The Corporation of the Municipality of South Huron

By-law #63-2026

Being a By-law to establish rules of procedure for the meetings of Council, Council Committees and Boards of The Corporation of the Municipality of South Huron

Whereas Section 238(2) of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended, provides that every Council shall adopt a Procedural By-law for governing the calling, place and proceedings of meetings; and

Whereas Section 238(2.1) of the Municipal Act, 2001, S.O. 2001, Chapter 25 requires that the procedural By-law shall provide for public notice of meetings; and

Whereas the Council of the Municipality of South Huron deems it necessary to enact a Procedural By-law to establish rules governing the calling, place, proceedings and giving of public notice of meetings of Council and its Committees;

Now therefore be it resolved that The Corporation of the Municipality of South Huron hereby enacts as follows:

Contents

Section 1 - Short Title 2
Section 2 – Interpretation 2
Section 3 - General Provisions 5
Section 4 – Meetings 6
Section 5 - Closed Session 11
Section 6 - Order of Business – Agenda 13
Section 7 – Notice 14
Section 8 - Communications/Delegations/Petitions/Presentations 15
Section 9 – Minutes 17
Section 10 – Roles 18
Section 11 - Conduct during meetings 20
Section 12 - Rules of Debate 21
Section 13 – Motions 22
Section 14 - By-laws 26
Section 15 - Committees/General Rules of All Council Committees 27
Section 16 - Disclosure of Interest 29
Section 17 - New Business 29
Section 18 - Other General Information 30
Section 19 - Repeal/Enactment 31
Appendix 1 to By-law 63-2026 – Procedural By-law - Closed Meeting Protocol 32
Appendix 2 to By-law 63-2026 – Procedural By-law - Quick Reference Motions Table 40

Section 1 - Short Title

1. This by-law shall be known as “The Procedural By-law”.

Section 2 – Interpretation

2. Definitions

2.1. “Act” means the Municipal Act, 2001, c.25 as amended or replaced from time to time.

2.2. “Ad Hoc Committee” means a committee appointed by Council from time to time, to act on a temporary or singular issue and shall be discontinued by Council when their recommendations upon the specified initiative or matter have been provided and dealt with by Members of Council and further recommendations are no longer required.

2.3. “Advisory Committee” means a committee created by Council, to act in an advisory capacity to Council on a specific subject during the full term of Council

2.4. “By-law” means an enactment, in a form approved by Council, passed for the purpose of giving effect to decisions or proceedings of Council.

2.5. “CAO” means Chief Administrative Officer, or designate, for the Municipality of South Huron as designated by by-law.

2.6. “Chair” means the person presiding at a meeting at the time that the meeting is being held whether it be the Mayor, Acting/Mayor or Chairperson or a duly appointed Member of a Committee.

2.7. “Clerk” means the Clerk, Deputy Clerk, or designate, authorized by the Municipal Act and appointed by by-law.

2.8. “Closed Session” shall mean a meeting or part of a meeting of Council, a Council Committee or a Local Board and its Committees, not open to the public in accordance with the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended.

2.9. “Committee” means Committee of the Whole, advisory committee or other committee, sub-committee or similar entity established by Council, the Members of which have been appointed by Council.

2.10. **“**Committee of the Whole**”** means a Committee composed of all of the Members of Council to give detailed consideration to a matter under consideration and greater means to discuss the matter and directly reports to Council.

2.11. “Confirming By-law” means a by-law passed at the conclusion of Council meetings, confirming the actions of Council taken at that meeting and any previous meetings which did not have a confirming by-law, in respect of each resolution and other actions taken, so that every decision of Council at that meeting shall have the same force and effect as if each and every one of them had been the subject-matter of a separately enacted by-law.

2.12. “Conflict of Interest” means a pecuniary interest in common with the electors within the area of jurisdiction as defined in the Municipal Conflict of Interest Act.

2.13. Consent Agenda shall mean a grouping of items on a Council Agenda that are considered informal, routine and unlikely to require discussion and may be approved by Council without debate through a single Motion. Any Member may request that an item be removed from the Consent Agenda for separate discussion and vote if it is determined that action, a decision or significant further discussion is needed. Items to be included on the Consent Agenda may include, but are not limited to:

- Approval of Council Minutes;
- Committee of Council or external Committee minutes provided for information purposes only;
- Staff or Committee Reports provided for information purposes only;
- Items of Correspondence

2.14. “Council” means the Municipality’s elected representatives, comprised of the Mayor and Councillors whom were elected by registered voters or who have been appointed by virtue of vacancy.

2.15. “Councillor” means a Member of Council, other than the Mayor.

2.16. “Delegate or Delegation” means a person or group of persons who address Council on behalf of an individual or a group for the purpose of making a presentation to Council.

2.17. “Deputy Mayor” means the Member of Council who has been elected as a Deputy Mayor and to act in the place of the Mayor in their absence, as elected to represent the Municipality and sits as a representative on the Council of the County of Huron.

2.18. “Electronic Device” means computers, cellphones, smartphones, personal digital assistants, smartwatches, tablets, voice recorders, cameras or any other similar device.

2.19. “Electronic Participation” shall mean a member who is not physically present but participates via electronic means of communication in any open or closed Council or committee meeting via electronic means and has the same rights and responsibilities as if they were in physical attendance, including the right to vote, shall count towards a quorum of members and adheres to legislative requirements.

2.20. “Electronic Means” means participation in a meeting from a location other than that at which the meeting is physically being held by means of telephone, video or audio conferencing or other interactive method whereby members, staff and the public are able to hear the member(s), staff, delegate or presenter participating.

2.21. “Emergency” means a situation or the threat of an impending situation caused by forces of nature, accidents or an intentional act that constitutes a danger of major proportions to life and property that affects public safety; meaning health, welfare and property as well as the environment and economic health of the municipality, as defined in the municipality’s Emergency Response Plan.

2.22. “Head of Council” means the “Mayor” of the Municipality and is defined in the Municipal Act, 2001, as elected to represent the Municipality and on the Council of the County of Huron.

2.23. “Local Board” means a local board of the Municipality as defined in the Municipal Act.

2.24. “Majority” means, for the purpose of voting, unless otherwise specified, more than half of the Members of Council or committee present at the vote and not prohibited by statute from voting.

2.25. “Meeting” shall mean any regular, special or other meeting of a council, of a local board or of a committee of either of them, where;

a) a quorum of members is present, and

b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

2.26. “Member” shall mean a Member of South Huron Council, its Committees or its local boards.

2.27. “Motion” means a proposal, moved by a member and seconded by another member, for the consideration of Council or a committee.

2.28. “New Business” means information that has not been previously presented to Council for consideration or for information not previously presented or considered during an original debate and vote on a decided matter. The information must be new, credible, otherwise not known nor available at the time of the original presentation or decision. What constitutes New Information shall be determined by the Clerk and/or CAO, whose decision is final and binding.

2.29. “Notice of Motion” means advance notice to members of a matter on which Council will be asked to take a position.

2.30. “Open Meeting” means a meeting which is open to the public.

2.31. “Presentation” means information presented to Council or committee in person by an individual or group on an issue which does not require any action to be taken by Council or committee, including but not limited to recognizing achievements, consultant, auditor and insurer presentations, staff presentations that do not accompany a report on the Agenda.

2.32. “Public Meeting” shall mean a public meeting as defined under any Act where Council has a requirement to hold a public meeting.

2.33. “Quorum” shall mean a majority of the whole number of Members of Council or a Committee.

2.34. “Recorded Vote” shall mean the recording of the name and vote by the Clerk of every Member voting on any matter or question during a Council meeting, in accordance with the Municipal Act, 2001.

2.35. “Resolution” means a vote taken on a motion that has been moved and seconded by Members of Council or Members of a Committee.

2.36. “Rules of Procedure” means the rules and procedures set out in this by-law.

2.37. “Regular Meeting” means a meeting of Council or committee held at the times and dates specified in this by-law and approved by Council or committee as part of an annual calendar.

2.38. “Special Meeting” means a separate meeting of Council or committee held at a time different than a regular meeting as approved by Council or committee and which is focused on one or more particular and specific items or subjects.

2.39. “Workshop” means a meeting of Council or committee convened for the purpose of educating or training the members, for providing the members with information and/or advice, or to solicit input from the members.

Section 3 - General Provisions

3. General Rules

3.1. Throughout this by-law the terms “they”, ‘them” and “their” shall be used and be deemed, as the context may require, to refer to “she”, “her” and “her’s” or to “he”, “him” and “his”, as applicable.

3.2. The rules and regulation contained in this by-law shall be observed in all proceedings of Council and Council Committees and shall be the rules and regulations for the order and dispatch of business in Council and Council Committees meetings.

3.3. The provisions contained in this by-law shall govern the proceedings of Council and Committees, as appointed by Council from time to time, unless otherwise prescribed.

3.4. Where a board, committee or commission of the Municipality has not adopted a procedural by-law, such board, committee or commission shall be deemed to have adopted this procedural by-law with necessary modifications including the requirement that all meetings be open to the public, subject to the same exceptions applicable to Council meetings as set out herein.

3.5. The governing legislation, the Procedural By-law, or any standing or special rules of order adopted by the Municipality of South Huron *shall* govern the procedures of the Council. Where inconsistencies exist, the current edition of “Robert’s Rules of Order, latest Edition” shall be the parliamentary authority, which governs the proceedings of the Municipality of South Huron.

3.6. Any part or parts of this by-law may be suspended by a vote with the consent of Council Members present, unless the part(s) is prescribed by statute or law.

a) No provision of this by-law shall be suspended except by an affirmative vote of at least two-thirds of the eligible voting Members present for each incidence of suspension of the rules.

b) The calculation of two-thirds vote shall be rounded upwards to the next highest (full) decimal.

c) The suspension shall only apply to the procedure(s) or rules(s) which are stated within the motion to suspend and only during the meeting in which such motion was introduced.

d) The following procedure(s) or rule(s) cannot be suspended:

i. No other business in special meetings;

ii. Majority of members for quorum.

3.7. A Member of Council not able to be in attendance or who is going to be late for a meeting shall inform the Clerk in advance of the meeting, when possible.

3.8. No person shall be allowed onto the floor of Council during meetings, except Members, employees and servants of the Corporation, and Delegations.

3.9. All cell phones and electronic devices not required for conducting the meeting shall be turned off or turned to a silent mode.

Section 4 – Meetings

4. Council Meetings

4.1. Inaugural Meeting

a) Inaugural Meetings shall be held on the third Monday in November following a Regular Municipal Election at 6:00 p.m. In case of inclement weather, the Inaugural Meetings hall be held on the first suitable day following, at the same hour, and Notice shall be given on the Municipal website and posted at the Municipal Office.

4.2. Orientation Meeting

a) Orientation meetings of the Council, shall be considered as an information meeting to newly elected Members of Council in order to provide Members with the general process of what an elected Member could reasonably expect such as but not limited to; the Inaugural meeting process; how many committees they may be appointed to; process of a council meeting; protocol; corporate policies; code of conduct; payroll; overview of the budget process, and another matter the Administration may deemed required.

b) At the meeting, no Member shall discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, local board or committee.

4.3. Regular Meetings

a) All meetings of Council, its Committees and local boards are open to the public except as provided in the Municipal Act, Section 239.

b) Location

i. Meetings of Council shall be held in the Municipal Council Chambers located at 322 Main Street South, Exeter, unless otherwise decided by Resolution of Council or specified elsewhere in this by-law.

c) Alter Time, Day or Place

i. Council may, by Resolution, alter the time, day or place of any future Council and/or Council Committee Meeting.

d) Postponement of Meetings

i. Any regular meetings of the Council may be postponed to a day named in:

1) A resolution of Council passed by the majority of Members; or,

2) A notice by the Clerk as deemed necessary by the CAO and Mayor, due to inclement weather or emergency, and Notice shall be given by the Clerk on the website and posted at the Municipal Office and directly to the Members.

e) Meeting Schedule

i. Prior to the first meeting in each calendar year, the Council shall establish a schedule of all regular Council meeting dates for the calendar year. Except as otherwise noted on the meeting schedule, meetings shall generally be held on the first Monday at 6:00 p.m. and third Monday of the month at 6:00 p.m. Council may by resolution, alter the date and/or time of a regular meeting when deemed necessary, provided that notice is given pursuant to this by-law. When a meeting is scheduled on a Public Holiday, it shall be held on the next business day at the same hour.

ii. The meeting curfew shall be three hours from the published start time of the meeting. Council may by unanimous resolution of all members present proceed past the curfew for up to one hour.

iii. The Committee of Adjustment shall meet when required at the times and dates approved by Council as part of an annual calendar.

iv. Committee-of-the-Whole meetings shall be scheduled on an as needed basis by resolution of Council.

4.4. Special Meetings

a) The Head of Council may at any time call a Special Meeting of Council.

b) Upon receipt of a petition or a resolution of the majority of the Members of the Council, the Clerk shall summon a Special Meeting for the purpose and at the time mentioned in the petition. A resolution of Council shall be deemed to be a petition.

c) The only business to be dealt with at a Special Meeting is that which is listed in the Notice of the meeting.

d) The calling of a Special Meeting shall be in accordance with the Notice provisions of this by-law.

e) Upon the calling of a special meeting the Clerk shall give notice to all members, not less than 96 hours prior to the time fixed for the meeting of the:

i. time;

ii. place; and

iii. business to be considered.

f) On emergency or extraordinary occasions, the Mayor may call an emergency Council meeting without the notice provided in the Notice provisions of this by-law.

4.5. Public Regular Meetings – Designated Time

a) Whenever possible, regular meeting dates and times have been established as follows:

i. Public Meetings shall meet when required at the times and dates in accordance with the schedule of meetings of Council and the Committees of Council as approved by Council.

ii. Public Meetings, if required, can meet in conjunction with the Regular scheduled Council Meetings.

iii. Includes statutory public meetings

4.6. January, July and August – Exception to meetings

a) Notwithstanding the provisions of the Regular, Special and Public Meetings of this by-law, there shall be one meeting of Council scheduled in the months of January, July and August in accordance with the schedule of meetings of Council and the Committees of Council as approved by Council.

4.7. Workshop

a) Council Workshops shall be held as set by Council.

b) Council Workshop will meet when time is required for training, discussions with other levels of government and outside agencies, workshops on complex matters or strategic planning.

c) At the meeting, no Member shall discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee. Delegations are not permitted at Council Workshops

4.8. Electronic Participation at Meetings

a) Subject to the provisions of Section 238 of the Municipal Act, 2001, as amended, and/or current South Huron Procedural By-law, the Municipality of South Huron shall allow electronic participation by Members of Council, Boards and Committees in the manner and to the extent set out in this section of the by-law.

i. Local Boards and other Council Committees may participate physically in person, by telephone or other electronic video teleconferencing means. There shall be no restriction on how often each member shall be allowed to participate by electronic means unless otherwise provided for in established Council approved Terms of Reference for each Committee or Local Board.

ii. All members of Council shall be given the opportunity attend and participate electronically in five (5) meetings requiring a quorum of Council and educational and training sessions, per calendar year, at the discretion of the Chair or designate. Separate meetings on the same day will be considered individually for example a Public meeting and a Regular meeting on the same day would be considered two meetings for the purpose of determining the number of meetings attended in person.

    1) Council may pass a resolution to allow a member to participate electronically past the five (5) meetings set out above.

iii. If the Mayor is participating by electronic means, another member shall chair the meeting as set out in Meeting provisions of this by-law.

iv. That while every effort shall be made by Members to attend meetings physically in person for all meetings requiring a quorum of Council and educational and training sessions, during the following circumstances there shall be no restrictions to electronic meeting participation as identified in clause ii above.

    2) It is not safe or possible to attend an in-person meeting due to a natural weather event;

    3) Health and safety restrictions as determined by the CAO in consultation with the Mayor or Municipality of South Huron Emergency Control Group;

    4) Restrictions or guidelines set out by Huron Perth Public Health, the Ontario Provincial Police or the Province of Ontario; or

    5) The activation of the Emergency Control Group or a declared emergency by any level of government or health unit.

v. Exceptions to the above circumstances shall be provided at the discretion of the Chair providing the ability for staff, the public and/or members to participate in a meeting via telephone or other electronic video teleconferencing means, if deemed appropriate.

vi. Members shall advise the Mayor and Clerk, or designates, as soon as practicable and at least 24 hours prior to the scheduled meeting of their intent to participate electronically. Upon approval, staff will accommodate electronic participation on a best effort basis and subject to available

resources that may be required for the delivery of competing essential municipal services.

vii. Members participating electronically will count towards quorum and have the ability for full participation including ability to vote in both public and closed session (in-camera) meetings. Voting may take place by way of roll call, or in an alternate method authorized by the Chair, ensuring that Members and the public are aware of how each member votes.

viii. If a member participating remotely must leave the meeting for any length of time wherein they are not able to participate in the discussion or vote, the member shall immediately inform the Clerk (or recording secretary) of their absence that will be acknowledged in the minutes, and further advise the Chair. Any vote taken during their absence, would only include the members present and indicate that member's absence during the vote. Should a Member participating in the meeting remotely not make their vote known at the time the vote is called and has not advised the Clerk (or recording secretary) of their absence, the vote shall be considered an abstention and therefore deemed as a negative vote.

ix. In the event of a technical failure during the meeting, a recess of not more than 10 minutes can be taken to allow staff to reinstate the electronic participation. If a member can no longer participate by electronic means it will not affect the validity or continuation of the meeting or decisions. If a quorum is lost, the meeting will be deemed to be adjourned.

x. Where the Rules of Procedure conflict with the need to facilitate electronic participation, the Chair in consultation with the Clerk, shall have the authority to modify the Rules of Procedure to ensure Members can effectively participate in the meeting.

xi. Electronic participants are permitted to participate in Closed Session (In-Camera) session meetings only for the purpose of a meeting held while under the circumstances provided for in Section 5 of the by-law. In the case that Members participate electronically in closed sessions, all Members must attest to the fact that they recognize they will be in a closed session and are able to ensure confidentiality.

xii. Despite any other provisions of this by-law, during a Declared Emergency:

6) Meetings may be conducted by any means, whether in person or electronic, provided they meet conditions required within the Municipal Act, 2001, as amended or other applicable law;

7) Regular and Special Meetings of Council and its' Committees, may be held outside of the South Huron Council Chambers in order to provide space for health or safety protocols required of the Emergency insofar as the location chosen is fully accessible to persons with disabilities.

4.9. Commencement Of Meetings

a) The Mayor shall call the meeting to order as soon after the hour fixed for a meeting as a quorum is present.

b) If there is no quorum present within fifteen minutes after the time appointed for the Meeting, the Council shall stand adjourned until the date and time of the next Regular or Special Meeting and the Clerk shall record the names of the Members present upon such adjournment.

c) The Mayor, if present, shall preside at all meetings.

d) The Deputy Mayor shall preside during the Meeting or until the arrival of the Mayor in the absence of the Mayor

e) In the absence of the Mayor and the Deputy Mayor, the Clerk shall call the Meeting to order fifteen minutes after the hour appointed for the Meeting, and the Members shall appoint a Member by resolution to preside during the Meeting or until the arrival of the Mayor or the Deputy Mayor.

f) Council shall recess for a period of five minutes if at any meeting the number of members is reduced to less than a quorum. The meeting shall stand adjourned if quorum is not achieved, subject to the provisions of the Municipal Conflict of Interest Act.

Section 5 - Closed Session

5. Closed Session

5.1. Closed – to public – In Camera – meeting subject matters

a) A meeting or part of a meeting of the Council or its standing committees may be closed to the public if the subject matter being considered is:

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. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

vii. A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;

viii. Information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;

ix. A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

x. A trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or

xi. A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board. 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26.

5.2. Other criteria

a) A request under the Municipal Freedom of Information and Protection of Privacy Act, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or

b) An ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman referred to in subsection 223.13 (1) of this Act, or the investigator referred to in subsection 239.2 (1). 2014, c. 13, Sched. 9, s. 22.

5.3. Educational or training sessions

a) A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:

i. The meeting is held for the purpose of educating or training the Members.

ii. At the meeting, no Member shall discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee. 2006, c. 32, Sched. A, s. 103 (1).

5.4. Before holding a meeting or part of a meeting that is to be closed to the public, Council shall state by resolution the fact of holding a Closed Session and the general nature of the matter to be considered at the Closed Session; or in the case of a meeting that is an educational or training meeting, the fact of holding a Closed Session, the general nature of its subject matter and that it is to be closed as an education or training meeting.

5.5. As provided in Section 239(5), subject to Subsection (6), a meeting shall not be closed to the public during the taking of a vote except if it is for a procedural matter or for giving directions or instructions to officers, employees or agents of the agents of the municipality, local board or committee of either of them or persons retained by or under a contract with the municipality or local board.

5.6. When a Closed Session is necessary, it shall be a requirement that the minutes shall be prepared without note or comment and shall be approved at the next scheduled Closed Session.

5.7. Confidential copies of all documents and reports shall be distributed to Council Members prior to the Closed Session. Members are to ensure that confidential matters disclosed to them during meetings closed to the public, are kept confidential. Any Member, who contravenes the confidentiality clause, may be subject, by majority vote of the Council, to penalties in accordance to the adopted “Code of Conduct” policy.

5.8. When Council does not enter a Closed Session within six months of the date of the last closed session, the minutes of that closed session shall be deemed approved and further approval of those closed meeting minutes are not required.

5.9. The Clerk shall be responsible for maintaining a confidential copy of all documents/reports distributed, relating to a Closed Session and for keeping confidential minutes of all Closed Sessions.

5.10. Members and Staff shall respect the confidentiality of all matters disclosed to them and materials provided to them during Closed Sessions. All electronic devices other than those required for the meeting are to be turned off while attending a Closed Session.

Section 6 - Order of Business – Agenda

6. Order of Business

6.1. The Agenda for each Meeting shall be prepared by the Clerk for approval by the CAO, and for each Regular Meeting shall include the following:

a) Call to Order, O Canada & Land Acknowledgement
b) Amendments to the Agenda, as Distributed and Approved by Council
c) Disclosure of Pecuniary Interest and The General Nature Thereof
d) Presentation (if any)
e) Delegations (if any)
f) Public Meeting (if any)
g) Consent Agenda
    a. Minutes
    b. Councillor Board and Committee Reports
    c. Staff Reports (for information)
    d. Communications
h) Staff Reports (for action)
i) Notices of Motion
j) Items for discussion arising from previous meetings
k) New Business
l) Mayor & Councillor Comments and Announcements
m) By-laws
n) Closed Session (if any)
o) Report from Closed Session (if any)
p) Confirming By-Law
q) Adjournment

6.2. At each duly constituted Regular Meeting of Council, the Minutes of the preceding Regular Meeting, Public Meeting and any Special Meeting shall be adopted by resolution

of Council, subject to the correction of errors and omissions, and signed by the Mayor and the Clerk.

6.3. The order of business of each Meeting shall be taken up in the order in which it stands in the Agenda, unless otherwise decided by a majority vote of the Members present.

a) A motion changing the order of business shall not be amendable or debatable.

6.4. Amendments to the Agenda – Deadline

a) The deadline for receipt of added materials by the Clerk for addition to the regular Council Agenda shall be 12 noon on the business day prior to the Council Meeting.

b) Any correspondence received by the Clerk that is specific to an agenda item after the agenda has been published shall endeavour to be circulated to all members and applicable staff as soon as practical prior to the meeting and uploaded to the agenda.

Section 7 – Notice

7. Notice of Meetings

7.1. The notice requirements set out in this by-law are minimum requirements only and the Clerk may provide notice in an extended manner if, in the opinion of the Clerk, the extended manner is reasonable and necessary in the circumstances.

7.2. Any Notice usually posted on the municipal website shall be posted at the Municipal Office in the event that the website is unavailable.

7.3. Lack of receipt of Notice by any Member of Council shall not affect the validity of holding a meeting nor any action taken at a meeting.

7.4. Notice - Regular Meetings

a) At the beginning of each year, the meeting schedule shall be posted on the municipal website. In the event that the website is unavailable the meeting schedule shall be posted at the Municipal Office. The posting of the meeting schedule shall constitute Notice for all Council meetings. A note shall be placed on the meeting schedule to advise the public that the schedule is subject to change and the posted schedule shall be revised should a meeting time, date and/or location be changed.

b) In addition to the above, Notice of Council meetings shall be given by publication of the date and time of the next scheduled meeting in meeting minutes and the posting of meeting agendas on the municipal website prior to the meeting. The posted agenda shall also be considered as Notice of regular meetings of Council. The agenda shall include the date and time of the meeting.

c) The Clerk shall ensure that Notice of each Regular Meeting of Council is provided to the Members of Council and the public at least ninety-six (96) hours in advance of said meeting.

d) The agenda for each Regular Meeting of Council shall be available ninety-six (96) hours prior to the meeting.

7.5. Notice - Special Meetings

a) The Clerk shall ensure that Notice of each Special Meeting of Council is provided to the Members of Council and the public at least ninety-six (96) hours in advance of the said meeting.

7.6. Notice - Emergency Meetings

a) Notwithstanding any other provision by this by-law, an Emergency Meeting may be held without written Notice, to deal with an emergency.

7.7. Notice - Change in Meeting Schedule

a) The Clerk shall provide Notice of cancellation of a meeting to Council, staff, the local media and all other known interested parties in advance of a meeting. Notice of cancellation of a meeting to the above shall be provided in a manner deemed to be effective and appropriate given the circumstance. The public shall receive Notice by posting on the municipal website and/or by posting Notice on the entrance doors location at the municipal office; or in the event that the meeting is being held at another location, the entrance door of the meeting location.

Section 8 - Communications/Delegations/Petitions/Presentations

8. Communications, Delegations & Petitions

8.1. The deadline for the receipt of communication, delegations, or petition by the Clerk for inclusion on the Agenda shall be noon, on the Tuesday prior to the Regular Meeting of Council.

8.2. Every petition, remonstrance, or written correspondence to be presented to the Council must be fairly written or printed and signed by at least one person.

8.3. Communications and petitions addressed to the Mayor and Council shall be listed on the Agenda or included in a Council Information Package.

8.4. Communications or petitions containing obscene or defamatory language shall not be listed on the Agenda but shall be held by the Clerk and may be directed to the police for investigation upon direction of the Chief Administrative Officer.

8.5. Delegations are received for information at the meeting they occur. It is then included on the next Council Meeting Agenda under Items for Discussion arising from previous meetings.

a) Items of an urgent/emergent nature that have a timeline associated with the matter that does not allow for it to be considered at the next Council meeting may be actioned by suspending the rules, resolution of 2/3 Council.

8.6. The Municipality of South Huron does not accept requests for Proclamations.

8.7. Delegations:

a) Persons desiring to verbally present new information on matters of fact or make a request of Council shall contact the Clerk to make a timed delegation at Council.

b) A written or electronic copy or their presentation and purpose of the delegation must be provided to the Clerk for inclusion on the Agenda no later than noon, on the Tuesday prior to the Regular Council Meeting.

c) Delegations not providing sufficient notice may be heard at the discretion of a majority of Members of Council present.

d) The maximum number of delegations to be heard by Council in any one meeting shall be limited to two (2). Delegations shall be scheduled by the Clerk in accordance with the sequence of delegation requests, complete with information, received.

e) Delegations shall be limited in speaking to not more than ten (10) minutes in total per person, per group or per organization. A delegation consisting of five or more Members shall be limited to two (2) speakers.

f) Council may refuse to hear delegations when, in the opinion of Council, the subject of the presentation is beyond the jurisdiction of the Municipality.

g) Any person/organization shall be limited to two (2) delegations in a calendar year on the same subject matter.

h) No person shall be permitted to address Council with respect to a specific personal issue, nor shall a brief respecting such issue be listed on a Council Agenda. A written brief by any person with respect to personal issues may be forwarded to the Clerk for consideration by Council in Closed Session.

i) No person shall be permitted to address Council relating to any current litigation matters of which the Municipality is a party to the proceedings.

j) Members may address a delegate or presenter only to ask questions of clarification and not to express opinions or enter into debate or discussion.

k) Delegations, which request action to be taken by the Council, shall be referred to Administration, by majority vote, for a report that shall be presented to Council at an ensuing Council Meeting.

8.8. Petitions:

a) Every petition to be presented to the Council must follow the Submitting Petition Guidelines, which is available by contacting the Clerk.

8.9. Conduct of Public Delegations and comments during Public Meetings

a) Members of the public and delegations in attendance at a meeting, shall not:

i. address Council or committee without permission;

ii. bring food or beverage, with the exception of water, into the Council Chamber or meeting room unless so authorized;

iii. engage in any activity or behaviour or make any audible noise that could affect the Council or committee deliberations, including clapping, shouting, jeering or any other form of disorderly conduct; or

iv. bring any signs or placards into, or hand out any brochures, pamphlets, buttons or literature in the Council Chambers without submitting to the Clerk prior to 4:30 pm the day of that meeting for approval.

b) No person shall make detrimental comments, or speak ill of, or malign the integrity of staff, the public, Mayor, Deputy Mayor, Members of Council or committee.

c) It shall be the duty of the Chair to adjourn the meeting without the question being put or to suspend or recess the sitting for a time to be named if considered necessary because of grave disorder arising in the meeting. The Mayor or other Presiding Officer may expel any person for improper conduct at a meeting.

8.10. Presentations

a) Presentations recognizing achievements shall be heard at the beginning of the Council Meeting.

b) Where a staff or third party presentation accompanies an item on an agenda, the staff report may be placed under the presentation for discussion for consideration immediately after the presentation has been made.

c) Council shall hear any presentation for information purposes only, and presentations shall be limited to a maximum of ten (10) minutes.

i. a) Exceptions of the ten (10) minute time frame are provided to the Municipal Auditor upon its annual presentation of the Corporation's Financial Statement.

d) On any given scheduled Council meeting, there shall be a maximum of three (3) combined presentation(s) and/or delegation(s) permitted.

8.11. Mayor and Councillor Comments and Announcements

a) The Mayor and Councillor Comments and Announcements section of the agenda is for the purpose of providing information only. Comments are not debatable, nor shall they introduce new business. Comments shall be limited to five (5) minutes per Member.

Section 9 – Minutes

9. Minutes

9.1. The Municipal Clerk or the person designated by 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. The minutes, in the case of the meeting of a local board or committee, shall be recorded by the Clerk or the person designated by them.

9.2. Minutes of the Council or Committee, whether it is closed to the public or not, shall record:

a) The date of the meeting;
b) The record of the attendance of the Members;
c) Disclosures of pecuniary Interest and the general nature thereof;
d) Adoption of the minutes of prior meeting(s);
e) All resolutions and decisions;
f) All the other proceedings of the meeting without note or comment;
g) Time of call to order, time of adjournment and time in and out of Closed Session, if any, or any Committee meeting.

9.3. A resolution to adopt the minutes of a prior meeting may include the correction of any errors or omissions.

9.4. Minutes of the last regular meeting of Council and of all Special or Emergency Council meetings held subsequent to the last regular meeting, shall be included in the agenda and may be adopted by Council without having been publicly read at the meeting at which the question of their adoption is considered. By prior distribution of the minutes to all Members, it is understood that the minutes have been read.

9.5. Adopted minutes shall be signed by the presiding officer and by the Clerk, or person designated by them, that recorded the said minutes. When a Committee does not meet within six months of the date of the last Committee meeting, the minutes of that Committee meeting shall be deemed approved and further approval of those Committee meeting minutes are not required.

9.6. Recording of the Proceedings

a) Council and Committee Meetings are to be recorded by video and live streamed, whenever practical, to increase public accessibility to such meetings and enhance accountable local government. Video recordings of Meetings may not always be available due to equipment malfunctions and/or an alternate location to hold such Meeting and shall not be relied upon as the official record of the Meeting.

b) The use of audio and video recording equipment by the public or the media will be permitted if it is not disruptive to the Meeting. The location of such recording equipment shall be at the discretion of the Chair.

Section 10 – Roles

10. Role of the Mayor as Head of Council and Role of Council

10.1. The roles of the Mayor and of Council shall be as per the Municipal Act, as amended, outlined below:

a) It is the role of the Mayor:

i. Act as Chief Executive Officer of the Municipality

ii. To preside over Meetings of Council so that its business can be carried out efficiently and effectively;

iii. To provide leadership to the Council

iv. Without limiting clause (iii) above, to provide information and recommendations to the Council with respect to the role of Council described below

v. To represent the Municipality at official functions

vi. To act as Council's representative when dealing with other levels of government, their agencies and the private sector, unless otherwise delegated

vii. To carry out the duties of the head of council under the Municipal Act, 2001 or any other Act, including but not limited to:

1) Uphold and promote the purposes of the Municipality

2) Promote public involvement in the Municipality's activities

3) Act as the representative of the Municipality both within and outside the municipality and promote the Municipality locally, nationally and internationally, and

4) Participate in and foster activities that enhance the economic, social and environmental well-being of the Municipality and its residents.

b) It is the role of Council:

i. To represent the public and to consider the well-being and interest of the Municipality;

ii. To develop and evaluate the policies and programs of the Municipality;

iii. To determine which services the Municipality provided in accordance with applicable legislation

iv. To ensure that administrative policies, practices and procedures and controllership polices, practices and procedures are in place to implement the decisions of Council;

v. To ensure the accountability and transparency of the operations of the Municipality including the activities of the Senior Management of the Municipality;

vi. To maintain the financial integrity of the Municipality and;

vii. To carry out the duties of Council under the Municipal Act, 2001 or any other act

c) No member has the authority to direct or interfere with the performance of any work being carried out by an employee, agent or contractor of the Municipality. Each employee is responsible only to their superior officer and CAO as established in the formal organization structure of the Municipality.

Section 11 - Conduct during meetings

11. Rules of Conduct

11.1. No Member shall:

a) Speak disrespectfully of the reigning sovereign, or any of the Royal Family, or of the Governor-General, the Lieutenant Governor, or any person administering the government of the Dominion of Canada, the Province of Ontario or of The Corporation of the Municipality of South Huron.

b) Use indecent, offensive or insulting language.

c) Speak on any subject matter other than the subject in debate.

d) Disturb the Council by any disorderly conduct.

e) Speak disrespectfully of any Council Member or employee of the Municipality of South Huron.

11.2. A Member shall not disobey the rules of the Council or a decision of the Mayor or of the Council on points of order or on the interpretation of the rules of procedure of the Council.

11.3. A Member shall not leave their seat or make any noise or disturbance while a vote is being taken or until the vote is declared.

11.4. A Member shall not interrupt a Member who is speaking, except to raise a point of order or a question of privilege.

11.5. In addition to powers granted by Section 241(2) of the Municipal Act, as amended, in the event that a Member persists in a breach of the Rules of this by-law, after having being called to order by the Mayor, the Mayor may put the question "Shall the Member be ordered to leave their seat for the duration of the Meeting?" and such question is not debatable.

11.6. If the Council decides the questions set out in Section 11.5 of this in the affirmative by a majority vote of the Members present, the Mayor shall order the Member to leave their seat for the duration of the Meeting.

11.7. If the Member apologizes, the Mayor, with the approval of the Council, may permit the Member to resume their seat.

11.8. Request for Clarification

a) Members are encouraged to contact the CAO and appropriate Department Head prior to a Meeting to raise questions or clarify issues relevant to a matter on the Agenda. Members shall not give direction to staff except through majority vote. This serves to provide staff with time to prepare to address the question or clarification at the meeting, and staff will endeavour to respond prior to meeting should time permit.

Section 12 - Rules of Debate

12. Rules of Debate

12.1. The Mayor shall preside over the conduct of the Meeting including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the Meeting, subject to an appeal to the Council.

12.2. The Mayor may answer questions and comments in a general way without leaving the chair, but if they wish to make a motion or to speak on a motion taking a definite position and endeavoring to persuade the Council to support that position, then they shall first leave the chair.

12.3. If the Mayor desires to leave the chair for the purpose of taking part in the debate or for any other reasons, the Deputy Mayor shall sit in their place until they resume the chair. If the Deputy Mayor is not available, the Clerk will ask for a vote to appoint a Chair for said meeting.

12.4. Before a Member may speak to any matter, they shall first be recognized by the Mayor or Chair.

12.5. When two or more Members indicate simultaneously that they wish to speak, the Mayor shall name the Member who is to speak first.

12.6. When a Member is speaking to a motion, they shall confine their remarks to the motion and in speaking shall be limited to a maximum of five (5) minutes, unless otherwise decided by a majority vote of the Members present.

12.7. A Member shall not speak more than twice to any motion unless otherwise decided by a majority vote of the Members present, except the Member who made a motion who shall be allowed to reply for a maximum of five (5) minutes.

12.8. When a motion is under debate, a Member may ask a concisely worded question of another Member or a Staff Member through the Mayor prior to the motion being put to a vote by the Mayor.

12.9. A Member may require the motion under debate to be read at any time during the debate, but not so as to interrupt a Member who is speaking.

12.10. No Member shall speak more than once on an item of business until every Member who desires to speak has spoken.

12.11. Questions of Privilege and Order

a) If a Member believes that their rights, privileges or integrity or those of the Members collectively have been prejudicially affected, they shall ask leave of the Mayor to raise a question of privilege which shall take precedence over all other matters, but they shall not be permitted to enter into any argument or introduce any motion related to the question of privilege.

b) No Member shall impugn the integrity of the CAO or municipal staff. When a member considers that the integrity of the CAO or municipal staff has been

impugned or questioned the member may raise it as a point of order and the Mayor shall permit the CAO to make a statement.

c) When a Member desires to call attention to a violation of the Rules of Procedure, they shall ask leave of the Mayor to raise a point of order and after leave is granted, they shall state the point of order to the Mayor succinctly and the Mayor shall then decide upon the point of order and advise the Members of their decision.

d) Unless a Member immediately appeals the Mayor's decision to the Council, the decision of the Mayor shall be final.

e) If the decision of the Mayor is appealed to the Council, then the question "Shall the ruling of the Chair be sustained?" shall be put immediately without debate and its result shall be final.

f) When the Mayor calls a Member to order, that Member shall cease speaking until the point of order is dealt with and that Member shall not speak again to the matter under discussion without the permission of the Mayor unless to appeal the ruling of the Mayor.

Section 13 – Motions

13. Motions

13.1. All new motions shall be submitted in writing with the exception of procedural motions which may be verbally presented to the Clerk prior to the regular agenda deadline for inclusion on any regular Council, or committee meeting Agenda. Oral motions shall be restated by the Chair before debate or a vote.

13.2. Any Member of Council may give notice of intent that they shall introduce a motion at the next, or at a subsequent meeting of Council to introduce a new matter or initiate any measure to make any change in the Council's established policy. The giving of notice requires no seconder and is not at that time debatable.

a) A Member may introduce a motion at a meeting regarding a matter that would not otherwise be considered by Council or a Committee at such meeting in writing, at a regular Council or Committee meeting, or by submission to the Clerk to be included in the Agenda, but it shall not be debated until the next regular meeting.

13.3. The Clerk or Recording Secretary, upon receipt of a Notice of Motion in accordance with Notice of Motion provisions of this by-law shall print the motion, including the name of the mover or seconder in full on the Agenda for the next regular meeting of the Council or the Committee.

13.4. A Notice of Motion does not require a seconder to be included in the Agenda.

13.5. A Notice of Motion shall not be considered or otherwise disposed of by Council or the Committee unless the mover of the motion is in attendance at the meeting.

13.6. All Notices of Motion shall be in writing, signed by the mover and filed with the Clerk.

a) Prior to filing with the Clerk, Council may submit the proposed notice of motion in writing to the CAO.

13.7. Notices of Motions filed with the Clerk shall be directed to the next Regular Council Meeting unless a subsequent meeting is specified.

13.8. Motions shall be moved and seconded before being debated or put to a vote.

13.9. Every motion shall be deemed to be in the possession of the Council for debate after it is received by the Mayor but may, with the permission of the Council, be withdrawn at the joint request of the mover and seconder at any time before the motion is disposed of.

13.10. Notwithstanding the requirements of this by-law, a motion introduced by the Mayor, pursuant to Section 284.10 of the Act which, in the opinion of the Mayor, may advance a Provincial Priority, shall be permitted at any time and shall be considered by Council. To assist Council in the decision-making process, it is recommended, but not required, that the motion be submitted in writing. (See Appendix 3)

13.11. When a motion is under debate, no other motion shall be in order except a motion:

a) To adjourn;
b) To proceed beyond curfew;
c) To defer;
d) To call the question (close the debate);
e) To refer;
f) To amend.

13.12. A motion to adjourn shall:

a) Not be amended;
b) Not be debated;
c) Not include qualifications or additional statements; and
d) Always be in order except when a Member is speaking or the Members are voting or when made in Committee-of-the-Whole.

13.13. When a motion to adjourn has been decided in the negative, no further motion to adjourn shall be made until after some subsequent proceeding has taken place.

13.14. The Council shall always adjourn when there is no business before it.

13.15. A motion to proceed beyond the hour of curfew shall:

a) Not be amended;
b) Not be debated; and
c) Shall always be in order, except when a Member is speaking or the Members are voting.

13.16. A motion to defer shall:

a) Be amendable only to the date;
b) Not be debated;
c) Apply to the main motion and any amendments thereto under debate at a time when the motion to table was made;

d) Not include qualifications or additional statements.

13.17. If a motion to defer is decided in the affirmative by a majority vote of the Members present, then the main motion and any amendments thereto shall be removed for the Council's consideration until such time as a notice of motion to lift the matter from the table is filed with the Clerk. A motion to take from the table is not debatable or amendable.

13.18. A motion to call the question (close the debate) shall:

a) Not be amended;
b) Not be debated;
c) Apply to the motion or amendment under debate at the time when the motion to put the question is made;
d) Not be received in any Committee;
e) Be moved using the words "That the question now be called."

13.19. If a motion to call the question is decided in the affirmative by a majority vote of the Members present, then the preceding motion or amendment shall be voted on immediately without further debate or comment.

13.20. A motion to refer a matter under consideration to a Committee or the Administration or elsewhere shall:

a) Be open to debate;
b) Be amendable; and,
c) Preclude amendment or debate of the preceding motion, unless the motion to refer is resolved in the negative, in which case the preceding motion shall be open to debate and amendment.

13.21. A motion to amend shall:

a) Be open to debate;
b) Not propose a direct negative to the main motion;
c) Be relevant to the main motion; and
d) Not be further amended more than once.

13.22. Voting Procedures

a) Voting on the main motion and amending motions shall be conducted in the following order:

i. A motion to defer the motion;
ii. A motion to refer the motion;
iii. A motion to amend a motion to amend the main motion;
iv. A Motion (as amended or not) to amend the main motion;
v. The main motion (as amended or not).

b) When the motion under consideration contains two distinct propositions, upon the request of any Member, the Mayor or Chair shall divide the question and the vote upon each proposal shall be taken separately. The mover and seconder shall remain the same for both motions.

c) A motion shall be put to a vote by the Mayor immediately after all Members desiring to speak on the motion have spoken in accordance with Section 12.7. of this by-law.

d) After a motion is put to a vote no Member shall speak on that motion, except to request a recorded vote. No other motion shall be made until after the result of the vote is announced.

e) Every Member present at a Council Meeting when a question is put shall vote thereon, except where they are disqualified to vote by reason of a pecuniary interest or is absent from the Council Chamber when the question is put.

f) Every Member who is not disqualified from voting by reason of a declared pecuniary interest shall be deemed to be voting against the motion if they decline or abstain from voting.

g) All votes shall be by show of hands, except when a recorded vote is requested. The manner of determining the decision of the Council on a motion shall not be by secret ballot or by any other method of secret voting.

h) The Mayor shall announce the result of every vote after requesting both ayes and nayes. The Clerk shall record the vote.

i) When there is a tie vote on any motion, it shall be deemed to have been decided in the negative.

j) When called for by any Member or when required by law, a recorded vote shall be taken by the Clerk in random order and the results shall be declared by the Clerk.

k) A Member may call for a recorded vote prior to or immediately after the taking of the vote.

l) When a recorded vote is taken, the names of those who voted for and against the motion shall be entered in the minutes.

m) In any vote required of the Whole Council, the number of Members constituting the Council shall be determined by excluding:

   i. The number of Members who are present at the Meeting but who are excluded by voting by reasons of the Municipal Conflict of Interest Act;

   ii. The number of seats that are vacant on the Council by reasons of Section 259 of the Municipal Act.

13.23. Reconsideration

a) A motion to reconsider a decided matter within the term of Council shall only be introduced by a Member who voted with the majority on the original motion. Before accepting a motion to reconsider, the Mayor may ask the Member to confirm that they voted with the majority on the issue in question.

b) No debate on a motion to reconsider a decided matter shall be permitted; however, the mover of a motion to reconsider may provide or may make a brief and concise statement outlining the reasons for proposing such reconsideration.

c) No motion for reconsideration of any decided matter shall be permitted more than once during a period of twelve months following the date on which the question was decided.

d) If a motion to reconsider is decided in the affirmative at a meeting, then consideration of the original matter shall become the next order of business.

i. A resolution that was decided by Council cannot be reconsidered if action has been taken in implementing the resolution resulting in legally binding commitments that are in place on the date the motion to reconsider is considered by Council.

ii. If Council passes a resolution and adopts the same matter by by-law, only the resolution may be reconsidered. If the decision resulting from the reconsideration warrants, the by-law will be amended or repealed accordingly.

iii. A motion to reconsider must be carried in the affirmative by a vote of two-thirds of the entire Council.

1. If a motion to reconsider is decided in the affirmative:

(a) the reconsideration effectively returns Council to just prior to the original Council decision.

(b) reconsideration of the original motion shall then be the next order of business unless the motion specifies a future date.

2. A notice of reconsideration received from the Ontario Land Tribunal shall not be deemed a reconsideration of a Council decision.

Section 14 - By-laws

14. Enactment of By-laws

14.1. The Clerk shall ensure that by-laws are prepared and placed on the agenda. Every by-law when introduced shall be in typewritten form and shall contain no blanks except such as may be required to confirm to accepted procedure or to comply with provisions of any Act and shall be complete.

14.2. Every by-law shall receive three separate readings before being passed.

14.3. The first and second reading of a by-law shall be decided in a single motion, without amendment or debate. By-laws may be addressed in a consent agenda, with the first and second readings for all by-laws addressed by a single motion, and the third and final reading for all by-laws addressed in a single motion.

14.4. By-laws may be given all three readings at the same meeting, except when requested otherwise by a motion passed by the majority of the Members present or as otherwise provided in law.

14.5. Every by-law enacted by the Council shall be numbered and dated, and shall be, sealed with the seal of the Corporation, and signed by the Mayor or presiding officer and the Clerk and shall be deposited in the vault by the Clerk for safekeeping.

14.6. Confirming By-law

a) The proceedings at every Regular and Special Meeting shall be confirmed by by-law so that every decision of the Council at the previous Regular Meeting and any Special Meetings and every Resolution passed thereat 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.

14.7. Vetoes - Notwithstanding the requirements of this by-law, the Mayor may Veto a by-law in accordance with subsection 284.11 of the Act. (See Appendix 3)

Section 15 - Committees/General Rules of All Council Committees

15. Committees

15.1. Procedure:

a) A committee shall conform to the rules governing protocol and procedures for Council meetings, unless otherwise noted herein.

b) All committees shall be bound by Closed Session provisions set out in this by-law.

15.2. Establishment-Appointment:

a) Council may establish Council Committees to help support it's work. Council shall set the mandate for each Council Committee by resolution or by-law.

b) The names of Members required to serve on the Council Committees, Boards, Commissions or other bodies to which Council is required or empowered to appoint persons, shall be determined by Council.

c) Council may appoint Members to any Local Boards or Council Committees to act in the place of any Members thereof who, by reason of illness or absence from the Municipality, are unable to attend the meetings of the Council Committees or who resign before their terms of office have expired.

d) Notwithstanding the above, provisions of Part VI. 1 of the Municipal Act, 2001 apply, wherein the Mayor shall establish the committee structure, assign functions to the committees and appoint chairs and vice-chairs, in regard to committees comprised entirely of Members of Council. (See Appendix 3)

15.3. Local Boards:

a) Council shall appoint members to Local Boards as requires by statute. Members are appointed to Local Boards by Council by by-law or resolution.

15.4. Standing Committees:

a) Standing Committees of Council are committees that consist of at least 50% of the membership consisting of Members of Council, which are appointed by Council by by-law.

15.5. Committee of the Whole

a) Committee of the Whole meetings shall be held to discuss in a less formal setting, matters that are under consideration and to which the matter is then referred to Council at its Regular meeting for action.

15.6. Council Advisory Committees:

a) The duties of Advisory Committees created by Council shall be to report and to make recommendations to Council on all matters relating to their terms of reference or that have been referred to them. Advisory Committees shall generally have one representative appointed from Council.

15.7. Special Purpose Committees, Ad Hoc Committees & Task Forces:

a) The duties of Special Purpose Committees, Ad Hoc Committees and Task Forces, appointed by Council by-law or Resolution, shall report to Council on any matters relating to their terms of reference or that have been referred to them.

b) Each Committee shall be given a clear mandate and well-defined terms of reference which will include among other things, the composition, reporting relationship, resources available to the Committee and, if required, a defined time frame.

c) Once the Committee has filed its report with the Council and Members have dealt with the matter referred to the Special Purpose, Ad Hoc Committees & Task Forces, on presentation of its final report to the Members of Council, it automatically ceases to exist.

15.8. Mayor-Ex-officio:

a) The Mayor is an ex-officio Member of every Council Committee.

b) The Mayor may vote and otherwise participate without any restriction in the business of the Committee on the same basis as any other Committee Member, but shall not be counted in quorum for the Committee.

15.9. Members of Council

a) Members of Council may attend Meetings of any advisory committee of which they are not members:

i. their attendance does not count towards quorum; and
ii. they do not have the privilege of voting; and
iii. they may not address the Committee without the permission of the chair.

b) There are not to be more than three (3) members of Council present at any Committees of Council including but not limited to Special Purpose Committee, Ad Hoc Committee, Advisory Committee or Task Force in order to prevent Council quorum.

15.10. Terms of Reference:

a) Subject to the provision of any general or special Act, the Council, in establishing any Council Committee, shall set forth terms of reference and such other provisions as the Council deems proper.

b) Council may consider any matter without referring it to a Council Committee or may refer it to one or more committees or refer it to the Committee-of-the-Whole Meeting and may withdraw a matter from a Council Committee whether or not the Council Committee has entered into consideration.

15.11. Quorum:

a) A majority of the Members of a Council Committee shall be a quorum.

15.12. Committee Chair:

a) Annually, each Committee at its first meeting shall appoint a Committee Chair and Committee Vice-Chair from among its Members, unless otherwise specified in the Council Committee's Terms of Reference. Each Committee shall have the authority to alter the time of its meetings and to hold special meetings. Notice of Council Committee meetings shall be given by the Clerk in accordance with this by-law.

15.13. Minutes:

a) The Minutes of all Council Committees shall be recorded according to the process set out in this by-law and forwarded to Council to be received as information. The Clerk, Deputy Clerk or a person delegated by the Clerk in writing shall be the recording secretary for all Standing Committees of Council.

Section 16 - Disclosure of Interest

16. Disclosures of Pecuniary Interest and General Nature Thereof

16.1. Members of Council and any Members of Council Committees shall be required to comply with and disclose as required by the Conflict-of-Interest Act.

16.2. A Registry shall be kept by the Clerk on every written statement made by Members of Council of the general nature of the declared interest, the Registry shall be available for public inspection.

Section 17 - New Business

17. New Business

17.1. A Member of Council may introduce any matter or motion during the New Business portion of the Meeting.

17.2. Members may have regard to the following guidelines:

a) Members are encouraged to raise operational matters prior to the Meeting through the CAO
b) Members are discouraged from raising substantive policy matters, in particular consideration of corporate policies or by-laws;
c) Providing notice of a motion is encouraged; and,
d) Motions without prior notice may be considered under New Business if the matter has a statutory time requirement, an emergency; or is time sensitive.

17.3. A motion moved without prior notice, shall:

a) identify the nature of the motion and identify the nature of the urgency and the reason for not referring the item to the next regularly scheduled Council meeting;
b) A motion dealing with a time sensitive issue item shall require the approval of 2/3 of members.
c) In the interest of being accountable and transparent, where a member of Council would like to present an item of business in this section, it is recommended that they contact the Chief Administrative Officer in advance so that the item can be placed on the published agenda.

Section 18 - Other General Information

18. Other General Information

18.1. Validity and Severability

a) If any section, subsection, clause, paragraph or provision of this by-law be declared by a court of competent jurisdiction to be invalid, unenforceable, illegal or beyond the powers of Council to enact, the same shall not affect the validity or enforceability of any other provision of this by-law or of the by-law as a whole.

18.2. Accessibility of Documents

a) Documents are available in alternate formats upon request from the Clerk.

18.3. Appendices

a) Appendix 1 “Closed Meeting Protocol” ~~and~~ Appendix 2 “Quick Reference Motions Table” and Appendix 3 “Strong Mayor Powers” all form part of this by-law and shall be used as a reference.

Section 19 - Repeal/Enactment

19. Enactment

19.1. That this by-law repeals and replaces By-Law 79-2015, 76-2017, 20-2020, 41-2020, 64-2022, Resolution 433-2020 and any other amendments.

19.2. That this by-law shall come into force and take effect on November 3, 2026.

Read a first and second time this 8th day of September 2026.

Read a third time and passed this 8th day of September 2026.

George Finch, Mayor Alex Wolfe, Clerk

By signing this By-Law on September 21, 2026, Mayor Finch will not exercise the power to veto this By-Law as provided for under 284.11 of the Municipal Act.

Appendix 1 to By-law 63-2026 – Procedural By-law - Closed Meeting Protocol

Municipality of South Huron Procedure

Policy Name:	**Closed Meeting Protocol**
Policy Number:	
Section:	
Effective Date:	**2026**
By-law or Resolution:	**63-2026**
Supersedes:	**64-2022**
Last Revision:	
Schedule for Review:	**2028**

Purpose:

The purpose of this policy is to ensure compliance with Section 239 (2) and (3) of the Municipal Act as well as to provide guidance to Municipal Council and Municipal staff as it relates to Closed Meetings.

Policy Statement:

The Municipality of South Huron acknowledges that all meetings of Council/Committee shall be open to the public except as related to the exceptions included in Section 239 (2) and (3) of the Municipal Act.

Should the Meeting be Closed?

In the interest of accountability and transparency South Huron Council endeavours to conduct its decision making in public. It is recognized, however, that there are items which should be considered by Council in a Closed Meeting in accordance with the Municipal Act. When determining whether a matter should be considered in a Closed Meeting staff should consider the following:

1. Does the matter meet one or more of the open meeting exceptions noted in Section 239 the Municipal Act?

2. If so, and recognizing that the matter can be discussed in a Closed Meeting, is there a compelling reason that it should be?

The determination of whether a matter should be dealt with in a Closed Meeting is the responsibility of the relevant CAO in consultation with the Chair, the Municipal Clerk, and if deemed necessary, the Municipal Solicitor.

Municipal Act Rules for Closed Meetings

Topic/Municipal Act Exception	**Discussion Can Include**	**Permissions**
Security of Municipal Property [S. 239 (a)]	• Municipal property • Municipal facilities • Municipal assets • management issues identified by auditors	• procedural matters • giving directions or instructions to staff

Personal Matters about Identifiable Individuals [S. 239 (b)]	• municipal employees • members on various boards and committees	• procedural matters • giving directions or instructions to staff
A Proposed or Pending Acquisition or Disposition of Land [S. 239 (c)]	• land purchases • land sales • land leases • expropriation of land	• procedural matters • giving directions or instructions to staff
Labour Relations or Employee Negotiations [S. 239 (d)]	• union or employee negotiations	• procedural matters • giving directions or instructions to staff
Litigation or Potential Litigation [S. 239 (e)]	• current or pending litigation	• procedural matters • giving directions or instructions to staff
Solicitor-Client Privilege [S. 239 (f)]	• legal opinions, advice and or status reports/briefings	• procedural matters • giving directions or instructions to staff
Matters under Other Legislation [S. 239 (g)]	• Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)	• procedural matters • giving directions or instructions to staff
Information supplied in confidence by the federal government, provincial government or Crown agency [S. 239 (h)]	• information explicitly provided in confidence and in writing by the Government of Canada, a province or Crown Agency	• procedural matters • giving directions or instructions to staff
Trade secret or scientific, technical, commercial, financial or labour relations information supplied in confidence which, if disclosed, could interfere with contractual or other negotiations [S. 239 (i)]	• information explicitly provided in confidence that, upon review by senior Municipal staff or the Municipal Solicitor, is a trade secret or scientific, technical, commercial, financial or labour relations information that could interfere with negotiations	• procedural matters • giving directions or instructions to staff
Trade secret or scientific, technical, commercial or financial information belonging to the municipality which has monetary value [S. 239 (j)]	• information explicitly provided in confidence that, upon review by senior Municipal staff or the Municipal Solicitor, is a trade secret or scientific, technical, commercial or financial information that has monetary value or could be sold or exchanged for cash or something of value	• procedural matters • giving directions or instructions to staff
Position, plan, procedure, criteria or instruction to be applied to negotiations carried out by the municipality [S. 239 (k)]	• a position, plan, procedure, criteria or instruction directly related to negotiations carried out by the municipality	• procedural matters • giving directions or instructions to staff

Educating or training [Sec. 239 (3.1)]	• Council orientation • team building exercises • professional development	• no discussion or decisions that materially advance the business or decision-making of Council/Committee

Statutory Requirements for Closed Meetings

Pursuant to Section 239 of the Municipal Act:

- Before holding a Closed Meeting, Council must state, by resolution, the fact of the holding of the Closed Meeting and the general nature of the matter to be considered at the Closed Meeting.

- All resolutions, decisions, and other proceedings at Closed Meetings are to be recorded without note or comment by the Clerk or designate.

- Any person can request an investigation of whether the Municipality has complied with the Municipal Act regarding Closed Meetings.

    - The Integrity Commissioner has been appointed by the Municipality to investigate any such complaints.

    - All investigation reports are to be made available to the public.

Access Requests for Closed Meeting Reports and Materials

Reports and materials prepared for consideration at Closed Meetings are records that may be subject to Freedom of Information requests under the MFIPPA. While it would be desirable to protect the confidentiality of records that are considered at Closed Meetings, in the event of an appeal, the Municipality could be ordered to release such records.

The Municipality cannot refuse to disclose information provided in a Closed Meeting report simply on the basis that it was considered at a Closed Meeting. To qualify for exemption from disclosure, the information in the records has to reveal the actual substance of Council's deliberations. Content that would not reveal the substance of the deliberations may be subject to disclosure. Examples of records that may be subject to disclosure are:

- background or historical information;
- attachments;
- copies of correspondence and cover letters;
- scope, definition and purpose of report;
- recommendations;
- presentations; and
- statistical data.

Written material included in a Closed Meeting report should be limited to only information which would qualify for discussion at a Closed Meeting. If general context is required to frame the Closed Meeting discussion, it is recommended that it also be disclosed publicly by way of one of the recommended approaches identified below.

Closed Meeting Reports and Recommendations

Whenever possible, written Closed Meeting reports are preferred over verbal reports as the former provides for a more detailed account of the confidential record. Written reports also ensure that Council/Committee is prepared for any decisions they may need to consider in relation to a Closed Meeting discussion. It is also important to ensure that information which can be made available to the public is disclosed appropriately.

In a Closed Meeting, Council/Committee is only permitted to vote on procedural motions or to direct Municipal officers, agents or employees. No other decisions or approvals are permitted in a Closed Meeting. Many items, however, may be discussed in a Closed Meeting but cannot be voted on in a Closed Meeting. The following are best practices with respect to the consideration of an Open Meeting motion related to a matter discussed by Council/Committee in a Closed Meeting:

Option A: If a companion report appears on the accompanying Open Meeting agenda, a procedural motion can appear as part of a recommendation within a closed staff report to allow for the consideration of a related motion in an Open Meeting. In this case, the following clause should be added to the closed staff report prior to the motion which is to be voted on in an Open Meeting:

> That <Council or Committee> rise, report and introduce the following motion as part of the Open Meeting report entitled <title of report> appearing on the <meeting date> Council or> Committee agenda:
>
> That <staff recommendation>.

Option B: If there is no companion report appearing on the accompanying Open Meeting agenda, but the matter requires a resolution of Council/Committee at an Open Meeting, a procedural motion can appear as part of a recommendation within a closed staff report to allow for the consideration of a related motion in an Open Meeting. In this case, the following clause should be added to the closed staff report prior to the motion which is to be voted on in an Open Meeting:

> That <Council or Committee> rise, report and introduce the following motion as a Special Resolution at its <meeting date> meeting:
>
> That <staff recommendation>.

In order to ensure that there is appropriate context for the introduction of a motion as a Special Resolution, the Mayor or Municipal staff should consider presenting background information prior to Council's consideration of the motion.

Option C: If there is no companion report appearing on the accompanying Open Meeting agenda, and the recommendation does not require immediate action, direction can be given to staff to report back to a subsequent Open Meeting by way of a staff report. The following direction can appear as part of a recommendation within a closed staff report and be passed in the Closed Meeting:

1. That staff be directed to report back to the <date of report back> <Council or Committee> meeting in relation to the report titled <title of report> and dated <date of report>.

Closed Meeting Prelude

In order to remind the Members of Council/Committee of their obligations in Closed Meetings, the Chair or Clerk or designate shall read a script, included as Schedule A, detailing the Closed Meeting rules at the beginning of each Closed Meeting.

Public Disclosure

Pursuant to the Code of Conduct for Members of Council and Local Board, Members of Council shall not disclose or release information considered in a Closed Meeting. This is a standard practice established to protect the interests of both Council and the Municipality. However, if Council deems it desirable and appropriate that such information is released, Council may vote on a motion in a Closed Meeting to direct staff to make public all or part of a closed staff report. The following direction can be voted on in a Closed Meeting in order to disclose a Closed Meeting item:

1. That staff be directed to manage and coordinate the appropriate disclosure of information as it pertains to the <date of report> closed report entitled <title of report>.

The proposed communications strategy in relation to a Closed Meeting matter may be summarized in the staff report. Included in the communications strategy should be an explanation of the details/decisions that are being subsequently disclosed to the public, if any. Sharing the proposed communications strategy in advance will provide Council with the assurance that the public disclosure with respect to confidential matters will be managed appropriately and, with the support of Council, lead to a coordinated communication approach.

Although the information contained in closed staff reports may not be disclosed, the Municipal Act requires that public notice of Closed Meetings be provided for in a Procedural By-law. The Municipality's Procedural By-law requires that there be public notice of all Open and Closed Meetings and that the agenda, including all items to be dealt with at each meeting, be publicly posted and made available prior to the meeting.

Section 239 (7) of the Municipal Act states that the municipality:

> "…shall record without note of comment all resolutions, decisions and other proceedings at a meeting…"

In order to be accountable and transparent, and to inform the public about the matters dealt with in a Closed Meeting, Council/Committees shall begin all meetings in open session and pass a motion to move into a Closed Meeting. Once the matters in the Closed Meeting have been dealt with, Council/Committee shall reconvene in open session to disclose, in a general manner, how the agenda items were dealt with in the Closed Meeting. A sample Chair's script is included as Schedule B.

Addition of a Closed Meeting Item not on the Agenda

There are exceptional circumstances where items which appear on an Open Meeting agenda but not on a related Closed Meeting agenda must be discussed in a Closed Meeting. This typically occurs when the discussion regarding an Open Meeting item cannot be continued without disclosing confidential information. In this circumstance the following motion can be voted on in an Open Meeting in order for Council to convene a Closed Meeting:

1. That the Council of the Municipality of South Huron now hold a meeting that is closed to the public pursuant to Section 239 <relevant subsection> of the Municipal Act to discuss <topic,

subject area or report title>.

Attendance at a Closed Meeting

Unless otherwise directed by Council/Committee, attendance at Closed Meetings is limited to the Chief Administrative Officer, Clerk and/or their designate, and other staff at the discretion of the Chief Administrative Officer. Staff are to remain outside the Closed Meeting room until called to speak to their specific agenda item. Staff should vacate the meeting once that matter has been dealt with by Council/Committee.

Schedule A to Closed Meeting Protocol

Chair's Script at the Beginning of Closed Meetings

Please be advised that we are meeting in a closed meeting as permitted in subsections 239 (2) and (3) of the Municipal Act to discuss <identify the specific open meeting exceptions as listed on the meeting agenda>:

(a) security of municipal property;
(b) personal matters about an identifiable individual;
(c) a proposed or pending acquisition or disposition of land;
(d) labour relations or employee negotiations;
(e) litigation or potential litigation;
(f) advice that is subject to solicitor-client privilege;
(g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
(h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
(i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
(j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

Only those matters pertaining to the sections of the Municipal Act already mentioned may be discussed. Any other matters related to the subject at hand that do not relate to these open meeting exceptions cannot be discussed. Closed meeting matters shall not be discussed either before or after the closed meeting with any person not related to the subject matter. I will be verbally reporting out in a general sense on all items in this closed agenda when we move into open session. As per the Procedural By-law please turn off any electronic devices while attending this meeting.

Schedule B to Closed Meeting Protocol

Chair's Script when Reporting from a Closed Meeting to an Open Meeting

Council moved a Motion to proceed into a closed meeting to consider business as permitted under the Municipal Act and as listed on today's meeting agenda. The following items were considered during closed session.

In the continuing interest of transparency, I will be reporting at this open meeting the outcomes from today's closed meeting.

At today's closed meeting the following items were considered:

> List the items discussed in the closed meeting as they appear on the meeting agenda and, following each item, provide a description of what occurred.
>
> Examples:
>
> Minutes
> Council approved the closed meeting minutes of the <meeting dates > Council/Committee meetings.
>
> Citizen Appointments
> Council voted to bring forward a motion to be considered at today's open meeting. That motion will be voted on later in this meeting.
>
> Legal Update
> Council received information regarding the <legal case>.
>
> Land Purchases
> There was direction given to staff regarding this item.

Appendix 2 to By-law 63-2026 – Procedural By-law - Quick Reference Motions Table

Motion	Debatable	Non-debatable	Amendable	Non-amendable	Special Majority
Adjourn	No	Yes	No	Yes	
Point of privilege	No	Yes	No	Yes	Chair Rules*
Point of order	No	Yes	No	Yes	Chair Rules*
Call a vote on the motion	No	Yes	No	Yes	
Motion to amend	Yes	No	Yes	No	
Defer	No	Yes	No	Yes	
Refer	Yes	No	Yes	No	
Extend Council meeting & Committee of the Whole meeting beyond curfew	Yes	No	No	Yes	Unanimous
Reconsideration	Yes	No	No	Yes	Two- thirds of entire Members of Council
Appeal the chair's ruling	No	Yes	No	Yes	
Suspend the Rules of Procedure	No	Yes	No	Yes	Two- thirds of entire Members of Council
Extend delegation speaking time beyond the five or ten minutes, whichever is applicable	No	Yes	No	Yes	

* A point of order/privilege is ruled on by the Mayor/chair. Any member may appeal the chair's ruling which must then be decided by a majority vote of the members present without debate.

Appendix 3 to By-Law 63-2026 - Procedural By-law - Strong Mayor Powers

The following excerpts from the Municipal Act (the "Act"), pertaining to the exercise of the Special Powers and duties provided to the Mayor as the Head of Council for the Municipality of South Huron , and the provisions that follow, are provided to inform Council and the public on the process to be carried out when the Special Powers are utilized. These Special Powers, commonly referred to as "Strong Mayor Powers", are exercised under provincial legislation and take precedence over the normal rules of procedure outlined in this By- law, where applicable.

1. Directions to municipal employees - Excerpt from the Municipal Act:

284.3 For the purposes of exercising powers or performing duties under this Part, the head of council may, in writing, exercise the powers of the municipality to direct municipal employees to,

(a) undertake research and provide advice to the head of council and the municipality on policies and programs of the municipality or of the head of council as they relate to the powers and duties under this Part; and

(b) carry out duties related to the exercise of the power or performance of the duty, including implementing any decisions made by the head of council under this Part.

Procedural Provisions:

1.1 Should the Powers granted under section 284.3 of the Act be exercised, Direction to staff under the Strong Mayor Powers shall be in writing through a Mayoral Direction and provided to the Clerk and the CAO by the next business day for circulation to all Members of Council, and posting on the Municipal website.

1.2 Direction to staff by the Mayor under this power to undertake research and provide advice, may include but are not limited to direction that staff report back and/or bring forward recommendations on a particular matter.

1.3 Should there be a By-law associated with the staff report and the Mayor indicates that the proposed By-law is being presented in accordance with subsection 284.11.1 of the Act, this will be indicated in the staff report and on the Council agenda in which the By-law is being presented.

1.4 In accordance with subsection 284.11.1(2) of the Act, Council is required to consider and vote on a By-law presented by the Mayor under the Strong Mayor Powers, and the By-law requires only one-third of the Members of Council (3 Members) to be adopted.

2. Powers regarding committees - Excerpt from the Municipal Act:

284.8 Subject to the regulations, if any, the following powers of the municipality with respect to prescribed committees, or committees within a prescribed class of committees, are assigned to the head of council:

1. The power to establish or dissolve committees.
2. The power to appoint chairs and vice-chairs of committees.
3. The power to assign functions to committees.

Procedural Provisions:

2.1 The Powers provided under subsection 284.8, and in accordance with O. Reg. 530/22, relate only to those committees that consist solely of Members of Council, however does not apply to the Municipal Committee of Adjustment or Court of Revision.

2.2 Under the Act, the Mayor may choose to delegate these Powers, and if delegated, they may only be delegated to Council.

3. Powers regarding meetings - Excerpt from the Municipal Act:

284.10 (1) Despite any procedure by-law passed by the municipality under subsection 238 (2), if the head of council is of the opinion that considering a particular matter could potentially advance a prescribed provincial priority, the head of council may require the council to consider the matter at a meeting.

Procedural Provisions:

3.1 Under subsection 284.10(2) of the Act, “meeting” has the same meaning as in subsection 238(1) of the Act and “Meeting” has the same meaning in this By-law.

3.2 The manner in which a matter may be brought forward by the Mayor under this section is not prescribed in the Act.

3.3 The matter could be verbal or written, and Council is required to consider the matter, which would occur at a Council Meeting. Despite the provisions of this By-law, a matter introduced by the Mayor under their Special Powers shall be heard under “New Business” section of a Council Agenda. If the matter is provided to the Clerk prior to the publication of an agenda, the Clerk shall place the matter on the agenda as noted above.

3.4 As stated in the Act, the matter may be introduced despite any procedure by-law adopted by the municipality and there is no requirement for a suspension of the rules to be made to introduce the matter.

3.5 This special power allows for the Mayor to require Council to consider a matter, however, the disposal of the matter would be by way of a vote of Council and would require a majority of the members present at the Meeting to pass unless otherwise provided in this By-law.

3.6 Despite Section 13.8 of this By-law, the matter being presented by the Mayor under the Special Powers is not required to have a mover or seconder and shall be voted on at the request of the Mayor.

3.7 Any attempts to amend a matter proposed by the Mayor or propose a motion to refer or defer the matter shall require a mover and seconder and a majority vote of the Members present to pass unless otherwise provided in this By-law.

4. Veto powers - Excerpt from the Municipal Act:

284.11 (1) This section applies with respect to by-laws under,

(a) this Act and the regulations, other than under any prescribed section;

(b) the *Planning Act* and its regulations, other than any prescribed section; and

(c) any other prescribed Act or regulation or prescribed section of an Act or regulation.

(2) Despite any procedure by-law passed by the municipality under subsection 238 (2) and subject to subsection (3) of this section, if the head of council is of the opinion that all or part of a by-law that is subject to this section could potentially interfere with a prescribed provincial priority, the head of council may provide written notice to the council of the intent to consider vetoing the by-law.

Procedural Provisions:

4.1 The following clause is included at the bottom of every municipal bylaw "By signing this By-Law on {insert date} Mayor {insert name} will not exercise the power to veto this By-Law as provided for under 284.11 of the Municipal Act." Once the by-law has been signed it is deemed to be passed.

4.2 If the Mayor chooses not to sign a by-law, or decides to exercise the special power of vetoing a By-law, the Mayor shall, in accordance with the Act, provide the intent to veto in a written veto document after the Meeting in which the By-law(s) was passed.

4.3 The Act requires the Mayor to give written notice of their intent to veto a by- law on or before the earlier of 2 days after the day Council voted in favour of the by-law.

4.4 The written intent to veto a By-law shall be provided to the Clerk, the CAO, all Members of Council, and posted publicly on the Municipal website.

4.5 After the Mayor provides notice of their intent to veto a By-law, the Mayor has 14 days after the day Council voted in favour of the by-law to provide the Clerk with a written veto document.

4.6 The written veto document must include the veto and the reasons for the veto.

4.7 The Clerk shall provide the veto document to all Members of Council, the CAO, and the public, by the next business day after it is received.

4.8 If the Mayor vetoes a by-law, the by-law is deemed not to have been passed by Council.

4.9 Use of the veto Powers to veto a confirmatory by-law shall not negate all other proceedings or items that were adopted under such by-law except those that in the opinion of the Mayor could potentially interfere with a prescribed provincial priority. In such cases, all other matters aside from the one being vetoed, that were confirmed under the Confirmatory By-law for that Meeting, shall be carried out.

4.10 Within 21 days after the day the Clerk provides the written veto document to Council, the CAO, and the public, Council may override the Mayor's veto if Two-Thirds of the Members of Council vote in

favour of the override. Note: the legislation does not refer to Members of Council present and voting, but Members of Council as a whole. Two-Thirds of the total number of Members of Council equates to 5 of the 7 Members of South Huron Council.

4.11 The Mayor may vote as a Member of Council in a vote to override a veto.

4.12 If the override of the Mayor's veto passes by the required Two-Thirds majority vote, the by-law shall be deemed to have passed on the day the Council votes to override the veto.

4.13 If the Mayor's veto is not overridden, the by-law shall be deemed not to have been passed by Council, and it shall be indicated as such on the By- law for record keeping purposes.

4.14 If any of the timelines noted above expire, (e.g. the 2 days for the Mayor to give intent to veto, or the 14 days whereby the veto and the reasons for the veto are to be given to the Clerk), the Mayor may not exercise their power to veto the By-law, and the By-law is deemed to be adopted by the municipality on the day after the respective timeline has expired, and the by-law will be signed by the Mayor following the removal of the clause mentioned in 4.01.

4.15 Should Members of Council wish to attempt to override the Mayor's veto of a By-law, the matter would be carried out at a Special Meeting of Council. The calling of such Special Meeting would be either by the Mayor, or by way of a petition of a majority of the Members of Council.

4.16 The Clerk shall have the authority to amend the effective date of a by-law if necessary, should the Mayor exercise their power to veto the by-law and/or Council successfully overrides the Mayor's veto.

5. Powers regarding by-laws - Excerpt from the Municipal Act:

284.11.1 (1) This section applies with respect to by-laws under,

(a) this Act and the regulations, other than under any prescribed section;

(b) the *Planning Act* and its regulations, other than under any prescribed section; and

(c) any other prescribed Act or regulation or prescribed section of an Act or regulation.

(2) Despite any procedure by-law passed by the municipality under subsection 238 (2) and subject to any prescribed requirements, if the head of council is of the opinion that a by-law could potentially advance a prescribed provincial priority, the head of council may propose the by-law to the council and require the council to consider and vote on the proposed by-law at a meeting.

(3) The head of council shall, in accordance with the regulations, provide to the clerk and to each member of council,

(a) a copy of any by-law proposed under subsection (2); and
(b) the head of council's reasons for the proposal.

(4) Despite any procedure by-law passed by the municipality under subsection 238 (2) and despite section 245, a by-law described in subsection (2) is passed if

more than one third of the members of council vote in favour of the by-law.

(5) For greater certainty, the head of council may vote as a member of council in a vote to pass a by-law described in subsection (2).

Procedural Provisions:

5.1 Subsection 284.11.1 provides a special power for the Mayor to propose a by-law if in their opinion, it could potentially advance a prescribed provincial priority as described in O. Reg. 580/22.

5.2 In such instances, the Act requires that Council not only consider the by- law, but that they must vote on the proposed by-law.

5.3 In introducing a By-law, the Mayor must provide a copy of the by-law to the Clerk and all Members of Council along with the reasons for its proposal.

5.4 If the by-law can be provided to the Clerk prior to a Council Meeting, the Clerk shall include the proposed By-law on the appropriate Council agenda under the By-laws section with a notation that the By-law is being introduced under subsection 284.11.1 of the Act.

5.5 A by-law introduced under this special power is passed if more than one- third of the Members of Council vote in favour of the by-law. Despite Section 13.8 of this By-law, there is no requirement for the By-law to be moved or seconded prior to it going to a vote. The Council shall vote on the proposed by-law at the request of the Mayor.

5.6 As noted above in Section 4, Veto Powers, the legislation does not refer to Members of Council present and voting, but Members of Council as a whole. This results in the need for at least 3 of the 7 Members of South Huron Council to vote in favour of passing the by-law.

5.7 The Mayor may vote as a Member of Council in a vote to adopt a by-law proposed under this section of the Act.

5.8 Despite the need for only one-third of the Members to vote in favour of the by-law, the by-law must still be considered at a proper Meeting of Council which requires the need to obtain quorum to hold such meeting (4 of 7 Members).

5.9 The Special Powers under 284.11 of the Act do not apply to by-laws under Sections 238 (Procedure By-law), 290 (yearly budget for local municipalities), and 263 (filling vacancies on Council) of the Act.

5.10 A by-law presented under the Strong Mayor Powers cannot be deferred, referred, tabled, or amended and until a vote is taken on the by-law, a motion to adjourn would not be in order.

5.11 The Clerk shall have the authority to amend the effective date of a by-law if necessary, should there be a need to wait for the mandatory two days for the Mayor to give notice of their intent to veto the by-law.

6. Immunity - Excerpt from the Municipal Act:

284.14 A decision made, or a veto power or other power exercised, legally and in good faith under this part shall not be quashed or open to review in whole or

in part by any court because of the unreasonableness or supposed unreasonableness of the decision or exercise of the veto power or other power.

Procedural Provisions:

6.1 Throughout the parts of the Act pertaining to Strong Mayor Powers, there are instances that speak to the use of the Powers if the Head of Council is of the opinion that it could advance or interfere with the Provincial Priorities as set out in O. Reg. 580/22.

6.2 The Mayor as the Head of Council is the only individual who can decide how and when to exercise the Special Powers and there is no appeal process if a member of the public, staff or Council disagrees.

7. Powers and duties regarding budget - Excerpt from the Municipal Act:

284.16 (1) In accordance with this section and subject to the regulations, the powers and duties of a municipality with respect to proposing and adopting a budget are assigned to the head of council of the municipality.

(2) The head of council shall, in accordance with the regulations, prepare a proposed budget for the municipality and provide the proposed budget to the council for the council's consideration.

Procedural Provisions:

7.1 In order to exercise the Special Powers relating to preparing and proposing a budget, the budget must be provided to all Members of Council, the Clerk and the public on or before February 1st of each year. The direction for staff to prepare the budget for the Mayor's consideration, shall be communicated by way of a Mayoral Direction that shall be provided to Members of Council, the CAO, the Clerk, and posted publicly on the Municipal website.

7.2 Should the Mayor not exercise their Powers to prepare and propose a budget by February 1st, they lose their Powers to veto any budget recommendations/ decisions adopted by Council for that particular annual budget.

7.3 Should the Mayor have a conflict under the *Municipal Conflict of Interest Act* (MCIA) on a part of the budget, they are prohibited from using their Special Powers with respect to the matter in which they have the conflict. In these instances, Council would have control over the section of the budget in which the Mayor declares a conflict and Council may dispose of that section of the budget as it deems appropriate and the Mayor cannot veto the resolution in which they have declared a conflict.

7.4 After receiving the proposed budget, and within 30 days, Council may pass resolution(s) to make an amendment(s) to the proposed budget. The 30-day time frame may be shortened by a resolution of the majority of the Members of Council at a Meeting.

7.5 Members of Council looking to bring forward an amendment(s) to the budget shall do so in writing on the Proposed Amendment Form prescribed by the Clerk. Any proposed amendment(s) to the budget must be discussed with the CAO and Treasurer and any other

relevant staff and any financial impacts of the proposed amendment must be included on the Amendment Form.

7.6 The amendment(s) would be considered and disposed of at a Regular or Special Meeting (Budget) and amendments to the proposed budget would require a majority vote of the Members present and voting to be carried.

7.7 If Council does not propose an amendment within 30 days of receiving the proposed budget, the budget is deemed to be adopted by the municipality.

7.8 Following the 30 day amendment period, the Mayor may veto any amendment resolution(s).

7.9 To exercise this special power of vetoing a budget resolution(s), the Mayor must, within 10 days after the expiry of the time period for Council to pass a resolution to amend the budget, or the shortened timeframe approved by Council, provide a written veto document that includes the veto and the reasons for the veto. The veto document shall be provided to the Clerk, CAO, and each Member of Council. The 10-day timeframe may be shortened by the Mayor if provided in writing through a Mayoral Decision which shall be provided to each Member of Council, the CAO, and the Clerk and posted publicly on the Municipal website.

7.10 If the Mayor vetoes a budget resolution, the resolution shall be deemed not to have been passed by Council. If the Mayor does not veto a budget resolution, within 10 days, or the shorter period if set by the Mayor, the resolution stands and the amended budget is deemed adopted by the municipality.

7.11 In accordance with the Act, and if the Mayor exercises their right to veto, the veto may be overridden if Two-Thirds of the Members of Council (5 Members) vote to override it. A resolution to override the Mayor's veto must be done within 15 days after the expiry of the time period for the Mayor to veto a budget resolution, or the shortened timeframe as the case may be.

7.12 The 15-day timeframe may be shortened by resolution of the majority of the Members of Council at a Meeting.

7.13 The attempt to override a veto of a budget resolution would be carried out at a Regular Meeting or Special Meeting of Council (called either by the Mayor or by way of a petition of a majority of the Members of Council) in accordance with Section 4.4 of this By-law. As noted in earlier sections of this Schedule, the legislation does not refer to Members present and voting, but Members of Council as a whole. To obtain the required Two-Thirds vote, 5 of the 7 Members of South Huron Council would need to vote in favour to override the Mayor's veto. The Mayor may vote as a Member of Council in a vote to override a veto.

7.14 If the veto of a resolution to amend the budget is not successfully overridden by Council, the budget is deemed to be adopted and the resolution to amend the budget shall be deemed not to have been passed by Council.

7.15 If the veto of a resolution to amend the budget is successfully overridden by Council, the budget is deemed to be adopted including the amendment resolution.

8. General

a) The use of the Special Powers and duties of the Mayor pertaining to the requirement for Council to consider a matter, consider and vote on a by-law, or to veto a by-law, are to be in keeping with the Provincial Priorities set out in O. Reg. 580/22.
b) Suspension of the rules of procedure does not apply to the use of the Strong Mayor Powers.
c) If the Mayor exercises a power or performs a duty under the Special Powers of the Act, they shall do so in accordance with the Regulations.
d) In the spirit of transparency, all Mayoral Directions and Decisions shall be posted publicly on the Municipal website subject to any exceptions under the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA).
e) The Mayor may delegate their Powers and duties with respect to the Chief Administrative Officer and Committees only to Council.
f) The Mayor may delegate their Powers and duties with respect to the organizational structure of the municipality to Council or the Chief Administrative Officer if one is appointed.
g) Should the Mayor be in the Chair, and wish to utilize their Special Powers to introduce a matter, they are not required to vacate the Chair as outlined in Section 12.3 of this By-law.
h) The additional Powers and duties bestowed upon the Head of Council under the Act are not transferable and do not apply to a Deputy Mayor, Acting Mayor, or any other Member of Council as the case may be.
i) Should a vacancy occur in the Office of the Head of Council, in accordance with the Act, the vacancy shall be filled through a by-election under the *Municipal Elections Act* and the Strong Mayor Powers would then be afforded to the newly elected Head of Council.
j) Notwithstanding clause i) above, if the vacancy occurs after March 31st in the year of a regular election, the municipality shall fill the vacancy by appointing a person who has consented to accept the office if appointed. The Special Powers and duties in this instance shall not be given to the newly appointed Mayor or to the Council, and are therefore not allowed to be exercised until a new head of council is duly elected in the next regular election.