

COUNTY OF ELGIN

By-Law No. 25-XX

**“TO REGULATE THE PROCEEDINGS OF THE MUNICIPAL COUNCIL OF THE
CORPORATION OF THE COUNTY OF ELGIN”**

WHEREAS pursuant to Section 238 of the Municipal Act, 2001, S.O 2001, Chapter M. 45, as amended, every municipality shall pass a procedure by-law for governing the calling, place and proceedings of Meetings; and

WHEREAS the Council of the Corporation of the County of Elgin did pass By-Laws No. 19-41, 18-38, 11-06, 07-36, 03-33, 02-37 and amendments thereto in order to make and establish rules and regulations for governing the proceedings of Council; and

WHEREAS the Council of the Corporation of the County of Elgin deems it necessary to update the Procedural By-Law to govern the proceedings of Council that reflects the current practices, procedures and statutory requirements of Council;

NOW THEREFORE BE IT RESOLVED THAT the Municipal Council of the Corporation of the County of Elgin enacts as follows:

1. THAT this By-Law comes into force and takes effect upon passing.
2. THAT By-Laws No. 19-41, 20-47, 21-42, 24-40 and any previous By-Law inconsistent with this By-Law be and are hereby repealed.

READ A FIRST, SECOND, AND THIRD TIME AND FINALLY PASSED THIS 11th DAY
OF FEBRUARY 2025.

Blaine Parkin,
Chief Administrative Officer/Clerk.

Grant Jones,
Warden.

APPENDIX "A"

By-Law No. 25-XX

Rules of Order and Procedures Governing the Municipal Council of the Corporation of the County of Elgin.

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1. Short Title

1.1 This By-Law shall be cited as the “Procedural By-Law”.

2. Definitions

2.1 In this By-Law:

“**Act**” means the *Municipal Act, 2001* S.O. 2001, Chapter 25, as amended.

“**Adjourn**” means to conclude the meeting. This motion requires a second, is not debatable, requires a majority vote for adoption and cannot be reconsidered.

“**Advisory Committee**” means a committee established by Council to advise on matters which Council has deemed appropriate for the Committee to consider.

“**Ad Hoc Committee**” means a committee, sub-committee or similar entity of which at least 50 percent of the Members are also Members of Council, appointed by Council to review and report on a specific issue. Once the final report is delivered and a resolution of Council is adopted concerning the specific issue, the Ad Hoc Committee is automatically dissolved.

“**Alternate Member**” means an authorized individual who, during the absence of the Member for whom that individual is an alternate, shall act in the place and stead of such member and perform such other duties as assigned.

“**Business Day**” means the days of the week in which Council or Committee shall conduct its business transactions and hold meetings, excluding Saturday and Sunday or statutory holidays.

“**Clerk**” means the Clerk of the County of Elgin or their designate. Clerk means the person duly appointed, by By-Law pursuant to Section 228 of the Act, as the Clerk of the County.

“**Chair**” means the position of the person appointed to preside, or presiding at, a meeting, whether that person is the regular Chair or not.

“**Closed Session**” means a meeting of Council or Committee that is not open to the public, pursuant to Section 239 of the Act or any successor provision thereto.

“**Committee**” means any advisory or other committee created by Council, of which at least one Member is also a Member of Council, which is established under any Act with respect to the affairs or purposes of one or more municipalities.

“**Committee of the Whole**” means the Committee of which all Members present sit on Council and reports directly to Council. The purpose of this committee is to enable Council to give detailed consideration to a matter under conditions of freedom approximating that of a committee. When sitting as Committee of the Whole, the results of votes taken are not final decisions of Council but have the status of recommendations which Council is given the opportunity to consider further and which it votes on during a Regular Meeting of Council.

“**Confidential Matter**” means those items of business discussed in Closed Session.

“**Council**” means the elected Mayors and/or Deputy Mayors or alternate(s) of the County’s constituent municipalities when they sit in deliberative assembly.

“**County**” means the Corporation of the County of Elgin.

“Delegation” means to address Council or a Committee at the request of the person wishing to speak.

“Deputy Warden” means the Member of Council who has most recently held the position of Warden or has been elected Deputy Warden in accordance with the procedures of this By-Law.

“Ex-Officio” means a Member who has the right, but not the obligation, to participate in the proceedings of the meeting, and is not counted in determining the number required for a quorum or whether a quorum is present at a meeting. Ex-Officio cannot attend a committee meeting if by attending a quorum of Council is created.

“Inaugural Meeting” means the first meeting of Council after a regular election, as set out in the Act, or the first meeting following the election of a Warden, as set out in this By-Law, as context requires.

“Majority” means more than half of the votes cast by Members entitled to vote.

“Meeting” means an event wherein business is transacted for any regular or special purpose by Council or local board, or a Committee or sub-Committee of either of them, as the case may be, where, (a) a quorum of Members is present, and (b) Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of Council, local Board or Committee.

“Member” means a person duly elected to hold office with the County of Elgin’s constituent municipalities, pursuant to the *Municipal Elections Act, 1996* S.O. Chapter 32, as amended; or a person appointed by Council to a Committee.

“Minutes” means a written record of meetings of Council prepared by the Clerk without note or comment, and the Minutes are to include the events of the meeting, a list of attendees, a statement of the issues considered by the Members, related responses and decisions on issues.

“Motion” means a proposal moved by a Member, and if moved in Council or Committee, seconded by another Member, to adopt, amend or otherwise deal with a matter before Council or Committee.

“Municipal Office” means 450 Sunset Drive, St. Thomas, Ontario, N5R 5V1 or any location in the County subsequently designated as its municipal office.

“Notice” means written Notice, except where legislation, By-Law or Corporate Policy provides for another form and manner of Notice.

“Open Meeting” means a Meeting at which a quorum of Members is present, and they discuss or otherwise deal with a matter in a way that materially advances the business or decision-making of the relevant council, local board or Committee.

“Pecuniary Interest” means an interest, whether direct or indirect, that meets the criteria set out in the *Municipal Conflict of Interest Act, RSO 1990, c. M.50, ss. 2, ss. 3.*

“Point of Order” means a statement made by a Member during a meeting, drawing to the attention of the Chair a breach of the rules of procedure.

“Point of Privilege” means a Motion concerning the health, safety, rights or integrity of the Members, the Council, a Committee, staff, or anyone present at a Meeting.

“Pregnancy and Parental Leave” for the purposes of this By-Law means the period of time the Member of Council will not attend meetings of Council or any Committee to which the Member has been appointed as a result of the Member’s pregnancy, the birth of the Member’s child or the adoption of a child by the Member.

“Quasi-Judicial Board” means a local board or committee that has been delegated Council’s decision-making powers and makes quasi-judicial decisions.

“Question” means a Motion that has been appropriately placed before Council or Committee. Only once duly recognized by the Chair and “on the floor” can a Motion be debated and put to a question of the Members for proper resolution.

“Quorum” means, in the case of Council, a majority of Members, pursuant to Section 237 of the Act. In the case of a Committee of Council, quorum is a majority of the whole number of Members of the Committee, including the Chair.

“Recorded Vote” means a vote taken on a matter of business, whereupon the Clerk duly notes the name of each Member present and their vote in the Minutes, as provided for in Section 246 of the Act. Section 246(2) of the Act specifically notes that a failure to vote by a Member who is present at the Meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.

“Reports” means written documents by Councillors, municipal employees, committees, consultants or other individuals appointed at the pleasure of the Council for the purpose of providing advice, alternatives, information, and/or recommendations on various matters.

“Resolution” means a Motion that has been carried by Council or Committee.

“Rules of Procedure” means the rules and regulations provided in this By-Law and, where necessary, *Robert’s Rules of Order* (Newly Revised).

“Secretary” means the person responsible for recording the Minutes of Council or Committee meetings, the preparation of the agenda and the preparation of any resulting correspondence, as designated by the Clerk.

“Special Meeting” means a meeting not scheduled in accordance with the approved schedule of meetings.

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

“Steering Committee” means any advisory body, roundtable or other body Council established to advise on specific areas of interest, with Members of the public and staff making up more than 50 per cent of the membership and Council Members or other elected officials making up the rest.

“Warden” means the Warden of the Corporation of the County of Elgin, in accordance with the Act, and the term is interchangeable with “Chair”, “Chief Executive Officer (CEO)”, and “Head of Council” for the purposes of conducting Committee meetings.

“Website” means the County of Elgin website address identified as www.elgincounty.ca

3. Purpose

3.1 This By-Law establishes the rules of order for the Council of the Corporation of the County of Elgin Council Meetings.

3.2 The rules governing the procedure of Council and the conduct of Members of Council shall be observed in Committee of the Whole so far as they are applicable.

4. Principles of the Procedural By-Law

- 4.1 The principles of openness, transparency and accountability to the public guide the County's decision-making process. In the context of Council proceedings, this is accomplished by:
 - 4.1.1 Ensuring the decision-making process is understood by the public and other stakeholders;
 - 4.1.2 Providing access to information and opportunities for input by the public and other stakeholders consistent with the requirements of this By-Law and other statutory requirements;
 - 4.1.3 Exercising and respecting individual and collective roles and responsibilities provided for in this Procedural By-Law and other statutory requirements; and
 - 4.1.4 The protection of basic rights by recognizing the right of the majority to decide, the minority to be heard and individuals to participate.
- 4.2 The principles of parliamentary law governing Council include:
 - 4.2.1 The majority of Members have the right to decide;
 - 4.2.2 The minority of Members have the right to be heard;
 - 4.2.3 All Members have the right to information to help make decisions, unless otherwise prevented by law;
 - 4.2.4 All Members have a right to an efficient Meeting;
 - 4.2.5 All Members have the right to be treated with respect and courtesy; and
 - 4.2.6 All Members have equal rights, privileges and obligations.

5. General Provisions

- 5.1 In the event of conflict between this By-Law and a valid and binding statute, the provisions of the statute prevail.
- 5.2 A specific statement or rule in this By-Law supersedes a general statement on the same subject matter.
- 5.3 If there is a conflict between two or more rules in this By-Law, or if there is no specific rule on a matter, the Chair will rule. In making a ruling, the Chair may consult the Clerk, rely on previous rulings or practices, or refer to *Robert's Rules of Order* (Newly Revised).

6. Suspension of the Rules

- 6.1 The rules and regulations contained herein that are discretionary and not mandatory under statute may be temporarily suspended by a two-thirds vote of the whole Council, with the exception of the following circumstances:
 - 6.1.1 Where required by law;
 - 6.1.2 Contractual agreements binding the County;
 - 6.1.3 Amending this Procedural By-Law; and,
 - 6.1.4 Quorum requirements.

7. Video Equipment and Recording Devices

- 7.1 The County will make a reasonable effort to ensure that live streaming and video recordings of Council and Committee meetings are available to the public. However, there may be situations where the live streaming and video recordings may be unavailable or delayed due to technical difficulties. Meetings will not be cancelled or postponed due to technical issues with live streaming or recording of meetings if Council Chambers is physically open and accessible to the public.
- 7.2 If live streaming and/or video recordings are unavailable or delayed due to technical difficulties, the Warden or Committee Chair may, at their discretion, delay the meeting until the public and media may be notified.
- 7.3 Where a meeting of Elgin County Council is held at a location other than the Elgin County Council Chambers, it will not be live streamed.
- 7.4 The official record of all Council/Committee Meetings shall be written in minutes in accordance with the *Municipal Act, 2001* Section 239(1) which states that minutes of meetings are to be recorded without note or comment by the Clerk.

8. Council Composition

- 8.1 Section 458 of the Act provides that, as of January 2, 2003, the composition of the Council of a municipality, the method of electing or appointing its Members, the number of votes given to each Member and the titles of its Members shall be the same as they were on December 31, 2002. On December 31, 2002, pursuant to By-Law 97-8 passed on March 18, 1997, the composition of the Corporation of the County of Elgin Council ("Elgin County Council") was:

County Council will have nine (9) Members, being the Mayors from each of the seven (7) municipalities within the County of Elgin and the Deputy Mayors of the Municipality of Central Elgin and the Township of Malahide, thereby constituting the composition of such Council as follows:
 - 8.1.1 Municipality of West Elgin – One (1) Member (the Mayor);
 - 8.1.2 Municipality of Dutton Dunwich – One (1) Member (the Mayor);
 - 8.1.3 Township of Southwold – One (1) Member (the Mayor);
 - 8.1.4 Municipality of Central Elgin – Two (2) Members (the Mayor and the Deputy Mayor);
 - 8.1.5 Township of Malahide – Two (2) Members (the Mayor and the Deputy Mayor);
 - 8.1.6 Town of Aylmer – One (1) Member (the Mayor); and
 - 8.1.7 Municipality of Bayham – One (1) Member (the Mayor).
- 8.2 The Head of Council, the Warden, will be elected by County Council from amongst the Members of Council on an annual basis.
- 8.3 Each Member of Council will have one (1) vote.
- 8.4 As provided for in the Act, the Councils of the seven (7) municipalities have the authority to appoint alternates from the Members of Council to represent the municipality on County Council in the absence of Mayor and/or Deputy Mayor in accordance with Section 32 of this Procedural By-Law.

8.5 The term of office of Warden shall be one (1) year.

9. Inaugural Meeting and Annual Election of Warden

- 9.1 A person elected or appointed as a Member of Council shall not take a seat on Elgin County Council until the Clerk has received the certificate from the constituent municipality certifying the name of each person elected or appointed.
- 9.2 No business shall be conducted at the first meeting of Council after a regular election until after the declarations of office have been made by all members who present themselves for that purpose.
- 9.3 The first Meeting of County Council after a regular election shall be held in the evening of the second Tuesday of the month of December, or at such hour and on such day thereafter as the majority of the members of the Council are present in the Council Chambers but in any case, not later than 31 days after its term commences, as provided for in the Act.
- 9.4 The annual election of the Warden shall be held in the evening of the second Tuesday of the month of December, or at such hour and on such day thereafter as the majority of the Members of Council are present in the Council Chambers.
- 9.5 Section 233 of the Act requires Council to appoint the Head of Council (“Warden”) at its first Meeting. No other business shall be conducted until the Head of Council is confirmed.
- 9.6 For the appointment of the Warden, the following regulations and procedures shall be followed:
- 9.6.1 The Clerk shall take the Chair;
- 9.6.2 The Clerk shall prepare ballots for voting;
- 9.6.3 The Clerk shall inform the members that they are ready to proceed with the election of Warden, unless only one member indicates their intention to run for the Office, in which case the election procedure is dispensed with in favour of a resolution appointing the Warden;
- 9.6.4 The Clerk shall ask those members of Council seeking the Office of Warden to stand;
- 9.6.5 The Clerk shall announce that any person aspiring to the position of Warden shall be granted an opportunity, not exceeding five (5) minutes, to address Council. Candidates will address Council in alphabetical order;
- 9.6.6 Voting shall be by secret ballot. Balloting will continue until a candidate obtains a majority of votes.
- 9.6.7 If after one round of balloting, no candidate has achieved a majority, another round of balloting will follow. If no candidate has achieved a majority after this second round of balloting, each candidate standing for the position of Warden shall have an additional opportunity, not exceeding five (5) minutes, to address Council. Candidates will address Council in alphabetical order by surname.
- 9.6.8 The process described in 9.6.7 will repeat until one of the Candidates has achieved a majority. References to rounds of balloting shall be construed to mean each round subsequent to the opportunity for candidates to address Council.

- 9.6.9 By Motion, the Clerk shall be directed to destroy the ballots after the election has been completed;
- 9.6.10 For the purposes of electing the Warden, each Member of County Council shall have one vote;
- 9.6.11 The Warden-Elect shall forthwith sign and declare and read aloud the Declaration of Office and, on completion thereof, they shall take the Chair.

10. Appointment of Deputy Warden

- 10.1 A position of "Deputy Warden" shall be held by the most immediate past Warden who is a member of Council. In the event that there are no Past Wardens on Council following a Municipal Election, Council shall vote and appoint a Deputy Warden at the Inaugural Meeting. Voting shall be by secret ballot and follow the same procedure set out for the Election of the Warden in Section 9 of this By-Law. The election of the Deputy Warden, when necessary, will follow the election of the Warden.
- 10.2 Any Member who was not elected Warden shall be eligible to stand for the election to the office of Deputy Warden.
- 10.3 The Warden may request said Deputy Warden or any other member of Council to represent him or her at any Meeting or function where the Warden is unable to attend.
- 10.4 If the Warden, at any point during their term, is unable to continue in their role, the Deputy Warden will fulfill the duties of the Warden on a temporary basis until an election of Warden occurs using the same procedure described in section 9. Such election shall be held as soon as practicable.
- 10.5 The Deputy Warden attending functions on behalf of the Warden, shall be paid mileage at the same rate established for the use of personal vehicles for County business and any other eligible "out of pocket" expense that may occur.

11. Meetings of Council/Committee of the Whole

11.1 Location and Schedule of Meetings of Council

- 11.1.1 After its Inaugural Meeting, Council shall meet in the Council Chambers of the Elgin County Administration Building, 450 Sunset Drive, St. Thomas, ON or other designated location, at a time designated by the Warden, with regular meeting generally being on the second and fourth Tuesday of each month, subject to such changes, additions or deletions to the meeting schedule as may be made pursuant to the Act and when Notice is given;
- 11.1.2 Council shall approve a schedule of regular Meetings of Council and Committee of the Whole for each calendar year, which may be amended. The schedule of Meetings is made available to the public on the County's website and from the Municipal Office;
- 11.1.3 As soon after the time appointed for a Meeting of Council as a Quorum is present, the Warden shall assume the Chair and call the Meeting to order;
- 11.1.4 Council shall always recess/adjourn no later than 12:00 noon and 6:00 P.M., if in a Meeting at these hours, unless otherwise determined by a resolution, but in all cases shall adjourn no later than 10:00 P.M.; and

- 11.1.5 The Members of Council shall not leave their places on adjournment, until the Warden or other Presiding Officer leaves the Chair.

11.2 Notice of Meetings of Council

- 11.2.1 The agenda shall be considered as Notice of Regular Meetings of Council and By-Law 24-15, being a By-Law to establish a policy respecting the manner in which Notice will be provided, as amended, shall be utilized in respect thereof;
- 11.2.2 Notice will be given by providing Council with a regular agenda on each Thursday preceding a Meeting Day of Council, being five (5) days Notice. Public Notice will be provided on the Friday preceding a Meeting Day of Council, being four (4) days Notice.
- 11.2.3 Reports or actions before Council that require enactment of a By-Law, with Notice, shall be subject to terms of the By-Law 24-15, as amended; and
- 11.2.4 The Clerk gives Notice of a Meeting of Council by:
- 11.2.4.1 Providing Council with a regular agenda on each Thursday preceding a Meeting day of Council.
 - 11.2.4.2 Where required, providing Council with a Closed Session agenda in accordance with the publishing timeframes set out of regular, addenda and additional addenda set out in Sections 12, 14 and 15.

11.3 Special Meetings of Council

- 11.3.1 If a matter arises which, in the opinion of the Clerk, in consultation with the Warden, is considered to be of an urgent or time sensitive nature, or warrants a meeting separate from the next regularly scheduled Council Meeting, the Notice requirements of By-Law 24-15, as amended, may be waived and the Clerk will provide Notice in accordance with Section 11.2 of this By-Law.
- 11.3.2 A Special Meeting of Council may be called by the Warden at any time. A Special Meeting of Council is limited to business matters included in the Notice of Meeting; and
- 11.3.3 When the Clerk receives a petition for a Special Meeting of Council signed by a majority of the Members of Council, a Special Meeting of Council is called for the purpose and at the time identified in the Petition. The Petition shall include:
- 11.3.3.1 Original signatures of Members;
 - 11.3.3.2 A clear statement of the purpose of the Special Meeting;
 - 11.3.3.3 A proposed date and time for such Special Meeting.

11.4 Emergency Meetings of Council

- 11.4.1 Notwithstanding any other provision in this By-Law, the Warden may, at any time, call or provide Notice of an Emergency Meeting of Council if a matter arises which could affect the health, well-being, or security of residents of the County, and/or if a state of emergency is declared by any Provincial Ministry; and

- 11.4.2 An Emergency Meeting of Council is limited to business matters included in the Notice of Meeting; and
- 11.4.3 In the case of an emergency, Council may hold its Meetings at any convenient location within or outside the territorial limits of Elgin County.

11.5 Notice of Emergency Meetings of Council

- 11.5.1 The Clerk gives Notice of Emergency Meetings of Council to Members by:
 - 11.5.1.1 Providing Council with an agenda in person or by telephone, mail, or electronic mail at least 24 hours prior to the Meeting.
 - 11.5.1.2 Posting a Notice on the County's website, if possible, under the circumstances.
 - 11.5.1.3 Where items 11.5.1.1 and 11.5.1.2 cannot be achieved, posting a Notice at the Main Entrance to the Municipal Office that indicates the date and time of the Emergency Meeting of Council and the purpose of the Emergency Meeting.

11.6 Public Meetings

- 11.6.1 Where any statute confers a right to be heard by Council before the passing of a by-law, or where Council is by statute required to hold a public meeting before the passing of a by-law, the Clerk shall call a Public Meeting.
- 11.6.2 The Clerk may call a Public Meeting at any time where so directed by the Head of Council for the purpose of soliciting feedback from the public on issues of importance to Council.
- 11.6.3 Notice of a Public Meeting shall meet the notice requirements of the statute under which the Public Meeting is required. If the Public Meeting is not required by statute, notice shall be provided in accordance with Section 11.2 of this By-Law.
- 11.6.4 Delegations at a Public Meeting are not required to provide written submissions to the Clerk in advance of the meeting, unless otherwise prescribed by legislation. However, Delegations are encouraged to provide written submissions to the Clerk in order to facilitate the efficient conduct of the meeting.
- 11.6.5 The procedures set out in this By-Law shall continue to apply to a Public Meeting held pursuant to this section, except that this section and the statute or by-law under which the Public Meeting is required, shall prevail to the extent of any conflict.

11.7 Committee of the Whole

- 11.7.1 Committee of the Whole Meetings shall be held immediately following regular council meetings in the Council Chambers at 450 Sunset Drive St. Thomas, or any other location and/or time designated by the Clerk.
- 11.7.2 Unless otherwise provided for in this by-law or on an agenda, Council shall receive Members Motions and Reports in Committee of the Whole.
- 11.7.3 When sitting as Committee of the Whole, the results of votes taken constitute resolutions of the Committee of the Whole and not resolutions

of Council. All resolutions made by the Committee of the Whole while convening in accordance with this section shall be forwarded to the next regular meeting of Council for consideration, unless otherwise decided by Council.

- 11.7.4 The procedures set out in this By-law for Council meetings shall apply to meetings of the Committee of the Whole insofar as practicable.

11.8 Notice of Committee of the Whole Meetings

- 11.8.1 The agenda shall be considered as Notice of Committee of the Whole Meetings and By-Law 24-15, being a By-Law to establish a policy respecting the manner in which Notice will be provided, shall be utilized in respect thereof;
- 11.8.2 Notice will be given by providing Council with an agenda on each Thursday preceding a Meeting Day of Committee of the Whole, being five (5) days Notice. Public Notice will be provided on the Friday preceding a Meeting Day of Committee of the Whole, being four (4) days Notice.
- 11.8.3 The Clerk gives Notice of a Meeting of Committee of the Whole by:
- 11.8.3.1 Providing Council with a regular agenda on each Thursday preceding a Meeting Day of Committee of the Whole.

11.9 Cancellation or Postponement of Meetings

- 11.9.1 A regular, special, or emergency Meeting of Council or a Committee of the Whole Meeting may be cancelled or postponed where Quorum cannot be achieved, by Council resolution, in the event of an emergency, or where the Meeting is no longer required, as deemed by the Warden and/or Clerk; and
- 11.9.2 The Clerk gives Notice on the County's website and time permitting, through the local media, of a cancellation or postponement of a regular, special, or emergency Meeting of Council or a Committee of the Whole Meeting. Where time is limited, a Notice is posted at the main entrance to the Municipal Office.

11.10 Invalidation of Notice of Meeting

- 11.10.1 If Meeting Notice is substantially given but varies from the form and manner provided in this Procedural By-Law, the ability to hold the Meeting and actions taken at the Meeting are not invalidated.

11.11 Quorum

- 11.11.1 Members of Council will attempt to advise the office of the Clerk at least two days in advance if unable to attend a Meeting of Council. If Quorum cannot be met, the Meeting may be cancelled by the Clerk;
- 11.11.2 Unless there shall be a Quorum present within thirty (30) minutes of the time appointed for the Meeting of Council, Council shall then stand absolutely adjourned until the date of the next regular Meeting and the Clerk shall record the names of the Members present at the expiration of such thirty (30) minutes; and

11.11.3 A majority of the Members of the whole Council will constitute a quorum and be necessary for the transactions of business. A majority of all Members of Council shall be determined as five (5) Members of Council.

11.11.4 Where there is an insufficient number of Members of Council present to achieve Quorum at a Meeting of Council due to a provision of the *Municipal Conflict of Interest Act*, RSO 1990, c. M.50, ss. 2, ss. 3., the remaining Members of Council constitute Quorum, provided that such number in no case be less than two (2).

11.12 Late Arrival

11.12.1 If a Member arrives late at a Meeting, any prior discussion is not reviewed without the consent of the Members present.

11.13 Electronic Participation

11.13.1 Pursuant to Section 238 (3.1) of the Municipal Act, 2001, as amended, the following rules and regulations for electronic participation in a Council Meeting shall apply:

11.13.1.1 A Member who is unable to attend a Council Meeting in person may participate in any and all sessions of that Meeting, including but not necessarily limited to open and closed sessions thereof, by electronic or other communication facilities if,

11.13.1.1.1 The facilities enable all participating Members, whether attending in person or through electronic participation, to hear and be heard by all other Members.

11.13.1.1.2 Except for all or any part of the Council Meeting that is closed to the public, the electronic or other facilities are capable of and enable the public to hear, or watch and hear, all Members participating in the Meeting.

11.13.1.1.3 A Member who intends to participate in any such Meeting of Council by electronic or other communication facilities shall give to the Clerk Notice of that intention at least 24 hours prior to the commencement of such Meeting, provided that, if Notice of such Meeting is provided less than 24 hours prior to its scheduled commencement, then the Member shall give to the Clerk as much notice as possible prior to commencement of such Meeting. In all such circumstances, the Clerk will, as soon as reasonably possible, provide the Member intending to attend by electronic participation with instructions on how to connect to and participate in that Meeting by electronic or other communication facilities.

11.13.1.2 There shall be no limit upon the number of Members who may attend a Meeting of Council by electronic or other communication facilities.

11.13.1.3 The following rules apply to Meetings where any Member is

participating electronically:

- 11.13.1.3.1 The Warden (or designate), as Chair, shall lead the Meeting and, when possible and/or appropriate, be present from a designated meeting location supported by the Clerk (or designate).
- 11.13.1.3.2 Each Member attending the Meeting by electronic or other communication facilities shall notify the Chair and other Members when they join the Meeting and, if and when applicable, upon leaving the Meeting.
- 11.13.1.3.3 Any Member attending and present during a Meeting by electronic or other communication facilities shall be counted for purposes of quorum at the commencement of and at any point in time during the Meeting.
- 11.13.1.3.4 Any Member attending and present during a Meeting by electronic or other communication facilities may participate in all aspects of the Meeting as if present in person, including but not limited to debate, questioning, presentation of motion, and/or voting.
- 11.13.1.3.5 During the course of a Meeting within which any Member is participating by electronic or other communication facilities, the Chair (or designate) shall announce each agenda item on the floor of the Meeting and shall thereafter maintain an orderly meeting process, including keeping Members fully informed.
- 11.13.1.3.6 Any Member attending and present during a Meeting by electronic or other communication facilities may vote on any matter being considered in such Meeting and that vote shall be counted and, as set forth below.
- 11.13.1.3.7 During the course of each vote conducted within such Meeting,
 - 11.13.1.3.7.1 The Clerk shall call the name of each Member to vote and they shall signal “yea”, “nay”, or “abstain”.
 - 11.13.1.3.7.2 If the Member, after two attempts, fails to respond to the call of their name, then the vote is considered as “nay”, unless directed otherwise by the Chair.
- 11.13.1.3.8 During the course of the Meeting,
 - 11.13.1.3.8.1 Each Member shall remain silent and attentive to the proceeding when not assigned to the floor by the Chair.

11.13.1.3.8.2 Each Member shall listen for their name to be assigned to the floor to speak or to vote.

11.13.1.3.8.3 All Members shall take and abide by the directions of the Chair in order to facilitate an effective, efficient, and orderly Meeting.

11.13.2 The above rules and practices shall apply to all sessions of the Meeting, whether open or closed to the public.

12. Preparation of the Agendas of Council

12.1 The Clerk and their staff are charged with providing guidance and recommendations to Council related to municipal business and to implement the decisions of Council.

12.2 The Clerk shall chair a regularly scheduled meeting of senior staff and invited attendees to review draft agenda items in order to support the business of Council.

12.3 The Clerk shall either personally or by their approved staff establish an administrative process to support the approval, preparation, Notice, publication and distribution/public access to agendas and agenda items.

13. Agenda

In respect of a Regular, Special or Emergency Meetings of Council, or a Meeting of Committee of the Whole, the Clerk shall have prepared an agenda of the Orders of the Day, containing:

13.1 Regular/Special/Emergency Meeting of Council

- 1st Meeting Called to Order
- 2nd Approval of Agenda
- 3rd Introductions, Recognitions, Memorials
- 4th Adoption of Minutes
- 5th Disclosure of Pecuniary Interest and the General Nature Thereof
- 6th Presenting Petitions, Presentations and Delegations
- 7th Motion to Adopt Recommendations from the Committee of the Whole
- 8th Committee Recommendations
- 9th Reports for Information and Immediate Consideration
- 10th Council Correspondence
- 11th Statements/Inquiries by Members
- 12th Closed Meeting Items
- 13th Motion to Rise and Report
- 14th Consideration of By-Laws
- 15th Adjournment

13.2 Inaugural Meeting/Annual Warden's Election

- 1st Meeting Called to Order
- 2nd Receipt of Declaration of Acclamation to Office or Declaration of Election from Councillors (the first year only after a Municipal Election)
- 3rd Declaration of Office by Councillors (the first year only after a Municipal Election)
- 4th Election of Warden
Candidates for Warden to Stand

- Prospective Candidates to Speak (alphabetical order)
- Proceed with Election (Ballot or Resolution)
- 5th Administering and Signing of the Declaration of Office
- 6th Gowning
- 7th Presentation by Past Warden
- Chain of Office
- Lord Elgin Watch
- Gavel of Office
- 8th Warden's Address
- 9th Resolution to Destroy the Ballots (if required)
- 10th Recess

13.3 Public Meeting

- 1st Meeting Called to Order
- 2nd Disclosure of Pecuniary Interest and the General Nature Thereof
- 3rd Reports of Staff or Consultants
- 4th Public Comments
- 5th Closed Meeting Items
- 6th Motion to Rise and Report
- 7th Adjournment

13.4 Committee of the Whole Meeting

- 1st Meeting Called to Order
- 2nd Approval of the Agenda
- 3rd Adoption of Minutes
- 4th Disclosure of Pecuniary Interest and the General Nature Thereof
- 5th Reports of Council, Staff or Outside Boards
- 6th Adjournment

14. Changes in Order of Agenda of Council or Committee of the Whole

- 14.1 The business of Council and Committee of the Whole is dealt with in the order stated on the published agenda, unless the Warden consents to changing the order.

15. Matters of Urgency/Addendum to Agenda (Approval of Agenda)

- 15.1 When, after the Agenda has been prepared and distributed as Notice of a Meeting of Council, a Member wishes to inform Council of an additional matter that, in their opinion, should be considered immediately and during the course of such Meeting, then, after notification of the Clerk, they shall present such matter to Council at such Meeting through the Chair and, with the consent of the majority of Members present, the matter shall only then be added to the Agenda and considered as an additional item under Reports for Information or Immediate Consideration without any prior or further Notice being given or required.

- 15.2 If Council deems appropriate, they may refer this matter to a future Committee of the Whole meeting.

16. Pecuniary Interest

- 16.1 As required by the *Municipal Conflict of Interest Act*, RSO 1990, c. M.50, ss. 2, ss. 3, a member who 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 subject to consideration, the member,

- 16.1.1 Shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
 - 16.1.2 Shall not take part in the discussion of, or vote on any question in respect to the matter; and
 - 16.1.3 Shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.
- 16.2 Where the interest of a member has not been disclosed as required in Section 16.1 by reason of the member's absence from the meeting referred to therein, the member shall disclose the interest and otherwise comply with Section 16.1. at the first meeting of the council or local board, attended by the member after the meeting where the matter was considered.
- 16.3 A member shall file with the Clerk a written statement of any interest declared by the Member in accordance with the *Municipal Conflict of Interest Act, RSO 1990 Act* and its general nature, and the Clerk will make the disclosure publicly available and will maintain a registry of written statements of disclosure.
- 16.4 In the case of items to be discussed in a Closed Session Meeting, the Member declaring a pecuniary or other conflict of interest shall leave the Meeting and shall take no action to participate in, or influence, the vote of the other Members when said item is to be resolved by Council.

17. Minutes

- 17.1 The Minutes of Council shall consist of:
- 17.1.1 A record of the place, date and time of Meeting;
 - 17.1.2 The name of the Chair, a record of all Members present, and the names of those Members who are absent;
 - 17.1.3 The reading, if requested, correction and adoption of the Minutes of prior Meetings;
 - 17.1.4 All other proceedings of the Meeting without note or comment.
- 17.2 The Clerk shall ensure that a copy of the Minutes of each Meeting is delivered to each Member of Council at least forty-eight (48) hours prior to the commencement of the Meeting of Council; and
- 17.3 The Clerk shall keep a permanent copy of all Council Minutes for public inspection.

18. Introductions, Recognitions, Memorials

- 18.1 Introductions, awards/certificate presentations, moments of silence, and other recognitions presented to/by the County, its staff or related parties. Such presentations are received or presented by the Chair.
- 18.2 Presentations may be up to ten (10) minutes. The consent of Council is required to extend the presentation beyond ten (10) minutes.

19. Petitions, Delegations, Correspondence

19.1 Petitions

- 19.1.1 Every petition, protest, or other written application intended to be presented to Council must be legibly written or printed on paper, and

signed by at least one person, complete with their mailing address and telephone number. The Warden, in consultation with the Clerk, shall determine whether the delegation(s) request is suitable and appropriate for consideration by County Council. In determining the suitability of each delegation for authority to address Council, the Warden shall ensure that the request is within the purview and jurisdiction of Council;

- 19.1.2 Every Member presenting any petition, protest, or other written application to Council, shall examine the same and shall be answerable that they contain only relevant or proper matter and that the same is respectful and temperate in its language; They shall also endorse thereon the name of the applicant and the substance of such application, sign their name thereto, which endorsement only shall be read by the Clerk, unless a Member shall require the reading of the paper, in which case the whole shall be read; and
- 19.1.3 All petitions or other written communications received prior to any Meeting of Council and on any subject that falls within the jurisdiction of any outside board shall, upon presentation, be referred to the outside board by the Clerk for consideration. Any matters arising subsequently shall be referred by the Warden without Motion and no Member shall speak upon nor debate on the presentation of any such petitions or other communications to Council.

19.2 Delegations

- 19.2.1 Any individual or group of individuals wishing to appear before the Council on Municipal business shall notify the Clerk, in writing, at least eight (8) days prior to the date of the Council Meeting. Written briefs outlining the subject matter of the presentation shall be provided for inclusion on the agenda.
- 19.2.2 Delegations will be scheduled on a first come first serve basis and, the Clerk's determination as to when a deputation will be scheduled is final.
- 19.2.3 No more than (4) delegations shall be scheduled to address Council at any Regular, Special, or Emergency Meeting.
- 19.2.4 A delegation shall be limited to a maximum of fifteen (15) minutes. Council may by Motion, and with the support of the majority of its members, lengthen the time for hearing of delegations.
- 19.2.5 No more than three (3) persons shall be permitted to speak to a delegation, unless otherwise permitted by the Chair.
- 19.2.6 No individual or group shall be allowed to address Council during any Meeting of Council without the permission of the Warden or other Chair.
- 19.2.7 Members of Council may ask questions of a delegation but shall not enter into debate with any representative of any such delegation. With the permission of the Warden or other Chair, the Clerk may ask questions of delegations. All questions to delegations shall be addressed through the Chair.
- 19.2.8 Once a delegation has addressed Council, no further request on the same issue will be entertained within a 12-month period, unless written information is produced to Council and it agrees that another delegation is warranted.
- 19.2.9 The Warden has the discretion to limit delegations on repetitive topics, or topics that are deemed to be frivolous.

19.2.10 No delegation shall be permitted regarding:

19.2.10.1 Labour relations and negotiations

19.2.10.2 Any employee relations

19.2.10.3 Litigation or Potential Litigation Matters

19.2.10.4 Advertisements for products or services

19.2.10.5 Bidders or Potential Bidders

19.2.10.6 Election campaigning

19.2.10.7 Requests for Financial Assistance and Fee Waivers Outside of Established Process

19.2.10.8 Matters which have been decided upon by Council during the current term of Council and requests for reconsideration

19.2.10.9 Matters which have been referred to staff for a report, until the matter is before Council or Committee

19.2.10.10 Matters which are the subject of an Education and Training Session

19.2.11 Delegations on excluded topics will not be scheduled or heard by the Council and the Clerk will inform the requesting party, explaining the reasons and providing references to the relevant by-law sections.

19.2.12 Council may, at their discretion, refuse to hear any delegation.

19.2.13 The Clerk shall provide all individuals or groups seeking to address Council with a copy of the appropriate section of this Procedural By-Law dealing with delegations.

19.2.14 Should an individual or group wish to be provided with further notice related to a matter addressed by a delegation before Council, they are required to indicate this wish to the Clerk as part of their original delegation request.

20. Reports

20.1 Reports for Information or Immediate Consideration

20.1.1 If deemed appropriate by the Clerk, any County staff may report to the Warden and Members of Council at any session of Council.

20.1.2 A report for information may be placed on the Council Agenda where no action or direction is required from Council.

20.1.3 If in consideration of the information report it is determined by Council that further action is required, Council shall direct at which meeting the follow up report will be considered or may refer the report to the Committee of the Whole.

20.1.4 A Report for Immediate Consideration is a report that has not been considered by Committee of the Whole or any other committee that reports to Council. Reports that appear on the agenda for immediate consideration shall be determined by the Chief Administrative Officer.

20.2 Reports of Council, Staff and Outside Boards

- 20.2.1 This section provides for members to consider recommendations on items such as Reports of Council, Staff and Outside Boards in the Committee of the Whole. Committee of the Whole permits members to discuss and debate matters in a more informal and flexible setting.
- 20.2.2 The results of votes taken during Committee of the Whole, regarding matters discussed under Section 20.2, constitute resolutions of the Committee of the Whole and not resolutions of Council.
- 20.2.3 Before Reports of Council, Staff, and Outside Boards are discussed, the Warden will inquire as to whether any members of the public would like to speak to any of the items on the agenda. The Warden will take note of any requests.
- 20.2.4 If there is a request from a member of the public to speak to an item on the agenda, the Warden will give that member the opportunity to do so, immediately after the agenda item has been presented, and before Council has discussed or debated said item.
- 20.2.5 Members of the public speaking to an item on the agenda will have ten (10) minutes to speak, which may be extended by a resolution of Committee of the Whole.

21. Correspondence

- 21.1 When correspondence has been requested to be included on a Council agenda or on the request of a Member of Council to the Clerk, such correspondence is placed on the agenda for a regular Meeting. Correspondence must be received no less than eight (8) days prior to a regular Council Meeting. Where required due to urgency or timing, correspondence may be considered directly by Council as an Addendum to the Agenda, or as a matter for Closed Session;
- 21.2 Staff may prepare recommendations related to any matter raised in Correspondence for consideration by Council;
- 21.3 Council will direct, to the Clerk, correspondence clearly intended to be considered as part of an agenda of Council;
- 21.4 The Clerk is required to verify whether it is the intent of an individual to include their correspondence on a public agenda. For reasons of privacy, irrelevant personal information will be severed from correspondence. General correspondence between Councillors or staff and constituents or stakeholders will not be included unless the Clerk is satisfied that it was clearly the individual's intent to include their correspondence on a public agenda;
- 21.5 Correspondence must be legible and not contain any defamatory statements. Anonymous correspondence will not be acknowledged, circulated or placed on an agenda;
- 21.6 Receipt of correspondence by Council does not constitute endorsement of either the correspondence by the County or of any recommendations it may contain or actions it may advocate; and
- 21.7 When not requested to be included in a Council agenda, correspondence may be circulated by the Clerk to Members of Council and applicable staff for their information.

22. Motions from Other Municipalities and Organizations Requesting Endorsement

- 22.1 Motions from other municipalities communicated to Elgin County are placed on the agenda for County Council under correspondence. Where required due to urgency or timing, the Motions from other municipalities and organizations that request endorsement or action by Council may be considered directly as an addition to the Council agenda.
- 22.2 Staff may prepare recommendations related to the matter for Council's consideration.
- 22.3 Council's receipt of Motions from other municipalities in Elgin County does not constitute endorsement by the County of any recommendations or actions they may contain.

23. Statements/Inquiries by Members

- 23.1 When a Councillor wishes to inform Council of a matter that does not require action and consideration by Council or otherwise wishes clarification of a matter, such information may be announced under "Statements/Inquiries by Members". It is understood that these announcements are made solely for Council's information and that under no circumstances shall Council take action within this category.

24. Members Motions

- 24.1 Members Motions shall be placed on the Committee of the Whole agenda for consideration.
- 24.2 Members Motions must be received by the Clerk, in writing, by noon on the Tuesday preceding the distribution of the agenda material and shall be printed in the agenda.
- 24.3 A Members Motion shall be dealt with by Committee of the Whole at the meeting which it appears on the agenda.
- 24.4 The results of votes taken on Members Motions are not final decisions of Council, rather they are recommendations which will be given further consideration and finally voted on under regular rules of Council.

25. Rules of Debate

25.1 Conduct of Members

- 25.1.1 No Member shall speak disrespectfully of any person or use un-parliamentary or offensive language in or against Council or against any Member, staff, or other person in the Council.
- 25.1.2 The County of Elgin's "Council Code of Conduct" shall govern the actions and behaviour of the Members of Council.
- 25.1.3 During any Council meeting, except during any period sitting as Committee of the Whole, no Member, unless Council consents to it, shall speak more than once on the same motion.
- 25.1.4 During any period sitting as Committee of the Whole, a member will not speak more than once until all other Members have had the opportunity to speak to the question.

- 25.1.5 The Chair shall maintain a list of Members who have requested to speak or ask questions. The Chair designates Members to speak or ask questions in the order in which they appear on the list.
- 25.1.6 When the Chair is putting forth the question, no Member shall walk across or out of the room, shall not interrupt the speaker, except to a question of order, nor pass between the speaker and the Chair.
- 25.1.7 Any Member called to order shall at once cease speaking, unless permitted to explain, and the ruling of the Warden or other Chair shall be final, unless otherwise decided by Council on an appeal from such ruling.
- 25.1.8 No Member shall partake of food in the Council Chambers while the Council is Meeting.
- 25.1.9 All communication devices shall be switched to 'silent' upon entering the location where any Council/Committee Meeting is being held.
- 25.1.10 Members of Council or Committee, except the Warden and Deputy Warden, shall be referred to as County Councillors.
- 25.1.11 No person other than Members or staff of the County shall be allowed to speak from the gallery during the Meetings of Council without permission from the Chair.

25.2 Warden Entering Debate

- 25.2.1 If the Warden desires to take part in the debate of Council, they may remain in the Chair to do so. Alternatively, and when they deem appropriate, they may leave the Chair and, at that time, call on the Deputy Warden to fill their place until they resume the Chair.

25.3 Voting

- 25.3.1 Unless the Procedural By-Law states otherwise, a matter passes when a Majority of Members present vote in the affirmative.
- 25.3.2 Where a vote is taken, and a Member abstains from voting, the Member will be deemed to have voted in the negative.
- 25.3.3 At any time when a vote, taken by a show of hands, is unclear as to the outcome, the Warden or other Chair may request the Members to indicate their YEA or NAY.
- 25.3.4 Upon a tie vote on any question, by a show of hands, a recorded vote shall be taken. Upon a tie recorded vote, the question shall be considered a defeated motion.

25.4 Specific Rules Related to Motions

25.4.1 Motions

- 25.4.1.1 A Main Motion introduces a substantive matter to the assembly for decision.
- 25.4.1.2 All Motions shall be moved and seconded before being debated or put to vote; and all Motions shall be read and then conveyed to the Warden, who may again read the same.

- 25.4.1.3 After a Motion has been received by the Warden or other Chair, it shall be deemed to be in the possession of Council but may be withdrawn at any time before the decision, by consent of a majority of the Members present.
- 25.4.1.4 After a Motion has been read, a Member may propose a friendly amendment. A friendly amendment that is perceived by all parties as an enhancement to the original motion and is to provide clarification of the intent of the motion. Friendly amendments may be permitted by the Warden or other Chair, after consent by the original Mover and Seconder of the Motion, and then by all the Members.
- 25.4.1.5 After any question is finally put to vote by the Warden or other Chair, no Member shall speak to the question nor shall any other Motion be made until after the result is declared; and
- 25.4.1.6 Members shall always take their places prior to any decision being called.

25.4.2 Amend

- 25.4.2.1 A Motion to Amend is used to change the wording of a Main Motion. The amendment can insert new wording, strike out wording, strike out and insert other wording, or substitute one Main Motion with another Main Motion provided that the substitute is on the same subject matter and does not contradict the Main Motion.
- 25.4.2.2 A Motion to Amend must be germane (relevant) to the subject matter under discussion.
- 25.4.2.3 All Motions to Amend shall be placed in the reverse order in which they are moved; and every amendment to the Motion shall be decided upon or withdrawn before the main question is put to vote.
- 25.4.2.4 There shall not be more than two (2) amendments to the main question or any Motion.
- 25.4.2.5 There shall not be more than one (1) amendment to any amendment.

25.4.3 Refer

- 25.4.3.1 A Motion to Refer is used to send an item of business to a committee or staff where the item will receive additional, in-depth consideration. Council may provide instructions to the Committee or staff, including when it is expected to report back to Council.
- 25.4.3.2 A Motion to Refer the Main Motion to staff or a Committee shall preclude all amendments of the main question until the Motion to Refer is decided.

25.4.4 Postpone to a Certain Time

- 25.4.4.1 A Motion to Postpone to a Certain Time is used to delay the consideration of a main motion and to fix a definite date or time (within the current meeting or to the next regular

meeting) for consideration. Debate is restricted as to the merits of postponing and to the time to which to postpone.

25.4.5 Postpone Temporarily (Table)

25.4.5.1 A Motion to Postpone Temporarily (Table) is used to set an item of business (a Main Motion) aside temporarily, when something more urgent has arisen or Members may need some other information on the Main Motion which is not currently or readily available.

25.4.5.2 A Motion to Postpone Temporarily (Table) is always in order and will supersede the Main Motion.

25.4.6 Close Debate and Vote Immediately (Call the Question)

25.4.6.1 A Motion to Close Debate and Vote Immediately is used to close debate on an immediately pending Motion or on a series of consecutive pending motions. When it is adopted, the Chair should immediately take the vote on the affected motion or motions. When adopted, the making of amendments on the affected motions stop.

25.4.7 Recess

25.4.7.1 A recess shall be convened by either a Motion to Recess or a recess at the discretion of the Chair and is used to take a break in the meeting and set a time for continuing the meeting.

25.4.7.2 A Motion to Recess or a recess at the discretion of the Chair when other business is before the Meeting shall specify the length of time of the recess.

25.4.7.3 A Motion to Recess, when other business is before the Meeting, shall not be debatable and shall only be amendable with respect to the length of the recess.

25.4.8 Adjourn

25.4.8.1 A Motion to Adjourn is used to conclude the meeting. It is the duty of the Chair to ensure that no important business has been overlooked that should be taken up by Council before adjournment.

25.4.8.2 A motion to adjourn shall always be in order unless a vote is being taken.

25.4.8.3 A motion to adjourn, when resolved in the negative, shall not be presented again until after some intermediate proceedings have been completed by the Council.

25.4.9 Division of Question

25.4.9.1 A Main Motion that is composed of two or more independent parts may be split into two or more individual motions and discussed and voted on separately.

25.4.9.2 A Member wishing to Divide the Question, should indicate how the Main Motion is to be divided and if the Warden or other Chair agrees, they will be dealt with separately.

- 25.4.9.3 If the Warden or other Chair disagrees that the Main Motion can be divided, the Member may move a Motion to Divide, and the assembly will decide by majority vote.

25.4.10 Reconsideration

- 25.4.10.1 A Motion to Reconsider may only be introduced by a Member if there is new, substantive information that is relevant to the deliberation of Council on the issue that could not, with reasonable diligence, have been received by Council at the time the initial decision was made.
- 25.4.10.2 Within the first twelve (12) months following the initial vote on a Main Motion, a question may only be reconsidered once, unless such twelve (12) month period is truncated by the end of the Council term.
- 25.4.10.3 In the event that the twelve (12) month period following the initial vote on the Main Motion is truncated by the end of the Council term, the Main Motion may be reconsidered at any time during the new term of Council.
- 25.4.10.4 After the period of twelve (12) months following the initial vote on the Main Motion has elapsed, and within the same Council term as the initial vote on the Main Motion, a member who voted in the majority may present a Member's Motion to reconsider the matter.
- 25.4.10.5 A Motion to Reconsider shall be introduced by the same method as Member's Motions and follow the same process.
- 25.4.10.6 Approval of a Motion to Reconsider requires the approval of two-thirds of the Members present.
- 25.4.10.7 If a Motion to Reconsider is decided in the affirmative at a Meeting of Council, then the consideration of the original Main Motion shall become the next order of business and debate on the question to be reconsidered shall proceed as though it had never previously been considered.

25.4.11 Point of Order

- 25.4.11.1 A Point of Order occurs when a Member believes that the rules of procedure are being violated. The Member shall call upon the Warden or other Chair for a ruling and an enforcement of the regular rules.
- 25.4.11.2 The Warden or other Chair's ruling on the matter is final.
- 25.4.11.3 When the Warden or other Chair is called upon to decide a Point of Order, they shall state the rule or authority applicable to the case.

25.4.12 Point of Privilege

- 25.4.12.1 Where a Member considers that the integrity of any member or the integrity of the Council as a whole has been impugned, the member may interrupt the proceedings or interrupt a member speaking to raise a point of privilege. With the Chair's consent the member will explain the privilege being tainted or damaged to Council. When a point of privilege is

raised, it shall be considered and decided by the Chair immediately.

25.4.12.2 The decision of the Chair on a point of privilege is final.

26. Readings of By-Laws and Proceedings

26.1 Every By-Law shall be printed in written or in electronic form and introduced by the Clerk and shall be considered for enactment by Council.

26.2 All By-Laws collectively shall be given first, second and third readings in a single Motion, unless a Member wishes to discuss the contents of a By-Law or a matter requires that the By-Law receive first and second reading only and third reading at a future Meeting, at which time the subject By-Law shall be removed from the Motion list and dealt with separately. The headnote only of the By-Law shall be read and a By-Law shall not be enacted until it has received three readings.

26.3 The Proceedings of every Regular, Special or Emergency Meeting shall be confirmed by a Confirmation By-Law so that every decision of Council and every resolution passed at that Meeting shall have the same force and effect as if each one of them had been the subject matter of a separate By-Law duly enacted.

26.4 The Clerk shall maintain a permanent copy of all By-Laws for public inspection.

27. Open Meetings and Closed Session Meetings

27.1 Open Meetings and Improper Conduct

27.1.1 Except as provided in this section, all Meetings of Council shall be open to the public pursuant to the Act, S. 239 (1); and

27.1.2 The Chair may expel any person for improper conduct at a Meeting, pursuant to the Act, 2001, S. 241 (2).

27.2 Closed Session Meetings

27.2.1 Persons may be excluded when Council is in Closed Meeting in accordance with Section 239 of the Act and amendments thereto. As provided for in the Act, Council shall resolve to move into a session closed to the public in order to discuss matters related to one or more of the following:

- (a) the security of the property of the County or local board;
- (b) personal matters about an identifiable individual, including County or local board employees;
- (c) a proposed or pending acquisition or disposition of land by the County or local board;
- (d) labour relations or employee negotiations;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the County or local board;
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

- (g) a matter in respect of which a council, board, committee or other body 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 or 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 the 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;

27.2.2 A meeting or part of a meeting shall be closed to the public if the subject matter being considered is:

27.2.2.1 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

27.2.2.2 an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman appointed by Council or the investigator appointed by Council;

27.2.3 A meeting of Council may be closed to the public if the following conditions are both satisfied:

27.2.3.1 the meeting is held for the purpose of educating or training the members; and

27.2.3.2 at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of Council;

27.2.4 Before holding a Meeting or part of a Meeting closed to the public, Council shall approve a Motion, stating the following:

27.2.4.1 The fact that the Meeting will be closed to the public as provided for in the Act; and

27.2.4.2 The general nature of the matter to be considered at the Meeting closed to the public;

27.2.5 Pursuant to Section 239 of the Act, when a Motion to proceed in a Closed Meeting is carried, the Warden or the Chair may, with the approval of Council, exclude such persons as deemed appropriate from the meeting room.

- 27.2.6 When in a Closed Meeting, no one shall leave and re-enter the Meeting room without the approval of the Warden or Chair.
- 27.2.7 All Closed Meeting Minutes for Council Meetings shall be circulated electronically prior to the commencement of the next Meeting; and
- 27.2.8 Closed Meeting Minutes for Council Meetings are maintained by the Clerk and are only accessible by the Clerk.

27.3 Voting During Meetings Closed to the Public

- 27.3.1 No vote will be taken at a Meeting described in Section 27.2 of this Procedural By-Law, and which is closed to the public, unless:
 - 27.3.1.1 The subject matter relates to an issue as described in Section 27.2 of this By-Law; and
 - 27.3.1.2 The vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Municipality or persons related by or under contract with the Municipality.
- 27.3.2 On Motion in Council in a Closed Meeting, to rise and report the question shall be decided without debate involving any of the following:
 - 27.3.2.1 Motion to rise without reporting
 - 27.3.2.2 Motion to rise and report
 - 27.3.2.3 Motion to provide staff direction
- 27.3.3 With respect to debate and/or vote in a Meeting closed to the public:
 - 27.3.3.1 The number of times a Member may speak to any question shall not be limited during a Closed Session, provided that no Member shall speak more than once until every Member who desires to do so shall have spoken.
 - 27.3.3.2 A Member present at a Closed Session shall, prior to consideration of any matter, declare any pecuniary interest, direct or indirect and the general nature thereof and said Member shall leave the Closed Session, or part thereof, during which the matter is under consideration. The declaration of Pecuniary Interest shall be recorded in the Minutes.

27.4 Notice of Meetings Closed to the Public

- 27.4.1 Where a matter may be considered by Council for discussion in Closed Session, whenever possible, written Notice provided for in this By-Law shall disclose:
 - 27.4.1.1 The fact that the Meeting will be closed to the public as provided for in the Act;
 - 27.4.1.2 The general nature of the matter to be considered at the closed Meeting.

27.5 Confidentiality of Closed Session Discussions and Public Disclosure

- 27.5.1 A summary of any discussion held in Closed Session and any required vote if permitted, will occur following the Closed Session discussion of Council;
- 27.5.2 The summary of Closed Session discussion and vote will provide sufficient detail, without detrimentally affecting the confidentiality of the matter(s) discussed in Closed Session and the position of the Municipality;
- 27.5.3 No Member shall disclose or discuss, through written, electronic or verbal communication, to any individual or corporate third party, any information that has been or will be discussed at a Closed Session Meeting of Council until such time that such Council has determined or has been advised by staff that the matter, or any part of the matter, can be made public subject to review by the Chair or designate under the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56 or if directed to do so by a court;
- 27.5.4 A Motion to adjourn a Closed Meeting shall always be in order and be decided without debate, except when a Member is in possession of the floor; and
- 27.5.5 Upon rising from a Closed Meeting, the Chair shall announce the result of the vote as it is to be recorded in the Minutes.

27.6 Closed Meeting Investigation

- 27.6.1 Council shall appoint a Closed Meeting Investigator to carry out Closed Meeting Investigations;
- 27.6.2 If, after completing an investigation, the investigator is of the opinion that the Meeting or part of the Meeting that was the subject-matter of the investigation appears to have been closed to the public contrary to the Act or to this By-Law, the investigator shall report their opinion and the reasons for it to Council and may make such recommendations as they think fit;
- 27.6.3 The County of Elgin shall ensure that reports contemplated in this section are made available to the public as required by the Act;
- 27.6.4 If the investigator is of the opinion that the Meeting was closed to the public contrary to Act, Council shall pass a resolution stating how it intends to address such opinion and the report in which it was delivered; and
- 27.6.5 A person may request that an investigation be undertaken to determine whether Council complied with the requirements of the Act and this By-Law in respect of a Meeting or part of a Meeting closed to the public. A person may initiate such a request by completing and submitting a copy of the *Municipal Investigation of Closed Meetings* form.

28. Duties of the Warden and Chair

- 28.1 The Chair of a Meeting of Council, whether a Regular, Special, Emergency or a Committee of the Whole Meeting is the Warden. In the absence of the Warden, the Deputy Warden is Chair as provided for in this By-Law.
- 28.2 It shall be the duty of the Warden or other duly appointed Chair:

- 28.2.1 To act as Chief Executive Officer of the municipality;
- 28.2.2 To preside over Council Meetings so that its business can be carried out efficiently and effectively;
- 28.2.3 To provide leadership to Council;
- 28.2.4 To represent the County at official functions;
- 28.2.5 To carry out the duties of the Chair under any other Act or any other Statute of the Province;
- 28.2.6 To provide information and recommendations to the Members of Council with respect to Council's role to ensure the accountability and transparency of the operations of the municipality including the activities of the senior management of the municipality;
- 28.2.7 To provide information and recommendations to Council to ensure that administrative policies, practices and procedures are in place to implement the decisions of Council;
- 28.2.8 To open the Meeting of Council by taking the Chair and calling the Members to order;
- 28.2.9 To announce the business before Council in the order which it is to be acted upon;
- 28.2.10 To receive, in the proper manner, all Motions presented by the Members of Council and to submit these Motions as questions for proper debate;
- 28.2.11 To put to a vote all questions which are duly moved and seconded or which necessarily arise in the course of proceedings and to announce the results;
- 28.2.12 To decline to put to a vote Motions which infringe upon the Rules of Procedure as provided for in this By-Law;
- 28.2.13 To restrain the Members, within the Rules of Procedures, when engaged in debate;
- 28.2.14 To enforce on all occasions the observance of order and decorum among the Members and those before Council;
- 28.2.15 To call by name any Member persisting in breach of the Rules of Procedure, thereby ordering the Member to vacate the meeting place;
- 28.2.16 To receive all messages and other communications and announce them;
- 28.2.17 To authenticate by their signature, when necessary, all By-Laws and Minutes of Council;
- 28.2.18 To inform the Members of Council, when necessary or when referred to for the purpose, on any point of order;
- 28.2.19 To represent and support Council, implicitly obeying its decision in all matters;
- 28.2.20 To ensure that the decisions of Council are in conformity with the laws and By-Laws governing the activities of Council;

28.2.21 When appointed to be, may be an Ex-Officio Member of all Committees of Council;

28.2.22 To perform all duties as required of a Member of Council;

28.2.23 To adjourn the Meeting without question in the case of grave disorder arising during the Meeting or suspend the sitting of Council until a time to be named by the Warden; and

28.2.24 To adjourn the Meeting when the business of Council is concluded.

28.3 As Chief Executive Officer of the County, the Warden shall:

28.3.1 Uphold and promote the purposes of the municipality;

28.3.2 Promote public involvement in the municipality's activities;

28.3.3 Act as the representative of the municipality both within and outside the territorial limits of the municipality, and promote the municipality locally, nationally and internationally; and

28.3.4 Participate in and foster activities that enhance the economic, social and environmental well-being for the municipality and its residents.

29. Council Member Roles and Responsibilities

29.1 Council Members are responsible for, where applicable:

29.1.1 Attending scheduled Meetings;

29.1.2 Carefully considering and making decisions about Meeting business, including seeking information and advice from staff prior to and during a Meeting;

29.1.3 Voting on Motions put to a vote;

29.1.4 Respecting the rules of order in this Procedural By-Law;

29.1.5 Listening attentively, participating in a Meeting and not interrupting, unless to raise a Point of Order;

29.1.6 Remaining silent in their seats while Council votes and until the Chair announces the results of the vote;

29.1.7 Refraining from using any offensive, disrespectful or un-parliamentary language about any Member, municipal employee, Meeting attendees and Council as a whole;

29.1.8 Respecting and following the decisions of Council;

29.1.9 Respecting the confidentiality of matters discussed in Closed Session Meetings and not disclosing the subject or substance of these discussions unless authorized to do so;

29.1.10 Complying with the Chair's ruling and Council's decisions; and

29.1.11 Complying with the Council Code of Conduct.

29.2 The role of Council Members also includes, where applicable:

- 29.2.1 To represent the public and to consider the well-being and interests of the County;
- 29.2.2 To develop and evaluate the policies and programs of the County;
- 29.2.3 To determine which services and the extent to which such services are provided to the residents of the County;
- 29.2.4 To ensure that administrative policies, practices and procedures and financial policies, practices and procedures are in place to implement the decisions of Council;
- 29.2.5 To ensure the accountability and transparency of the operations of the County, including the activities of the senior management of the County;
- 29.2.6 To maintain the financial integrity of the County; and
- 29.2.7 To carry out the duties of a Member as provided for under any Act or By-Law.

30. Restriction on Power of Members

30.1 No Member of Council shall have power to direct or interfere with the performance of any work of the County Corporation.

31. Absence of Warden and/or Deputy Warden

- 31.1 In case the Warden does not attend within fifteen (15) minutes after the time appointed for a Meeting of Council, the Deputy Warden shall call the Meeting to order and preside as Chair, subject to any restrictions regarding Conflict of Interest.
- 31.2 In case the Warden and Deputy Warden are unable to attend the Meeting, the Members will, by resolution duly moved and seconded, appoint a Chair. While so presiding, the Chair shall have all the powers of the Chair.
- 31.3 Should the Warden or Deputy Warden, as the case may be, arrive after the Meeting has been called to order, the Chair shall relinquish the position of the Chair to the Warden, or Deputy Warden as the case may be, immediately after the current item of business on the Council Orders of the Day is considered or otherwise disposed.

32. Alternate Council Member

32.1 General Procedures

- 32.1.1 The following procedure relates to alternates to County Council who are appointed by local municipalities under section 268 of the Act when they are required to attend a Council Meeting;
- 32.1.2 The Council of a constituent municipality may appoint one of its Members as an Alternate Member of County Council to act in place of a person who is a Member of the Council of the constituent municipality and the County when the Member is unable to attend a Meeting of County Council for any reason;
- 32.1.3 County Council has no role in the appointment of Alternate Members but it can establish procedures for accommodating Alternate Members at County Council;

- 32.1.4 Constituent municipalities are able to appoint an Alternate Member of County Council in accordance with the following provisions:
- 32.1.4.1 There can only be one Alternate Member appointed per municipality;
 - 32.1.4.2 The appointment is for the term of Council; and
 - 32.1.4.3 Municipalities cannot appoint another Alternate Member to act in place of the appointed Alternate Member;
- 32.1.5 Alternate Members shall make their declaration of office prior to taking their seat as an Alternate Member of Council. This is not required for subsequent Meetings they might attend;
- 32.1.6 The Alternate Member shall have all the powers and duties of a Member, including the power to make motions and vote and the duty to abide by this By-Law and Code of Conduct, as applicable; and
- 32.1.7 Alternate Members must only be used when the Member is unable to attend an entire Meeting.
- 32.1.8 Alternate Members are eligible to become Members of Elgin County Boards and Committees, subject to Council appointment.

32.2 Notification Process

- 32.2.1 A local municipality shall notify the Clerk in the event that its council appoints an Alternate Member of County Council and shall provide the Clerk with a certified copy of the By-Law so appointing the Alternate Member;
- 32.2.2 The Clerk shall keep a record of all appointed Alternate Members which shall be available to the public;
- 32.2.3 The local Clerk or incumbent Council Member shall notify the Clerk, in writing, as soon as reasonably possible when an Alternate Member shall be attending a Meeting of Council;
- 32.2.4 Each local municipality will be responsible for notifying its Alternate Member that they are to attend any County Council Meeting;
- 32.2.5 In situations where no prior notice has been given, the Alternate Member shall at the time they attend a County Council Meeting, provide the Clerk with written confirmation that they are acting as an Alternate Member for that Council Meeting;
- 32.2.6 Alternate Members shall receive a regular agenda on each Thursday preceding a Meeting Day of Council. If no notice was provided, they shall receive a hard copy or electronic agenda at the time they attend the Council Meeting; and
- 32.2.7 Closed Meeting agendas, reports and minutes will be provided to the Alternate Member on paper and shall be returned at the end of the meeting.

32.3 Meeting Administration

- 32.3.1 The Alternate Member's powers and duties as a Member extend only to the time they are present at the Council Meeting;

- 32.3.2 Council Minutes shall note the absence of the incumbent Member and the attendance of an Alternate Member; and
- 32.3.3 Where both an Alternate Member and Member attend a Council Meeting, the Member shall assume their seat. The Alternate Member may attend as a spectator.

32.4 Appointment of Alternate Member for a Period of Less Than One (1) Month

- 32.4.1 If a person who is a Member of the council of a constituent municipality and a Member of County Council is unable to act as a Member of those councils for a period of less than one (1) month, the Council of the constituent municipality may appoint one of its Members as an Alternate Member of County Council to act in place of the Member until the Member is able to resume acting as a Member of those councils;
- 32.4.2 An Alternate Member appointed at the discretion of a constituent municipality as contemplated by section 32.4.1 above shall not receive compensation from the County for any Meetings of Council they are required to attend in the absence of the Member but shall be paid mileage at the same rate established for the use of personal vehicles for County business and any other eligible "out of pocket" expense that may occur;
- 32.4.3 An Alternate Member shall not be eligible to be reimbursed for attendance at conventions, seminars or training;
- 32.4.4 An Alternate Member while acting in their capacity, shall be governed by all applicable policies of the County such as but not limited to this By-Law and Council Code of Conduct; and
- 32.4.5 An Alternate Member shall have access to applicable support resources such as but not limited to the County's Integrity Commissioner.

32.5 Appointment of Alternate Member for a Period Exceeding One (1) Month

- 32.5.1 If a person who is a Member of the council of a constituent municipality and a Member of County Council is unable to act as a Member of those councils for a successive period exceeding one (1) month, the council of the constituent municipality may appoint one of its Members as an Alternate Member of County Council to act in place of the Member until the Member is able to resume acting as a Member of those councils;
- 32.5.2 Upon notice of vacancy of a Member exceeding one (1) month, the Member's compensation and expense reimbursement eligibility will cease and will be provided to the Alternate Member so appointed in their place by the constituent municipality in the same manner;
- 32.5.3 An Alternate Member so appointed shall be eligible to be reimbursed for attendance at conventions, seminars or training;
- 32.5.4 An Alternate Member, while acting in this capacity, shall be governed by all applicable policies of the County such as but not limited to this By-Law and Council Code of Conduct; and
- 32.5.5 An Alternate Member so appointed shall have access to all equipment supplied to a regular Member including but not limited to information technology equipment, account access and applicable support resources such as but not limited to the County's Integrity Commissioner.

33. Member Vacancy

33.1 Vacancy of Seat of Member of Council

- 33.1.1 The Council of the constituent municipality may appoint one of its Members as an Alternate Member of County Council to act in place of Member Vacancy. The office of a Member of Council becomes vacant if the Member:
- 33.1.1.1 becomes disqualified from holding the office of a Member of Council;
 - 33.1.1.2 fails to make the declaration of office before the deadline;
 - 33.1.1.3 is absent from the meetings of council for three (3) successive months without being authorized to do so by a resolution of Council;
 - 33.1.1.4 resigns from their office;
 - 33.1.1.5 is appointed or elected to fill any vacancy in any other office on the same council;
 - 33.1.1.6 has their office declared vacant in any judicial proceeding;
 - 33.1.1.7 forfeits their office under the Act or any other Act; or
 - 33.1.1.8 dies, whether before or after accepting office and making the prescribed declarations.
- 33.1.2 Seats declared vacant by a constituent municipality will be dealt with as outlined in the Act;
- 33.1.3 Upon notice of vacancy, the Member's compensation and expense reimbursement eligibility will cease and will be provided to the Alternate Member so appointed by the constituent municipality in the same manner;
- 33.1.4 An Alternate Member, so appointed shall be eligible to be reimbursed for attendance at conventions, seminars or training;
- 33.1.5 An Alternate Member, while acting in this capacity, shall be governed by all applicable policies of the County such as but not limited to the Council Code of Conduct; and
- 33.1.6 An Alternate Member so appointed shall have access to all equipment supplied to a regular Member including but not limited to information technology equipment, account access and applicable support resources such as but not limited to the County's Integrity Commissioner.

33.2 Vacancy of Seat of Warden

- 33.2.1 If the position of Warden is vacant, Council shall fill the vacancy by appointment in the same manner as Warden was originally appointed, as provided for in this By-Law.

33.3 Pregnancy and Parental Leave

- 33.3.1 The provisions of this sub-section applies to a Member of Council who is absent from Meetings of Council for at least three (3) consecutive months as a result of the Member's pregnancy, the birth of the Member's child, or the adoption of a child by the Member;

- 33.3.2 The office of a Member of Council shall not become vacant if a Member is absent for twenty (20) consecutive weeks or less when such absence is a result of the Member's pregnancy, the birth of the Member's child or the adoption of a child by the Member;
- 33.3.3 Prior to the Member missing meetings of Council for three (3) consecutive months, a Member of Council shall provide a request for pregnancy and/or parental leave in writing to the Clerk;
- 33.3.4 If a Member wishes to seek a leave in excess of twenty (20) consecutive weeks, the Member shall request an extended leave, in writing to the Clerk, as soon as the need for an extended leave is known. If an extended leave is requested, the Clerk shall prepare a report for Council's consideration of the extended leave;
- 33.3.5 Member on pregnancy or paternity leave is exempt from attending meetings of Council to which the Member has been appointed;
- 33.3.6 Members shall still receive all Council Agenda packages;
- 33.3.7 Any Member on pregnancy or paternity leave shall participate in events, conferences, committee meetings, constituent meetings or respond to communications at the level they determine, utilizing an out of office email feature to identify they are on leave, the level of service offered and an alternate contact if required;
- 33.3.8 Members of Council on pregnancy or paternity leave shall continue to receive all remuneration afforded to regular Members of Council; and
- 33.3.9 Members of Council on pregnancy or paternity leave shall continue to have access to all equipment supplied to a regular Member including but not limited to information technology equipment, account access and staff support.

34. Administrative Authority of Clerk

- 34.1 The Clerk is authorized to amend By-Laws, Minutes and other Council and Committee documentation for technical, typographical or other administrative errors or omissions for the purpose of ensuring an accurate and complete record of proceedings.
- 34.2 Significant changes to By-Laws, Minutes and other Council and Committee documentation including a change in meaning, shall be presented to Council or the involved Committee for approval and adoption.

35. Organization of Committees

- 35.1 The Warden shall recommend, and Council shall appoint representatives from within their membership to various Committees, Local Boards and Agencies at the first Meeting in January of each year.
- 35.2 Council may at any time, on Motion of a Member duly considered and agreed to by a majority vote strike a Committee, Ad Hoc Committee and/or Steering Committee, as the case may be, which shall consider and report on any matter or to perform any special service within the spheres of jurisdiction of Elgin County, pursuant to the Act.

36. Repeal of Amendment of this By-Law

- 36.1 This By-Law is not to be amended or repealed except by a majority vote when all Members of Council are present.
- 36.2 No amendment or repeal of this By-Law is to be considered at any Meetings of Council unless Notice of the proposed amendment or repeal has been given at a previous regular meeting of Council.

37. Public Record

- 37.1 All communications that the Clerk receives about a matter on the agenda of a public or open Meeting will form part of the public record. Personal information and opinions in communications are part of the public record unless the author of the communication requests the removal of their personal information when submitting it or when otherwise confirmed by the Clerk.

38. Severability

- 38.1 Each provision of this By-Law is distinct and severable. If any provision of this By-Law, in whole or in part, is or becomes illegal, invalid, void, voidable or unenforceable in any jurisdiction by order of any court of competent jurisdiction, the illegality, invalidity or unenforceability of that section, in whole or in part, will not affect:
 - 38.1.1 The legality, validity or enforceability of the remaining provisions of this By-Law, in whole or in part; or
 - 38.1.2 The legality, validity or enforceability of that section, in whole or in part, in any other jurisdiction.

Notwithstanding the date this by-law is passed, it shall not come into force until April 1, 2025. Until this date, By-Law No. 19-41, as amended, shall remain in effect.