

# THE CORPORATION OF THE TOWNSHIP OF HILTON

## By-Law 1421-24

A by-law to govern the proceedings of Council and Committees of the Township of Hilton, the conduct of its members and the calling of Meetings.

**WHEREAS** Section 238(2) of the Municipal Act, S.O. 2001, Chapter M.25, as amended, requires that every municipality shall pass a Procedural By-law for governing the calling, place and proceedings of meetings;

**AND WHEREAS** pursuant to Section 239 (1) of the Municipal Act, the Council of The Corporation of the Township of Hilton deems it expedient to amend its procedural by-law Section 4.7 to allow the use of live streaming open meetings when available;

**AND WHEREAS** pursuant to Section 238 (3.1) of the Municipal Act provides that the applicable procedural by-law may provide that a member of council, of a local board or of a committee of either of them, can participate electronically in a meeting which is open to the public to the extent and in the manner set out in the by-law provided that any such member may be counted in determining whether or not a quorum of members is present at any point in time;

**AND WHEREAS** Bill 197 amends Section 238 of the Municipal Act, Section 238 (3.3) to provide that the applicable procedural by-law may provide that, a member of a council, of a local board or of a committee of either of them can participate electronically in a meeting that is open or closed to the public.

**AND WHEREAS** the Council of The Corporation of the Township of Hilton deems it expedient to amend its procedural by-law to allow its members to participate at Council meetings beyond the period of time of a declared Provincial and/or Municipal emergency;

**AND WHEREAS** the Council of The Corporation of the Township of Hilton deems it expedient to amend its procedural by-law Section 19.1 to include Schedule "A" being a Delegation Request Form;

**NOW THEREFORE** the Council of The Corporation of the Township of Hilton hereby enacts as follows:

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**1. SHORT TITLE**

- 1.1 This By-law shall be cited as the "Procedural By-law".

**2. DEFINITIONS**

THAT in this By-law:

- 2.1 "CHAIR" shall mean the Head of Council or Presiding Officer at a committee meeting;
- 2.2 "CLERK" means the Clerk of The Corporation of the Township of Hilton.
- 2.3 "CLOSED SESSION" shall mean closed to the public as described in Subsection 4.4 of this By-law;
- 2.4 "COMMITTEE" means any advisory or other committee, sub-committee or similar entity composed of members of one or more councils or local boards or the public;
- 2.5 "CONFLICT OF INTEREST" means a direct or indirect pecuniary interest as defined in the *Municipal Conflict of Interest Act*; R.S.O. 1990, Chapter M.50 as amended (MCIA), and any successor legislation thereto;
- 2.6 "CORPORATION" means the Municipal Corporation of the Township of Hilton;
- 2.7 "COUNCIL" means the elected and sworn members of the Council of the Township of Hilton.
- 2.8 "DEPUTATION / DELEGATION" means an individual/group who has submitted a request for delegation to the Clerk within the prescribed timelines to address Council or Committee;
- 2.9 "ELECTRONIC MEETING" means a meeting called and held in full or in part via electronic means (including, but not limited to, audio teleconference, video teleconference, or via means of the internet), and with or without in person attendance;
- 2.10 "EMERGENCY" means any period of time during which an emergency has been declared to exist in all or part of a municipality by the Head of Council or the Province under sections 4 or 7.0.1 of the Emergency Management Act;
- 2.11 "EMERGENCY MANAGEMENT ACT" means the Emergency Management and Civil Protection Act, R.S.O. 1990, Chapter E.9, as amended;
- 2.12 "HEAD OF COUNCIL" means the Reeve of Hilton Township or such Acting Head of Council as may be appointed by Council Resolution;
- 2.13 "MAJORITY" means for the purpose of voting, more than half of the members of Council or Committee present at the vote and not prohibited by statute from voting;
- 2.14 "MEETING" means any regular, special, committee or other meeting of Council or a Committee or Local Board, where,
- a) A quorum of members is present, and
  - b) Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, Local Board or Committee;
- 2.15 "MEMBER" means a member of Council and includes the Head of Council, or a member of Committee, and includes the Chair;
- 2.16 "MAIN MOTION" shall mean any motion except the following ones:
- a) a motion to extend the time of the meeting;
  - b) a motion to refer;
  - c) a motion to amend;
  - d) a motion to defer or table;
  - e) a motion to reconsider;
  - f) a motion to adjourn;

- 2.17 "MOTION" means a question to be considered by the Council or Committee which is moved, seconded, presented, read by the Chair and is subject to debate. When a Motion is adopted, it becomes a Resolution.
- 2.18 "MUNICIPAL ACT" means the Municipal Act S.O. 2001, Chapter 25, as amended and any successor legislation thereto;
- 2.19 "MUNICIPAL CONFLICT OF INTEREST ACT" (MCIA) means regulations under the Municipal Conflict of Interest Act R.S.O. 1990, Chapter M.50 as amended, and where Members shall declare any pecuniary interest in common with electors within the area of jurisdiction and/or where the matter under consideration affect only part of the area of jurisdiction;
- 2.20 "MUNICIPALITY" means the Municipal Corporation of the Township of Hilton;
- 2.21 "PUBLIC MEETING" means a portion of a meeting for either public hearings on a planning matter, or a matter added to the already adopted Agenda to allow for free public delegation;
- 2.22 "QUORUM" shall mean a majority (more than half) of the whole number of members of Council or a Committee. Where a member has or members have declared a pecuniary interest pursuant to the *Municipal Conflict of Interest Act*, the quorum may be less than half plus one of the whole number of members but shall not be less than two;
- 2.23 "RECORDED VOTE" means the recording of the name and vote of every member of any matter of question. In the case of a Member who has declared a conflict of interest in the matter or question, the minutes shall reflect the Member's declaration and the general nature thereof;
- 2.24 "REGULAR MEETING" means any regular Council or Committee meeting when a quorum is present;
- 2.25 "RESOLUTION" means a record of decisions or wishes of Council and includes routine administrative and management matters;

### **3. GENERAL PROVISIONS**

- 3.1 Subject to the provisions of the Municipal Act, the rules and regulations contained in the By-law shall be observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business for the Council and Committees of Council.
- 3.2 All rules inconsistent with this By-law at the time of the passing hereof, be and the same are hereby repealed.
- 3.3 Any rule established by the By-law, other than a quorum requirement, may be suspended at or for a particular meeting by Resolution, provided two-thirds of all Councillors present vote in favour thereof, provided that the suspension of the rules does not result in a contravention of the Municipal Act.

### **4. CONVENING OF COUNCIL MEETINGS**

- 4.1 The Inaugural Meeting of Council shall take place at 7:00 p.m. on the first Wednesday in December following a regular election at the Council Chambers in the Municipal Office for the purpose of swearing in the new Council and conducting regular business.
- 4.2. The Council of The Corporation of the Township of Hilton shall hold its regular meeting on the first Wednesday of each month at 7:00 p.m. at The Corporation of the Township of Hilton Council Chambers, 2983 Base Line, Hilton Beach. The meeting date may be changed by resolution of Council.
- 4.3 When a public or civic holiday fall on a regular meeting day, an alternate meeting date shall be scheduled, if required, at the previous regular council meeting.
- 4.4 Where a regular meeting of Council is to be held at a time, day or place other than as

than as set out in i) above, Council shall give notice by having the Clerk post it in the Municipal Office or, if time permits, posted on the municipality's web site and/or advertised in the Island Clippings.

- 4.5 If a quorum is not present within fifteen minutes after the time appointed for the meeting, the Clerk shall call the roll and record the names of the Members present and the meeting shall stand adjourned until the next regular meeting or until a special meeting is called.
- 4.6 The use of audio, still camera and video recording equipment (electronics) during a meeting that is not closed to the public is permitted providing it is not disruptive to the conduct of the meeting and that Council is advised it is being used. Any and all audio/camera/video recordings recorded other than by the municipality, under any circumstances, shall not be deemed to be the official records.
- 4.7 The Municipality will make every reasonable effort to ensure that meetings are available to the public through live streaming. Live streaming of open council meetings is a courtesy only. Sessions will continue regardless of technical issues, internet failure, or availability as all regular meetings are open for the public to attend in person. A link to the meeting will be posted to the township's website when available."
- 4.8 All meetings of Council, and all meetings of any Committees of the Council, shall be open to the public, except that they **may** be closed to the public if the subject matter being considered involves:
- a) The security of the property of the municipality or the local board;
  - b) Personal matters about an identifiable individual, including municipal employees or local board members;
  - c) A proposed or pending acquisition or disposition of land for municipal or local board purposes;
  - 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, local board, committee or other body may hold a closed meeting under another Act;
- 4.9 A meeting or part of a meeting **shall** be closed to the public if the subject matter being considered is:
- a) a request under the *Municipal Freedom of Information and Protection of Privacy Act* if the Council, local board, committee or other body is the head of an institution for the purposes of that Act; or
  - b) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman.
- 4.10 A meeting of a Council or local board or of a committee of either of them **may** be closed to the public if the following conditions are both satisfied:
- a) The meeting is held for the purpose of educating or training the members.
  - b) At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council, local board or committee.
- 4.11 Before holding a meeting or part of a meeting that is to be closed to the public, Council shall state by resolution:
- a) The fact of the holding of the closed meeting and the general nature of the matter to be considered; or
  - b) The case of a meeting for educational or training purposes, the fact of the holding of the closed meeting, the general nature of its subject-matter and that it is to be closed for that reason.

- 4.12 When Council or committee is in Closed Meeting all members of the public (other than those involved in discussion and support staff who may be asked to stay) will be asked to leave the building in which the meeting is being held.
- 4.13 All votes of Council shall be open to the public except those votes taken during a meeting or part thereof that is closed to the public in accordance with Section 4.7 of this By-law if said vote is for a procedural matter or for giving directions or instruction to officers, employees or agents of the Township, Committee or local board or persons retained by or under contract with the Township, committee or local board or to rise from closed session.
- 4.14 When at any session of the Council meeting the hour of 11:00 p.m. shall be reached, the Reeve, or other presiding officer, shall declare the Council adjourned and leave the chair, unless the Council by unanimous consent and by resolution determines otherwise.

## **5. NOTICE OF MEETINGS**

- 5.1 Notice of meetings of Council, Local Boards and Committees will be given by publication of future meetings in previous Minutes, posting of Agendas on the Township website ([www.hilontownship.ca](http://www.hilontownship.ca)) and by posting notice at the Municipal Office prior to the meeting.
- 5.2 Where a regular meeting of the Council is to be held at a time of day other than as set out in Section 4.2 above, the Council shall give notice of at least seven (7) days in advance of such meeting by posting a notice at the Municipal Office and on the municipal website.

## **6. MEETINGS OF COUNCIL - SPECIAL**

- 6.1 The Head of Council may at any time call a special meeting of the Council and it shall be the Reeve's duty to call a special meeting whenever requested by a majority of the members of the Council. In addition, the Clerk shall, upon receipt of a written petition signed by the majority of the members of the Council, summon a special meeting for the purpose and at the time mentioned in the petition. Notice of such a special meeting shall be given by the Clerk's office contacting members.
- 6.2 The Clerk will provide forty-eight hour notice of the special meeting. It shall be the responsibility of the Clerk to make available to Council Members, when possible, all notices, agendas and other information required for the Special Meeting a minimum of twenty-four hours in advance of such meetings.
- 6.3 The notice calling a special meeting of the Council shall state the business to be considered at the special meeting and no business other than that stated in the notice shall be considered at such meeting except with the unanimous consent of all members present at such meeting.
- 6.4 In the case of special meetings, notice shall be given by posting of the Agenda on the Township website and at the municipal office as soon as practicable after notice of the special meeting has been given and any other notification that is permitted within the time frame.
- 6.5 In accordance with Section 236 of the Municipal Act, an Emergency Meeting of Council may be called by the Reeve at any time and at any location as may be convenient. For the purposes of this section an Emergency Meeting may be called for an emergency within the meaning of the Township's Emergency Plan or any other similar unforeseeable circumstance.
- 6.6 Notwithstanding the requirements set out above, in the event of an emergency, the special meeting may be held as soon as practical following receipt of the summons or petition as the case may be.

## **7. ELECTRONIC MEETING**

- 7.1 A regular meeting or special meeting of Council may be conducted by Electronic Meeting, in accordance with this Section.

- 7.2 Members attending and present during an Electronic Meeting shall be counted for purposes of quorum at the commencement and at any point in time during the meeting, and shall be entitled to vote through a vote recorded by the Clerk as if they were attending the meeting in person. An Electronic Meeting may include a Closed Session, which shall be conducted in the absence of the public and in accordance with this Section.
- 7.3 A public notice of an Electronic Meeting shall include sufficient information as to provide the public with a means to electronically access the open session of such Electronic Meeting.
- 7.4 An Electronic Meeting shall not permit public delegations, except by way of electronic submission received in advance of the meeting, which shall be submitted to the Clerk prior to the start of the Electronic Meeting, and shall be provided to members at the meeting.
- 7.5 Notwithstanding the foregoing, Council's Procedural By-law shall continue to apply to an Electronic Meeting held pursuant to this Section, except that any Provincial legislation or order shall prevail to the extent of any conflict.

## **8. CANCELLATION OF MEETINGS**

- 8.1 The Head of Council may cancel any meeting if notice has been given that a quorum will not be available to conduct a meeting.
- 8.2 The Council, at its discretion, at a preceding Regular Meeting may cancel or reschedule Regular Meetings of the Council.
- 8.3 Due to inclement weather or other emergencies, a notice must be posted on the door and an attempt made to notify all council members.

## **9. ADJOURNMENT**

- 9.1 A motion to adjourn a meeting shall be in order except,
- a) When another Councillor is in possession of the floor;
  - b) When it has been decided that the vote be now taken; or
  - c) During the taking of a vote.
- 9.2 Where a person has been deemed guilty of improper conduct by the Presiding Officer and is expelled or excluded from the meeting by the Presiding Officer and such person refuses to so leave, the Presiding Officer may adjourn the meeting without any motion to do so until such time as the person has left the meeting room.

## **10. AGENDA**

- 10.1 It shall be the duty of the Clerk to prepare and circulate for the use of the members at the regular meetings of the Council, an agenda under the following headings:
- a) Call to Order
  - b) Declarations of Pecuniary Interest
  - c) Minutes of previous meeting and any other meetings to be adopted by Council
  - d) Delegations
  - e) Road Issues
  - f) Fire Issues
  - g) Planning Issues
  - h) Building and By-law Enforcement Issues
  - i) Administration Issues
  - j) Correspondence
  - k) Presenting, Referring or Passing of Accounts
  - l) Confirmatory By-law
  - m) Adjournment
- 10.2 The business of Council shall be considered in order set forth on the agenda provided, however, the Head of Council, with approval of the members, may vary the order of business to better deal with matters before Council.

- 10.3 Except as otherwise decided by a majority vote of the members present and voting, Council shall not consider any report, or any matter, that has not been included on the agenda.
- 10.4 Paper copies of agendas will be available for pickup by council members no later than 4:30 p.m. on the Monday preceding the regular meeting of Council. Agendas may be sent electronically by email to those members unable to pick up their paper copies.

## **11. ORDER OF PROCEEDINGS OF COUNCIL**

- 11.1 As soon after the hour fixed for the meeting as a Quorum is present, the Meeting shall be called to order by the Head of Council.
- 11.2 The Head of Council, if present, shall preside at all meetings.
- 11.3 In the absence of the Head of Council, a Presiding Officer shall preside during the Meeting or until the arrival of the Reeve. A Presiding Officer shall be chosen by a vote of the Members of the Council present during the meeting and shall have all the power of the Head of Council.

## **12. MINUTES**

- 12.1 The minutes of Council as taken by the Clerk or designate shall consist of a record of all proceedings taken in Council. Pursuant to the *Municipal Act, 2001*, the minutes shall be a factual account without note or comment.
- 12.2 The Clerk may delegate its duties with respect to recording minutes within a public or within a Closed Meeting of Council or Committee, to a staff person who has been delegated this task under Section 228(4) of the *Municipal Act, 2001* only.
- 12.3 Minutes of a closed session of Council or a Committee of Council shall be presented for adoption at the next regular meeting of Council under separate resolution to adoption of the regular Minutes.
- 12.4 All minutes and committee minutes following adoption by Council and all By-laws passed by the Council shall be kept in the Clerk's office and shall be made available for viewing during normal office hours and shall be posted on the Township website, save and except those minutes recorded during a meeting or part thereof that was closed to the public in accordance with Section 4.7 and 4.8 of the By-law and subject to the provisions of any applicable By-law, act or statute.
- 12.5 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 and omissions and recording of any action taken at the previous meeting may be made in adopting the Minutes.

## **13. CONDUCT OF PROCEEDINGS AT A MEETING OF COUNCIL**

- 13.1 It shall be the duty of the Presiding Officer to:
  - a) Preserve order and decorum in the Council Chambers;
  - b) Open the meeting of Council by taking the Chair and calling the members to order;
  - c) Receive and submit, in the proper manner, all motions presented by the Councillors;
  - d) Put to vote all motions which are properly moved and seconded, or necessarily arise in the course of proceedings, and to announce the results;
  - e) Decline to put to vote motions which infringe on the rules of procedure;
  - f) Restrain the Councillors, within the rules of order, when engaged in debate;
  - g) Enforce on all occasions the observance of order and decorum among the members;
  - h) Call by name any member persisting in breach of the rules of order of the Council, thereby ordering that member to vacate the Council Chamber.
  - i) Receive all messages and other communications and announce them to the Council.

- j) Authenticate, by signature when necessary, all by-laws, resolutions and minutes of Council;
- k) Represent and support the Council, declaring its decision in all things;
- l) Ensure that the decisions of Council are in conformity with the laws and by-laws governing activities of the Council;
- m) Expel or exclude from any meeting any person who has been guilty of improper conduct at the meeting;
- n) Adjourn the meeting when the business is concluded, but also in the case of grave disorder arising in the Council Chamber.

#### **14. DECORUM**

##### **14.1 Council Members Shall Not:**

- a) Use offensive words or unparliamentary language in or against the Council or any member thereof;
- b) Speak on any subject other than the subject in debate;
- c) Criticize any decision of the Council except for the purpose of moving that the question be reconsidered;
- d) Disobey the rules of the Council or a decision of the Head of Council on questions of order or practice, or upon the interpretation of the rules of the Council;
- e) Disturb another, or the Council itself, by any disorderly conduct disconcerting to any member speaking;
- f) Interrupt a member who is speaking, except to raise a point of order.

#### **15. RULES OF DEBATE**

##### **15.1 The Chair shall:**

- a) designate the member who has the floor when two or more members wish to speak
- b) read all motions presented in writing before permitting debate on the question, except when otherwise provided in this By-law
- c) preside over the conduct of the meeting including the preservation of good order and decorum, ruling on points of order and questions of privilege and ruling on all questions relating to the procedure of the meeting, with any such ruling being subject to an appeal by any Councillor
- d) indicate why the appeal should be rejected and the Chair's ruling upheld, if an appeal is made by a Council for a ruling of the Chair
- e) without debate on the appeal, call on the Councillor to vote on the appeal
- f) if the appeal is upheld, change his/her ruling accordingly; if the appeal is rejected the Chair may close the debate

15.2 The Chair may speak on any matter before the commencement of debate on that matter. In addition, the Chair may speak to close the debate on any matter after every member wishing to speak has spoken.

15.3 When a member is speaking, no other member shall interrupt the member except to raise a point of order.

15.4 A member may ask a question only for the purpose of obtaining facts relevant to the matter under discussion and necessary for a clear understanding thereof.

15.5 A member may, during the discussion on any particular item on the Agenda, ask questions, through the Chair, of any Department Head of the Municipality in attendance at the meeting, pertaining to the item concerned.

#### **16. VOTING ON QUESTIONS**

16.1 When the Head of Council calls for the vote on a question, each member shall occupy their seat and shall remain there until the result of the vote has been declared, and during such time no member shall walk across the room or speak to any other member or make any noise or disturbance.



- 16.2 If a member who has voted on a question disagrees with the declaration of the Head of Council that the question is carried or lost, the member may but only immediately after the declaration, object to the declaration and require a recorded vote to be taken in the manner prescribed in subsection 16.3 of this By-law.
- 16.3 When a member request a recorded vote, each member shall announce his respective vote openly and individually unless otherwise prohibited by statute. The Clerk shall announce each member's name, request each member's vote, commencing with the member who requested the vote, and continuing in alphabetical order by last name, followed by the Head of Council. The Head of Council shall always vote last. When all votes have been recorded, the Clerk shall announce the result of the vote.
- 16.4 Every member present at a meeting of the Council when a question is put shall vote thereon, except that if the member has any pecuniary interest, direct or indirect in the question, the member shall at the first opportunity disclose that interest and shall refrain from taking part in the discussion and from voting on the particular question. Every member present who is required to vote on a question, but in fact does not want to vote thereon, shall be deemed to be voting in the negative and shall be so recorded.
- 16.5 The Reeve (except where disqualified from voting by reason of interest or otherwise) may vote with the members on all questions. Any questions on which there is an equality of votes shall be deemed to be negative.

## **17. MOTIONS**

- 17.1 All motions shall be submitted in writing signed by the mover and seconder and filed with the Clerk.
- 17.2 Motions may be introduced without notice if the Council, without debate, dispenses with the notice on the affirmative vote of at least two-thirds of the Councillors present and voting.
- 17.3 The Presiding Officer shall state the question in the precise form in which it will be recorded in the minutes immediately preceding the calling for the vote.
- 17.4 The manner of determining the decision of the Council on a motion shall be by a show of hands.
- 17.5 Any resolution shall require three affirmative votes in order to be valid and binding on Council. Where only a quorum is present, a resolution, in order to carry or be passed, must be unanimously affirmed by the said quorum.
- 17.6 Where a vote is taken for any purpose and a member requests immediately prior or immediately subsequent to the 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 any failure to vote by a member who is not disqualified shall be deemed to be a negative vote and the Clerk shall record each vote.
- 17.7 After a motion is read, it shall be deemed to be in possession of the Council, and it may only be withdrawn before decision or amendment with permission of a majority of the members of the Council present.
- 17.8 No member shall speak to any motion until it is first read and the mover is entitled to speak both first and last thereon if the member so elects. Motions shall be seconded before being debated or put to a vote.
- 17.9 After any question is finally put by the Head of Council, no member shall speak on the question, nor shall any other motion be made until after the result is declared. The decision of the Head of Council as to whether the question has been finally put shall be conclusive.
- 17.10 A member who wishes to introduce a motion, either on the agenda or at the regular meeting, that is of a substantive nature, must introduce the motion as a Notice of Motion.

- a) The member who hands a written Notice of Motion to the Clerk to be read at any regular Council meeting need not necessarily be seated during the reading of said notice.
  - b) A motion of which notice has been given, if not moved on the day and at the meeting for which notice has been given cannot be moved at any subsequent meeting without due notice having been given for such meeting unless the Head of Council and all members of the Council are present and consent to such motion being made.
  - c) Notice of a Notice of Motion shall be given either by inclusion on an agenda or by announcement at a regular meeting of the Council. The motion of which notice has been given shall not be considered at the same meeting as that at which notice thereof was given, without the consent of Council (simple majority) to do so. If notice is given otherwise than on an agenda, such Notice of Motion shall be in writing and given to the Clerk who shall read the same to the Council.
- 17.11 Subject to a motion to reconsider, a motion once decided by the Council may not again be introduced in the same calendar year; nor shall a motion that has been defeated be introduced as an amendment.
- 17.12 All motions shall be put to the Council in the order in which they are proposed, except amendments which shall be submitted in the reverse order in which they are made.
- 17.13 When a question is under consideration, no motion shall be received unless:
- a) to amend (see section 17.14)
  - b) to refer or defer (see section 17.15)
  - c) to adjourn (see section 17.16)
  - d) to lay on table (see section 17.17)
- 17.14 Motion to Amend shall:
- a) be open to debate;
  - b) not propose a direct negative to the main Motion;
  - c) be relevant to the main Motion; and
  - d) not be further amended more than once.
- 17.15 Motion to Refer or Defer
- a) A motion to refer shall require direction as to the body or official to which it is being referred and is not debatable. A motion for reference to a Committee, Board or official until it is decided, shall preclude all amendments of the main question and takes precedence over a motion to defer.
  - b) A motion to defer must include a reason for deferral and is not debatable except:
    - i) that the mover of the deferral motion shall be entitled to give a brief explanation of the mover's reasons for deferral, and
    - ii) either the mover or the seconder of the original motion which is the subject of the motion to defer may speak against the deferral motion.
    - iii) one person or delegation may speak for and/or against the deferral and shall be limited to two minutes.
- 17.16 Motion to Adjourn
- A motion to adjourn the Council or adjourn the debate is not debatable and shall be in order except:
- a) when a member is in possession of the floor;
  - b) when it has been decided that the vote be now taken; or
  - c) during the taking of a vote.
- 17.17 Motion to Table
- A motion to table is not debatable and shall take precedence over any motion or amendment, except a motion to adjourn. Further consideration of a table motion may take place at any time on a motion "that the matter be taken from the table".
- 17.18 Any member of the Council may give notice within a 12 month period in which the

question was decided, for a reconsideration of the question at any regular meeting of the Council. A majority vote will be required to carry the motion for reconsideration is carried, and no question shall be reconsidered more than once in a 12 month period.

## **18. DISCLOSURE OF CONFLICT OF INTEREST**

- 18.1 All Members shall govern themselves at any meeting in accordance with the current legislation respecting any disclosure of interest they may have in accordance to the *Municipal Conflict of Interest Act R.S.O 1990*.
- 18.2 It is the responsibility of the Member to identify and disclose any interest and complete a Declaration of Conflict of Interest Form to be filed with the Clerk prior to the meeting.
- 18.3 The Member shall disclose the interest including the general nature thereof, prior to any consideration of the matter and shall not take part in the discussion of, or vote on any question in respect of the matter and shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.
- 18.4 Where a Member has declared a conflict of interest, and the matter is being discussed at a public meeting, the Member shall not participate in any debate or vote.
- 18.5 Where a meeting is not open to the public, the Member shall immediately leave the meeting or the part of the meeting during which the matter is under consideration.
- 18.6 Where a Member is absent from a meeting which include a matter on which they have an interest, the Member shall disclose this interest at the next public meeting they attend.
- 18.7 The Clerk shall record every declaration of interest and general nature thereof made by a Council Member under MCIA in the minutes of a Council meeting which is open to the public and maintain the declaration within a registry to be made available for public viewing.
- 18.8 The Clerk shall record every declaration of interest, but not the general nature thereof, made by a Council Member under MCIA in the minutes of the Council meeting, which is not open to the public.

## **19. DEPUTATIONS/DELEGATIONS**

- 19.1 Persons desiring to present information verbally on matter of fact or make a request of Council shall submit to the Clerk a written request by completing a Delegation Request Form; not less than seven days prior to the meeting of Council. All requests to be heard by Council shall state the purpose of the deputation and shall be signed.
- 19.2 A delegation shall be listed on the agenda and heard in the order determined by the Clerk. Deputations/Delegations shall be limited in speaking to not more than 15 minutes, except that a delegation consisting of two or more persons shall be allowed to speak for a total time of 20 minutes and shall be advised of the time limitation in advance of their presentation.
- 19.3 Notwithstanding the provisions of Section 19.1 Council may, at their sole discretion, entertain deputations or delegations with less notice as the circumstances may warrant.

## **20. READINGS OF BY-LAWS AND PROCEEDINGS THEREON**

- 20.1 Every By-law when introduced shall be in typewritten form and shall contain no blanks except such as may be required to conform to accepted procedure or to comply with provisions of any Act and shall be complete with the exception of the date thereof.
- 20.2 Every By-law shall have three readings prior to it being passed if required by legislation.
- 20.3 The first and second reading of the by-law shall be decided without amendment or debate.

- 20.4 If the Council determines that the By-law is to be considered by a committee, it shall be so considered prior to the third reading thereof.
- 20.5 If Council so determines, a By-law may be taken as read.
- 20.6 The Clerk shall set out on all by-laws enacted by Council the date of the several readings thereof.
- 20.7 Every by-law enacted by the Council shall be numbered and dated and shall be sealed with the seal of the Corporation and signed by the Clerk and the Presiding Officer and shall be deposited by the Clerk in the municipal office for safekeeping.

**21. EFFECTIVE DATE**

- 21.1 By-law 1274-20 is hereby repealed upon the passing of this By-law.
- 21.2 This By-law shall come into effect on the date it receives final reading by the Council of the Corporation of the Township of Hilton.

Read a first, second and third and final time and passed in Open Council this 10th day of July, 2024.



**ACTING REEVE – Mike Garside**



**ACTING CLERK – Sara Dinsdale**