

Corporation of The Town of Parry Sound

10. 2. 2.

Passing of By-law No: 2022 – 7275

9th Day of August 2022

Moved by Councillor

UBachman

Seconded by Councillor

Pal Bone

That By-law No: 2022 – 7275

Being a By-law to govern and regulate the proceedings of Council of The Corporation of the Town of Parry Sound, and its Boards and Committees where applicable.

Be considered as read a first time.

- Carried -



[Signature]

Are all members in favour of having the second and third readings?

Moved by Councillor

Pal Bone

Seconded by Councillor

UBachman

That the By-law Above Mentioned Be Considered as Read A Second, And Third Time, Passed, Signed and Sealed.

- Carried -



[Signature]

Entered as Part of The Minutes of the Meeting Held this 9th day of August 2022.

[Signature]
Mayor Jamie McGarvey

[Signature]
Clerk Rebecca Johnson

- Postponed to: _____
- Amends By-law: _____
- Repeals By-law: _____
- By-law Amended: _____
- By-law Repealed: _____

The Corporation of the Town of Parry Sound

By-law 2022 - 7275

Being a By-law to govern and regulate the proceedings of Council of The Corporation of the Town of Parry Sound, and its Boards and Committees where applicable.

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

Whereas Council of the Town of Parry Sound deems it advisable to change the Inaugural meeting date of Council in a regular election year to reflect the new term of Council commencing on November 15;

Now Therefore The Council Of The Corporation Of The Town Of Parry Sound Enacts As Follows:

- a) That Schedule A, prescribing the governance and regulation of proceedings of Council of the Corporation of the Town of Parry Sound, and its Boards and Committees where applicable is hereby adopted and forms part of this by-law.
- b) That By-law 2022-7238 is hereby repealed.
- c) Where any By-law passed prior to this By-law conflicts with this By-law, the terms of this By-law shall prevail.
- d) That this By-law shall come into force and effect upon the final passing thereof.

Read a First time this 9th day of August, 2022



Mayor Jamie McGarvey



Clerk Rebecca Johnson

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Read a Second and Third time, Passed, Signed and Sealed this 9th day of August, 2022



Mayor Jamie McGarvey



Clerk Rebecca Johnson

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Schedule A

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1. Definitions

In this By-law:

- a) "Act" means the *Municipal Act, 2001, S.O. 2001, c. 25*
- b) "Ad Hoc Committee" means a committee established by Council to review a specific matter and once the committee has reported to Council with respect to its findings and recommendations, the committee is automatically dissolved.
"Advisory Committee of Council" means any advisory committee and/or subcommittee established by Council.
- c) "CAO" means the Chief Administrative Officer of the Municipality (or alternate).
- d) "Clerk" means the Clerk of the Municipality (or designate such as Deputy Clerk).
- e) "Committee" means any ad hoc, advisory or other committee, subcommittee, or similar entity of which at least 50 per cent of the members are also members of one or more councils or local boards.
- f) "Council" means the Council of The Corporation of the Town of Parry Sound.
- g) "Deputation/Delegation" means a person or persons making a verbal presentation to Council or to a committee, as the case may be.
- h) "Electronic (or Virtual) Participation" means the remote participation of a member by electronic means rather than in-person attendance; "electronic means" can include but is not limited to video conference and audio conference but does not include written communication such as e-mail or instant messaging. Electronic participation counts towards quorum and includes full voting rights in a manner common to the voting of those meeting in-person in both open and closed meetings, e.g., through stating "yes" or "no", or raising one's hand in response to the question put to vote.
- i) "Meeting" means any regular, special, or other meeting of a council, of a local board or a committee of either of them, either in-person, or virtual/electronic 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 Council or the committee (2001, c.25, s.238).

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- j) "Municipality" means The Corporation of the Town of Parry Sound.
- k) "Notice of Motion" means notice provided to the Clerk, or designate, in a written or verbal format designed to signal intent by a member to have a motion dealt with at a subsequent Council meeting.
- l) "Pecuniary Interest" means a direct or indirect interest within the meaning of the Municipal Conflict of Interest Act. R.S.O 1990, Chapter M.50, as amended.
- m) "Point of Order" means a matter that a member of Council considers to be a departure from or contravention of the rules, procedures or generally accepted practices of Council.
- n) "Point of Privilege" means a concern about the honour, dignity, character, rights, or professionalism of the Mayor, members of Council, members of Staff or the dignity of the Council.
- o) "Presiding Officer" shall mean the Mayor unless otherwise appointed in accordance with the provisions of this By-law.
- p) "Quorum" means a majority of the full Council or committee membership, such as the case may be.

2. Application

The rules and regulations contained in this 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 in Council and in committees thereof, including advisory committees of Council unless terms of reference for said advisory committee identify other rules and regulations. In any case for which provision is not made herein the procedure to be followed shall be that found in the most recent edition of Robert's Rules of Order.

3. Council Meeting Types, Date, Time & Location

3.1 Regular Council Meetings

All regular meetings of Council shall be held in the Council Chambers at the Town of Parry Sound Municipal Office, 52 Seguin Street, Parry Sound.

The schedule and frequency of Council meetings shall be determined by resolution of Council no later than November of the preceding year and are generally held on the first and third Tuesdays of the month commencing at 7:00 PM. Closed Council Meetings are held prior to 7:00 PM at a time determined with the setting of the Closed Agenda, based on the number and nature of issues to be discussed.

When the day for a regular meeting of Council is a public or a civic holiday, the Council shall, unless it decides otherwise, meet at the same hour the day following which is not a public or civic holiday.

At its discretion, Council may, by resolution, alter the day, time, or place of any Council Meeting.

3.2 Special Council Meetings

The Mayor may, at any time, summon a Special meeting of Council.

Upon receipt of a petition signed by the majority of the members of Council, the Clerk, or Clerk's designate, shall call a Special meeting of Council for the purpose and at the time mentioned in the petition.

Members of Council shall be notified of such Special meetings by circulation of a Notice by the Clerk or Clerk's designate to each member by electronic means, no less than forty-eight (48) hours prior to the holding of such Special meeting. Twenty-four (24) hour verbal notice in advance of the holding of such a Special meeting by the Mayor, Clerk or Clerk's designate may take the place of such electronic notice in extenuating circumstances. Additional verbal notice is recommended in cases where it is anticipated

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that members of Council may not, despite 48-hour electronic notice, see such notice. Notice shall specify the business to be considered, and no business other than that mentioned in said notice shall be entertained at such a meeting unless by the unanimous consent of Members of Council present. If the Special meeting is a closed meeting, then no business other than that mentioned in said notice shall be entertained at such meeting.

Notice of all Special Meetings of Council shall be posted on the Town's website and posted on the bulletin board located in the lobby of the Municipal Office. Notice of Special Meetings shall be provided a minimum of 24 hours in advance of the holding of the Special meeting (this Notice requirement excludes emergency meetings).

Unless otherwise specified, a Special meeting shall be held in the Council Chambers at the Town of Parry Sound Municipal Office, 52 Seguin Street, Parry Sound, or at a suitable location as determined administratively by Council needs.

3.3 Virtual/Electronic Council Meetings and Electronic Participation

Council may meet virtually as occasions require upon direction of the Mayor in consultation with the Clerk and/or CAO.

Notification verbally and/or by electronic means that the meeting will be held electronically will be provided by the Clerk at least 48 hours in advance or as soon as practical under the circumstances.

Any member of Council at their discretion, may participate virtually in an in-person Council meeting, so long as a) 48 hours notice is provided to the Clerk to enable any required technological preparations, such notice may be waived at the discretion of the Clerk; and b) the technological requirements are readily available at the meeting location.

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Members participating electronically in a Meeting closed to the public must ensure that they are participating from a location that ensures the privacy and confidentiality of the closed meeting discussion.

The Meeting chair, in consultation with the Clerk, shall rule on and determine the applicable meeting processes as may be adapted to a meeting with electronic participants, and electronic participant voting, which processes shall be consistent with the Procedure By-law and in accordance with the Act.

3.4 Inaugural Council Meeting

The Inaugural Meeting of Council shall be held on the first Tuesday following November 14th in the year of a regular election, commencing at 7:00 PM in the Council Chambers. The Inaugural Meeting may be followed by a Regular Meeting to conduct business.

4. Committees and Committee Meetings - General

Council may establish such Advisory Committees of Council as it may deem necessary.

The rules governing the procedure of Council and the conduct of Members shall be observed in Advisory Committees of Council, so far as they are applicable, and with authority granted to Advisory Committees to make such amendments or additional regulations as necessary, subject to prevailing provincial legislation.

A quorum of any of the committees appointed by Council shall be a majority of its members present.

In-person meetings of any committee of Council must be held within the municipality or an adjacent municipality at a place set out in the committee's terms of reference or within the committee's established procedures.

Committees may meet virtually at their discretion.

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Any member of a committee, at their discretion, may participate virtually in an in-person committee meeting, so long as a) 48 hours notice is provided to the committee recording secretary to enable any required technological preparations, such notice may be waived at the discretion of the Clerk and b) the technological requirements are readily available at the meeting location.

Recommendations from Advisory Committees of Council although non-binding shall be presented to the Council for consideration.

5. Vacant Seat on Council

The office of a member of council of a municipality becomes vacant if the member,

- a) becomes disqualified from holding the office of a member of council under section 256, 257 or 258 of the Act;
- b) fails to make the declaration of office before the deadline;
- c) is absent from the meetings of council for three successive months without being authorized to do so by a resolution of council;
- d) resigns from his or her office and the resignation is effective under section 260 of the Act;
- e) is appointed or elected to fill any vacancy in any other office on the same council;
- f) has his or her office declared vacant in any judicial proceeding;
- g) forfeits his or her office under the Act or any other act; or
- h) dies, whether before or after accepting office and making the prescribed declarations.

6. Pregnancy /Parental Leave

Section 5.c) does not apply to a member of Council who is absent for 20 consecutive weeks or less if the absence is a result of the member's pregnancy, the birth of the

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member's child or the adoption of a child by the member. Such a member does not require an authorizing resolution from Council.

7. Appointment of Deputy Mayor to Act in Mayor's Stead

In the absence of the Mayor from the Municipality, or if the Mayor is absent through illness, or if the Mayor refuses to act, or if the Office of the Mayor is vacant, the Deputy Mayor shall act in the place and stead of the Mayor, and shall have all the rights, powers, and authority of the Mayor while so doing.

The position of Deputy Mayor is assigned by By-law at the beginning of the Council term and includes all Councillors willing to fill the role on an equal rotational basis, (eight-month terms assuming all Councillors participate), starting December 1 in the election year with the Councillor who received the fewest votes, successively through to the Councillor who received the most votes.

Notwithstanding the By-law appointment of Deputy Mayor on a rotational basis, Council may appoint a Deputy Mayor to act in its stead on a case-by-case basis or move to the Council member identified next in rotation line in the appointing By-law.

8. Calling of Council Meeting to Order

As soon after the hour fixed for the holding of the meeting of Council and a quorum is present, the Mayor shall take the Chair and call the meeting to order.

9. Quorum

Quorum shall consist of a majority of Council present. With Council membership at seven (7), required quorum is four (4) present.

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If no quorum is present one-half hour after the time appointed for a meeting of Council, the Clerk shall record the names of the Members present and the meeting shall stand adjourned until the next regular council meeting.

10. Order of Business

The business of Council shall in all cases be taken up in the order in which it stands upon the agenda unless otherwise prioritized and determined by a vote of a majority of the Members present and without debate thereon.

11. Disclosure of Pecuniary Interest

Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Council or local board at which the matter is the subject of consideration, the member,

- i) shall, prior to any consideration of the matter at the meeting, disclose in writing with the form provided by the Clerk, the interest and the general nature thereof;
- j) shall leave the room so as not to take part in the discussion of, or vote on any question in respect of the matter; and
- k) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question. The Minutes must record these actions of Members.

The Clerk shall put all declarations of pecuniary interest in a registry and post it on the municipal website to make it available to the public.

12. Public Meetings

Public meetings will be scheduled pursuant to Section 23 of a regular meeting or at any other date or time that Council has deemed appropriate and/or necessary.

13. Petitions and Communications

Every communication, including a petition designed to be presented to the Council, shall be legibly typed, written or printed in ink, not pencil, and shall not contain any obscene or improper matter or language and shall be signed by at least one person, indicating their address and telephone number, and filed with the Clerk, or designate. To be considered a petition:

- a) It must be addressed to Mayor and Council
- b) Text of the petition must be listed at the top of each page for multiple-page petitions. Pages should be numbered and total number of pages indicated.
- c) Each petitioner must print and sign his or her own name. Petitions must contain original signatures only, written directly on the petition.
- d) Each petitioner must provide his or her full address.
- e) The petition must clearly disclose on each page that it will be considered a public document at the Town of Parry Sound and that information contained in it may be subject to the scrutiny of the Town and other members of the general public.

All petitions that meet the above standards will be presented to Council, at the request of the petitioners, at Council's next regular meeting, or the meeting at which the subject of the petition is to be discussed. Should the petitioners not want to present it to Council, it will be included in Correspondence on the Council Agenda.

The Clerk shall read the substance of communications thereof, but any Member may require the reading of part or all thereof. In case of a petition, the petitioner may read the substance in part or all thereof.

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All petitions or communications on any subject shall, unless otherwise disposed of by Council forthwith, be considered as referred to the appropriate staff member and/or Committee of Council as the case may be without any motion or debate unless otherwise ordered by Council. Upon receipt of any petitions or communications addressed to Mayor and Council, the writer, where the writer's name is given, shall be acknowledged, with notice of the referral of the petition or correspondence.

Neither Council nor staff will entertain correspondence received that is anonymous or has no contact information.

14. Deputations/Presentations to Council

Any persons desiring to present information on matters of fact or make a request of Council shall give notice to the Clerk, or designate, not later than 4:30 PM the Tuesday prior to the Council Meeting and are to receive a copy of the "Delegations and Presentations" section of this by-law. Delegations are requested to submit their presentation in writing or by email to the Clerk, or designate, before their presentation at the Council meeting. Deputations will be received during the Deputations/ Presentations Section of the Council Agenda.

An individual shall not be permitted to make a deputation to Council to discuss a response to a Request for Proposal before a winning proposal is selected unless it is specifically stated in the Request for Proposal document that a deputation is permitted.

The total amount of time for each deputation at any one given Council meeting shall be limited to 10 minutes, including questions from Council. This may be extended at the discretion of the Mayor.

No more than three deputations shall be formally scheduled for any Council meeting and as such the total time allotment for all deputations/ presentations each meeting is 30 minutes. The time frame is also subject to the necessity to deal with matters of an urgent nature.

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Following the deputation, the Mayor will ask the members if they have any questions of clarification for the speaker. Except for questions of clarification, the members of Council or staff will not enter into discussion with the speaker or any member of the delegation concerning the presentation.

Any individual or group who appears without prior arrangement, and who wishes to speak to Council may do so following the formal deputations but subject to time availability. They are subject to the same rules of conduct as a formal deputation.

Once the Presiding Officer is satisfied all points have been clarified, the matter may or may not be deferred to staff for follow-up.

15. Conduct of Deputations/Presentations

All delegations and presentations are conducted through the Presiding Officer, being the Mayor or the Chairperson of a Committee, and are not subject to debate.

No person except Members and Officers of the Council shall be allowed to come within the bar during the sittings of the Council without permission of the Mayor or the Council upon reference.

Persons making deputations shall not speak disrespectfully or use offensive words or insulting expressions against any member of Council, staff, or another member of the public.

Persons presenting deputations/presentations shall confine their remarks to the specific matter of the presentation.

In the event that a person making a deputation persists in any such breach of these rules of conduct, any member may raise a point of order with the Presiding Officer. The Presiding Officer has the authority to reprimand the speaker or may expel the person from the meeting, if necessary.

16. Mayor & Councillor Reports

During the Mayor and Councillor Reports section of the agenda, each member has a maximum of 5 minutes for their report. The Mayor a maximum of 10 minutes his/her report.

17. Readings of By-laws and Proceedings Thereon

Every By-law shall be introduced upon motion by Council, specifying the title of the By-law.

Every By-law when introduced shall be in typewritten form and shall contain no blanks except such as may be required to conform to accepted procedure or to comply with the provisions of any act and shall be complete with the exception of the number and date thereof.

Every By-law shall have three readings prior to it being passed. By-laws may be given three readings on the same day except as otherwise provided in law.

The first reading of the by-law shall be decided without amendment or debate.

Following the first reading and discussion of a proposed by-law, unanimous consent of Council is required to proceed with second and third reading at the same meeting; and should unanimous consent not be given to Council to proceed, the proposed by-law shall advance to the next Council meeting for second and third reading.

If the Council determines that the By-law is to be further considered, it shall be so considered previous to the third reading.

If Council so determines, a By-law may be taken as read.

The Clerk shall set out on all By-laws enacted by Council, the date of the several readings thereof.

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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 Mayor and shall be deposited by the Clerk in the Office of the Clerk for safekeeping.

18. Conduct of Proceedings at a Meeting of Council

It shall be the duty of the Mayor or other Presiding Officer:

- a) to open the meeting by taking the Chair and calling the Members to order;
- b) to announce the business in the order in which it is to be acted upon;
- c) to receive and submit, in the proper manner, all motions presented;
- d) to put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and to announce the result;
- e) to decline to put to vote motions which infringe the rules of procedure;
- f) to restrain the Members, within the rules of order, when engaged in debate;
- g) to enforce on all occasions the observance of order and decorum among the Members;
- h) to call by name any Member persisting in breach of the rules of order, thereby ordering that member to vacate the Council Chamber;
- i) to receive all messages and other communications and to announce them;
- j) to authenticate, by the signature of the Mayor when necessary, all By-laws, Resolutions and Minutes of Council;
- k) to inform Members, when necessary or when referred to for the purpose, on a point of order or usage;
- l) to represent and support the Council, declaring its will, and implicitly obeying its decisions in all things;
- m) to ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of the Council;
- n) to recess the meeting for a break as may be deemed desirable, and to adjourn the meeting when the business is concluded;

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- o) to adjourn the meeting without questions put in the case of grave disorder arising in the Council Chambers; and
- p) to order any individual or group in attendance at the meeting to cease and desist any behaviour which disrupts the order and decorum of the meeting and to order the individual or group to vacate the Council Chambers where such behaviour persists.

19. Types of Motions

The following matters and motions with respect thereto may be introduced orally without written notice and without leave, except as otherwise provided by these Rules of Procedure:

- a) a point of order can be raised at any time when any member perceives a violation of the rules of debate. The presiding officer (Mayor or Deputy Mayor in the case of Council) has a duty to make a ruling on the point of order. The point of order must be raised at the time that the perceived breach of order occurs and shall not be raised later in the meeting,
- b) point of personal privilege, shall mean a matter that a council member considers impugning their integrity or the integrity of the Council,
- c) a presentation of a petition or petitions,
- d) to lay an item on the table for debate later in the meeting,
- e) to refer,
- f) to adjourn,
- g) to amend,
- h) to postpone to a certain day,
- i) to move to call the previous question is a motion to close debate that can only be made by a member of Council who has been recognized by the presiding officer. The motion may not interrupt the speaker, a seconder is required, and the motion

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is not debatable. Adoption of the motion requires a two thirds majority of those members present,

- j) to suspend the rules of order is a motion any member may make to temporarily suspend the “rules of order” contained in this by-law for debate on a particular item in cases of extreme urgency. A speaker may not be interrupted, and this motion cannot be reconsidered, is undebatable and cannot be amended. It requires a two thirds majority of those members present,
- k) to extend the time of the meeting.

Such referrals, adjournments or postponements shall be recorded in the minutes with an explanation of why such action is being undertaken, and/or under what circumstances the item may be revisited. All motions for debate require a mover and a seconder.

20. Rules of Debate & Voting

Every Member, prior to speaking to any question or motion, shall be recognized by the Mayor or Presiding Officer/Chair. When two or more Members wish to speak, the Mayor shall designate the Member who has the floor, who, in the opinion of the Mayor, first indicated the desire to be recognized. Every Member present at a meeting of the Council, when a question is put shall vote thereon unless prohibited by statute.

Every member has the right to speak twice on an issue, with the second time typically granted after everyone else who wants to speak has done so. Additional opportunities to speak is at the call of the presiding officer.

In order to provide adequate notice to the public, any member wishing to bring forward a motion for consideration may file a written “notice of motion” with the Clerk, or designate, to be noted on the agenda, of which the item will be deliberated at a subsequent Council meeting. If a member adds an item to the agenda for deliberation at that Council meeting, voting on the item must have a two third's majority to pass or be defeated.

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When a recorded vote is requested by a Member, or is otherwise required, the Clerk shall record the name of the requester and record the vote of every Member on any matter or question. A request for a recorded vote must take place before the vote or immediately afterward.

If a Member does not vote when a when a question is put and a recorded vote taken, the member shall be deemed as voting in the negative, except where the member is prohibited from voting by statute.

Any question having an equal number of votes shall be deemed lost.

If there is a split or tie vote due to one or three members being absent from the Council Meeting, the motion, per Robert's Rules of Order, will be considered lost and the minutes will stipulate as such. Immediately after the vote, a member of Council has the option to bring the matter back to Council when there is a full complement of members present. If this option is not exercised at the meeting the lost motion stands.

21. Conduct of Members of Council

At the beginning of each new term of Council, all members shall review and sign the Council Code of Conduct, duly passed by By-law of the Town of Parry Sound and return to the Clerk.

No Member shall:

- a) use offensive words or unparliamentary language in or against the Council or against any member, staff, or guest,
- 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 Mayor, Presiding Officer or of the Council on questions of order or practice or upon the interpretation of the rules of the Council; and in case a Member persists in such disobedience after having

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been called to order by the Mayor, the Mayor may forthwith put the question, no amendment, adjournment or debate allowed, being "That such Member be ordered to leave the Council table for the duration of the meeting of the Council", but if the member apologizes, the Member may, by vote of the Council, be permitted to return to Council,

- e) leave or make a disturbance when the Mayor or Presiding Officer is putting the question.

22. Meeting Curfew 10:00 PM

No item of business may be dealt with at a Council meeting after ten (10) PM Council may, on majority vote of those present, extend the hour of closing to address only that matter of business on the floor at the hour that such vote to extend the curfew is taken.

23. Preparation and Circulation of Agenda

The Clerk will develop and circulate for each regular Council meeting, no later than 2:00 PM the Friday preceding the Council meeting, an agenda substantially in the format attached as Schedule A, which among other things provides that the Clerk add to the agenda for Council's review/consideration:

- a) Correspondence addressed to Mayor and Council
- b) Consent Items
- c) Formal Requests for Deputations/Presentations
- d) Reports and Recommendations (R&Rs) prepared by Staff for Direction, Resolution or By-law
- e) Items requested by Members of Council provided they are submitted before 4:30 PM on the Tuesday preceding the next regularly scheduled council meeting.

An individual Councillor who makes a request for an item to be added to the council agenda will coordinate with the CAO, Clerk and/or Mayor and/or respective Director as

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appropriate, to develop wording for the direction as it is to appear on the council agenda with appropriate background.

Requests for item(s) to be added after the deadline of 4:30 PM on the Tuesday preceding the next regularly scheduled council meeting will be considered by the CAO, Clerk and/or Mayor only on the basis of the item's degree of urgency and will either be added to the current agenda, if deemed urgent, utilizing this by-law's timelines or be forwarded to the next regular Council meeting.

All recommendations, motions, directions and resolutions will be stated in the affirmative. Staff's recommendations will be contained in the Report and Recommendations (R&R) provided to Council. After Council deliberation of a motion, the Presiding Officer will read the direction, resolution, or by-law one last time before calling the vote to reaffirm staff's recommendation regarding the motion.

For the public's perusal, a copy of the combined agenda which will include all background reports, recommendations and attachments will be posted on the Town of Parry Sound's website. A hard copy of the agenda only will also be located on the bulletin board in the lobby of the Town Office. Members of the public who wish to have the combined agenda sent directly to their email accounts, may contact the Town Clerk to receive a copy electronically.

24. Additions after Agenda Deadline

An item of business deemed urgent by the Clerk/Deputy Clerk and/or Mayor and not listed on the Council agenda and added after the deadline is subject to the following provisions:

- a) Urgent item(s) received for the Council agenda, after the circulation on the Friday before Council as noted in Section 23, but by the Monday before the Council meeting, shall be placed on a Revised Council Agenda to be circulated to Council by electronic means, no later than 4:30 PM on the Monday before Council. It will

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be reported on the Town's website and a copy will be placed on the Bulletin Board in the Municipal Office entrance.

- b) Urgent item(s) which require a by-law or resolution (other than a proclamation or fundraiser/tag day approval), and which is received after 4:30 PM on the Monday before Council, but before the Council Meeting, shall be considered under "Additions to Agenda", and staff shall make every effort to alert Council members prior to the Council Meeting that an urgent item will be brought forward to be added to the agenda under "Additions";
- c) Notwithstanding the provisions as outlined in Section 24, paragraphs a) and b), urgent additional items of correspondence, deputations, or presentations or the withdrawal of an item (s) prior to reading the question do not of themselves, constitute need to 1) revise a Council Agenda; 2) obtain approval under "Additions to Agenda" for consideration at a Council Meeting; or 3) alert Council members of the proposed consideration of these items.

25. Open and Closed Meetings

- a) All Council and Committee meetings shall be open to the public.
- b) Notwithstanding 25.a) above, pursuant to Section 239 (1) and (2) of the Act, a meeting or part of a meeting of Council or a committee may be closed to the public if the subject matter being considered relates to:
 - i) The security of the property of the municipality, or local board.
 - ii) Personal matters about an identifiable individual including municipal or local board employees.
 - iii) A proposed or pending acquisition or disposition of land by the Municipality or local board.
 - iv) Labour relations or employee negotiations.

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v) Litigation or potential litigation, including matters before administrative tribunals, affecting the Municipality or local board.

vi) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

vii) A matter in respect of which a Council, board, committee, or other body may hold a closed meeting under another Act.

viii) 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.

ix) 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.

x) 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.

xi) 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.

c) Notwithstanding 25.a) above, pursuant to Section 239 (3) of the Act, a meeting or part of a meeting of Council or a committee shall be closed to the public if the subject matter being considered relates to:

i) A request under the Municipal Freedom of Information and Protection of Privacy Act, if the council, board, commission, or other body is the head of an institution for the purposes of that Act; or

ii) An ongoing investigation respecting the municipality, a local board or a municipally controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman referred to in subsection 223.13 (1) of this Act, or the investigator referred to in subsection 239.2 (1).

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- d) Notwithstanding 25.a) above, pursuant to Section 239 (3.1) of the Act, a meeting or part of a meeting of Council or a committee may be closed to the public if the following conditions are satisfied:
- i) The meeting is held for the purpose of educating or training the members of council.
 - ii) 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.
- e) Before all or part of a meeting is closed to the public, the Council shall state by resolution:
- i) The fact of the holding of the closed meeting.
 - ii) The general nature of the matter considered at the closed meeting.
- f) Subject to subsection e) a meeting shall not be closed to the public during the taking of a vote.
- g) Despite subsection f) a meeting may be closed to the public during a vote if:
- i) Subsection b) and c) permits or requires a meeting to be closed to the public and,
 - ii) The vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Municipality, local boards or committees or persons retained by or under contract with the Municipality or local board.
- h) Subject to subsection g) no vote shall be taken by ballot or any other method of secret voting and every vote so taken is of no effect.
- i) Meetings or sessions which are closed to the public may be referred to as in-camera meetings or closed sessions.
- j) Where a member present at a meeting at the time of a vote requests immediately before or after the taking of the vote that the vote be recorded, each member present, including the Presiding Officer, except a member who is disqualified from voting by any Act, shall announce his or her vote openly and individually and the Clerk shall record in the minutes the name and vote of each member.
- k) Where a Closed meeting has taken place prior to an Open Meeting, the Presiding Officer will publicly report under *Item 7. Ratification from Closed Session* that

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directions were provided to staff and any resolutions and/or by-laws that were discussed in Closed that shall come forward to the Open part of the Council Meeting for ratification.

26. Closed Meeting Investigations

Where the appointed Closed Meeting Investigator has investigated a complaint and is of the opinion that the meeting or part of the meeting that was the subject-matter of the investigation appears to have been closed to the public contrary to Section 239 of the Act or to this procedure by-law, the investigator shall report his or her opinion and the reasons for it to the municipality or local board, as the case may be, and may make such recommendations as he or she thinks fit. The municipality shall pass a resolution stating how it intends to address the report.

27. Council Minutes

Minutes shall record:

- a) the place, date and time of the meeting;
- b) the names of the Presiding Officer or Officers and the record of attendance, regrets or absence of any of the Members (all absences from a Council meeting requires the Clerk to be notified);
- c) the attendance of staff and Clerk/Deputy Clerk
- d) the amendment if required, and adoption of the minutes of prior meetings;
- e) all other proceedings of the meeting without note or comment.

28. Minutes Availability

It shall be the duty of the Clerk, or designate, to ensure that the minutes of the last regular meeting and all Special Council meetings held more than five (5) working days prior to a regular meeting, together with the agenda prepared, according to Section 18, are available to each Member not less than twenty-four (24) hours before the hour appointed for the holding of such regular meeting.

Minutes may be deemed to have been read before adoption by Council.

29. Recording Devices at Council Meetings

At meetings of Council or its Committees of Council, the use of cameras, electric lighting, electronic recording equipment, flash bulbs, television cameras and any other device of a mechanical, electronic or similar nature used for transcribing or recording proceedings by auditory or visual means by any person other than the recording secretary of the meeting, including but not limited to members, representatives of any news media or members of the public, is prohibited unless authorized in advance by the Presiding Officer, or Committee Chair as the case may be.

Should permission be granted, recording shall take place within the audience/public gallery provided it is not disruptive to the conduct of the meeting at which the recording privileges are granted. All audio/camera/video recording recorded other than by the municipality under any circumstances, shall not be deemed to be official records. All official records reside at the municipal office or are posted on the Town of Parry Sound's website.

All members of Council, staff, except the Fire Chief, and members of the gallery shall place their cell phones on silent/vibration as a courtesy while Council is in session, unless the Chair is notified in advance.

30. Amendment to Procedural By-law

Other than housekeeping updates, any substantive amendment or repeal of this by-law or any part thereof shall not be considered at any meeting of Council unless notice has been provided as set out in the Provision of Notice Policy.

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Appendix A - Council Agenda Format

Date, Time & Location:

Members Present:

Members Regrets:

Staff Members:

Guests:

Motion to move to a meeting closed to the public in order to address a confidential matter(s) as determined by applicable provincial legislation.

Presentations/Announcements

1. Agenda & Minutes Review
 - 1.1 Additions to Agenda/Notice of Motion
 - 1.2 Prioritization of Agenda
 - 1.3 Adoption of Agenda
 - 1.4 Disclosure of Pecuniary Interest and the General Nature Thereof
 - 1.5 Adoption of Minutes
2. Public Meeting
3. Questions of Staff
4. Correspondence
5. Deputations and Presentations
6. Mayor and Councillor Reports
7. Ratification of Matters from Closed Agenda
8. Consent Agenda
9. Resolutions and Direction to Staff
 - 9.1 Public Works

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- 9.2 Development and Protective Services
- 9.3 CAO's Office/Administration
- 9.4 Finance and POA Court Services
- 9.5 Other Business
- 10. By-laws
 - 10.1 Public Works
 - 10.2 Development and Protective Services
 - 10.3 CAO's Office/Administration
 - 10.4 Finance and POA Court Services
 - 10.5 Other Business
- 11. Adjournment

Personal Information collected in *Section 2. Public Meeting, Section 4. Correspondence and/or Section 5. Deputations* is collected under the authority of the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), Section 21. (1) c* and will be used to create a record available to the general public.

Item 7. Ratification of Matters from Closed Agenda will be addressed in the open session of Council after the Closed Meeting has adjourned. The Mayor shall report to the public regarding the items that were discussed indicating that directions to staff were provided and/or items discussed in Closed session will come forward to Open session this evening, if that is the case. Any resolutions or by-laws discussed in closed will be read during this portion of the Open Council Meeting.

Items 9. (Resolutions and Direction to Staff) and 10. (By-laws) may rotate departmental order by administrative need from time to time. "Other Business" will remain at the end of each departmental list.