



**GENERAL GOVERNMENT SERVICES COMMITTEE MINUTES  
Tuesday, May 26, 2015**

The Committee met at 4:00 pm in the Sutton Room, 55 Zina Street, Orangeville

**Members Present:** Councillor Ken McGhee (Chair)  
Warden Warren Maycock  
Councillor Jane Aultman  
Councillor Jeremy Williams (4:07pm)

**Absent:** Councillor Guy Gardhouse (prior notice)

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

Chair McGhee called the meeting to order at 4.00pm

Declarations of Pecuniary Interest by Members – None

**PUBLIC QUESTION PERIOD**

There were no public in attendance.

**REPORTS**

1. GENERAL GOVERNMENT SERVICES – May 26, 2015 – ITEM #1  
Annual Development Charges Report

A report from the Treasurer dated May 26, 2015 to satisfy the reporting requirement of Dufferin County's own Development Charges (DC) Bylaw 2012-31.

**Moved by Warden Maycock, seconded by Councillor Aultman,**

**THAT the Treasurer's report dated May 26, 2015 regarding 2014 Development Charges (DC) Activity be received;**

**AND THAT Roads DC, collected for certain Studies, be applied in 2015, under Public Works operations, to 14.5% of actual 2014 and 2015 costs of the Roads Rationalization and Roads Needs studies.**

**-Carried-**

Councillor Williams arrived at this time (4:07 pm).

2. GENERAL GOVERNMENT SERVICES – May 26, 2015 – ITEM #2  
Re-statement of Budget

A report from the Treasurer dated May 26, 2015 to comply with the requirement of O. Reg. 284/09 (“the Reg.” hereafter), as directly related to the Municipal Act, 2001 sec. 289, Yearly Budgets.

**Moved by Councillor Aultman, seconded by Warden Maycock,**

**THAT the Treasurer’s report dated May 26, 2015 regarding the re-statement of the 2015 Budget, be adopted.**

**-Carried-**

3. GENERAL GOVERNMENT SERVICES – May 26, 2015 – ITEM #3  
Timetable for 2016 Budget

A report from the Treasurer dated May 26, 2015 to propose a timetable for meetings devoted to the 2016 County Budget.

**Moved by Councillor Williams, seconded by Councillor Aultman,**

**THAT the Treasurer’s report dated May 26, 2015 regarding the timetable for the 2016 Budget be received;**

**AND THAT the 2016 Budget Schedule be approved as follows:**

<b><i>Capital Budget Call to Senior Management</i></b>	<b><i>Fri. June 12<sup>th</sup>, 2015</i></b>
<b><i>Capital Budgets to be returned to Treasury by</i></b>	<b><i>Fri. July 17<sup>th</sup>, 2015</i></b>
<b><i>Operating Budget Call to Senior Management</i></b>	<b><i>Fri. July 10<sup>th</sup>, 2015</i></b>
<b><i>Operating Budgets to be returned to Treasury by</i></b>	<b><i>Fri. August 7<sup>th</sup>, 2015</i></b>
<b><i>Budget Reviews with CAO and Department Heads</i></b>	<b><i>Sept. 8<sup>th</sup> to 11<sup>th</sup>, 2015</i></b>
<b><i><u>Council discussions:</u> Full Budget Packages to Council (at regular meeting) plus initial presentation</i></b>	<b><i>Thur. Oct. 8<sup>th</sup>, 2015</i></b>
<b><i>Detailed Reviews at Standing Committees</i></b>	<b><i>October 26-29, 2015 in normal Committee Cycle</i></b>
<b><i>Council Budget Discussion 2 Public Consultation</i></b>	<b><i>Council Nov. 12, 2015</i></b>
<b><i>Council Budget Discussion 3(as necessary)</i></b>	<b><i>Council Dec. 10, 2015 plus extra dates if required.</i></b>

**-Carried-**

**4. GENERAL GOVERNMENT SERVICES – May 26, 2015 – ITEM #4  
Tax Assistance Policies for 2015**

A report from the Treasurer dated May 26, 2015 to confirm the policies for 2015 property tax assistance programs

**Moved by Warden Maycock, seconded by Councillor Aultman,**

**THAT the Treasurer’s report dated May 26, 2015 with respect to Tax Assistance Policy for 2015 be received;**

**AND THAT the eligibility threshold for tax assistance be kept constant, namely any tax increases above \$50.00, for 2015;**

**AND THAT the Tax Assistance Bylaw be presented to County Council in June.**

**-Carried-**

**5. GENERAL GOVERNMENT SERVICES – May 26, 2015 – ITEM #5  
Mobile Services and Hardware Contract**

A report from the Clerk/Director of Corporate Services dated May 26, 2015 to provide the committee with information regarding sourcing of mobile services and mobile hardware for various departments.

**Moved by Warden Maycock, seconded by Councillor Williams,**

**THAT the report of Pam Hillock, Director of Corporate Services dated May 26, 2015 regarding the Mobile Services and Hardware Contract be received;**

**AND THAT staff be directed to commence the transition from Bell Mobility to Rogers Communications in accordance with the Province of Ontario VOR Arrangement# OSS\_00415819 for the provision of mobile services and hardware.**

**-Carried-**

**6. GENERAL GOVERNMENT SERVICES – May 26, 2015 – ITEM #6  
Legal Services RFP**

A report from the Clerk/Director of Corporate Services dated May 26, 2015 to provide the committee with information regarding the RFP for Legal Services.

**Moved by Councillor Aultman, seconded by Warden Maycock,**

**THAT the report of Pam Hillock, Clerk/Director of Corporate Services, dated May 26, 2015, be received;**

**AND THAT the firm of Thomson Rogers, Suite 3100, 390 Bay Street, Toronto, ON, be awarded the Request for Proposal for Legal Services for a three year term with an option to renew for two additional years;**

**AND THAT for the routine real estate matters local firms be engaged.**

**-Carried-**

- 7. GENERAL GOVERNMENT SERVICES – May 26, 2015 – ITEM #7**  
**Property Matter – Request by the Township of Melancthon to Use County Land for a Parkette**

A report from the Chief Administrative Officer dated May 26, 2015 to seek approval to enter into a Memorandum of Understanding with the Township of Melancthon for the use of County land for a parkette.

**Moved by Councillor Williams, seconded by Warden Maycock,**

**THAT the report of the Chief Administrative Officer, dated May 26, 2015, with respect to a Memorandum of Understanding with the Township of Melancthon for use of County land for a parkette, be received;**

**AND THAT the Warden and Clerk be authorized to execute a mutually agreed to Memorandum of Understanding with the Township of Melancthon for the use of the County-owned lands in Corbetton as shown on the attached sketch.**

**-Carried-**

- 8. GENERAL GOVERNMENT SERVICES – May 26, 2015 – ITEM #8**  
**Procedural By-law Review**

A report from the Clerk/Director of Corporate Services dated May 26, 2015 as follow up to the report of February 25, 2015 where Council approved the committee's recommendation to continue with the draft which was created by the previous committee and council.

**Moved by Councillor Aultman, seconded by Councillor Williams,**

**THAT the report of the Clerk/Director of Corporate Services dated May 26, 2015 regarding the review of the Procedural By-law, be received;**

**AND THAT the draft procedural by-law, attached as Schedule A, be circulated to Members of Council for comment for the next month;**

**AND THAT the comments and draft by-law be presented at the June 23<sup>rd</sup> meeting of General Government Services;**

**AND THAT a finalized by-law be presented to Council in July 2015.**

**-Carried-**

**9. GENERAL GOVERNMENT SERVICES – May 26, 2015 – ITEM #9**  
**Notice Policy**

A report from the Clerk/Director of Corporate Services dated May 26, 2015 with respect to a draft policy for the Provision of Notice and Manner of Giving Notice.

**Moved by Warden Maycock, seconded by Councillor Aultman,**

**THAT the report from the Director of Corporate Services/Clerk dated May 26, 2015 with respect to the Provision of Notice and Manner of Giving Notice be received;**

**AND THAT Policy 1-2-3 Provision of Notice and Manner of Giving Notice be adopted.**

**-Carried-**

**ADJOURNMENT**

The meeting adjourned at 5:42 p.m.

**NEXT MEETING:** Tuesday, June 23, 2015 at 4.00 p.m.  
55 Zina Street, Orangeville

Respectfully submitted,

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Councillor Ken McGhee, Chair  
General Government Services Committee

**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;
	"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 <i>Municipal Act</i> ;
	"Committee" means the <del>Committee of the Whole</del> , a Standing Committee, Ad Hoc, Statutory or Special Committee of the Council;
	"Committee of the Whole" means all of the Members sitting in committee;
	"Committee Chair" means the Chair of a Committee;

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 - yes

Commented [MD3]: Add Ad Hoc, Sub and Advisory Committee – delete reference to "Committee of the Whole". It is not required.

Commented [MD4]: Change to Members of Council Committee – delete "Committee of the Whole"

	“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;
	<del>“leadership” – deleted</del>
	“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 <i>County of Dufferin Act</i> , 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:
	<ol style="list-style-type: none"> <li>1. Where the vote was not recorded, any member of Council;</li> <li>2. Where a recorded vote was taken, a member of Council who voted on the side with the most votes</li> </ol>
	“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;

**Commented [PH5]:** Delete reference to “leadership” – not mentioned in the by-law  
Committee - yes

**Commented [MD6]:** Add any member present at the meeting  
Committee -yes

	“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 <i>Municipal Act 2001</i> , 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 [MD7]: Include social media sites  
Committee – use the term “internet”



		“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 <i>County of Dufferin Act</i> , 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.

Commented [MD8]: Needs to be changed to the second Thursday  
Committee - yes

Commented [MD9]: Put a cutoff date for nominations the Wednesday prior to the meeting – same deadline for any agenda item  
Committee - no

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 vote being taken, be permitted to speak to the nomination for not more than five (5) minutes.
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 <i>Municipal Act</i> under the authority and direction of the Clerk.
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: a) a nominee receives the majority required for election at

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

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

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

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

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.
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

Commented [MD15]: 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

Commented [MD16]: Reword to the same process as the election of the Warden  
Committee – Status Quo

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.

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]: Delete duplicate paragraph  
Committee - yes

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 [MD18]: Numbering to be fixed

Commented [MD19]: Note From WK  
Representation on the Standing Committees should accommodate the broadest representation from the lower tier municipalities represented on Council  
Committee – Status quo Note: new Committee system has solved this issue

Commented [MD20]: 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 [MD21R20]: This is not permitted

#### 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 [MD22]: 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 [MD23]: KM comments:  
Should there be a time requirement of 5 business days following receipt of petition  
Committee - no

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.

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|----------------------------------------------|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Cancellation/<br>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<br>due to weather<br>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><li>• Notice(s) of Motion</li><li>• By-laws</li><li>• Other Business</li><li>• Consideration of Matters in Closed Session (if required)</li><li>• Matters Arising from Closed Session (if required)</li><li>• Confirming By-law</li><li>• Adjournment</li></ul> |
|--------|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

- |                       |     |                                                                                                                                                             |
|-----------------------|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Delivery of<br>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 [MD24]:** Include wording to reflect electronic circulation.  
Committee – “delivered” can mean electronic delivery  
Committee – Say “on or before” Friday ie. In the case of a stat holiday, the agenda would be complete prior to Friday

Addendums	<b>5.3</b>	After delivery of the Council Agenda, the Clerk may for time-sensitive material, prepare an Addendum to the Agenda.
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.

**Commented [MD25]:** Include wording to reflect electronic circulation – no PH – add definition for “delivery”

**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.
Quorum Committee	6.2	A quorum of a committee shall be a majority of the members of 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

**Commented [MD26]:** Should say majority of members of Council Committee - yes

**Commented [MD27]:** Should properly reference “the County of Dufferin Act, 1994” Committee - yes

**Commented [PH28]:** Committee - Delete reference to the public member and council members combination. This was used for a specific committee that no longer exists.

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 As Chief Executive Officer of a municipality, the head of council shall,
- (a) uphold and promote the purposes of the municipality;
  - (b) promote public involvement in the municipality's activities;
  - (c) act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
  - (d) participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents
- (Municipal Act)

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.

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 [MD29]: Add clause:

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.  
Committee - yes

Commented [MD30]: Is this needed in the by-law as it is from the Municipal Act?  
Committee – remove wording but reference Municipal Act

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 if members are going to be absent from a meeting.

Committee - yes

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.

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.

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

**8. DUTIES OF MEMBERS**

Duties of Members 8.1 No Member shall at a meeting:

- 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.

**Commented [MD33]:** Change to positive: All members shall at a meeting.....  
Committee – change to say “Members of Council will:  
Not speak disrespectfully, etc.  
Not use offensive words....  
Not engage ...  
.....

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  
Committee - yes



## 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 Leave during discussion 9.2 Where a meeting is open to the public, the Member shall, in addition to complying with the requirements of the *Municipal Conflict of Interest Act*, forthwith leave the meeting or part of the meeting during which the matter is under consideration.
- 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.

Commented [PH35]: Committee – remove 9.3

## 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 10.2 A meeting may be conducted in closed session if the subject

Conditions		<p>matter being considered relates to:</p> <ul style="list-style-type: none"><li>a) the security of County property;</li><li>b) personal matters about an identifiable individual, including a County employee;</li><li>c) a proposed or pending acquisition or disposition of land for County purposes;</li><li>d) labour relations or employee negotiations</li><li>e) litigation or potential litigation including matters before administrative tribunals, affecting the County;</li><li>f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; or</li><li>g) a matter in respect of which Council has authorized a meeting to be in private session under specific legislation.</li></ul> <p>(h) A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the <i>Municipal Freedom of Information and Protection of Privacy Act</i> if the Council, board, commission or other body is the head of an institution for the purposes of that Act.</p> <p>(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:</p> <ul style="list-style-type: none"><li>1. The meeting is held for the purpose of educating or training the members.</li><li>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.</li></ul>
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	<p>A meeting shall not be closed to the public during the taking of a vote.</p>
Closed Votes	10.5	<p>Despite section 10.4, a meeting may be closed to the public during a vote if:</p> <ul style="list-style-type: none"><li>a) the <i>Municipal Act</i>, Section 239 (2) or (3) permits or requires a meeting to be closed to the public; and</li><li>(b) the vote is for a procedural matter or for giving directions or instructions to Officers, employees or agents of the</li></ul>

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.

- 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.

**Commented [MD36]:** Reworded as follows:

Debutants will generally be heard by Committees rather than Council and 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 Committee - yes

- 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.
- 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.
- 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.

Commented [MD38]: Reword to the following:

Any 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.

Committee - yes

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

New Committee – reword “Members of the public who constitute the audience at a meeting shall not disrupt the meeting and refrain from any activity or behaviour that would affect the Council or Committee deliberations.

## 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 12.4 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                | 12.5  | 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             | 12.6  | No Member shall speak for longer than five (5) minutes on a question without Council's permission.                                                                                                                                                                                                                                |
| Speak Twice                | 12.7  | 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                  | 12.8  | 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 | 12.9  | 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.                                    |
| 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.                                                                                                                                                                                           |
| 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.                                                                                                                                                                                                                                                                              |
| Idem                       | 12.13 | Council's decision is final if the Chair is challenged.                                                                                                                                                                                                                                                                           |

Commented [MD40]: Committee – leave as is

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

Commented [MD42]: Move to after 12.10  
Committee - yes

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

- |                  |      |                                                                                                                                                                                                                                                                                      |
|------------------|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Appeal Procedure | 13.1 | The following procedures apply when making an appeal: <ul style="list-style-type: none"> <li>a) A member addresses the Chair directly, using a form of words such as: "I wish to appeal for . . . .";</li> <li>b) An appeal does not require a seconder under an order to</li> </ul> |
|------------------|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

- 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.

**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.~~

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

**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 plus change word "Warden" to "Chair"

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

Committee – tweak, wording to say "A member may introduce...."

meeting.

- |                                                     |       |                                                                                                                                                                                                                                                         |
|-----------------------------------------------------|-------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mover and<br>Seconders May<br>Vote in<br>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 seconder 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 seconder and a majority vote. |
| Notice of<br>Motion                                 | 14.7  | A Notice of Motion shall be in writing, include the name of the mover and seconder and be presented at a Council meeting for consideration at a subsequent Council meeting.                                                                             |
| Notice of<br>Motion on next<br>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<br>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.                         |

Commented [PH45]: PH- recommend that notices go to the committee first and be placed on the Council after committee  
Committee – no  
Committee – remove “seconder”

## 15. SPECIFIC MOTIONS

- |         |         |                                                                                                                                                                                                                                                                                                                                                      |
|---------|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Recess  | 15.1    | 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 | 15.2(1) | A motion to adjourn the Council meeting is not debatable or amendable and shall always be in order except:<br>a) when another Member is in possession of the floor;<br>b) when a vote has been called;<br>c) when the Members are voting; or<br>d) when a Member has indicated to the Chair his or her desire to speak on the matter before Council. |

	15.2(2)	A motion to adjourn shall take precedence over any other motion and shall be put immediately without debate.
Call the Question	15.3(1)	A motion to call the question is not debatable.
	15.3(2)	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.
	15.3(3)	A motion to call the question shall be put immediately without debate.
Motion to Table	15.4(1)	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.
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.

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



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Receive	15.9	A motion to receive is amendable and debatable.
Substantive Motion	15.10	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	15.11	An amendment which, in effect, is nothing more than a rejection of the main motion is not in order.
Reconsideration	15.12	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	15.13	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	15.14	A motion to reconsider is debatable and not amendable.
No discussion on main motion	15.15	No discussion of the main question shall be allowed until the motion for reconsideration is carried.
Cannot reconsider motion to reconsider	15.16	No motion to reconsider may, itself, be the subject of a motion to reconsider.

**Commented [MD47]:** PH – for clarity, can a motion only be made within six months. After 6 months it is not considered to be 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: <ul style="list-style-type: none"><li>a) a motion to waive or suspend the rules of procedure;</li><li>b) a motion to recess;</li><li>c) a motion to adjourn;</li><li>d) a motion to call the question</li><li>e) a motion to receive an item;</li><li>f) a motion to table an item;</li><li>g) a motion to refer;</li><li>h) a motion to defer;</li><li>i) a motion to amend the amendment;</li><li>j) a motion to amend, in reverse order of its being placed; and</li><li>k) the main motion</li></ul>
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	16.6	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	16.7	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	16.8	All decisions of Council shall require a majority vote except as otherwise set out in this By-law.
Tie Vote	16.9	Any motion that results in a tie vote shall be deemed to have been lost.
Recorded Vote	16.10	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	16.11	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	16.12	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.
- 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.

Commented [MD49]: Closed session minutes procedure needs to be added  
Committee – no action

## 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.~~

Commented [PH50]: Delete reference to 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.
Committee Procedures	20.3	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: a) no recorded vote shall be taken; and b) each member shall be accorded one vote.
Warden's Vote	20.4	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	20.5	The Warden shall not be eligible to be the Chair of a Standing Committee.
Term of Office	20.6	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	20.7	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	20.8	In the event of the Chair of a Committee not attending the

Commented [PH51]: Committee – change to “COMMITTEE PROCEDURES”

Commented [PH52]: Committee - Delete “in this by-law”

Commented [PH53]: PH – this can be removed and addressed in the committee policy

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	20.9	The Chair of a Committee may cancel or reschedule a meeting in consultation with the Warden, Chief Administrative Officer and Clerk.
Special Meetings	20.10	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	20.11	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	20.12	All Members shall receive all Notices and corresponding agendas for all Committees.
Additional Items	20.13	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	20.14	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	20.15	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.
Terms of Reference	20.18	Any recommendation to establish a Special Committee or sub-

Commented [MD54]: Remove Committee - yes

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 [MD55]: From this point, Section 20.20 to Section 21.1 be put in a separate committee by-law Committee - yes

~~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~~

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

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  
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 DCM/HL 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 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



TOTAL	12
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~~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.~~

Commented [PH56]: Re word "The form and notice and times when notice will be provided to the public regarding specific by-laws and the holding of certain meetings is outlined in the "Provision of Notice and manner of Giving Notice" Policy.

**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.

Commented [PH57]: Add By-law Number 2008-15

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

\_\_\_\_\_  
John K. Oosterhof, Warden

\_\_\_\_\_  
Pam Hillock, Clerk

**SCHEDULE “A” TO THE PROCEDURAL BY-LAW  
COMMITTEE MANDATES**

**REMOVED AND FORMS A SEPARATE POLICY**

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

**REMOVED AND FORMS A SEPARATE POLICY**