



## **Office Consolidation**

**The Corporation of the Town of Orangeville**

### **Procedure By-law**

### **By-law 2017-064**

### **Amended By:**

#### **By-law Number**

2020-016  
2020-051  
2023-066  
2024-086  
2026-015

#### **Date Amended:**

March 23, 2020  
September 14, 2020  
September 11, 2023  
December 16, 2024  
March 23, 2026

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# The Corporation of the Town of Orangeville

## By-law 2017-064

### A by-law to Govern the Proceedings of Council and the Committees thereof

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## **By-law 2017-064**

### **A by-law to Govern the Proceedings of Council and the Committees thereof**

Whereas Section 238 of the *Municipal Act*, S.O. 2001, requires every municipality and local board to pass a procedure by-law for governing the calling, place and proceedings of meetings:

Be It Therefore Enacted by the municipal Council of The Corporation of the Town of Orangeville as follows:

#### **1. Title**

This by-law may be referred to as the “Procedure By-law” of the Town of Orangeville.

#### **2. Definitions**

In this by-law:

- 2.1 “Chair” means the mayor, deputy mayor or committee chair, as the context may require.
- 2.2 “Committee” means an advisory or other committee or subcommittee, or similar entity, of which at least 50% of the members are also members of one or more Councils or local boards.
- 2.3 “Committee of the Whole” means a standing committee of Council where all the members of Council present at a meeting are sitting in Committee of the Whole.
- 2.4 “Delegations/Delegates” Members of the public who register to speak to Council in advance of a meeting – maximum time 5 minutes.  
**(Amended by By-law 2024-086)**
- 2.5 “Electronic Participation or Participate Electronically” means where a member of Council or Committee participates in a meeting by means of electronic communication.

2.6 “Electronic Meeting” means where all members of Council or committee electronically participate in a meeting.

2.7 “Leave of Council” means:

- that no member objects (no vote is required).
- Where one or more members do object, by a majority vote of Council.

2.8 “Local Board” means any board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities, excluding a school board, a conservation authority, a police services board or a public library board.

2.9 “Member” means a member of the municipal Council, local board or committee.

2.10 “Open Forum” means a time set aside on the agenda for members of the public to ask a question of Council or comment on an item on the current agenda without registering – maximum time 3 minutes.  
***(Amended by By-law 2024-086)***

2.11 “Presentations” means staff, consultants or organizations presenting on behalf of or on the request of the Town.  
***(Amended by By-law 2024-086)***

2.12 “Special Committee” means a committee established by Council:

- to provide advice to Council as mandated in the Terms of Reference
- to deal with a specific issue, project or task and disband at the completion of the project or upon final report to Council
- to function according to the requirements of a by-law or Provincial legislation (e.g. Committee of Adjustment, Property Standards Committee)
- as defined in the Boards and Committees By-law No. 025-2015 as amended or replaced

2.13 “Standing Committee” means a Committee comprised entirely of members of Council, established by Council to carry out duties on an ongoing basis as specified by Council

### **3. Council Meetings**

#### **3.1 Procedures**

In all meetings of Council, standing and special committees and local boards, the procedures outlined in this by-law shall apply.

### **3.2 Inaugural Meeting**

The inaugural meeting of Council after a regular election shall be held on the first Monday following the date the term of office begins, or on such other day or time as may be permitted within the Municipal Act, as may be fixed by resolution of the exiting Council.

*(Amended by By-law 2026-015)*

### **3.3 Time and Date of First Regular Meeting**

The first regular meeting of Council shall be held at 7:00 p.m. on the Monday following the inaugural meeting.

### **3.4 Schedule of Regular Meetings**

- 3.4.1 The schedule of Council meetings shall be established by a resolution of Council each year.
- 3.4.2 Unless otherwise decided by Council, there shall be two Council meetings each month.
- 3.4.3 Unless otherwise decided by Council, regular public meetings shall commence at 7:00 p.m. When possible, closed meetings of Council will be held immediately prior to a regular public meeting.
- 3.4.4 Notwithstanding all other provisions of this by-law, Council may, without notice, begin a Council meeting earlier than 7:00 p.m. or other published commencement time for the sole purpose of authorizing and holding a closed meeting prior to the commencement of a public Council meeting.
- 3.4.5 Fewer meetings may be scheduled during July and August.
- 3.4.6 A scheduled Council meeting may be cancelled or re-scheduled by the Clerk and Cao in consultation with the Mayor and/or Chair
- 3.4.7 A scheduled committee meeting may be canceled or rescheduled by the Clerk or designate in consultation with the Chair.

### **3.5 Place of Meeting**

- 3.5.1 Meetings of Council and standing committees shall be held at the Municipal Offices, or other place as designated by Council, in a location that is accessible pursuant to the requirements of the Accessibility for Ontarians with Disabilities Act.
- 3.5.2 Council may, by resolution, alter the time, day or place of any Council and/or standing committee meeting.

3.5.3 If authorized by resolution prior to the holding of the meeting, Council may meet with the Councils of one or more municipalities for the consideration of matters of common interest. Such meetings may be held in any one of the involved municipalities or in a municipality adjacent to any of them.

### **3.6 Calling of Special/Emergency Meetings of Council**

3.6.1 The Mayor may at any time summon a special meeting of Council, and it shall be his/her duty to call a special meeting of Council whenever a majority of the members of Council request so in writing or by email.

3.6.2 The Mayor or Deputy Mayor may call an emergency meeting to deal with a matter which is deemed to require immediate action. Notwithstanding Section 3.8.1, notice of an emergency meeting need not be in writing and need not be twenty-four (**24**) hours in advance of the meeting, but may be given by contacting each member of Council and verbally or by email to advise them of the time and place of the meeting.

3.6.3 The Chief Administrative Officer may request Council to attend an emergency meeting of Council to deal with a matter which is deemed to require immediate action.

3.6.4 The Clerk may summon an emergency or special meeting of Council in the absence of the Mayor and Deputy Mayor upon a special requisition to him/her signed or emailed by a majority of the members of Council.

3.6.5 The only business to be dealt with at a special meeting or an emergency meeting is that which is given in the notice of the meeting.

### **3.7 Closed Meetings**

3.7.1 Except as provided in Section 239 of the Municipal Act, 2001, all meetings of Council, committees and local boards shall be open to the public.

3.7.2 Prior to holding a closed meeting Council, the committee or local board shall state by resolution:

- that the meeting is a closed meeting
- the general nature of the matter to be considered
- the specific provision(s) of the Municipal Act that permits the matter to be considered in a closed meeting

3.7.3 No matter or item other than the matter(s) referred to in the public

resolution may be discussed.

- 3.7.4 If Council, the committee or local board wishes to discuss an item not contained within the motion to move into a closed session, they shall rise from the first closed session and in open session move a further motion in accordance with Section 3.7.2.
- 3.7.5 Council, committees, or local boards shall not take any vote during a closed meeting, except as provided in Section 239 (6) of the Municipal Act.
- 3.7.6 When a closed meeting is adjourned, the members shall rise and report any recommendations in open session, as appropriate.
- 3.7.7 The Clerk, or the appropriate staff member in the case of a meeting of a committee or local board, shall prepare minutes of the closed meeting.
- 3.7.8 The minutes of a closed meeting shall be presented to Council for review and approval at the next closed meeting and shall be listed on the agenda at a regular Council meeting for adoption.

### **3.8 Notice**

The agenda for a Council or committee meeting shall constitute notice thereof.

#### **3.8.1 Member Notice**

Written notice of all meetings of Council and committees shall be given by the Clerk or secretary of the committee at least twenty-four (24) hours in advance of the meeting to all members of Council or committee by:

- delivering the agenda and related information to their place of residence, business or other location of which the Clerk or secretary is informed, or
- posting the agenda and related information to a website to which the members have access and notifying members of the posting

#### **3.8.2 Public Notice**

- 3.8.2.1 Notice of all Council and standing committee meeting agendas shall be posted in the notice case outside the Second Street entrance to the municipal offices and on the Town website at least twenty-four (24) hours in advance of the meeting. Whenever possible, agendas for Council meetings shall be published at least 3 business days prior to

the meeting. Any addendums to the agenda shall be updated and posted to the website by 1 pm on the day of the Council meeting.

*(Amended by By-law 2024-086)*

3.8.2.2 On request, members of the media and public shall be notified of the posting of agendas.

3.8.2.3 Notwithstanding the above two bullet points, closed meeting agendas will only be provided to members of Council or the committee and staff.

### **3.8.3 Notice of Special/Emergency Meetings**

In the case of special or emergency Council or committee meeting, notice shall be given by posting the agenda on the Town website as soon as is practicable after notice of the special meeting has been given. For electronic meetings, the notice must include the corresponding connection details to access the meeting electronically.

### **3.9 Standing Committee of Council/Committee of the Whole**

3.9.1 There shall be one Standing Committee of Council, being the Committee of the Whole, which shall be composed of all members of Council.

3.9.2 The Deputy Mayor shall serve as chair of the Committee of the Whole, and in the absence of the Deputy Mayor, Council shall select a chair from amongst themselves who shall call the members to order, and if a quorum is present, shall preside during the meeting or until the arrival of the chair.

3.9.3 Committee of the Whole Council meetings will be held at the call of the Chair on an “as required” basis only, and reserved for issues requiring special attention by Council, to inform Council of any pending situations that may not be appropriate or too detailed for a full Council meeting.

### **3.10 Electronic Participation**

3.10.1 Members of Council and committees may participate electronically in a meeting.

3.10.2 Members of Council and committees who participate electronically in a meeting shall be counted in determining quorum of members present at any point in time.

3.10.3 The Clerk may establish and maintain protocols with respect to

electronic participation.

3.10.4 The method and technology used to facilitate electronic participation in a meeting shall be determined by the Clerk, in consultation with the Information Technology division. If at any time the stream for a meeting that is held electronically goes down, the meeting shall recess as soon as it is noticed for a minimum of 15 minutes to allow any participants watching the stream to either connect through telephone at the number listed on the current agenda for connectivity or attend the meeting location.

*(Amended by By-law 2024-086)*

3.10.5 Members wishing to participate electronically for a Council meeting, must provide the Clerk (or designate) as much notice as possible prior to the scheduled meeting. The request may be facilitated if technology permits.

*(Amended by By-law 2024-086)*

3.10.6 Members wishing to participate electronically for a committee meeting must provide the Secretary as much notice as possible prior to the scheduled meeting. The request may be facilitated if technology permits.

*(Amended by By-law 2024-086)*

3.10.7 The Mayor (or designate Chair) is to be physically present in Council Chambers for a meeting. The Clerk and all other members of Council shall be present in Council Chambers whenever possible.

*(Amended by By-law 2024-086)*

3.10.8 The Secretary and Chair (or designate Chair) may be physically present at the meeting location of a committee meeting.

3.10.9 Sub-section deleted.

*(Amended by By-law 2024-086).*

3.10.10 A member participating electronically must advise verbally that they are leaving the meeting before ending their participation and/or if they re-enter a meeting, which will be noted in the minutes.

3.10.11 If a member participating electronically declares a pecuniary interest in relation to a matter on the agenda, they are to mute themselves and turn off their camera for the duration of the discussion regarding that item.

3.10.12 A member participating electronically will be deemed to have left the meeting when they are no longer electronically connected to the meeting.

3.10.13 For a closed meeting, members and staff shall make a declaration of confidentiality at the start of the meeting stating that

they have taken necessary measures to ensure the confidentiality of the meeting, that no other individual is in attendance with them, and that the meeting is not being recorded by any means.

- 3.10.14 The Clerk will not the declaration of confidentiality by each member and staff in the minutes.
- 3.10.15 Delegates and presenters attending a Council and/or Committee meeting may participate electronically, at the discretion of the Clerk (or designate), if technology permits.
- 3.10.16 All other applicable provisions of By-law 064-2017 shall apply to any member that may participate electronically in a meeting.

### **3.11 Electronic Participation – Emergencies**

- 3.11.1 Notwithstanding section 3.5.1, should public health and/or workplace restriction be in effect and/or emergency has been declared to exist in all or par of the Town of Orangeville, by the Premier, Cabinet or the municipal Head of Council under the Emergency Management and Civil Protection Act, an electronic meeting may be held.
- 3.11.2 All member participating in an electronic meeting shall be counted towards quorum.
- 3.11.3 Where a Council or Committee meeting is held through Electronic Participation, provisions shall be made with access for an in view of the public for the portion of the proceedings that are open to the public.
- 3.11.4 The Town, taking into consideration:
  - a) the health and safety of all individuals; and
  - b) access to and viewing of the meetingshall provide operable solutions to facilitate public Electronic Participation in a meeting that would otherwise be facilitate in a meeting that was not conducted through Electronic Participation.
- 3.11.5 For Council meetings, the Clerk (or designate) and Mayor (or designate Chair) are to be present in Council Chambers, unless otherwise noted on the agenda.
- 3.11.6 For Committee meetings, the Secretary and Chair (or designate Chair) are to be present at the meeting location, unless otherwise noted on the agenda.
- 3.11.7 All other applicable provision of By-law 064-2017 shall apply to electronic meetings.

### **3.12 Covid-19 Recovery Period**

3.12.1 Due to public health concerns resulting from the Covid-19 pandemic, Section 3.11 “Electronic Meetings – Emergency” of this by-law may be applied for a period of up to one calendar year following the termination date of the Town’s declared emergency.

3.12.2 Section 3.12 expires and is hereby repealed one calendar year following the termination date of the Town’s Covid-19 declared emergency.

## **4. Rules of Debate**

### **4.1 Order and Decorum**

The chair shall preserve order and decorum and decide questions of order subject to an appeal to the Council by any member. If no member appeals, the decision of the chair shall be final. The Council, if appealed to, shall decide the question without debate and its decision shall be final.

### **4.2 Conduct**

No member of Council shall:

- speak disrespectfully or use offensive words against the Council
- speak on any subject other than the motion under the debate
- reflect on any decision of Council except for the purpose of moving to reconsider the decision
- resist or disobey the decision of the chair and Council, and in such case such a member may be ordered to leave their seat for that meeting, and may be removed therefrom by a constable for contempt of Council.

Council may restore a member to their seat forthwith in the case of an acceptable apology.

### **4.3 Declaration of Interest**

4.3.1 In accordance with the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50, as amended from time to time, 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:

- shall leave the meeting room prior to any consideration of the matter at a closed meeting
- shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- shall not take part in the discussion of, or vote on any question in respect of the matter; and
- shall not attempt in any way whether before, during or after the

- meeting to influence the voting on any such question.
- Shall mute themselves and turn off their camera, if participating electronically.

4.3.2 The Clerk shall record such disclosure in the minutes of the meeting.

#### **4.4 Address the Chair**

Every member speaking on any question or motion shall address the chair.

#### **4.5 Order of Speakers**

When two (2) or more members wish to speak, the chair shall designate the member who has the floor who shall be the member who, in the opinion of the chair, first requested to speak.

#### **4.6 Final Speaker**

A member who has made a motion and/or amendment to such motion shall be permitted the final reply.

#### **4.7 Reading of Question or Motion**

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.

#### **4.8 Member Speaking**

No member shall:

- reflect upon any prior determination of the current Council except to conclude such remarks with a motion to reconsider such determination
- speak more than twice or reply to a motion or question for longer than five (5) minutes total without the leave of Council
- make any noise or disturbance or interrupt when another member of Council is speaking
- interrupt the member who has the floor except to raise a point of order, call for orders of the day, call for a recount of the vote, ask a question of privilege or a question of quorum.

### **5. Voting**

#### **5.1 Determination of Council Decision**

5.1.1 The manner of determining the decision of Council on a motion shall be by a show of hands of all members. The Mayor must vote on all motions. Unless otherwise provided in this by-law, all questions before Council shall be decided by a majority vote.

5.1.2 The Chair will call the vote, first calling for those voting in favour of the motion, then for those voting in opposition.

- 5.1.3 The Chair shall announce the names of those voting in opposition and the Clerk shall record in the minutes the names of members voting in opposition.
- 5.1.4 Only those identified by the Chair as voting in opposition will be noted in the minutes. If the Chair does not identify a member as voting in opposition, it shall be assumed that he/she voted in favour of the motion.
- 5.1.5 The Chair shall announce the results of the vote on any motions presented for a vote.
- 5.1.6 If the approved minutes show that a member did not vote in opposition, it shall be assumed that he/she voted in favour of the motion.

## **5.2 Requirement to Vote**

Every member present at a meeting when a question is put shall vote thereon, except where the member is prohibited by statute from voting or is disqualified to vote by reason of a declaration of interest.

## **5.3 Tie Vote**

Any question on which there is a tie vote shall be considered to be lost.

## **5.4 Member Declines to Vote**

If any member present at a meeting does not vote when a vote is taken on a motion, the member shall be deemed as voting in the negative, except where the member is prohibited from voting by statute or is disqualified by reason of a declaration of interest.

## **5.5 Recorded Vote**

- 5.1.7 A request by a member for a recorded vote shall be made prior to the commencement of the vote being taken or immediately thereafter.
- 5.1.8 Upon such request, the requester will vote first, and the subsequent order of voting will be conducted alphabetically by last name, proceeding from the requester. The Clerk shall ask each member to announce their vote openly and shall record such vote and declare the results.
- 5.1.9 The names of those who vote in favour and those who vote against any motion shall be recorded in the minutes of the meeting.
- 5.1.10 Recorded votes are not permitted in any meetings of special committees.

## **5.6 Unanimous Vote**

Upon the taking of any vote, if all the members present and eligible to vote when the vote is taken vote unanimously, the chair may direct the clerk to record the vote accordingly.

## **6. Motions and Order of Putting Questions**

### **6.1 Adoption in a Single Motion**

One or more report items on a Council agenda may be adopted in a single motion.

### **6.2 Consent Agenda**

*(Amended by By-law 2023-066)*

6.2.1 When preparing the agenda for Council and Committee of the Whole meetings, the Clerk shall place all staff reports, committee minutes and relevant correspondence under the heading "Consent Agenda", which matters may be considered by Council and Committee of the Whole as a summary matter in one motion rather than as separate items, unless a member of Council otherwise requests.

*(Amended by By-law 2024-086)*

6.2.2 Any member, before the consent motion is voted on, may add or remove any number of items of business from the consent motion.

6.2.3 In the event that a member declares a conflict of interest on an item that is included in the consent motion, that item shall be removed from the consent motion and dealt with separately.

6.2.4 Items removed from the consent motion at the request of a member of Council will be considered immediately following the vote on the consent motion.

*(Amended by By-law 2023-066)*

### **6.3 Motions on Floor**

6.3.5 No discussion or debate on any item shall occur until an item has been properly moved and seconded.

6.3.6 Unless otherwise provided, all motions or resolutions shall be seconded before being debated or put by the chair, and shall be in writing, and shall be presented to the chair.

6.3.7 A motion that has not been seconded shall not be recorded in the minutes.

6.3.8 When a motion is properly before Council, a second or subsidiary motion is not in order when a member is speaking, or immediately following the affirmative resolution of a motion to call the question,

or during the verification of a vote.

#### 6.4 Verbal motions

Notwithstanding sections 6.3.2 and 6.11.1, with the leave of Council, all motions and amendments thereto may be presented verbally.

#### 6.5 Withdrawal of Motion

After a motion is read or has been accepted by the chair, it may be withdrawn by the mover before a decision or amendment.

#### 6.6 Ranking of Motions

Motions shall be ranked in the following order of priority:

<b>Motion</b>	<b>Debatable</b>	<b>Ranking</b>	<b>Further Explanation</b>
Main Motion	Yes	13	
<b>Subsidiary Motions</b>			
Postpone Indefinitely	Yes (Limited)	12	Debate may go into only the reasons why the motion should or should not be dealt with at the current time. It may go into the merits of the underlying main motion but only in respect to delaying the decision.
Amend	Yes (Limited)	11	An amendment is debatable if the motion to which it is applied is debatable. The amendment must be germane to the main motion. Debate may not go into the merits of the motion being amended.
Refer to a Committee of Staff	Yes (Limited)	10	Debate may go into only the reasons why the motion should or should not be

			referred to a committee or to staff. It may go into the merits of the underlying main motion but only in respect to referring the decision.
Postpone/Defer to a Certain Time	Yes (Limited)	9	Debate may go into only the reasons why the motion should or should not be postponed.
Limit or Extend Debate	Yes (Limited)	8	Debate is restricted to the form of limitation or extension of debate.
Close Debate	<b>NO</b>	7	It would defeat the purpose of the motion if it were debatable.
Postpone Temporarily	<b>NO</b>	6	The purpose of the motion is to set aside business for a short period of time, but no later than the end of the meeting.
<b>Privileged Motions</b>			
Raise a Question of Privilege (Individual)	No	5	A second is not required to raise a question of privilege.
Raise a Question of Privilege	No	4	A second is not required to raise a question of privilege.
Recess	Yes (Limited)	3	Debate restricted to the length of time of recess or to the time set for reassembly.
Adjourn	No	2	
Fix the Time for the Continued Meeting	Yes (Limited)	1	Debate restricted to time and date of the continued meeting.

## **6.7 11:00 p.m. Adjournment/Fix Time for Continued Meeting**

- 6.7.1 The proceedings of Council on any day shall terminate as soon after 11:00 p.m. local time as the matter under immediate consideration is finalized and Council has established a time and date for the consideration of the balance of the agenda.
- 6.7.2 Notwithstanding section 6.7.1, a motion to continue a meeting past 11:00 p.m. and to introduce another matter or item, requires the unanimous consent of all members present.

## **6.8 Recess**

The chair may declare a recess at any time with the leave of Council. Recesses shall be limited to five (5) minutes.

## **6.9 Point of Order**

- 6.9.1 A point of order may be raised at any time by a member to bring attention to:
- any breach of this by-law
  - any defect in the constitution of any meeting of the Council
  - the use of improper, offensive or abusive language
  - notice of the fact that the matter under discussion is not within the scope of the proposed motion
  - any other informality or irregularity in the proceedings of Council.
- 6.9.2 When a member rises to a point of order, the member shall ask leave of the chair to raise a point of order, and after leave is granted, shall state the point of order to the chair. The chair shall then state and decide the point of order.
- 6.9.3 Thereafter, the member shall only address the chair for the purpose of appealing, to Council, the chair's decision.

## **6.10 Point of Personal Privilege**

- 6.10.1 "Point of personal privilege" relates to all matters affecting the rights of the Council collectively, or the position, rights and conducts of its members.
- 6.10.2 A member may raise at any time, with the consent of the chair, a point of personal privilege, for the purpose of drawing the attention of Council to the matter.
- 6.10.3 When any point of personal privilege arises it shall be taken into consideration immediately.

## **6.11 Motion to Close Debate/Call the Question**

- 6.11.1 A motion to close debate applies only to the motion or amendment under consideration at the time the motion to close debate is moved.
- 6.11.2 A motion to close debate is not in order until every member has been given the opportunity to speak at least once to the matter under consideration.
- 6.11.3 Upon a motion to close debate being made, debate shall cease and no amendment may be made to the main motion, until the motion to close debate has been voted on.
- 6.11.4 The motion to close debate shall be put in the following words:  
  
“Shall the question be called?” or “Call the vote”
- 6.11.5 If a motion to close debate carries, the main motion or amendment under consideration shall be put immediately without further debate. If the motion to close debate is lost, debate may proceed.

## **6.12 Amendments**

- 6.12.1 Sub-section deleted.  
*(Amended by By-law 2024-086).*
- 6.12.2 Only one amendment can be presented to the main motion at one time.
- 6.12.3 Only one motion to amend an amendment shall be allowed. The sub-amendment, if any, shall be voted on first.
- 6.12.4 The amendment shall be voted on next.
- 6.12.5 If no other amendment is introduced, the motion or motions as amended shall be put to a vote.
- 6.12.6 In the case of an amendment to an amendment, the amendment to the main motion cannot be withdrawn until the amendment to the amendment has been withdrawn or dealt with.
- 6.12.7 An amendment must be similar in import to the motion which it is proposed to amend and cannot negate the intent of the original motion.

## **6.13 Vote Called/Decision of the Chair (Motion Finally Put)**

- 6.13.1 After a question is finally put by the chair (the vote is called), no member shall speak to the question, nor shall any other motion be made until after the vote is taken and the result has been declared.
- 6.13.2 If a member disagrees with the declaration of the chair on the result of a vote, such member may object, but only immediately after such declaration, and request that the vote be retaken.
- 6.13.3 When so requested, the chair shall have the vote retaken, provided such vote has not previously been retaken, in which case the chair shall have the authority to deny the request, subject to an appeal to Council.

#### **6.14 Division of a Question**

Where a question consists of more than one proposal or part, with a majority vote, it may be divided with the result that voting and debate shall proceed on each part separately.

#### **6.15 Reconsider**

- 6.15.1 For the purpose of reconsideration, “member who voted on the prevailing side” means:
- where the votes are not known, any member of Council.
  - where the votes are known pursuant to section 5.1, or where a recorded vote was taken, a member of Council who voted on the side with the most votes
  - a member who was absent from the meeting at which the vote was taken.
- 6.15.2 A motion to reconsider:
- shall not be in order, except as provided in this section
  - must be moved by a member who voted on the prevailing side and may be seconded by any member
  - may not be made at the same meeting as the original determination was made
  - is not in order when a member is speaking, nor during the verification of a vote
  - is debatable only if the original motion was debatable
  - is not in order if action on the original motion has already been taken which cannot be undone.
- 6.15.3 No question may be twice reconsidered.

#### **6.16 Rescind**

A motion to rescind requires a two-thirds majority and is not in order if action on the original motion has already been taken which cannot be

undone.

## **6.17 Non-Jurisdictional Motion**

A motion in respect of a matter which is beyond the jurisdiction of Council shall not be in order unless it is a matter which, in the opinion of a majority of the Council (this question to be decided without debate), has to do with the health, safety, morality and welfare of the citizens generally.

## **6.18 By-laws**

- 6.18.1 By-laws shall only be passed at Council meetings.
- 6.18.2 All by-laws coming before Council shall receive one reading unless otherwise legislated by provincial or federal statute or regulation.
- 6.18.3 All by-laws may be received in one motion.
- 6.18.4 At the request of any member, any by-law may be discussed or voted on individually.
- 6.18.5 If a majority vote is not achieved for a by-law on an item previously approved in the meeting, the by-law shall be presented again at the next regular meeting.
- 6.18.6 All amendments to any by-law approved by Council shall be deemed to be incorporated into the by-law and if the by-law is enacted and passed by Council, the amendments shall be inserted therein by the Clerk.
- 6.18.7 Upon enactment, every by-law shall be:
- numbered
  - dated with the date of enactment thereof
  - signed by the Mayor and the Clerk
  - have the corporate seal affixed thereto.
- 6.18.8 The proceedings at every regular and special meeting shall be confirmed by by-law so that every decision of the Council and every resolution passed at the meeting shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.

## **7. Proceedings of Council Meeting**

### **7.1 Quorum**

- 7.1.1 As soon as possible after the time fixed for the meeting, or a recess thereof, provided there is a quorum present, the chair shall call the members to order. A majority of the members shall constitute a quorum.

7.1.2 The Clerk/secretary shall maintain a record of attendance at all meetings of Council and committees.

## **7.2 Lack of Quorum**

7.2.1 If there is no quorum present within fifteen (15) minutes after the time appointed for the meeting, the Clerk/secretary shall call the roll and record the names of the members then present, and the meeting shall stand adjourned until the next regular meeting of such date as Council/committee may decide.

7.2.2 If the Mayor does not attend within five (5) minutes after the time appointed, the Deputy Mayor will chair the meeting until the arrival of the Mayor.

7.2.3 In the absence of the Mayor and Deputy Mayor, the members present shall appoint a chair from amongst themselves, who shall call the members to order, and if a quorum is present, shall preside during the meeting or until the arrival of the Mayor or Deputy Mayor.

7.2.4 While presiding, the acting chair shall have all the powers of the chair and shall be entitled to vote as a member.

## **7.3 Agenda/Order of Business**

7.3.1 The Clerk, in consultation with the Chief Administrative Officer, shall determine the order and content of the Agenda, in accordance with the provisions of this by-law. In the event of a dispute, the Chief Administrative Officer's decision shall be final.

7.3.2 The order of business may be altered by the clerk during preparation of the Agenda to improve the efficiency of the meeting.

7.3.3 The business of the Council shall in all cases be taken up in the order in which it stands upon the agenda, unless otherwise decided by Council.

7.3.4 The Clerk shall have prepared and provided for the use of members at the regular meetings of Council, an agenda under the following headings:

1. Call to Order
2. Approval of Agenda
3. Disclosures of (Direct or Indirect) Pecuniary Interest
4. Closed Meeting
5. Open Meeting – 7:00 p.m.
6. Singing of National Anthem
7. Land Acknowledgement

8. Announcement by Chair
9. Rise and Report
10. Adoption of Minutes of Previous Council Meetings
11. Open Forum
12. Presentations, Petitions and/or Delegations
  - 12.1 Public Delegations/Petitions
  - 12.2 Staff/Consultant Presentations
13. Consent Agenda
  - 13.1 Staff Reports
  - 13.2 Correspondence
  - 13.3 Committee Minutes
14. Notice of Motion Prior to Meeting
15. Notice of Motion at Meeting
16. Announcements
17. By-laws
18. Adjournment

The Clerk may add, delete or modify agenda item headings to facilitate the orderly conduct of a meeting.

*(Amended by By-law 2024-086)*

#### **7.4 Minutes**

7.4.1 The draft minutes of any regular or special meeting of Council, held at least seven days before a regular meeting of Council, shall be listed on the Agenda for consideration at the next regular meeting of Council.

7.4.2 After they have received approval, the minutes shall be signed by the chair and the Clerk.

7.4.3 Prior to such adoption, if requested by any member, the minutes or so much thereof as may be requested shall, with the leave of Council, be read by the Clerk.

#### **7.5 Items for Agenda from Members of Council**

At least seven (7) days before a Council/committee meeting, any member of Council may file in writing with the Clerk an item for inclusion on the agenda for the next scheduled meeting.

#### **7.6 Presentations, Petitions and Delegations**

*(Amended by By-law 2024-086)*

7.6.1 Except as provided in this by-law, no person shall address Council without the permission of Council.

7.6.2 Delegations: Any person desiring to be heard by Council as a delegate shall submit a request in writing to the Clerk at least seven

(7) days before a Council/Committee meeting. The request shall include the requester's name, mailing address and phone number, and state the nature of the business to be discussed, the requested course of action, the previous staff consultation information, supporting documents and the reasons for the request. Verbal remarks to Council at a meeting shall be confined to the stated business.

7.6.2.1 No member of the public shall be permitted to delegate to Council for the purposes of solicitation of services or other such endeavors.

7.6.2.2 No delegations will be approved for any member of the public who has previously spoken to the matter at a public meeting held for the same topic with the same information.

7.6.2.3 No delegations shall be permitted on any item that is deemed to be outside of the jurisdiction of Council.

7.6.2.4 Delegates requesting to speak shall be required to consult with relevant staff prior to submitting a request to delegate.

7.6.2.5 Only residents, taxpayers, service providers or members speaking on behalf of an association or organization that serves the Town of Orangeville are permitted to delegate to Council. Exceptions to this sub-section may be permitted with approval from the CAO or Council.

7.6.2.6 No person shall speak to a repeat topic that they had previously spoken to during either a delegation or open forum in the previous 3 months.

7.6.2.7 The Clerk shall acknowledge receipt of the request and place the matter on the next appropriate Council Agenda.

7.6.2.8 A person addressing Council shall only be allocated five (5) minutes to present their information, except with the leave of Council.

7.6.3 Petitions: An organizer of a public petition may submit the text of the petition for inclusion on the Council agenda. That person shall provide his or her name, address and telephone number along with the petition. Any communication with respect to the petition will be with the organizer of the petition only.

7.6.3.1 Presentation of petitions shall follow the same process and rules as that for delegations.

- 7.6.4 Presentations: Staff, consultants or organizations presenting on behalf of, or upon request from the Town will be considered a presentation.
- 7.6.4.1 Presenters or the relevant staff member shall notify the Clerks office of the intent to present and provide all supporting documents at least 7 days in advance of the meeting.
- 7.6.4.2 Presenters shall provide the Clerks Office with the time needed for the presentation, which shall not exceed 30 minutes except with the leave of Council.
- 7.6.5 All information presented in public session become part of a public record and shall be made available for public viewing by way of print and/or electronic means.
- 7.6.6 Anyone wishing to use Town technology (computer, projector, screen, etc.) for presentation purposes must provide the entire presentation to the Clerk's Office no later than 3:00 p.m. on the Friday immediately preceding the relevant Council meeting. Staff will upload the presentation to ensure it is compatible with Town technology and does not contain any unsafe content. Copies of presentations shall be added to the addendum agenda.
- 7.6.7 To encourage thoughtful and respectful conversations and comments, first and last names must appear with each submission. Emails or comments from an anonymous source or pseudonym will not be included in an Agenda. Authors will be given the opportunity to provide their name and address. If there is no reply by 10 am on the morning of the meeting, the Clerk shall remove the delegation request from the agenda.

## **7.7 Statutory Public Meetings**

- 7.7.1 All statutory public meetings under the Planning Act and other Acts, shall be held on a separate date and time from regular Council meetings.
- 7.7.2 Statutory public meetings under the Planning Act shall be chaired by the Deputy Mayor.
- 7.7.3 Statutory public meeting dates may include both statutory and non-statutory topics on the agenda.  
*(Amended by By-law 2024-086)*

## **7.8 Open Forum**

*(Amended by By-law 2024-086)*

- 7.8.1 A person on his/her own behalf, or as a spokesperson for a group,

may ask questions of Council during open forum.

- 7.8.2 A person addressing Council with a question or comment shall be allocated three (3) minutes of time at the delegate stand after which time the microphone shall be turned off.
- 7.8.3 No person shall be permitted to speak at the same meeting for which they are a registered delegate on that topic.
- 7.8.4 No person shall speak to a repeat topic that they had previously spoken to during either a delegation or open forum in the previous 3 months.
- 7.8.5 Only residents, taxpayers, service providers or members speaking on behalf of an association or organization that serves the Town of Orangeville are permitted to speak during open forum.
  - 7.8.5.1 Notwithstanding section 7.8.5, any member of the public may provide their comments at a statutory public meeting held pursuant to regulations included in the legislation requiring such meeting.

### **7.9 Section deleted.**

*(Amended by By-law 2023-066)*

### **7.10 Announcements**

*(Amended by By-law 2023-066)*

Council members may make announcements with respect to upcoming events or community topics.

*(Amended by By-law 2023-066)*

### **7.11 Notice of Motion Given Prior to Meeting**

- 7.11.1 A written copy of a proposed motion along with supporting background information submitted to the Clerk by a member of Council at least seven (7) days in advance of and included in the agenda for the next regular meeting of Council shall be considered at that meeting of Council.

*(Amended by By-law 2024-086)*

- 7.11.2 A member who presents a written Notice of Motion to the Clerk must be present during the reading of the motion.

- 7.11.3 If not moved at the meeting for which it is scheduled, by the person who gave notice, the motion shall be deemed to be withdrawn unless an alternative time and/or for the motion to be debated is given.

### **7.12 Notice of Motion at Meeting**

7.12.1 A member who presents a written Notice of Motion to the Clerk to be read at any regular meeting must be present during the reading of the notice.

7.12.2 A written copy of the motion must be presented to the Clerk who will place it on the Council Agenda for the next meeting.

7.12.3 A motion of which Council has received notice shall be placed on the agenda for the date on which it is scheduled for debate. If not moved at the meeting for which it is scheduled, by the person who gave notice, it shall be deemed to be withdrawn unless an alternative time for the motion to be debated is given.

7.12.4 Notices of Motion for future consideration shall be received without comment or debate by any member.

7.12.4.1 The member who presented the notice for future consideration shall provide the Clerk with a written copy of the proposed motion along with supporting background information at least seven (7) days prior to the meeting they wish to have the motion considered.  
*(Amended by By-law 2024-086)*

7.12.5 A member may request that the matter be dealt with immediately and unless any member objects it shall be deemed that Council concurs with the request.  
*(Amended by By-law 2023-066)*

7.12.6 Should a member of Council object to dealing with a matter immediately, Council may consider a motion to waive the notice requirements by a two thirds vote of the members present.  
*(Amended by By-law 2023-066)*

## **8. Committees of Council**

### **8.1 Declaration of Interest**

For the purpose of this by-law, all local boards and committees, including standing and special committees of Council are subject to the provisions of the Municipal Conflict of Interest Act, and members of such committees:

- shall leave the meeting room prior to any consideration of the matter at a closed meeting.
- shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- shall not take part in the discussion of, or vote on any question in respect of the matter; and
- shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

The Clerk or secretary shall record such disclosure in the minutes of the

meeting.

## **8.2 Committee Procedures**

The rules governing the procedure of Council and the conduct of members of Council shall be observed in all special and standing committees of Council and all local boards, so far as they are applicable, except that:

- no motion shall be required to be seconded.
- motions may be moved verbally
- more latitude may be allowed in discussions, as determined by the committee.
- there shall be no recorded votes.

## **8.3 Jurisdiction/Responsibility**

Committees have jurisdiction and are responsible to formulate and discuss major and general policies for recommendation to the Council, according to the mandate approved by Council, and shall also consider such other matters as may be referred thereto by the Council or another committee.

## **8.4 Secretary**

8.4.1 The Council representative or Clerk shall preside at meetings of committees or special purpose bodies until such time as a chair, vice chair or acting chair, and secretary are selected.

8.4.2 The Chief Administrative Officer shall appoint a staff member as secretary for each committee, whose duties shall include preparing agendas for distribution to members at least twenty-four (24) hours in advance of each meeting, attending meetings and producing minutes clearly indicating the decisions and/or recommendations of the committee.

## **8.5 Time of First Meeting**

The time of the first regular meeting of the committee shall be determined by the Council representative or committee secretary according to the results of surveying the committee members.

## **8.6 Schedule of Meetings**

The next and each succeeding meeting of the committee shall be held on a regular basis as determined by the members at their first meeting. Special meetings shall be held at the call of the chair.

## **8.7 Chair**

The chair of each committee shall be a member of such committee. The chair shall vote on all questions submitted, and in the case of an equal decision, the question shall be deemed to have been decided in the negative. In the absence of the chair, the vice chair shall preside during the meeting or until the arrival of the chair.

## **8.8 Chair/Vice Chair/Acting Chair**

8.8.1 At the first regular meeting each year, each committee shall elect a chair and a vice chair.

8.8.2 In the absence of the chair and vice chair, the committee may appoint an acting chair from the members present.

## **8.9 Quorum**

A quorum of the committee shall be a majority of the current members. If a member resigns, quorum shall be reduced until a replacement is appointed.

## **8.10 Vacant Seat**

The seat of a member of a committee or sub-committee may be declared vacant if the member is absent from the meetings of the committee or sub-committee for three (3) consecutive meetings.

## **8.11 Ad Hoc Committees**

A committee may appoint an ad hoc committee from its members to investigate and report on any matters related to committee business, provided that the ad hoc committee, in all cases, reports directly to the appointing committee.

Any ad hoc committees shall observe the same rules governing the procedures of committees, as set out in section 8 herein.

## **9. Appointments to Vacancies**

Where a vacancy occurs in the office of a member of Council and the vacancy is to be filled other than by an election, the Council shall appoint a person who has consented to accept the office.

If more than one candidate is nominated for appointment to fill such vacancy, a vote shall be taken by the Clerk.

The Clerk shall record the name of each member of Council and the name of the candidate for which the member is voting. The results shall be declared by the Clerk.

## **10. Robert's Rules of Order**

Robert's Rules of Order shall prevail, where applicable, in all circumstances not covered by this by-law.

## **11. Suspension of Rules**

11.1 By a two-thirds majority vote, Council may amend, suspend, or repeal any

procedure contained in this by-law, except any procedure requiring unanimous consent.

11.2 By unanimous consent, Council may suspend any procedure in this by-law requiring unanimous consent.

11.3 With notice provided on the meeting agenda and by a two-thirds majority vote of Council, Council may amend or repeal any procedure in this by-law requiring unanimous consent.

11.4 When a proceeding of Council is in contravention of any provision of this by-law, and no member objects, it shall be deemed that Council concurs with the proceedings.

## **12. Notice Requirements to Amend By-law**

No amendment or repeal of this by-law or any part thereof shall be considered at any meeting of Council unless notice of the proposed amendment or repeal has been given in accordance with the Town's Notice Policy.

## **13. Repeal**

By-laws Nos. 116-2003, 24-2009 and 41-2011, and any other by-laws inconsistent herewith are hereby repealed.

## **14. Effective**

This by-law shall become effective upon the adjournment of the meeting at which it is enacted.

Passed in open council this 17th day of July, 2017.

Signed by Jeremy D. Williams, Mayor

Signed by Susan Greatrix, Clerk