, inadequate ventilation, introduction of a confidential subject in the presence of guests, etc.) The member of Council may raise a point of privilege which permits him/her to interrupt pending business to make any urgent statement, request or motion. However, if a motion is made, it must be seconded. The motion may also concern the reputation of a member, group of members, or members as a whole.

If the matter is complex and cannot be taken care of informally, the Head of Council rules as to whether it requires consideration before the pending business is resumed.

“**Presiding Officer**” is the person presiding at meetings of Council and/or it’s Committees;

“**Quorum**” means three members of the Township Council or for committees, a majority of its members;

“**Secretary**” means recording secretary for a meeting.

“**Standing Committee**” means a Committee of members of Council appointed by Council to consider policy matters with respect to regarding the Committee’s mandate.

“**Sub-Committee**” means a committee established by a standing committee with a clear mandate that has a beginning and ending and reports directly to the creating standing committee.

“**Two-Thirds Vote**” means the affirmative vote of two-thirds (2/3) of the members present at a meeting.

2. GENERAL

Subject to the provisions of the Municipal Act, the rules established by the by-law shall be the rules governing the proceedings of the Council and Committees thereof.

All the rules inconsistent with this by-law at the time of the passing hereof, be and the same are hereby repealed.

Any rule established by this by-law, other than a quorum requirement, may be suspended at or for a particular meeting by resolution or by the Chair provided that two-thirds of all members present agree in favour thereof, provided that the suspension of the rules does not result in a contravention of the Municipal Act.

Subject to the provisions of the Municipal Act, and subject to the provisions hereinafter provided, a person not a member of council shall not be allowed to address council.

3. CONVENING MEETINGS OF COUNCIL

The first regular meeting in each new term of Council shall be held on the first Tuesday in December at 7:30 p.m.

Within thirty (30) days of the Inaugural meeting, Council shall appoint a Deputy Mayor to act in the absence of the Mayor, All members of Council to each of the following committees

Finance and Budget, Public Works, and Property and Buildings.

Regular Council meetings shall be held on the first Tuesday and third Monday of each month at 7:30 p.m. at the Municipal Office. When a public holiday falls on a regular meeting day, the following day shall be considered the regular meeting day.

Except as otherwise provided by the Municipal Act or other statutes, Council may, by resolution, dispense with, alter the time, day or place of any meeting.

The Mayor may, at any time, summon a special Council meeting to be held on such day at such time and in such a location as is chosen by the Mayor.

The Mayor may cancel any meeting if notice has been given that a quorum will not be available to conduct a meeting.

4. NOTICE OF MEETINGS

The Clerk shall give notice of each regular and special meeting of Council and of each committee to members of Council, Committee members, where required, to the Heads of Departments concerned with such a meeting.

The notice shall be in the form of an Agenda which shall first make mention of the day, time and place for the meeting and any matter, so far as known, to be brought before such meeting.

The Agenda shall be placed in the information box of each Council member on Friday noon, prior to the meeting. The information box is located at the Municipal Office at 15 Old Mill Road.

Notice of meetings shall be placed on the township website and through the availability of this by-law.

In the case of special meetings of council, or any Committee meetings where time does not permit personal delivery or sending by mail of the aforementioned agenda to meet the deadline, the Clerk shall attempt to inform each member, Heads of Departments and such other persons as the Chair or Clerk deem advisable of the date, time, place and purpose of the meeting by telephone or otherwise. Advertising of these meetings shall be posted on the webpage, at the Post Office and at the Municipal Office.

Failure of any person to receive notice of the meeting to whom notice of the meeting was required to be given, shall not affect the validity of the holding of the meeting or any action taken thereafter.

5. PREPARATION OF AGENDAS

It shall be the duty of the Clerk to prepare the Agendas for all meetings in accordance with the provisions contained herein.

The Clerk shall accept items for any Agenda from the Mayor, Members of Council and Heads of Departments. The Clerk may also receive petitions and communications from the public and if in his/her opinion shall place the petition or communication on the agenda of the council. All items for the agenda shall be delivered to the Clerk Treasurer prior to the normal close of business on the Wednesday preceding the meetings of Council or Committee. Late items may be added by majority 2/3 vote of Council.

When, in the opinion of the Clerk Treasurer, in light of a report or reports of the Heads of Departments or otherwise, the Clerk does not consider that the matter warrants the consideration of Council or a Committee thereof, the Clerk in consultation with the Mayor, or Deputy Mayor, may refuse to forward same to Council or a Committee thereof, as the case may be. The Clerk shall advise the correspondents or the petitioners of such refusal and indicate that they may request Council to consider such refusal. If the correspondents or the petitioners so request that Council consider the Clerk Treasurer's refusal, and so advise the Clerk Treasurer in writing the Clerk shall place such request on the next Council meeting Agenda and Council may, by resolution, passed by two-thirds of the members present, set aside the Clerk Treasurers refusal and either deal with the matter at that time or at a later date determined by Council or refer the matter to an appropriate Committee. At the appeal, copies of all correspondence or petitions as well as any requested department report received by the Clerk Treasurer shall be attached by the Clerk Treasurer to the appropriate Agenda and noted there on and forwarded to all members.

6. AGENDA FORMAT

All Council Agendas shall be prepared by the Clerk Treasurer in writing and shall be in the following order:

1. Opening of Meeting
2. Approval of Agenda
3. Disclosure of Pecuniary Interest
4. Adoption of Minutes
5. Delegations
6. Committee Reports

7. Old Business
8. New Business
9. Correspondence
10. Information
11. Accounts for Payment
12. Closed Session
13. Confirm Proceedings By-Law
14. Adjournment

All agendas prepared by the Clerk for Committee meetings shall be in the same format as Council Agendas provided, however, that the Clerk and Chair of the Committee may include only those headings relevant to the particular Committee meeting.

The items on the Agenda of each meeting shall be taken in the order in which they stand on the Agenda unless otherwise decided by a majority of the members present.

7. REFERRED AND DEFERRED ITEMS

Any item which is deferred by Council shall be included on the Agenda for the next regular meeting of Council if not deferred to a subsequent meeting.

Items deferred or referred to a meeting of Council shall be included in the Agenda under "Old Business" and shall be included on the Agenda.

8. DELEGATIONS

A delegation may be heard at a meeting provided that the following requirements are complied with:

A delegation shall only be heard respecting an item on the Agenda. A delegation may also appear before Council or a Committee if a member requests in writing to the Clerk Treasurer that the delegation be placed on the Agenda prior to the normal close of business on Wednesday and provided that the provisions of Section 5.0, and 8.0 are complied with.

Prior to the normal close of business on Wednesday prior to the meeting, the delegation shall submit its request in writing, together with a written submission detailing the matters that the delegation wishes to present to Council, or a Committee thereof.

A delegation shall be limited to speaking not more than ten minutes except that a deputation consisting of more than five persons shall be limited to two speakers each limited to not more than ten minutes. The time limit may be extended by Council or the Committee, as the case may be, by such amount of time as Council or the Committee deems advisable by resolution passed by a majority of the members present.

The Clerk shall advise the meeting when there are two minutes remaining and once the time allotted to a delegation has been expired the Chair shall so inform the delegation and the delegation shall immediately cease its presentation.

Presentations by a delegation shall be followed by questions to the delegation by members of Council.

Upon completion of the presentation and the questions by members of Council, any issues introduced during delegations that require a decision of Council should be deferred until the next regularly scheduled meeting of Council, unless they are of an urgent nature.

9. QUORUM

The quorum required to commence and continue a meeting of Council shall be more than fifty percent (50%) of the members.

The quorum required to commence and continue the meeting of a Committee shall be no more than fifty percent (50%) of Council members plus more than fifty percent (50%) of the non-Council members on the Committee.

Unless a quorum is present within thirty minutes after the time appointed for the commencement of the meeting, the meeting shall automatically be deemed to stand adjourned until the next regular meeting or until a special meeting is called to deal with the matters intended to be dealt with at the adjourned meeting. The secretary of the meeting concerned shall record the names of the members present at the expiration of the thirty minute time limit and such records shall be appended to the Agenda for the next meeting.

If at any time during the meeting there is not a quorum, the meeting shall automatically be deemed to stand recessed until there is a quorum again in attendance or should a lack of a quorum continue for fifteen minutes from the time of its occurrence, then the meeting shall automatically be adjourned either until the next regular meeting day or until a special meeting is called to deal with the matters at the adjourned meeting.

As soon as there is a quorum after the hour affixed for the commencement of the meeting, the Chair shall take the chair and call the meeting to order.

The Mayor may cancel a meeting if notice has been given that a quorum is not available.

10. ADOPTION OF MINUTES

During the adoption of the Minutes of a previous meeting of Council no changes can be made in the action taken by Council at the previous meeting, only changes in the form of errors or omissions and recording of any action taken at the previous meeting may be made in adopting the Minutes.

During the adoption of the Minutes of a Committee any member may discuss any items mentioned in the Committee minutes and Council may, by resolution, change any action taken or not taken by the Committee and changes in form of errors or omissions in the recording of any action taken at the Committee meeting, may be made in adopting the Minutes.

11. "IN CAMERA" MEETINGS

Meetings are open to the public except as provided for in Section 239 of the Municipal Act.

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 negotiations;
- e) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
- f) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- g) A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act.

Upon completion of the “in camera” session, the Committee shall immediately reconvene in public session and the Chair of the “in camera” session shall report the results and any resolutions carried therein to the public session.

Unless specifically requested to leave by the Chair, Heads of Departments may remain for any “in camera” session but all other Township Staff and the public shall leave the meeting room unless required by the Committee.

12. BY-LAWS

Every by-law shall be proposed and seconded by a written Motion. Every By-Law shall be introduced by reading the resolution which will state who is the proposer and who is the seconder and whether the by-law be read a first time only, or a first and second time only, or a first, second and third time and passed, and a short description of its contents.

The Chair shall then inquire if there are any members who wish to debate the by-law set forth in the resolution. Any member who wishes to debate and any member may move an amendment to the by-law set forth in the resolution. If, at the conclusion of the debate, amendments have been proposed to any of the by-laws, the Chair shall report all such amendments to Council. Each amendment shall then be voted on separately without further amendment or debate following which the by-law then will receive third reading.

A By-Law which has been defeated at any stage of the order of procedure shall be subject to a Motion to reconsider. The foregoing rules shall apply except when a Motion to reconsider a By-law is carried by majority vote, the next order of business shall be a Motion that leave be given to introduce the By-Law. If such a Motion is carried, the By-Law shall be dealt with in accordance with the usual procedure.

13. ADJOURNMENT

A motion to adjourn a meeting shall be in order except:

When a member is in possession of the floor; when it has been decided that the vote be now taken, or during the taking of a vote.

No subsequent motions to adjourn shall be made until after intermediate proceedings shall have taken place in each case.

The members shall not leave their places on adjournment until the motion to adjourn is carried.

When a person has been deemed guilty of improper conduct by the Chair and is expelled or excluded from the meeting by the Chair and such person refuses to so leave, the Chair may adjourn the meeting without any motion to do so until such time as the person has left the meeting room.

14. RULES OF DEBATE

The Chair shall preside over the conduct of the meeting including the preservation of good order and decorum, ruling of points of order, questions of privilege, points of information and ruling on all questions relating to the procedure of the meeting.

Any ruling made by the Chair is subject to an appeal to the members by a member. If an appeal is made by a member for a ruling of the Chair, the member appealing shall, after announcing the appeal, state the reasons for such an appeal and the Chair may then indicate why the appeal should be rejected and the Chair’s ruling upheld. Without debate on the appeal, the members by roll call shall then vote on the appeal. If the appeal is upheld, then the Chair shall change his ruling accordingly; if the appeal is rejected then the ruling stands.

The Chair may speak on any matter before the commencement of debate on that matter. The Chair may speak to close the debate on any matter after everyone else wishing to speak has spoken.

If the Chair wishes to take part in the debate, the Chair must leave the chair and call on the Deputy Mayor to act in the Chair's place and stand until the debate is closed and in such case the Chair waives his privilege to close the debate and the member acting in the Chair's place may close the debate.

A Member shall not speak more than once on a matter without leave of Council except in explanation of a material part of the speech which may have been misunderstood, or in reply after everyone else wishing to speak has spoken, provided that Member has presented the motion to Council; but not if the Member has moved an amendment to the motion under discussion.

Any person who contravenes any of the rules set out in the procedure by-law at a meeting shall be guilty of improper conduct and may be subject to expulsion or exclusion therefrom by the Chair. If a member desires to leave a meeting prior to adjournment and not return thereto, the member shall so advise the Chair and the fact and time of the member's early departure shall be recorded in the Minutes. Any member who persists in a breach of the by-law, after having been called to order by the Chair, may at the discretion of the Chair be ordered to leave his seat for the duration of the meeting. At the discretion of the Chair, the Member may resume his seat following an apology.

15. CONDUCT OF MEMBERS IN COUNCIL

A member shall not

- Speak disrespectfully of the Reigning Sovereign, any Member of the Royal Family, the Governor General or a Lieutenant-Governor;
- Use offensive words or unparliamentarily language in Council;
- Disobey the rules of the Council or decision of the Presiding Officer or of Council on questions of order or practice or upon the interpretation of the rules of Council;
- Leave his/her seat or make any noise or disturbance while a vote is being taken and the result being declared;
- Enter the Council Chamber while a vote is being taken;
- Interrupt a Member while speaking; except to raise a point of order;
- Pass between a Member who is speaking and the Chair.

A member who persists in a breach of the foregoing section, after having been called to order by the Presiding Officer, may at the discretion of the Chair be ordered to leave his seat for the duration of the meeting. At the discretion of the Chair, the Member may resume his seat following an apology.

16. MOTIONS

All motions shall be read by the Chair or Clerk Treasurer and then presented to the Presiding Officer for the commencement of debate. A member who moves a main motion has the first right of speaking on that motion. Motions shall be debated in the order of presentation to the Presiding Officer. Any member may require the motion under discussion to be read at any time during the debate, except when a Member is speaking.

A member shall not speak more than once on a matter without the leave of Council or Committee, as the case may be, except: if questioned by another member; or to explain comments which the member believes have been misunderstood; or in the case of the mover of the main motion, in reply just before the Chair and after everyone else has spoken.

The mover and seconder of a motion or amendment must both be present at the time a vote is taken for the vote to be valid.

When the Presiding Officer determines the vote on a question, his vote shall be spoken, signified, polled and recorded after the votes of each member voting.

Failure to vote by a member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote. Any question on which there is a tie vote shall be deemed to be lost, except where otherwise provided by any Act. If a member present at a meeting at the time of a vote requests immediately before or after taking of the vote that the vote be recorded, each member present, except a member who is disqualified from voting by any Act, shall announce his or her vote openly and the clerk shall record each vote.

17. POINTS OF ORDER

When a Member desires to address Council upon a matter which concerns the rights of privileges of the Council collectively or of himself/herself as a Member thereof, the Member shall be permitted to raise such matter of privilege. A matter of privilege shall take precedence over other matters. While the Chair is ruling on a point of privilege, no one shall be considered to be in possession of the floor.

A Member who desires to call attention to a violation of the rules of procedure shall ask leave of the Chair to raise a point of order. When the leave is granted, the Member shall state the point of order with a concise explanation and shall attend the decision of the Presiding Officer upon the point of order. The Speaker in possession of the floor when the point of order or privilege was raised shall have the right to the floor when the debate resumes.

A Member called to order by the Presiding Officer shall immediately vacate the floor until the point of order is dealt with and shall not speak again without the permission of the Presiding Officer unless to appeal the ruling of the Chair.

When a member desires to call attention to what the member believes to be a violation of the Rules of Procedure, the member shall, when once recognized by the Chair, rise on a point of order. On raising the point of order a member shall state the point of order with a concise explanation and the Chair shall rule upon the point of order.

Unless a member immediately appeals the ruling of the Chair, the ruling of the Chair on the point of order shall be final. If the ruling is appealed, the appeal procedure set out in Section 14 shall be followed.

18. VOTING – GENERAL

When a Motion that the vote now be taken (question) is presented, it shall be put to a vote without debate and if carried by a two-thirds vote of the Members present, the Motion and any amendments thereto shall be submitted to a vote immediately, without further debate.

After the Chair commences to take a vote on a question, no member shall speak to such question or present any other motion until a vote has been taken on the question. Voting shall be by way of a “show of hands” in favour or against, except when a roll call vote is requested by any member.

Every person present at a meeting when a vote by way of “show of hands” is taken on a question, shall vote thereon unless prohibited by statute, or if any member present other than the Chair refuses or fails to vote, the member shall be deemed as voting against the question.

The Clerk shall call the names of members present in alphabetical order except for the Chair whose name shall be called last and the Clerk shall record each member's vote and each member's vote shall be recorded in the Minutes.

Any question on which there is an equality of votes shall be deemed to be lost except where otherwise expressly provided by statute.

If a member disagrees with the announcement by the Chair, the results of any vote, the member may object immediately to the Chair's declaration and require the vote to be retaken by a Roll Call vote by the Clerk Treasurer. A member's opposition to any question shall not be recorded in the Minutes unless a Roll Call Vote was taken.

When the question under consideration contains distinct propositions, upon the request of any member, the vote upon each proposition shall be taken separately.

The Mayor or Deputy Mayor shall be ex-officio a Member of all Committees of Council and shall have the same rights and privileges as any other Member of the Committee and shall constitute part of the quorum.

Any Member, including the Committee Chair, may propose or second a Motion and all Members including the Committee Chair shall vote all Motions except when disqualified by reasons of interest or otherwise; a tie vote at Committee level shall be considered lost.

19. VOTING – RECONSIDERATION

Once a motion has been made and carried or lost, it shall be in order for any member who voted with the prevailing side to move for reconsideration, and if such motion is seconded, it shall be open to debate and be disposed of by the meeting.

When a motion of reconsideration is made at the same meeting at which the question to be reconsidered was previously dealt with, the majority of members present may pass such motion of reconsideration.

When a motion of reconsideration is made by a member who voted with the prevailing side at a meeting subsequent to that at which the question to be reconsidered was previously dealt with, the question shall not then be reconsidered unless a majority of the members present pass a motion of reconsideration to do so.

If a member wishes to propose a motion for reconsideration at a subsequent meeting to which the question be reconsidered was previously dealt with, it must be preceded by a Notice of Motion of reconsideration given pursuant to Section 16 hereof.

No more than two motions for reconsideration of any question shall be permitted in the same calendar year. When Council has decided either for or against a certain question, a committee shall not reconsider the same question during the same calendar year until a motion for reconsideration has been adopted by Council.

If a motion to reconsider is decided in the affirmative, such reconsideration shall become the next order of business, unless the motion of reconsideration calls for a future definite date for the reconsideration, and debate on the question to be reconsidered shall proceed as though it has never previously been voted on.

Debate on a motion for consideration must be confined to reasons for or against reconsideration.

After a motion has been voted upon, and at the same meeting, any Member who voted with the prevailing side may, in writing, move for reconsideration. If such Motion to reconsider receives seconder, it shall be open to debate, voted upon and shall require the votes of a majority of Members present to pass.

20. VOTING – AMENDMENTS

Only one amendment at a time can be presented to the main motion and only one amendment can be presented to an amendment. When an amendment has been decided on, another amendment to an amendment may be introduced and when an amendment to a main motion has been decided on, another may be introduced. In the case of an amendment to an amendment, an amendment to the main motion can not be withdrawn until the amendment to the amendment has been withdrawn or defeated.

An amendment to a main motion or to an amendment must be similar to the question which it is proposed to amend but with sufficient variance to constitute a different question.

The amendment to the amendment, if any, shall be voted on first; then if no other amendment to the amendment is presented, the amendment to the main motion shall be voted on next; then if no other amendment to the main motion is introduced the main motion shall be voted on next; or if any amendment to an amendment or any amendment to a main motion has carried, the main motion, so as amended shall be put to a vote.

Nothing in this section shall prevent other proposed amendments which have not yet been read to the meeting but which have been presented to the Chair from being read informally to the meeting if requested by any member so as to inform the members of the various amendments presented to the Chair respecting the motion concerned.

When the question under consideration contains distinct proposition the vote upon each proposition shall, at the request of any Member be taken separately.

21. PARLIAMENTARY PROCEDURE

Those proceedings of the Council, Committee of the Whole and the standing committees thereof not specifically governed by the provisions of this by-law shall be regulated in accordance with generally accepted parliamentary procedure.

22. APPOINTMENTS TO BOARDS, COMMITTEES, CITIZENS COMMITTEES AND AD HOC COMMITTEES

Appointments to the Library Board Committees and Citizens Committees of the Corporation shall be made by Council. In making such appointments, the following procedure shall apply.

All applications for appointment must be in writing and received by the Clerk by the date specified in the advertisement. All applicants must meet the same qualifications as electors in the municipality and the Clerk shall determine the qualifications of each applicant. Copies of all applications received for each position from qualified applicants shall be included with the agenda material for the Council meeting concerned. Where there is only the exact number of qualified applicants as required for any position or positions, a motion to appoint the applicants to the position or positions concerned shall be presented and voted upon.

If there are more qualified applicants than positions available, then Council shall select from the qualified applicants, the ones to fill the position or positions concerned. The selection process to be followed by Council shall be as follows:

A Roll Call vote of the Council shall be taken with respect to the qualified applicants for each position available. If upon the first Roll Call vote no applicant received the votes and the votes and the majority of the members are present, the name of the applicant receiving the least number of votes shall be dropped and the members shall proceed to

vote anew and so continue until either an applicant receives the votes of the majority of members present at which time such applicant shall be declared appointed; or, it becomes apparent by reason of an equality of votes that no applicant can be appointed by the voting process.

Where by reason of equality of votes, it becomes apparent that no applicant can be appointed by the voting process, then the vacancy shall be filled by the applicant selected by lot by the Clerk Treasurer.

In the case where no applicant receives the majority required for appointment to Roll Call vote, and where two or more applicants are tied with the least number of votes, a special Roll Call vote shall be taken to decide which of the tied applicants with the least number of votes shall be dropped from the list of names to be voted on in the next Roll Call vote.

These procedures shall also apply in any appointment made during the term of Council.

23. COMMITTEE OF THE WHOLE

The Committee of the Whole shall deal with items which require prolonged discussions and are too time consuming for a Council agenda.

24. AD HOC COMMITTEES

Ad Hoc Committees containing less than 50% of the Council members may be appointed by Council from time to time to consider specific matters.

A By-Law appointing a Committee shall include:

- a. the name of the Committee
- b. the members of the Committee
- c. the purposes and objectives of the Committee
- d. the date by which the Committee shall report to Council
- e. the term of the Committee

Unless otherwise stated in the by-law creating the Ad Hoc Committee, the term of the Ad Hoc Committee will not extend beyond the term of the Council by which it was created. Ad Hoc Committee meetings shall be arranged in accordance with the policy of Council as determined from time to time.

Each Ad Hoc Committee, at its first meeting, shall elect a Committee Chair from among its members and shall arrange its own schedule of meetings.

An Ad Hoc Committee Chair may be removed by a vote of a majority of the Ad Hoc Committee but no such Motion shall be in order unless preceded by a Notice of Motion.

If the Chair of an Ad Hoc Committee is not present within fifteen minutes from the time of the opening of the Committee meeting, the Members present shall, by resolution, elect another Member of the Ad Hoc Committee to preside and the Member shall discharge the duties of the Presiding Officer for that meeting, or until the arrival of the Ad Hoc Committee Chairperson.

25. RULES IN COMMITTEE

Rules of Committees containing less than a majority of Council members shall follow procedures set out by Council for such committees.

Any public appointee of any Committee that misses two (2) consecutive meetings, without notifications to the Chair with the reason of absence (just cause), that they may be considered to have resigned. Council may appoint another Member in his/her place.

A Committee which refuses or neglects to give due consideration to any matter before it, may, by Council resolution, be discharged from such responsibility to another Committee.

Each Committee, in the exercise of its several functions, when same is not described by Statute or by by-law, is subject to the control and direction of Council. Each Committee shall submit to Council on all matters connected with their duties, or referred to them by Council.

26. STAFF ATTENDANCE AT COUNCIL MEETINGS

The Heads of Departments, or their designates, shall render assistance to Council or Committees and, may attend meetings of Council. The Department Heads, or their designate be present at All Council meetings when any item on the agenda is related to there area of responsibility.

27. AMENDMENT OF BY- LAW

Any provision contained in this by-law may be repealed, amended or varied and additions may be made to this by-law by a majority vote, provided that no motion for that purpose may be considered unless notice thereof has been given at a preceding regular Council meeting and such notice may not be waived.

By-Law 92-22 is hereby repealed. By-Law 2009-01 is hereby repealed.

This by-law shall come into force and take effect immediately upon the final passing thereof.

Read a first time this 7th day of April, 2015.

Read a second this June 15, 2015.

Read a third time and enacted this ____ day of _____, 2015

Austin Hunt, Mayor

Kathy McDonald, Clerk Treasurer