THE CORPORATION OF THE TOWNSHIP OF NIPISSING

BY-LAW NUMBER 2022-34

Being a by-law to establish rules governing the proceedings of Council, the calling of meetings and the conduct of Members.

SHORT TITLE – This By-Law may be cited as the "Procedural By-Law".

WHEREAS a Municipality is a level of government and requires some formality and procedure in meetings so that clear, informed, written decisions, direction, resolutions and by-laws can be both adopted and implemented;

AND WHEREAS pursuant to Section 238 of the *Municipal Act*, 2001, is required to establish the procedures governing the meetings of Council and Committees, the conduct of its Members and the calling of meetings;

AND WHEREAS Council must adopt by by-law the procedures which address the rules of order which shall be observed in all proceedings of Council, Committees of Council and Local Boards unless specifically provided otherwise;

NOW THEREFORE the Council of the Corporation of the Township of Nipissing hereby enacts as follows:

In addition to this By-Law, Members of Council are governed by the following documents and legislation:
Municipal Act, 2001
Municipal Conflict of Interest Act
Municipal Code of Conduct
Municipal Elections Act
Accessibility for Ontarians with Disabilities Act
Occupational Health and Safety Act
Staff Council Relations Policy
Municipal Freedom of Information and Protection of Privacy Act
Ontario *Planning Act*
Human Rights Code
Emergency Management and Civil Protection Act

Members of Council shall be familiar with the above-noted documents and legislation and shall rely upon them when making decisions and exercising their powers.

Part 1
DEFINITIONS

Definitions in this By-Law:

1.1 Act
"Act" means the *Municipal Act, 2001*, as amended from time to time.

1.2 Ad-Hoc Committee
"Ad-Hoc Committee" means a Committee to advise Council on a specific issue or project. An Ad-Hoc Committee shall be governed by clear terms of reference set out in a resolution or By-Law and include language indicating the Committee will cease to exist.

1.3 Agenda
"Agenda" means the list of business to be conducted at a Meeting.

1.4 Chair
"Chair" means the person presiding at a Meeting.

1.5 Clerk
"Clerk" means the person appointed by the Township pursuant to Section 228 of the Municipal Act and other relevant legislation.

1.6 Council
"Council" means the elected Members of the Municipal Council.

1.7 Council Package
"Council Package" means a copy of the Agenda, reports and all other information that Members require prior to a meeting.

1.8 Closed Meeting
"Closed Meeting" means a meeting of Council or Committee that is not open to the public pursuant to Section 239 of the *Municipal Act* or other legislation. Also referred to as "In Camera".

1.9 Deputy Mayor
"Deputy Mayor" means a Member of Council appointed in accordance with the Township's policies to act in the place of the Mayor when the Mayor is absent.

1.10 Electronic Meeting
"Electronic Meeting" means a Meeting where any or all Member(s) may not be physically present but may participate via electronic means of communication.

1.11 Emergency
"Emergency" means a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise.

1.12 Ex Officio
"Ex Officio" means that the Mayor is a Member of all Committees of Council and is entitled to attend, participate and vote, but is not counted in quorum unless specifically appointed to a seat on the Committee.

1.13 Head of Council
"Head of Council" means the Mayor or the Deputy Mayor in the absence of the Mayor.

1.14 Local Board
"Local Board" means a Local Board as defined in the *Municipal Act, 2001*.

1.15 Meeting
"Meeting" means any regular, special or other meeting of Council, a Local Board or Committee where a quorum of Members is present, and 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 as stated in Section 238 of the Municipal Act.

1.16 Member
"Member" means a Member of Council, Local Board or Committee.

1.17 Municipal Act
"*Municipal Act*" means the *Municipal Act*, 2001, S.O. c. 25. as amended.

1.18 Municipal Administrator
"Municipal Administrator" means the person appointed by the Township of Nipissing and assumes duties pursuant to Section 229 (Chief Administrative Officer) of the Municipal Act and other relevant legislation. *Amended by By-Law Number 2026-26.*

1.19 Municipality
"Municipality" means the Corporation of the Township of Nipissing.

1.20 Officers
"Officer(s)" means a person such as the Municipal Administrator, Clerk, Treasurer, Operations Superintendent, Chief Building Official and Fire Chief who holds a position of responsibility with definite rights and duties prescribed by statute or By-Law.

1.21 Order of Business
"Order of Business" means the sequence of business to be introduced and considered in a Meeting, as outlined on the Agenda.

1.22 Point of Procedure
"Point of Procedure" is a statement made by a Member to the Chair when the Member believes there has been a contravention of the rules laid out in the Procedural By-Law.

1.23 Presentation
"Presentation" means a person or group (including a Member, staff or Public) who provides information to Council or Committee. May also be referred to as a Petition or Delegation.

1.24 Quorum
"Quorum" means a majority of Members of Council or Committee.

1.25 Recorded Vote
"Recorded Vote" means a vote in Council or Committee where the names of the Members and the position in favour or against a Motion are recorded in the minutes. This may be requested before or after the vote has been taken.

1.26 Regular Meeting
"Regular Meeting" means a scheduled meeting held at regular intervals in accordance with the approved schedule of Meetings.

1.27 Report
"Report" means a written or other report from the Municipal Administrator, Department Heads, Staff or Committee.

1.28 Resolution
"Resolution" means a Motion that has been approved by Council.

1.29 Special Meeting
"Special Meeting" means a meeting that is called for a specific time and for a specific purpose to deal with an important matter that has arisen between Regular Meetings.

1.30 Standing Committee
"Standing Committee" means a Committee comprised solely of Members of Council.

1.31 Township
"Township" means the Corporation of the Township of Nipissing.

1.32 Unfinished Business
"Unfinished Business" means matters listed in the Agenda which have not been dealt with in their entirety at a previous meeting.

Part 2
GENERAL MEETING RULES

2.1 The rules and regulations contained in this By-law shall be observed in all proceedings of the Council and shall be the rules and regulations for the dispatch of business by Council and its committees and boards.

2.2 This By-Law may be suspended, except for those rules or regulations set out by legislation, with the consent of at least two-thirds of the Members of Council and may be suspended before, during or after a meeting.

2.3 The Mayor shall act as the Chair for all Council Meetings. The Mayor may delegate their authority to Chair any meeting.

2.4 In the absence of the Mayor or if they refuse to act or if the office is vacant, the Deputy Mayor shall carry out the Mayor's duties and have all the rights, powers and authority of the Head of Council.

2.5 The Deputy Mayor shall be the Member of Council receiving the highest number of votes in the most recent Municipal Election.

2.6 If both the Mayor and Deputy Mayor are unable to act as Head of Council for a meeting, Council shall appoint an Acting Mayor who shall have all the rights, powers and authority of the Head of Council for the purposes of that meeting. In this instance, the Clerk shall call the meeting to order and conduct the meeting to allow Council to appoint an Acting Mayor.

2.7 Unless otherwise authorized by Council, all meetings of Council shall be held at the Township of Nipissing Community Centre, 2381 Hwy 654, Nipissing, Ontario.

2.8 A Clerk or Deputy Clerk must be present at all Council Meetings or other meetings where there is a quorum of Council.

2.9 Quorum must be in attendance for all Meetings.

If Quorum is not present fifteen (15) minutes after the time appointed for the Meeting, the Meeting will be automatically adjourned until the next Regular Meeting or until a Special Meeting is called to deal with matters intended to be dealt with at the adjourned Meeting. The Clerk shall record the names of the Members present at the fifteen (15) minute time limit and will include those names on Minutes for the adjourned meeting and will include those Minutes on the Agenda for the next Meeting.

If at any time during a Meeting there is not a Quorum, the Meeting shall automatically be recessed until there is a Quorum again or until the Chair adjourns the Meeting.

2.10 Minutes of all Meetings will be recorded without note or comment.
After approval, minutes of all meetings except closed meetings, will be posted in accordance with the applicable municipal policies.
If a Member arrives during a meeting or leaves before the end of the meeting, the Clerk will record same, including the time in the minutes. If a Member needs to leave before the end of a Meeting, they must inform the Chair and be excused.

2.11 Staff have a statutory duty to provide advice to Council. As such, Staff, and particularly Officers and Department Heads are expected to attend Council meetings and to provide advice on a regular basis. Staff and Officers shall attend meetings of Council when required by the Municipal Administrator.

2.12 Where a Member has a pecuniary interest and discloses that interest in accordance with Section 5 of the *Municipal Conflict of Interest Act*, the Member will provide a written statement of interest and its general nature to the Clerk in accordance with Schedule A, will leave the Council Meeting while the issue is considered and will take no steps to influence the decision in any way, either prior to, during or after the Meeting.

Members will, at all times comply with their statutory obligations pursuant to the *Municipal Conflict of Interest Act*.

2.13 The Chair shall preside over the meeting, ensure good order and decorum and rule on procedural questions.

All Agenda items to be discussed are to proceed by Resolution.

The Chair or the Clerk will read the Resolution or question.

A Member who moves a Resolution has the first right of speaking on that Resolution after the Chair.

The seconder has the right of speaking second on the Resolution.

The Chair will then canvas each Member for their opinion on the Resolution.

After being recognized by the Chair, every Member shall respectfully acknowledge the Chair prior to speaking on any matter.

A Member shall not speak a second time on a matter until all Members have had a chance to speak without leave of Council, except:

a. if questioned by another Member; or
b. to explain comments which the Member believes have been misunderstood; or
c. in the case of the mover of a Resolution, in reply just before the Chair and after everyone else has spoken.

No Member, without the leave of Council or the Committee, shall speak to a matter or in reply for longer than five (5) minutes.

Resolutions and amendments to a Resolution must be moved and seconded in writing and signed by the mover and seconder.

A Resolution may be withdrawn at any time prior to the vote thereon with the consent of the majority of Members present.

When a matter is being debated, no other Resolution shall be entertained other than a Resolution:

a. to refer the matter to a certain body;
b. to amend the Resolution;
c. to defer the Resolution;
d. to adjourn the meeting;
e. that the vote be taken.

A Resolution to refer or defer shall be heard before any Resolution or amendment except a Resolution to adjourn.

A Resolution to refer shall require direction as to the body to which it is being referred and a date that body is to report to Council or Committee and is not debatable.

A Resolution to defer must give a reason and a date to which the matter is deferred. Only the date of deferral is debatable.

A Resolution that the vote be taken shall not be entertained by the Chair until each of the Members has had an opportunity to speak at least once on the particular matter.

Once a Resolution that the vote be taken is passed, the original motion and any amendments shall be voted upon without further debate.

2.14 Conduct

Members are required to follow the Township's Code of Conduct in all Meetings.

No Member shall:

a. Speak disrespectfully of the Mayor, Deputy Mayor, Member, Staff or a member of the Public;
b. Engage in private conversation while in the Council Chambers in such manner as to interrupt the proceedings of Council;
c. Speak on any subject other than the subject in debate; and
d. Speak in open Council about matters discussed in a Closed Meeting until the matter is authorized for discussion by Council;
e. Interrupt a Member while speaking, by speaking out, making a noise or disturbance, except to raise a procedural question.

No person at a meeting shall:

a. Speak disrespectfully of the Mayor, Deputy Mayor, Member, Staff or a member of the Public;
b. Use offensive words;
c. Disobey the procedural rules or the decisions of the Chair or of the Council or Committee;
d. Leave their seat while a vote is being taken and until the results are declared;
e. Make any disruptive noise or disturbance during a Meeting;
f. Enter the meeting while a vote is being taken;
g. Walk between a Member who is speaking and the Chair.
h. Engage in conversation or other behaviour, which may disrupt debate.

Electronic devices must be silenced during a Meeting and must not be used to disrupt a Meeting.

No person shall record a Meeting, in part or in whole, without first obtaining consent from the Chair.

No persons, except Members or the Clerk or the Secretary of a Committee, may approach Members without permission from the Chair.

No person shall speak aloud at a meeting or address Members without first receiving permission of the Chair to do so. All remarks shall be addressed to the Chair. Members of the Public will not routinely be recognized and permitted to speak during a debate. Members of the Public may not be recognized unless consent is given by a majority of Council and they are speaking to an item on the Agenda.

Any person who contravenes any of the rules in this By-Law are guilty of misconduct and, after an initial warning, may be removed from the Meeting by the Chair.

2.15 Individuals or groups which are listed on an Agenda or are otherwise approved to appear before Council shall be limited to not more than ten (10) minutes with the exception for a delegation consisting of more than five (5) persons shall be limited to two (2) speakers each limited to speaking not more than five (5) minutes.

2.16 A Member may, through the Chair, ask questions or request an explanation to a previous speaker arising out of those speaker's remarks.

A Member may, through the Chair, ask questions during the discussion on any particular item on the Agenda and ask questions on the item to any staff of the Township in attendance at the meeting.

Any Member may, once only, request that a Resolution under discussion be read by the Chair at any time during the debate but may not interrupt another Member while they are speaking.

2.17 Points of Procedure
When a Member believes there is a violation of the rules in this By-Law, the Member shall, when recognized by the Chair, raise a Point of Procedure.

On raising the Point of Procedure, a Member shall explain the violation of the rules and the Chair shall rule upon the Point of Procedure.

Once the Point of Procedure has been dealt with, the debate shall resume unless the ruling has changed this procedure.

No Member shall disobey the rules of Council or a decision of the Mayor or Chair or of the Council on questions of order or procedure or an interpretation of the rules of Council.

Where a person (including a Member) has been warned about misconduct and has continued, the Chair may expel the person from the Meeting and if such person refuses to so leave, the Chair may adjourn the Meeting without any Resolution to do so until such time as the person has left the meeting room.

If the Member apologizes, he or she may, by vote of the majority of Council, be permitted to retake his or her seat.

2.18 Voting – General
Once the vote is called by the Chair, no Member shall speak to any issue, ask any question or present any other Resolution until the vote has been taken.

Voting shall be by way of a "show of hands" in favour or against, except when a recorded vote is requested.

Voting during an Electronic Meeting shall be conducted as a recorded vote.

A Member may request a recorded vote on any Resolution. When a recorded vote is requested, the Clerk shall call each Member's name in alphabetical order and request and record their vote on the Resolution. Notwithstanding the alphabetical calling of names, the Chair shall vote last in a recorded vote. After completion of a recorded vote, the Clerk shall announce the result.

A recorded vote may be requested before, during or after the vote has taken place.

If a Member present at a meeting fails or refuses to vote, their vote will be counted as a vote against the Resolution.

The Chair shall announce the results of the vote once the vote is completed.

If a Member disagrees with the announcement by the Chair of the results of any vote, except a recorded vote, the Member may object immediately to the Chair's declaration and require a recorded vote to be taken.

If there is a tie vote, the Resolution will be defeated.

When the question under consideration contains multiple options/issues, any Member can request the Resolution to be split and each option/issue to be voted on separately without requiring a separate Resolution.

2.19 A Resolution containing a minor typographic error may be corrected on the request of the mover and seconder and the correction shall be made in writing on the face of the Resolution and initialed by the mover and seconder.

2.20 The following rules shall apply to amendments to Resolutions:

a. an amendment to a Resolution is a change to the question asked in the Resolution;
b. only one amendment at a time can be presented to the Resolution;
c. only one amendment can be presented to an amendment;
d. when an amendment to a Resolution has been decided upon, another may be introduced;
e. the order of the voting shall be:
    i. an amendment to an amendment shall be voted upon;
    ii. an amendment to a Resolution shall be voted upon next, and
    iii. the Resolution, as amended, shall finally be voted upon.

An amendment which is simply a rejection of the Resolution will not be permitted.

2.21 When a Resolution has been decided, any Member who voted with the majority can move for the matter to be reconsidered. The Mayor or Chair may ask the Member to confirm that they voted with the majority.

Before a Resolution to reconsider is heard, the Resolution to reconsider must be added to the Agenda. The Resolution to reconsider shall only be added to the Agenda upon Council's approval.

The process whereby a Motion to Reconsider is added to the Agenda is set out below:

a. A Member who voted in the majority shall move for the Resolution to reconsider to be added to the Agenda;
b. The Chair shall ask the Member to affirm that they voted with the majority;
c. The Chair shall hold a vote whereby the Members shall vote on whether to allow the Resolution to reconsider to be added to the Agenda;
d. When the Member is moving to have the Resolution to reconsider added to the Agenda of the same Meeting as that at which the Motion was originally voted on, the majority of Members must agree to add the Resolution to reconsider to the Agenda.
e. Where the Member is moving to have the Resolution to reconsider added to the Agenda of a Meeting other than that at which the Resolution was originally voted on, a 2/3 majority must agree to add the Resolution to reconsider to the Agenda.
f. Once the Resolution to reconsider is added to an Agenda, the Motion to Reconsider follows the same process as all other Motions.
g. No Resolution shall be reconsidered more than twice in the same calendar year.
h. A Resolution to reconsider of any decided matter shall not operate to stop or delay an action on the decided matter.
i. Debate on a Resolution to reconsider must be confined to reasons for or against reconsideration.

No Committee shall reconsider any question decided by Council during the current term nor consider any other matter, which could involve a decision inconsistent with such Council decision, unless specifically authorized by Council.

2.22 Any Member may appeal a ruling of the Chair by announcing their appeal to the Members.

The Member shall state the reasons for their appeal and the Chair may then indicate why the appeal should be rejected.

Without debate on the appeal, the Members apart from the Member making the appeal and the Chair shall then vote on the appeal.

If the appeal is upheld by the majority of voting Members, then the Chair shall change his or her ruling accordingly; if the appeal is rejected then the ruling stands.

Unless a Member immediately appeals the ruling of the Chair, the ruling of the Chair on the procedural question shall be final.

PART 3
ROLES AND RESPONSIBILITIES

3.1 Head of Council (Act s.225)

It is the role of the Head of Council to:

a. Act as Chief Executive Officer ("CEO") of the Township;
b. Preside over Council Meetings so that its business can be carried out efficiently and effectively;
c. Provide leadership to Council;
d. Provide information and recommendations to Council with respect to the role of Council;
e. Represent the Township at official functions;
f. Uphold and promote the purposes of the Township;
g. Promote public involvement in the Township's activities;
h. Act as the representative of the Township both within and outside the Township locally, nationally and internationally;
i. Participate in and foster activities that enhance the economic, social and environmental well-being of the Township and its residents; and
j. Carry out duties prescribed by the *Act* or any other Act.

3.2 Chair

It is the role of the Chair to:

a. Open meetings by calling the Meeting to order;
b. Address the business listed on the Agenda;
c. Receive and have read to Council, all Resolutions to be presented;
d. Put to a vote all Resolutions which are moved and seconded, and to announce the result of the vote;
e. Decline to put Resolutions to vote which breach the Procedural By-Law or other Legislation;
f. Enforce, on all occasions, order, polite conduct and decorum among all present at a Meeting;
g. When, in the opinion of the Chair, the words or conduct of any person, including a Member, is in contravention of the Procedural By-Law or is causing unreasonable disruption to the Meeting, rule the person out of order and require the person to cease the activity or vacate the Meeting;
h. Provide information to Members on any matter relating to the business of the Township;
i. Authenticate by signature all By-Laws, Resolutions and Minutes;
j. Rule on any points of order raised by Members;

k. Maintain order, and, where it is not possible to maintain order, adjourn meetings to a time to be named by the Head of Council without any Motion being put forward; and
l. Call for the adjournment of the Meeting when business is concluded.

3.3 Deputy Head of Council (Deputy Mayor) (*Act* s.242)
In the event the Head of Council is absent from the Township, the Deputy Head of Council shall act in his or her absence and shall have all the rights, powers, and authority as the Head of Council.

If the Deputy Head of Council is unable to act in place and stead of the Head of Council and Quorum is present at the Meeting, the Clerk shall call the meeting to order and another Councillor shall be appointed by Council to act as the presiding official and shall preside over the meeting.

3.4 Council (Act s.224)
It is the role of Council to:
a. Represent the public and to consider the well-being and interests of the Township;
b. Develop and evaluate the policies and programs of the Township;
c. Determine which services the municipality provides;
d. Ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
e. To ensure the accountability and transparency of the operations of the Township, including the activities of the senior management of the Township;
f. Maintain the financial integrity of the Township; and
g. Carry out duties of Council prescribed in the Act.

3.5 Clerk (Act s.228)
It is the duty of the Clerk to:
a. Record, without note or comment, all resolutions, decisions and other proceedings of Council;
b. If required by any Member present at a vote, to record the name and vote of every Member voting on any matter or question;
c. Keep the originals or copies of all By-Laws and of all Minutes of the proceedings of Council;
d. Perform other duties required under the Act or any other Act;
e. Perform any other duties as assigned by the Township; and
f. Prepare and circulate Council Packages to all Members.

The Clerk, where appropriate, may delegate, in writing, the duties of the Clerk to another person in accordance with Section 228(4) of the Act.

3.6 Staff (Act s.227)
It is the duty of Staff to:
a. Implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions;
b. Undertake research and provide advice to Council on the policies and programs of the Township; and
c. Carry out other duties required under the Act and other duties assigned by the Township.

3.7 Municipal Administrator
(See Chief Administrative Office duties as listed in the Act s.229)
It is the duty of the Municipal Administrator to:
a. Exercise general control and management of the affairs of the Township for the purpose of ensuring the efficient and effective operation of the township; and
b. Perform such other duties as are assigned by the Township.

3.8 Members of the Public

It is the role of Members of the Public to:

a. Attend Meetings which are open to the public;
b. Follow the rules of order, polite conduct and decorum;
c. Provide input and information to Council only at meetings, or portions of meetings specifically designed for public engagement and in a manner dictated by Council (e.g. writing, in person, electronic etc.).

PART 4
MEETINGS

4.1 The inaugural meeting of Council after a regular election shall be held on the first Tuesday following November 15th at 6:30 p.m.

At the First Meeting, the Clerk shall administer the declarations of office for all Members. No business shall be conducted at the First Meeting until the declarations of office have been administered to all Members.

4.2 Regular meetings of Council shall be held in the Township of Nipissing Community Centre, 2381 Highway 654, Nipissing, starting at 6:30 p.m. and will be determined and scheduled by the Council before the beginning of each calendar year with two meetings per month and the possible exception for the months of July, August and November with one meeting per month.

4.3 Council may from time to time, establish a schedule of Public Town Hall Meetings to be held in the municipality at such time and such locations as Council shall, in advance, determine for the purpose of meeting with ratepayers to express their opinions and concerns in connection with municipal issues. Public Notice of the Public Town Hall Meetings shall be published in accordance with the Township's Public Notice By-Law.

4.4 Committees and Boards of Council shall meet in the Township of Nipissing Community Centre, 2381 Highway 654, Nipissing. Committees and Boards may from time to time, wish to change the location of a meeting to provide a venue within the Township better suited to address an issue. Public Notice of the venue change for the meeting shall be published in accordance with the Township's Public Notice By-Law.

4.5 It is expected that Members of Council, Boards and Committees will be present for all meetings.

No Member shall be absent from the meetings of Council for three (3) consecutive meetings without being authorized to do so by a Resolution of the Council entered upon the Minutes.

A Member absent without authorization by Resolution of Council, after three (3) months shall be considered as having resigned their seat and at the next Council meeting the seat shall be declared vacant, *Municipal Act, 2001*, S. 259.(1)(c).

That in accordance with the Municipal Act, electronic participation by Council and its Committee shall be permitted in open session, subject to the following:

a) Unless a Municipal, Provincial or Federal emergency declaration is in place requiring all Members attend electronically, a maximum of only one (1) Member may attend a meeting by means of electronic participation, per meeting.

b) Members of Council and its Committees when participating in an electronic meeting shall count towards quorum;

c) Electronic Participation means, attendance at Council or its Committee meetings, using electronic formats including but not limited to, video or audio teleconference;

d) A Member requesting electronic participation for two (2) or more consecutive Council meetings must be authorized by a Resolution of Council entered into the Minutes. A Member without authorization by Resolution of Council will not be provided electronic participation information for the meeting and will be deemed not present in the Minutes and not able to participate in the voting or debate of the Meeting.

e) Members of Council or its Committees participating electronically shall have the same rights and responsibilities as if the member was in physical attendance;

f) Notice of meetings held in accordance with this section shall advise how members of the public may observe the proceedings.

4.6 Council may, by Resolution, alter the date and/or time of a regular meeting provided that adequate notice of the change is provided in accordance with the Township's Public Notice By-Law. (amended by By-Law 2024-10)

4.7 Special Meetings

a. The Head of Council may, at any time, summon a special meeting.
b. The Clerk shall summon a special meeting upon receipt of a petition of the majority of the Council members for the purpose and at the time and date mentioned in the petition.
c. A special meeting shall be held in the Township of Nipissing Community Centre, 2381 Highway 654, Nipissing, unless otherwise specified.
d. The notice of a special meeting shall specify the purpose of the meeting.

4.8 Except as provided hereunder, all Council, local board and committee meetings shall be open to the public.

Council, local board and committee meetings shall be livestreamed to the Township of Nipissing YouTube channel with a recording of the meeting remaining on the YouTube site for no less than four (4) weeks from the meeting date.

4.9 Notwithstanding Paragraph 4.8, a meeting of Council, local board or committee may be closed to the public if the subject matter being considered relates to:

a. The security of the property of the municipality or local board;
b. Personal matters about an identifiable individual, including municipal or local board employees;
c. A proposed or pending acquisition or disposition of land by the municipality or local board;
d. Labour relations or employee negotiations;
e. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
f. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
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 for 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 reasonable 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.

A meeting of council, local board or 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;
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.

4.10 Council, local board, and committee meeting shall be closed to the public if the subject matter being considered is,
a. a request under the *Municipal Freedom of information and Protection of Privacy Act*, if the Council, local board or committee is the "head" of an institution for the purposes of that Act; or
b. an ongoing investigation respecting the Township, a local board, or Township controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an ombudsman referred in subsection 223.13(1) of the *Act* or the investigator referred to in subsection 239.2(1) of the *Act*.

4.11 Members of Council, a committee or local board may participate electronically in a meeting that is closed to the public only during a municipally, Provincially or Federally declared emergency which requires limited physical contact.

Members attending a closed meeting must be visible on camera, where the ability exists.

4.12 Before holding a meeting or part of a meeting that is to be closed to the public, Council, local board or committee shall state by Resolution:
a. The fact of the holding of the closed meeting;
b. The general nature of the matter considered at the closed meeting.

4.13 Subject to Paragraph 4.14, a meeting shall not be closed to the public during the taking of a vote.

4.14 Despite Paragraph 4.13, a meeting may be closed to the public during a vote if:
(a) Paragraph 4.9 permits or requires the meeting to be closed to the public; and
(b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under a contract with the municipality or local board.

4.14 Meetings or session which are closed to the public may be referred to as "in-camera" meetings or sessions.

4.15 Council and Committee meetings shall stand adjourned at 11:00 p.m. but business may be continued upon a Resolution passed by unanimous vote.

PART 5
AGENDAS AND SUPPORTING MATERIAL

5.1 The Clerk shall prepare the Agenda of Council and Committee meetings as assigned.

5.2 Insofar as is practicable, Council Agendas along with supporting material, shall be prepared and made available to members no later than the Friday prior to a regular meeting.

5.3 Individuals or groups wishing to appear before Council at a regular meeting should advise the Clerk not later than ten (10) days prior to the meeting and the Clerk may make a determination as to deferral of delegations to a subsequent meeting.

The Clerk may decline to add items or delegations to an Agenda. Reasons to decline include, but are not limited to the following:

a. More time is required to obtain background information or reports for Council review on the subject;
b. The subject matter of the Delegation is outside the jurisdiction of Council;
c. The subject matter is with respect to a matter that should be discussed in a Closed meeting;
d. The meeting Agenda is already too lengthy;
e. The subject matter is set to be discussed on another Agenda;
f. The issue is frivolous or vexatious;
g. Council has previously considered or made a decision on the issue and a Delegation has appeared before Council with respect to the same issue;
h. Council previously indicated that it will not hear further from this Delegation; or
i. The issue should be referred to Administration for action.

5.4 Agendas shall be generally formatted as follows but modifications to the matters to be included or the order of business may be affected without requiring amendment to this By-law:

1. Disclosure of Pecuniary Interest
2. Staff Reports
3. Committee Reports
4. Petitions and Delegations
5. Minutes of Previous Meetings
6. Resolutions
7. New Business/By-Laws
8. Correspondence
9. Accounts
10. Resolution to move to an in-camera (closed) Session
11. Confirming Meeting
12. Adjournment

The business of the Council shall be taken up in the order as listed on the Agenda unless otherwise decided by the Mayor or presiding officer.

PART 6
NOTICE

6.1 Public notice of any meeting shall be posted on the bulletin board in the municipal office and on the municipal website. The notice shall include the date, time and location of such meeting. Such notice shall be posted not less than twenty-four (24) hours prior to the said meeting, exclusive of non-business days. Notwithstanding the foregoing, where such meeting is a special meeting called pursuant to this By-Law and it is not possible to provide the aforementioned notice, the Clerk shall make reasonable efforts to provide notice to those concerned and shall ensure that a notice be posted as soon as is practicable after the meeting has been scheduled. Notice of regular meetings or their scheduled dates shall be posted on the bulletin board in the municipal office and on the municipal website. Failure to give notice shall not invalidate the meeting or any decision

taken at the meeting; but the failure to give proper notice shall be called to the attention of Council at its next regular meeting by the Clerk or any member of Council who becomes aware of such failure.

PART 7
BY-LAWS

7.1 Supporting documentation, reports and drafts of By-Laws shall be circulated to Council prior to presentation for consideration.

7.2 Every By-Law shall be introduced by a Resolution stating the full title of the By-Law.

7.3 Every By-law when introduced shall be in typewritten form and shall contain no blanks except as may be required to conform to accepted procedure or to comply with provisions of any *Act*.

7.4 Every By-law shall be given three readings prior to passage. By-laws may be given three readings on the same day except when requested otherwise by resolution of the majority of the members present or as otherwise provided in law.

7.5 Upon passage, By-laws shall be numbered, signed by the Mayor or presiding officer and the Clerk and embossed with the seal of the Corporation.

7.6 Any proposed By-law may be referred to a Committee, Department Head or other officer for review and comment, including the solicitor for the Corporation.

PART 8
GENERAL

8.1 When the Mayor is absent on a temporary basis, under no circumstances shall the Council take a decision regarding capital spending unless provision for the capital spending is included in the estimates for that given year as approved by By-law or unless the expenditure is required as a result of an emergency.

8.2 In all matters and under all circumstances, the Members shall be guided by and shall have regard to the *Municipal Conflict of Interest Act*.

8.3 Following a regular or new election, the Clerk shall provide each member of Council with a copy of this By-law, including any amendments thereto.

8.4 Any procedure under this By-law which is discretionary and not mandatory under statute may be suspended with the consent of a majority of the members present.

8.5 No amendment or repeal of this By-law or any part thereof shall be considered at any meeting of the Council unless notice of the proposed amendment or repeal is provided.

PART 9
TECHNICAL CONSIDERATIONS

9.1 The Township of Nipissing will use the Zoom platform to hold electronic meetings, when required.

9.2 A digital recording of an electronic meeting will be made and maintained by the Township as per the current records retention by-law.

9.3 When holding an electronic meeting with limited attendance for members and/or the public, the meeting will be livestreamed to the Township of Nipissing's YouTube channel.

9.4 In the event of electronic disruption such as loss of internet connectivity during an electronic meeting, loss of power during an electronic meeting or technical issues with equipment during an electronic meeting, the meeting will be recorded and posted to the YouTube channel as soon as possible when systems may be restored.

Previous By-Laws Rescinded

By-Law Numbers 2020-47 and 2021-22 and all previous By-Laws and Resolutions and parts of By-Laws and Resolutions inconsistent with the provisions of this by-Law, governing the calling, place and proceedings of Council, its Committees and Boards, conduct of its members and the calling of meetings, are hereby repealed.

Effective Date

That this By-Law shall come into force and effect immediately on the passing thereof.

Read a first, second and third time and passed this 12th day of July, 2022.

THE CORPORATION OF THE
TOWNSHIP OF NIPISSING

Signed copy on file at Township Office

Tom Piper, Mayor:

By-Law Passed July 12, 2022

Kris Croskery-Hodgins,
Municipal Administrator-Clerk-Treasurer:

CONSOLIDATED JUNE 16, 2026
AMENDED BY BY-LAW NUMBER 2026-26

CONSOLIDATED FEBRUARY 20, 2024
AMENDED BY BY-LAW NUMBER 2024-10