



## GENERAL GOVERNMENT SERVICES COMMITTEE MINUTES Monday, August 26, 2013

The Committee met at 4:45 pm in the Sutton Room, 55 Zina Street, Orangeville

**Members Present:** Councillor Warren Maycock (Chair)  
Councillor Rob Adams  
Councillor Rhonda Campbell Moon  
Councillor Bill Hill  
Warden Laura Ryan

**Staff Present:** Sonya Pritchard, Chief Administrative Officer  
Alan Selby, Treasurer  
Pam Hillock, Clerk/Director of Corporate Services

Chair Maycock called the meeting to order 4:45 p.m.

Declarations of Pecuniary Interests – None

### **REPORTS**

1. GENERAL GOVERNMENT SERVICES – August 26, 2013 – ITEM #1  
Long Term Debt Borrowing Policy

A report from the Treasurer dated August 26, 2013 to implement a formal municipal policy on the use and management of long-term debt.

**Moved by Councillor Campbell Moon, seconded by Councillor Hill,**

**THAT the Treasurer's report dated August 26, 2013 with respect to Long Term Debt Borrowing Policy be received;**

**AND THAT the Draft Long Term Borrowing Policy be adopted.**

**-Carried-**

2. GENERAL GOVERNMENT SERVICES – August 26, 2013 – ITEM #2  
Banking RFP Results

A report from the Treasurer dated August 26, 2013 to provide the Committee with the results of the evaluation process for Request for Proposal (RFP) for banking services and to recommend award of the RFP to CIBC Commercial Banking.

**Moved by Warden Ryan, seconded by Councillor Campbell Moon,**

**THAT the Treasurer's report dated August 26, 2013 with respect to the Request for Proposal for banking services be received;**

**AND THAT the County of Dufferin award its banking services to CIBC for a three-year term, commencing on November 1, 2013 with an option to extend for two years;**

**AND THAT a by-law which includes the formal Banking Agreement with CIBC be presented to County Council at the October meeting.**

**-Carried-**

**3. GENERAL GOVERNMENT SERVICES – August 26, 2013 – ITEM #3  
Proposed Procedural By-law Amendments**

A report from the Clerk/Director of Corporate Services dated August 26, 2013 regarding the review of the Procedural By-law. The committee reviewed the by-law and suggested changes. A copy of the proposed changes is attached as Schedule "A".

**Moved by Warden Ryan, seconded by Councillor Campbell Moon,**

**THAT staff be directed to incorporate changes to the procedural by-law as discussed during the committee meeting and present a draft by-law to the next General Government Services meeting.**

**-Carried-**

**4. GENERAL GOVERNMENT SERVICES – August 26, 2013 – ITEM #4  
MNR Approvals – Nuisance Coyote By-law**

A report from the Clerk/Director of Corporate Services dated August 26, 2013 to outline the regulatory changes that have occurred to Section 11 under the Fish and Wildlife Conservation Act and how it affects the approval process of the compensation for nuisance coyote program at the County

**Moved by Councillor Adams, seconded by Councillor Campbell Moon,**

**THAT the report of the Director of Corporate Services/Clerk dated August 26, 2013 with respect to the regulatory changes that have occurred to Section 11 under the Fish and Wildlife Conservation Act (Coyote Compensation), be received;**

**AND THAT the Nuisance Coyote Program be discontinued and that By-law 2010-14 be rescinded.**

**-Carried-**

General Government Services Committee – August 26, 2013, 2013 – Page 2

Item #4,  
Not  
Adopted by  
County  
Council

## **CORRESPONDENCE**

5. GENERAL GOVERNMENT SERVICES – August 26, 2013 – ITEM #5  
Ministry of Rural Affairs

Correspondence from the Ministry of Rural Affairs dated August 16, 2013 to announce the launch of the renewed Rural Economic Development (RED) program.

**Moved by Councillor Adams, seconded by Warden Ryan.**

**THAT the correspondence from the Ministry of Rural Affairs dated August 16, 2013 to announce the launch of the renewed Rural Economic Development (RED) program, be received.**

**-Carried-**

6. GENERAL GOVERNMENT SERVICES – August 26, 2013 – ITEM #6  
Toronto Lands Corporation

Correspondence from the Toronto Lands Corporation dated July 8, 2013 with respect to the disposition of their property known as the Boyne River Natural Science School in the Township of Mulmur.

**Moved by Councillor Adams, seconded by Councillor Campbell Moon,**

**THAT the correspondence from the Toronto Lands Corporation dated July 8, 2013 with respect to the disposition of their property known as the Boyne River Natural Science School in the Township of Mulmur, be received.**

**-Carried-**

7. GENERAL GOVERNMENT SERVICES – August 26, 2013 – ITEM #7  
Orangeville Sustainability Action Team

Correspondence from the Orangeville Sustainability Action Team dated June 21, 2013 to thank the County for their donations to the Orangeville Community Garden and Orchard at the W & M Edelbrock Centre.

**Moved by Warden Ryan, seconded by Councillor Adams.**

**THAT the correspondence from the Orangeville Sustainability Action Team dated June 21, 2013, be received.**

**-Carried-**

Item #6,  
Not  
Adopted  
by County  
Council

8. **GENERAL GOVERNMENT SERVICES – August 26, 2013 – ITEM #8**  
Headwaters Health Care Foundation

Correspondence from Headwaters Health Care Foundation dated August 2013 requesting consideration by the County of a pledge of \$2 million over 4 years to the Commitment to Care Campaign. Representatives of the Headwaters Health Care Foundation will be making a presentation to the September Council meeting.

**Moved by Councillor Adams, Seconded by Councillor Campbell Moon,**

**THAT the correspondence from Headwaters Health Care Foundation dated August 2013 requesting consideration by the County of a pledge of \$2 million over 4 years to the Commitment to Care Campaign, be included in the Treasurer’s budget presentation at the September Council meeting.**

**-Carried-**

**ADJOURNMENT**

The meeting adjourned 5:55 p.m.

**NEXT MEETING:** Monday, September 23, 2013 at 4.45 p.m.  
55 Zina Street, Orangeville

Respectfully submitted,

.....  
Councillor Warren Maycock, Chair  
General Government Services Committee

**SCHEDULE “A”**  
**GGs Minutes – August 26, 2013**

**COUNTY OF DUFFERIN**  
**PROCEDURAL BY-LAW**  
**Consolidated Version**  
**NUMBER 2008-15**  
**ENACTED BY COUNTY COUNCIL**  
**ON**  
**March 13, 2008**

**THE COUNTY OF DUFFERIN**

**PROCEDURAL BY-LAW 2008-15**

**Consolidated Version**

**Amended by:**

**By-law 2011-49, September 13, 2011**

Amends Section 20.21 and Schedule A – Special Committees – Dufferin County Museum & Archives and Heritage Lands Board and Dufferin County Museum & Archives Trust Fund Board

**By-law 2011-32, May 12, 2011**

**Amends Section 20.22 and Schedule A - Special Purpose Bodies – Composition of Accessibility Advisory Committee**

**By-law 2011-12, February 10, 2011**

Amends Section 20.21 and Schedule A – Special Committees – Composition of Community Development

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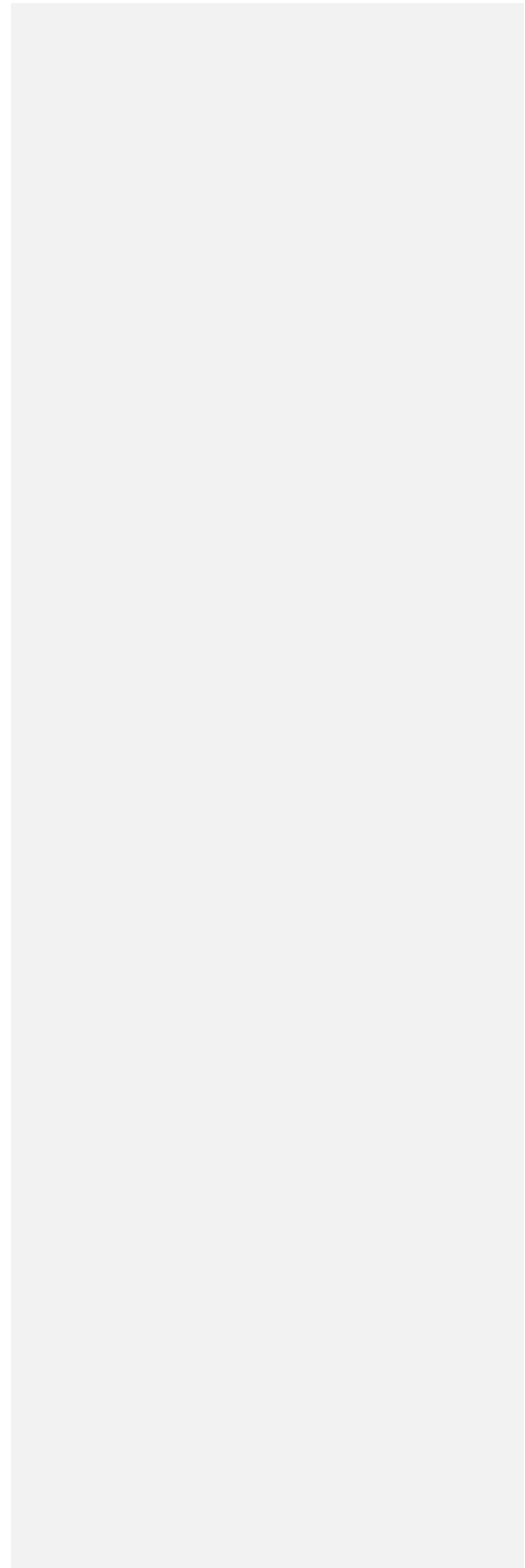
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**CORPORATION OF THE COUNTY OF DUFFERIN**

**BY-LAW NUMBER 2008-15**

**A BY-LAW TO GOVERN THE PROCEEDINGS OF COUNCIL AND ITS COMMITTEES AND TO REPEAL BY-LAWS 2002-37 AS AMENDED BY 2002-49, 2002-60, 2004-37, 2006-44 AND 2007-16.**

WHEREAS the Municipal Act provides that a Council shall adopt a procedural by-law for governing the calling, place and proceedings of meetings.

**1. INTERPRETATION**

Definitions

In this By-Law:

"Acting Warden" is the Member that acts from time to time in the place and stead of the Warden;

Commented [MD1]: Do we want to appoint a Deputy Warden?  
Committee - no

Commented [MD2]: Should Chair of GGS be referenced in this section? – Ken McGhee  
Committee – reference Chair of GGS

"Chair" means the person presiding at a meeting;

"Chief Administrative Officer" means the Chief Administrative Officer of the County of Dufferin;



"Chief Executive Officer" means the person elected to hold the position of Warden and who is a signing officer of the corporation and who interfaces between council, staff, community groups and other levels of government in accordance with the shared purposes of council;

"Clerk" means the Clerk of the County of Dufferin;

"Closed Session" means a meeting that is closed to the public in accordance with the *Municipal Act*;

"Committee" means the Committee of the Whole, a Standing Committee, or Special Committee of the Council;

"Committee of the Whole" means all of the **Members** sitting in committee;

Commented [MD3]: Change to Members of Council

"Committee Chair" means the Chair of a Committee;

"Confirmatory By-law" means a by-law passed for the purpose of giving general effect to a previous decision or proceedings of Council;

"Council" means the Council of the Corporation of the County of Dufferin.

"County" means Corporation of the County of Dufferin;

“deputation” means an address to Council or Committee at the request of a person wishing to speak;

“leadership” is the process of guiding Council to take action that is in accord with the shared purposes of council, of being proactive in anticipating issues that may require consideration or action by council through interaction with Council members, staff, community groups and other levels of government

Commented [MD4]: Remove – not mention anywhere in the by-law  
Committee – yes remove

“majority vote” in Council means an affirmative vote of more than one-half of the votes cast by those present, as determined pursuant to Section 4 (1) of the *County of Dufferin Act*, S.O. 1994, C.Pr13;

“majority vote” in Committee means an affirmative vote of more than one-half of the votes cast by those members present;

“meeting” means a meeting of the Council or a Committee;

“member” means a Member of Council or Committee;

“member who voted on the prevailing side” means:

1. Where the vote was not recorded, any member of Council;
2. Where a recorded vote was taken, a member of Council who voted on the side with the most votes

Commented [MD5]: Add any member present at the meeting  
Committee - yes

“motion to defer” means a motion to delay consideration of a matter until later in the same meeting or to a future meeting of Council or a Committee;

"motion to receive" means a motion to acknowledge the particular item, report or recommendation under consideration and to have it placed in the records of Council with no additional action being taken;

"motion to reconsider" means to review a previous decision and vote on it again;

“motion to refer” means that the said matter or item is referred to the body or person named in the motion specified to report back to the Council or Committee;

“motion to table” means a motion to postpone without setting a definite date as to when the matter will be considered again;

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

“newspaper” means a printed publication in sheet form, intended for general circulation, published regularly at intervals of not longer than a week, consisting in great part of news of current events of general interest;

“Notice of Motion” means a written motion received by the Clerk at a meeting of Council, moved by a Member, and seconded by another Member, for inclusion on an agenda of a subsequent meeting of Council;

“point of order” means a question by a Member with the view to calling attention to any issue relating to the Procedural By-law or the conduct of Council's business or in order to assist the Member in understanding Council's procedures, making an appropriate motion, or understanding the effect of a motion;

“point of privilege or personal privilege” means a question by a Member who believes that another Member has spoken disrespectfully towards that Member or another Member or who considers that his or her integrity or that of a Member or County Official has been impugned or questioned by a Member;

“presentation” means an address to Council or Committee at the request of Council, a Committee or staff;

“Public Question Period” means the time set aside at Council meetings for a member of the public to ask a question of Council;

“Published” means published in a newspaper that, in the opinion of the Clerk has such circulation within the municipality as to provide reasonable notice to those affected thereby and includes posting on the County website. “Publication” has a corresponding meaning;

Commented [MD6]: Include social media sites  
Committee - yes

“Quorum” means the minimum number of members required to be present at a meeting to carry on business;

“Recorded Vote” means a written record of the name and vote of every Member voting on any matter or question;

“Resolution” means the decision of Council on any motion;

“two-thirds majority vote” means an affirmative vote of more than two-thirds of the votes cast by those present, as determined pursuant to Section 4 (1) of the *County of Dufferin Act*, S.O. 1994, C.Pr13;

“Warden” means the Head of County Council.

## **2. APPLICATION**

- |                                    |     |                                                                                                                                                                                                                                                                           |
|------------------------------------|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| General                            | 2.1 | The rules of procedure set out in this by-law shall govern all proceedings of Council and its Committees.                                                                                                                                                                 |
| Matters not Covered in this By-law | 2.2 | Roberts Rules of Order shall prevail where applicable in all matters not covered by this by-law. The Chair may call upon the Clerk to provide advice regarding procedure. The Clerk shall provide this advice following which the Chair shall announce his or her ruling. |

## **3. INAUGURAL MEETING OF COUNCIL - ELECTION OF WARDEN AND SELECTION OF COMMITTEE CHAIRS AND COMMITTEE MEMBERS**

Date of Inaugural Meeting following regular election	3.1	The inaugural meeting of Council after a regular election, shall be held after the councils of the area municipalities have held their first meeting but, in any event, at 9.00 in the morning on the second Monday in December following the election or on such day prior to the third Tuesday in December following the election as determined by the Clerk.
Election of the Warden and term of office	3.2	The election of Warden shall be conducted by the Clerk at the inaugural meeting of Council in December following the regular municipal election. The term of office will be one year.
CAO to Chair	3.3	The Chief Administrative Officer shall act as Chair until the Warden is elected.
Nominations	3.4	The Clerk shall call for nominations.
Form of Nomination	3.5	Each nomination shall be in writing and shall be signed by the nominator and a seconder to the nomination and shall have the written consent of the nominee.
Nominations Closed	3.6	Where it appears to the Clerk, by asking for further nominations and receiving no response, that there are no further nominations, the Clerk shall call for a motion declaring nominations closed.
Idem	3.7	After nominations have been closed, no motion shall be in order except a motion to recess for a specified time period.
Speakers	3.8	After nominations have been closed, each mover and seconder of a nominee and each nominee shall, prior to the

**Commented [MD7]:**  
Needs to be changed to the second Thursday  
Committee - yes

**Commented [PH8R7]:** PH – you want inaugural meeting at 9AM?  
Committee – leave at 9AM

**Commented [MD9]:** Make a cutoff date for nominations the Wednesday prior to the meeting – same deadline for any agenda item  
Committee – status quo

**Commented [MD10]:** If Item 3.2 changes, this will no longer be needed  
Committee – status quo

**Commented [MD11]:** Needs to be reworded  
Committee – status quo

vote being taken, be permitted to speak to the nomination for not more than five (5) minutes.

Commented [MD12]: Will need to be reworded  
Committee – status quo

Order of Speakers

3.9

The speakers shall be called upon to address Council in alphabetical order of the nominees' surnames.

Idem

3.10

The speakers shall address Council in the following order with respect to each nominee:

- a) the mover
- b) the seconder
- c) the nominee

Withdrawal

3.11

A nominee may withdraw his or her name at any time prior to a vote being called.

Method of Voting

3.12

If there are two or more nominees, the election of the Warden shall be by secret ballot as permitted by the *Municipal Act* under the authority and direction of the Clerk.

Commented [MD13]: Specify that it is one vote per Member  
Committee - yes

Majority Vote Counted

3.13

To be elected as Warden, a nominee shall obtain the majority of the votes that are counted.

A vote is determined by placing an "X" or other mark in the space provided.

No Majority Obtained

3.14

If there are more than two nominees who elect to stand and, if upon the first ballot no nominee receives the majority required for election, the name of the nominee receiving the least number of votes shall be eliminated from the next secret ballot and Council shall proceed to vote again and continue until either:

Commented [MD14]: Reword to the following:  
Committee - yes

Where there are three or more candidates, if on any given ballot no candidate receives a majority of the vote the name of the candidate with the lowest number of votes will be dropped off the next ballot and voting will continue using the second ballot

Commented [PH15R14]: Re-wording for easy clarity - PH



- a) a nominee receives the majority required for election at which time such nominee shall be declared elected or
- b) it becomes apparent by reason of an equality of votes that no nominee can be elected.

No Majority- Tie  
for Least  
Number 3.15

In the case of a vote where no nominee receives the majority required for election and where two or more nominees are tied with the least number of votes, the Clerk or presiding officer shall place the names of the nominees with an equality of votes on equal size pieces of paper in a box and one name shall be drawn by a person named by the Clerk or presiding officer. The name of the nominee drawn shall be successful and continue in the election. The names of the nominee(s) remaining in the box shall be eliminated from the next secret ballot.

Tie—Two  
Nominees  
Remaining 3.16

If only two nominees remain, and if on the next secret ballot the nominees are tied, the Clerk or presiding officer shall place the names of the two nominees with an equality of votes on equal size pieces of paper in a box and one name shall be drawn by a person named by the Clerk or presiding officer. The name of the nominee drawn shall be successful.

Clerk to  
Announce  
Result of Vote 3.17

Where there are two or more nominees, the Clerk shall announce the result of the vote to the assembly.

Selection of  
Committee  
Chairs

3.18 The members of Council shall elect the Committee Chairs.

Commented [MD16]: Discussion on the following:

Committee Chairs shall be elected by the Member of the respective Standing Committees at the first meeting of the committee following the inaugural meeting of Council in each year. WK  
Committee – status quo

No majority  
obtained

3.19 a) Where no nominee receives a majority of the votes, the nominee receiving the fewest votes shall be deemed to have withdrawn his or her candidacy.

b) In the case of a vote where no nominee receives the majority required for election and where two or more nominees are tied with the least number of votes, the Clerk or presiding officer shall place the names of the nominees with an equality of votes on equal size pieces of paper in a box and one name shall be drawn by a person named by the Clerk or presiding officer. The name of the nominee drawn shall be successful and continue in the election. The names of the nominees(s) remaining in the box shall be eliminated from the next secret ballot.

Commented [MD17]: May be removed if 3.18 is changed  
Committee- status quo

In the case of a vote where no nominee receives the majority required for election and where two or more nominees are tied with the least number of votes, the Clerk or presiding officer shall place the names of the nominees with an equality of votes on equal size pieces of paper in a box and one name shall be drawn by a person named by the Clerk or presiding officer. The name of the nominee drawn shall be successful and continue in the election. The names of the nominees(s) remaining in the box shall be eliminated from the next secret ballot.

Commented [MD18]: Delete duplicate paragraph

Selection of  
Committee  
Members

3.19a) The members of Council will complete forms indicating their preferences for sitting on the various standing committees. Committee members should be decided by consensus of the Members of Council. If no consensus can be reached, then an election of committee members will be conducted.

Commented [MD19]: Numbering to be fixed

Commented [MD20]: Note From WK  
Representation on the Standing Committees should accommodate the broadest representation from the lower tier municipalities represented on Council  
Committee – status quo

Commented [MD21]: Note from WK  
If no consensus can be reached then election of the committee members will be conducted as the election of the warden

Commented [MD22R21]: The only time council can vote “one vote per member” is Election of the Warden

#### 4. MEETINGS OF COUNCIL

Regular  
Meetings

4.1 The regular meetings of Council shall be held at 7:00 p.m. on the second Thursday of each month at the Court House, 51 Zina Street in the Town of Orangeville, or in such location within the County as may be determined by Council.

Commented [MD23]: Insert:  
Or at a time and date determined by Council from time to time  
Committee - yes

Special  
Meeting

4.2 A special meeting may be called:  
a) by the Warden at any time by providing direction to the Clerk to issue a Notice of Special Meeting; or  
b) upon the receipt of a petition of the majority of Members, the Clerk shall call a Special Meeting for the purpose and at the time noted in the petition; or  
c) by the Clerk in an emergency situation.

Commented [MD24]: KM comments:  
Should there be a time requirement of 5 business days following receipt of petition  
Committee – status quo

Matters Decided at Special Meeting	4.3	At Special Meetings of Council, the Council shall not decide upon any matter unless the matter has been specified in the Notice calling the meeting. This provision may be waived only where all Members are present to vote upon a motion to waive it.
Cancellation/ Postponement	4.4	When it is deemed to be advisable, the Warden is authorized to change the date and/or time of, or cancel a regular Council meeting. To effect the change, the agreement of the majority of the members of Council representing the majority of local municipalities, having been polled by the Clerk, at least 24 hours before the scheduled date of the meeting, shall be required.
Cancellation due to weather conditions	4.5	In the event of inclement weather, the Warden will have authority to cancel a meeting of Council.
11:00 p.m.	4.6	No meeting of Council or Committee shall go beyond 11:00 p.m. A majority vote is required to extend the meeting past 11:00 p.m.

## 5. COUNCIL AGENDAS

Agenda	5.1	<p>The Clerk shall prepare for distribution a Council Agenda with the routine order of business for regular meetings of Council to be as follows:</p> <ul style="list-style-type: none"> <li>• Approval of Agenda</li> <li>• Disclosure of Pecuniary Interest</li> <li>• Approval Minutes of the Previous Council Meeting</li> <li>• Presentations</li> <li>• Delegations</li> <li>• Public Question Period</li> <li>• Committee Minutes</li> <li>• Staff Reports</li> <li>• Communications</li> <li>• Motions</li> </ul>
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- Notice(s) of Motion
- By-laws
- Other Business
- Consideration of Matters in Closed Session (if required)
- Matters Arising from Closed Session (if required)
- Confirming By-law
- Adjournment

Delivery of Agenda

5.2

The Clerk shall cause to be delivered an Agenda with supporting documents to each Member of Council on the Friday preceding the regular meeting of Council.

Commented [MD25]: Include wording to reflect electronic circulation.

Addendums

5.3

After delivery of the Council Agenda, the Clerk may for time-sensitive material, prepare an Addendum to the Agenda.

Commented [MD26]: Include wording to reflect electronic circulation.  
Committee - yes

Order of Business

5.4

The business of Council shall, as a general rule, be taken up in the order in which it appears on the Agenda, unless otherwise decided by Council.

Circulation to Public

5.5

As soon as Agenda information is published and distributed by the Clerk to Members, the information will be made available to the public except for information relating to matters to be considered in closed session. The agendas and supporting material will be posted on the County's website no later than the Monday at 1:00 p.m. of a council meeting week.

Member of Council May Include Item on Agenda

5.6

Any member of Council, at any time up to 12:00 noon on the Wednesday in the week prior to the regular council meeting, may file in writing with the Clerk an item for inclusion in the agenda if it is relevant to item already on the Agenda. Items brought forward by a Member of Council that are not germane to the matters to be presented to Council, must be put forward as a notice of motion at a meeting of Council.

Referral to Committee 5.7 Any communication within the jurisdiction of a Committee shall first be referred by the Clerk to the appropriate Committee unless the communication relates to a subject or report scheduled to be considered by Council or is time sensitive.

Adoption of multiple items in one motion 5.8 All or several items on the agenda for Council or Committee meetings containing recommendations may be adopted in a single motion. Any specific items of business will be provided individual deliberation and debate upon the request of any Member.

## 6. QUORUM

Quorum Council 6.1 A quorum of Council is eight members of Council representing at least five area municipalities in accordance with the County of Dufferin Act.

Commented [MD27]: Should say majority of members of Council Committee - yes

Commented [MD28]: Should properly reference "the County of Dufferin Act, 1994" Committee - yes

Quorum Committee 6.2 A quorum of a committee shall be a majority of the members or a combination of council and public members as the case may be, as set out in the Terms of Reference for each committee.

No Quorum at Beginning 6.3 If a quorum is not present at a scheduled meeting of Council or Committee 15 minutes after the scheduled commencement time, the meeting may stand adjourned until the date of the next regular meeting and the Clerk shall record the names of the Members present. If the Members who are present at the time remain until a quorum is present, then the meeting shall proceed.

Municipal Conflict of Interest Act 6.4 Where the number of Members, who by reason of the provisions of the Municipal Conflict of Interest Act, are prohibited from participating in a meeting is such that, at that meeting, the

remaining Members are not of sufficient number to constitute a quorum, then the remaining number of Members shall be deemed to constitute a quorum, provided this number is not fewer than two (2).

## 7. DUTIES OF THE WARDEN

Call Meeting to Order	7.1	As soon as there is a quorum after the time set for the meeting, the Warden shall take the chair and call the Members to order.
Duties of the Head of Council	7.2	<p>As Chief Executive Officer of a municipality, the head of council shall,</p> <ul style="list-style-type: none"><li>(a) uphold and promote the purposes of the municipality;</li><li>(b) promote public involvement in the municipality's activities;</li><li>(c) act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and</li><li>(d) participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents</li></ul> <p>(Municipal Act)</p>
Order to Vacate	7.3	The Warden, after three warnings, shall call by name any Member persisting in breach of the rules of procedure and, subject to a majority vote of Members present, order him or her to vacate his or her seat and leave the meeting.
Appeal of Warden's Ruling	7.4	If a Member disagrees with the ruling of the Warden with respect to an order to vacate, he or she may (with a seconder) appeal the ruling of the Warden in accordance with Section 13.

**Commented [MD29]:** Add clause:  
Committee- yes

The Warden shall preserve order and decorum and shall decide questions of order, subject to an appeal to the Council and when called upon to decide a point of order or practice shall state the rule or authority applicable to the case without argument or comment.

**Commented [MD30]:** Is this needed in the by-law as it is from the Municipal Act?

Committee – remove wording but make reference to MA

Acting Warden 7.5 When the Warden is absent from the County or is absent through illness or otherwise, or when the Warden is absent from the office in the course of his or her duties, or on vacation or an approved leave, the Acting Warden has and may exercise all the rights, powers and authority of the Warden.

Commented [MD31]: Move to another section or another policy?  
PH – create a section to deal with absences  
Committee – yes  
Make reference to advising staff ahead of time of members are absent from a meeting

Acting Warden Role 7.6 The Acting Warden shall be the Chair of the General Government Services Committee.

Warden not present at beginning 7.7 If the Warden does not attend a meeting of Council within 15 minutes after the time appointed, the Acting Warden shall call the members to order, and if a quorum is present, shall preside during the meeting or until the arrival of the Warden.

Commented [MD32]: Address absence of Warden and Acting Warden – suggestion most recent past Warden in attendance takes the chair.  
Committee – yes

Warden to advise of absence 7.8 The Warden shall formally advise Council of any intention to be absent from the office for a period longer than two consecutive weeks.

## 8. DUTIES OF MEMBERS

Duties of Members 8.1 No Member shall at a meeting:

Commented [MD33]: Change to positive: All members shall at a meeting.....  
Committee - yes

- a) speak disrespectfully of any member of the Royal Family, the Governor General, the Lieutenant Governor of any Province, the Council, any member municipality, any Member or any official or employee of the County;
- b) use offensive words or unparliamentary language;
- c) engage in private conversation while in the Council meeting or use electronic devices (including cellular phones, pagers and lap-top computers) in a manner which interrupts the proceedings of the Council;
- d) leave his or her seat or make any noise or disturbance while a vote is being taken and until the result of the vote is announced;



- e) speak on any subject other than the subject under debate;
- f) where a matter has been discussed in a closed session, and where the matter remains confidential, disclose the content of the matter or the substance of deliberations of the closed meeting;
- g) criticize any decision of the Council except for the purpose of moving that the question be reconsidered; or
- h) disobey the rules of the Council or a decision of the Chair or of the Council on questions of order or practice or upon the interpretation of the rules of the Council. In case a Member persists in any such disobedience, after having been called to order by the Chair, the Chair shall not recognize that Member, except for the purpose of receiving an apology from the Member tendered at that meeting or any subsequent meeting.

Code of  
Conduct

8.2

Members shall conduct themselves according to the Code of Conduct Policy for Members of Council.

Commented [MD34]: Move to 8.1

## 9. DISCLOSURES OF PECUNIARY INTEREST

Method of  
Disclosure

9.1

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 at which the matter is the subject of consideration, the Member shall, in accordance with *the Municipal Conflict of Interest Act*:

- a) prior to any consideration of the matter at the meeting, disclose the Member's interest verbally and the general nature thereof; and
- b) not take part in the discussion of, or vote on any question in respect of the matter;
- c) not attempt in any way whether before, during or after the meeting to influence the voting on the matter.

Open  
Meetings

9.2

Where a meeting is open to the public, the Member shall, in addition to complying with the requirements of the *Municipal*

Leave during discussion

*Conflict of Interest Act*, forthwith leave the meeting or part of the meeting during which the matter is under consideration.

Commented [PH35]: Committee – remove

Closed Meetings  
Leave during discussion

9.3 Where a meeting is not open to the public, the Member shall, in accordance with the *Municipal Conflict of Interest Act*, forthwith leave the meeting or the part of the meeting during which the matter is under consideration.

Absence Disclosure at Next Meeting

9.4 Where the interest of a Member has not been disclosed by reason of the Member's absence from a particular meeting, the Member shall disclose the Member's interest and otherwise comply at the first meeting of the Council or Committee, as the case may be, attended by the Member after the particular meeting.

Record of Disclosure

9.5 The Clerk shall record in reasonable detail the particulars of any disclosure of pecuniary interest made by a Member, and this record shall appear in the Minutes or Report of that meeting.

## 10. ACCOUNTABILITY & TRANSPARENCY

Meetings Open To the Public

10.1 All meetings shall be open to the public except as provided for in this section and no person shall be excluded from a meeting open to the public except for improper conduct or for breach of this by-law.

Closed Meetings Conditions

10.2 A meeting may be conducted in closed session if the subject matter being considered relates to:

- a) the security of County property;
- b) personal matters about an identifiable individual, including a County employee;

- c) a proposed or pending acquisition or disposition of land for County purposes;
- d) labour relations or employee negotiations
- e) litigation or potential litigation including matters before administrative tribunals, affecting the County;
- f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; or
- g) a matter in respect of which Council has authorized a meeting to be in private session under specific legislation.
- (h) A meeting shall be closed to the public if the subject matter relates to the consideration of 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.
- (i) A meeting of a council or local board or a committee of either of them may be closed to the public if the following conditions are satisfied:
  1. The meeting is held for the purpose of educating or training the members.
  2. At the meeting, no member discusses or otherwise deal with a matter in a way that materially advances the business or decision-making of the council, local board or committee.

Prior Resolution	10.3	<p>Prior to Council resolving into Closed Session for one of the reasons noted in Section 10.2, Council shall state by resolution</p> <ul style="list-style-type: none"> <li>a) the fact of holding the closed session; and</li> <li>b) the general nature of the matter to be considered.</li> </ul>
Open Votes	10.4	A meeting shall not be closed to the public during the taking of a vote.

- Closed Votes 10.5 Despite section 10.4, a meeting may be closed to the public during a vote if:
- a) the *Municipal Act*, Section 239 (2) or (3) permits or requires a meeting to be closed to the public; and
  - (b) the vote is for a procedural matter or for giving directions or instructions to Officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under a contract with the municipality of local board.
- Investigation 10.6 A person may request that an investigation of whether a municipality or local board has complied with Section 239 of the *Municipal Act* or a procedural by-law under subsection 238(2) in respect of a meeting that was closed to the public be undertaken by the investigator referred to in subsection 239.2.

## 11. DEPUTATIONS AND MEMBERS OF THE PUBLIC

- Deputations Generally Before Committees 11.1 Deputants shall be directed by the Clerk to the appropriate Committee except where the deputant wishes to address Council with respect to a matter which will be before Council or where the Chair, Chief Administrative Officer or the Clerk determines that the matter is of such an urgent nature that there is insufficient time to direct the deputant to a Committee.
- Written Request 11.2 All deputants wishing to address Council or a Committee shall advise the Clerk in writing providing an outline of the nature of the deputation no later than 12:00 noon on the Wednesday in the week prior to the regular council or committee meeting. All deputants at Council, not listed on the agenda, shall only be heard upon the consent of Council.

Commented [MD36]: Reworded as follows:

Debutants will generally be heard by Committees. The Clerk, may direct that a Deputation be received by a Committee prior to being received by Council or in place of Council  
 PH –should be delegations going to Council directly be limited unless time sensitive?  
 Committee – leave as is

Commented [MD37]: Replace the beginning of the paragraph with "Requests for deputations will be submitted to the Clerk

Address Chair 11.3 All deputants shall address the Chair and shall state their name and whom they represent.

Time 11.4 Deputants shall be limited to ten minutes for speaking at Council and at Committee or such other time period approved by Council or Committee at the meeting. If there is a group of people wishing to address Council or Committee with respect to a particular position on a particular issue, then Council or Committee may determine that the group shall be represented by one person or that the time limit shall be other than as stated above.

Question Period Council Meetings 11.5 Despite the foregoing, a person on his or her own behalf, may ask questions of council during the public question period. The Public Question Period will be limited to fifteen minutes and no one person shall address Council for more than five minutes.

Behaviour 11.6 No deputant shall;  
a) speak disrespectfully of any person;  
b) use offensive words;  
c) speak on any subject other than the subject for which he or she has received approval to address Council or Committee;  
d) disobey the rules of procedure or a decision of the Chair or Council.

**Commented [MD38]:** Reword to the following:  
Deputants shall:  
a) speak respectfully of any person;  
b) use respectful language;  
c) speak only on the subject for which he or she has received approval to address Council or Committee;  
d) obey the rules of procedure or a decision of the Chair or Council.

Shorten Time 11.7 The Chair may shorten the time of any deputation, any questions of a deputant or debate during a deputation for disorder or any other breach of this by-law.

Location 11.8 No person, except Members and authorized staff shall be allowed to come within the area of Council during a Council Meeting without permission of the Chair or Council.

Conduct [11.9](#) Members of the public who constitute the audience at a meeting, shall not:

- a) address Council or Committee without permission;
- b) bring food or beverages into the Council Chamber or meeting room unless so authorized; and
- c) bring signage, placards or banners into such meetings and refrain from any activity or behaviour that would affect the Council or Committee deliberations.

**Commented [MD39]:** Add:  
d) Ensure handheld electronic devices are turned off or placed on the non-audible function during Council and Committee meetings and refrain from speaking on such devices.  
Committee - yes

Expulsion 11.10 The Chair may cause to be expelled and excluded any member of the public, who creates any disturbance or acts improperly, during a meeting of Council or Committee. If necessary, the Chair may call upon the Clerk to seek the appropriate assistance from security or police officers.

## 12. RULES OF DEBATE

Form of Address 12.1 The form of address for Members of Council shall be "Councillor".

Recognition of Member [12.2](#) To address Council, a Member shall raise their hand requesting to speak, be recognized by the Chair, stand and direct all comments through the Chair.

Order of Speakers [12.3](#) When two or more Members indicate their desire to speak at the same time, the Chair shall designate the order of speakers.

Interruptions	<a href="#">12.4</a>	When a Member is speaking, no other Member shall interrupt the Member speaking except to raise a point of order, privilege or personal privilege.
Read Motion	<a href="#">12.5</a>	Any Member may require a motion or question under discussion to be read at any time during the debate but not so as to interrupt the Member speaking.
5 Minute Limit	<a href="#">12.6</a>	No Member shall speak for longer than five (5) minutes on a question without Council's permission.
Speak Twice	<a href="#">12.7</a>	No Member shall speak more than twice to the same question provided that no member shall speak more than once until each Member who has indicated a desire to speak on the issue and has not been heard, has spoken on the question, except that a reply shall be permitted only from a Member who has presented the main motion.
Questions	<a href="#">12.8</a>	A Member may ask a question only for the purpose of obtaining information relating to the matter under discussion and the question shall be stated succinctly and asked only of the Chair, the previous speaker, the Chief Administrative Officer or Department Heads and their designates.
Points of Order, Privilege	<a href="#">12.9</a>	When a Member rises on a point of order, point of privilege or point of personal privilege, the Member shall ask leave of the Chair to raise the point. After leave is granted, the Member shall state the point to the Chair and then remain silent until the Chair has ruled upon the point.

**Commented [PH40]:** Change wording to simplify:

When a Member rises on a Point of order, or a Point of privilege or personal privilege, the Member shall ask leave of the Warden to raise the point. After leave is granted, the Member shall state the point to the Warden and then remain silent until the Warden has ruled upon the point.  
Committee - yes

Chair to Rule on Point [12.10](#) Subject to being overruled by Council on a vote which shall be taken immediately and without debate, the Chair shall rule on the point.

Commented [MD41]: The Chair shall rule on the point Committee - yes

Challenge [12.11](#) Any Member may challenge the ruling of the Chair immediately following the ruling.

Decision Final [12.12](#) The Chair's ruling is final unless it is challenged.

Commented [MD42]: Move to after 12.10

Idem [12.13](#) Council's decision is final if the Chair is challenged.

### 13. APPEAL/CHALLENGING A RULING OF THE CHAIR

Appeal Procedure

[13.1](#) The following procedures apply when making an appeal:

- a) A member addresses the Chair directly, using a form of words such as: "I wish to appeal for . . . .";
- b) An appeal does not require a seconder under an order to vacate;
- c) When an appeal is made, the current business before the meeting is immediately suspended, while the Chair considers the matter
- d) The appeal is not open to debate, but the Chair shall ask for a brief explanation from the member making the appeal before making a ruling, and
- e) If the Chair grants the appeal the requested action is taken and the agenda is then resumed at the point at which it was interrupted.

Challenging a Ruling of the Chair

[13.2](#) The following procedures apply when challenging a ruling of the Chair:

- a) The ruling of the Chair may be challenged by making the following appeal: "I wish to appeal the ruling of the Chair."



- b) The challenge is not open to debate, but the Chair shall ask for a brief explanation from the Member making the appeal before making a ruling;
- c) The Chair gives a brief rationale for the ruling and then Members are asked, "Is the ruling of the Chair upheld?"
- d) A positive majority of votes indicates support for the ruling of the Chair, while a majority of negative votes indicates that it is overturned, and
- e) If the vote is tied, the ruling is sustained.

**Commented [MD43]:** Change wording to simplify:

Any Member may challenge the ruling of the Warden immediately following the ruling. In the event a Member challenges the ruling, Council shall vote on the ruling immediately without debate. Council's Majority vote is final if the Warden is challenged.  
Committee - yes

## 14 MOTIONS AND NOTICES OF MOTIONS

Adoption of multiple items in one motion

[14.1](#)

All or several items on the agenda for Council or Committee meetings containing recommendations may be adopted in a single motion. Any specific items of business will be provided individual deliberation and debate upon the request of any Member.

Jurisdiction

[14.2](#)

A Motion or Notice of Motion in respect of a matter which is not within the jurisdiction of the Council, shall not be in order and shall not be considered by the Council.

Additional Items

~~[14.3](#)~~

~~No Member shall introduce any item to the Council for its consideration unless:~~

- a) the item relates to a matter on the Agenda for that meeting; or
- b) the matter is of an urgent nature and leave is granted on a majority.

**Commented [MD44]:** Clarify when motions can be introduced – RCM

Must be Seconded

[14.4](#)

A motion shall be moved and seconded before the Chair shall put the question and the motion is recorded in the minutes of the meeting.

Mover and Secunder May Vote in Opposition **14.5** A Member may move a motion in order to initiate discussion and debate and that Member may vote in opposition to the motion. A secunder of a motion may vote against the motion.

Withdrawal **14.6** After a motion is moved at the Council meeting or placed on the Council Agenda as a Notice of Motion, it shall be deemed to be in the possession of Council and may not be withdrawn without the consent of the mover and secunder and a majority vote.

Notice of Motion **14.7** A Notice of Motion shall be in writing, include the name of the mover and secunder and be presented at a Council meeting for consideration at a subsequent Council meeting.

**Commented [MD45]:** Change wording to:  
PH – recommend that notices go the committee first and be placed on the council agenda  
Committee – no  
Committee – remove “and secunder”

Notice of Motion on next council agenda **14.8** Any Notice of Motion shall take the form of a motion and be automatically placed on the agenda of the next regularly scheduled Council meeting.

Future Agendas **14.9** All Notices of Motions on the Agenda and not disposed of shall be placed on the Agenda for the next regular meeting of the Council.

Not Proceeded With **14.10** When a Notice of Motion has been on the Agenda for two consecutive meetings after notice has been given, and not proceeded with, it shall be dropped from the Agenda and deemed withdrawn unless the Council decides otherwise.

## 15. SPECIFIC MOTIONS

Recess	<a href="#">15.1</a>	A motion to recess is not debatable or amendable, shall specify the length of the recess, and is only amendable with respect to the length of the recess.
Adjourn	<a href="#">15.2(1)</a>	A motion to adjourn the Council meeting is not debatable or amendable and shall always be in order except: <ul style="list-style-type: none"><li>a) when another Member is in possession of the floor;</li><li>b) when a vote has been called;</li><li>c) when the Members are voting; or</li><li>d) when a Member has indicated to the Chair his or her desire to speak on the matter before Council.</li></ul>
	<a href="#">15.2(2)</a>	A motion to adjourn shall take precedence over any other motion and shall be put immediately without debate.
Call the Question	<a href="#">15.3(1)</a>	A motion to call the question is not debatable.
	<a href="#">15.3(2)</a>	A Member who moved a motion to call the question shall not be allowed to speak to the question again if the motion is decided in the negative.
	<a href="#">15.3(3)</a>	A motion to call the question shall be put immediately without debate.
Motion to Table	<a href="#">15.4(1)</a>	A motion to table is not amendable or debatable and shall apply to the motion and any amendments under debate when the motion to table is made.

**15.4(2)** If the motion to table carries, in the absence of any direction from Council, the matter may not be discussed until the Chief Administrative Officer or a Member through a Notice of Motion, brings it forward to a subsequent meeting.

**Commented [MD46]:** Remove "the Chief Administrative Officer or" and Change to "a Member of Council" Committee - yes

Refer **15.5** A motion to refer and any amendment to it is debatable and shall include:

- a) the name of the Committee or official to whom the motion or amendment is to be referred;
- b) the terms upon which it is to be referred and the time or period, if any.

Defer **15.6** A motion to defer and any amendment to it is debatable and shall include:

- 1. the time to or period within which, consideration of the matter is to be deferred; and
- 2. whatever explanation is necessary to demonstrate the purpose of the motion to defer.

Consider Matter Previously Deferred **15.7** A motion that Council consider a matter previously deferred indefinitely or to a time or eventuality which has not yet been reached or occurred, is debatable and shall be presented only if the Council so decides.

Amendment **15.8** A motion to amend is debatable.

**15.8(1)** Only one motion to amend a main motion shall be on the floor at any one time.

Receive **15.9** A motion to receive is amendable and debatable.

Substantive Motion	<a href="#">15.10</a>	An amendment shall be out of order if it is ruled by the Chair to be a substantive motion and not an amendment.
Cannot be Contrary	<a href="#">15.11</a>	An amendment which, in effect, is nothing more than a rejection of the main motion is not in order.
Reconsideration	<a href="#">15.12</a>	A motion to reconsider shall not be made during the same meeting of Council at which the original determination was taken. If a decision has not been substantially acted upon, a member who voted on the prevailing side may at any time within six months of the original decision, introduce a motion to reconsider a previous decision.
Reconsideration Requires Notice or Two-Thirds	<a href="#">15.13</a>	A motion to reconsider may not be introduced without notice, unless the Council, without debate, dispenses with notice on a two-thirds majority vote. Notice in this case means that a member must give notice on a Council Agenda.
Reconsiderations-Idem	<a href="#">15.14</a>	A motion to reconsider is debatable and not amendable.
No discussion on main motion	<a href="#">15.15</a>	No discussion of the main question shall be allowed until the motion for reconsideration is carried.
Cannot reconsider motion to reconsider	<a href="#">15.16</a>	No motion to reconsider may, itself, be the subject of a motion to reconsider.

**Commented [MD47]:** Discussion needed  
 PH – for clarity Can a motion only be made within six months. After 6 months it is not considered to be reconsideration?  
 2/3 vote for reconsideration?  
 Committee – status quo

**Commented [MD48]:** Discussion needed  
 Committee – status quo

## 16. VOTING

- Order of Motions [16.1](#) Motions relating to an item under consideration shall be voted on in the following order:
- a) a motion to waive or suspend the rules of procedure;
  - b) a motion to recess;
  - c) a motion to adjourn;
  - d) a motion to call the question
  - e) a motion to receive an item;
  - f) a motion to table an item;
  - g) a motion to refer;
  - h) a motion to defer;
  - i) a motion to amend the amendment;
  - j) a motion to amend, in reverse order of its being placed; and
  - k) the main motion
- Members Must Vote [16.2](#) Every member present at a meeting where a question is put shall vote on the question, unless prohibited by statute or by-law in which case the Clerk shall so record.
- Method of Voting [16.3](#) A Member shall vote by raising a hand, except where a recorded vote is requested.
- Request for Further Vote [16.4](#) If a Member doubts the results of a vote by a show of hands as announced by the Warden or Chair, the Member may immediately call for the vote to be taken again and the Warden or Chair may request that the Members shall vote again.
- Abstained Vote Deemed Negative [16.5](#) If any Member present does not vote at a meeting of the Council where a question is put and a recorded vote taken, he or she shall be deemed to vote in the negative except where the Member is prohibited from voting by statute.

Actions During Vote	<a href="#">16.6</a>	When the Warden or Chair calls for the vote on a question, <ul style="list-style-type: none"> <li>a) each Member shall occupy his or her seat and shall remain in place until the result of the vote has been declared by the Chair, and</li> <li>b) during this time no Member shall walk across the room or make any other motion or speak to the question or any other Member or make any noise or disturbance.</li> </ul>
Separate the Question	<a href="#">16.7</a>	Upon the request of any Member, and when the Warden or Chair is satisfied that a matter under consideration contains distinct proposals, the vote upon each proposal shall be taken separately.
Majority Vote	<a href="#">16.8</a>	All decisions of Council shall require a majority vote except as otherwise set out in this By-law.
Tie Vote	<a href="#">16.9</a>	Any motion that results in a tie vote shall be deemed to have been lost.
Recorded Vote	<a href="#">16.10</a>	A request by a Member for a recorded vote shall be made prior to the commencement of the vote being taken or immediately thereafter.
Order of Voting for Recorded Votes	<a href="#">16.11</a>	In the case of a recorded vote, the Clerk shall call and Members shall announce their vote in alphabetical order of their surnames, beginning with the Member who requested the recorded vote.
Clerk to Announce Results of Vote	<a href="#">16.12</a>	The Clerk shall announce the result of the vote.

## 17. BY-LAWS

- One Motion [17.1](#) The adoption of every by-law presented to Council, with the exception of the Confirmatory By-law, may be the subject of one motion.
- Separate Vote [17.2](#) By request of any Member, any by-law(s) may be discussed or voted on individually.
- Previous approval [17.3](#) No by-law, except a by-law to confirm the proceedings of Council, shall be presented to Council unless its subject matter has been approved by Council or Committee of Council. A by-law may be placed on the same Council Agenda as the staff report if it is time sensitive.
- Confirmatory By-law [17.4](#) The proceedings at every meeting of Council shall be confirmed by by-law so that every decision of Council at that meeting of Council and every resolution thereof 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.
- Amendments to By-laws [17.5](#) All amendments to any by-laws approved by Council shall be deemed to be incorporated into the by-law and if the by-law is enacted by Council, the amendments shall be inserted by the Clerk.
- Authentication of By-laws [17.6](#) Every by-law enacted by Council shall be signed by the Warden and Clerk. The corporate seal shall be affixed to the by-law and the by-law shall be numbered, dated and filed in the Office of the Clerk.

## **18. MINUTES OF COUNCIL & COMMITTEES**



Record of Meeting Requirements

[18.1](#) The Clerk shall record council minutes without note or comment which includes all resolutions, decisions and other proceedings at a meeting of the body whether it is closed to the public or not.

In the case of a local board or committee, the appropriate officer shall record the minutes without note or comment.

Approval

[18.2](#) The Minutes of each Council meeting and each Committee meeting shall be presented to Council for approval at the next regular meeting, but will be made available in draft to the public as soon as possible after the meeting and prior to adoption by Council.

**Commented [MD49]:** Reference Closed session minutes  
PH – policy on closed session minutes?

Signature Council Minutes

[18.3](#) After the Council Minutes have been approved by Council, they shall be signed by the Warden and Clerk.

Signature Committee Minutes

[18.4](#) After the Committee Minutes have been approved by Council, they shall be signed by the appropriate Committee Chair.

## 19. COMMITTEE OF THE WHOLE

At Council

19.1 When it appears that any matter may be more conveniently considered in Committee of the Whole, and the proceedings taken in Committee when adopted by Council shall be deemed to be proceedings of Council.

Warden to Preside

[19.2](#) The Warden may preside as Chair of Committee of the Whole or may designate another member of Council to act as Chair of the Committee of the Whole.

- Acting Chair [19.3](#) In the event the Warden is absent, the Acting Warden will preside as Chair of the Committee of the Whole.
- Duties of Chair [19.4](#) The Chair of the Committee of the Whole shall maintain order in Committee and report the proceedings to Council.
- Procedure [19.5](#) The rules governing the procedure of Council and the conduct of Members shall be observed in Committee of the Whole so far as they are applicable, provided that no vote shall be recorded.
- Voting [19.6](#) Each member has only one vote in committee of the whole.

## 20. COMMITTEES

- Council's Role [20.1](#) Council shall, in this by-law, determine the appropriate number of Committees, their membership, terms of reference and reporting practices.
- Special Committees [20.2](#) Council may constitute a Special Committee, which, at the option of Council, may be termed a Task Force, to consider and report on a specific subject, project or undertaking. When a Special Committee has been appointed by Council, Council shall, by resolution, name the Member of that Special Committee who is to act as Committee Chair for the duration of the term or until the Special Committee's final report. When a Special Committee has completed its work and made its final report to Council, the Special Committee shall be deemed to be discharged. The Warden shall be a member as-of-right of all Special Committees and shall have a vote at these Special Committees.

**Commented [PH50]:** Remove the words "in this by-law" to reflect removal of committee structures from procedural by-law Committee - yes

Committee Procedures	<a href="#">20.3</a>	The rules governing the procedure of the Council and the conduct of Members at the Council shall be observed in all Committees so far as they are applicable and in accordance with the terms of reference for each committee as provided by by-law and provided that: <ul style="list-style-type: none"> <li>a) no recorded vote shall be taken; and</li> <li>b) each member shall be accorded one vote.</li> </ul>
Warden's Vote	<a href="#">20.4</a>	The Warden shall be a member as-of-right of each Committee and shall be counted for quorum purposes and entitled to vote at such meetings.
Warden Idem	<a href="#">20.5</a>	The Warden shall not be eligible to be the Chair of a Standing Committee.
Term of Office	<a href="#">20.6</a>	Each Standing Committee Chair shall hold office for one year and thereafter until the new Chair is elected, unless in the meantime they cease to be a member of Council.
Members' Rights	<a href="#">20.7</a>	Members who are not Members of a specific committee may attend meetings of that committee and may, with consent of the Chair of that Committee, take part in the discussion, but shall not be counted in the quorum or entitled to make motions or to vote but their attendance shall be noted in the minutes at these meetings.
Absence of Chair	<a href="#">20.8</a>	In the event of the Chair of a Committee not attending the Committee at which he/she is to preside within fifteen (15) minutes after the time appointed for the commencement of the meeting, then, the Warden if present will call the meeting to order. If the Warden is not present, those Members in attendance shall appoint one of the Members to act in the place and stead of the Committee

Chair for that meeting. Such Member shall then call the Members to order and shall preside until the arrival of the Committee Chair.

Cancellation Rescheduling	<a href="#">20.9</a>	The Chair of a Committee may cancel or reschedule a meeting in consultation with the Warden, Chief Administrative Officer and Clerk.
Special Meetings	<a href="#">20.10</a>	A Committee Chair after consultation with the Warden may, at any time, summon a Special Meeting of his or her Committee by providing written direction to the Clerk to issue a Notice of Special Meeting.
Idem	<a href="#">20.11</a>	Upon the receipt of a petition of the majority of the Members of a Committee, the Clerk shall summon a Special Committee Meeting for the purpose and at the time noted in the petition.
Notices and Agendas to Members	<a href="#">20.12</a>	All Members shall receive all Notices and corresponding agendas for all Committees.
Additional Items	<a href="#">20.13</a>	Any matter, which is within the Committee's terms of reference and which is not on the Committee Agenda or does not relate to a matter on the Agenda, may be considered by the Committee if it agrees to consider it by a majority vote.
Quorum	<a href="#">20.14</a>	A quorum of a Committee of the Council shall be a majority of the Members of the Committee unless otherwise stipulated in the Terms of Reference of the Committee.
Right to Expel	<a href="#">20.15</a>	The Chair or Presiding Officer at a Committee has the right to expel or exclude any person from any meeting for improper conduct.

Committee Minutes [20.16](#) All items considered by a Committee shall be forwarded to the Council in the form of Committee Minutes.

Sub-Committees [20.17](#) A sub-committee of a Standing Committee, consisting of members of the Committee only, may be established by the Council.

Commented [MD51]: Remove

Terms of Reference [20.18](#) Any recommendation to establish a Special Committee or sub-committee shall include its terms of reference outlining:  
a) its membership;  
b) quorum requirements  
c) the matters to be dealt with; and  
d) when the matters will be reported on.

Voting [20.19](#) There will be one vote per member in committee

Standing Committees [20.20](#) The standing committees oversee the operation of municipal departments and are accountable to Council.

Commented [MD52]: From this point, Section 20.20 to Section 21.1 be put in a separate committee by-law Committee - agree

**General Government Services**

Composition: 4 plus the Warden

Quorum: Majority of Members

Considers matter pertaining to Administration, Finance, Land Ambulance, Property, Building & By-laws

**Public Works**

Composition: 3 plus the Warden

Quorum: Majority of Members

Considers matters relating to:

Roads

Community Services/Dufferin Oaks

Composition: 3 plus the Warden

Quorum: majority of members

Considers matters pertaining to: Dufferin Oaks Homes for the Aged, Social Services and Emergency Management

Special  
Committees

20.21 Council may, by resolution, create committee for a special purpose which may be ongoing from year to year or dissolved once the purpose has been accomplished. They may also be created with a special mandate for overseeing and managing publicly funded facilities and programs. They are comprised of any combination of council members, staff and non-elected people and they may include appointments from other governing authorities.

Special Committees:

Community Development Committee (Schedule "A")

Composition: 3 members of council plus the Warden

1 member from the Council of East Luther Grand Valley, appointed by the Council

1 member from the Council of Melancthon, appointed by the Council

1 member from the Council of Amaranth, appointed by the Council

3 citizens of Dufferin County \*

Quorum: Waste Matters – 2 members of County Council and 2 non-County Council Members

\*Amended by By-law  
2011-12

(February 10, 2011)

Quorum: Non-Waste Matters – 3 members of County Council

Considers matters pertaining to waste and economic development.

In the year of a regular election, before the public members have been appointed, the quorum will be a majority of the Council members that have been appointed.

**Museum Board (Schedule "A")\*\***

Composition: 3 members of Council plus the Warden

Quorum: 3 members of Council

Considers matters relating to Museum and County Forest

**Museum Trust Fund Board (Schedule "A")\*\***

Composition: 1 member of County Council appointed by the DCMAHL Board and 3 to nine public members

Quorum: majority of members

Considers matters pertaining to fundraising and holding of funds for the Museum.

**Economic Development Advisory Committee (Schedule "A")**

Composition:

Representing	Number of
--------------	-----------

\*\*Amended by By-law  
2011-49  
(October 13, 2011)

	Voting Members
County of Dufferin – Chair of Community Development Committee and the Warden	2
Headwaters Communities in Action	1
Orangeville Economic Development Committee	1
Shelburne Economic Development Committee	1
Mono Economic Development Committee	1
Hills of Headwaters Tourism Association	1
Greater Dufferin Area Chamber of Commerce	1
Dufferin Federation of Agriculture	1
Public At Large	3
<b>TOTAL</b>	<b>12</b>

Quorum: majority of members

Considers matters relating economic development and reports and makes recommendations to the Community Development Committee.

Statutory Committee

20.22 Where required by legislation, Council shall appoint ,by resolution, members to a committee which is fully funded and financed through the County and makes recommendations to one of its standing committees.

\*\*\*Amended by By-law  
2011-32  
(May 12, 2011)

The following are the mandated committees:

Accessibility Advisory Committee (Schedule "A")\*\*\*



Legislated by the *Ontarians With Disabilities Act*

Composition: A majority of members must have a disability and one member of County Council.

The committee considers matters relating to accessibility for those with disabilities.

## 21. NOTICE PROVISIONS

Notice for by-laws and meetings

[21.1](#) The form, manner and times when notice will be provided to the public regarding specific by-laws and the holding of certain meetings is outlined in Schedule "B" to this by-law.

## 22. SUSPENSION OF BY-LAW PROVISIONS

Two-Thirds

[22.1](#) A motion to suspend or not to follow a rule of procedure established by this By-law, shall not be passed without a two-thirds majority vote.

## 23. AMENDMENTS TO BY-LAW

Notices of amendment or repeal to by-law

[23.1](#) No amendment or repeal of this By-law shall be considered at any meeting of the Council unless notice of the proposed amendment or repeal was given at a previous meeting of the Council. Council may not waive this notice requirement.

## 24. CONFLICT

Conflict with Statute [24.1](#) If there is any conflict between this By-law and any statute, the provisions of the statute prevail.

## 25. REPEAL AND ENACTMENT

Repeal [25.1](#) By-law number 2002-37, as amended by By-laws 2002-49, 2002-60, 2004-37, 2006-44 and 2007-16, are hereby repealed.

Effective Date [25.2](#) This by-law shall come into full force and effect on the date of its enactment.

READ a first, second and third time and finally passed this 13th day of March, 2008.

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John K. Oosterhof, Warden

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Pam Hillock, Clerk

**SCHEDULE "A" TO THE PROCEDURAL BY-LAW**

**COMMITTEE MANDATES**

Commented [MD53]: Remove schedules

**COMMUNITY DEVELOPMENT COMMITTEE**

Composition: Three Members of Council plus the Warden (as of right)  
One Member of the Council of the Township of East Luther Grand Valley appointed by the Council of the Township of East Luther Grand Valley and ratified by County Council  
One Member of the Council of the Township of Amaranth appointed by the Council of the Township of Amaranth and ratified by County Council  
One Member of the Council of the Township of Melancthon appointed by the Council of the Township of Melancthon and ratified by County Council  
Three Citizens from Dufferin County \*

\*Amended by By-law 2011-12 (February 10, 2011)

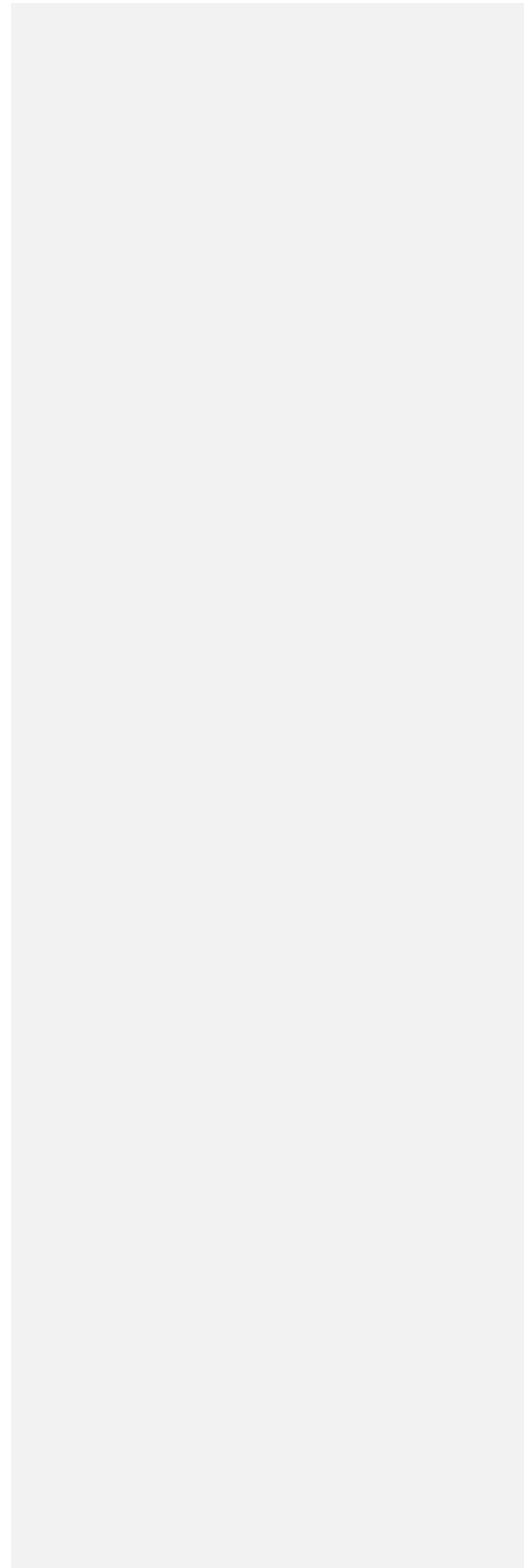
Quorum: Waste Management Issues – Two members of County Council  
Two of the non-County Council Members  
Non-Waste Management Issues – Three Members of County Council

In the year of a regular election, before the public members have been appointed, the quorum will be a majority of the Council members that have been appointed.

The Community Development Committee considers matters pertaining to waste and economic development (See Economic Development Advisory Committee below).

Waste Management business will be separated from the balance of the Community Development Committee's business to facilitate debate and voting by non-County Council members and public attendance. Should a question arise regarding the placement or location of business on the agenda, the Chair shall make a ruling for the purposes of proceeding with the meeting.

For non-waste management business the Committee's voting members shall be the three duly appointed County Councillors and the Warden.



**Dufferin County Museum & Archives and Heritage Lands Board\*\***

Composition: Seven Members: Three Members of Council  
The Warden (as-of-right)

\*\*Amended by By-law  
2011-49  
(October 13, 2011)

Quorum: Three Members of County Council

The overall purpose of the Dufferin County Museum & Archives and Heritage Lands Board is to oversee and participate in the affairs and activities of the Museum, Archives and County Forest operations, while promoting community awareness and appreciation of the Museum & Archives and its collections, County Forests and resource management, and the programs and services offered in each of these areas and are accountable to Council.

The Dufferin County Museum and Archives and Heritage Lands Board shall meet at least semi-annually in conjunction with the Community Development Committee to review budget requests, annual event plans, operational issues and forest matters.

**Dufferin County Museum and Archives Trust Fund Operating Board\*\***

Composition: One member of County Council appointed by the DCMAHL Board  
Director/Curator of the DCMA (or designate) Non-voting  
Three to nine members of the public

Public members shall be appointed at the beginning of each term of County Council following an application process.

Quorum: A majority of its members

Terms of Reference:

DEFINITIONS:

“Board” refers to the Dufferin County Museum & Archives Trust Fund Advisory Board.

“County” refers to the Corporation of the County of Dufferin.

“County Council” refers to the Council of the Corporation of the County of Dufferin.

“DCMA” refers to the Dufferin County Museum & Archives.

“DCMAHL Board” refers to the Dufferin County Museum & Archives and Heritage Lands Board of Dufferin County Council.

“Trust Fund” refers to the Dufferin County Museum & Archives Trust Fund.

Objects & Purposes:

The purpose of the Board is to advise and make recommendations to the DCMAHL Board and County Council with respect to the raising and holding of funds for the DCMA through:

- (i) Receipt of property, both real and personal, by way of donation, gift, legacy or otherwise; and to hold and/or convert the same into cash and apply the income or capital in furtherance of the purposes of the Trust Fund;
- (ii) Provision of financial and other assistance to the DCMA for purposes including but not limited to the following:
  - specific capital projects approved by the County
  - special exhibits
  - artifact acquisition and special collections
  - research and publications
  - educational programming
  - specific administrative, including promotional, projects and costs

- (iii) Promotion of the existence, programs and needs of the DCMA within present and potential visitor and supporter communities.

The Board shall meet at least quarterly each year. The Board may establish working groups that meet as required.

The Board shall, at a minimum, designate the following officers: Chairperson, Secretary-Treasurer.

Board Responsibilities:

The Board shall develop an annual fundraising and activities plan for review and ratification of the DCMAHL Board at its November meeting, and formulate recommendations to the DCMAHL Board in accordance with the objects and purposes of the Trust Fund and the approved fundraising and activities plan.

In the implementation of its plans and the undertaking of its responsibilities, the Board shall, in accordance with applicable County policies and procedures, have the power to:

- encourage the contribution of funds or other property from any person, corporation, Trust Fund, municipality or government agency which the Board in its discretion deems advisable
- accept donations, gifts, legacies, grants, devises or bequests of real or personal property of every nature and kind; with or without donor conditions or stipulations
- use and distribute such portions of the funds available to the Trust Fund as the Board deems proper and in accordance with the objects and purposes of the Trust Fund and an approved activities and fundraising plan; this includes the forwarding of annual interest earned by money in the possession of the Trust Fund to the County/DCMA for Museum operations
- reject gifts; including donations, legacies, grants and devises; when such gifts or the terms under which they are proposed to be given to the Trust Fund are not consistent with the objects and purposes of the Trust Fund
- in the event that no direction for the use of a gift is provided by its donor, use and apply a gift for purposes as the Board deems proper and consistent with the objects and purposes of the Trust Fund

The Board does not have the power to borrow or to mortgage any of the assets of the Trust Fund under any circumstances.

#### Administration & Reporting

The offices of the Trust Fund shall be located at:

Dufferin County Museum & Archives  
936000 Airport Road  
Post Office Box 120  
Rosemont, ON CANADA L0N 1R0

The fiscal year of the Trust Fund shall be a calendar year, beginning January 1st and ending December 31st.

The County, through its Treasury Department, shall provide accounting, auditing and investment services to the Trust Fund at no cost. Any interest earned on Trust Fund holdings shall be directed to the Trust Fund.

The County, through its Treasury Department, shall administer the issuance of income tax receipts for donations to and in the name of the Trust Fund.

Financial statements shall be prepared by the Treasury Department for the review of Board members at their meetings. An audited financial statement shall be provided by the Treasury Department for review by the Board at the Board's annual meeting in April.

The DCMAHL Board shall be informed of the Board's plans and activities by way of the DCMAHL Board's review and approval of an annual fundraising and activities plan. In addition, minutes of the meetings of the Board shall be circulated on a regular basis to



members of the DCMAHL Board for their review and information. The Director/Curator shall inform the DCMAHL Board of issues, activities and matters relating to the Trust Fund, and provide information as requested by the DCMAHL Board.

In the event the Trust Fund is dissolved, any and all assets formerly received and held by the Trust Fund shall be transferred to the County to be held and used for the purposes for which they were given to the Trust Fund.

**Economic Development Advisory Committee**

Composition:

<b>Representing</b>	<b>Number of Voting Members</b>
County of Dufferin – Chair of Community Development Committee and the Warden	2
Headwaters Communities in Action	1
Orangeville Economic Development Committee	1
Shelburne Economic Development Committee	1
Mono Economic Development Committee	1
Hills of Headwaters Tourism Association	1
Greater Dufferin Area Chamber of Commerce	1
Dufferin Federation of Agriculture	1
Public At Large	3
<b>TOTAL</b>	<b>12</b>

Quorum: A majority of its members

Guiding Principles: This committee provides coordination of and communication between organizations providing an economic development function. A level of trust must be fostered and maintained with the recognition and acknowledgement that investment in any area of Dufferin County is to the benefit of the entire county.

Appointment of the Chair: A chair will be appointed at the first meeting.

Appointment of a Vice-Chair: A Vice-Chair will be appointed at the first meeting. The Vice-Chair will assume the duties of the Chair when the Chair is not available.

Frequency of Meetings: The committee will meet on a monthly basis.

Term of Chair: The term of the chair will run concurrent with the term of council or until the new committee is appointed.

The committee may set up sub-committees for specific projects as required.

Note: Any municipality with an economic development committee is entitled to appoint a member to this committee.

Staff Support: Administration Department to provide staff support.

Meeting Rules: The County of Dufferin Procedural By-law will apply to this committee.

Quorum: Majority of Members

Budget: The committee will submit its budget request no later than August 1st in each year

Purpose: The main purpose of the Economic Development Advisory Committee is to make recommendations to County Council through the Community Development Committee on matters associated with the ongoing and developing economic opportunities for the County as a whole. The committee will complement and support the efforts of local economic development initiatives.

**SPECIAL PURPOSE BODIES (established by Provincial Statute)**

These committees operate at "arms length" to the municipal Council, however, they are fully funded/financed through the municipality and by special grants from the Province. Their budgets must be approved by Council.

**ACCESSIBILITY ADVISORY COMMITTEE\*\*\***

Citizen members – A majority of members must have a disability  
One member of County Council.

Quorum: A majority of its members

\*\*\*Amended by By-law  
2011-32  
(May 12, 2011)

**MISSION STATEMENT:**

The County of Dufferin Accessibility Advisory Committee is dedicated to promoting equal opportunity and access for all persons, regardless of needs, to participate as fully as possible in all aspects of community life.

TERMS OF REFERENCE:

Term of Chair and Vice Chair: The positions of Chair and Vice Chair shall be elected annually by the Committee at the first meeting of each year.

Staff Resources: Committee Secretariat to be provided by County Staff

Staff Liaisons: Chief Building Official - relating to the accessibility to County facilities  
Social Services Administrator – relating to the social housing component of the Ontarians With Disabilities Act.

Other staff members would be available as required for example if the Committee wishes to discuss snow plowing, the Director of Public Works would be available.

Goals and Objectives:

The Goals of the Accessibility Advisory Committee are to encourage and facilitate accessibility on behalf of all challenged persons by:

1. promoting public awareness and sensitivity;
2. encouraging co-operation among all service and interest groups to ensure a better community for all persons;
3. identifying and documenting relevant issues and concerns;
4. improving access to housing, transportation, education, recreation and employment, which are the qualities of a five star community in so far as these activities are within the areas of responsibility of the County of Dufferin;
5. improving communication among all levels of government and service agencies to make recommendations re: policy and legislation; and
6. recognizing that the needs of all persons are constantly changing.

Duties and Functions:

The Accessibility Advisory Committee assists Council by advising, reviewing and making comment and recommendations of interest to people with disabilities and dealing with community issues relevant to disabled persons within the framework of the goals and objectives.

Some of the items that may be reviewed by the Committee include:

- Providing advice each year about the preparation, implementation and effectiveness of the accessibility plan
- Commenting on accessibility to county-owned or leased facilities
- Commenting on how the needs of persons with disabilities can be better served through the municipality's purchasing of goods and/or services.
- Commenting on any municipal decisions relating to the purchase, construction, renovation or lease of new municipal facilities.
- Monitoring federal and provincial government directives and regulations and advising Council regarding same.
- Conducting research on accessibility issues
- Liaising with other municipalities, local municipalities and local stakeholder groups on accessibility issues.
- Recruiting new members

The Committee acts as an advisory body to Council for the preparation, implementation and effectiveness of its accessibility plan.

Council will seek advice from the committee on the accessibility for persons with disabilities to a building, structure or premises, or part of a building, structure or premises:

- (a) that the Council purchases, constructs or significantly renovates
- (b) for which the council enters into a new lease; or
- (c) that a person provides as municipal capital facilities under an agreement entered into with the council in accordance with the Municipal Act.

Member Absences: If a Committee member is absent for three consecutive meetings they have forfeited their membership unless the Committee deems their absence is justifiable.

Frequency: To be determined.

**OTHER COMMITTEES/BOARDS**

These are committees/boards that operate outside of direct municipal influence, however, the municipality makes appointments to these bodies.

Wellington Dufferin Guelph Health Unit	2 council members
Hills of Headwaters Tourism Association	1 council member
Greater Dufferin Area Chamber of Commerce	1 council member

**AD HOC COMMITTEES**

Council may by resolution from time to time establish ad hoc committees to deal with specific projects which are very short term in nature requiring approximately three to four meetings.

**SCHEDULE “B” TO THE PROCEDURAL BY-LAW**

<b>NOTICE PROVISIONS – COUNTY OF DUFFERIN</b>	
<b>(Section number in parentheses refer to the <i>Municipal Act, 2001</i>)</b>	
Council meetings	Agendas published on the County web site on the Friday prior to a Council meeting.
Special Council meetings	By telephone, e-mail or fax 48 hours notice to members of Council and the press where possible – Agendas published on the County web site as soon as possible.
Emergency Council meetings	By telephone, e-mail or fax provide as much notice as possible to Members of Council and the press and the only matters to be dealt with shall relate directly to the emergency situation.
Committee meetings	Agendas published on the County web site on the Friday prior to the meeting. Notice of cancellation will be sent to the press and Members of Council by e-mail, telephone or fax as soon as staff have determined the cancellation.
Permanent Closure of a Highway	Signage posted and Notice in Newspaper at least 30 days prior to the enactment of the by-law.
Temporary Closure of Public Highway for Construction	Policy 5-5-1
Sign By-law	Notice provided in the newspaper and the web site two weeks prior to enactment of the by-law.
Restructuring Proposal	The <i>Municipal Act</i> requires provision of Notice and at least one public meeting. Notice provided in newspaper and the web

**Commented [PH54]:** Check legislative requirements for notice. If notice is spelled out in a specific act, ie. Development Charges Act then remove the this list. Create a separate notice policy/by-law

(Section 173)	site at least 30 days prior to enactment of the by-law.
Change the Name of a Municipality	Notice provided in newspaper and web site at least 30 days prior to enacting a by-law.
Change Composition of Council Section 218 (1)	Notice provided in newspaper and web site at least 30 days prior to enacting a by-law or asking for special legislation.
Change Term of Office of Warden Section 218 (4)	Notice on a previous Council Agenda and a public meeting (Section 219 (1)).
Procedural By-law Amendment	Notice provided on the previous Council Agenda of Council's intention to change the by-law.



Sale of Land	Notice required in newspaper & web site 2 weeks prior to the by-law being enacted.
Adoption of Budget	Notice required in newspaper & web site 2 weeks prior to the expected date of adoption of the budget.
Financial Statements (Section 295)	The Municipal Act requires publication of audited financial statements in newspaper within 60 days of receipt of audited financial statements for previous year.
Agreements for Municipal Capital Facilities – Notice of Tax Exemption By-law (Section 110)	The Municipal Act requires that notice be given to the assessment corporation, the Clerk of the any other municipality that would, but for the by-law, have had authority to levy rates on the assessment for the land exempted by the by-law and the secretary of any school board if the area of jurisdiction of the board includes the land exempt by the by-law.
Notice of Fees and Charges By-law (Section 400)	Regulation 244/92 under the Municipal Act provides that before passing a by-law to impose fees or charges, a municipality shall ensure that notice of the intention to pass the by-law is given to every person and organization that has, within 5 years before the day of the Council given the Clerk of the Municipality a written requires for notice of the intention to pass the by-law, containing a return address.  Notice provided on the County's Web site two weeks prior to the enactment of the by-law.