

**THE CORPORATION OF THE CITY OF ELLIOT LAKE**

**BY-LAW 25-84**

Being a By-law to Govern the Proceedings of Council and Committee Meetings of The Corporation of the City of Elliot Lake.

**WHEREAS** Section 238 of the Municipal Act, 2001, S.O. 2001, c. 25, provides that every municipality shall pass a procedure by-law for governing the calling, place and proceedings of meetings, for public notice of meetings, and for electronic participation in meetings;

**AND WHEREAS** Council has reviewed By-law No. 16-6, as amended and now deems it expedient to establish new provisions that reflect current legislative requirements and best practices;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of the City of Elliot Lake hereby **ENACTS AS FOLLOWS:**

1. This By-law, other than in this By-law itself, shall be referred to as the "Procedure By-law".
2. By-law No. 16-6 and all previous by-laws related to meeting procedures of Council and Committee, including amending by-laws, are hereby repealed.
3. That this By-law shall come into effect on September 8<sup>th</sup>, 2025.

**PASSED** this 8<sup>th</sup> day of September, 2025.

CERTIFICATION BY THE CLERK:

I, A. Laurence, Deputy Clerk of the Corporation of the City of Elliot Lake, do hereby certify that the above is a true certified copy of By-Law-25-51 which was passed in Open Council on the 8<sup>th</sup> day of September, 2025.



\_\_\_\_\_  
A. Laurence

\_\_\_\_\_  
**MAYOR**  
**A. WANNAN**

\_\_\_\_\_  
**DEPUTY CLERK**  
**A. LAURENCE**

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## GENERAL

### 1. Application and Interpretation

- 1.1 This By-law establishes the rules of order for meetings of Council and Committee.
- 1.2 A word in this By-law expressed in the singular has a corresponding meaning when used in the plural.
- 1.3 Any future amendment(s) to the Municipal Act, 2001 or other legislation as noted in this By-law may alter the provisions of the legislation referenced but shall not affect the validity of this By-law or any part thereof.
- 1.4 In the event of conflict between this By-law and any superior legislation, the provisions of the superior legislation prevail (ie. Strong Mayor Powers).
- 1.5 A specific statement or rule in this By-law has greater authority than a general statement or rule.
- 1.6 Any reference to a provision of this By-law may be referred to as "Section" notwithstanding that it may be a section, subsection, clause, or paragraph.
- 1.7 If there is a conflict between two or more rules in this By-law, or if there is no specific rule on a matter, the Chair will rule and, in making a ruling, the Chair may consult the Clerk, rely on previous rulings and practices, or refer to *Robert's Rules of Order*.
- 1.8 Any use of the male or female pronouns in this By-law, shall have no significance in the interpretation and application of the terms, provisions, and conditions of this By-law, such use is solely for the sake of convenience.

### 2. Principles of this By-law

The principles of parliamentary law governing Meetings includes:

- 2.1 The majority of Members have the right to decide.
- 2.2 The minority of Members have the right to be heard.
- 2.3 All Members have the right to information to help make decisions unless otherwise prevented by law.
- 2.4 All Members have the right to an efficient meeting.

2.5 All Members, Municipal Staff, and participants have the right to be treated with respect and courtesy.

2.6 All Members have equal rights, privileges, and obligations.

### 3. Suspension of Rules

3.1 Rules of order provided for in this By-law may be suspended by a Two-Thirds vote of the members of Council present and voting, with the exception of the following circumstances:

- a) where required by law;
- b) in any contract or agreement binding the Municipality;
- c) amending this By-law;
- d) requirements of Quorum.

3.2 A Motion to suspend the Rules of Procedure required by this Procedure By-law shall not be debatable or amendable. In addition, the motion to suspend the rules should identify the reasons that the rules are being set aside.

### 4. Administrative Authority of the Clerk

4.1 The Clerk is authorized to revise or correct by-laws, minutes, and other records or documents relating to Council and Committee for technical, typographical, or other administrative errors and omissions for the purpose of ensuring an accurate and complete record of proceedings and general housekeeping.

## DEFINITIONS

### 5. Definitions in this By-law

5.1 **Act** means the Municipal Act, 2001, S.O. 2001, c. 25 as amended or replaced from time to time.

5.2 **Acting Chair** means the Presiding Officer of a Committee or Council to act in the place of the Mayor or Deputy Mayor when both are absent from a meeting of Council or Committee for any cause and who shall exercise all the rights, powers and authority of the Mayor.

- 5.3 **Addendum Agenda** means any addition to an already published agenda or addition of supplementary information to an item of business listed on the agenda.
- 5.4 **Ad Hoc Committee** means a special purpose committee of limited duration, appointed by Council to consider a specific matter and which is dissolved automatically upon submitting its final report to Council, unless otherwise directed by Council. It can also be referred to as a Working Group or a Steering Committee.
- 5.5 **Advisory Committee** means a Committee created by Council to act in an advisory capacity on a specific matter of municipal interest.
- 5.6 **Attendee** means any person who attends a meeting of Council either in person or electronically which may include a member of the public or a person appearing to deliver a presentation or delegation.
- 5.7 **By-law** means an enactment, in a form approved by Council, passed for the purpose of giving effect to a decision or proceedings of Council.
- 5.8 **CAO** means the Chief Administrative Officer of the City of Elliot Lake, as defined in the Act.
- 5.9 **Chair** means the presiding officer at a Meeting.
- 5.10 **Clerk** means the Clerk of the City of Elliot Lake, or their designate, as defined in the Act.
- 5.11 **Closed Meeting** means a Meeting or part of a Meeting that is closed to the public as permitted by the Act.
- 5.12 **Committee** means Advisory Committee, Task Force, Working Group, or other committee as established by Council.
- 5.13 **Consent Agenda** means a listing of Consent Items being presented to Council or Committee for its consideration, all of which can be adopted by one motion, but any of which may be transferred for alternate consideration upon the request of a member.
- 5.14 **Consent Item** means a report, correspondence, and/or resolution of other municipalities, that is presented for approval without debate and with no delegation or presentation and is generally considered routine in nature.
- 5.15 **Council** means the City of Elliot Lake's elected representatives, comprised of the Mayor, Deputy Mayor, and Councillors.

- 5.16 **Council Communication Index** means information submitted to Council (or via the Clerk) for purpose of informing Council of matters of potential municipal interest.
- 5.17 **Councillor** means any Member of Council, other than the Mayor and Deputy Mayor.
- 5.18 **Delegation** means any person, group of persons, firm or organization, who is neither a Member of a Committee or Council or an appointed Official of the Municipality or a consultant or other individual hired by the Municipality, wishing to address Council on a specific matter upon request to the Clerk.
- 5.19 **Deputy Mayor** means the Member of Council elected to that position during a Municipal Election who shall act in the place of the Mayor when the Mayor is absent, refuses to act, or declares a Conflict of Interest, and who shall exercise all the rights, powers and authority of the Mayor during those specific circumstances.
- 5.20 **Director** means the most senior staff of the City of Elliot Lake as delegated by the CAO.
- 5.21 **Electronic Device** means computers, cell phones, smartphones, personal digital assistants, smartwatches, tablets, voice recorders, cameras, or any similar device.
- 5.22 **Electronic Meeting** means any open or Closed Meeting where the Council or Committee, as a whole, participates remotely or virtually via electronic means, including but not limited to video conference.
- 5.23 **Electronic Participation** means a member of Council or Committee who is participating electronically in a meeting.
- 5.24 **Emergency** means a situation caused by forces of nature, an accident, an intentional act, or otherwise that constitutes immediate or imminent threat to persons or property.
- 5.25 **Ex-officio Member** shall refer to the Mayor's membership on all internal committees, advisory committees, and task forces. Ex-officio means by virtue of office and therefore the Mayor may attend any City of Elliot Lake committee meetings and take part in discussion and vote. While attending as an Ex-officio Member, the Mayor is not counted for the purpose of achieving quorum.
- 5.26 **Friendly Amendment** means the motion under debate is amended with the consent of the mover and seconder, and without the requirement for an amending motion to be made.

- 5.27 **Hybrid Meeting** means a meeting where some participants attend in person while others join remotely through audio or video conferencing platforms.
- 5.28 **Majority** means for the purpose of voting, unless otherwise specified, more than half the total number of the Members of Council or Committee present at the vote and not prohibited by statute from voting.
- 5.29 **Majority Vote** means more than one half of the votes cast by Members present.
- 5.30 **Mayor** means the Mayor of the City of Elliot Lake, as defined in the Act.
- 5.31 **Meeting** means a Meeting of Council or Committee where a quorum of Members is present, and Members discuss or otherwise deal with any matter in a way that materially advances the business of Council or Committee.
- 5.32 **Member** means a Member of Council, including the Mayor, or a Member of Committee, including the Chair.
- 5.33 **Motion** means a proposal, moved by one Member and seconded by another Member to adopt, amend, or otherwise deal with a matter before Council or committee.
- 5.34 **Notice of Motion** means a written notice respecting a substantive matter not on the agenda, submitted to the Clerk, for inclusion on the agenda of a future Meeting.
- 5.35 **Public Input Session** means an opportunity for members of the public to voice opinions on subjects of municipal concern.
- 5.36 **Point of Information** means a request directed to the Chair, or through the chair to another officer or member, for information relevant to the business at hand but not related to parliamentary procedure.
- 5.37 **Point of Order** means a statement made by a Member calling attention to a possible violation of the rules or customary procedures of this By-law.
- 5.38 **Point of Privilege** means the raising of a question by a Member to request immediate action on a matter affecting the rights and privileges of Council or a committee as a whole, or one or more Council or Committee members.
- 5.39 **Presentation** means a study, update, or other information on a project that is presented to Council from a consultant, agency, or other partner of the Municipality.
- 5.40 **Quorum** means a majority of the Members of Council or Committee.

- 5.41 **Recorded Vote** means the making of a written record of the names and the vote of each Member who votes on a motion.
- 5.42 **Regular Meeting** means a meeting of the Council or committee held at the times and dates specific in this by-law and approved by Council or committee as part of an annual calendar.
- 5.43 **Special Meeting** means a separate meeting of the Council or committee held at a time different than a regular meeting as approved by Council or committee and which is focused on one or more particular and specific items or subjects.
- 5.44 **Two-Thirds** means two-thirds (2/3) of the Members of Council or Committee unless they are disqualified from voting with respect to that item as a result of declaring a pecuniary interest.
- 5.45 **Workshop** means a meeting of Council where the purpose is for Council to discuss issues in an informal venue. With the exception of procedure matters, no Motions are passed, and no matter is discussed which advances the business of the Municipality.

## **DUTIES AND CONDUCT**

### 6. Chair of Meeting

- 6.1 The Chair of Council, or a Workshop is the Mayor, and in the absence of the Mayor, the Deputy Mayor is Chair.
- 6.2 The Chair and Vice Chair of any other Committees may be appointed by a vote of the Members of the Committee, and must be a Member of Council.

### 7. Duties of the Chair

- 7.1 The Chair shall call a Meeting to order as soon as there is Quorum present after the time set for the Meeting.
- 7.2 The Chair shall preside over the Meetings so business can be carried out efficiently and effectively, and shall:
- a) open the meeting by taking the chair and calling the Members to order;
  - b) announce the business before the Council or Committee and the order in which it is to be acted upon;
  - c) maintain order and preserve the decorum of the meeting;
  - d) rule on all procedural matters;

- e) receive and submit to a vote all Motions presented by the Members that do not contravene the rules of procedure;
- f) decline to put any Motions to a vote which do not comply with the rules of procedure, or which are not within the jurisdiction of Council or Committee;
- g) announce the result of the vote on any Motions presented for a vote;
- h) expel or exclude from any Meeting any person whom the Chair feels has exhibited improper conduct at the Meeting;
- i) adjourn or suspend the Meeting if they consider it necessary because of grave disorder;
- j) recess the Meeting;
- k) after issuing appropriate warning, may call by name any Member persisting in breach of the rules of procedure, order them to leave the meeting and if the member refuses to leave the Meeting, the Chair may request the CAO or designate to contact security or police for assistance to remove the Member;
- l) may call a vote on the question of sustaining the ruling of the Chair in response to a Member disagreeing and appealing the ruling of the Chair and may provide further explanation of the ruling prior to calling the vote and announce the results of the vote;
- m) if necessary, may call a recess for a brief, specified time to consult the Clerk or CAO, or any other person deemed appropriate, or to provide a short break to Members of Council;
- n) if there is a threat or imminent threat to the health or safety of any person, or if there is a possibility of public disorder, recess the Meeting for a specified time;
- o) ensure all Members who wish to speak have had an opportunity to speak at least once when the matter is being discussed;
- p) ensure clarity, where required, by reading, or requesting the Clerk or other appropriate person to read Motions before voting;
- q) vote on all matters unless disqualified from doing so by any statute;
- r) adjourn the Meeting when all business is concluded; and
- s) authenticate, when necessary, by their signature, all by-laws and minutes.

## 8. Duties of the Deputy Mayor

- 8.1 When the Mayor is absent from a Meeting, the Deputy Mayor may exercise all the rights, powers, and authority of the Mayor as head of Council.
- 8.2 Outside of Meetings and this By-law, the Deputy Mayor is not assigned any additional authority.

## 9. Duties of Members

### 9.1 All Members shall:

- a) attend scheduled Meetings;
- b) carefully consider and make decisions about Meeting business, including seeking information and advice from staff prior to and during a Meeting;
- c) vote on all Motions put to a vote unless disqualified from voting under any statute;
- d) respect the rules of order as set out in this By-law;
- e) listen attentively, participating in a Meeting and not interrupting, unless to raise a Point of Order or Point of Privilege, as set out in this By-law;
- f) refrain from using any offensive, disrespectful or un-parliamentary language;
- g) refrain from speaking disrespectfully of the Reigning Sovereign or of any of the Royal Family or of the Governor General, the Lieutenant Governor of any province or any Member of the Senate, the House of Commons of Canada, the Legislative Assembly of the Province of Ontario or the Algoma District
- h) respect and follow the decisions of the Council or Committee;
- i) respect the confidentiality of matters discussed in Closed Meetings and not disclose the subject or substance of these discussions unless authorized to do so by Council or Committee, in accordance with the Closed Meeting Policy and all applicable legislation;
- j) comply with the ruling of the Chair and the decisions of Council and Committee.

## 10. Conduct of Attendees

10.1 Attendees must maintain order and not heckle or engage in conversation, disrupting the meeting in any way.

10.2 The Chair may expel or exclude any person who disrupts a Meeting and request security and/or police assistance in doing so.

10.3 As determined by the Chair, attendees that are displaying placards or props or displaying any behaviour that may be considered disruptive may be asked to leave the Meeting.

10.4 Attendees must ensure that they are speaking respectfully at all times.

10.5 Attendees must ensure they do not interrupt any speech or action of the Members or any person addressing the Council.

- 10.6 Attendees must ensure that all personal electronic devices are turned off or set to silent mode during a Meeting.
- 10.7 No attendee shall use an electronic device to broadcast, record or otherwise publish or distribute audio or video of any meeting. Audio and videotape recording of public meetings is permitted, under the following guidelines, and must be approved in writing by the Clerk on an annual basis:
- a) walking to the Council floor for the purposes of a photograph, videotaping, etc., is not permitted;
  - b) cameras and video cameras can be used in the floor area near the entrances into the Council Chambers;
  - c) all recording equipment must be completely muted and operated in a manner which does not interfere with the ability of the public or the participants to hear or view the meeting proceedings;
  - d) recording equipment must not compromise the confidential materials or discussions.
- 10.8 Individuals who wish to submit materials for Council's consideration must do so through the Clerk, and the Clerk will determine the distribution of such materials in due course.

## 11. Rules of Debate and Questions from Members

- 11.1 The Chair will provide each Member an opportunity to speak.
- 11.2 Prior to the taking of a vote on a Motion, Members shall be entitled to speak up to two (2) times (to a total maximum of five (5) minutes) to ask questions directly relating to the matter under consideration. The mover and seconder of a motion have the opportunity to speak first to a motion.
- 11.3 A Member may comment to indicate their position on a motion or provide additional information/context or may ask a question for the purpose of obtaining facts relevant to the matter under discussion and necessary for a clear understanding.
- 11.4 The Chair is permitted to ask questions or comment in a general manner without leaving their position. The Chair who presides over any part of a Meeting may state relevant facts and the Chair's position on any matter before the Council or Committee without leaving the chair, which may take place immediately prior to the vote, but it shall not be permissible for the Chair to move a Motion or debate a question without first leaving the chair.

11.5 If during a Meeting of Council, the Mayor desires to leave the chair to move a Motion or to take part in the debate, the Mayor shall call on the Deputy Mayor to preside until the Mayor resumes the chair. If the Deputy Mayor is unavailable, then the Mayor will ask another Member of Council to assume the role of Acting Chair.

11.6 Members are encouraged to provide questions to staff prior to the Meeting and address any answers received during the comments portion of the discussion.

11.7 When a Member is speaking, no interruptions are permitted except to raise a Point of Order or a Point of Privilege.

11.8 Comments are to be relevant to the matter of business at the Meeting.

11.9 Members shall express themselves succinctly without repetition.

## 12. Point of Order

12.1 A Member may raise a Point of Order when such Member feels there has been:

- a) a deviation or departure from the rules set out in this By-law; or
- b) a deviation from the matter under consideration and the current discussion is not within the scope of the proposed Motion.

12.2 Where a Member raises a Point of Order, the Chair shall:

- a) interrupt the matter under consideration;
- b) ask the Member raising the Point of Order to state the substance of and the basis for the Point of Order; and
- c) rule on the Point of Order immediately without debate by Council or Committee.

12.3 A Member may appeal the ruling of the Chair to Council or Committee which will then decide whether to uphold the decision or overturn the decision without debate, by way of a Majority Vote of the Members present. If there is no appeal, the decision of the Chair is final.

## 13. Point of Privilege

13.1 A Member may raise a Point of Privilege at any time if he or she considers their integrity, the integrity of Council or Committee as a Whole, or municipal staff or a delegation has been impugned.

A Point of 'General' Privilege affects the rights and privileges of the Council or committee as a whole and include things like heating, ventilation, sound, lighting, comfort and security. They also include the dignity and integrity of the Council or committee and its proceedings, or obstructions to it carrying out its functions.

A Point of 'Personal' Privilege affects the rights and privileges of an individual Member and includes:

- a) requests for personal assistance (i.e. to be excused for illness or personal emergency),
- b) objections to personal remarks or wrongful accusations made by another person at the meeting,
- c) relief from any obstruction or interference with a Member performing his or her duties.

13.2 Where a Member raises a Point of Privilege, the Chair shall:

- a) interrupt the matter under consideration;
- b) ask the Member raising the Point of Privilege to state the substance of and the basis for the Point of Privilege; and
- c) rule on the Point of Privilege immediately without debate by Council or Committee.

13.3 A Member may appeal the ruling of the Chair to Council or Committee which will then decide whether to uphold the decision or overturn the decision, without debate, by way of a Majority Vote of the Members present. If there is no appeal, the decision of the Chair is final.

13.4 Where the Chair considers the integrity of any Member or staff has been impugned or questioned, the Chair may permit that Member or staff to make a statement to Council or Committee.

## **MEETINGS**

### **14. Inaugural Council Meeting**

14.1 The first Meeting of Council following a regular election shall be held at a date and time set by the Clerk in accordance with the Act. The Meeting will be held in the Council Chamber, at the Municipal office, or at such alternate location as determined by the Clerk.

14.2 At the Inaugural Meeting of Council, each Member present shall make their declaration of office and sign Council's Code of Conduct. Council shall not proceed with any regular business at this Meeting.

## 15. Location and Schedule of Meetings

- 15.1 Meetings of Council and Committees will generally take place in the Council Chamber, or via electronic means, or at another location within the municipality, or as provided for in the Act, as amended, when notice is given.
- 15.2 Council shall approve a schedule of regular Meetings of Council for each calendar year, which may be amended through a resolution by Council. The schedule of Meetings shall be posted on the Municipality's website and available from the Clerk's office.

## 16. Regular Council Meetings

- 16.1 Regular Council Meetings will typically be held on the second and fourth Monday at 7:00 pm in the Council Chamber, unless otherwise noted, in accordance with the schedule of meetings approved by the Council.
- 16.2 Notwithstanding Section 16.1, meetings may be cancelled or postponed in accordance with Section 18.
- 16.3 If a Council Meeting falls on a public or civic holiday, the meeting shall be rescheduled or cancelled with public notice provided by the Clerk.

## 17. Special Meetings of Council

- 17.1 A special Meeting may be called by the Mayor or Chair, or by the Mayor in consultation with the Chief Administrative Officer (CAO) and the Clerk, at any time. A Special Meeting is limited to business included in the notice of Meeting.
- 17.2 As per the Act and notwithstanding Section 18.1, the Clerk may call a Special Meeting when petitioned in writing by a majority of Council Members.
- 17.3 Notwithstanding any other provision in this By-law, the Mayor, at any time, may call or provide Notice of an Emergency Meeting of Council. An Emergency Meeting of Council is limited to business matters included in the Notice of the Meeting.
- 17.4 The Order of Business at a Special Meeting of Council is determined by the Mayor in consultation with the CAO and/or the Clerk. The only business to be dealt with at a special meeting is that which is identified in the notice of the meeting.
- 17.5 The Order of Business at a Special Meeting of Council, that is requested by a majority of Council Members, is determined by the Council Members in consultation with the Clerk.

## 18. Cancellation or Postponement of Meetings

- 18.1 A regular, special, or emergency Meeting of Council may be cancelled or postponed in any of the following circumstances:
- a) if the Clerk determines in advance that Quorum will not be achieved;
  - b) if the Meeting is cancelled by Council recommendation;
  - c) in the event of an emergency or imminent weather event; or
  - d) where the Meeting is no longer required as determined by the Clerk and the CAO due to a lack of forecasted agenda items.
- 18.2 The Clerk gives notice of the cancellation or postponement of a regular, special or emergency Meeting of Council on the municipal website. Council Members are notified of cancellations through electronic means (email, instant messaging), or via telephone, whenever possible. Where time is limited, a notice is posted on the public bulletin board located in the lobby of City Hall.
- 18.3 Meetings of other Committees may be cancelled or postponed by the Clerk, Chair or other assigned person where Quorum cannot be achieved, in the event of an emergency or where the Meeting is deemed no longer required by the Chair in consultation with the Clerk or designate.

## 19. Notice of Meetings

- 19.1 The Clerk will give notice of a Meeting by publishing a Meeting agenda on the municipal website unless circumstances prevent this from occurring whereby the Clerk will post the Agenda on the public bulletin board in the lobby of City Hall as soon as practicable.
- 19.2 Regular Council agendas will be posted on the municipal website no later than 4:00 p.m. on the Thursday prior to the scheduled meeting.
- 19.3 Regular Standing Committee and Advisory Committee agendas will be posted on the municipal website no later than 2 business days prior to the scheduled meeting.
- 19.4 As a best practice and in order to provide as much notice as possible, new items or matters will not be added to the agenda after its publication unless determined by the Clerk in consultation with the Chief Administrative Officer. Any correspondence item related to an item on the agenda will be circulated to Council for consideration of that particular item. If there is an added item then an addendum will be prepared and published by noon the day of the meeting.

- 19.5 Special Meetings of Council agendas will be posted on the municipal website no later than forty-eight (48) hours prior to the scheduled Meeting.
- 19.6 Emergency Meetings may be held, without written notice, to deal with issues that may urgently or immediately affect the health or safety of residents. The Clerk shall attempt to notify the public of Emergency Meetings as soon as possible and in the most expedient manner available.
- 19.7 The Clerk may provide earlier or additional forms of notice, as the Clerk deems appropriate.
- 19.8 The failure of any person to receive notice of a Meeting shall not affect the validity of the Meeting or any action taken during the Meeting.

## 20. Notice of Meeting Closed to the Public

- 20.1 Where a matter may be considered by Council or Committee for discussion in closed session, whenever possible, written notice will include:
- a) the fact the Meeting will be closed to the public as provided by the appropriate legislation; and
  - b) the general nature of the matter to be considered at the Closed Meeting.

## 21. Invalidation of the Notice of Meeting

- 21.1 If notice of a Meeting is substantially given but varies from the form and manner provided in this By-law, the ability to hold the Meeting and the actions taken at the Meeting are not invalidated.

## 22. Quorum

- 22.1 If Quorum is not achieved within fifteen (15) minutes after the time appointed for a Meeting, the Clerk will record the names of the Members present and the Meeting is adjourned.
- 22.2 If a quorum is lost during an in-person meeting, the meeting shall stand adjourned, and all unfinished business shall be carried forward to the next meeting.
- 22.3 If quorum is lost during a hybrid or electronic meeting, a 15 minute recess will be called in an attempt to have those electronic members reconnect. If after 15 minutes, quorum cannot be achieved, the meeting shall stand adjourned, and all unfinished business shall be carried forward to the next meeting.

## 23. Open and Closed Meetings

23.1 Meetings shall be open to the public, except as provided for in section 239 of the Act. Council may convene in a closed session in order to discuss the following matters:

- 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 Council or Committee of the Whole may hold a Closed Meeting under another statute;
- 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;
- 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; or
- l) the Meeting is held for the purpose of educating or training the Members, providing no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council.

23.2 Council shall convene into a Closed Meeting for the following purposes:

- a) a request under the Municipal Freedom of Information and Protection of Privacy Act, if Council or Committee of the Whole is the head of an institution for the purposes of that statute; or

- b) an ongoing investigation respecting the Municipality, a local board or a Municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, a municipal Ombudsman referred to in subsection 223.13(1) of the Act, or a closed meeting investigator referred to in subsection 239.2(1).

23.3 The Mayor or Chair shall report at an open Meeting following the Closed Meeting and generally summarize actions taken. Any matters discussed in a Closed Meeting requiring a decision of Council or Committee of the Whole will be brought forward to an open Meeting.

23.4 No Member shall disclose or discuss, through any means including written, electronic or verbal communication to any individual or third party, any information that has been or will be discussed at a Closed Meeting or any records or documents disclosed thereat until Council or Committee of the Whole has agreed to the disclosure of such information, records or documents, or if directed to do so by a court.

## 24. Preparation of Agendas

24.1 The Clerk provides administrative processes to support the approval, preparation, notice, publication and distribution of agendas, following approval by the Chief Administrative Officer and/or Director.

24.2 The final agenda, along with copies of any supporting documentation, shall be prepared by the Clerk and made available to members and posted on the City website.

24.3 In the case of an electronic system failure, power interruption, or any other extenuating circumstance that hinders the posting of the agenda to the municipal website by the deadline, it shall be posted as soon as possible after the circumstance has been resolved. Council members shall be notified of any delay in posting the agenda.

24.4 Items or matters will not be added to the agenda after distribution to Council or committee unless directed by the CAO, and/or Clerk and if the urgent nature of the matter requires a decision prior to the next Council or committee meeting.

### Addendum Agenda

24.5 The Clerk shall prepare an Addendum Agenda advising Council or committee of the written submissions relating to matters on the agenda.

24.6 Addendum agendas, along with copies of any supporting documentation, shall be published no later than 12:00 noon on day of the meeting.

24.7 Items or matters will not be added to the agenda after its publication by inclusion on the addendum unless directed by the CAO and/or Clerk and only if the matter is of an urgent nature and requires a decision prior to the next Council or committee Meeting. For matters of urgent nature, the addendum agenda will be published to provide adequate notice to the public. This applies to both open and closed session agendas.

## 25. Record of Meetings (i.e. Minutes)

25.1 The Clerk or designate records the minutes of Meetings of Council and Committee without note or comment. The minutes record:

- a) the date, time, and location of the Meeting;
- b) the name of all Members in attendance;
- c) declarations of interest;
- d) the name and nature of presentations and delegations;
- e) all resolutions, decisions and other proceedings of the Meeting.

25.2 Minutes of each Meeting of Council are presented at a subsequent regular Meeting of Council for approval, as time permits.

25.3 Minutes of other Committees, as designated by Council, are submitted to Council for information following approval by the Committee.

25.4 The receipt of minutes from other Committees by Council does not constitute endorsement by the Municipality of any recommendations or actions contained therein.

## 26. Public Record

26.1 All Communications that the Clerk receives pertaining to a matter on the agenda of a public or open Meeting may form part of the public record. Personal information and opinion in communications are part of the public record unless the author of the communication requests the removal of their personal information when submitting it or where confirmed by the Clerk.

## 27. Recordings, Broadcasting and/or Streaming

27.1 All Open Council Meetings shall be audio recorded and made available to the public, upon request. Open Council and Standing Committee Meetings may be video recorded, broadcast and/or streamed publicly by the City. Such video recordings may be made available to the public via the City of Elliot Lake website or YouTube Channel, if available.

27.2 Inability to either audio or video record an open meeting at which the public is permitted to attend will not prohibit the meeting from commencing or continuing.

27.3 Open meetings may not be electronically or mechanically recorded by any member of the public without prior consent of the Clerk. Any recordings conducted during a Council or Committee meeting after obtaining consent shall be for personal use only and are not to be made public or distributed in any way without the prior consent by resolution of the Municipality for the public use of the recording.

27.4 Electronic devices are permitted in Council Chambers provided that they are turned to silent or vibrate during the meeting and are not used to record any aspect of the Council or committee meeting, unless consent has been obtained as per Section 27.3.

## 28. Electronic Participation

28.1 A regular or special meeting of Council, or committee of Council, may be conducted by electronic or hybrid means when it has been determined by the Mayor and Clerk that electronic participation will be required by all or some Members attending a Meeting.

28.2 A Member of Council may participate electronically in a Meeting that is open or closed to the public only for meetings that take place in Council Chambers. A Member participating electronically shall count towards determining whether or not a quorum of members is present at any point in time.

28.3 Members are required to notify the Clerk in advance of any Meeting at which they intend to participate electronically.

28.4 Electronic connection of the Member to the meeting will not be disruptive with noise or sound quality issues in a manner which impacts the Council discussion and progress of the meeting and at the discretion of the Clerk.

28.5 Electronic participation is governed under the Electronic Meeting Operation Procedures.

## 29. Standing Committees

29.1 Standing Committees shall be responsible for formulating major and general policies for recommendation to Council and shall consider such other matters as may be referred to it from time to time by the Council or any Committee of Council.

29.2 Meetings of Standing Committees of Council shall generally be scheduled by the Clerk on the following basis:

- a) Finance and Administration – 3rd Monday of each month
- b) Recreation and Culture – 1st Monday of each month
- c) Economic Development – 1st Tuesday of each month
- d) By-law and Planning – 1st Monday of each month
- e) Public Services – 3rd Monday of each month

29.3 Council Rules of Procedure as set out in this by-law shall apply to Standing Committees except for the following:

- a) no recorded votes,
- b) no notices of motions are permitted,
- c) the Clerk shall give notice of each regular and any special meeting of a Committee, to the members of such Committee by delivery of an agenda two days preceding the meeting and notice to the public should be provided on the website and on the public bulletin board,
- d) any person wishing to address a Committee on any matter prior to the posting of the relevant meeting agenda shall submit a written request to the Clerk by no later than three (3) business days preceding the meeting at which the person desires to be heard, stating the nature of the business to be discussed,
- e) any person wishing to address a Committee on a matter on the relevant meeting agenda shall submit a written request to the Clerk by 4 pm one business day prior to the meeting,
- f) a person granted permission to address a Committee shall confine their remarks to the stated business,
- g) each delegation to a Committee shall be limited to speaking not more than 10 minutes in total,
- h) the Chair of a Committee will be a member of Council and may vote on all questions submitted to the Committee, and
- i) in the absence of both the appointed Chair and Vice-Chair of any Committee, the Members may appoint from among those Members present at the meeting, an Acting Chair to preside that particular meeting.

### 30. Advisory/Task Force/Ad-Hoc Committees

30.1 Each Committee and Task Force and Working Group shall have a Terms of Reference that sets out its purpose, guidelines for membership and how it will operate.

30.2 Each Committee shall report to the appropriate Standing Committee as detailed in its mandate.

- 30.3 Each Committee shall consist of such number of Council Members and citizen representatives as determined by Council.
- 30.4 The Mayor shall be an ex-officio (voting) members however the Mayor's presence shall not be used in determining quorum.
- 30.5 The Clerk may establish simplified Rules of Procedure for Advisory Committees/Task Forces or Ad-Hoc Committees. Where simplified Rules of Procedure is not established then the Committee/Task Force or Ad-Hoc Committee shall be deemed to have adopted this procedure, with the following exceptions:
- a) the number of times of speaking on any question shall not be limited;
  - b) a majority vote shall be required to decide any matter before the committee.

### 31. Workshops

- 31.1 The Mayor and/or the CAO and/or Clerk may convene a training session and/or workshop meeting for Members of Council to discuss issues in an informal venue.
- 31.2 With the exception of Procedural Matters, no motions are passed and no matter is discussed which advances the business of the Municipality; and a record describing in general terms, the proceedings and the subject matter discussed is made at all workshop Meetings and placed on a future Council agenda to be received only for the purposes of information.
- 31.3 The Clerk gives Notice of Workshop meeting of Council by providing at least 48 hours in advance, Notice to Council that indicates the date and time of the workshop meeting and the general nature of the matters to be discussed as well as posting on the website and where the posting on the website can't be achieved then notice is to be provided on public bulletin board located in the lobby of City Hall.

## ORDER OF BUSINESS

### 32. Council

- 32.1 Notwithstanding Sections 32 and 33, the Order of Business (Agenda) for a Council Meeting may be adjusted at the discretion of the Clerk and the Chair.

32.2 The Clerk shall prepare an agenda for the use of Members for Meetings of Council as follows:

- Call to Order
- Roll Call
- Land Acknowledgement
- Approval of the Agenda
- Declaration of Pecuniary Interest
- Adoption of Minutes from previous meeting
- Public Input Session
- Presentations
- Delegations
- Consent Agenda
- Introduction and Consideration of Corporate Reports
- Presentation of Committee Reports
- Unfinished Business
- Notice of Motion
- General Announcements
- Addendum
- Introduction and Consideration of By-laws
- Closed Session
- Confirming By-law
- Adjournment

### 33. Special or Emergency Meetings

33.1 The Clerk shall prepare an agenda for the use of the Members as follows:

- Call to Order
- Approval of the Agenda
- Disclosures of Pecuniary Interest
- Reports and Associated By-laws
- Closed Session
- Confirming By-law
- Adjournment

### 34. Statutory Public Meetings under the Planning Act

*Note:* Herein and for the purpose of this section, a statutory public meeting under the Planning Act, R.S.O. 1990, c. P.13 shall be referred to as a “public meeting”.

34.1 The Mayor, or designate, shall chair public meetings.

- 34.2 The dates and times for hearing public meetings shall be established in the meeting schedule and the dates and times of such public meetings may be amended with the consent of the Mayor and the Clerk, provided all notice requirements under the Planning Act are met.
- 34.3 Public meetings are not deemed to be a meeting of the Council or a Standing Committee.
- 34.4 Submissions from the Public received during a Public Meeting shall be heard first from any member of the public attending the meeting in person, followed by any members of the public registered to participate remotely via electronic means, should such technology be available. The Chair, in consultation with the Clerk, may accommodate a different order of speakers where deemed possible and appropriate.
- 34.5 The public meeting for each application shall proceed as follows:
- a) Staff or Planning Consultant shall provide a brief overview of the application which includes comments received from the agencies and the public;
  - b) The applicant or their representative may appear and provide information regarding the application;
  - c) Members of Council may ask questions of the applicant;
  - d) Members of the Public and/or stakeholders in attendance and wishing to speak may make an oral submission;
  - e) The Chair may call on the applicant and/or staff to provide clarification on matters raised by members of the public and/or stakeholders;
  - f) The Council may ask any further questions.
- 34.6 The Clerk, or designate, shall capture oral submissions from the public and stakeholders at the public meeting and shall provide a copy of the Clerk's minutes capturing such submissions to the Members of Council for their review.
- 34.7 Notwithstanding Section 34.5, the order of business for a Public Meeting may be adjusted at the discretion of the Clerk and the Chair.

## 35. Consent Agenda

- 35.1 A portion of the agenda, titled 'Consent Agenda', may consist of items that do not require separate discussion, including, but not limited to:
- a) routine staff reports;
  - b) reports/memos for information purposes only;
  - c) minutes for receipt; and
  - d) correspondence for receipt.

35.2 Council Members shall identify any items contained on the Consent Agenda which they wish to speak to, and the matter shall be extracted from the Consent Agenda to be dealt with separately.

35.3 The balance of items on the Consent Agenda, which have not been extracted, shall be voted on in one motion.

### 36. Corporate/Staff Reports

36.1 In accordance with established administrative protocols, reports to Council or Committee are prepared by staff, approved by the CAO, submitted in writing to the Clerk, and distributed with the agenda for the applicable Meeting.

36.2 Reports prepared by staff contain information and recommendations prepared in the context of their professional, technical and administrative expertise independent of any particular political, constituent, or stakeholder interest.

### 37. Notice of Motion

37.1 A Member of Council may present a proposed Motion at any regular meeting of Council and the Clerk shall place it on the next Council Agenda for the purpose of giving Notice. The proposed Motion will include a confirmed mover.

37.2 Notices of Motion received during a Council Meeting for future consideration shall be received without comment or debate.

37.3 A written Notice of Motion submitted to the Clerk by 12:00 noon on the Wednesday preceding any regular Council meeting, will be included in the Council Agenda for that regular Council Meeting, and will be debated at that Council Meeting, as inclusion in the Council Agenda shall be considered as adequate notice.

37.4 At the subsequent meeting, the Member of Council who submitted the proposed Motion shall introduce and subsequently move the Motion.

37.5 A Member of Council may request that the notice provisions be waived, which will require a two-thirds vote.

37.6 When a Council member's notice of motion has been called from the Chair and it is not proceeded with, it shall be dropped from the agenda, and it shall be deemed to have been withdrawn.

37.7 No staff report will be prepared unless the Motion is referred to staff for a further report.

### 38. General Announcements

38.1 The General Announcements portion of the Council Meeting is an opportunity for Council Members to make announcements, recognize achievements, promote events, or recognize matters of community-wide interest.

38.2 General Announcements may not be used for:

- a) general discussions;
- b) to ask questions of or provide direction to Staff;
- c) to discuss Agenda items;
- d) to discuss Municipal business (past, present or future);
- e) to discuss prior Council decisions;
- f) to make private or personal announcements;
- g) to discuss Staff performance; or
- h) for individual Members of Council to advance personal views or opinions or to promote personal websites, chats, groups, or discussions.

38.3 General Announcements made by Members of Council will not form a part of the Council minutes.

### 39. By-laws

39.1 All by-laws shall be passed in a single Motion by Council by Majority Vote, unless otherwise required by legislation.

39.2 A Confirmatory By-law shall be enacted at the conclusion of each Meeting of Council.

39.3 The following types of by-laws may be presented directly to Council without the requirement for a staff report:

- a) those directed to be presented to Council by Committee or Council;
- b) appointment of staff authorized by the CAO;
- c) general by-laws where the purpose and intent of the by-law has been clearly authorized by a previous resolution.

### 40. Majority Vote

40.1 Unless this By-law states otherwise, a matter passes when a Majority of the Members present at the Meeting vote in the affirmative.

## PUBLIC PARTICIPATION

### 41. Presentations

- 41.1 Presentations at Council Meetings shall be limited to a maximum of ten (10) minutes.
- 41.2 For the purposes of this section, the Clerk shall determine the appropriate Committee or meeting date that a request for a presentation may be listed.
- 41.3 If a Presentation extends beyond the maximum time limit during a Meeting, without prior approval of the Chair, then the Chair will issue a warning to the presenter. It is the Chair's discretion as to whether they are allowed to continue past the maximum time limit.
- 41.4 Presentations by an outside organization or individual shall not be permitted for the sole purpose of generating publicity or promotion.
- 41.5 Outside organizations or individuals wishing to make a presentation shall complete the prescribed form and shall provide the Clerk with written materials, presentation materials, etc. for inclusion on the agenda by the deadline outlined by the Clerk, being no later than three (3) business days preceding the Council meeting.
- 41.6 The Clerk may limit the frequency and/or number of times a group or individual may appear before Council.
- 41.7 The following types of presentations shall provide information only and shall be heard at the beginning of a Council Meeting:
- a) presentations by groups or individuals on subjects that are within the jurisdiction or influence of local government, as determined by the Clerk and Chair;
  - b) presentations by outside organizations providing information with no accompanying report or recommendations; and
  - c) presentations recognizing achievements.
- 41.8 Presenters requesting specific financial assistance or services in-kind from the Council shall be directed to the appropriate department for review. A decision will not be made at the Meeting where the presentation is heard.
- 41.9 Presenters requesting specific action from the Municipality related to an operational issue shall be directed to the appropriate department for review. A decision will not be made at the Meeting where the presentation is heard.

## 42. Delegations

- 42.1 An individual may make a delegation at a Meeting of Council related to an item of business on the agenda.
- 42.2 An individual who is under eighteen (18) years of age must provide the Clerk written permission from the individual's parent or guardian.
- 42.3 Individuals who register as a delegation will have their name and the purpose of their delegation published on an agenda.
- 42.4 Anyone wishing to appear before Council shall register as a delegation by submitting the prescribed form and all accompanying materials to the Clerk no later than 4 pm one business day prior to the scheduled Meeting date.
- 42.5 Delegations are limited to ten (10) minutes. The Council may extend the time limit by five (5) minutes by a Majority Vote of the Members present by way of a Motion to be decided without debate.
- 42.6 No delegation shall be made to Council on matters relating to litigation or potential litigation, including those matters which are before and under the jurisdiction of any court or administrative tribunals unless such matter is referred to Council by the said administrative tribunal or court.
- 42.7 People making delegations shall refrain from making statements or comments that are, in the opinion of the Chair, frivolous or vexatious in nature.
- 42.8 People making delegations who share the same position on a matter or are from the same organization are encouraged to speak in one delegation.
- 42.9 A delegation shall only register themselves to speak and may not register other delegations.
- 42.10 A person may only make one (1) request for a delegation per meeting, subject to the discretion of the Clerk.
- 42.11 Members of Council are permitted to ask individuals making a delegation questions only for clarification and to obtain additional relevant information.
- 42.12 The Mayor shall have discretion to further provide limitations on delegations including the number of delegations per Meeting, in consultation with the Clerk.
- 42.13 If a person has appeared as a delegation at a Standing Committee, they are not permitted to make the same delegation to a Council meeting.

### 43. Public Input Session

- 43.1 Public Input Session shall be scheduled at every regular Council meeting for no more than 30 minutes and provide an opportunity for up to ten (10) individuals to speak to any item included on the current agenda for a maximum of 3 minutes each. Members must register to speak by submitting the prescribed form and their speaking points through the Clerk's Office no later than noon on the day of the Council meeting.
- 43.2 Should the public not be able to attend in person or electronically, written submissions may be provided to the Clerk's office via email, or dropped off at City Hall by the deadline and the submission will be read into the record. Written submissions must not take more than 3 minutes to read.
- 43.3 No motions, decisions, or comments shall be made during the Public Input Session portion of the meeting. The Council may consider and/or debate the information received during Public Input Session during the deliberation of the item when it arises on the regular Council agenda.
- 43.4 Only the name of the speaker and the title of the item being spoken to will form part of the Council minutes.
- 43.5 No individual shall speak more than once during any Public Input Session.

### 44. Correspondence

- 44.1 Correspondence intended to be presented shall include the author's full name and contact information, be legibly written or printed, be appropriate and respectful in tone and not contain any improper or offensive language or information and be filed with the Clerk.
- 44.2 The Clerk shall prepare a Council Communications Index listing all correspondence received by the Clerk. The Council Communications Index shall be delivered electronically directly to each Member of Council. A Member of Council may request in writing that an item from the Council Communications Index be lifted and included in the next appropriate agenda.
- 44.3 When required due to urgency or timing, and subject to the discretion of the Mayor in consultation with the Clerk, correspondence may be placed on a Council Agenda as an additional item.
- 44.4 The Council's receipt of correspondence does not constitute endorsement of the correspondence by the Municipality of any of the recommendations it may contain, or actions it may advocate.

## MOTIONS

### 45. General Motions

- 45.1 After a motion has been moved and seconded, it shall be deemed to be in the possession of Council or Committee. A Motion or amending Motion may be withdrawn by the Mover with the consent of the Secunder at any time before the amendment or decision.
- 45.2 The Council or Committee shall not debate any Motion until it has been moved and seconded. Once a Motion has been seconded, it may upon request, be read or stated by the Chair or Clerk at any time during the debate.
- 45.3 If the Chair is of the opinion that an amending Motion is contrary to the main Motion, the Chair shall apprise the Members immediately. A Member of Council or Committee may appeal the ruling of the Chair. If appealed, the Chair will take an immediate vote on the Motion without debate.
- 45.4 Before the Chair calls a vote on a motion, a member may ask the mover of the motion if they would accept a change to the motion, termed a 'friendly amendment'. The mover may either accept or reject the proposed change. If the mover rejects the proposed change, the member suggesting the change can formally move an amendment. If the change is accepted by the mover, the changed motion will be put to a vote. Friendly amendments will not be recorded in the minutes as a main motion and an amendment but will be considered as a main motion.
- 45.5 When a Motion is under consideration, no other Motion shall be received unless it is a Motion:
- a) To refer the Motion to Committee, Council or Staff. A **Motion to Refer**:
    - is open to debate
    - is amendable
    - shall preclude amendment or debate of the preceding motions.
  - b) To amend the Motion. A **Motion to Amend**:
    - is open to debate
    - shall not propose a direct negative to the main Motion
    - shall be relevant to the main Motion
    - is subject to only one further amendment, and any amendment more than one must be to the main Motion, and
    - if more than one, shall be put in the reverse order to that in which they were moved, and shall be decided or withdrawn before the main Motion is put to the vote.

- c) To postpone the Motion to another time. A **Motion to Defer**:
  - is open to debate
  - is amendable
  - applies to the Main Motion and any amendments thereto under debate at the time the Motion to Postpone is put forth.
  
- d) To adjourn the Meeting. A **Motion to Adjourn**:
  - is not open to debate
  - is not subject to amendment
  - shall always be in order.
  
- e) To call the question. A **Motion to Call the Question**:
  - is not subject to amendment
  - cannot be proposed when there is an amendment under consideration
  - when resolved in the negative, shall be followed by resumption of debate
  - shall always be in order
  - when resolved in the affirmative, shall be followed by voting on the motion, without debate or amendment.
  
- f) To table. A **Motion to Table**:
  - is not subject to amendment
  - is not open to debate
  - applies to the main Motion and any amendments thereto under debate at a time when the Motion to table was made
  - shall always be in order
  - shall not include any qualifications or additional statements.
  
- g) Once all the Motions relating to the main Motion have been dealt with, and once the main Motion is put, there shall be no further discussion or debate and the Motion shall immediately be voted on.

#### 46. Reconsideration of a Council Decision

46.1 Council may reconsider an entire resolution that was decided during any term of Council. A reconsideration of a portion of a resolution shall not be permitted. Such reconsideration can either amend the previous decision or rescind it subject to the following rules:

- a) no resolution shall be reconsidered more than once during the term of Council; and
- b) a Motion to reconsider shall not be reconsidered.

- 46.2 A Member who voted on the prevailing side of a decision may bring a Motion to reconsider at the same Meeting at which the question to be reconsidered was dealt with and shall require the support of a Majority of the Members present.
- 46.3 A Member who voted on the prevailing side or who was absent from the vote or was not a Member of Council at the time of the vote may bring a Notice of Motion to reconsider at a Meeting subsequent to that at which the question to be reconsidered was dealt with and shall require a Two-Thirds vote to be carried.
- 46.4 If a motion to reconsider is decided in the affirmative:
- a) The reconsideration effectively returns the Council to just prior to the original Council resolution.
  - b) Reconsideration of the original motion shall then be the next order of business unless the motion specifies a future date.
- 46.5 No delegations or Public Input Session speakers shall be permitted to speak on a Notice of Motion to Reconsider.
- 46.6 A resolution that was decided by Council cannot be reconsidered if action has been taken in implementing the resolution, resulting in legally binding commitments that are in place on the date the Motion to reconsider is considered by Council.

#### 47. Motion to Rescind

- 47.1 A motion to rescind is a main motion that requires notice through a notice of motion and a 2/3 vote to pass. The motion to rescind is the motion by which a previous action or order can be cancelled. The effect of this motion is to strike out an entire main motion that had been adopted at some previous time. The motion to rescind is debatable and is not amendable and requires 2/3 vote. This motion is not in order when something has been done that is impossible to undo or notification has been provided when affects a specific person.

#### 48. Motion Containing Two or More Matters

- 48.1 When a Motion under consideration concerns two or more parts that are capable of standing separately, upon the request of any Member, the parts may be debated and voted on separately through a motion. Such a request may also be made by the Chair. This may also be referenced as a "Motion to Divide".

## 49. Voting

- 49.1 After a Motion is put to a vote by the Chair, no Member shall speak to it, nor will any other Motion be made, until after the vote is taken and the result has been declared.
- 49.2 All Members of Council or Committee will vote on all Motions. A failure by any Member to announce their vote openly and individually, including an “Abstention”, is deemed to be a vote in the negative.
- 49.3 Each Member present and voting indicates his or her vote by show of hands or electronically (dependent on available technology), and no vote is taken by ballot or any other method of secret voting.
- 49.4 The following represents the required number of votes for a Majority Vote or Two-Thirds vote.

| Number of Members Present | Majority Vote | Two-Thirds Vote |
|---------------------------|---------------|-----------------|
| 7                         | 4             | 5               |
| 6                         | 4             | 4               |
| 5                         | 3             | 4               |
| 4                         | 3             | 3               |
| 3                         | 2             | 2               |

## 50. Tie Vote

- 50.1 Any vote on which there is a tie vote is deemed to be lost.

## 51. Recorded Vote

- 51.1 Any Member may request a recorded vote immediately preceding or following the taking of a vote.
- 51.2 All Members present at the Council Meeting shall vote unless they are disqualified from voting with respect to that item as a result of declaring pecuniary interest.
- 51.3 A Member of Council’s failure to participate in a recorded vote when they have not declared a pecuniary interest is deemed to be a negative vote.

51.4 A recorded vote will be taken as set out below:

- a) the Clerk shall call on Members to cast their vote alphabetically by last name with the Chair voting last;
- b) each Member present that is not disqualified from voting shall announce their vote openly, in alphabetical order and
- c) the Clerk shall announce and record the vote, and record how each Member voted.

51.5 Notwithstanding a recorded vote, a record or notation of a Member's opposition to an issue is not recorded in any minutes of the Meeting.

## 52. Adjournment

52.1 All Meetings of Council shall automatically adjourn at 10 pm unless and otherwise decided by a Two-Thirds vote of all Members present.

## INTERPRETATION

### 53. Severability

If a court or tribunal of competent jurisdiction declares any portion of this By-law to be illegal or unenforceable, that portion of this By-law will be considered severed from the remainder of this By-law, which shall continue to be in full force and effect.

## ADMINISTRATION

### 54. Short Title

This By-law, other than in this By-law itself, shall be referred to as the "Procedure By-law".

### 55. Repeal

By-law No. 16-6 and all previous by-laws related to meeting procedures of Council and Committee, including amending by-laws, are hereby repealed.

## **Schedule 'A' to Procedural By-law No. 25-84**

### CRITERIA TO FORM A NEW ADVISORY COMMITTEE:

There is a statutory requirement requiring the Committee

If there is not a statutory requirement, the establishment of the Committee must fulfill five (5) of the following Criteria:

1. Aligns with Strategic Plan (and other Master Plans or guiding documents).
2. Requires citizen voice(s) or external stakeholder expertise to develop public policy or fulfill corporate mandate.
3. Broad subject matter is handled by multiple internal divisions and or external stakeholders.
4. Emerging issue of clear importance to the municipality.
5. Significantly helps stream-line discussion and decision-making at Standing Committees.
6. Handles work that staff do not perform.
7. Needed for the long-term (minimum of five years).
8. Mandate and work plan can be clearly articulated.



## **Policy: Electronic Meeting Operation Procedures**

### **Policy Statement:**

To establish rules and procedures governing the process for participating and conducting Council and its Committees Meetings in electronic format.

### **Purpose/Objective**

The Policy applies to all Council and its Committee meetings, both open and closed sessions, where an element of electronic participation is present which creates a hybrid meeting format. The Policy is created to establish guidelines for electronic participation of meetings in accordance with *The Municipal Act*.

### **Policy Statement Details**

The City of Elliot Lake's Council Procedure By-Law, as amended, still applies to all meetings and must be followed in addition to this Policy.

This Policy is intended to work in conjunction with the Procedure By-Law and clarify additional procedures that are deployed in a hybrid meeting operation.

All Council and/or Committee Members that are participating in hybrid meetings have the same rights and responsibilities. Members participating off-site (virtually) shall count towards quorum of members, shall be able to vote, and shall be permitted to participate in any portion of a meeting which is closed to the public.

Attendees, including Delegates and those attending Statutory Public Hearings that register with the Clerk prior to the meeting will be permitted to attend through the established conference system.

It is recognized that technology is not perfect and electronic participants may experience technological issues.

### **Definitions**

**Clerk:** The City Clerk and/or designate.

**Conference System:** The system chosen by the Clerk for the purposes of joining meeting participants via electronic means.

**Delegate:** A person or persons attending to address Council or its Committees. This may also include those providing Presentations in accordance with the Procedure By-Law or those attending for Statutory Hearings.

**Electronic Meeting:** A meeting called and held in full or part via electronic means, including but not limited to audio teleconference, video conference, and may include in-person attendance.

**Electronic Participation/Participants:** Meeting attendance not in-person.

**Host Computer:** The Staff person and computer that has the scheduled start, stop of the meeting, and can share presentation or other materials as needed.

**Hybrid Meeting:** A type of in-person meeting operation that also includes virtual (off-site) attendance.

**Meeting Management Software:** The chosen technology to support meeting facilitation. This may include agenda, minutes and voting processes.

**Procedure By-Law:** City of Elliot Lake By-Law 16-06.

## **Related Policy Guidelines**

### **1.0 General**

#### **1.1 Technology**

The Clerk, based on available resources and the advice of the Director of IT Services, shall determine the Conference System method and technology to be used for an Electronic Meeting.

Virtual backgrounds, where permitted, shall be used in limited capacity. The Chair may request the virtual background be removed if they feel the background is distracting or if the use of backgrounds may be the cause of any technical concerns (i.e. bandwidth).

It is the responsibility of those choosing Electronic Participation to ensure there is nothing preventing their participation within the meeting or the internet conductivity required to join the Conference System effectively. Clerks staff will be available a minimum of 15 minutes before the start of the meeting to test technology and assist, where possible in conjunction with IT Services Support Staff, any connection issues that arise.

In the event of a connection or service interruption with a voting member participating electronically in the meeting, the Chair may recess the meeting for up to 10 minutes. After 10 minutes of no connection with the member, the meeting shall resume.

#### **1.2 Attendance, including Notice to Clerk**

Where Electronic Participation is chosen, notice is required to the Clerk no less than one business day before the meeting in order to facilitate participation, with

exception for Delegations or persons attending a Statutory Public Meeting that register in accordance with the Procedure By-Law or attend as a representative at a Hearing. No notice being received, the in-person participation shall be the default.

Once notice is provided for Electronic Participation, a change to in-person cannot be facilitated unless supported by the Clerk.

The Chair of the Electronic Meeting shall, unless for Emergency or extenuating circumstance, attend at a designated meeting space supported by the Clerk.

Attendees on the Conference System shall be reserved to the Members of Council or Committee, as the case may be, Municipal Staff, and registered delegations or participants of a Statutory Hearing. All those wishing to view the meeting shall do so either by being present in-person or viewing broadcasted meetings on the City's Website or local cable channel. Where a meeting is not broadcasted but is open to the public, the Clerk may facilitate an invite to the Conference System.

The Clerk and/or delegate may remove any unauthorized person(s) joining the Conference System.

### **1.3 Quorum – Voting Members**

Voting Members shall be required to have their videos on for Electronic Participation in order to count towards quorum. Voting Members, unless for extenuating circumstances approved by the Chair, shall not participate via teleconference within a Hybrid Meeting.

### **1.4 Meeting Etiquette and Process**

The following guidelines apply to Hybrid Meetings:

- All microphones shall remain muted for the duration of the meeting except for the individual speaking.
- The Chair shall introduce each agenda item and, upon request, allow for Staff, Delegates, or other attendees to address Council or Committee where appropriate to do so.
- Presentations shall be displayed and controlled by the Host Computer.
- Members wishing to speak, shall raise their hand or utilize the speaking request (i.e. Raise Hand) function within the Conference System.
- Staff, Delegations, and other attendees shall keep their cameras / videos off except when acknowledged by the Chair.
- Electronic Participants are to be mindful that their video will be visible to the public and should review their background, lighting, camera angles and location with this in mind.
- Members should aim to attend the meeting in it's entirety as they would in chambers, limiting the amount of times they leave the meeting.
- Members must advise the chair/clerk of any leaves from the meeting so that it may be noted in the minutes.

### **1.5 Voting and Speaking Rights of Members**

Votes will be administered through the Meeting Management Software, where possible, and the results will be displayed by the Host Computer.

Where either the Meeting Management Software is not engaged or the vote is called by a show of hands from the Chair the following guidelines apply when a Hybrid Meeting is being conducted:

- In-person Council and Committee members to be recognized first for speaking, followed by virtual. The Chair will be required to maintain a list and monitor both types of participants;
- The votes of those attending in-person shall be confirmed first followed by Electronic Participants;
- If a Member participating virtually is called for their vote response and no response to indicate their vote is received, the Clerk will mark them absent for the vote.

## **2.0 Municipal Staff, Including Consultants retained by the City**

The CAO or Clerk, as appropriate, will make the decision on staff attendance location. Notice shall be provided to the Clerk in advance of the meeting the participation method.

## **3.0 Delegate Attendance**

Delegates will be able to have Electronic Participation by registering with the Clerk in accordance with the Procedure By-Law. Such Electronic Participation shall constitute an appearance before Council or Committee in accordance with the Procedure By-Law. The Clerk will facilitate the Conference System invitation where needed. During the delegation portion, the Chair will invite those registered to address Council and the Clerk shall facilitate the speaking opportunity along with any materials that were submitted in accordance with the Procedure By-Law.

Should the Delegate experience technical disruption, attempts will be made to either facilitate an alternative Electronic Participation. Where the attempts are unsuccessful, the meeting shall continue in absence of the Delegate.

## **4.0 Closed Session Meetings**

Where the possibility to have a Closed Meeting portion, will include the following guidelines:

- No virtual backgrounds are to be used;
- Those participating virtually are to ensure that no other person is in the room during the closed session portion.