



## The Corporation of the United Counties of Prescott and Russell

### Procedure By-law 2018-12 Consolidated for Convenience Only

This is a consolidation of "Procedure By-law 2018-12". The Amendment By-laws indicated below have been combined with the Original By-law for convenience only. This consolidation is not a legal document. The Original By-law shall be consulted for all required interpretations and applications.

<b>Amendment By-law</b>	<b>Description</b>	<b>Effective Date</b>
2018-67	Amends Council Meeting Agenda	September 26, 2018
2019-02	Amends provisions relating to the Inaugural Meeting, Orientation Session and Schedule "A" Public Works Committee	January 23, 2019
2019-32	Amends provisions relating to Committees	May 22, 2019
2020-13	Adds section 86. Electronic Participation During Emergency Situations	March 25, 2020
2020-39	Repeals By-law 2020-13 and amends section 86. Electronic Participation	August 26, 2020
2020-60	Removal of Prescott-Russell Tourism from the list of other Committees, Boards, and Commissions (69(4)(a))	December 16, 2020

**The United Counties of Prescott and Russell**  
**Rules of Procedure By-law 2018-12**

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**THE CORPORATION OF THE UNITED COUNTIES  
OF PRESCOTT AND RUSSELL  
BY-LAW NUMBER 2018-12**

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**A BY-LAW TO GOVERN THE PROCEEDINGS OF THE COUNCIL AND THE COMMITTEES OF THE UNITED COUNTIES OF PRESCOTT AND RUSSELL.**

**WHEREAS** pursuant to Section 238, Chapter 25, of the *Municipal Act, 2001*, every municipality shall pass a procedure by-law for governing the calling, place, proceedings, and public notice of meetings;

**AND WHEREAS** it is necessary and expedient to make and establish rules and regulations for the conduct of its members and to set out certain standing policies to more efficiently transact the business of County Council;

**AND WHEREAS** Council has from time to time enacted by-laws for the good order of Council and said by-laws have been amended from time to time as Council deemed it expedient;

**AND WHEREAS** Council now deems it expedient to pass a new by-law incorporating the original Rules of Procedure and all the amendments made thereto and to make further amendments as required;

**NOW THEREFORE BE IT ENACTED** by the Council of the Corporation of the United Counties of Prescott and Russell that:

**PART I - INTERPRETATION**

**1. RULES OF PROCEDURE**

- (1) The proceedings of the Council and of its Committees, the conduct of the Members and the calling of meetings will be governed by the provisions of the Act and the rules and regulations contained in this By-law, and, except as provided herein, the rules of parliamentary procedure as contained in Robert's Rules of Order, shall be followed for governing the proceedings of Council and the Committees thereof and the conduct of its members.
- (2) Notwithstanding subsection (1) hereof, the rules and regulations contained in this By-law may be suspended by a two-thirds vote of the Whole Council.
- (3) The majority of the Whole Council shall decide on all points of order not provided for herein and their decision on such points will be the Rules of Procedure for similar cases in the future.

## 2. DEFINITIONS

- (1) "Ad Hoc Committee", means a special purpose committee of limited duration, created by Council to inquire into and report on a particular matter or concern and which dissolves automatically upon submitting its final report unless otherwise directed by Council.
- (2) "Alternate Member", means the Member from the same lower tier municipality temporarily appointed in situations where the permanent member cannot attend an upper-tier council meeting.
- (3) "Chief Administrative Officer", means the Chief Administrative Officer referred to in Section 229 of the *Municipal Act, 2001*.
- (4) "Clerk", means the position appointed pursuant to Section 228 of the *Municipal Act, 2001*.
- (5) "Chair", means the chair of a committee
- (6) "Committee" means a committee of Council and includes Standing Committees, Joint Committees, Ad Hoc Committees, Advisory Committees and Special Committees.
- (7) "Committee of the Whole", means all the members presently sitting in Committee.
- (8) "Council", means the Council of the Corporation of the United Counties of Prescott and Russell, comprised of the heads of Council of the city, town, village and townships of the United Counties of Prescott and Russell.
- (9) "County", means the Corporation of the United Counties of Prescott and Russell.
- (10) "Meeting", shall mean any regular, special or other meeting of a Council, of a local board or of a committee of either of them, where,
  - (a) a quorum of members is present, and
  - (b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.
- (11) "Member", means a member of Council.
- (12) "Motion to Receive and File", means a motion which is made for the purpose of acknowledging the particular item, report or recommendation under consideration, and of having the item, report or recommendation placed in the records of the Clerk for future reference, with no additional action being taken at that time.

- (13) “Motion (Substantive or Main)”, means an independent motion complete in itself. A Substantive or Main Motion: is a motion to bring before the assembly any particular subject; it cannot be made when any other question is on the floor; it takes precedence of NO other motions.
- (14) Motion (Subsidiary or Secondary)”, means one which affects the disposition of a substantive or main motion, by bringing it to an immediate vote, by delaying or by deferring a decision thereon.
- To Lay on the Table:** If there is a reason for the assembly to lay the main motion aside temporarily without setting a time for resuming its consideration, but with the provision that it can be taken up again whenever a majority so decides, this can be proposed by the motion To Lay on the Table.
- To Move the Question:** If it is desired to close debate of a motion or pending motion so that it will come to an immediate vote, this can be proposed by Moving the Question which shall be in the following words: “I move that the question now be put.”
- To Limit or Extend Limits of Debate:** If it is desired to continue consideration of a motion but debate is consuming too much time, a member can move to place a limit on the debate; on the other hand, if special circumstances make it advisable to permit more or longer speeches than under the normal rules, a motion to do so can be made; or, it may sometimes be desirable to combine the elements of limitation and extension, as in limiting the length of speeches but allowing more speeches per member. All such modifications of the normal limits of debate on a pending motion are proposed by means of the motion to Limit or Extend Limits of Debate.
- To Postpone to a Certain Time, Postpone Definitely; Postpone:** If the assembly might prefer to consider the main motion later in the same meeting or at another meeting, this can be proposed by moving to Postpone Definitely or simply to Postpone.
- To Commit or to Refer:** If may be that much time would be required to amend the main motion properly, or that additional information is needed, so that it would be better to turn the motion or resolution over to a committee for study or redrafting before the assembly considers it further. Such action can be proposed by moving to Commit the main question or Refer it to a committee.
- To amend:** If a main motion might be more suitable or acceptable in an altered form, a proposal to change its wording (either to clarify or, within limits, to modify the meaning) before the main motion is voted on can be introduced by moving to Amend.
- To Postpone Indefinitely:** If an embarrassing main motion has been brought before the assembly, a member can propose to dispose of this question without bringing it to a direct vote, by moving to Postpone Indefinitely.
- (15) “Notice of Motion”, means a written notice, including the names of the mover and seconder, advising Council that the motion described therein will be brought at a subsequent meeting.
- (16) “Pecuniary Interest”, includes a direct or indirect pecuniary interest of a member in accordance with the *Municipal Conflict of Interest Act*
- (17) “Personal Privilege”, means the raising of a question which concerns a member of Council, or the Council collectively, when a member believes that their rights, immunities or integrity or the rights, immunities or integrity of the Council as a whole have been impugned.

- (18) "Point of Information", is a request directed to the Warden, or through the Warden to another member or to the staff, for information relevant to the business at hand, but not related to a Point of Procedure.
- (19) "Point of Order", means a statement made by a member of Council during a meeting, drawing to the attention of the Warden a breach of the Rules of Procedure.
- (20) "Procedural Motion", means any motion dealing strictly with procedure on treating and disposing of substantive main motions or on the procedure of Council, and without limiting the generality of the foregoing, includes, but is not limited to the following: motions to extend the time of a meeting, motions to refer, motions to amend, motions to table, motions to postpone indefinitely or definitely, motions to adjourn, recess, withdraw a motion, divide a motion, raise a point of order, appeal a decision of the chair and suspend the rules.
- (21) "Privileged motions", means motions that don't relate to the main motion or pending business but relate directly to the meeting generally. They are matters of such urgency that, without debate, they can interrupt the consideration of anything else. These motions are: to fix the time to which to adjourn; to adjourn, to recess, to raise question of privilege or call for the order of the day.
- (22) "Quorum", means a majority of members of Council or Committee.
- (23) "Recorded Vote", means the recording of the name and vote of every member voting on any matter or question.
- (23) "Resolution", means a formal determination made by the Council or a Committee on the basis of a motion, duly placed before a regularly constituted meeting of the Council or a Committee for debate and decision, and duly passed.
- (24) "Rule or Rules of Procedure", means the rules and regulations provided in this By-law.
- (25) "Standing Committee", means such Committees of Council as are so designated by the Council by by-law or resolution.
- (26) "Two-thirds vote", means the affirmative vote of at least two-thirds of the members present and eligible to vote.
- (27) "Warden", means the Head of the Council.



## **PART II - DUTIES OF THE WARDEN AND OF THE MEMBERS**

### **3. WARDEN'S DUTIES**

- (1) It will be the duty of the Warden to open the meeting of the Council by taking the chair and calling the members to order;
- (2) to announce the business before the Council and the order in which it is to be acted upon;
- (3) to receive and submit, in the proper manner, all motions presented by the members of Council;
- (4) to put to a vote all motions, which are moved and seconded, or necessarily arise in the course of the proceedings, and to announce the results;
- (5) to sit ex officio a member of all Standing and other Committees of the Council and be entitled to vote at meetings;
- (6) to decline to put to a vote, motions which infringe upon the Rules of Procedure;
- (7) to enforce the Rules of Procedure;
- (8) to restrain the members, when engaged in debate, within the Rules of Procedure;
- (9) to enforce on all occasions, the observance of order and decorum among the members;
- (10) to call by name any member persisting in a breach of the Rules of Procedure and order the member to vacate the Council Chamber;
- (11) to permit questions to be asked through the Chair of any officer of the County in order to provide information to assist any debate when he deems it proper;
- (12) to provide information to members of Council on any matter touching on the business of the County;
- (13) to receive all messages and other communications and announce them to the Council;
- (14) to authenticate by signature, when necessary, all by-laws, resolutions, Committee reports and minutes of Council;
- (15) to rule on any points of order raised by the members of Council;
- (16) to inform the members of Council of the proper procedure to be followed;
- (17) to represent and support the Council, declaring it will and implicitly obeying its

decisions in all matters;

(18) where it is not possible to maintain order, the Warden may, without any motion being put, adjourn the meeting to a time to be fixed by the Warden; and

(19) to adjourn the meeting when the business is concluded.

#### **4. PARTICIPATION OF THE WARDEN IN DEBATE**

(1) The Warden may state relevant facts and his position on any matter before the Council without leaving the chair, but to move a motion or debate a question, he must first leave the chair.

(2) If the Warden desires to leave the chair to move a motion or to take part in the debate pursuant to subsection (1), or otherwise, the Warden will call upon a member to preside until the issue is resolved.

#### **5. DUTIES OF MEMBERS**

It shall be the duty of a Member of Council to carry out the responsibilities set forth in the *Municipal Act, 2001*, Section 224 and:

- a) To deliberate on the business submitted to Council;
- b) To vote when a motion is put to a vote; and
- c) To respect the Rules of Procedure.

### **PART III – COUNCIL MEETINGS**

#### **6. INAUGURAL MEETING**

(1) In an election year, the inaugural meeting of the Council will be held on the first Wednesday in the month of December at 7:00 p.m., in the County Administration Building or at such other dates as may be determined by resolution of Council.

**(Amended by By-law 2019-02)**

(2) In the years of the current term of office, the inaugural Council meeting will be held annually no later than the third Wednesday of December at 7:00 p.m. or at such other dates as may be determined by resolution of Council.

**(Amended by By-law 2019-02)**

(3) At the first meeting in December of the new term of office, pursuant to Section 232(4) of the *Municipal Act*, a member of Council shall not take his seat until he has filed with the Clerk of the County a certificate under the hand of the clerk of the municipality and the seal of the Corporation for which he was elected.

#### **7. REGULAR MEETINGS**

(1) The regular meetings of the Council will be held on the fourth Wednesday of every month, at 9:00 a.m., except during the month of July when there will be no regular meeting. Meetings of Council shall be held at the Council Chambers in the County Administration Building, unless otherwise decided upon by the

majority of Council.

- (2) The date, place and time of the meeting may be changed by the Warden, if extenuating circumstances exist.

## **8. SPECIAL MEETINGS**

- (1) A special meeting of the Council will be convened upon being summoned by the Warden or upon receipt of the petition of the majority of the members of Council.
- (2) Upon receipt of the petition set out above, the Clerk shall summon a special meeting for the purpose(s) and at the time stated in the petition.
- (3) Notice setting forth the matters to be considered at such special meeting will be given to all members of Council either by regular or electronic mail, or as otherwise practical, not less than twenty-four hours in advance of the time fixed for the meeting, and the Clerk shall attempt to give such other notice of the meeting to the member by telephone or as otherwise practical within the circumstances.
- (4) The Council will not consider or decide any matter not set forth in the notice calling the special meeting, without the consent, recorded in the minutes, of all of the Members of the Council
- (5) Notwithstanding this section, on urgent and extraordinary occasions, with the consent of two-thirds of all the members of Council, recorded in the minutes, an emergency special meeting of the Council may be called by the Warden without notice, to consider and deal with such urgent and extraordinary matters.

## **9. PLACE OF MEETING**

All the meetings of the Council will be held in the Council Chamber in the County Administration Building, 59 Court Street, L'Orignal, Ontario unless otherwise decided upon by the majority of Council.

## **10. SEATING AT THE COUNCIL TABLE**

Seating at the Council table will be in alphabetical order of members' surnames with the first member in the furthest seat of the Warden's left.

## **11. MEETINGS OPEN TO PUBLIC**

All meetings shall be open to the public except as provided for in section 11. The Warden may expel any person for improper conduct at a meeting.

## **12. CLOSED SESSION MEETINGS**

- (1) Council may, by resolution, close a meeting or part of a meeting to members of the public if the subject matter being considered is:
  - (a) the security of the property of the County;
  - (b) personal matters about an identifiable individual, including County

- employees;
  - (c) a proposed or pending acquisition or disposition of land by the municipality;
  - (d) labour relations or employee negotiations;
  - (e) litigation or potential litigation, including matters before administrative tribunals;
  - (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
  - (g) a matter in respect of which the Council, may hold a closed meeting under another Act;
  - (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
  - (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
  - (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
  - (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.
- (2) A meeting or part of a meeting shall be closed to the public if the subject matter being considered is,
- a) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
  - b) an ongoing investigation respecting the municipality by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman or an investigator.
- (3) Educational or training sessions  
A meeting 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, or committee.
- (4) Before holding a meeting or part of a meeting that is closed to the public, the Council shall state by resolution the fact of the holding of the closed meeting and the general nature of the matter to be considered, including a closed meeting for educational or training purposes.
- (5) Where a meeting or part of a meeting is closed to the public, all persons not specifically invited to remain by the Council shall retire from the Chambers. When in closed session, no one shall leave and re-enter the meeting room

without the approval of the Warden or Committee Chairman.

- (6) A meeting shall not be closed to the public during the taking of a vote. However, a meeting may be closed to the public during a vote if:
  - (a) subsection (1) or (2) permits or requires a meeting to be closed to the public; and
  - (b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the County or persons retained by or under contract with the County.
- (7) Section 239.1 of the Municipal Act. S.O. 2001, permits a person to request an investigation of whether Council has complied with the requirements of the Municipal Act or this Procedure By-law governing a meeting or part of a meeting that was closed to the public.
- (8) Upon resuming open session, the Chair shall state:
  - (a) The matters which were considered and;
  - (b) Confirmation that no motions were carried in closed session other than procedural motions or directions to staff.
- (9) Where Council is in receipt of a report from the Ombudsman or an Investigator reporting his or her opinion that a meeting or part of a meeting appears to have been closed to the public contrary to the provisions of Section 239 of the *Municipal Act, 2001* or the Council Procedural By-Law, Council shall pass a resolution stating how it intends to address the report.

### **13. COMMENCEMENT OF MEETING**

As soon as there is quorum after the hour set for meeting, the Warden shall take the chair and call the members present to order.

### **14. ABSENCE OF THE WARDEN**

- (1) Should the Warden not be in attendance within fifteen minutes after the time fixed for a meeting, the Clerk shall call the members to order and a Presiding Officer will be appointed from among the members present and will preside until the arrival of the Warden.
- (2) While presiding, the Presiding Officer will have all the powers of the Warden and will be so entitled to vote as a member.

### **15. NO QUORUM AT BEGINNING OF THE MEETING**

- (1) The quorum for a Council meeting is five members of Council.
- (2) If no quorum is present to enable a meeting to commence thirty minutes after the time fixed for a meeting of the Council, the Clerk shall call the roll and record the names of the members present and the members will stand discharged from waiting further.
- (3) If a meeting does not take place because of the lack of a quorum under

subsection (1), the Council will meet at the next regularly scheduled meeting of the Council or at such other time and place as the Warden shall announce.

- (4) The Clerk shall attempt to give notice of any meeting so rescheduled by telephone, electronic mail or as is otherwise practical within the time available.

#### **16. UNFINISHED BUSINESS – QUORUM LOST**

- (1) If during the course of a meeting a quorum is lost then the meeting will stand adjourned, not ended, to reconvene at the next regularly scheduled meeting of the Council, or at such other time and place as the Warden shall announce.
- (2) If, in the Warden's opinion, it is not essential that the balance of the agenda be dealt with before the next regularly scheduled meeting, then the Warden shall announce that the unfinished business of the Council will be taken up at its next regularly scheduled meeting.
- (3) The Clerk shall give notice of any meeting so adjourned and to be reconvened by telephone or as is otherwise practical within the time available.
- (4) Prior to adjourning a meeting under this section, the Warden may recess the meeting to determine if a quorum can be found.

#### **17. COUNCIL CHAMBERS**

- (1) No person, except a member of Council or an authorized employee of the County shall be allowed to come on the Council floor within or outside the Council Bar during the meeting of the Council without permission of the Warden.
- (2) No person except a member of Council or an authorized employee of the County shall, before or during a meeting of the Council, place on the desks of members or otherwise distribute any material whatsoever unless such person is so acting with the approval of the Warden.
- (3) Members of Council shall wear lounge suit during the deliberations of Council.

#### **18. LEAVING CHAMBERS ON ADJOURNMENT**

At the end of a meeting, the members of Council shall not leave their places until the meeting has been adjourned.

### **PART IV – MEMBERSHIP ON COUNCIL**

#### **19. CERTIFICATE OF ELECTION / DECLARATION OF OFFICE**

- (1) No person shall take a seat on Council until the Clerk has received their certificate of election from the clerk of the lower tier municipality as established by Section 232(4) of the Act.
- (2) In accordance with the provisions of Section 232(1) of the Act, no person shall take a seat on Council until the person takes the declaration of office in the form established for that purpose.

## **PART V – ELECTION OF WARDEN**

### **20. AGENDA - INAUGURAL MEETING**

At the inaugural meeting of the Council, the agenda shall be as follows:

1. Opening of the Meeting
2. Filing of Certificates and Declarations of Office in a Municipal Election Year
3. Election of the Warden
4. Warden's Oath of Office and Address
5. Disclosure of Pecuniary Interest
6. Adoption of Agenda
7. Committee, Board and Commission Appointments

**(Amended by By-law 2019-32)**

8. Adoption of Council Minutes
9. Petitions, Delegations and Presentations
10. Reports of Departments
11. Reports of Standing Committees
12. Communications:
  - (a) Information Correspondence
  - (b) Action Correspondence
  - (c) Resolutions from other Municipalities
13. Resolutions arising from Standing Committee Reports
14. Notices of Motion and Members' Written Resolutions
15. Question Period to Department Heads
16. By-laws
17. Closed Session
18. Confirmatory By-law
19. Announcements
20. Adjournment

**(Amended by By-law 2018-67)**

### **21. NOMINATION PROCEDURE**

Nominations for the position of Warden shall be considered in each year at the inaugural meeting. If only one nomination is received for the position, the Clerk will declare the nominee elected by acclamation.

### **22. ELECTION PROCEDURE**

- (1) In the event of a vacancy in the office of the Warden and if an election is required for the position, Council shall proceed to elect a Warden at the inaugural meeting in the following manner:
  - (a) The Clerk acting as Presiding Officer shall call for nominations.
  - (b) Nominations for the office of the Warden must be filed with the Clerk 30 days prior to the inaugural meeting. In the event that the office of Warden is declared vacant during the normal term of office, County Council will seek to fill the vacancy at the next scheduled Council meeting. In an election year, nomination for the office of the Warden must be filed with the Clerk 14 days prior to the inaugural session.

- (c) Each nomination shall be in writing, regularly moved and seconded and will have the written consent of the nominee appended thereto.
  - (d) Each mover and seconder of a nominee and each nominee shall, prior to the vote being taken, be permitted to speak to the nomination for not more than five minutes. The speakers will be called in alphabetical order of the nominees.
  - (e) Any nominee may withdraw at any time before a vote is taken.
  - (f) Where more than one nominee remains for election, a vote by secret ballot shall be taken.
  - (g) To be elected as Warden, a nominee shall obtain a vote of a majority of the members present.
  - (h) Where a vote is required, the following procedure shall be followed:
    - The Clerk shall circulate ballots to each member of Council;
    - Each member shall write the name of his/her selection on the ballot, fold the ballot in four and deposit his/her ballot in the box provided for that purpose;
    - After all members have voted, the Clerk shall collect the ballots and, in view of all members present, compile the results and announce the number of votes for each candidate;
    - Any candidate will have the privilege to inspect the ballots;
    - If one or more ballots are contested, the Clerk shall reconsider the validity of the contested ballot(s) and render a decision thereon forthwith after a deliberation period of not more than half an hour.
  - (i) Where there are more than two nominees and after the first vote no nominee receives the majority required for election, the name of the nominee receiving the least number of votes shall be dropped, and Council will proceed to vote anew and continue until either: a nominee receives the majority required for election at which time such nominee shall be declared elected; or it becomes apparent by reason of an equality of votes that no nominee can be elected.
  - (j) In the case of an equality of votes, the successful candidate shall be determined by the Clerk placing the names of the candidates on equal size pieces of paper in a box, and one name being drawn by a person chosen by the Clerk.
- (2) The newly elected Warden shall then be recognized and escorted to the Chair by the mover and seconder of his/her nomination, while all other members of Council remain standing.
- (3) The Warden shall be sworn in by the Clerk, shall sign the Declaration of Office and the mover and seconder shall assist the Warden to don the gown and the Chain of Office, after which all members of Council will take their seats.
- (4) Immediately after the expiration of five minutes, the Warden shall entertain a motion to destroy the ballots, unless a candidate contests the validity of one or more ballots which, if rejected, would alter the results of the election.



## **23. ORIENTATION SESSION**

In an election year, an orientation session will be held in November for the new members of Council.

(Amended by By-law 2019-02)

## **PART VI – ORDER OF PROCEEDINGS - AGENDA AND MINUTES**

### **24. AGENDA IN COUNCIL**

(1) The Agenda for regular meetings of the Council shall be as follows:

1. Opening of the Meeting
2. Vision
3. Disclosure of Pecuniary Interest
4. Adoption of Agenda
5. Adoption of Council Minutes
6. Petitions, Delegations and Presentations
7. Reports of Departments
8. Reports of Standing and Advisory Committees

(Amended by By-law 2019-32)

9. Communications
  - 9.1 Information Correspondence
  - 9.2 Action Correspondence
  - 9.3 Resolutions from other Municipalities
10. Resolutions arising from Standing Committee Reports
11. Notices of Motion and Members' Written Resolutions
12. Question Period to Department Heads
13. By-laws
14. Closed Session
15. Confirmatory By-laws
16. Announcements
17. Adjournment

(Amended by By-law 2018-67)

(2) Regular meetings of the Council shall commence with the Vision and finish with a motion to adjourn, after which Council will stand adjourned.

*1. Opening of the Meeting*

*2. Vision*

*3. Disclosure of Interest*

It is at this point that any member of Council shall disclose any possible conflict of interest dealing either with any item on the agenda or with a matter discussed at a previous meeting from which a member was absent. The member shall also file a written statement of the pecuniary interest and its general nature with the Clerk or the secretary of the committee.

#### *4. Adoption of Agenda*

The agenda with amendments or addition shall be submitted to the Council for adoption.

#### *5. Adoption of Council Minutes*

The minutes of the preceding meeting shall be submitted to the Council in order that any errors therein may be corrected by the Council, and when adopted, such minutes shall be signed by the Warden or Presiding Officer and Clerk.

#### *6. Petitions, Delegations and Presentations*

Every communication, including a petition designed to be presented to the Council, shall be legibly written or printed and shall be signed by a least one person and filed with the Clerk seven days prior to the date of the meeting.

Any person wishing to address Council shall give notice to the Clerk seven (7) days prior to the date of the meeting and shall be limited in speaking to a maximum of ten (10) minutes or twenty (20) minutes for a delegation of more than three (3) persons.

#### *7. Reports of Departments*

The Department Heads present their reports to Council which are subject to questions. Any resolutions or actions contained in the report are submitted to members for adoption.

#### *8. Reports of Standing and Advisory Committees*

Any action taken by a Committee is subject to change, deletion or approval by County Council. The Chairman or representative of the Committee will briefly explain the report. The reports shall be subject to questions but are presented for information and not debate. A motion is in order to adopt a report of the Committee.

**(Amended by By-law 2019-32)**

#### *9. Communications*

##### *9.1 Information Correspondence*

All information correspondence will be summarized. Any member may request the reading of a letter. A motion is in order to receive the correspondence. Notwithstanding the foregoing, a motion is in order at any time to take certain actions on any matter pertinent to the correspondence.

##### *9.2 Action Correspondence*

All communications will be summarized and noted for suggested council action. Any member may request the reading of a letter. A motion is in order to receive the correspondence, refer to Committee or take certain actions on any matter pertinent to the correspondence.

### *9.3 Resolutions from other Municipalities*

Resolutions will be summarized and noted for suggested council action. Resolutions pertinent to a particular Committee may also be referred to that Committee. Any member may request a reading of a resolution. A motion is in order to receive the resolution and take the appropriate action. The suggested actions on the resolutions would fall into one of three categories: (1) concur or support; (2) receive and file, or (3) refer to Committee.

Council, or in the case when a resolution from another municipality has been referred to a Committee, must deal with the resolution as it stands. If amendments or any changes are recommended, a new special resolution from the United Counties of Prescott and Russell should be presented for adoption under section 10 of the agenda.

### *10. Resolution arising from Standing Committee Reports*

Resolutions arising from reports of committees should be presented for adoption under this section.

### *11. Notice of motions and Members' Written Resolutions*

A notice of motion will introduce business that the member intends County Council to deal with at the next regular meeting. It is the duty of a member to bring the issue before the next meeting of County Council or it will be lost.

Notwithstanding the above, a notice of motion may also be received by the Warden and be included in the Agenda on the same day.

Written resolutions of members are presented to Council under this heading. Copies of these resolutions will be provided in the agenda packages. A motion is in order to receive the resolution and take the appropriate action.

### *12. Question Period to Department Heads*

It is at this point that any member of Council may ask questions to department heads on any matter pertaining to their field of activities.

### *13. By-laws*

Every By-law is introduced either by means of the Department Head's Report or by resolution. One motion is in order to give all By-laws first, second and third readings.

If a member of Council has a question on a particular By-law, he may move that Council exempt a particular By-law from the main motion to allow for further debate. After all By-laws have passed, the Clerk shall be responsible for their correctness should they be amended.

### *14. Closed Session*

Reports or other matters are presented to Council under this heading.

Only those members so identified by the Warden may remain in the room to hear the business to be discussed.

*15. Confirmatory By-law*

A confirmatory by-law is adopted at the end of each Council Session to confirm all actions taken by Council at the Session.

*16. Announcements*

A round table is proposed by the Warden allowing Members in attendance to announce activities or events in their municipalities.

*17. Adjournment*

Members of Council shall not leave their places on adjournment until the Warden has adjourned the meeting.

**(Amended by By-law 2018-67)**

- (3) The business of the Council shall be considered in the order set forth on the Agenda, provided however that the Warden, with the approval of the Council, may vary the order in which the items are presented to better deal with matters before the Council.

**(Amended by By-law 2018-67)**

- (4) The Council shall not consider any By-law that is not listed on the Agenda, nor any report of a Committee or any motion that has not been distributed to the members with the Agenda, unless agreed to by a two-thirds vote of the members present.

**(Amended by By-law 2018-67)**

- (5) For special meetings, the agenda will be prepared by the Clerk as directed by the Warden and if the meeting is called by a petition of the majority of the members, the Agenda will be prepared by the Clerk for the purpose stated in the petition.

**(Amended by By-law 2018-67)**

## **25. DELIVERY OF THE AGENDA TO THE MEMBERS**

At least six days in advance of each regular meeting of the Council, the Clerk shall deliver the Agenda and all other documents related to other subjects appearing on the Agenda.

## **26. MINUTES**

- (1) 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 the attendance of the members;
  - (c) the late arrivals and early departures of members;
  - (d) the reading, if requested, correction and adoption of the minutes of prior meetings;
  - (e) declarations of interest; and

- (f) all other proceedings of the meeting without note or comment.
- (2) If the minutes have been delivered to the members of Council then the minutes will not be read, and a resolution that the minutes be adopted as if read shall be in order.
- (3) After the minutes have been adopted they shall be signed by the Warden and the Clerk.
- (4) In Camera Minutes shall record:
  - a) Where the meeting took place;
  - b) When the meeting started and adjourned;
  - c) Who chaired the meeting and who was in attendance;
  - d) A detailed description of the substantive and procedural matters discussed, including specific reference to any documents considered;
  - e) Any motions, including who introduced the motion and seconders, and
  - f) All votes taken, and all directions given.

## **27. DELEGATIONS**

- (1) Anyone desiring to address the Council shall notify the Clerk in writing of such intention, seven days prior to the date of the meeting, shall specify the nature of the business to be discussed and name of the delegate who will address the Council. Any delegation that intends to distribute any reports or supporting documentation shall provide same to the Clerk in order that the material can be circulated with the agenda.
- (2) Delegations shall be limited to a maximum of ten minutes.
- (3) Members of the public who constitute the audience in the Council Chamber during a Council meeting shall maintain order and quiet and may not address the Council without permission of the Warden.

## **PART VII – RULES OF CONDUCT AND DEBATE**

### **28. ADDRESS THE WARDEN**

Any member desiring to speak, shall so signify their intent in such a manner as the Warden may direct, and, upon being recognized by the Warden, will address the Chair.

### **29. ORDER OF SPEAKING**

When two or more members signify their desire to speak, the Warden will recognize the member who, in his opinion, signified first and next recognize the other member(s).

### **30. RULES OF CONDUCT AND DEBATE**

- (1) No member shall:
  - a) speak until he has addressed himself and has been recognized by the Warden;

- b) disturb another member, or the Council itself, by any disorderly behavior disconcerting to any member speaking;
- c) use offensive words during the Council or committee meetings against the Council or staff;
- d) speak on any subject other than the subject in debate;
- e) where a matter has been discussed *in camera*, and where the matter remains confidential, disclose the content of the matter or the substance of the deliberations of the *in camera* meeting;
- f) disobey the Rules of Procedure or a decision of the Warden or of the Council on questions of order or practice or upon the interpretation of the Rules of Procedure.

(2) Where a member has been called to order by the Warden for failing to observe the provisions of subsection (1) and the member persists in any such disobedience after having been called to order by the Warden, the Warden may immediately put the question, no amendment, adjournment or debate being allowed, "That such member be ordered to leave his seat for the duration of the meeting of the Council", but if the member apologizes he may, by vote of the Council, be permitted to retake his seat.

### **31. PRIVILEGE**

- (1) Where a member considers that the member's rights, immunities or integrity or the rights, immunities or integrity of the Council as a whole has been impugned, the member may, as a matter of privilege, rise at any time, with the consent of the Warden, for the purpose of drawing the attention of the Council to the matter.
- (2) Upon being recognized by the Warden, the member shall state the question of privilege.
- (3) The Warden shall determine the question, or require that the question be seconded and permit a debate and a vote to be held on the question.

### **32. POINTS OF ORDER**

- (1) The Warden shall preserve order and decide points of order.
- (2) When a member desires to address a point of order, he shall ask leave of the Warden to raise a point of order and, after leave is granted, he shall state the point of order to the Warden and sit down and remain seated until the Warden shall have decided the point of order;
- (3) Thereafter, a member shall only address the Warden for the purpose of appealing the Warden's decision to the Council;
- (4) If no member appeals, the decision of the Warden shall be final;
- (5) The Council, if appealed to, shall call a vote without debate on the following question: "Shall the Mayor's decision be sustained?", and its decision shall be final.

### **33. MEMBERS SPEAKING**

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

### **34. QUESTION READ**

Any member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a member while speaking.

### **35. TIME LIMITED**

No Member, without leave of the Warden, shall speak to the same question, or in reply, for longer than five minutes.

### **36. QUESTION PUT – NO FURTHER DEBATE**

After any question is put by the Warden, no member shall speak to the question, nor shall any other motion be made until after the result is declared, and the decision of the Warden as to whether the question has been put, is conclusive.

## **PART VIII – VOTING DURING COUNCIL MEETINGS**

### **37. NUMBER OF VOTES**

The number of votes given to each Member of Council when the vote is weighted is equal to one vote for every 3000 electors, namely:

- 3,000 electors or less: 1 vote;
- 3,001 to 6,000 electors: 2 votes;
- 6,001 to 9,000 electors: 3 votes;
- 9,001 to 12,000 electors: 4 votes;
- 12,001 to 15,000 electors: 5 votes;
- 15,001 to 18,000 electors: 6 votes;
- 18,001 to 21,000 electors: 7 votes;
- 21,001 to 24,000 electors: 8 votes; etc.

### **38. SECRET BALLOT**

No vote shall be taken during a meeting of the Council by secret ballot or other form of secret vote except a vote to elect the Warden.

### **39. ALL MEMBERS VOTE**

(1) Every member present at a meeting of the Council, when a question is put, shall vote thereon, unless prohibited by statute, in which case it shall be recorded.

(2) Any member who refuses to vote shall be recorded as voting in the negative.

### **40. UNRECORDED VOTE**

The manner of determining the decision of the Council on a motion is at the discretion of the Warden and may be by voice, show of hands, standing or otherwise.

#### **41. SEVERABILITY OF QUESTION**

When the matter under consideration contains distinct recommendations or propositions, upon the request of any member, a vote upon each recommendation or proposition shall be taken separately and no vote shall be required to be taken on the matter as a whole.

#### **42. RECORDED VOTE**

- (1) Any member, prior to or immediately subsequent to the taking of the vote, may require that the vote be recorded.
- (2) When a recorded vote is requested by a member on any matter or question, the Clerk shall call each member by name and such member shall announce his vote openly. The members shall be called in alphabetical order.
- (3) When a vote is taken, and no dissent is declared, such vote is deemed to be unanimously in favour of the question approved.
- (4) If a vote is to be recorded as herein provided, the Clerk shall announce the division, and record them in the minutes.

#### **43. DISPUTING VOTE**

If a member disagrees with the announcement of the Warden that a question is carried or lost, the member may, but only immediately after the declaration by the Warden, object to the Warden's decision and require a recorded vote to be taken.

#### **44. TIE VOTE**

A resolution on which the voting results is a tie shall be declared lost.

#### **45. VOTING**

- (1) When the Warden calls for the vote on a question, each member shall occupy their seat until the result of the vote has been declared by the Warden, and during such time, no member shall walk across the room or speak to any other member or make any noise or disturbance. A member who is absent from his seat does not have the right to vote.
- (2) For the purpose of electing the Warden, each member of County Council shall have one vote. Each member shall also have only one vote in the case of an election of any kind.

#### **46. DISCLOSURES OF PECUNIARY INTEREST**

- (1) When a member, either on his/her own behalf or while acting for, by, with or through another, has a pecuniary interest in a matter on the agenda, the member must not attempt in any way, either before, during, or after the meeting, to influence the voting on the matter.
- (2) At a meeting where a matter regarding which the member has a pecuniary interest is being discussed, the member must, prior to any consideration of the matter at the meeting, disclose the interest and its general nature. The member



must not take part in the discussion of, or vote on, any question in respect of the matter.

- (3) At a meeting at which a member discloses a pecuniary interest, or as soon as possible afterwards, the member shall file a written statement of the pecuniary interest and its general nature with the clerk of the municipality or the secretary of the committee, as the case may be.
- (4) At the meeting or as soon as possible afterwards, without using his or her office in any way to attempt to influence any decision or recommendation that results from consideration of the matter;
- (5) At a closed meeting, in addition to complying with the requirements of section 1 and 2 above, the member must immediately leave the meeting or part of the meeting during which the matter is under consideration;
- (6) If the matter under consideration at a meeting or a part of a meeting is to consider whether to suspend the remuneration paid to the member under subsection 223.4 (5) or (6) of the *Municipal Act, 2001* : the member may take part in the discussion of the matter, including making submissions to council, and may attempt to influence the voting on any question in respect of the matter, whether before, during or after the meeting. However, the member is not permitted to vote on any question in respect of the matter.
- (7) When the interest of a member has not been disclosed by reason of the member's absence from the meeting at which the matter was discussed, the member must disclose the interest at the next meeting of the Council, committee or local board, as the case may be, which the member attends. At the next meeting attended, the member shall file a written statement of the pecuniary interest and its general nature with the Clerk or the secretary of the committee or local board, as the case may be.
- (8) Council shall establish and maintain a Registry of each written statement and declaration of pecuniary interest which said Registry shall be available for public inspection in the manner and during the time that Council may determine.

## **PART IX – COMMITTEE OF THE WHOLE**

### **47. PROCEDURE**

- (1) When it appears that any matter may be more conveniently considered in Committee of the Whole, the Council may on motion resolve into a Committee of the Whole, and the proceedings taken in Committee when adopted by the Council are deemed to be proceedings of the Council. The Warden may preside in the Committee of the Whole or may designate another member to preside.
- (2) While sitting in Committee of the Whole, the rules governing the procedure of the Council and the conduct of the members shall be observed except that the

number of times of speaking on any question shall not be limited, provided that no member speaks more than once until every member who desires to speak has spoken.

- (3) Subject to Section 11, the Committee of the Whole may, by resolution go into closed session and may exclude all persons from a meeting or part of a meeting. During such period, all persons not specifically invited to remain by the Committee shall retire from the Chamber.
- (4) A motion in Committee of the Whole to rise and report shall be put immediately and will be decided without debate.

#### **48. REPORT OF THE COMMITTEE OF THE WHOLE**

The proceedings and findings of the Committee of the Whole may be reported by the Warden to the Council as soon as the Committee rises and shall be received forthwith. A motion for the concurrence of the Council in the report of the Committee of the Whole and dealing with the subject matter thereof will be in order.

### **PART X – RESOLUTIONS AND MOTIONS**

#### **49. READING**

Every motion when seconded shall be received and read by the Warden, except as provided for by the Rules of Procedure. However, where motions have been distributed or printed in the Agenda, recitals need not be read.

#### **50. WITHDRAWAL**

After a resolution has been duly moved and seconded, it shall be deemed to be in the possession of the Council, and it may only be withdrawn before decision or amendment with the permission of the Council.

#### **51. NO DEBATE UNTIL READ**

No member shall speak on any motion until it is first read, and the mover is entitled to speak first if the member so elects. If debated, the question or motion shall be read again before being put.

#### **52. MOTIONS RULED OUT OF ORDER**

Whenever the Warden is of the opinion that a motion or resolution is contrary to the Rules of Procedure, or is not within its jurisdiction, the Warden shall rule the motion or resolution out of order.

#### **53. MOTIONS**

- (1) The following matters and motions with respect thereto may be introduced orally without notice and without leave, except as otherwise provided by the Rules of Procedure:
  - (a) a point of order or privilege;
  - (b) presentation of petitions;
  - (c) to move the question be put;

- (d) to adjourn;
- (2) The following motions may be introduced without notice and without leave, except as otherwise provided by the Rules of Procedure:
  - (a) to refer;
  - (b) to table, or to postpone, or defer to a day certain;
  - (c) to amend;
  - (d) to suspend the Rules of Procedure;
  - (e) any other procedural motion.
- (3) Except as provided for in subsection (1) hereof, all motions and resolutions shall be in writing and signed by the mover and seconder.
- (4) The mover and seconder may withdraw a motion or a Notice of Motion at any time prior to the commencement of debate thereon.
- (5) All motions and resolutions shall commence with the words "Be it resolved that" and shall be moved and seconded.
- (6) There shall never be more than one resolution before the Council at one time.
- (7) When the resolution under consideration contains two or more proposals, the same shall, at the request of any members of Council, be voted on separately.
- (8) Any Member may require the resolution under discussion to be read a second time for his information, at any time of debate, but not so as to interrupt a member speaking.

#### **54. ORDER OF CONSIDERATION**

- (1) When a question is under consideration, no motion shall be received except a procedural motion or motion to amend.
- (2) Procedural motions shall be considered immediately upon receipt and shall have precedence and are subject to debate as follows:
  - (a) to extend the time of the meeting (not debatable);
  - (b) to move the question be put (not debatable);
  - (c) to refer (debatable);
  - (d) to lay on the table (debatable);
  - (e) to defer indefinitely or to a day certain (debatable);
  - (f) to adjourn (not debatable);
  - (g) any other procedural motion (debatable).

#### **55. AMENDMENT**

A motion to amend:

- (1) shall be presented in writing;
- (2) shall be relevant and not contrary to the principle of the report or motion under consideration;

- (3) may propose a separate and distinct disposition of a question provided that such altered disposition continues to relate to the main issue which was the subject matter of the question;
- (4) shall be put in the reverse order to the order in which it is moved.
- (5) Only one motion to amend an amendment to the question shall be allowed at one time and any further amendment must be to the main question.
- (6) Notwithstanding subsection (4), any amendment(s) to a motion may be placed in the order to be determined by the Warden as the most logical, practical and expeditious in all of the circumstances.

#### **56. THE QUESTION BE NOW PUT**

A motion that the question be now put:

- (1) is not debatable;
- (2) cannot be amended;
- (3) cannot be moved when there is an amendment under consideration;
- (4) shall preclude all amendments of the main question;
- (5) when resolved in the affirmative, the question is to be put forward without debate or amendment;
- (6) cannot be moved by a member who has already debated the question unless another member has subsequently debated the question; and
- (7) can only be moved in the following words, "that the question be now put".

#### **57. MOTION TO REFER**

A motion to refer is debatable. A motion for reference to a Committee, board or commission until it is decided, shall preclude all amendments of the main question and any motion to postpone or defer, or to lay on the table. A motion to refer is debatable.

**(Amended by By-law 2019-32)**

#### **58. MOTION TO LAY ON THE TABLE**

- (1) A motion simply "to lay a matter on the table" is debatable but cannot be amended.
- (2) A motion "to lay on the table" with some condition, opinion, or qualification added to the motion to table shall be deemed to be a motion to postpone or defer made under Section 56.
- (3) The matter tabled shall not be considered again by the Council until a motion has been made to take up the tabled matter at the same or subsequent meeting

of the Council.

- (4) A motion to take up a tabled matter is not subject to debate or amendment.
- (5) A motion that has been tabled at a previous meeting of the Council cannot be lifted off the table unless notice is given in accordance with Section 57.
- (6) A motion that has been tabled and not taken from the table for six months is deemed to be withdrawn, and cannot be taken from the table.

#### **59. MOTION TO POSTPONE OR DEFER**

- (1) A matter postponed or deferred to a definite date shall have precedence over all other business on such date.
- (2) A motion to postpone or defer indefinitely shall be treated as if it was a motion to lay on the table.

#### **60. NOTICE OF MOTION**

- (1) A Notice of Motion shall:
  - (a) be in writing;
  - (b) include the name of the mover and seconder;
- (2) All Notices of Motion received by Clerk prior to or at the Notices of Motion segment of the Agenda may be read out by the mover or the Warden during that segment. Consideration of a motion, of which notice was given pursuant to this section, shall be in order at the next regular meeting.
- (3) Prior to Council's consideration of a motion of which notice has been given previously, a revised motion on the same subject, approved by both the mover and seconder, may be substituted for the original one contained in the Notice of Motion.

#### **61. DISPENSING WITH NOTICE**

Any motion may be introduced without notice if the Council, without debate, dispenses with notice on the affirmative vote of at least two-thirds of the members present and voting.

#### **62. RECONSIDERATION**

- (1) Every motion for reconsideration shall be declared lost unless two-thirds of the Council vote therefor. A motion to reconsider can only be made from the prevailing side.
- (2) No question shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.

#### **63. MOTION TO ADJOURN**

- (1) A Motion to Adjourn:
  - (a) shall always be in order except as provided by the Rules of Procedure;

- (b) when resolved in the negative, cannot be made again until after some intermediate proceedings have been completed by the Council;
  - (c) is not in order when a member is speaking or during the verification of a vote;
  - (d) is not in order immediately following the affirmative resolution of a motion for the previous question;
  - (e) is not debatable.
- (2) A Motion to Adjourn without qualification, if carried, brings a meeting of the Council to an end.
- (3) A Motion to Adjourn to a specific time, or to reconvene upon the happening of a specific event, if carried, suspends the meeting of the Council to continue at such time.

## **PART XI – BY-LAWS**

### **64. READING OF BY-LAWS AND RELATED PROCEEDINGS**

- (1) No by-law, except a by-law to confirm the proceedings of the Council, shall be presented to Council unless the subject matter thereof has been considered and approved by the Council.
- (2) The Clerk shall endorse on all by-laws enacted by the Council, the dates of the several readings, if any.
- (3) Every by-law which has been enacted by the Council shall be numbered, dated and deposited in the office of the Clerk for safekeeping.
- (4) Every by-law shall be under the seal of the Corporation and shall be signed by the Warden and by the Clerk.

## **PART XII – COMMITTEES**

### **65. PROCEDURE**

Except as otherwise provided for herein, a Committee shall conform to the rules governing protocol and procedure in the Council.

### **66. ESTABLISHMENT/APPOINTMENT**

- (1) Members required to serve on Standing Committees shall be appointed annually by the Warden and approved thereafter by the Council.

**(Amended by By-law 2019-32)**

- (2) Special or Ad Hoc Committees may be established by the Council at any time as is deemed necessary for the consideration of matters within the jurisdiction of the Council.

- (3) Members to be appointed to any other Committees, Boards, or Commissions to which the Council is required or empowered to appoint persons shall be determined annually by the Warden and approved thereafter by Council.

**(Amended by By-law 2019-32)**

#### **67. WARDEN EX OFFICIO**

- (1) The Warden is *ex officio* a member of every Committee.
- (2) Where a Committee is established by reference to a particular number of members without specifically providing for the membership of the Warden, such number is automatically increased by one, being the Warden, as provided for in subsection (1) hereof.
- (3) The Warden may vote and otherwise participate in the business of the Committee, without any restriction, on the same basis as any other Committee member.

#### **68. COMMITTEE CHAIR**

- (1) The Committee Chair and Committee Vice-Chair shall be determined by the Warden and approved by Council at the inaugural meeting.
- (2) A member shall not be appointed Committee Chair of the same Standing Committee for more than two consecutive years.

**(Amended by By-law 2019-32)**

- (3) The Chairman of each Committee and the members thereof shall hold office until their successors are appointed.

#### **69. COMPOSITION OF COMMITTEES**

- (1) The membership of the following Standing Committees shall consist of three members of Council:
  - (a) Economic Development and Tourism Committee;
  - (b) Emergency Services Committee;
  - (c) Home Committee;
  - (d) Planning and Forestry Committee;
  - (e) Public Works Committee;
  - (f) Social Services Committee;
- (2) The Committee of the Whole shall consist of all the members of Council.
- (3) The membership of the Advisory Committees shall be as follows:
  - (a) Accessibility Advisory Committee - 1 member of Council
  - (b) Agricultural Advisory Committee - 2 members of Council
  - (c) Emergency Management Program Committee – Warden
  - (d) Larose Forest Committee - 1 member of Council

**(Amended by By-law 2019-32)**

- (4) The membership of other Committees, Boards, and Commissions shall be as follows:  
(a) Removed

(Amended by By-law 2020-60)

- (b) Eastern Ontario Health Unit - 2 members of Council  
(c) Eastern Ontario Warden's Caucus – Warden  
(d) South Nation Conservation's Clean Water Committee as representatives for the Eastern Ontario Water Resources Program - 2 members of Council  
(e) South Nation Conservation - 3 members of Council  
(f) Raisin Region Source Protection Authority - 1 member of Council  
(g) *Comité de mise en oeuvre du Pacte d'amitié* - 1 member of Council

(Amended by By-law 2019-32)

## **70. TERMS OF REFERENCE**

- (1) Subject to the provision of any general or special act, the Council, in establishing any Committee, shall set forth the Terms of Reference of the Committee and such other provisions, as the Council deems proper.
- (2) The Council may consider any matter without referring it to a Standing Committee or may refer it to one or more Committees or refer it to the Committee of the Whole and may withdraw a matter from a Committee whether or not the Committee has entered into consideration.
- (3) Each member of Council shall have the opportunity to serve on a Committee.
- (4) The Terms of Reference for the Standing Committees of Council shall be those shown on Schedule "A" hereto attached and forming part of this By-law.

## **71. QUORUM**

- (1) A quorum in any Committee is the majority of the voting Members of the Committee as appointed by the Council, and the Warden, if present, is a member to be included in determining the quorum.
- (2) A Committee shall not consider any business if a quorum is not present.
- (3) Only members of the Council shall be appointed to the Standing Committees of Council.
- (4) If there is no quorum within thirty minutes after the time fixed for the meeting, the meeting shall stand adjourned until the next regular meeting.

## **72. MEETINGS OF COMMITTEES**

- (1) Committees shall meet at such time and place as the Committee Chair or Committee determines, subject to the direction of the Council. A meeting of any Committee shall be called by the Secretary of the Committee, upon instruction of the Committee Chair, on five days' notice.



- (2) The Chair may cancel one or more regular meetings of the Committee if in the Chair's opinion such meetings are not necessary for the proper conduct of the business of the Committee.
- (3) In case of an emergency and in the absence of the Committee Chair and of the Warden, a Committee meeting may be called by the Clerk in such a way as he may deem best without regard to any length of notice to the Members.
- (4) The Committee Chair shall preside and, in the absence of the Committee Chair, the Vice-Chair shall preside.
- (5) The Chair of the Committee may vote on any question before the Committee, and, in the event of an equality of votes, the question being voted upon is deemed lost.
- (6) Members of Council who are not members of a Committee may attend meetings of the Committee, but shall not be allowed to vote, take any part in the discussion or debate, nor shall they be remunerated.
- (7) The Committee shall consider and report on such matters only as have been referred to them by the Council or such matters as come within their Terms of Reference and jurisdiction.
- (8) Members may speak more than once to the same question.
- (9) The meetings of the Committee shall be open to the public and the provisions of Section 10 and 11 shall apply with necessary modifications.
- (10) The Chairman shall report the recommendations of the Committee to Council.

### **73. GENERAL PROVISIONS FOR COMMITTEES**

- (1) Anyone wishing to address a Committee shall notify the Clerk or the Secretary of the Committee, seven days prior to the date of the meeting, and shall specify the nature of the business to be discussed. No person, without leave of the Committee shall speak for longer than 10 minutes.
- (2) Each Standing Committee shall diligently pursue its duties and shall report to Council on every matter and question coming before it within its Terms of Reference and jurisdiction.
- (3) When a point of order is raised or when a member is called to order in a Committee, the same procedure shall be adopted as in Council, except that the question shall be decided by the Committee Chair, subject to an appeal to the members of the Committee.
- (4) When an Ad Hoc Committee has completed its work and submitted its final report, it dissolves automatically, unless otherwise directed by the Council.
- (5) The Department Head or an employee of the Department designated by the

Department Head, shall be the Secretary of the Committee to which he or she is responsible.

- (6) The Secretary of the Committee shall be responsible to the Chief Administrative Officer.
- (7) The Chief Administrative Officer or an employee of the Administration designated by him shall attend all Committee meetings unless otherwise provided.

**(Amended by By-law 2019-32)**

#### **74. SPECIAL/JOINT COMMITTEE MEETINGS**

- (1) A joint meeting of two committees may be directed by the Council or may be called by their Chairs whenever such Chairs consider it necessary for their respective committees to consider and report jointly on matters within their joint areas of concern.
- (2) A quorum for the joint meeting of two committees shall be a majority of the combined number of members of both of the committees. The Warden shall be counted as one member in making such quorum and shall have one vote.
- (3) The members in attendance at a joint meeting called pursuant to this Section may appoint the Chair of one of the committees to chair the joint meeting, but if both such Chairs are absent, another member of one of the two committees may be so appointed.
- (4) When the Chair of the joint meeting calls for the vote on a question, each member of the two committees shall vote in unison, and the question shall be decided by the majority of votes, so that only one decision is made thereon and the Chair of the joint meeting may vote on all questions submitted and in the case of an equal division, the question shall be deemed to have been decided in the negative.

#### **75. REPORTS OF COMMITTEES**

- (1) All Committees, including Ad Hoc Committees, shall submit written reports on any subject or matter referred to by the Council or dealt with between meetings of the Council, but verbal reports may also be received by the Council when requested by the Warden.
- (2) The Chairman or representative of the Committee will explain the report, if requested. Otherwise, a motion is in order to adopt a report of the Committee without it being read out at the Session.
- (3) When it is desired that the Council take cognizance only of a report which has been submitted rather than adopt the same, the motion shall be: "THAT THE REPORT BE RECEIVED".
- (4) When it is desired that the Council authorize, approve, confirm and cause to be implemented that which a committee has recommended, the motion shall be:

“THAT THE REPORT BE ADOPTED”.

- (5) Notwithstanding subsection (4) hereof, when a report deals with more than one subject matter and the Council is not prepared to adopt all the report, a separate vote should be taken with respect to each subject matter and any matter which is not adopted should be referred back to the Committee for further consideration.

## **76. BOARDS**

Repealed.

(Amended by By-law 2019-32)

## **77. VACANCY ON COUNCIL, COMMITTEES AND BOARDS**

- (1) Should any member of Council or a Committee fail to attend three consecutive regular or special meetings without being authorized to do so by a resolution, the Council or Committee may certify such failure and the membership of such person on the Council or Committee is terminated and the Council may appoint another member to fill the vacancy.
- (2) Should a member die, resign or be otherwise disqualified, the Council shall, by resolution, declare his seat vacant and, upon the recommendation of the Council, appoint another member to fill the vacancy.
- (3) Should any Committee neglect or refuse to give due attention to any matter before it, the Council may by resolution, discharge such Committee and appoint another in its place.
- (4) Should the Chair of any Committee neglect to do the business of the Committee without the knowledge or consent of its members, or contrary to their wishes or sanction, the Committee may report such neglect, refusal or action to the Council which may remove such Chair from office and appoint another member as Chair.

## **PART XIII – GENERAL PROVISIONS**

### **78. RECORDING EQUIPMENT**

At the meetings of Council or a Committee, the use of cameras, electric lighting equipment, flash bulbs, recording equipment, 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 members of the public, including accredited and other representatives of any new media whatsoever, may be permitted and shall be subject to the approval and/or direction of the Mayor or Committee Chair unless otherwise decided by the Council or a Committee.

### **79. ALTERNATE MEMBER**

Local municipalities may appoint, for the current term of Council, by by-law, an alternate member to temporarily replace a person who is a member of both the upper

tier and lower tier council if the Member is unable to attend an upper tier council meeting or standing committee. It will be only one Member appointed for the term of Council.

## **80. NOTICE OF COUNCIL AND COMMITTEE MEETINGS**

The United Counties of Prescott and Russell will provide notice of County Council sessions, committee meetings, budget meetings, financial statements, committee schedules, and changes to the Rules of Procedure. Posting of these notices will be via the county's website at [www.prescott-russell.on.ca](http://www.prescott-russell.on.ca). Wherever possible, one month's notice will be provided in all cases or as required by the County's Notice By-law. Whenever possible, the Clerk will give notice of any new public or closed meetings during the televised monthly session; furthermore, a list of the monthly meetings will be posted on the County's web site and on the billboard at the entrance of the Council Chambers.

## **81. EXECUTION OF DOCUMENTS**

Whenever the execution of any document is required to give effect to any resolution or by-law of the County, the Warden and the Clerk have general authority for and in the name of the County to execute and to affix the seal of the County to such documents.

## **82. PAYMENT OF INVOICES**

- (1) The Treasurer shall pay all bills approved in accordance with procedures determined by the Council, and shall submit a list for invoices in excess of \$1,000 to the Council at the monthly meeting.
- (2) The following invoices may be paid by the Treasurer without being submitted to the Council:
  - (a) the annual remuneration of the Warden and of the members of Council;
  - (b) the remuneration and travel expenses of the Warden and of the members of Council for attending meetings of Committees, Boards, and Commissions to which the members have been appointed by the Council;

**(Amended by By-law 2019-32)**

  - (c) convention and delegation expenses of the Warden and members of Council when in conformity with the procedures established by the Council;
  - (d) all County employees' salaries, travel and other related expenses, education and upgrading of staff when in conformity with the procedures established by the Council;
  - (e) interest on temporary bank loans, debenture and interest payments and bank charges;
  - (f) payments made under the *General Welfare Assistance Act*;
  - (g) payments to or on behalf of individuals in regards to programs authorized by the Council;
  - (h) all invoices of less than \$1,000.00.
- (3) The Treasurer shall submit to the Council a monthly report showing the total salaries paid to all of the employees of the Corporation by department and/or service.

### **83. REPEAL**

That By-law Number 2011-28 and its amendments 2012-50 and 2013-16 pertaining to the Rules of Procedure of the Council be and the same are hereby repealed.

### **84. EFFECT**

This By-law will come in full force and effect on March 28, 2018.

### **85. SHORT TITLE**

This By-law may be referred to as either the "Procedure By-law" or the "Rules of Procedure".

### **86. ELECTRONIC PARTICIPATION**

**(Amended by By-law 2020-39)**

- (1) Members can participate electronically in a Meeting which is open or closed to the public should they be unable to participate in person for medical reasons, illness or in the event of a situation or pandemic in which physical distancing, limited gatherings or quarantine measures are required by local, provincial or federal public health agencies.
- (2) Any Member participating electronically shall be counted in determining whether or not a quorum of Members is present at any point in time and shall have all the rights of any other Member who is participating in person.
- (3) The technology used shall enable electronic participation of Members in decision-making and ensure the meeting can be open to the public, for example, but not limited to, telephone, video or audio-conferencing.
- (4) A Member must give to the Clerk a notice of at least 48 hours of their intent to participate electronically in a Meeting, unless extraordinary circumstances apply, to ensure the proper technology is enabled to make electronic participation possible.
- (5) A member of the public may delegate via electronic participation due to a situation or pandemic in which physical distancing, limited gatherings or quarantine measures are required by local, provincial or federal public health agencies. Electronic delegations are subject to the requirements specified in section 27. Delegation of By-law 2018-12.

**DONE AND PASSED** in open Council this 21<sup>st</sup> day of February, 2018.

Original copy signed by François St-Amour  
François St-Amour, Warden

## **SCHEDULE "A"**

### **TERMS OF REFERENCE OF COMMITTEES OF COUNTY COUNCIL**

#### **COMMITTEE OF THE WHOLE**

The mandate of the Committee of the Whole is to assist Council in the identification and implementation of its goals and objectives. The Committee will assist Council by:

- identifying short and long term goals;
- working with senior management staff to develop policy documents and management tools;
- consider recent events and trends in local government administration and governance as well as in the private sector, which could have potential impacts on the provision of efficient and effective government for the ratepayers of the United Counties of Prescott and Russell.

The Committee is intended to provide a vehicle for effective and timely participation by elected officials in the setting of government and administrative policies and priorities in an environment which is constantly changing. The Committee of the Whole is responsible for providing direction to staff in order to maintain a strong linkage between administrative obligations and the political agenda.

#### **Resources**

The Chief Administrative Officer and each Department Head shall attend all meetings of the Committee of the Whole. The agenda items shall be set by the Committee Members, Department Heads and Chief Administrative Officer, and shall be prepared by the Clerk.

The agenda and any other documents shall be provided at least six days prior to the meeting. The report of the Committee of the Whole shall be submitted to the next regular Council meeting following the Committee meeting.

Each Department Heads as well as the Chief Administrative Officer are expected to come prepared to provide the Committee with information in accordance with each department's mandate.

**(Amended by By-law 2019-32)**

#### **ECONOMIC DEVELOPMENT AND TOURISM COMMITTEE**

Under the jurisdiction of the Council, the Economic Development and Tourism Committee shall be responsible and accountable for the following duties:

1. To facilitate new economic development initiatives in the United Counties of Prescott and Russell to increase employment and diversify the employment base.
2. To recommend to Council actions and strategies for the protection and expansion of

existing businesses.

3. To review and consider current operations, policies and procedures of the Economic Development and Tourism Department, and report any recommendations for change or improvement to Council.

**(Amended by By-law 2019-32)**

4. To consider and report on all matters referred to the Committee by the Warden and Council.

### **Resources**

The agenda shall be prepared by the Director of the Economic Development and Tourism Department. The agenda and any other documents shall be provided at least six days prior to the meeting.

The report of the Economic Development and Tourism Committee shall be submitted to the next regular Council meeting following the Committee meeting.

**(Amended by By-law 2019-32)**

### **EMERGENCY SERVICES COMMITTEE**

Under the jurisdiction of the Council, the Emergency Services Committee shall be responsible and accountable for the following duties:

1. To address to Council recommendations pertaining to emergency medical services, 9-1-1 services, emergency management, fire department medical training as well as several community projects.
2. To present recommendations to Council on any matter concerning the activities, implementation of programs and projects of the Department.
3. To review and consider current operations, policies and procedures of the Emergency Services Department, and report any recommendations for change or improvement to Council.

**(Amended by By-law 2019-32)**

4. To consider and report on all matters referred to the Committee by the Warden and Council.
5. To report from time to time or at the discretion of Council on all matters relating to its responsibilities or obligations imposed by law and present recommendations for action deemed necessary or desirable.

### **Resources**

The agenda shall be prepared by the Director of the Emergency Services Department. The agenda and any other documents shall be provided at least six days prior to the meeting.

The report of the Emergency Services Committee shall be submitted to the next regular Council meeting following the Committee meeting.

(Amended by By-law 2019-32)

### **HOME COMMITTEE**

Under the jurisdiction of the Council, the Prescott-Russell Home Committee shall be responsible and accountable for the following duties:

1. To review and consider current operations, policies and procedures of the Prescott and Russell Residence, and report any recommendations for change or improvement to Council.

(Amended by By-law 2019-32)

2. To ensure that the requirements of the *Homes for the Aged and Rest Home Act*, R.S.O. 1990, as amended, and regulations thereunder are fulfilled.
3. To provide long-term financial and operational planning, including long-term care planning.
4. To delegate authority and assignment of responsibility for operational matters to the Administrator and other staff consistent with the by-laws and policies of the County.
5. To report from time to time or whenever desired by the Council on all matters connected with the responsibilities or duties pertaining to Homes for the Aged and to make such recommendations for action as may be deemed necessary or desirable.
6. To keep under on-going review, the types, level and quality of care required and to make such changes or recommendations, whichever may be appropriate, for improvement in such care of residents of the Home for the Aged.
7. The Committee may, for the purpose of its responsibility under this By-law or such other acts or by-laws as are applicable, request such reports from staff, Ministry officials or other agencies or organizations as may be deemed desirable.

### **Resources**

The agenda shall be prepared by the Administrator of the Prescott and Russell Residence. The agenda and any other documents shall be provided at least six days prior to the meeting.

The report of the Home Committee shall be submitted to the next regular Council meeting following the Committee meeting.

(Amended by By-law 2019-32)



## **PLANNING AND FORESTRY COMMITTEE**

Under the jurisdiction of the Council, the Planning and Forestry Committee shall be responsible and accountable for the following duties:

1. To oversee and recommend on all planning matters including the implementation of the United Counties of Prescott and Russell Official Plan, revisions thereto and other planning related documents.

**(Amended by By-law 2019-32)**

2. To review and consider requests for a decision on plan of subdivision, plan of condominium and amendments to a local Official Plan, that in the opinion of the Director of the Planning and Forestry Department is of a 'disputed' nature.

**(Amended by By-law 2019-32)**

3. To oversee and recommend on all matters concerning the Larose Forest.

**(Amended by By-law 2019-32)**

4. To identify the need for and oversee the preparation, where appropriate, of special studies which would enhance the orderly and desirable development of the Counties, ensure environmental sustainability and / or ensure the protection of persons and property.

**(Amended by By-law 2019-32)**

5. To ensure that the Department provides, when appropriate or whenever desired by the Warden or Council, advice on planning trends to implement.

**(Amended by By-law 2019-32)**

6. To ensure that the Department provides, when appropriate, planning advice and services to local municipalities.

**(Amended by By-law 2019-32)**

7. To consider and report on all matters referred to the Committee by the Warden and Council.

**(Amended by By-law 2019-32)**

8. To review and consider current operations, policies and procedures of the Planning and Forestry Department, and report any recommendations for change or improvement to Council.

**(Amended by By-law 2019-32)**

### **Resources**

The agenda shall be prepared by the Director of the Planning and Forestry Department. The agenda and any other documents shall be provided at least six days prior to the meeting.

The report of the Planning and Forestry Committee shall be submitted to the regular

Council meeting following the Committee meeting.

(Amended by By-law 2019-32)

### **PUBLIC WORKS COMMITTEE**

Under the jurisdiction of the Council, the Public Works Committee shall be responsible and accountable for the following duties:

1. To make recommendations to Council on any matters related to Waste Management, Water and Wastewater Management, County Roads, building maintenance, and County's Asset Management Plan.

(Amended by By-law 2019-02)

2. To review and consider current operations, policies and procedures of the Public Works Department, and report any recommendations for change or improvement to Council.

(Amended by By-law 2019-32)

3. To report from time to time or whenever desired by the Council on all matters connected with their responsibilities or statutory duties and to make such recommendations for action as may be deemed necessary or desirable.

4. To introduce to the Council all By-laws as may be necessary to give effect to such of the Committee's reports or recommendations that are adopted by the Council.

5. To consider and report on any and all matters referred to them by the Council or the Warden.

### **Resources**

The agenda shall be prepared by the Director of the Public Works Department. The agenda and any other documents shall be provided at least six days prior to the meeting.

The report of the Public Works Committee shall be submitted to the next regular Council meeting following the Committee meeting.

(Amended by By-law 2019-32)

### **SOCIAL SERVICES COMMITTEE**

Under the jurisdiction of the Council, the Social Services Committee shall be responsible and accountable for the following duties:

1. To oversee and recommend on all matters related to one or the other of the Department's three services: Ontario Works, Child Care Services and Social Housing.
2. To identify the need and oversee the preparation, where appropriate, of special studies, which would enhance services offered by the department and ensure compliance in accordance with the various ministries' directives.

3. To ensure that the Department provides, when appropriate advice to the Committee members on trends to implement.
4. To consider and report on all matters referred to the Committee by the Warden and Council.
5. To review and consider current operations, policies and procedures of the Social Services Department, and report any recommendations for change or improvement to Council.

**(Amended by By-law 2019-32)**

**Resources**

The agenda shall be prepared by the Director of the Social Services Department. The agenda and any other documents shall be provided at least six days prior to the meeting.

The report of the Social Services Committee shall be submitted to the next regular Council meeting following the Committee meeting.

**(Amended by By-law 2019-32)**