

## Index to Procedure By-Law 2019-25

<b>PART</b>	<b>PAGE</b>
Short Title .....	2
PART 1 - DEFINITIONS .....	2
PART 2 – PRINCIPLES & APPLICATION .....	6
PART 3 – DUTIES & ROLES.....	7
PART 4 - <i>COUNCIL AND COMMITTEE MEETINGS</i> .....	9
4.1 <i>Meetings Open to the Public</i> .....	9
4.2 <i>Inaugural Meeting of Council</i> .....	9
4.3 <i>Regular meetings</i> .....	9
4.4 <i>Special meetings</i> .....	10
4.5 <i>Confidential Session Meetings</i> .....	10
4.6 <i>Electronic Participation</i> .....	11
4.8 <i>Adjournment Hour</i> .....	12
4.9 <i>Notice of Meetings</i> .....	13
PART 5 – RULES OF CONDUCT AND DEBATE .....	13
5.1 <i>Conduct/Decorum</i> .....	13
5.2 <i>Speaking/Debate</i> .....	14
5.3 <i>Public Conduct at Council and Committee meetings</i> .....	15
PART 6 – <i>COUNCIL &amp; COMMITTEE AGENDAS</i> .....	16
PART 7 – MEETING PROCEEDINGS.....	16
PART 9 - MOTIONS .....	22
PART 10 – RECONSIDERATION.....	23
PART 11 - VOTING .....	24
PART 12 - GENERAL .....	25
12.0 <i>Amendment/Repeal</i> .....	25
12.2 <i>Severability</i> .....	25
APPENDIX A TO BY-LAW 2019-25.....	27
APPENDIX B TO BY-LAW 2019-25.....	31
Live Streaming Policy and Procedure .....	31
Closed session Council meetings shall not be live streamed or recorded. ....	31
APPENDIX C TO BY-LAW 2019-25 .....	32
APPENDIX D1-D4 TO BY-LAW 2019-25.....	37



## THE CORPORATION OF THE TOWN OF PENETANGUISHENE

### BY-LAW NO. 2019-25

#### **Being a By-law of The Corporation of the Town of Penetanguishene to Govern the Proceedings of Council and its Committees (Procedure Manual for Council/Committees) and to Repeal By-law 2017-86**

**WHEREAS** section 238, of the *Municipal Act, 2001* requires that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of *meetings* and that the by-law shall provide for public notice of meetings;

**AND WHEREAS** Council deems it desirable to establish a municipal heritage committee pursuant to section 28 (1) of the *Ontario Heritage Act* known hereon in as the Museum & Heritage Advisory Committee;

**AND WHEREAS** Council deems it desirable to repeal and replace By-Law 2017-86;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF PENETANGUISHENE HEREBY ENACTS AS FOLLOWS:**

#### **Short Title**

This by-law shall be known as the Town of Penetanguishene Procedure By-Law.

#### **PART 1 - DEFINITIONS**

In this by-law:

- 1.1 "Act" means the Municipal Act, 2001 S.O. 2001, chapter 25 as amended.
- 1.2 "Acting Head of Council" means in the absence of the Mayor, the Deputy Mayor or in the absence of the Mayor and Deputy Mayor, those present shall elect amongst themselves, an Acting Head of Council for the meeting, or until the Mayor or Deputy Mayor are present. The Acting Head of Council shall have all powers, duties and authorities of the Mayor while acting in said capacity.
- 1.3 "Ad-Hoc Committee" means a special purpose committee of limited duration, created by Council to inquire into and report on a particular matter or concern

and which dissolves automatically upon submitting its final report to Council unless otherwise directed by Council.

- 1.4 “Advisory Committee” means a special purpose committee established by Council to provide recommendations, advice and information to Council through the delegated Section Committee.
- 1.5 “Agenda” means the items and order of business for the meeting in which it is prepared for.
- 1.6 “Calendar Year” means the period from January 1<sup>st</sup> of any one year up to and including December 31 of the same year.
- 1.7 “Chair” means the person appointed to preside over a meeting. Head of Council or Acting Head of Council in the case of Council or Special Council; any member of an Advisory Committee appointed by the Committee to serve as Chair (or Vice Chair).
- 1.8 "*Clerk*" means the Town *Clerk* of The Corporation of the Town of Penetanguishene and/or designate.
- 1.9 “*Committee*” for the purposes of this by-law, *Committee*, unless referenced in association with local boards, means Committee of the Whole, a committee comprised of all *members* of *Council* where the decisions of the *Committee* do not represent the final decision of *Council* until confirmed by by-law or resolution of *Council*.
- 1.10 “*Closed Session*” or “*Closed Meeting*” or “*In-Camera Meeting*” means a *meeting*, or portion thereof, closed to the public in accordance with this by-law and Section 239 *Municipal Act, 2001*.
- 1.11 “*Council*” means the *Council* of the Corporation of The Town of Penetanguishene.
- 1.12 “*Defer*” means to postpone until later in the same meeting or to the next meeting of the same body, or to a meeting of the same body that is specified in the motion to defer.
- 1.13 “*Delegation*” means a person or persons intending to address the Council or Committee in a matter under the delegated authority of said body.
- 1.14 “*Educational*” or “*Training Session*” means a session held to educate or train the members in accordance with Section 239 (3.1) of the Act. For the purpose of this By-law, educational or training sessions shall not be deemed a meeting.
- 1.15 “*Electronic Participation*” means a member of Council attending a meeting of Council or Committee of the Whole by telephone.

- 1.16 “Emergency” means an unforeseen situation or pending situation that presents an urgent or extraordinary matter which is required to be dealt with in the most expedient manner.
- 1.17 “Head of Council” means the Mayor of The Corporation of the Town of Penetanguishene.
- 1.18 “Holiday” means:
- i) Any holiday as defined in the Legislation Act R.S.O. 2006 except Sundays;
  - ii) Civic Holiday;
  - iii) Family Day;
  - iv) Any other day proclaimed by the Head of Council as a civic holiday;
  - v) Any day as set out in a Town By-law as such.
- 1.19 “*Improper conduct*” means conduct that obstructs in any way the deliberations and/or proper action of *Council or Committee*.
- 1.20 “Inaugural Meeting” means the first meeting of a new Council after a regular election and after a by-election and shall be held no later than 31 days after its term commences.
- 1.21 “Live streaming” is a method of providing video over the internet in real time to anyone who has high-speed internet access. The video stream can be saved and archived allowing those with internet access the ability to view recordings at their convenience.
- 1.22 “*Local board*” means a municipal service board, or any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of the Town, excluding a school board, a conservation authority, and a public library board.
- 1.23 “*Majority*” means a number greater than half of a total.
- 1.24 “*Mayor*” means the *Mayor* as the Head of *Council* of the Corporation of the Town of Penetanguishene, or the *Deputy Mayor* if the *Mayor* is unable to act.
- 1.25 “Meeting” means 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.

For the purpose of this By-law, public consultations, educational or training sessions and site inspections shall not be deemed a meeting.

- 1.26 "*Member*" means a *member* of the *Council* of The Corporation of the Town of Penetanguishene or appointed member of a Committee as it may apply.
- 1.27 "Motion" or "Resolution" means a formal proposal by a member, in a meeting, the Council or Committee take a certain action.
- 1.28 "Museum and Heritage Committee" means a committee established by Council as a municipal heritage committee pursuant to section 28 (1) of the Ontario Heritage Act.
- 1.29 "Notice" means notice provided by the Corporate Services Department of a meeting of Council posed in accordance with the requirements of this By-law.
- 1.30 "*Notice of motion*" means an advance notice to *members* of a matter on which *Council* will be asked to take a position.
- 1.31 "*Parties to a public hearing*" shall be the persons specified as parties by or under the statute under which the proceeding arises or, if not so specified, persons entitled by law to be parties to the proceeding.
- 1.32 "Pecuniary Interest" means a direct or in-direct pecuniary interest within the means of the Municipal Conflict of Interest Act, 1990, chapter M.50 as amended.
- 1.33 "*Point of order*" means a matter that a *member* considers to be a departure from or contravention of the rules, procedures and/or generally accepted practices of *Council*.
- 1.34 "*Point of privilege*" means a matter that a *member* considers to question their integrity and/or the integrity of the *Council*.
- 1.35 "*Presiding Officer*" means the person presiding over a *meeting*, who may also be referred to as "Chair".
- 1.36 "Presentation" means a presentation by a professional organization, firm, consultant or similar group to Council to provide information on a specific subject matter and may include ceremonial presentations to community groups, staff or other members of the public.

- 1.37 “Proclamation” means a public statement or support of a statement as proclaimed by Council in order to acknowledge a significant event.
- 1.38 “Public Consultation” or “Public Information Session” means a session held for the purpose of obtaining information from or relaying information to the public on a matter of municipal importance. For the purpose of this By-law, public consultations shall not be deemed a meeting.
- 1.39 “*Quorum*” is a *majority* of the total number of voting *members* currently on *Council* or *Committee*.
- 1.40 “*Recorded vote*” means documenting in the minutes of a *Council meeting* the name of each *member* and their vote on a matter or question, in favour, opposed, or absent pursuant to Section 246.1 of the Act.
- 1.41 “Recording Secretary” means the Town Clerk or designate who shall prepare the agendas and record the proceedings of the Council, Committees or Local Boards.
- 1.42 “Refer” means to refer or assign a specific matter or item to a Committee, Section, staff or member for further consideration and/or action.
- 1.43 “*Regular meeting*” means a scheduled *meeting* held in accordance with the approved calendar/schedule of *meetings*.
- 1.44 “*Rules of procedure*” means the rules and regulations provided in this by-law.
- 1.45 “*Special meeting*” means a *meeting* not scheduled in accordance with the approved calendar/schedule of *meetings*.
- 1.46 “*Special purpose committee*” means a committee established by *Council* to consider a specific matter which is disbanded once it has reported to *Council*.
- 1.47 “Town Website” means the domain name [www.penetanguishene.ca](http://www.penetanguishene.ca).
- 1.48 “*Unfinished business*” means any matter listed in the *meeting agenda* which has not been dealt with by the adjournment hour.

## **PART 2 – PRINCIPLES & APPLICATION**

- 2.1 The following *members’* rights are the principles upon which the procedure by-law is based:
- a) the majority of *members* have the right to decide;
  - b) the minority of *members* have the right to be heard;

- c) all *members* have the right to information to help make decisions, unless otherwise prevented by law;
- d) *Members* have a right to an efficient meeting;
- e) all *members* have the right to be treated with respect and courtesy; and
- f) all *members* have equal rights, privileges and obligations.

## 2.2 Application:

- 2.2.1 The *rules of procedure* established in this by-law shall be observed in all proceedings of *Council* and *Committee* and shall be the rules for the order and conduct for the dispatch of business in *Council* and *Committee*.
- 2.2.2 Notwithstanding subsection 2.2.1, the rules and regulations contained in this by-law may be suspended by *Council* or *Committee* on a single occasion by a vote of two-thirds of the entire Council or Committee, provided the suspension does not contravene the requirements of the *Municipal Act, 2001* or any other statute.
- 2.2.3 In the absence of adopted customized rules of procedure, all advisory, special purpose or sub-committees and *local boards* under the jurisdiction of the Town of Penetanguishene may use the rules of order and debate and relevant provisions of this by-law to govern the calling and proceedings of meetings.
- 2.2.4 The *Clerk* shall be responsible to interpret the rules of procedure under this by-law which shall be interpreted in accordance with the principles set out in section 2.1.
- 2.2.5 All points of order or procedure for which rules have not been provided in this by-law and its appendices shall be decided by the *Presiding Officer* in accordance, as far as is reasonably practicable, with the rules of parliamentary procedure as contained in Robert's Rules of Order ([www.robertsrules.org](http://www.robertsrules.org)).

## **PART 3 – DUTIES & ROLES**

### 3.1 Head of Council/Chair

#### 3.1.2 It is the duty of the *Head of Council/Chair* to:

- a) carry out the responsibilities of his or her roles as described in the *Municipal Act, 2001*;
- b) represent and support the *Council* and its decisions in all matters;
- c) preside over all *Council* meetings, unless unavailable, in which case the *Deputy Mayor* shall be the *Presiding Officer*;

### 3.2 Members

3.2.1 It is the duty of *members* to:

- a) carry out the responsibilities of the role of *Council* as described in the *Municipal Act, 2001* and any other Act;
- b) uphold the by-laws and policies of the Corporation of the Town of Penetanguishene;
- c) deliberate on the business submitted to *Council*;
- d) vote on all motions before *Council* unless prohibited from voting by law;
- e) observe the *rules of procedure* at all meetings.

3.3 Presiding Officer

3.3.1 The *Mayor* shall be the *Presiding Officer* at all *Council* meetings, unless unavailable, in which case the *Deputy Mayor* shall be the *Presiding Officer at Council*.

3.3.2 It is the duty of the *Presiding Officer* to:

- a) open the *meeting* by taking the Chair, calling the *members* to order and announcing the business before the assembly and the order in which it is to be acted upon;
- b) ensure that all items of business listed on the agenda are addressed and that the *meeting* progresses with due efficiency;
- c) protect all rights of those attending the *meeting*;
- d) receive and put to a vote in the proper manner all motions presented and to announce the result;
- e) decline to put to vote motions which infringe upon the rules of order or are beyond the jurisdiction of the assembly;
- f) preserve and enforce the rules of order
- g) rule on any points of order raised by *members*;
- h) ensure the *members* abide by the rules of order when engaged in debate;
- i) call by name any *member* persisting in breaching the rules of order, thereby ordering such *member* to vacate the *meeting* place;
- j) expel or exclude from any *meeting* any person who is guilty of *improper conduct* at the *meeting*;
- k) receive all messages and other communications and announce them to *Council or Committee* if necessary;
- l) authenticate by signature when necessary all resolutions, by-laws and minutes;
- m) represent and support *Council or Committee*, declaring its will and implicitly obeying its decisions in all things;
- n) ensure that decisions of *Council and Committee* are in conformity with the laws governing the activities of *Council and Committee*;
- o) adjourn the *meeting* when business is concluded;
- p) adjourn the *meeting* without question to a time to be named by the *Presiding Officer* when it is not possible to maintain order.



### 3.4 Clerk

#### 3.4.1 It shall be the duty of the Clerk to:

- a) be the official Secretary for *Council* and *Committee meetings*, responsible for the taking and preserving of *minutes* and documentation relevant to all *meetings*.
- b) appoint another staff member as official Secretary in his/her absence at *Council* and *Committee* meetings
- c) assemble and produce *meeting agendas* and manage *agenda* deadlines
- d) ensure notice of *meetings* is provided in accordance with the Procedures for Notice By-law.
- e) provide procedural advice to the *Presiding Officer* and to *members* on agenda business and on preparing motions
- f) authenticate by signature when necessary all resolutions, by-laws and minutes of *meetings* and certify copies of such documents when required.

## **PART 4 - COUNCIL AND COMMITTEE MEETINGS**

### 4.1 Meetings Open to the Public

4.1.1 Except as provided in this by-law, all *meetings* shall be open to the public.

4.1.2 The Presiding Officer may expel or exclude from any meeting any person who has engaged in improper conduct at the meeting.

### 4.2 Inaugural Meeting of Council

4.2.1 The inaugural *meeting* of *Council* shall be held at 7:00 p.m. on the first Wednesday in December following a regular municipal election.

### 4.3 Regular meetings

4.3.1 Unless otherwise decided by *Council*, *regular meetings* of *Council* shall be held in a Town facility commencing at 7:00 p.m. according to the schedule set annually and approved by *Council*. *Committee meetings* shall be held immediately following the *Council meeting*.

4.3.2 The *Mayor* may, with appropriate notice, postpone or cancel any regular *Council* or *Committee* meeting if, in consultation with the *Clerk*, it has been determined that there are insufficient agenda items for the meeting or if it appears that inclement weather or like occurrence or an emergency situation will prevent the *members* from attending.

4.3.3. Where an item of business scheduled for an agenda may require extraordinary time provisions, the *Mayor* may authorize an earlier

commencement time for the meeting and the *Clerk* shall notify all *members* and provide public notice accordingly.

4.4 *Special meetings*

4.4.1 The *Mayor* may at any time call a *special meeting* of *Council* or *Committee* or upon receipt of a petition of the *majority of members*; the *Clerk* shall call a *special meeting* of *Council* or *Committee* for the purpose and at the time and date specified in the petition.

4.4.2 No business may be transacted at a *special meeting* other than that specified in the notice, petition and/or agenda.

4.5 *Confidential Session Meetings*

4.5.1 In accordance with the provisions of the *Municipal Act, 2001*, Section 5.2 e) a meeting or part of a meeting may be closed to the public if the subject matter being considered is:

- 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 affecting the municipality or *local board*, including matters before administrative tribunals;
- f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.;
- g) a matter in respect of which *Council* or *Committee* has authorized a *meeting* to be closed under another Act;
- h) a matter regarding consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the *Council* is designated as the "Head" for the purpose of that Act;
- i) 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;
- j) 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;

- k) 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
- l) 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.

m) if the following conditions are both satisfied:

- i. the *meeting* is held for the purpose of educating or training the *members*; and
- ii. 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* or *Committee*.

4.5.2 Prior to moving into *confidential session* for one of the reasons listed in subsection 4.5.1, *Council* or *Committee* shall state by resolution:

- a) the fact that the *Council* or *Committee* is convening into *confidential session*; and
- b) the general nature and a brief description of the matter(s) to be considered.

4.5.3 Members shall be prohibited from discussing any additional matters during a *confidential session* other than those identified by resolution as required under subsection 4.5.2.

4.5.3 A *meeting* shall not be closed to the public during the taking of a vote, except where:

- subsection 4.5.1 permits or requires that the *meeting* be in *confidential session*; and
- the vote is for a procedural matter or for giving direction or instructions to officers, employees, and/or agents of the municipality and/or *local board* or persons retained by, or under contract to, the municipality or *local board*.

4.5.4 The number of times a member may speak in debate on a matter shall not be limited during *confidential sessions* of *Council* and *Committee*.

4.5.7 The *Clerk* shall advise the *Presiding Officer*, if in his/her opinion, the issue (or portion thereof) being discussed at a *confidential session* is not procedurally in accordance with the terms of the *Municipal Act, 2001*.

4.6 Electronic Participation

- 4.6.1 A member of council, can participate electronically in a Council, Special Council or Committee of the Whole meeting which is open to the public to the extent and in the manner set out in the by-law provided that any such member shall not be counted in determining whether or not a quorum of members is present at any point in time.
- 4.6.2 Members of Council cannot participate electronically in a meeting which is closed to the public.
- 4.6.3 Members of Council shall be allowed a maximum of three (3) electronic participation per calendar year per member.
- 4.6.4 The Clerk shall allow a maximum of two (2) electronic participants per meeting.
- 4.6.5 If the Chair of the meeting requires electronic participation, the Chair shall be appointed to a member of Council that is physically present.
- 4.7 Call to Order/Quorum
- 4.7.1 As soon as there is a *quorum* after the time set for the start of the *meeting*, the *Presiding Officer* shall call the *members* to order.
- 4.7.2 If a *quorum* for a *meeting* is not present within fifteen (15) minutes of the commencement of the *meeting*, the *Clerk* shall indicate that no *quorum* is present and the *meeting* shall stand adjourned until the next regular *meeting*. The *Clerk* shall record the names of the *members* present.
- 4.7.3 In the case where *quorum* is present and the intended *Presiding Officer* has not attended within fifteen minutes after the time appointed:
- (a) the Deputy Mayor or in the absence of the Mayor and Deputy Mayor, those present shall elect amongst themselves, an Acting Head of Council for the meeting, or until the Mayor or Deputy Mayor are present. The Acting Head of Council shall have all powers, duties and authorities of the Mayor while acting in said capacity.
- 4.7.4 If during the course of a *meeting* a *quorum* is lost, the *Presiding Officer* shall declare that the *meeting* shall stand recessed temporarily or be adjourned until the date of the next *regular meeting* or other *meeting* called in accordance with the provisions of this by-law. The *Clerk* shall record the names of the *members* present in the minutes at the time of adjournment.
- 4.7.5 *Members* are encouraged to inform the *Clerk* of all planned absences, late arrivals or early departures from a *meeting*.
- 4.8 Adjournment Hour

- 4.8.1 All *meetings* shall stand adjourned when the *Council or Committee* has completed all business as listed on the *agenda*, or at 11:00 p.m., whichever is earlier.
- 4.8.2 Where the business before *Council or Committee* has not been completed by the above hour, *Council or Committee* may pass a resolution by a vote of two-thirds of the *members* present to proceed beyond the hour of 11:00 p.m. to continue any *unfinished business*.
- 4.9 Notice of Meetings
- 4.9.1 The calendar/ schedule of meetings shall be posted to the Town website annually upon *Council* approval.
- 4.9.2 Notice of all *meetings* of *Council* and *Committee*, in the form of the agenda, shall be provided to *members* and posted to the Town website within a minimum of 24 hours before the start of the meeting.
- 4.9.3 Any addendums to the agenda will be made available to the public as soon as is practicable prior to the *Council or Committee meeting* by posting the addendum to the agenda.
- 4.9.4 All notices or other communications required or permitted to be given under this by-law shall be sufficiently given if in writing by personal delivery, or electronic mail to such party at such address as the party has designated.
- 4.10 Council Workshops
- 4.11 A workshop may include open session and closed session business in accordance with the rules of the Procedure By-law, council policy and applicable legislation.
- 4.12 Upon confirmation that the workshop is to proceed, the Clerk shall give notice to all members of council in accordance with this by-law regarding the subject, date, time and location of the workshop.
- 4.13 Preparation of an “agenda” will be dependent on the subject of the workshop. The Clerk shall be consulted and shall keep a copy for the public record and public inspection.
- 4.14 Notice of the workshop subject, date, time and location will be made available to the public in accordance with Subsection 4.9, and comply with any additional requirements set out in council policy or by-law.

## **PART 5 – RULES OF CONDUCT AND DEBATE**

### **5.1 Conduct/Decorum**

5.1.1 *Members of Council* shall:

- (a) act in accordance with their Declaration of Office under the *Municipal Act, 2001* and the *Council Code of Conduct*;
- (b) discharge with integrity all responsibilities to *Council*, the Town of Penetanguishene, and the public, in keeping with approved corporate policies;
- (c) not speak disrespectfully of the Reigning Sovereign, any member of the Royal Family, the Governor-General, the Lieutenant Governor, the Head of the Government of Canada, or the Province of Ontario;
- (d) not use offensive words or insulting expressions at any time including speaking in a manner that is discriminatory in nature based on an individual's race, ancestry, place of origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status or disability;
- (e) treat the *Presiding Officer*, other members, staff, and the delegates from the public with courtesy, respect and good faith;
- (f) not leave his/her seat or make any noise or disturbance while a vote is being taken and until the result is declared;
- (g) not criticize any decision of the *Council* except for the purpose of introducing a motion for reconsideration;
- (h) not disobey the rules of the *Council* or a decision of the *Presiding Officer* or *Council* on a question of order, practice or interpretation of the rules of the *Council*;
- (i) be encouraged to ask any relevant questions of staff prior to any *meeting* where an issue may be introduced or debated so that staff may be able to have appropriate information at such *meeting* if necessary;
- (j) turn off all cell phones, and electronic devices, except those in use to facilitate the *meeting*, or otherwise set them so as not to emit any audible sound during a *meeting*.

5.1.2 Where a *member* has been called to order by the *Presiding Officer* for disregarding the *rules of procedure* and the *member* persists in such conduct, the *Presiding Officer* may order such *member* to vacate the meeting place.

5.1.3. Where, the *member* apologizes, the *member* may be permitted to resume his/her seat.

5.2 Speaking/Debate

- 5.2.1 Any *member* desiring to speak to any motion shall signify the intent in such manner as the *Presiding Officer* may direct, and shall refrain from speaking until the *Presiding Officer* has recognized him/her.
- 5.2.2 When a *member* has been recognized by the *Presiding Officer* to speak, the *member* may rise and shall direct his/her questions or comments to the *Presiding Officer* and speak only to the matter under consideration.
- 5.2.3. The *Presiding Officer* shall recognize the *members* who wish to speak in the order that they come to his/her attention.
- 5.2.3 When a *member* is speaking, no other *member* shall interrupt, except to raise a *Point of privilege* or *Point of order*.
- 5.2.5 A *member* shall not speak more than once to the same motion until all other *members* have had the opportunity to speak to the matter for the first time, except for the purpose of providing an explanation of a material part of his/her speech which may have been misunderstood and in doing so he/she shall not introduce new matters. No *member* shall speak to the same motion more than twice without the leave of *Council* or *Committee*.
- 5.2.6 A *member* shall not speak to the same motion, or in reply, for longer than five minutes, without leave of *Council* or *Committee*.
- 5.2.7 A *member* shall be restricted to asking questions related directly to the matter under discussion.
- 5.2.9 The *Presiding Officer* may answer questions and comment in a general manner but if he/she wishes to speak to the matter under discussion, he/she shall withhold his/her comments until the conclusion of the debate after all other *members* have had an opportunity to speak to the matter
- 5.3 Public Conduct at *Council* and *Committee* meetings
- 5.3.1 Public attendees at a *Council* or *Committee* meeting shall maintain order and quiet and shall not address *Council* except with the permission of *Council*.
- 5.3.2. No person shall display signs or placards, applaud participants in debate or engage in conversation or other behaviour which may disrupt the proceedings of *Council* or *Committee*.
- 5.3.3 No person shall bring into the meeting cellular telephones pagers or other electronic devices which emit a sound unless such devices are turned off or otherwise set to non-audible.

- 5.3.4. No person shall use indecent, offensive or insulting language or speak disrespectfully of any *member* of Federal, Provincial or Regional *Council*, any *member* of *Council* or any employee of the Town.
- 5.3.5 Persons addressing *Council* or *Committee* in accordance with section 7.8 of this by-law shall only speak on the subject in debate and shall not speak on any other subject.
- 5.3.6 Any person who contravenes any provision of this section, may be expelled from the *meeting* by the *Presiding Officer*.
- 5.4. *Point of Privilege*
- 5.4.1 Where a *member* considers that the rights, integrity, character or reputation of the *member*, *members*, or *Council* as a whole has been impugned, the *member* may raise a *point of privilege* drawing the attention of the *Council* to the matter in accordance with Appendix "A".
- 5.5 *Point of Order*
- 5.5.1 Where a *member* considers that there has been a departure from the rules of procedure, the *member* may raise a *point of order* in accordance with Appendix "A".

## **PART 6 – COUNCIL & COMMITTEE AGENDAS**

- 6.1 The *Clerk* shall have prepared all *Council* and *Committee agendas*.
- 6.2 When reasonably possible, agendas for *Council and Committee meetings* shall be made available to the public three (3) business days prior to a *meeting*.
- 6.3 The *Clerk* may prepare an addendum to the agenda to deal with urgent matters or provide supplementary information to items of business listed on the agenda.
- 6.4 An item of business not listed on the *agenda* is not permitted to be introduced at a *meeting* unless authorized by a two-thirds vote of the *members* present.

## **PART 7 – MEETING PROCEEDINGS**

- 7.1 The business of *Council or Committee* shall be taken up in the order in which it stands on the *agenda*, unless otherwise decided by the *Presiding Officer*, the *Council or Committee*.
- 7.2 Opening Procedure



- 7.2.1. As soon after the appointed time of the meeting that there is a quorum present, the *Presiding Officer* shall take the Chair and call the *members* to order.
- 7.2.2. Every regular *Council* meeting shall commence with the recital of the Council Commitment.
- 7.3 Agenda Announcements / Amendments
- 7.3.1 The *Presiding Officer* shall announce any amendments to the agenda.
- 7.4 Disclosure of Pecuniary Interest & General Nature Thereof
- 7.4.1. It is the responsibility of each *member* to identify and disclose any pecuniary interest on any item or matter before the *Council* or *Committee*, in accordance with the provisions of the of interest legislation currently in effect.
- 7.4.2 Where a *member* has any *pecuniary interest*, direct or indirect, in any matter and is present at a *meeting* of the *Council* or *Committee* at which the matter is the subject of consideration, the *member* shall:
- a) prior to any consideration of the matter at the *meeting*, disclose the interest and the general nature thereof;
  - b) not take part in the discussion of or vote on any question with respect to the matter; and
  - c) not attempt in any way before, during and/or after the *meeting* to influence the voting on any such question.
- 7.4.3 Where a *meeting* is not open to the public, in addition to complying with the requirements of subsection 7.4.2., the *member* shall forthwith leave the *meeting* for the part of the *meeting* during which the matter is under consideration.
- 7.4.4 Where the interest of a *member* has not been disclosed by reason of his/her absence from the particular *meeting*, the *member* shall disclose the interest and otherwise comply at the first *meeting* of *Council* or *Committee*, as the case may be, attended by the *member* after the particular *meeting*.
- 7.4.5 The *Clerk* shall record the particulars of any disclosure of *pecuniary interest* made by the *member(s)* and such record shall appear in the minutes of that particular *meeting*.
- 7.5 Special Recognition
- 7.5.1 Upon request of the *Mayor's* office, the *Clerk* shall place on the *Council agenda*, civic recognition/awards to be presented at the *meeting*.

## 7.6 Consent Items

- 7.6.1 Items of business which are, in the opinion of the *Clerk*, generally routine in nature and would not require debate, shall be listed as consent items and may be approved collectively by a single motion.
- 7.6.2 A *member* may make brief comments to a consent item prior to the consideration of the adoption of the matters listed, however, if a *member* wishes to debate or amend the recommendation of an item; the item shall be removed from the consent list and dealt with as a separate item.
- 7.6.3 Minutes of the previous meetings of *Council* and *Committee* shall be listed as *Consent items* for consideration and approval.
- 7.6.4 Correspondence addressed to Council will become part of the public record and may be published in a Council Information Package (CIP) on the agenda and published as part of the agenda package on the Town's website.

## 7.7 Public Meetings/Hearings

- 7.7.1 The *Committee* is delegated the power to hold a public hearing or meeting where legislatively required and any such matter shall be listed on either a *Council* or *Committee* agenda, as deemed appropriate, at which the proceedings shall be conducted in accordance with the applicable legislative requirements.
- 7.7.3 The *Presiding Officer* shall advise of the procedures to be followed at the commencement of the public *meeting* or hearing.
- 7.7.4 During a public *meeting*, after all *members* of the public have been given an opportunity to speak to the matter under consideration, the *Presiding Officer* shall adjourn the public portion of the *meeting* and debate on the matter shall be limited to *members*.
- 7.7.3 During a public hearing, after all *parties to a public hearing* have concluded their submission(s) to the matter under consideration, the *Presiding Officer* shall adjourn the public portion of the hearing and debate on the matter under consideration shall be limited to *members*.
- 7.7.4 All *parties to a public hearing* may be represented at the public hearing by a representative. Public hearings shall be limited to the parties to the hearing or their representative(s) and public delegations shall not be permitted.
- 7.7.5 Any party to a public hearing may call and examine witnesses, present evidence and submissions and conduct cross-examinations of witnesses at

the hearing reasonably required for a full and fair disclosure of all matters relevant to the issues in the proceeding.

7.8 Presentations/Delegations

- 7.8.1 Presentations addressing matters relevant to the Town and seeking to provide information or receive input from *Council* or *Committee* shall be permitted from any *local board* or similar authority including relevant agencies, boards, commissions as well as other levels of government and Town staff subject to the provisions outlined in this section.
- 7.8.2 Presentations may be permitted provided that the presenter or his/her representative has requested and been granted status from the *Clerk* by the Tuesday before a *meeting*, by 1:00 p.m.
- 7.8.3 Persons wishing to address *Council* or *Committee* as delegations to an item of business on an agenda shall provide written notice to the *Clerk* by the day of the *meeting* at 10:00 a.m.
- 7.8.4 The *Clerk* shall not register a delegation unless there is a specific item listed on the agenda to which the delegate has a bona fide interest and wishes to address *Council* or *Committee*.
- 7.8.5 Delegation requests received after the Tuesday preceding the *meeting*, but before 10:00 a.m. on the day of the *meeting*, may not be registered on the *meeting* agenda but shall be included on a list of additional delegations and provided to the *members* by the *Clerk*.
- 7.8.6 Delegation requests received after 10:00 a.m. on the day of the *meeting* will only be permitted by a majority vote of the *members* present at *Council* or *Committee*. Where the matter has previously been considered at *Committee*, *members* shall consider whether extenuating circumstances would support approving new delegation requests recognizing that all parties to the original discussion may not be present and provided the opportunity for further discussion.
- 7.8.7 Delegations will be permitted without prior registration during any public *meeting* as required by legislation.
- 7.8.8 Each person appearing in delegation shall be permitted to speak only once on the topic for a maximum of ten (10) minutes unless the matter has been previously considered by *Committee*, in which case delegations shall be limited to a maximum of five (5) minutes and delegates are requested to confine their delegation to information that was not available when the matter was previously considered.
- 7.8.9 The speaking time for any delegation at *Council* or *Committee* may only be extended by *majority* vote of the *members* present.

- 7.8.9 Where there are numerous delegates wishing to address the same matter, the *Presiding Officer*, after consultation with the *Clerk*, shall have the authority to reduce the delegation speaking time limit to enable every delegate the opportunity to address *Council* or *Committee*. Where possible, multiple delegates are encouraged to select one spokesperson to present their views within the allotted time frame.
- 7.8.11 Delegations shall abide by the rules of procedure and public conduct at *meetings* and shall accept any decisions of the *Presiding Officer* and not enter into cross debate with *members*, other delegations or staff.
- 7.8.12 The *Presiding Officer* may limit any delegation, questions of a delegation and/or debate during a delegation for disorder or any other breach of this by-law and, if the *Presiding Officer* rules that the delegation is concluded, the person or persons appearing shall withdraw, and the decision of the *Presiding Officer* shall not be subject to challenge.
- 7.8.13 Any discourse between *members* and the delegation shall be limited to *members* asking questions for clarification and obtaining additional, relevant information only. *Members* shall not enter into debate with the delegation respecting their comments.
- 7.8.14 The substance of presentations and delegations will not be cited in the minutes of the *meeting*.
- 7.8.15 Any person wishing to present materials either in hard copy or electronically for distribution at the *meeting* shall submit a copy of the material to the *Clerk* no later than 12 noon on the day of the *meeting*, or alternatively provide an adequate number of hard copies to the *Clerk* at the *meeting*.
- 7.9 *Notices of Motion*
- 7.9.1 *Notices of Motion* shall name the mover and seconder and shall be introduced at regular *Committee meetings*, in the following order:
- a) Motions for debate previously introduced at a prior *Committee* meeting.
  - b) Introduction of *Notices of Motion*
- 7.9.2 *Notices of Motion* shall be in writing and delivered to the *Clerk* by the agenda deadline, to be included on the agenda for introduction. *Notices of motion* shall not be discussed or debated upon introduction, but shall be included on the next regular *Committee* meeting agenda for consideration
- 7.9.3 Where it is deemed impractical or not in the best interests of the Town of Penetanguishene to delay consideration, a *notice of motion* may be considered by *Committee* upon its introduction by an affirmative vote of two-thirds of the *members* present.

7.9.5 Where it is would be beneficial to obtain a staff report on any *notice of motion* prior to its consideration, *members* may refer such *notice of motion* to staff upon its introduction for report and consideration as an item of business at a future meeting.

7.10 Statements by Members

7.10.1 *Members* shall be permitted a maximum of three minutes each in order to make statements which are intended for the purpose of sharing information about events/activities/functions and general work of *members* and such updates shall not be reflected in the minutes of the *meeting*.

7.11 By-laws

7.11.1 Every by-law shall be in writing and shall require only one reading prior to being passed by a majority vote of *Council*.

7.11.2 Unless separated at the request of a *member*, all by-laws proposed for adoption shall be passed collectively by a single motion.

7.11.3 Every by-law passed by *Council* shall signify the date of passage and be signed by the *Mayor* and the *Clerk* and sealed with the seal of the Corporation.

7.11.4 A by-law shall be passed for each regular or special *Council meeting* to confirm the proceedings thereof.

7.11.5 The *Clerk* shall be authorized to make minor corrections to any by-law resulting from technical or typographical errors prior to the by-law being signed.

7.12 Adjournment

7.12.1 Upon completion of the agenda, the *Presiding Officer* shall declare a meeting adjourned.

**PART 8 - MINUTES**

8.1. Minutes shall record:

- a) the place, date and time of meeting;
- b) the name of the *Presiding Officer* and the record of the attendance of the *members*;
- c) declarations of pecuniary interest;
- d) the motions considered and votes taken by *Council and Committee*; and

e) except as provided elsewhere in this by-law, all the other decisions or authorized actions without note or comment;

8.2 *Confidential Session* minutes shall record:

- a) the place, date and time of meeting;
- b) the names of the *Presiding Officer* and the record of the attendance of the *members* and any other attendees;
- c) a description of the substantive and procedural matters discussed, including specific reference to any documents considered
- d) the motions considered and votes taken by *Council and Committee*; and
- e) all directions given.

8.3 The minutes of each *Council* and *Committee meeting* shall be presented to *Council* at the next *regular meeting* for confirmation.

## **PART 9 - MOTIONS**

9.1 Except as provided elsewhere in this by-law, all motions shall be in writing and shall be signed by the mover and seconder.

9.2 In *Council or Committee*, the following procedural motions may be introduced verbally, without notice and without leave, except as otherwise provided by this by-law:

- a) a *point of order* or privilege.
- b) to close debate.
- c) to adjourn.

9.3 In *Council*, the following procedural motions may be introduced without notice and without leave, except as otherwise provided by this by-law:

- a) to suspend the *rules of procedure*.
- c) to table.
- d) to postpone definitely (deferral motion with a specified date/*meeting*).
- d) to refer.
- e) to amend.

- f) to postpone indefinitely (deferral motion without specifying a date/*meeting*).
  - g) any other procedural motion.
- 9.4 The mover and seconder may withdraw a motion or a *notice of motion* at any time prior to it being read by the *Presiding Officer*
- 9.5 After a motion has been read or stated by the *Presiding Officer*, it shall be deemed to be in the possession of *Council*, but may be withdrawn by the mover and seconder at any time before being voted on with the concurrence of *Council*.
- 9.6 When a motion is under consideration, no other motion shall be received except a procedural motion or a motion to amend.
- 9.7 After a motion has been put to vote by the *Presiding Officer*, no *member* shall speak to the motion nor shall any other motion be made until after the vote is taken and the result has been declared.
- 9.8 A motion regarding a matter, which is beyond the jurisdiction of the *Council*, shall not be in order except a matter, which, in the opinion of the *majority of Council*, has to do with the welfare of the citizens generally. The question of the opinion is to be decided without debate.
- 9.9 Appendix "A" forms part of this by-law and shall describe the form and standard descriptive characteristics of motions commonly used in *Council* and *Committee*.

## **PART 10 – RECONSIDERATION**

- 10.1 Any proposal to reconsider, amend or rescind a previous decision of *Council* made within its current term shall require a motion of reconsideration.
- 10.2 A motion to reconsider a previous decision of *Council* made earlier in a *meeting*:
- a) may be presented at any time prior to the meetings' adjournment by any member who voted in the majority when the decision was made;
  - b) may not be apply to a decision of indefinite postponement; and
  - c) shall require an affirmative vote of the majority of the *members* present
- 10.3 A motion to reconsider a previous decision of *Council* at a subsequent *meeting*:
- a) may only be introduced by a *member* who was present at the meeting and who voted in the *majority* when the decision was made or who was not present at the meeting when the decision was made;

- b) shall be introduced as a *notice of motion* in accordance with section 7.9 for consideration; and
  - c) shall require an affirmative vote of two-thirds vote of the *members present*
- 10.4 The mover of a motion to reconsider shall specify whether the reconsideration will address the entire original decision of *Council* or part of the original decision.
- 10.5 Debate on a motion for reconsideration shall be confined to reasons for or against reconsideration.
- 10.6 Discussion of the previous decision shall not be in order until the motion to reconsider has been adopted.
- 10.7 Where the motion to reconsider is decided in the affirmative, reconsideration of the previous decision of *Council* shall become the next order of business unless the motion to reconsider included direction to postpone reconsideration to a definitive date.
- 10.8 During the term of Council, a motion to reconsider shall not be permitted more than once with regard to a previous decision of *Council* nor shall a vote to reconsider be reconsidered.

## **PART 11 - VOTING**

- 11.1 The manner of determining the decision of the *Council* or *Committee* on a motion where no *recorded vote* is called for shall be at the discretion of the *Presiding Officer*, and may be by a show of hands.
- 11.2 Except as provided in the *Municipal Act, 2001*, no vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.
- 11.3 Voting shall be conducted in the following order:
- a) amendment to any amending motion;
  - b) upon determination of a) above, any subsequent amendment to the amending motion;
  - c) the amending motion;
  - d) the main motion;
- 11.4 When the matter under consideration contains distinct recommendations or propositions, any *member* may request that the vote be taken separately on each recommendation or proposition and no vote shall be required to be taken on the matter as a whole.
- 11.5 Every member present at a meeting shall vote on every motion, unless prohibited by legislation. Failure to vote for any other reason shall be



deemed to be a negative vote, except for the Presiding Officer who can exercise his/her right to abstain from voting.

11.6 Except as provided elsewhere in this by-law, a motion shall be deemed to have been carried when a *majority* of the *members* present and voting have voted in favour of the motion. Any motion upon which there is a tied vote shall be deemed to have been defeated.

11.7 If a *member* disagrees with the announcement of the result of any vote, the *member* may object immediately to the announcement and require that the vote be retaken.

#### 11.8 Recorded Votes

11.8.1 Any *member*, in *Council* immediately before or after a vote is taken, may require that a *recorded vote* be taken on the motion concerned.

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

#### 11.9 Appointments

11.9.1 The voting procedure for appointing members to boards and committees shall be in accordance with Appendix "C".

11.9.2 Council may appoint one (1) temporary replacements as an alternate member of the upper-tier council, to act in place of a person who is a member of the council's local municipality and its upper-tier municipality, when the person is unable to attend a meeting of the upper-tier council for any reason.

11.9.3 A member of council shall be permitted an absence of twenty (20) consecutive weeks or less if the absence is a result of the member's pregnancy, the birth of the member's child or the adoption of a child by the member.

### **PART 12 - GENERAL**

#### 12.0 Amendment/Repeal

12.1.1 No amendment or repeal of this by-law or any part thereof shall be considered at any *meeting* unless notice of the proposed amendment conforms with the provisions of the Town of Penetanguishene Notice Provision By-law.

12.1.2 By-Law 2017-86 and all amendments thereto are hereby repealed.

#### 12.2 Severability

12.2.1 Should any section, subsection, clause, paragraph or provision of this by-law be declared by a court of competent jurisdiction to be invalid, the same

shall not affect the validity of this by-law as a whole or any part thereof, other than the provision so declared to be invalid.

This by-law shall take full force and effect upon final passage hereof.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED** this 10<sup>th</sup> day of April, 2019.

---

**MAYOR Doug Leroux**

---

**CLERK Stacey Cooper**

## APPENDIX A TO BY-LAW 2019-25

### PROCEDURAL MOTIONS

#### 1. MOTION TO ADJOURN

##### 1.1 A Motion to adjourn:

- a) is always in order except as provided by this by-law.
- b) is not debatable.
- c) is not amendable.
- d) is not in order when a *member* is speaking or during the verification of the vote.
- e) is not in order immediately following the affirmative resolution of a motion to close debate; and
- f) when resulting in the negative, cannot be made again until after some proceedings have been completed by *Council*.

1.2 A motion to adjourn, if carried without qualification, brings a *meeting* or a session of *Council* to an end.

1.3 A motion to adjourn to a specific time, or to reconvene upon the happening of a specified event, suspends a *meeting* of *Council* to continue at such time.

#### 2. POINT OF PRIVILEGE

2.1 A *member* may at any time raise a *point of privilege* directing attention to a matter that affects the integrity, character or reputation of an individual, individuals or the entire *Council*, or the ability of an individual to participate.

2.2 A *point of privilege* shall take precedence over any other matter.

2.3 A *member* shall not be permitted to enter into any debate or introduce any motion not related to the *point of privilege*.

2.4 The *Presiding Officer* shall decide upon the point of privilege and advise the *members* of the decision.

2.5 Unless a *member* immediately appeals the *Presiding Officers'* decision, the decision of the *Presiding Officer* shall be final.

2.6 If the decision of the *Presiding Officer* is appealed, the question “Shall the ruling of the Chair be upheld?” shall be called without debate, and its results shall be final, based on a *majority* vote.

2.7 When the matter has been determined to be a *point of privilege*, the *member* shall be afforded an opportunity to propose a motion in relation to that *point of privilege*.

### 3. MOTION TO TABLE

3.1 A motion to table:

- a) is not debatable.
- b) is not amendable.

3.2 A motion to table a matter with some condition, opinion or qualification added to the motion shall be deemed to be a motion to postpone.

3.3 The matter tabled shall not be considered again by *Council* until a motion has been made to take up the tabled matter at the same or subsequent *meeting* of *Council*.

3.4 A motion to take up a tabled matter is not subject to debate or amendment.

3.5 A motion that has been tabled at a previous *meeting* of *Council* cannot be lifted off the table unless notice thereof is given in accordance with section 7.9 of this by-law.

3.6 A motion that has been tabled and not taken from the table for six (6) months shall be deemed to be withdrawn and cannot be taken from the table.

### 4. MOTION TO CLOSE DEBATE (PREVIOUS QUESTION)

4.1 A motion to close debate:

- a) is not debatable.
- b) is not amendable.
- c) cannot be moved with respect to the main motion when there is an amendment under consideration.
- d) should be moved by a *member* who has not already debated the question.

- e) requires a two-thirds (2/3) *majority* vote of *members* present for passage; and
- f) when resolved in the affirmative, the question is to be put forward without debate or amendment.

5. MOTION TO POSTPONE DEFINITELY

5.1 A motion to postpone definitely (to a fixed time or date):

- a) is debatable, but only as to whether a matter should be postponed and to what time.
- b) is amendable as to time and/or date.
- c) requires a *majority* vote of *members* present to pass.
- d) shall have precedence over the motions to refer, to amend, and to postpone indefinitely.

6. MOTION TO REFER (TO COMMITTEE OR STAFF)

6.1 A motion to refer:

- a) is debatable.
- b) is amendable.
- c) shall take precedence over all amendments of the main question and any motion to postpone indefinitely, to postpone definitely or to table the question.

7. MOTION TO AMEND

7.1 A motion to amend:

- a) is debatable.
- b) is amendable.
- c) shall be relevant and not contrary to the principle of the report or motion under consideration.
- d) may propose a separate and distinct disposition of a question provided that such altered disposition continues to relate to the same issue, which was the subject matter of the question.

7.2 Only one motion to amend an amendment to the main motion shall be allowed at one time.

8. MOTION TO POSTPONE INDEFINITELY

8.1 A motion to postpone indefinitely:

- a) is debatable, and debate may go into the merits of the main question, which effectively stops a motion and avoids a direct vote on the question.
- b) is not amendable.
- c) requires a *majority* vote.

9. POINT OF ORDER

9.1 The *Presiding Officer* shall decide all points of order. When a *member* wishes to raise a *point of order*, the *member* shall ask leave of the *Presiding Officer* and after leave is granted, the *member* shall state the *point of order* to the *Presiding Officer*, after which the *Presiding Officer* shall decide on the *point of order*. Thereafter, the *member* shall only address the *Presiding Officer* for the purpose of appealing the decision to *Council* or *Committee*, as the case may be. If the *member* does not appeal, the decision of the *Presiding Officer* shall be final. If the *member* appeals to *Council* or *Committee* as the case may be, *Council* or *Committee* shall decide the question without debate and the decision shall be final.

10. MOTION TO SUSPEND THE RULES (WAIVE THE RULES)

10.1 A motion to suspend the rules:

- a) is not debatable.
- b) is not amendable.
- c) requires a two-thirds *majority* vote to carry.
- d) takes precedence over any motion if it is for a purpose connected with that motion and yields to a motion to table.

**APPENDIX B TO BY-LAW 2019-25**  
**Live Streaming Policy and Procedure**

Regular and Special meetings of the Council, as well as meetings of Committee of the Whole, held at the Council Chambers located at 10 Robert Street West will be live streamed.

Special Council meetings held outside of the Council Chambers shall be exempt from being live streamed.

In accordance with the Municipal Act, 2001, minutes of meetings are to be recorded without note or comment by the Clerk or designate. The approved written minutes shall be the official record of all Council meetings.

The uploaded electronic file will be posted on the Town's live streaming YouTube account as soon as practical following the Regular or Special meetings of Council and Committee of the whole.

Video files from live streaming that are on the internet are part of the public realm and as such are subject to alteration by a member of the public with no municipal control over such alterations. The Town assumes no liability associated with any alterations that made by a member of the public on the internet.

The Presiding Officer shall make a statement at the commencement of Council and Committee of the Whole meetings to make presenters and members of the public aware that proceedings are being broadcasted, recorded and available on the internet.

Access to recorded proceedings shall be in compliance with the Municipal Freedom of Information and Privacy Act.

Proceedings of Boards and Advisory Committees of Council will not be live streamed or recorded. Closed session Council meetings shall not be live streamed or recorded.

## APPENDIX C TO BY-LAW 2019-25

### COMMITTEES AND BOARDS OF COUNCIL POLICY

#### Policy Purpose

The Corporation of the Town of Penetanguishene (the “Town”) is committed to appointing members of the public to various boards, committees, groups or other bodies as required by statute, convention, invitation or initiative, in a consistent, open manner allowing all residents and property owners interested with the opportunity to be appointed.

#### Scope

The purpose of Advisory Committees and Boards is to assist Council by providing recommendations on specialized issues, on a policy as set out in the terms of reference as defined in the “D” series of Schedules commencing with schedule “D1” or, in accordance with the legislative responsibilities of a respective Board.

This policy applies to all Advisory, Ad-Hoc, and Special Purpose Bodies as established from time to time within the provisions of the Town’s Procedural By-law and further includes the Town of Penetanguishene Committee of Adjustment, Library and Police Services Boards under the authority of their respective legislatures in relation to Town appointed representatives.

This Policy does not apply to appointments where the appointee is a Municipal Staff position or person.

#### Policy

It shall be the policy of the Town that public appointments to all of Council’s Boards and Committees, unless stated as part of a statute, by-law, regulation, constitution, or stipulated otherwise, shall generally be on the basis of public advertisement inviting applications from residents or property owners for the appointments to be submitted to the Corporate Services Department for processing and subsequent recommendation by Senior Managers to the Mayor and to Council for formal approval.

#### 1. Definitions

“**Ad-Hoc Committee**” means a special purpose committee of limited duration, created by Council to inquire into and report on a particular matter or concern and which dissolves automatically upon submitting its final report to Council unless otherwise directed by Council.

“**Advisory Committee**” means a special purpose committee established by Council to provide recommendations, advice and information to Council through the delegated Section Committee.

“**Council-appointed legislated board or committee**” means a mandatory board or committee established by Council under a statute to



provide information, advice, and recommendations to Council on public policy issues.

**“Member”** means an appointed Member of a Committee as it may apply.

**“Special Purpose Bodies”** means an external Committee, Commission or Board of which the Town is a member, created with a special mandate for overseeing and managing publicly funded facilities and/or programs.

**“Resident”** means a member of the public whose current and primary residence is within the Town of Penetanguishene.

**“Vacancy”** of any office or appointment shall mean the expiration of a stated term of office, resignation or determined under Section 6(a) at any time from an office or appointment made under this Policy.

## 2. Resident Appointment Process – New Term of Council

### **Re-Appointment**

- a) By September 1st in an election year, the Mayor will send a thank you letter to all existing board and committee members, and the members will be asked through the respective resource person or Chair, if they interested in serving on the Board or Committee for the next term, subject to confirmation that they still meet eligibility requirement as set out in the Procedure By-law, Board’s or Committee’s Terms of Reference and the requirements of this Policy and applicable legislation.
- b) The members who are interested in continuing on the Board or Committee will be provided with and required to complete a Public Appointment application form in order to review eligibility requirements.
- c) The list of names and completed application forms of eligible current members wishing to re-offer will be forwarded to the Clerk for consideration during the reappointment process.

### **Appointment of New Members (Advertising)**

- a) By October 1st in an election year, the Corporate Services Department shall advertise in a newspaper having general circulation in the Town and on the Town’s website, a list of municipal citizen appointee positions, stating the nature of the appointment to which the appointment is to be made and outlining the qualifications (if any) of the appointee, and shall solicit and receive written applications, in the prescribed form, from those interested in being considered for one of the vacancies. The C.A.O., in consultation with the resource person for each Board or Committee may organize an Open House and/or information session for any interested persons prior to the closing date for applications.

### **Recommendations of Appointments**

- a) The Corporate Services Department shall review applications received for accuracy and ensure that the applicants meet the requirements for the appointments being advertised as set out in the Board's, Committee's Terms of Reference, this Policy and applicable legislation.
- b) A list of eligible applicants, along with the respective applications and a list of eligible current Board or Committee members, who wish to have their name stand for appointment for the next term, shall be forwarded to the applicable Senior Manager for their review and comments.
- c) The Mayor shall review the report with the Clerk and C.A.O., and consult with the current Council representative(s) on the Board and Committee and shall select one individual for each position to be recommended for appointment by the Council, including any reappointments.

### **Formal Appointment**

- a) Council shall review the recommendations for appointment from the Mayor and shall approve all public appointments to Council Boards and Committees prior to the public announcement of any appointments. The Mayor shall have the sole responsibility of making Council member appointments to Council Committees, Boards, Advisory Committees and other Boards and Committees at the beginning of the new term of Council, ideally at the Inaugural Meeting.
- b) All appointments shall be made by resolution and ratified by the Confirmatory By-law. It shall be the responsibility of the Clerk to maintain a current roster of Committee and Board appointees and to maintain an historical record of Committee and Board members.
- c) Once appointed by Council, the Corporate Services Department will acknowledge those appointments, in writing and shall provide a copy of the Procedure By-law including the mandate of the board or committee, as applicable.
- d) The Human Resources Department shall provide all Appointees with the appropriate training and documentation to complete, e.g. Freedom of Information Consent Form, Integrated Accessibility Standard Regulation Training Booklet and payroll information (if applicable).

### **3. Resident Appointment Process – During the Term of Council (Vacancies)**

#### **Absenteeism**

An appointed member to an advisory committee/board shall be deemed to have resigned himself/herself from his/her respective appointment if he/she has missed three (3) consecutive meetings without being authorized to do so by the Board or Committee.

## **Resignation**

A resignation from a Board or Committee is to be submitted, in writing to the Chair or resource person, which shall be immediately forwarded to the Clerk to begin the process to fill the vacancy.

## **Filling Vacancies**

Appointments during the Term of Council shall be conducted in the same manner as those made under Section 2 above, with the following exceptions:

- a) Existing applications shall be reviewed prior to advertising a vacancy; recommendations, if any, from the Committee or resource person, shall be considered, upon receipt in writing.
- b) Based on a) above, advertising and/or posting on the Town website will be discretionary.
- c) Where possible and practical, and subject to time constraints, the Town will endeavour to provide the opportunity to the Chair and the Senior Manager or resource person of the respective boards or committees whose vacancy is being filled shall review and provide written comment on applications received to the Deputy Clerk as quickly as possible. The applications are confidential and shall not be discussed with any other person.
- d) The Appointment By-law Schedule "A" may be amended as required and all amendments shall be approved by resolution of Council without an amendment to the By-law.

## **4. Term of Resident Appointments**

- a) Unless otherwise provided for by legislation, Terms of Reference or operating procedures, the term of appointment shall generally coincide with the term of Council subject to potential annual review as deemed necessary, commencing upon passing of the appointment by-law and expiring November 30, in an election year, unless otherwise specified.
- b) Notwithstanding 4 (a) above, when a Board or Committee member resigns before the end of the term, or is deemed to have resigned due to absenteeism, the appointment continues until it is rescinded by Council.
- c) Notwithstanding 4 (a) above, if the Committee of Adjustment is required between the November 30<sup>th</sup> date of the election year and the date the Committee appointments are made in the new Council term, the member appointments from the previous election term will continue.

## **5. Conduct of Members**

Advisory Committees are governed by and subject to the provisions of the Town's Procedural By-law to Govern the Proceedings of Council and its

Committees and the Municipal Conflict of Interest Act, and shall adhere to Town policies and procedures.

Legislated Boards are governed by and subject to the provisions of their respective Procedural Policies and shall adhere to such. In the absence of said Policy, the Town's Procedural By-Law to Govern the Proceedings of Council and its Committees and the Municipal Conflict of Interest Act shall apply.

**6. Administration**

This Policy shall be administered by the Clerk with advice and assistance from the C.A.O., as required

**ADVISORY COMMITTEES OF COUNCIL**

<b>Committee</b>	<b>Membership</b>	<b>Number of Meetings per year</b>	<b>Staff Resource</b>
Community Wellbeing Committee	8 members of the public 1 member of Council	Quarterly / at the Call of the Chair	Director of Recreation and Community Services and Town Clerk
Downtown Improvement Committee	8 members of the public 1 member of Council	Quarterly / at the Call of the Chair	Director of Planning and Community Development
Museum & Heritage Advisory Committee	8 members of the public 1 member of Council	Quarterly / at the Call of the Chair	Museum Curator and Curatorial Assistant
Trails Advisory Committee	5 members of the public 1 member of Council	Quarterly / at the Call of the Chair	Recreation & Community Services Administrative Support Person and Director
Library Board	5 members of the public 2 members of Council	As per the Public Libraries Act, R.S.O. 1990.	Library CEO
Police Services Board	1 member of the public 2 members appointed by the province 2 members of Council	As per the Police Services Act, R.S.O. 1990.	Executive Assistant Corporate Services
Huronian Airport Commission	1 member of the public 1 member of Council	As per the Huronia Airport Commission	None.
Committee of Adjustment	4 members of the public 1 member of Council	At the Call of the Director of Planning and Community and Development.	Director of Planning and Community Development

**THE CORPORATION OF THE TOWN OF PENETANGUIHENE**  
**APPENDIX “D1”**

**Community Wellbeing Committee**

**Community Wellbeing Committee Membership**

Total membership of public 8 members including:

Minimum one (1) member of the public representing Seniors

Minimum one (1) member of the public representing Youth (age 16-30)

Minimum one (1) member of the public representing Accessibility

Minimum one (1) member of the public representing the Francophone community

Minimum one (1) member of the public representing the Indigenous community

Three (3) members of the public at large

One (1) Council representative (designated by the Mayor and ratified by Council)

Staff representatives (to be determined by the CAO)

**Committee Mandate:**

To provide support and advice to Council, applicable Staff and other associated Advisory Committees relative to enhancing the health and quality of life for Penetanguishene residents through a wide range of innovative, inclusive, and accessible events, programs, and infrastructure; providing opportunities for physical activity, social interaction and community engagement for all ages and demographics.

- Prepare a yearly work plan reviewing events, programming, parks, and facilities related to how and when residents access and utilize while consistently and conscientiously removing barriers for all ages and demographics.
- Assist staff in the development and implementation of long range recreation, community and visitor services in accordance with the Recreation Master Plan and the Strategic Plan.
- Review potential capital projects and long range capital plans for the Town of Penetanguishene.
- Assist with the development of new and innovative programs and services that positively affect the operation of the Town of Penetanguishene. These could include, but are not limited to: infrastructure, access by all, use of community facilities, park acquisition and development, trail and waterfront development, maintenance standards, community service planning/mapping, promotion and marketing and volunteer development.
- Advocate the benefits of the event and programming services to residents of the Municipality. The advocacy will be based on the social, economic, personal and environmental benefits.
- Liaise with the broader community to provide input and advice relating to provision of events, programs, facilities and community opportunities and services. This assistance may also include developing and nurturing of new partnerships and collaborations.
- Host public meetings and consult with the community at large on major event and facility developments
- Develop opportunities for volunteerism through supporting of projects and services related to Recreation and Community Services.

### **Chair and Vice Chair**

The Council representative on the Advisory Committee shall be the Committee's Chair or alternate as elected by the community committee members. The Chair acts as the Presiding Officer at the meetings.

The Vice Chair shall be elected annually from the community members on the Committee. The Vice Chair serves as Chair at the meetings in the absence of the Chair.

### **Delegated Authority**

The Community Wellbeing Committee is an advisory body only.

The Community Wellbeing Committee may incur expenditures to the extent provided in the annual approved budget. All purchases shall be preauthorized by the Director of Recreation and Community Services or Town Clerk and approved in accordance with the Town's Procurement By-law.

The Committee shall receive items for information, discuss community-related matters or make recommendations to Council.

### **Meetings**

The frequency of the meetings shall be quarterly with additional meeting held at the call of the Clerk or Chair.

The Clerk may revise the regular meeting schedule in consultation with the Chair of Community Wellbeing Committee.

### **Agendas**

Agendas shall be made available a minimum of twenty-four hours in advance of the meeting to the Members and on the Town Website. The Director of Recreation and Community Services and/or Clerk shall determine the content of the agendas.

### **Quorum**

Quorum shall consist of five (5) members of the Committee.

### **Work Plan**

The Community Wellbeing Committee operations and activities are directed by the Advisory Committee's annual work plan, both approved by Municipal Council.

### **Agent of the Municipality**

In carrying out its Mandate, the Community Wellbeing Advisory Committee may act as an agent of the Town of Penetanguishene while acting bona fide within the limits of the authority of the Town. No member shall incur any personal liability by reason of their participation on the Advisory Committee acting within the scope of its mandate. Nothing in the Mandate of the Advisory Committee authorizes or empowers the Committee to incur any debt, liability or obligation for which the Town may become liable without having previously obtained the consent of Council.

The Advisory Committee operations shall meet municipal, provincial and federal legislative requirements that have a bearing on their operation and activities

**THE CORPORATION OF THE TOWN OF PENETANGUISHENE  
APPENDIX “D2”**

**Downtown Improvement Committee**

**Downtown Improvement Committee Membership**

Eight (8) members of the public (designated by the Mayor and ratified by Council) – one of which to be elected by the members as Vice Chair representing the following sectors:

- 1 representative of Main Street and/or Small Business
- 1 representative of Village Square Mall
- 1 representative of Tourism and/or Marinas
- 1 representative of Finance, Real Estate or Development sector
- 1 representative of Francophone community
- 1 representative of local Service Clubs
- 1 representative of Aboriginal and/or Métis community
- 1 representative of the Decorating Working Group

One (1) Council representative (designated by the Mayor and ratified by Council).

Staff Resources – Director of Planning and Community Development

Additional Resources (non-voting):

- Southern Georgian Bay Chamber of Commerce representative (designated by the Chamber)
- North Simcoe Community Futures Development Corporation (designated by NSCFDC)
- Tourism Partnership representative
- Youth representative

**Committee Mandate**

The Downtown Improvement Committee is an advisory committee reporting to the Planning & Development Section Committee of Council.

The mandate for Downtown Improvement Committee is to maintain and increase the commercial/tourism tax base in the Downtown Improvement Area of the Town of Penetanguishene through:

- The establishment and maintenance of a positive environment conducive to maintaining and attracting commercial/tourism investment.
- The identification, development, promotion and delivery of projects, programs, partnerships, initiatives and activities that support the Downtown Improvement Area.
- The promotion of sustainable economic growth and development consistent with the Severn Sound Sustainability Plan.
- The promotion and development of employment and/or mixed use lands within the Downtown Improvement Area in accordance with the Town’s Growth Management Strategy, Penetanguishene Official Plan/Zoning By-law and the proposed Joint Urban Node for Penetanguishene-Midland.
- The retention and expansion of existing businesses through appropriate economic development, business service and labour force development partnerships.

**Chair and Vice Chair**

The Council representative on the Advisory Committee shall be the Committee’s Chair or alternate as elected by the community committee members. The Chair acts as the Presiding Officer at the meetings.

The Vice Chair shall be elected annually from the community members on the Committee. The Vice Chair serves as Chair at the meetings in the absence of the Chair.

### **Delegated Authority**

The Downtown Improvement Committee is an advisory body only.

The Downtown Improvement Committee may incur expenditures to the extent provided in the annual approved budget. All purchases shall be preauthorized by the Director of Planning and Community Development and approved in accordance with the Town's Procurement By-law.

The Committee shall receive items for information, discuss trails-related matters or make recommendations to Council.

### **Meetings**

The frequency of the meetings shall be quarterly with additional meeting held at the call of the Director of Planning and Community Development or Chair.

The Director of Planning and Community Development may revise the regular meeting schedule in consultation with the Chair.

### **Agendas**

Agendas shall be made available a minimum of twenty-four hours in advance of the meeting to the Members and on the Town Website. The Director of Planning and Community Development shall determine the content of the agendas.

### **Quorum**

Quorum shall consist of five (5) members of the Committee.

### **Work Plan**

The Downtown Improvement Committee operations and activities are directed by the Advisory Committee's annual work plan, which is approved by Municipal Council.

### **Agent of the Municipality**

In carrying out its Mandate, the Downtown Improvement Committee may act as an agent of the Town of Penetanguishene while acting bona fide within the limits of the authority of the Town. No member shall incur any personal liability by reason of their participation on the Advisory Committee acting within the scope of its mandate. Nothing in the Mandate of the Advisory Committee authorizes or empowers the Committee to incur any debt, liability or obligation for which the Town may become liable without having previously obtained the consent of Council.

The Advisory Committee operations shall meet municipal, provincial and federal legislative requirements that have a bearing on their operation and activities.



**THE CORPORATION OF THE TOWN OF PENETANGUIHENE  
APPENDIX “D3”**

**Museum & Heritage Advisory Committee**

**Advisory Committee Membership**

Eight (8) members of the public (designated by the Mayor and ratified by Council)  
One (1) Council representative (designated by the Mayor and ratified by Council).  
Staff Resource – Museum Curator or designate as required.

**Committee Mandate**

The Committee shall oversee the following functions, determine action in accordance with delegated authority, make recommendations to Recreation & Community Services Section, or receive for information:

- To collect, maintain and provide of resources for archival, historical and genealogical research
- To collect, conserve, preserve and exhibit artifacts and historical materials that pertain to the history of Penetanguishene and surrounding communities.
- To serve as a focal point for community participation and engagement through the hosting of events and activities.
- Expand awareness and appreciation of heritage and history through education, interpretation and accessible programming for all age groups.
- Expand and develop collaborative relationships with stakeholders and individuals to serve the needs of the community and the museum.
- Promote and market the museum and the Town of Penetanguishene as an attractive destination for local visitors and tourists.
- Evaluate properties of architectural and historical significance within the Town of Penetanguishene and recommend formal designation under the Ontario Heritage Act.
- Review and approve modifications to structures and Heritage Tax Rebates designated under the Ontario Heritage Act.
- Receipt and approval of road names.
- Host annual events, seminars or workshops related to heritage preservation and promotion to the extent provided for in the annual budget.

Town of Penetanguishene staff and volunteers are committed to ethical behaviour, and accept the Canadian Museums Association Ethical Guidelines (1999) as guiding principles.

**Chair and Vice Chair**

The Council representative on the Advisory Committee shall be the Committee’s Chair or alternate as elected by the community committee members. The Chair acts as the Presiding Officer at the meetings.

The Vice Chair shall be elected annually from the community members on the Committee. The Vice Chair serves as Chair at the meetings in the absence of the Chair.

**Delegated Authority**

The Museum & Heritage Committee is an advisory body only.

The Museum & Heritage Committee may incur expenditures to the extent provided in the annual approved budget. All purchases shall be preauthorized by the Curator and approved in accordance with the Town’s Procurement By-law.

The Committee shall receive items for information, discuss museum and heritage related matters or make recommendations to Council via the Curator.

In the absence of the Curator at the Committee of the Whole meetings, the Director of Recreation and Community Services or the Council Chair presents and speaks to the matters.

### **Meetings**

The frequency of the meetings shall be quarterly with additional meeting held at the call of the Curator or Chair.

The Curator may revise the regular meeting schedule in consultation with the Chair of Museum & Heritage Advisory Committee.

### **Agendas**

Agendas shall be made available a minimum of twenty-four hours in advance of the meeting to the Members and on the Town Website. The Curator shall determine the content of the agendas.

### **Quorum**

Quorum shall consist of five (5) members of the Committee.

### **Work Plan**

The Museum & Heritage Advisory Committee operations and activities are directed by the Museum's strategic plan and the Advisory Committee's annual work plan, both approved by Municipal Council.

### **Agent of the Municipality**

In carrying out its Mandate, the Museum & Heritage Advisory Committee may act as an agent of the Town of Penetanguishene while acting bona fide within the limits of the authority of the Town. No member shall incur any personal liability by reason of their participation on the Museum & Heritage Advisory Committee acting within the scope of its mandate. Nothing in the Mandate of the Museum & Heritage Advisory Committee authorizes or empowers the Committee to incur any debt, liability or obligation for which the Town may become liable without having previously obtained the consent of Council.

The Museum & Heritage Advisory Committee operations shall meet municipal, provincial and federal legislative requirements that have a bearing on their operation and activities.

### **Policy Review**

The museum will have a number of policies, covering a range of areas. The policies govern the institution's operations, and they clarify expectations and staff authority and responsibilities. The Advisory Committee regularly reviews the policies to ensure they provide the needed direction in areas critical to the delivery of the museum's mandate and to the sound management of its human and financial resources. The policies, and revisions to them, are developed by staff and submitted to the appropriate Section and Council for approval.

**THE CORPORATION OF THE TOWN OF PENETANGUISHENE  
APPENDIX “D4”**

**Trails Committee**

**Advisory Committee Membership**

Five (5) members of the public (designated by the Mayor and ratified by Council)  
One (1) Council representative (designated by the Mayor and ratified by Council).  
Staff Resources – Director of Recreation and Community Services, Facilities Manager,  
Administrative Support Person.

**Committee Mandate**

The Trails Committee is an advisory committee reporting to the Recreation & Community Services Section Committee of Council.

The mandate of the Trails Committee is to advise the Town on the promotion and development of a comprehensive trails system within the Town of Penetanguishene that connects Town Parks and links to trail systems within the Town of Midland and Township of Tiny. The Trails Committee will:

- Research and gather information on best practices for trails development and opportunities for external funding.
- Recommend the maintenance or development of Town trail systems including TransCanada Trail, Discovery Harbour Trail, Copeland Creek Trail and any other trail systems within or connecting Town Parks (existing or proposed), including signage or trail markers.
- Prepare promotional materials and organize/participate in events to promote trail use.
- Liaise with Huronia Trails & Greenways, the County of Simcoe and other trails groups.
- Host annual events related to trails promotion to the extent provided in the annual approved budget.

**Chair and Vice Chair**

The Council representative on the Advisory Committee shall be the Committee’s Chair or alternate as elected by the community committee members. The Chair acts as the Presiding Officer at the meetings.

The Vice Chair shall be elected annually from the community members on the Committee. The Vice Chair serves as Chair at the meetings in the absence of the Chair.

**Delegated Authority**

The Trails Committee is an advisory body only.

The Trails Committee may incur expenditures to the extent provided in the annual approved budget. All purchases shall be preauthorized by the Director of Recreation and Community Services and approved in accordance with the Town’s Procurement By-law.

The Committee shall receive items for information, discuss trails-related matters or make recommendations to Council.

**Meetings**

The frequency of the meetings shall be quarterly with additional meeting held at the call of the Director of Recreation and Community Services or Chair.

The Director of Recreation and Community Services may revise the regular meeting schedule in consultation with the Chair.

**Agendas**

Agendas shall be made available a minimum of twenty-four hours in advance of the meeting to the Members and on the Town Website. The Director of Recreation and Community Services shall determine the content of the agendas.

**Quorum**

Quorum shall consist of four (4) members of the Committee.

**Work Plan**

The Trails Committee operations and activities are directed by the Advisory Committee's annual work plan, which is approved by Municipal Council.

**Agent of the Municipality**

In carrying out its Mandate, the Trails Committee may act as an agent of the Town of Penetanguishene while acting bona fide within the limits of the authority of the Town. No member shall incur any personal liability by reason of their participation on the Advisory Committee acting within the scope of its mandate. Nothing in the Mandate of the Advisory Committee authorizes or empowers the Committee to incur any debt, liability or obligation for which the Town may become liable without having previously obtained the consent of Council.

The Advisory Committee operations shall meet municipal, provincial and federal legislative requirements that have a bearing on their operation

**THE CORPORATION OF THE TOWN OF PENETANGUISHENE**  
**APPENDIX “D4”**

**Community Wellbeing Committee**

**Advisory Committee Membership**

Total membership of public 8 members including:

Minimum one (1) member of the public representing Seniors

Minimum one (1) member of the public representing Youth (age 16-30)

Minimum one (1) member of the public representing Accessibility

Minimum one (1) member of the public representing the Francophone community

Minimum one (1) member of the public representing the Indigenous community

Three (3) members of the public at large

One (1) Council representative (designated by the Mayor and ratified by Council)

Staff representatives (to be determined by the CAO)

**Committee Mandate:**

To provide support and advice to Council, applicable Staff and other associated Advisory Committees relative to enhancing the health and quality of life for Penetanguishene residents through a wide range of innovative, inclusive, and accessible events, programs, and infrastructure; providing opportunities for physical activity, social interaction and community engagement for all ages and demographics.

- Prepare a yearly work plan reviewing events, programming, parks, and facilities related to how and when residents access and utilize while consistently and conscientiously removing barriers for all ages and demographics.
- Assist staff in the development and implementation of long range recreation, community and visitor services in accordance with the Recreation Master Plan and the Strategic Plan.
- Review potential capital projects and long range capital plans for the Town of Penetanguishene.
- Assist with the development of new and innovative programs and services that positively affect the operation of the Town of Penetanguishene. These could include, but are not limited to: infrastructure, access by all, use of community facilities, park acquisition and development, trail and waterfront development, maintenance standards, community service planning/mapping, promotion and marketing and volunteer development.
- Advocate the benefits of the event and programming services to residents of the Municipality. The advocacy will be based on the social, economic, personal and environmental benefits.
- Liaise with the broader community to provide input and advice relating to provision of events, programs, facilities and community opportunities and services. This assistance may also include developing and nurturing of new partnerships and collaborations.

- Host public meetings and consult with the community at large on major event and facility developments
- Develop opportunities for volunteerism through supporting of projects and services related to Recreation and Community Services.

### **Chair and Vice Chair**

The Council representative on the Advisory Committee shall be the Committee's Chair or alternate as elected by the community committee members. The Chair acts as the Presiding Officer at the meetings.

The Vice Chair shall be elected annually from the community members on the Committee. The Vice Chair serves as Chair at the meetings in the absence of the Chair.

### **Delegated Authority**

The Community Wellbeing Committee is an advisory body only.

The Community Wellbeing Committee may incur expenditures to the extent provided in the annual approved budget. All purchases shall be preauthorized by the Director of Recreation and Community Services or Town Clerk and approved in accordance with the Town's Procurement By-law.

The Committee shall receive items for information, discuss related matters or make recommendations to Council.

### **Meetings**

The frequency of the meetings shall be quarterly with additional meeting held at the call of the Director of Recreation and Community Services, Clerk or Chair.

The Director of Recreation and Community Services or Clerk may revise the regular meeting schedule in consultation with the Chair.

### **Agendas**

Agendas shall be made available a minimum of twenty-four hours in advance of the meeting to the Members and on the Town Website. The Director of Recreation and Community Services, Clerk and Chair shall determine the content of the agendas.

### **Quorum**

Quorum shall consist of five (5) members of the Committee.

### **Work Plan**

The Trails Committee operations and activities are directed by the Advisory Committee's annual work plan, which is approved by Municipal Council.

### **Agent of the Municipality**

In carrying out its Mandate, the Trails Committee may act as an agent of the Town of Penetanguishene while acting bona fide within the limits of the authority of the Town. No member shall incur any personal liability by reason of their participation on the Advisory Committee acting within the scope of its mandate. Nothing in the Mandate of the Advisory Committee authorizes or empowers the Committee to incur any debt, liability or obligation for which the Town may become liable without having previously obtained the consent of Council.

The Advisory Committee operations shall meet municipal, provincial and federal legislative requirements that have a bearing on their operation