

CORPORATION OF THE TOWN OF PLYMPTON-WYOMING

BY-LAW Number 74 of 2023

Being a by-law to govern the proceedings of the Council of the Corporation of the Town of Plympton-Wyoming and all of its Committees, the calling of meetings and the conduct of its members

WHEREAS Section 238(2) of the Municipal Act, S.O. 2001, c.25, as amended, provides that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings; and

WHEREAS the Council of the Corporation of the Town of Plympton-Wyoming deems it expedient to pass such a by-law;

NOW THEREFORE the Council of the Corporation of the Town of Plympton-Wyoming enacts as follows:

INDEX

1. Definitions
2. General Provisions
3. Council Meetings
4. Electronic Participation at Meetings
5. Council Meeting Agendas
6. Open & Closed Meeting Provisions
7. Delegations
8. Duties of the Presiding Officer
9. Duties and Privileges of Members
10. Electronic Devices in Council Chambers
11. Motions and Amendments
12. Rules of Debate
13. Taking the Vote
14. Reconsideration
15. Minutes
16. Committees
17. Reading of By-laws and Proceeding Theron
18. Severability
19. Short Title
20. By-laws Repealed
21. Effective Date

1. DEFINITIONS

In this by-law:

Abstain shall mean a member who is lawfully entitled to vote but chooses not to exercise their right to vote on a matter. When a member abstains from a vote without declaring a pecuniary interest they will be counted as opposed to the motion.

Chair means the person presiding over a committee or board meeting and who is charged with deciding questions and points of order or practice, preserving order and maintaining decorum in the proceedings.

Clerk means the Clerk of the Corporation of the Town of Plympton-Wyoming.

Closed Session means a meeting or portion thereof closed to the public in accordance with Section 239 of the Municipal Act and section 6 of this By-law.

Committee means a committee established by Council.

Council means the Council of the Corporation of the Town of Plympton-Wyoming.

Conflict of Interest shall mean a pecuniary interest as defined in the Municipal Conflict of Interest Act.

Delegation shall mean a fifteen (15) minute address to Council or a Committee at the written request of a person or persons wishing to speak who are not Members of Council or Municipal employees.

Deputy Mayor shall mean the member of Council elected or acclaimed at large during a regular municipal election, or by-election.

Electronic Meeting means a meeting called by the Mayor and held in full or in part through such electronic means selected by the Mayor, in consultation with the Clerk, taking into account the Town of Plympton-Wyoming's resources.

Electronic Means includes such electronic method selected by the Mayor, in consultation with the Clerk, taking into account the Town of Plympton-Wyoming's resources, which may include, but not be limited to, audio telephone conference, video telephone conference, or online resources through the Internet or otherwise via the Internet such as, but not limited to, Microsoft Teams and/or Zoom.

Ex Officio member shall mean a member who has all of the rights and privileges of membership, including the right to vote, but does not count towards quorum.

Head of Council means the Mayor of the Corporation of the Town of Plympton-Wyoming and who shall act as Presiding Officer at all meetings of Council.

Local Board means any body established by municipal by-law as prescribed by Provincial statute, with members to be appointed by by-law to address matters relevant to their portfolio and statutory mandate, and to provide advice to Council on similar matters.

Mayor is the Mayor of the Town of Plympton-Wyoming.

Meeting means any regular, special or other meeting of Council, of a Local Board or of a Committee.

Member means a member of Council, Local Board and Committee.

“Motion” shall mean a proposal for a specific action moved by a Member in Council or Committee and marks the beginning of consideration of a subject to deal with a matter before Council or a Committee.

“Presiding Officer” means the Mayor of the Corporation of the Town of Plympton-Wyoming who is charged with deciding questions and points of order or practice, preserving order and maintaining decorum in the proceedings at all meetings of Council.

“Recorded Vote” means the recording of the name and vote of every member voting on any matter or question during a meeting when requested by a Council member

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

“Quorum” means the majority of the members.

2 GENERAL PROVISIONS

- 2.1 The rules and regulations of procedure contained in this by-law shall be observed in the proceedings of Council, Committees or Local Boards and shall be the rules and regulations for the order and dispatch of business, except where such Committee or Local Board has established its own procedures.
- 2.2 Any proceedings not specifically governed by the provisions of this by-law shall be regulated in accordance with Robert’s Rules of Order.
- 2.3 In such cases of procedure that require the arbitration of the Presiding Officer of the meeting, the decision of the Presiding Officer shall be final and accepted without debate, subject only to an appeal to the majority of Council, Committee or Local Board.
- 2.4 Any materials to be distributed to Council shall be given to the Clerk for said purpose. During a session of the Council no person but a member thereof shall be allowed to come or approach beyond the Delegation Table without permission from the Presiding Officer.
- 2.5 No person present at a meeting of Council, Committee or Local Board shall speak or behave in a riotous, disorderly, or unseemly manner, or otherwise disturb or interrupt the proceedings of the Council and any person who shall contravene this provision shall be deemed guilty of improper conduct and a breach of this by-law.
- 2.6 Any rules or regulations contained in this by-law may be suspended with the consent of the majority of the members.
- 2.7 The Deputy Mayor shall act in the place of the Mayor when the Mayor is absent or refuses to act or the office is vacant, and while so acting the Deputy Mayor shall have all the powers and duties of the Mayor. The Deputy Mayor shall fill the Mayor’s position immediately if the position becomes vacant.
- 2.8 In the event that the Deputy Mayor is unable, for any reason, to act in the place of the Mayor, a member shall be appointed pursuant to subsection 226 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, to act from time to time as the head of Council.
- 2.9 The office of a Member of Council becomes vacant if the Member has been absent from meetings of the Council for three successive months without being authorized to do so by a resolution of the Council and recorded in the minutes.

3 COUNCIL MEETINGS

- 3.1 Prior to December each year, the Clerk shall prepare and submit a schedule of Council meeting dates for the next year for consideration by Council. Once approved, the schedule shall be posted on the municipal website.
- 3.2 Generally, a Regular Council meeting shall be held at 5 p.m. on the second Wednesday of each month and at 5 p.m. on the final Wednesday of each month. In addition, a Planning Council Meeting shall generally be held at 5 p.m. on the final Monday of the month. If the regularly scheduled meeting falls on a statutory holiday, the meeting will be held as scheduled otherwise by Council. Meetings shall be held at the Town of Plympton-Wyoming Council Chambers located at 546 Niagara Street, Wyoming Ontario, unless the meeting is otherwise required to be held at an alternate location, of which the address would be provided on the Agenda.
- 3.3 All open session Committee and Council meetings will be streamed live and recorded. Recordings will be accessible to the public on the Town's YouTube channel immediately after the live stream has ended and will remain on the Town's YouTube channel for a period not to exceed one (1) year with a rolling deletion. At the discretion of the Chair or the Clerk or designate, some meetings may not be streamed and recorded due specific circumstances.
- 3.4 A majority of the voting members shall constitute a quorum. As the Council of the Corporation of the Town of Plympton-Wyoming is comprised of seven (7) members, four (4) members must be present to constitute a quorum.
- 3.5 As soon after the hour fixed for the meeting as there is a quorum present, the Presiding Officer shall call the members to order.
- 3.6 If there is no quorum present within one-half hour after the time fixed for the meeting, the Clerk or designate shall record the names of the members of the Council present and the meeting shall stand adjourned until the next scheduled meeting day.
- 3.7 Meetings shall commence at 5:00 p.m. and adjourn at 9:00 p.m. Meetings shall stand adjourned at 9:00 p.m., whether or not the business is concluded, unless a majority of Council votes in favour of extending the hour to complete the business of the day. Public Meetings shall commence at 6:00 p.m.
- 3.8 The Mayor at any time may summon a special meeting of Council, subject only to twenty-four (24) hours' notice being provided to all members by the Clerk or designate. In the event of an emergency, the twenty-four (24) hour notice requirement can be waived at the discretion of the Clerk or designate.
- 3.9 The Clerk or designate shall summon a special meeting of Council upon receipt of a petition of the majority of the members of Council, for the purpose and at the time mentioned in the petition, provided that at least twenty-four (24) hours' notice of the meeting is given to all members by the Clerk or designate.
- 3.10 Notice of any change in meeting schedule or cancellation of meeting will be posted on the municipal website.
- 3.11 For workshops, training or information sessions, the C.A.O. will provide members with notice for such event setting out the time, place, format and content; and it is understood that no decision shall be made at these sessions, nor direction be given to staff; and that any decision to be made as a result of information shared at the event will be made through a staff report and considered at an open Council meeting.

4 ELECTRONIC PARTICIPATION AT MEETINGS

- 4.1 Although Members are generally expected to attend Council / Committee meetings in person it is understood that, for various reasons, a Member(s) may not be capable

of so attending. Member(s) may participate in any meeting of Council and/or its committees by Electronic Means by accessing the meeting through the electronic access particulars, such as conference call number and/or online link, provided by the Clerk, to Council Members for such purposes. These Rules shall apply to the Member as if the Member were attending the meeting in person.

- 4.2 Notwithstanding any other Part hereof, at the call of the Mayor a regular or a special or an emergency meeting of Council (including, for greater certainty, any Committee meeting) may be conducted by Electronic Meeting.
- 4.3 A Member attending and present during an Electronic Meeting shall be counted for purposes of quorum at the commencement and at any point in time during the Meeting and shall be entitled to vote through a vote recorded by the Clerk as if they were attending the Meeting in person.
- 4.4 An Electronic Meeting may include a Closed Meeting, which shall be conducted with members of the public excluded therefrom and in accordance with this Part.
- 4.5 When reasonably available to do so, taking into account the Town of Plympton-Wyoming's resources, a public notice of an Electronic Meeting shall include sufficient information so as to provide the public with the ability to reasonably access and/or otherwise observe, by such means identified in the notice, the open session of the Electronic Meeting.
- 4.6 Despite any other Part hereof any person desiring to present verbally to, or to make a request of, or present correspondence to, Council at and/or during an Electronic Meeting, shall first give the requisite notice thereof to the Clerk and meet all other requirements of these Rules of Procedure, and provided such requirements have been met, shall be permitted to make such presentation either in person or electronically.

5 COUNCIL MEETING AGENDAS

- 5.1 Any member of Council, Committee, or municipal staff may file with the Clerk or designate an item for inclusion on the agenda prior to 12:00 p.m. on the Tuesday the week prior to Regular meeting of Council and prior to 12:00 p.m. on the Monday the week prior to a Planning meeting of Council.
- 5.2 The business of the Council shall be taken up in the following order:
 1. Call to Order
 2. Land Acknowledgement
 3. Declaration of pecuniary interest or conflict of interest
 4. Delegations (in accordance with section 7 of this by-law)
 5. Business Arising
 6. Adoption of Meeting Minutes:
 - Council and Committees
 - Councillor's Reports
 7. Accounts
 8. Staff Reports
 9. By-laws
 10. Correspondence – Action-Required Items
 11. Correspondence – Recommended Reading & Information Items
(Including any minutes provided to the Town from external Committee's where Council members sit as representatives)
 12. New Business
 13. Closed Meeting Session
 14. Approval of Confirming By-law
 15. Adjournment
- 5.3 The order of business may be adjusted on the agenda to facilitate the participation in the meeting of the members of the public, when appropriate.

- 5.4 All motions called in pursuance of the agenda and not addressed shall be placed on the agenda for the next meeting unless otherwise decided by Council.
- 5.5 The full agenda package will be available to the Public and members of Council on Wednesday the week prior to the scheduled Planning Meeting and on Friday the week prior to the scheduled Regular Council Meeting.
- 5.6 Amendments may be made to Council agendas up to, but no later than, twenty-four (24) hours before the scheduled meeting. All amendments will be noted on the agenda and made available to Council and the public (through the Town's website), immediately upon changes being finalized.
- 5.7 Addendums, in the form of a Supplementary Agenda may be added to Council agendas up to, but no later than, twenty-four (24) hours before the scheduled meeting. Efforts will be made by all staff to limit late addendums, where possible. All addendums will be noted on the agenda and made available to Council and the public through the Town's website.

6 OPEN & CLOSED MEETING PROVISIONS

- 6.1 Except as provided in Sections 6.2, 6.3 and 6.4, all meetings shall be open to the public.
- 6.2 A meeting or part of a meeting may be closed to the public if the subject matter being considered is:
 - 1. the security of the property of the municipality or local board;
 - 2. personal matters about an identifiable individual, including municipal or local board employees;
 - 3. a proposed or pending acquisition or disposition of land by the municipality or local board;
 - 4. labour relations or employee negotiations;
 - 5. litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - 6. advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - 7. a matter in respect of which a council, board, committee, or other body may hold a closed meeting under another Act.
 - 8. 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;
 - 9. 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;
 - 10. 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;
 - 11. 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.
- 6.3 A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act* if the Council, Local Board, Committee or other body is the head of an institution for the purposes of that Act.
- 6.4 A meeting of a Council or Local Board or of a Committee may be closed to the public if the following conditions are both satisfied:

1. The meeting is held for the purpose of educating or training the members; and
 2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council, Local Board or Committee.
- 6.5 Council may schedule a closed meeting to commence prior to the scheduled meeting of Council. Notice of the closed meeting shall be included with the agenda.
- 6.6 Before holding a meeting or part of meeting that is to be closed to the public, the Council or Local Board or Committee shall state by resolution:
1. the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting; or
 2. in the case of a meeting under Section 6.4, the fact of the holding of the closed meeting, the general nature of its subject-matter and that it is to be closed under that Section.
- 6.7 Subject to Section 6.8, a meeting shall not be closed to the public during the taking of a vote.
- 6.8 Despite Section 244 of the Municipal Act, a meeting may be closed to the public during a vote if:
1. Section 6.2 or 6.3 permits or requires the meeting to be closed to the public; and
 2. the vote is for a procedural matter or giving directions or instructions to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under a contract with the municipality or local board.
- 6.9 The rules of Council shall be observed in closed meetings so far as may be applicable.
- 6.10 After consideration of a matter in the closed session, and the report from the closed session is in the possession of Council, any resulting action of Council by way of resolution or by-law of the Corporation shall be debated and voted upon in a public session, unless the subject matter under consideration must remain confidential as it pertains to issues noted in Section 6.2 and 6.3 and 6.4.
- 6.11 No member or other person attending a closed session shall without the authorization of Council, release confidential reports or information considered at a closed meeting, or discuss the content of such reports or information with persons other than members of Council or appropriate municipal staff members and/or agents of Council concerned with the reports or information.
- 6.12 Council does not hear delegations or meet with any person or representative of any organization while in closed meetings. Though a written request or information may be provided to Council for consideration at a closed meeting. If Council is acting as an appeal body this section does not apply.

7 DELEGATIONS

- 7.1 Persons or groups wanting to appear before Council shall advise the Clerk or designate no later than 4:00 p.m. on the Tuesday the week prior to the meeting and shall provide a written submission detailing the nature of the request to Council for inclusion in the agenda package.
- 7.2 Persons or groups making a presentation shall be limited in speaking to not more than fifteen (15) minutes. A person may speak longer than fifteen (15) minutes if granted leave by the Presiding Officer.
- 7.3 All such persons desiring to make a presentation to Council shall, in writing, identify who they are as well as which group or organization, if any, they claim to represent or be a member of, vis-à-vis the topic of their presentation.

- 7.4 All references in this section to “persons” shall also include, where appropriate, reference to “group” or “organization” so that where there is a number of persons who wish to speak who are all part of the same group or organization, the group or organization shall only be permitted one spokesperson, unless permission to speak by other members of the group or organization is otherwise granted by the Presiding Officer or by motion of Council.
- 7.5 Subject to Section 7.6, no person shall be permitted to speak to Council more than once on the same topic without the prior permission of the Presiding Officer. Such permission is to be sought no later than 4:00 p.m. on the Tuesday the week prior to the Council meeting or by motion of Council where special circumstances so warrant.
- 7.6 No person shall be permitted to address Council regarding a position previously adopted by Council without a motion of reconsideration.
- 7.7 Any person wishing to present correspondence directly to Council shall do so through the Clerk’s office no later than 4:00 p.m. on Tuesday, the week prior to the Council meeting.
- 7.8 No person shall be permitted as a delegate to Council if the purpose of the delegation is to speak regarding a tender or request for proposal which is either proposed, pending, or before Council or a Committee of Council for its consideration.
- 7.9 No person shall be permitted as a delegate to Council if the purpose of the delegation is to speak regarding litigation, labour relations, insurance claims or contract negotiations.

8 DUTIES OF THE PRESIDING OFFICER

- 8.1 The Presiding Officer may speak to any question.
- 8.2 When the Presiding Officer is called upon to decide a point of order or procedure, he/she shall state his/her ruling, and if an objection is made to the ruling, he/she shall submit it to a vote of the Council without debate in the following words: “Shall the ruling of the Presiding Officer be sustained?” and the decision of Council shall be final.
- 8.3 When two (2) or more members speak at once, the Presiding Officer shall name the member who is first to be heard and the other or others shall have the privilege of speaking thereafter in the order named by the Presiding Officer.
- 8.4 The Presiding Officer shall receive and submit, in the proper manner, all motions presented by the members of Council.
- 8.5 The Presiding Officer shall put to vote all questions which are moved and seconded in the course of the proceedings and announce the results of the vote.
- 8.6 The Presiding Officer shall decline to put to a vote, motions which are contrary to the rules of procedure.
- 8.7 The Presiding Officer shall require the members to observe the rules of order.
- 8.8 The Presiding Officer shall ensure the decisions of Council are in conformity with the laws governing the activities of Council.
- 8.9 The Presiding Officer may expel any person present at a meeting who speaks or makes a noise or behaves in a disorderly or improper manner, or otherwise disturbs or interrupts the proceedings of the meeting.
- 8.10 The Presiding Officer may adjourn the meeting without question in the case of grave disorder arising in the meeting room.

9 DUTIES AND PRIVILEGES OF MEMBERS

- 9.1 Members, prior to speaking to a question or motion, shall obtain recognition of the Presiding Officer.
- 9.2 No member shall use indecent, offensive or insulting language in or against the Council or any member of the public or staff.
- 9.3 No member shall speak except to the issue under debate.
- 9.4 No member shall interrupt a member who has the floor except to raise a point of order or a matter of privilege.
- 9.5 No member shall engage in conduct disturbing to another member of Council or interfering with a member recognized to speak.
- 9.6 If a member has been ordered by the Presiding Officer to vacate his/her seat after committing a breach of any rule of order of Council, the said member shall not be permitted to retake his/her seat without making an apology and without the consent of Council expressed by a majority of the members present, determined without debate.
- 9.7 No member shall walk across or out of the meeting room or make any noise or disturbance when the Presiding Officer is putting the question and each member present shall occupy their seat while a vote is being taken and until the result thereof is declared.
- 9.8 Any member may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a member while speaking.
- 9.9 Any member may appeal the decision of the Presiding Officer on a point of order or a matter of privilege to Council, which shall by a majority vote decide the question without debate.
- 9.10 Every member present when a question is put to vote shall vote thereon unless Council excuses them or unless they have declared a Pecuniary Interest in the question as provided by the Municipal Conflict of interest Act, R.S. O. 1990, and amendments thereto. For any member present that does not vote, unless excused or has declared a pecuniary interest, their vote shall be deemed to be a negative vote.

10 ELECTRONIC DEVICES IN THE COUNCIL CHAMBERS

- 10.1 The following are policies outlining the use of electronic devices in the Council Chambers by members of Council:
 1. In deference to the public meeting at hand, members should make every effort to refrain from sending or receiving electronic communication of a personal nature during Council meetings, though as volunteers it may sometimes be necessary to send or receive very urgent/emergency family or business communications during meetings, especially given that the municipal office is closed after normal business hours and staff is not available to answer incoming calls.
 2. Members are permitted and encouraged to use electronic devices provided by the Town of Plympton-Wyoming to access electronic versions of the Council meeting agendas and related documents.
 3. Members shall not use electronic communication devices to review or access information regarding matters not under consideration before Council during a meeting.

4. Members shall not send or receive electronic communications concerning any matter pending before Council during a Council meeting.
5. Members shall not access the internet concerning any matter pending before Council during a Council meeting except to access Council agenda package information.
6. Members should not use electronic devices during a Council meeting for personal use.
7. No electronic devices shall be allowed in closed session meetings except those electronic devices provided by the Town of Plympton-Wyoming to access electronic versions of the confidential closed meeting agendas and related confidential documents.

10.2 The following are policies outlining the use of electronic devices in the Council Chambers by members of the public:

1. In deference to the public meeting at hand, members of the public should turn all electronic devices off during the entire meeting in Council Chambers.
2. Members of the public must exit the Council Chambers if they wish to make/receive a telephone call.
3. Meetings which are not closed to the public may be taped, televised or otherwise electronically or mechanically recorded provided that permission has been granted by the Presiding Officer and so long as the taping, televising or recording is carried out in a manner that does not interfere with proceedings of the meeting.
4. The Presiding Officer may request that an individual vacate the Council Chambers if their behavior is deemed to be disruptive to the business at hand.
5. If a member of the public has been ordered by the Presiding Officer to vacate the Council Chambers after committing a breach of any rule within Section 10.2 of this by-law, the said member shall not be permitted to enter the Council Chambers without making an apology and without the consent of Council expressed by a majority of the members present, determined without debate.
6. The provisions of Section 10.2 apply to all meetings of Council and Committee meetings.

11 MOTIONS AND AMENDMENTS

- 11.1 All motions shall be moved and seconded before the Presiding Officer will permit debate and put the question to vote.
- 11.2 After the Presiding Officer has read a motion, it may be withdrawn at the request of the mover and seconder at any time before the decision and/or amendment with permission of Council.
- 11.3 A motion to amend shall:
 1. Be open to debate;
 2. Not propose a direct negative to the main Motion;
 3. Be relevant to the main Motion; and
 4. Not be further amended more than once.
- 11.4 A motion to “defer” (or table) a matter placed before Council shall be in order at any time. Reasons for the deferral shall be provided.

12 RULES OF DEBATE

- 12.1 Every Member prior to speaking to any question or Motion shall raise their hand and must be recognized first by the Mayor or the Presiding Officer to address Council.
- 12.2 When the Mayor or Presiding Officer calls for the vote on a Motion, each Member shall be seated and shall remain seated until the result has been announced.
- 12.3 Any Member may require a Motion under discussion and debate to be read out by the Mayor or Committee Chair, or Municipal Clerk at any time during the debate but not so as to interrupt a Member while speaking.
- 12.4 No Member of Council shall speak to the same Motion, or in reply, for longer than five (5) minutes without approval by the Mayor or Presiding Officer.
- 12.5 A Member may ask a question solely for the purpose of obtaining information relating to the Motion under discussion and such question must be stated concisely and be asked through the Mayor or Presiding Officer.
- 12.6 If the Mayor or Chair desires a Member to preside over a portion of the Meeting for the purpose of taking part in the debate, the Mayor or Presiding Officer shall designate the Deputy Mayor or, if present, or any other Member, who will preside over the Meeting or a specific section of the agenda.
- 12.7 If a Member repeatedly questions the motives of other Members and mentions them by name, or persists in speaking on completely irrelevant matters in debate then the Mayor or Presiding Officer normally should first warn the Member; The Mayor or Presiding Officer should clearly state the breach involved and put the question as to whether the Member should be allowed to continue speaking to the assembly.

13 TAKING THE VOTE

- 13.1 The manner of determining the decision of the Municipal Council on a Motion shall be by show of hands unless a recorded vote is requested. No vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.
- 13.2 No Member can be compelled to vote. As a result, every Member has the right to abstain. If the vote required is a majority or two thirds of the members present, an abstention will have the same effect as a "no" vote.
- 13.3 Where a recorded vote is requested prior to or immediately to taking of the vote of each Member present, except a Member who is disqualified from voting by any Act, shall announce his vote openly, and any failure to vote by a Member who is not disqualified shall be deemed to be a negative vote and the Municipal Clerk shall record each vote.
- 13.4 When a Member present requests a recorded vote, all Members present at the Council or Committee meeting must vote by random draw by the Clerk or designate. The names of those who voted for and the names of those who voted against shall be noted in the Minutes. The Mayor or Presiding Officer shall announce the results.
- 13.5 Unless provided otherwise, if there is a tied vote on any question, the vote shall be deemed to be lost.
- 13.6 Every Member of the Council has the right to vote on all questions, unless such Member has declared a conflict of interest in writing pursuant to the Municipal Conflict of Interest Act.

- 13.7 Any question having an equal number of votes shall be deemed to have been in the negative.

14 RECONSIDERATION

- 14.1 Any motion except a motion to refer (to send or send back to a Committee, Board, person or department), to amend, to defer (postpone to a time to be named), to defer to an indefinite time, to set a specific day or to adjourn may be reconsidered subject to the provisions contained in this section.
- 14.2 No discussion of the main question or the motion to reconsider the main question shall be allowed unless and until Council has voted to reconsider the same, but the member who gives the notice may have the privilege of stating their reasons for doing so.
- 14.3 A motion to reconsider a decision of Council shall be moved only by a member who voted with the majority of Council on that decision and, before accepting a motion to reconsider, the Presiding Officer shall ask the member to confirm that he voted with the majority on the issue in question.
- 14.4 A motion for reconsideration will require a two-thirds (2/3) majority of those members present at the meeting for approval and a motion can only be reconsidered two (2) times in one year from the date when the first motion for reconsideration was made.

15 MINUTES

- 15.1 The minutes of meetings shall consist of a record of the place and time of the meeting, the name of the Presiding Officer, a record of all members present and the names of those absent, together with all resolutions, decisions and other proceedings of the meeting.
- 15.2 It shall be the duty of the Clerk or designate at the close of each meeting to transcribe the proceedings of the said meeting and file in the meeting minute records.
- 15.3 At the next regularly scheduled meeting, the minutes of the previous meeting shall be considered so that any errors or omissions may be corrected and accuracy of the record confirmed and, once approved, signed by the Mayor and Clerk or designate.
- 15.4 Draft minutes shall be given to Council and staff only as requested, before they are approved as printed and distributed.

16 COMMITTEES

- 16.1 The Mayor shall appoint the members of Council who shall serve on each Committee and determine the term of the appointment of each member.
- 16.2 Council shall appoint the citizens sitting on any Committees and shall determine the term of appointment of each member.
- 16.3 Council shall approve the "Terms of Reference" for each Committee established. The general duties of Committees shall be:
1. to report to Council from time to time, as often as the interest of the municipality may require, all matters connected with the duties imposed on them respectively, and to recommend such action by Council in relation thereto as may be deemed necessary and expedient;
 2. to examine all accounts connected with the performance of any works or the purchase of any materials or goods under their supervision;

3. to consider and report upon all matters referred to them by Council or by the Mayor;
4. to adhere strictly in the transaction of all business to the rules prescribed by the by-laws of Council.

16.4 The Mayor shall be an ex-officio member of all Committees.

16.5 The Committee Chairperson shall be a member of Council appointed by the Mayor, with the exception of the Committee of Adjustment where the Committee shall appoint a Chairperson at its first meeting of the term. Council shall appoint a Secretary to each Committee to record the minutes of Committee meetings.

16.6 Each Committee at its first meeting of the term shall fix the day and hour for its regular meetings throughout the year. These meetings shall be posted on the Town's website once approved by Council. Committee Meetings shall be held at the Town of Plympton-Wyoming Council Chambers located at 546 Niagara Street, Wyoming Ontario, unless the meeting is otherwise required to be held at an alternate location, of which, the address would be provided on the Agenda.

16.7 A quorum for a Committee shall be the majority of those appointed to the Committee by Council.

16.8 The rules governing the procedure for Council shall be observed in all Committees insofar as applicable.

16.9 A Committee which refuses or neglects to give due consideration to any matter assigned to it or before it, may by Council resolution be discharged of such responsibility.

16.10 Each Committee is subject to the control and direction of Council.

16.11 Each Committee shall submit minutes or reports with recommendation to Council on all matters connected with their duties or matters referred to them by Council.

17 READING OF BY-LAWS AND PROCEEDING THEREON

17.1 Every by-law when introduced shall be in printed form and included in the agenda package, and shall contain no blanks except such as may be required to conform to accepted procedures or to comply with the provisions of any Act.

17.2 The first reading of a by-law shall be for introduction. The second reading shall be for debate and amendments before the vote. The third reading shall be for debate on the whole by-law with amendments and the final vote.

17.3 All amendments to a by-law shall be open to debate and amendment before the by-law is ordered for a third reading.

17.4 A by-law may be read three times at the same meeting unless otherwise provided by statute or by Council. If any member objects to the third reading being given, a majority vote of all members present is necessary to proceed with the reading.

17.5 Every by-law enacted by the Council shall be numbered and dated and shall be signed by the Presiding Officer and the Clerk or designate and shall be deposited in the municipal records for safekeeping.

17.6 All matters of substantial concern to the Council shall be presented and adopted by by-law. Matters may include:

1. structure of governance and procedure;
2. municipal programs of service;
3. personnel;
4. administration of the municipality.

18 SEVERABILITY

18.1 If any section or sections of this by-law or parts thereof are found in any court to be illegal or beyond the power of Council to enact, such section or sections or parts thereof shall be deemed severable and all other sections or parts of this by-law shall be deemed separate and independent there from and enacted as such.

19 SHORT TITLE

19.1 The short title of this by-law shall be "Procedural By-law".

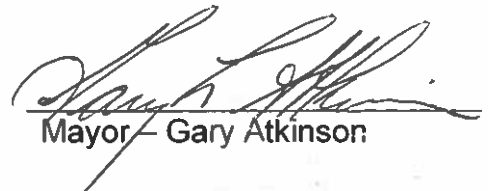
20 BY-LAWS REPEALED

20.1 That By-laws 2 of 2015, 27 of 2020, 103 of 2020, and 91 of 2021 and all other by-laws or parts of by-laws inconsistent with this by-law are hereby repealed.

21 EFFECTIVE DATE

21.1 This by-law shall come into full force and take effect upon the final passing thereof.

By-Law read a first, second and third time and finally passed this 12th day of July, 2023


Mayor – Gary Atkinson


Clerk – Erin Kwarciak