

CORPORATION OF THE NATION MUNICIPALITY

BY-LAW NO. 19-2008

BEING a By-Law to regulate the proceedings of Council and its local boards, the conduct of its members and the calling of meetings.

WHEREAS, pursuant to Section 238(2) of the Municipal Act, 2001 as amended, every Council of a municipality shall adopt a procedure By-Law for governing the calling, place and proceedings of meetings;

AND WHEREAS, the Council of the Corporation of The Nation Municipality deems it essential to provide regulations for the orderly administration of business of Council and a defined basis for matters of procedure;

THEREFORE, the Council of the Corporation of The Nation Municipality enacts as follows:

- 1) That the rules and regulations contained in Schedule "A" attached hereto shall be observed in all proceedings of Council and its local boards and shall be the rules and regulations for the order and dispatch of business of Council and its local boards, and in any case for which provisions are not made herein, the procedure to be followed shall be as near as may be, that followed in the Legislative Assembly of Ontario and its committees.
- 2) That the rules and regulations contained in Schedule "A" attached hereto may be suspended by a majority vote of the Council.
- 3) That By-Law No.77-2005 is rescinded upon third reading and passing of this By-Law.

READ A FIRST, SECOND AND THIRD TIME AND PASSED IN OPEN COUNCIL THIS 11TH DAY OF FEBRUARY, 2008.

Denis Pommainville, Mayor

Mary J. McCuaig, Clerk

SEAL

SCHEDULE "A" TO BY-LAW NO. 19-2008

DEFINITIONS

"Adjournment" shall mean the termination of a meeting.

"Clerk" shall mean the person appointed by Council who shall have the general control and management of the administration of the government and affairs of the municipal corporation and perform such duties as the Council may prescribe and which may be prescribed by Statute, and shall be responsible for the efficient administration of its departments to the extent that he or she is given authority and control. (*Municipal Act, 2001 Section 228*).

"Committee" shall mean any advisory or other committee, subcommittee or similar entity of which at least 50% of the members are also members of Council or local boards.

"Committee of the Whole (also known as Executive Committee)" shall mean a body of the members of Council sitting as a committee.

"Council" shall mean the assembly of the duly elected members of The Nation Municipality. All references to Council in this By-Law shall mean the Council of the Municipality.

"Council Chambers" shall mean the area beyond the municipal office especially designated for meetings of the Council.

"First Meeting" shall mean the first meeting of Council after a municipal election. (*Municipal Act, 2001, Section 230*).

"Head of Council" shall mean the Mayor or such person determined by By-Law or otherwise to replace the Mayor.

"Holiday" shall mean any Statutory Holiday as prescribed in Provincial or Federal legislation.

"Incidental Motion" shall mean a motion related and incidental to the main motion or to the matter giving rise to the main motion usually dealing with a question of procedure, which motion must be decided immediately. This matter does not require a seconder, is not amendable or debatable and is ruled upon by the Presiding Officer.

"Lay on the Table" shall mean a motion to set aside a pending question when something else of immediate urgency has arisen. In such case, there is no set time for taking up the matter again, but it can be resumed at the will of the majority and in preference to any new question.

"Meeting" shall mean any regular, special, committee or other meeting of the Council or a local board.

"Member" shall mean a duly elected member of Council.

"Municipality" shall mean the Corporation of The Nation Municipality.

"Presiding Officer" shall mean that person designated by the rules set out herein to preside at a meeting.

"Privileged Motion" shall mean a matter not related to present business. This motion must be seconded, is not debatable or amendable and must be carried by a majority vote of the members present and cannot be reconsidered at that meeting.

“Recess” shall mean a short intermission within a meeting for a fixed period of time which does not destroy the continuity of a meeting, after which time the proceedings are immediately resumed at a point where they were interrupted.

“Special (Ad Hoc) Committee” shall mean a committee which is designated by Council for a special purpose and whose existence will terminate upon completion of the business delegated to it.

“Session” shall mean a single gathering of members of Council devoted to a single order of business.

“Subsidiary Motion” shall mean a motion brought forth while a main motion is pending to assist the assembly in treating the main motion, which motion shall be seconded and shall be debatable and amendable.

“Waiver” shall mean an agreement by the members present not to follow the established procedures.

COUNCIL MEETINGS

1. GENERAL

- 1.1 Meetings of Council shall be held at the Council Chambers located at 958 Route 500 West, Casselman, Ontario.
- 1.2 Council may decide, by resolution, to hold a meeting at another location to accommodate a very large gathering or a situation where it is deemed more feasible to locate and assemble elsewhere and only after proper notice has been given or posted.
- 1.3 A meeting of the Councils of two or more municipalities for the consideration of matters of common interest may be held within any one of those municipalities or in an adjacent municipality.

2. FIRST MEETING

- 2.1 The first meeting of Council following a regular municipal election shall take place at 7:00 p.m. on the 1st Monday of December.
- 2.2 No business of the municipality shall be conducted at the first meeting until after the declarations of office have been made by all members who present themselves for that purpose.

3. REGULAR MEETINGS

- 3.1 The next and each subsequent regular meeting of Council shall be held on the 2nd and 4th Monday of each month at the time and place indicated on the agenda.
- 3.2 When the day for a regular meeting of Council is on a Statutory or Civic Holiday, the Council shall, unless Council decides otherwise, meet on the following Monday at the same hour and place.
- 3.3 Council may, by resolution, alter the date and/or time of a regular meeting provided that adequate notice of the change is posted and published.

4. SPECIAL MEETINGS

- 4.1 The Head of Council may, at any time, summon a special meeting of Council and, unless otherwise specified, the special meeting shall be held at the Council Chambers of the municipality.
- 4.2 Upon receipt of a petition of the majority of the members of Council, the Clerk shall call a special meeting for the purpose and at the time mentioned in the petition.
- 4.3 Only those matters for which the special meeting was called may be dealt with at a meeting called pursuant to this section.
- 4.4 New matters may be dealt with at the special meeting with the approval of all of the members present.
- 4.5 Subject to sub-section 4.4, all matters brought before a special meeting shall be concluded at a single gathering unless they are adjourned with the approval of all the members present.

5. COMMITTEE MEETINGS

- 5.1 Committees shall report to and shall be responsible to Council whether they are permanent, standing, temporary, special or ad hoc committees.
- 5.2 Committees will review policies or plans, formulate procedures and recommend plans of action to Council.
- 5.3 Committees must have formal goals and complete their specific tasks efficiently with clean and precise recommendations to Council and when necessary, propose alternative recommendations that Council may consider before making a decision.

6. MEETINGS OPEN TO THE PUBLIC

- 6.1 Except as provided in this section, all meetings of Council, its committees and local boards shall be open to the public.
- 6.2 Notwithstanding sub-section 6.1 above, a meeting of Council, a committee or local board may be closed to the public if the subject matter being considered related to:
 - i) the security of the property of the municipality or local board;
 - ii) personal matters about an identifiable individual, including municipal or local board employees;
 - iii) a proposed or pending acquisition or disposition of land by the municipality or local board;
 - iv) labour relations or employee negotiations;
 - v) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - vi) a matter in respect of which a Council, a committee or a local board may hold a closed meeting under another Act;
 - vii) the receiving of advise that is subject to solicitor/client privilege, including communications necessary for that purpose;
 - viii) 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, local board or committee or other body is the head of an institution for the purpose of that Act.
- 6.3 Before all or part of a meeting is closed to the public, the Council shall state by resolution:
 - i) the fact of the holding of the closed meeting;
 - ii) the general nature of the matter considered at the closed meeting.
- 6.4 A meeting shall not be closed to the public during the taking of a vote.
- 6.5 Despite sub-section 6.4 above, a verbal vote may be taken if:
 - i) sub-section 6.2 permits or requires a meeting to be closed to the public;
 - ii) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality or a person retained by or under contract with the municipality;
 - iii) the verbal vote shall be confirmed by a resolution of Council upon resumption of the public meeting.

- 6.6 Meetings or sessions which are closed to the public are referred to as “closed sessions”.
- 6.7 Subject to sub-section 6.5, no vote shall be taken by ballot or any other method of secret voting.

7. PUBLIC HEARINGS

- 7.1 Hearings are conducted for the purpose of securing information about and attitudes toward a proposed policy or action plan.
- 7.2 Information is sought from experts and/or the general public who may be asked to testify.
- 7.3 Hearings will be conducted in a formal setting and will relate to the one subject under discussion.
- 7.4 The procedural rules for the control of the hearing will be worked out in advance on such matters as order of speaking and length of time allowed for each witness.

8. WORK SESSIONS

- 8.1 Work sessions are held to gather facts, interpret and analyse a proposal, policy or plan and not to make decisions.
- 8.2 These sessions will be held in an informal setting where participants will examine and question for clarification on specific project(s).
- 8.3 The structure of these sessions will be informal and flexible and the participants may draw up an agenda before starting their discussions.

9. PRESIDING OFFICER

- 9.1 All meetings shall be presided by the Head of Council. Should, at any time during a meeting, the Head of Council be required to leave the meeting, he shall appoint another member of Council to act as Presiding Officer until the Head of Council’s return to the meeting.
- 9.2 If the Head of Council is absent at the time and place of a duly scheduled meeting without having notified the Clerk that he would be delayed, or having so notified the Clerk should he fail to attend 15 minutes after the scheduled time of the meeting, or for any reason refuses to act as Presiding Officer, the Clerk shall call the meeting to order and the members of Council may by resolution appoint one of its members to act in the place of the Head of Council and, while so acting, such member has all the rights, powers and duties of the Head of Council.

10. CONDUCT OF MEMBERS OF COUNCIL

- 10.1 No member shall speak disrespectfully of the Reigning Sovereign, or of any member of the Royal Family, or of the Governor-General of Canada, the Lieutenant-Governor of the Province, or any Member of the Senate, the House of Commons of Canada and the Legislative Assembly of Ontario.
- 10.2 No member shall use offensive words or language in the Council Chambers when speaking of another member.

- 10.3 No member shall speak on any subject other than the subject in debate.
- 10.4 No member shall criticize a decision of Council except for the purpose of moving that the question be reconsidered.
- 10.5 All members shall comply with the rules of Council. All members shall comply with the decisions of the Presiding Officer or of Council on questions of order or practice or upon interpretation of the rules of Council.
- 10.6 No member shall speak on a matter without first obtaining the permission of the Presiding Officer.
- 10.7 When speaking on any matter, a member shall address the Chair.
- 10.8 When a member persists in any breach of procedure or decorum after having been called to order by the Presiding Officer, the Presiding Officer may forthwith put the following question, without amendment, adjournment or debate being permitted: "That such member be ordered to leave his seat for the duration of the meeting." However, if the member apologizes to the Presiding Officer, he may be permitted to regain his seat with the unanimous consent of Council.

11. CONDUCT OF MEMBERS OF THE PUBLIC

- 11.1 The Presiding Officer shall have the absolute right to expel a member of the public from any meeting, including a meeting of Council, if the said person is disruptive or has been guilty of any other improper conduct at the said meeting.
- 11.2 No person shall be permitted to sit at the Council table or be permitted to enter into the area of the bar without having first obtained the permission of the Presiding Officer to do so.

12. QUORUM

- 12.1 As soon after the hour fixed for the holding of the meeting of the Council, the Presiding Officer shall take the chair and call the meeting to order.
- 12.2 A majority of the whole number of Council members is necessary to constitute a quorum. Council consisting of five (5) members requires the attendance of three (3) members to have a quorum.
- 12.3 Immediately upon calling the meeting to order, it shall be the duty of the Presiding Officer or other person designated in these rules as Presiding Officer, to determine if there is a sufficient number of members to constitute a quorum.
- 12.4 If no quorum is present within fifteen (15) minutes after the time appointed for a meeting of the Council, the Clerk shall record the names of the members present and the meeting shall stand adjourned until the date of the next regular meeting and no other business may be carried out.
- 12.5 If Council consists of only five (5) members, the concurrent vote of at least three of them is necessary to carry any resolution or any other measure.

13. CALLING THE MEETING TO ORDER

- 13.1 The meeting shall be called to order by the Presiding Officer or such other party as has been designated as Presiding Officer as set out in these rules.
- 13.2 The Presiding Officer, after calling the meeting to order, shall ensure that there are a sufficient number of members to constitute a quorum.
- 13.3 Upon ensuring that there are a sufficient number of members as aforesaid, the Presiding Officer shall formally call the meeting to order by stating the following: “The meeting will please come to order.”
- 13.4 Upon having formally called the meeting to order, the Presiding Officer shall recite or have some other member of Council recite a religious or opening ceremony as per Appendix “B” attached hereto.

14. AGENDA

- 14.1 The Clerk shall have prepared and printed for the use of the members and the public at the meetings of Council an agenda in the form as set out in Appendix “A” attached hereto.
- 14.2 Any additions and/or deletions to the agenda must be moved and seconded and carried as set out in these rules.
- 14.3 The Presiding Officer shall address each item of business in the order that it is set out in the agenda unless otherwise approved by a consensus of the members present.
- 14.4 The Deputy-Clerk shall carry out the duties of the Clerk when designated any said function(s) of this office.

15. DUTIES OF PRESIDING OFFICER

- 15.1 To open the meeting of Council by taking the chair and calling the members to order.
- 15.2 To announce the business before the Council in the order in which it is to be acted upon.
- 15.3 To receive and submit, in the proper manner, all motions presented by the members of Council.
- 15.4 To put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and to announce the result.
- 15.5 To decline to put to vote motions which infringe the rules of procedure.
- 15.6 To restrain members, within the rules of order, when engaged in debate.
- 15.7 To enforce on all occasions the observance of order and decorum among the members.
- 15.8 To call by name any member persisting in breach of the rules of order of the Council thereby ordering him to vacate the Council Chamber.
- 15.9 To receive all messages and other communications and announce them to Council.

- 15.10 To authenticate, by his signature when necessary, all by-law, resolutions and minutes of Council.
- 15.11 To inform Council, when necessary or when referred to for the purpose, on a point of order or usage.
- 15.12 To represent and support Council, declaring its will, and implicitly obeying its decisions in all things.
- 15.13 To ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of Council.
- 15.14 To adjourn the meeting when all business is concluded.
- 15.15 To adjourn the meeting without question put, in the case of grave disorder arising in the Council Chambers.

16. CONDUCT OF BUSINESS

- 16.1 All business of Council shall be conducted by motions. Each motion shall be put forth with the following wording: “That...(and followed by the substance of the motion)”. Motions shall be put forth in writing.
- 16.2 A motion once presented must be seconded, failing which the motion cannot be proceeded with any further.
- 16.3 A main motion cannot be presented while another motion is pending. The main motion can, however, be the subject of:
 - i) a subsidiary motion
 - ii) a privileged motion
 - iii) an incidental motion.
- 16.4 A main motion must be seconded, failing which the motion cannot be proceeded with any further.
- 16.5 A main motion must be recognized by the Presiding Officer to be in order.
- 16.6 Amendments may be made to a main motion at any time if:
 - i) the party making the motion agrees to an amendment suggested by another member of Council
 - ii) the motion can be the subject of a subsidiary motion to amend.
- 16.7 A main motion may, by way of a subsidiary motion, be referred to a committee.
- 16.8 A main motion, by way of a subsidiary motion, may be laid on the table (tabled).

17. STATEMENT OF MOTION

- 17.1 The motion shall be stated by the Presiding Officer unless it is ruled out of order or unless it is unclear.

18. DEBATE

Upon the motion having been stated by the Presiding Officer, it shall be open to debate by the members of Council subject to the following rules:

- 18.1 The member speaking to the motion shall be recognized by the Chair.

- 18.2 A member speaking to a motion shall not be interrupted by another member or the Chair except to determine:
- i) a question of privilege
 - ii) a point of order
 - iii) a call for a vote
 - iv) a request or inquiry.
- 18.3 For purposes of this Section, a request or inquiry shall mean:
- i) a request of the Chair's opinion on procedure
 - ii) a point of information
 - iii) a request to withdraw and modify information
 - iv) a request for privilege.
- 18.4 The time allowed for the debate shall be at the discretion of the Presiding Officer.
- 18.5 The debate shall be limited to the subject matter of the motion.
- 18.6 Except if determined by a further motion, the debate cannot be terminated until each of the members present at the meeting, wishing to do so, have addressed the motion.
- 18.7 Subject to these rules of procedure, the Presiding Officer shall not participate in the debate on the main motion but may provide information if inquiries are made of him.
- 18.8 The Presiding Officer may vacate his chair, temporarily being replaced by an acting Head of Council, in order to speak on an issue.

19. MOTIONS AND RESOLUTIONS

- 19.1 A motion is a matter that is put before Council at a meeting for their consideration, discussion and decision. Upon approval, it then becomes a resolution of Council.
- 19.2 A motion must be clear, precise and unambiguous when put to Council and must be proposed and seconded prior to it being considered.
- 19.3 Categories of motions:
- i) **MAIN:** principal question before Council for discussion and must be disposed of before proceeding further, unless one of the types listed below is received.
 - ii) **SUBSIDIARY:** motion to amend main motion
 motion to table
 motion to postpone indefinitely or to a certain time
 motion to refer to committee.
 - iii) **PRIVILEGED:** motion to adjourn or establish time of adjournment
 question of privilege (immediate decision about rights or procedure)
 orders of the day (follow agenda or procedure).
 - iv) **INCIDENTAL:** appeal for a ruling of the Chair
 objection to consideration
 withdrawal of a motion
 division of a question
 suspension of rules of order.

- 24.2 The said motion must be made by one of the members whose vote carried the motion when it was originally made.
- 24.3 The said motion must be seconded failing which it shall not be proceeded with.
- 24.4 The said motion is not debatable or amendable.
- 24.5 The said motion must be accepted by a majority vote of the members present at the meeting.
- 24.6 If the said motion is carried, it will be reconsidered at the next regular Council meeting.

25. MOTION TO RESCIND OR AMEND

- 25.1 Notwithstanding the rule set out in Section 22 above, a member may at any time, subject to the rules set out in this Section, move to strike any main motion, resolution or part of such main motion or resolution that has been previously adopted.
- 25.2 The said motion can only be made where no other motion is pending and is out of order when another member has the floor.
- 25.3 The said motion must be seconded, failing which it shall not be proceeded with.
- 25.4 The said motion is debatable and amendable.
- 25.5 The motion must be carried by a majority vote of the members present at the meeting. The member putting forth the motion must have provided notice of his intention to do so at a previous meeting of Council. Should such notice not have been provided, the motion must be carried by a 2/3 vote of the members present at the meeting.
- 25.6 Only a negative vote of a motion to rescind can be reconsidered.
- 25.7 Notwithstanding the rule set out in Section 22 above, a member may move to amend or vary the text or substance of a motion or resolution and the same rules apply governing the motion to rescind.

26. MOTION TO DEAL WITH QUESTIONS REFERRED TO COMMITTEE

- 26.1 If a motion has been referred to a committee and no final determination of the motion has been made, a member may move that the motion be considered by the meeting or that the committee be directed to abandon the consideration of said motion.
- 26.2 The said motion can only be made when no other motion is made and is out of order when another motion has the floor.
- 26.3 The said motion must be seconded, failing which it shall not be proceeded with.
- 26.4 The said motion is debatable and amendable.
- 26.5 The motion must be carried by a majority vote of the members present at the meeting. The member putting forth the motion must have provided notice of his intention to do so at a previous meeting of Council. Should such notice not have been provided, the motion must be carried by a 2/3 vote of the members present.

27. MOTION TO TERMINATE AND FILE

- 27.1 A member may move at any time to terminate and file any matter at any time where no other member has the floor.
- 27.2 The said motion must be seconded.
- 27.3 There shall be no debate on the motion and it shall be voted upon immediately.
- 27.4 A majority vote of the members present is required to carry this motion.

28. ACTING ON MOTIONS

- 28.1 After the completion or termination of debate and the determination of all necessary secondary motions, the Presiding Officer shall, after ensuring that all members comprehend the motion stated, put the said motion to a vote.
- 28.2 After the motion is finally put by the Presiding Officer, no member shall speak to the motion nor shall any motion be received until the result of the vote has been declared.
- 28.3 A member, who refuses to vote, unless disqualified because of a conflict of interest, shall be deemed to have voted in the negative.
- 28.4 A member may request a recorded vote either before the vote is taken or immediately after the vote. The recorded vote shall be recorded by the Clerk.
- 28.5 A tie vote shall be declared a lost vote.
- 28.6 The Presiding Officer may vote on all motions submitted and, in the case of an equal decision, the results shall be deemed to be negative.

29. MINUTES

- 29.1 The minutes of Council meetings shall be recorded by the Clerk without note or comment with the following information:
 - i) The place, date and time of the meeting
 - ii) The name of the Presiding Officer and the members of Council, including the appointed officers of the Corporation, in attendance.
 - iii) Correction and adoption of the minutes of previous meetings.
 - iv) All motions to be adopted by Council.
 - v) All other proceedings of the meeting which do not constitute a note or comment.
 - vi) If requested by any member present, the name and vote of every member voting on any matter or question.
- 29.2 The Clerk of the municipality or local board or a committee of either of them shall record, without note or comment, all resolutions, decisions and other proceedings at a meeting of the body, whether it is closed to the public or not.

30. DELEGATIONS, PETITIONS AND COMMUNICATIONS

- 30.1 Anyone wishing to address Council, in person or by an agent, on his own behalf or on behalf of a group, shall notify the Clerk verbally or in writing at least five (5) days prior to the date of the meeting. The notice shall specify the nature of the business to be discussed.

- 30.2 Delegations will address Council in the order of sequence that they appear on the agenda and will be notified that they are given fifteen (15) minutes for their presentation subject to a waiver by the Presiding Officer.
- 30.3 Every communication, including a petition designed to be presented to Council, shall be legibly written or printed and shall not contain any obscene or improper matter or language and shall be signed by at least one person and filed with the Clerk.
- 30.4 Upon being advised of a request to address Council, the Clerk shall place this request on the agenda, giving the specific details made available by the applicant.
- 30.5 Notwithstanding the above, the Presiding Officer may allow a person, or agent, who requests to be heard at a meeting of Council, to address Council on the terms and conditions that the Presiding Officer states.
- 30.6 Upon being advised at a meeting of a request to address Council, the Clerk shall complete a form to be presented to Council which shall contain the following information:
 - i) the date of the request
 - ii) the nature of the business
 - iii) the name of the party who will address Council.

31. BY-LAWS PROCEDURES

- 31.1 No By-Law shall be presented to Council unless the subject matter thereof has been considered and approved by Council.
- 31.2 Every By-Law, when introduced, shall be in typewritten form and shall contain no blanks except such as may be required to conform to accepted procedure or to comply with the provisions of any Act and shall be complete with the exception of the date thereof.
- 31.3 Every By-Law shall have three (3) readings prior to being passed.
- 31.4 The first reading of a By-Law shall be decided without amendment or debate.
- 31.5 If the Council determines that the By-Law is to be considered in Committee of the Whole, it shall be considered by the Committee prior to third reading.
- 31.6 If Council so desires, a By-Law may be taken as read.
- 31.7 The Clerk shall set out on all By-Laws enacted the date of the three readings thereof.
- 31.8 Every By-Law enacted by the Council shall be numbered and dated and shall bear the seal of the Corporation and be signed by the Clerk and the Presiding Officer. All By-Laws shall be deposited in the Clerk's office for safekeeping.

32. REPORTS OF COMMITTEES

- 32.1 All committees shall submit written reports of matters dealt with between meetings of Council. However, verbal reports may also be received by Council when requested by the Presiding Officer.
- 32.2 When desired, Council will authorize, approve and confirm and cause to be implemented those items which a committee has recommended. The motion shall read: "That the report be adopted as presented."

- 32.3 When desired, Council will recognize that a report has been submitted if there are no items recommended for implementation by the committee. The motion shall read: "That the report be received."
- 32.4 Notwithstanding the above, when a report deals with more than one recommendation and Council is not prepared to adopt all of these, a separate vote shall be taken with respect to each subject matter and any matter which is not adopted may be referred back to the committee for further consideration.

33. ADJOURNMENT

- 33.1 All meetings of Council shall be adjourned no later than eleven (11) p.m. or as soon thereafter as shall be practicable, provided however, the meeting may be continued only upon the unanimous consent of all members present at the meeting.
- 33.2 A meeting may be adjourned at any time by the Presiding Officer if, in his opinion, there is gross disorder at the meeting.
- 33.3 A member may make a privileged motion to adjourn the meeting which shall take precedence over all motions however the said motion would be out of order if another member has the floor. This motion must be carried by a majority vote of the members present at the meeting.

34. RULES OF ORDER- COMMITTEES

- 34.1 As far as practicable, the rules and procedures contained in this By-Law shall be applicable to all committees of Council, subject to a ruling by the Presiding Officer.

35. MASCULINE GENDER

- 35.1 In this By-Law, the use of the masculine gender shall also mean and include the feminine gender.

36. NO SMOKING

- 36.1 There shall be no smoking in either the Council Chambers during the proceedings of Council or anywhere within the municipal building at any time.

37. INTERPRETATION

- 37.1 When any interpretation of these rules of order is required, reference shall be made to the most recent edition of "Robert's Rules of Order".

38. POINTS OF ORDER AND PRIVILEGE

- 38.1 If a member of Council present at a meeting desires to refrain from voting by reason of conflict of interest, he shall abide by the provisions of Sections 5 and 6 of the Municipal Conflict of Interest Act, R.S.O. 1990, C.M50 as amended.
- 38.2 The Presiding Officer shall preserve order and decide questions of order and Council, if appealed to, shall decide the question without debate and its decision shall be final.

- 38.3 Any procedure required by this By-Law may be suspended with the consent of the majority of the members of Council present at the meeting.
- 38.4 No amendment or repeal of this By-Law or any part thereof shall be considered at any meeting of Council unless notice of the proposed amendment or repeal has been given at a previous regular meeting of Council. The waiving of this notice is prohibited.
- 38.5 When necessary, whether by need or due to a change in legislation, Appendices may be revised by resolution.
- 38.6 This By-Law shall be effective on the date of its enactment.

39. OFFICIAL LANGUAGES

- 39.1 Council shall pass its by-laws in English and its resolution in both English and French.
- 39.2 Council may adopt an official plan in English only or both English and French.
- 39.3 Council and its committees may conduct its proceedings in English or French or in both English and French.
- 39.4 Despite subsection 39.3, the minutes of the proceedings of Council and all committees shall be kept in both English and French.
- 39.5 Unless otherwise directed by by-law, the officers and employees of the municipality may conduct the business and affairs of the municipality in such language, including a language other than English or French, as may be reasonable in the circumstances.
- 39.6 Nothing in this section:
- i) affects an obligation imposed by or under any Act to make, keep, use, file, register or submit any form, book, document or other paper of any kind in the language or languages specified by or under the Act;
 - ii) affects any requirement at law to give reasonable notice.
- 39.7 Where any form, book, document or other paper of any kind is submitted by a municipality to a ministry of the Government of Ontario in French, the municipality shall, at the request of the Minister to whom the form, book, document or paper was submitted, supply the Minister with an English translation thereof.

APPENDIX “A” TO BY-LAW NO. 19-2008
FORM OF AGENDA AND ORDER OF BUSINESS

ORDER OF BUSINESS

- 1) Additions and deletions must be proposed and seconded.
- 2) The Presiding Officer shall call each item of business in order.

AGENDA

- 1) Call to order and prayers.
- 2) Changes, additions and deletions to agenda.
- 3) Adoption of the agenda.
- 4) Disclosure of Conflict of Interest.
- 5) Adoption of minutes of previous meetings.
- 6) Adoption of the recommendations of the meetings of Council Committees.
- 7) Receiving of monthly reports from appointed municipal officials.
- 8) Applications for Prescott-Russell Land Division Committee.
- 9) Municipal By-Laws.
- 10) Delegations.
- 11) Unfinished business from previous meetings.
- 12) Accounts payable.
- 13) Other business.
- 14) Various monthly reports.
- 15) Correspondence.
- 16) Coming events.
- 17) Confirming by-law.
- 18) Adjournment.

APPENDIX “B” TO BY-LAW NO.19-2008

RELIGIOUS OR OPENING CEREMONY

Upon having formally called the meeting to order, the Presiding Officer shall recite the following statements and prayers:

“ Most gracious God, we humbly beseech Thee, especially for this Dominion and more particularly for our County Council and our Municipal bodies, that Thou would be pleased to direct and prosper all their consultations, to the advancement of Thy glory, the safety, honour and welfare of our Sovereign and of our Country, that all things be so ordered and settled by their endeavours, upon the best and surest foundation, that peace and happiness, truth and justice, religion and piety may be established among us for all generations.

Through Jesus Christ our Lord, Amen.”

“O Lord, we humbly beseech Thee for our municipal body to direct and prosper all their consultations to the advancement of Thy glory and the welfare of our Country. Amen.”

“Our Father, who art in heaven, hallowed be Thy name, Thy kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread and forgive us our trespasses as we forgive those who trespass against us, and lead us not into temptation, but deliver us from evil. Amen.”

Après l’appel à l’ordre, le Président de l’assemblée récite la prière :

« Dieu, de grâce et de bonté, nous vous implorons humblement en faveur de notre conseil de Comté, en faveur de nos conseils municipaux, qu’il vous plaise de diriger et de faire fructifier leurs délibérations, pour votre plus grande gloire, la sûreté, l’honneur et le bien-être de notre peuple, que toutes choses soient si bien ordonnées par leurs travaux sur les fondements des plus solides, que la paix et le bonheur, la vérité et la justice, la religion et la piété règnent parmi nous pendant toutes les générations.

Par notre Seigneur Jésus-Christ, Amen. »

« Seigneur, nous vous implorons humblement en faveur de notre conseil municipal. Veuillez y diriger et faire fructifier nos délibérations pour votre plus grande gloire et le bien-être de notre peuple. Amen. »

« Notre Père qui es aux cieux, que ton nom soit sanctifié que ton règne vienne, que ta volonté soit faite sur la terre comme au ciel. Donne-nous aujourd’hui notre pain de ce jour, pardonne-nous nos offenses, comme nous pardonnons aussi à ceux qui nous ont offensés et ne nous soumet pas à la tentation, mais délivre-nous du mal. Amen. »