

**THE CORPORATION OF THE TOWN OF GRIMSBY  
BY-LAW NO. 07-81  
A BY-LAW TO GOVERN THE PROCEEDINGS OF  
COUNCIL, LOCAL BOARD AND COMMITTEE MEETINGS**

**WHEREAS** Section 238(2) of the Municipal Act, 2001, S.O. 2001, Chapter 25 (the "Act") provides that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings, which by-law shall provide for public notice of meetings;

**AND WHEREAS** Section 223.2(1) of the Municipal Act, 2001, S.O. 2001, Chapter 25 authorizes the municipality to establish codes of conduct for members of the council of the municipality and of local boards of the municipality.

**AND WHEREAS** the Council of The Corporation of the Town of Grimsby considers it desirable to enact a by-law in this regard and to repeal the prior Procedural By-law No. 02-121.

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

**1. GENERAL**

**PROVISIONS General Rules**

- 1.1**
- (a) In all proceedings of Council and any of its Standing Committees, the rules and regulations contained in this By-law shall apply and be observed.
  - (b) Council/Committee is prohibited from suspending any statutory requirement with respect to its proceedings.
  - (c) All matters, points of order or questions of procedure arising in Council and Committee that are unprovided for in the rules herein contained shall be decided by the concurring votes of a majority of the members of Council present in accordance with Robert's Rules of Order.

**1.2 Suspension of Rules**

The rules contained herein may be suspended at such times and upon such conditions as may be deemed appropriate, by an affirmative vote of two-thirds of all the members of Council present at the meeting.

**2. MEETINGS OF COUNCIL**

**Inaugural Meeting**

**2.1**

The first meeting of a newly elected Council shall be held in the Council Chambers of the Municipal Offices, on the first Monday of December following a regular election, at seven o'clock in the evening (7:00 p.m.).

## 2.2 Regular Meetings

From and after the inaugural meeting, the Council shall meet on the first and third Monday of each month at seven o'clock in the evening (7:00 p.m.) in the Council Chambers, 160 Livingston Avenue, except:

- (i) when otherwise provided by a motion duly put and passed by majority vote at the meeting at which the motion is put, or
- (ii) if such day is a public holiday or civic holiday in which case the Council shall meet at the same hour on the first day thereafter which is not a public holiday;
- (iii) during the months of January, July, August and September the Council shall hold only one regular meeting on the third Monday, the time of which shall be established by resolution of Council.

## 2.3 Special Meetings

- (a) The Mayor may at any time summon a special meeting of Council and the Mayor shall summon a special meeting whenever requested by a majority of the other members of Council so to do.
- (b) The Clerk shall summon a special meeting whenever requested by written petition of a majority of the members of Council so to do, for the purpose and at the time mentioned in the petition.
- (c) A special meeting shall be held at the place where the last meeting was held and a special meeting may be either open or closed as in the opinion of the Council, expressed by resolution in writing, the public interest requires and the Act permits.
- (d) The purpose for which the meeting was called shall be the sole business transacted at the meeting.

## 2.4 Closed Meetings

- (a) Prior to holding any meeting or part of a meeting that is closed to the public, the Council shall state by resolution the fact that a closed meeting is to be held and shall indicate the general nature of the matter to be considered at the closed meeting, or in the case of a meeting under subsection (c), the fact of the holding of the closed meeting, the general nature of its subject matter and that it is to be closed under Section 239 (3.1) of the Municipal Act, 2001.
- (b) Meetings of the Council or of its committees may be closed to the public to consider one or any combination of the following matters:
  - the security of the property of the municipality or local board
  - personal matters about an identifiable individual including municipal or local board employees

- a proposed or pending acquisition or disposition of land by the municipality or local board
  - labour relations or employee negotiations
  - litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board
- advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
  - a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act.
- (c) A meeting of the Council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:
1. The meeting is held for the purpose of educating or training the members.
  2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

## **2.5 Duration of Meetings**

No regular meeting of Council shall extend beyond eleven o'clock in the evening (11:00 p.m.), without the consenting vote of a majority of the members of Council present at the meeting.

## **2.6 Taping of Meetings**

There shall be no taping or video recording of Council meetings, except for authorized media.

## **3. NOTICE OF MEETINGS**

### **3.1 Council Notice**

- (a) Written notice of each inaugural and regular meeting of Council shall be given through the Clerk's office to each member of Council, which notice shall set out those matters to be considered at the meeting. Delivery of agendas shall be considered written notice.
- (b) Notice of a special meeting of Council shall be given through the Clerk's office to each member of the Council either by written notice, by telephone or personal contact, as determined by the Clerk, not less than twenty-four (24) hours before the time of the meeting.
- 1
- (c) Lack of written notice shall not affect the validity of a meeting or of any action taken at such meeting provided all members have been advised of and have given their consent to the holding of such meeting.

### **3.2 Public Notice**

- (a) The days of the month and times of Council and standing committee meetings shall be included in the Municipal Directory distributed annually to all homeowners with their tax bills.
- (b) The annual schedule of Council and Committee meetings shall be posted on the municipality's website, distributed to media and be available in the Clerk's office to any person upon request.
- (c) Written notice of each inaugural, regular or special meeting of Council and standing committees shall be given through the Clerk's office to the media, which notice shall set out those matters to be considered at the meeting. Delivery of agendas shall be considered written notice. Meeting agendas shall be available on the day of the meeting to any person upon request.
- (d) Any change to a scheduled meeting shall be posted as an 'Announcement' on the front page of the municipality's website and the meeting calendar amended accordingly and the media shall be notified by fax or telephone of any such change.
- (e) Prior to adjourning any meeting, the Chair shall verbally announce the date of the next meeting.

#### **4. CONDUCT OF MEETINGS OF COUNCIL**

##### **4.1 Meetings Open to the Public**

Except as provided in Section 2.4 all Council meetings shall be open to the public. No person shall be excluded from a public meeting except for improper conduct.

##### **4.2 Presiding Officer**

- (a) The Mayor shall preside at all meetings of the Council.
- (b) Deputy Mayor
  - (i) The Council may appoint, from among its members, a Deputy Mayor who shall serve for such period of time as specified by the Council.
  - (ii) In the absence of the Mayor or if his/her office is vacant or if he/she refuses to act, the Deputy Mayor shall have all the powers of the Mayor during such absence or vacancy or refusal to act.
- (c) In the absence of the Mayor, or if his/her office is vacant or if he/she refuses to act, and in the absence of the Deputy Mayor, the Clerk shall call the Council to order and, if a quorum be present, the members thereof shall choose a presiding officer from amongst the members present and such presiding officer, during such absence or vacancy or refusal to act, has all the powers of the Mayor.

### **4.3 Duties of the Presiding Officer**

It shall be the duty of the presiding officer:

- (a) to put to a vote all motions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and to announce the result;
- (b) to decline to put to vote motions which infringe the rules of procedure;
- (c) to restrain the Members, within the rules of order, when engaged in debate;
- (d) to enforce on all occasions, the observance of order and decorum among the Members;
- (e) to call by name any Member persisting in breach of the procedure of the Council, thereby ordering him/her to vacate the Council Chamber;
- (f) to decide all questions of order at the meeting, subject to an appeal by any Member to Council on any question of order in respect to business before the Council;
- (g) to authenticate, by his/her signature when necessary, all By-laws and Resolutions of the Council;
- (h) to declare a meeting of Council which is in session at 11:00 o'clock p.m. adjourned forthwith unless otherwise determined by a majority vote of the Members present.

### **4.4 Quorum**

A majority of the total number of elected members of Council shall constitute a quorum.

### **4.5 Commencement of Meetings**

- (a) As soon after the hour appointed for the regular or special meeting of the Council as there shall be a quorum present, the Mayor shall take the chair and call the Council to order.
- (b) In the event of the Mayor not being present within fifteen minutes of the time appointed for the meeting, the Deputy Mayor (or other officer as provided in Section 4.2(c)) shall call the Council to order and shall preside during the meeting or until the arrival of the Mayor.
- (c) If no quorum is present fifteen (15) minutes after the time appointed for a meeting, the Clerk shall call the roll and take down the names of the members present and the meeting shall stand adjourned until the next regular meeting or until any special meeting is called.

### **4.6 Order of Business**

The routine of business for the regular meetings of Council shall be as set out below but modifications to the matters to be included or the order of business may be effected without requiring amendment to this by-law, and all business shall be dealt with as set out in the agenda for the meeting unless otherwise decided by Council.

Disclosure of Interest  
Adoption of Previous Council Minutes Delegations  
Approval of Committee Minutes Correspondence  
By-laws  
Other Business Next  
Meeting Adjournment

#### **4.7 General Conduct at Council Meeting**

- (a) No Member of Council shall:
  - (i) Use offensive words or unparliamentary language in or against the Council or against any Member;
  - (ii) speak on any subject other than the subject in debate;
  - (iii) speak for more than fifteen (15) minutes on any matter;
  - (iv) criticize any decision of the Council except for the purpose of moving the question be reconsidered;
  - (v) interrupt the Member who has the floor, except to raise a Point of Order or Privilege.
  - (vi) disobey the rules of the Council or a decision of the Mayor or of the Council on questions of order or practice or upon the interpretation of the rules of the Council; and where a Member persists in any such disobedience after having been called to order by the Chair, the Chair shall forthwith put the question, no amendment, adjournment or debate being allowed, "that such Member be ordered to leave his/her seat for the duration of the meeting of the Council", but if the Member apologizes, he/she may be permitted to retake his/her seat.
- (b) Any Member may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a Member while speaking.
- (c) Every member, prior to speaking on any questions or motion, shall indicate his/her wish to speak by raising his/her hand and when so recognized shall address himself/herself to the Mayor.
- (d) When the Mayor is putting a question or motion, no Member may leave his/her place or make any noise or disturbance when the Mayor is speaking.
- (e) When a vote is called for, the members present shall

immediately take their respective places and shall remain seated until the Mayor has declared the result of the vote.

- (f) No person except Members and Officers of the Corporation shall be permitted to proceed beyond the area set aside for the members of the public or press without permission of the Presiding Officer or the Council but in no case shall such person be allowed to take a seat among or occupy the seat of a Member.
- (g) Members shall not leave their respective places upon adjournment until after the Mayor declares the meeting adjourned.
- (h) Consumption of beverages other than water, and the consumption of food, shall not be permitted in the Council Chambers during a Council Meeting.

#### **4.8 Minutes**

- (a) The Minutes shall record:
  - (i) the date and time of meeting
  - (ii) the name of the presiding officer and the record of attendance of the Members
  - (iii) all the proceedings of the meeting without note or comment
- (b) Minutes of a meeting shall be approved and/or corrected at the next regular meeting.
- (c) It shall be the duty of the Clerk to mail or deliver to each Member not less than 48 hours prior to a regular meeting, the minutes of the last regular meeting of Council and all subsequent meetings of Council held more than three working days before the regular meeting.

#### **4.9 Declaration of Pecuniary Interest**

Pursuant to the provisions of the Municipal Conflict of Interest Act, it shall be the sole responsibility of each member to disclose their direct or indirect pecuniary interests as they arise, and in so doing, to clearly state the reason for each and every such interest.

#### **4.10 Delegations**

- (a) Persons desiring to appear before Council relative to an issue which has not been included by the Clerk as an item of business on the meeting agenda shall submit a legible written request to the Clerk stating the nature of the business and the name and address of the spokesperson, not later than 12:00 noon on the Friday prior to the Council meeting;
- (b) Notwithstanding the above, the Clerk may include on the meeting agenda any persons desiring to appear before Council relative to an item of business on the agenda and who submits the required written request not later than 12:00 noon on the day of the Council meeting;

- (c) Persons wishing to raise an item of business deemed by the Clerk to be more appropriately addressed to one of Council's standing committees shall be encouraged to present their information or request to the committee; this approach does not withdraw the right of any individual or group of citizens to appear directly before the whole Council as a delegation.
- (d) A copy of any written material to be presented to Council shall be provided to the Clerk with the request to appear before Council;
- (e) Persons addressing Council shall not speak longer than ten (10) minutes unless permitted to speak beyond that limit by the Presiding Officer; a deputation consisting of more than five persons shall be limited to two speakers, each limited to speaking not more than ten (10) minutes;
- (f) Persons addressing Council shall confine their remarks to the business stated in their request to be heard and shall direct their comments or questions to the Presiding Officer;
- (g) When making a presentation to Council, no person shall:
  - (i) speak disrespectfully of or make personal remarks about any member of Council, the public or an employee of the Town;
  - (ii) use offensive language;
  - (iii) reflect upon the motives of members of Council who may have voted for or against a particular motion;
  - (iv) reflect upon the motives of staff in giving advice to Council;
  - (v) refuse to comply with the decision of the Presiding Officer regarding any interpretation of this by-law;
- (h) After a person has spoken, any member of Council may, through the Presiding Officer, ask that person or Town staff relevant questions;
- (i) No debate shall be permitted during any delegation to Council, either between members or with a person making a delegation;
- U) Persons persisting in a breach of the foregoing may be called out of order by the Presiding Officer and may be ordered to leave the meeting.

#### **4.11 By-laws**

- (a) All by-laws proposed for consideration at a meeting of the Council shall be listed on the agenda for the meeting and shall be identified by title.
- (b) The originals of by-laws to be received by the Council shall be in the possession of the Clerk and available for inspection at the time the meeting at which they are to be considered is convened.
- (c) No by-law shall be introduced in blank or imperfect form.



- (d) Every by-law shall receive three readings and all such readings may take place in the same meeting of Council.
- (e) Every proposed by-law shall be introduced by a motion for leave specifying the number of the by-law or by-laws and the motion shall be decided without amendment or debate.
- (f) A by-law shall not be enacted until it has received three readings and no by-law shall pass any reading unless by the affirmative vote of a majority of the Members present or the majority required by law for that by-law.
- (g) Notwithstanding anything herein contained, if deemed expedient by the Clerk, by-laws may be presented for first reading or second and third reading or second reading or third reading in separate motions.
- (h) Motions of amendment to by-laws at second and/or third reading need not be in writing unless the effect of such amendment, in the opinion of the Mayor, would be to substantially change the intent of the by-law.
- (i) Every by-law enacted by the Council shall be numbered and dated and signed by the Clerk and the Mayor or Deputy Mayor who presided at the meeting at which the by-law was enacted and the seal of the Corporation shall be pressed thereon and shall be deposited with the Clerk for custody.

#### **4.12 Correspondence**

All petitions, applications and communications intended to be presented to the Council shall be written legibly, typewritten or printed on paper, shall be addressed to the 'Mayor and Council of the Town of Grimsby' and shall be signed by at least one person.

#### **4.13 New Business**

At a regular meeting of Council only such business shall be dealt with as is set out in the agenda for the meeting with the exception of the following:

- (i) New items of business that require immediate attention and direction from Council may be introduced with the concurring votes of two-thirds of the members of Council present. The Presiding Officer shall determine whether an item requires the immediate attention of Council or whether the item can be referred to the appropriate committee for action.
- (ii) Items that are purely of an information nature may be brought forward by any Council member without specific approval to introduce.
- (iii) All other items of new business are not to be debated and are to be referred directly to the appropriate committee for subsequent consideration

#### **4.14 Regional Councillor Participation**

The Regional Councillor of the Town of Grimsby shall be authorized to participate in Council proceedings upon the request of a member of Council to the Presiding Officer. Such participation shall be restricted to replying directly to questions asked by a member of Council with the consent of the Presiding Officer.

## **5. MOTIONS**

### **5.1 Form**

Except as otherwise provided, all motions shall be submitted in writing over the signature of the mover and the seconder and shall be complete and correct. A motion must be formally seconded before the Presiding Officer can put the question to vote or it be recorded in the minutes.

### **5.2 Discussion on Motions**

- (a) Every motion, other than a motion to adjourn, recess, table or suspend the rules of the Procedural Bylaw, when duly moved and seconded, shall be open for discussion. Debate shall not be allowed on any motion or amendment until it has been properly seconded. A motion or amendment thereto, may not be withdrawn without the consent of the mover and seconder. The Mayor may not move or second any motion.
- (b) Incidental motions in respect of a matter of special privilege, suspension of rules of procedure, adjournment, or for the previous question may be made verbally.
- (c) Any Member may request the Mayor to put the question for a vote.
- (d) Where a motion to adjourn, recess, table or suspend the rules of the Procedural By-law has been made, until such motion has been decided, there shall be no discussion on the matter proposed to be adjourned, recessed, tabled or suspended.

### **5.3 Speaking Order**

- (a) When two or more members raise their hands, the Mayor shall designate the order in which they may speak.
- (b) No member shall speak more than once to the same question, motion or matter except to give an explanation, until every Member who desires to speak has spoken and unless leave has been granted.
- (c) A member who has made a substantive motion by making an original motion or moving an amendment or moving the previous question, shall be allowed a reply.

### **5.4 Mayor in Debate**

The Mayor may express an opinion on matters under debate, however, should the Mayor wish to take an active part in any matter under debate or leave the Chair for any reason, he/she shall call upon the Deputy Mayor or, in the absence of a Deputy Mayor, such other Member who the Members

present at the meeting may elect, to act as presiding officer until the Mayor resumes the Chair.

## **5.5 Motion Under Debate**

When a question is under debate, no motion shall be received except for the following purposes and according to the listed priorities, namely:

- (a) To extend the hour of automatic adjournment;
- (b) To recess;
- (c) To adjourn;
- (d) To defer the motion under consideration to a definite date;
- (e) To defer the motion under consideration indefinitely;
- (f) To table a motion;
- (g) To refer the motion under consideration to staff for a report; and
- (h) To amend the motion under consideration.

## **5.6 Motion to Table**

- (a) A motion to table means to postpone without setting a definite date as to when the matter will be re-discussed. Such a motion
  - (i) shall not be amended or debated; and
  - (ii) shall apply to the motion and any amendments thereto under debate at the time when the motion was made.
- (b) In the absence of any direction by Council or Committee, the matter may not be discussed until a member through a Notice of Motion brings the matter forward to a subsequent meeting.
- (c) A tabled motion that has not been decided by Council either in the affirmative or in the negative during the term of the Council in which the motion was introduced shall be deemed to have been withdrawn.

## **5.7 Motion to Refer**

A motion to refer means to direct a matter under discussion by Council to a Committee meeting or a staff member or such other person or body as Council may designate for further examination. Such a motion:

- (a) shall be open to debate and may be amended;
- (b) may include the terms on which the motion is being referred and the time at which the matter is to be returned; and
- (c) may include the reasons for the referral.

## **5.8 Motion to Defer**

A motion to defer means to postpone all discussion on the matter until a future date which is established as part of the motion. Such a motion:

- (a) shall be open to debate as to advisability of postponement; and
- (b) may be amended as to the time or date to which the matter is deferred.

## **5.9 Motion to Amend**

A motion to amend:

- (a)
  - (i) shall be open to debate:
  - (ii) shall be relevant to the main motion.
- (b)
  - (i) a motion to amend may be a "friendly amendment" whereby the Mover and Seconder agree to re-word their Motion to accommodate an amendment; or
  - (ii) if it is not a "friendly amendment", then the motion to amend shall be put to a vote in the reverse order to that in which they are moved;
  - (iii) shall be decided or withdrawn before the main motion is put to the vote;
  - (iv) shall not be further amended more than once, provided that further amendments may be made to the main motion;
  - (v) shall not be directly contrary to the main motion.
- (c) If the original Mover and Seconder of the motion do not agree with the amendments, they may, without further discussion, withdraw their support for the original motion as amended and a new Mover and Seconder would be required to move the motion as amended. If the amendments are carried, then the original motion as amended would be put to the vote.

## **5.10 Motion to Recess**

A motion to recess when other business is before the meeting;

- (a) shall specify the length of time of the recess;
- (b) shall not be debatable and shall only be amendable with respect to the length of the recess.

## **5.11 Motions Containing Two or More Matters**

When the motion under consideration concerns two or more matters, the Mayor, upon the request of any Member, shall direct that the vote upon each matter shall be taken separately.

## **5.12 Withdrawal of Motion**

A request to withdraw a motion:

- (a) shall only be made by the mover of the motion (The seconder cannot withdraw their second to the motion without the withdrawal being initiated by the mover);
- (b) shall have the consent of the seconder of the motion; and
- (c) shall be in order at anytime during debate.

## **5.13 Voting on Motions**

- (a) After a question is finally put to vote by the Mayor, no Member shall speak to the question or shall any other motion be made until after the vote is taken and the result has been declared.
- (b) The Mayor may vote on a motion but shall not have a second or casting vote in the event of an equality of votes on any question.
- (c) Each Member present and voting shall announce or indicate his/her vote upon the motion openly and individually and no vote shall be taken by ballot, or any other method of secret voting. In the event a Member present abstains from voting, he/she will be deemed to have voted in the negative unless the

Member's reason for abstaining is due to his/her declaration of a pecuniary interest. When a Member abstains from voting, as a result of a declaration of a pecuniary interest situation, his/her abstention shall be deemed to be neither an affirmative nor a negative vote.

- (d) If a Member, who has voted on a question, disagrees with the declaration of the Mayor that the question is carried, or lost, the Member may, but only immediately after the declaration by the Mayor, object to the Mayor's declaration and require the Mayor to call for another vote on the matter.

## **5.14 Tie Vote**

Except where expressly provided in Statute, any motion on which there is a tie vote shall be deemed to be lost.

## **5.15 Recorded Vote**

When a Member requests, immediately prior or immediately subsequent to the taking of the vote, that the vote be recorded, the Clerk shall call all Members present at the meeting in alphabetical order to openly declare their vote, unless he/she has declared a pecuniary interest. The name of each Member who voted and the manner in which he/she voted shall be noted in the minutes. If a Member at a meeting of the Council, where a motion is put to a vote and a recorded vote is taken, does not vote, he/she will be deemed to have voted in the negative unless the Member's reason for abstaining is due

to his/her declaration of a pecuniary interest in which case his/her abstention shall be deemed to be neither a negative nor an affirmative vote. The Clerk shall announce the results.

#### **5.16 Reconsideration of a Matter**

- (a) A motion to reconsider a matter or question previously decided by Council must be given by a Member who voted with the majority on the particular question and such Member must give notice of such motion to reconsider at the same Council meeting at which the decision on the matter was made.
- (b) The Council may, immediately upon such notice having been given, vote as to whether or not such notice or reconsideration be entertained.
- (c) The effect of a Notice of Motion to reconsider a decided matter is the suspension of all action that depends on the result of the matter proposed to be reconsidered.
- (d) No discussion of the decided matter is permitted prior to passage of a motion to reconsider except that the mover of a motion for reconsideration shall be permitted to make a brief and concise statement of the reasons which he believes justify such reconsideration, without in any way debating the content of the matter.
- (e) No matter or question shall be reconsidered by Council until such time as a motion to reconsider the matter has been voted on and passed by a majority of the whole Council.
- (f) No matter or question shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.
- (g) Council may at any time reconsider a Council decision related to order, practice or procedure.

#### **5.17 Point of Order**

- (a) A Member may interrupt the person who has the floor to raise a point of order when such Member feels that there has been:
  - (i) a deviation or departure from the Rules of Procedure; or
  - (ii) a deviation from the matter under consideration and the current discussion is not within the scope of the proposed Motion;
- (b) Upon hearing such point of order, the Mayor shall decide and state the point of order.
- (c) Thereafter, a Member shall only address the Mayor for the purpose of appealing the Mayor's decision to Council.
- (d) If no Member appeals, the decision of the Mayor shall be final.
- (e) If a Member appeals the Mayor's decision on a point of order to the Council, the Member shall have the right to state his/her case, the

Mayor shall have the right to reply and Council shall decide the question "that the decision of the Mayor be sustained" without further debate. The decision of a majority of the Members present shall be final.

#### **5.18 Question of Privileges**

- (a) A Member may rise at any time on a point of personal privilege where such Member feels that his/her integrity or the integrity of the Council has been called into question by another Member, or anyone present at the meeting, and upon hearing such point.
- (b) Where the Mayor recognizes that a breach of privilege has taken place, he/she shall demand that the offending Member or individual apologize, and failing such apology shall require said Member or individual to vacate the Council Chamber for the duration of the meeting.
- (c) Thereafter, a Member shall only address the Mayor for the purpose of appealing the Mayor's decision on the question of a breach of privilege to the Council.
- (d) If no Member appeals, the decision of the Mayor shall be final.
- (e) If a Member appeals the Mayor's decision on a question of privilege to the Council, the Member shall have the right to state his/her case, the Mayor shall have the right to reply and Council shall decide the question "that the decision of the Mayor be sustained" without further debate. The decision of a majority of the Members of Council present shall be final.

#### **5.19 Expulsion for Misconduct**

- (a) The Mayor may expel from the meeting, any person who, in the opinion of the Mayor has behaved improperly
- (b) Improper conduct shall be deemed to exist where any person breaches Rules of Procedure or interrupts the proceedings of Council such that continuation of the meeting is rendered difficult or impossible.
- (c) Thereafter, a Member shall only address the Mayor for the purpose of appealing the Mayor's decision to the Council.
- (d) If no Member appeals, the decision of the Mayor shall be final.
- (e) If a Member appeals the Mayor's decision on an expulsion for misconduct to the Council, the Member shall have the right to state his/her case, the Mayor shall have the right to reply and Council shall decide the question "that the decision of the Mayor be sustained" without further debate. The decision of a majority of the Members of Council present shall be final.

#### **5.20 Notice of Motion**

A Notice of Motion is merely a statement of intention and is required in the case of motions being raised by any Member who wishes to introduce a motion at Council which affects policies or procedures. A Notice of Motion shall be in writing and delivered to the Clerk at the close of the meeting at which such Notice is given. The Notice is NOT debatable at that time. The Notice of Motion shall be dealt with at the next regularly scheduled Council meeting.

#### **5.21 Suspension of Rules**

A motion to suspend the Rules of Procedure required by this By-law shall not be debatable or amendable and shall require an affirmative vote of two-thirds of all the members of Council present at the meeting.

#### **5.22 Adjournment of Meetings**

The Mayor shall declare a Council meeting adjourned at 11:00 o'clock p.m. if the meeting is in session at that hour, unless otherwise determined by a unanimous vote of the Members present.

### **6. CLOSED MEETINGS**

#### **6.1 Council in Camera Meeting Procedure**

The rules governing the procedure of the Council and the conduct of Members shall be observed for Council in relation to in camera meetings so far as they are applicable, except that recorded votes shall not be taken and no member shall be limited in the number of times that he/she may speak to any proposition, matter or question being discussed.

#### **6.2 Voting In Camera**

No vote at an "in camera" meeting shall be taken unless,

(a) the subject matter is permitted as per Section 2.4 of this By-law;

**- and-**

(b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under contract with the municipality or local board.

#### **6.3 Confidentiality**

(a) All information, documentation or deliberations received, reviewed or taken in a closed meeting is confidential.

(b) No Member shall release or make public any information considered at a closed meeting, or discuss the content of such meeting with persons other than members of Council or relevant staff members without the authorization of Council.

#### **6.4 Direction from Closed Meetings**

Any direction given in Closed Session which requires ratification by Council in an open meeting, shall be so ratified, in open Council, in the form of a written



motion, moved and seconded, immediately following the motion to resume in regular Council session.

### **6.3 Confidentiality**

- (a) All information, documentation or deliberations received, reviewed or taken in a closed meeting is confidential.
- (b) No Member shall release or make public any information considered at a closed meeting, or discuss the content of such meeting with persons other than members of Council or relevant staff members without the authorization of Council.

### **6.4 Direction from Closed Meetings**

Any direction given in Closed Session which requires ratification by Council in an open meeting, shall be so ratified, in open Council, in the form of a written motion, moved and seconded, immediately following the motion to resume in regular Council session.

## **7. COMMITTEES OF COUNCIL**

### **7.1 Appointment of Committees**

Council shall, at its Inaugural meeting, and in addition, may from time to time, appoint such standing and/or special committees as are necessary to carry out the functions of the municipality.

### **7.2 Membership**

Each committee shall consist of those members as designated by Council and only such designated members shall be entitled to vote at all meetings thereof.

### **7.3 Meeting Dates**

Each committee shall meet regularly at times as determined by each committee or by Council direction.

### **7.4 All Council Can Attend Meetings**

All members of the Council shall be notified of and may attend all meetings of a Standing Committee.

### **7.5 Chair Vice Chair**

The Chair for each Standing Committee shall be as designated by Council.  
Each Standing Committee shall select their Vice Chair from among the designated Committee members.

### **7.6 When the Chair May Vote**

The Chair shall preside at every meeting and may determine to vote on any

matter and his/her vote shall be signified after the votes of each member voting.

### **7.7 Chair Signs Orders**

The designated Chair shall sign all documents/minutes legally adopted by the Committee. Quorum

A majority of the members of Council on any committee shall constitute a quorum thereof.

### **7.8 Committee/Board Procedures**

(a) The business of the Standing Committees and of any Special Committees of Council shall be conducted under the rules governing the procedure in Council so far as the same may be applicable, subject to the following:

(i) No member shall be limited in the number of times he/she may speak to the question under consideration, provided however, that the Chair may limit debate if, in the opinion of the Chair, no new points of view are being brought to bear on the issue under debate.

(b) This by-law shall be deemed to be the procedure by-law for Council's local boards as defined in the Municipal Act, 2001, unless any such local board has passed a procedure by-law for governing the calling, place and proceedings of meetings under Section 238(2) of the Act.

## **8. FORMER BY-LAWS REPEALED**

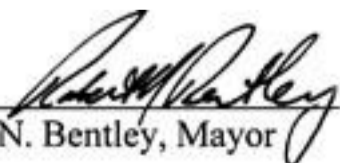
By-law No. 02-121 is hereby repealed.

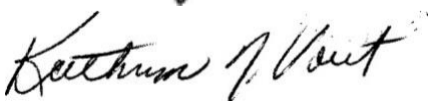
## **9. EFFECTIVE DATE**

This By-law shall take effect on January 1, 2008.

READ A FIRST TIME THIS 19<sup>th</sup> DAY OF NOVEMBER, 2007.

READ A SECOND AND THIRD TIME AND FINALLY PASSED THIS 19<sup>th</sup> DAY OF NOVEMBER, 2007

  
\_\_\_\_\_  
R.N. Bentley, Mayor



Town Clerk

**The Corporation of the Town of Grimsby  
By-law 12-59**

**A By-law to amend By-law 07-81, a By-law to govern the proceedings of Council,  
Local Boards and Committee Meetings**

**Whereas** Council adopted By-law 07-81 to govern the proceedings of Council, Local Boards and Committee meetings;

**And whereas** Council deems it necessary to further amend the said By-law;

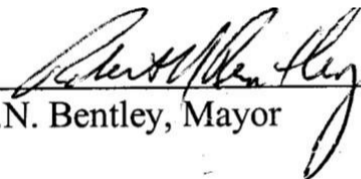
**Now therefore** the Council of the Corporation of the Town of Grimsby enacts as follows:

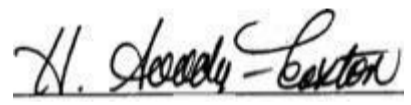
That By-law 07-81 is hereby amended by adding to Section 4.2 (d) as follows:

The Mayor shall be an ex-officio member of all committees established or appointed by Council. Where a committee is established by reference to a particular number of members without specifically providing for the membership of the Mayor, such number is automatically increased by one, except where prohibited by law, being the Mayor, as provided under this Section. The Mayor may vote and otherwise participate, unless prohibited by law, in the business of the committee or other body on the same basis as any other committee member.

Read a first time this 20<sup>th</sup> day of August 2012.

Read a second and third time and finally passed this 20<sup>th</sup> day of August 2012.

  
\_\_\_\_\_  
R.N. Bentley, Mayor

  
\_\_\_\_\_  
Hazel Sandy-Easton, Town Clerk

**The Corporation of the Town of Grimsby**

**By-Law 16-86**

**A By-law to amend By-law 07-81, as amended being a By-law to govern the proceedings of Council, Local Board and Committee Meetings**

**Whereas** Section 239 of the Municipal Act, 2001, as amended has been further amended to provide that a municipal council may hold a closed meeting for the purpose of an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act;

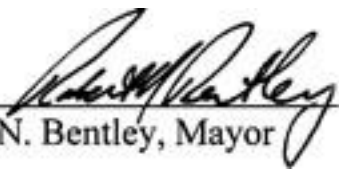
**Now therefore be it resolved that** the Council of the Corporation of the Town of Grimsby enacts as follows:

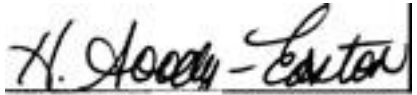
1. Section 2.4 Closed Meetings be amended by adding:

- 2.4(d) A meeting or part of a meeting shall be closed to the public if the subject matter being considered is,
- (i) a request under the Municipal Freedom of Information and Protection of Privacy Act, if the council or committee is the head of an institution for the purposes of the Act; or
  - (ii) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman referred to in Subsection 223.13(1) of the Municipal Act, 2001 or the investigator referred to in Subsection 239.2(1) of the Municipal Act, 2001.

Read a first time this 21<sup>st</sup> day of November 2016

Read a second and third time and finally passed this 21<sup>st</sup> day of November 2016

  
R.N. Bentley, Mayor

  
Sandy-Easton, Town Clerk

**The Corporation of the Town of Grimsby**

**By-Law 17-57**

**A By-law to amend By-law 07-81; being a By-law to govern the proceedings of Council, local boards and committee meetings**

**Whereas** the Council of the Town of Grimsby deems it expedient to amend By-law 07-81; being a By-law to govern the proceedings of Council, local boards and committee meetings;

**And whereas** Section 3.2 Public Notice will be deleted and replaced with the following:

**3.2 Public Notice**

- (a) The annual schedule of Council and Committee meetings shall be posted on

the Municipality's website, distributed to the media that attend meetings and be available in the Town Clerk's office and to any person upon request.

- (b) Written, electronic notice of each inaugural, regular or special meeting of Council and standing committees shall be given to the media that attend meetings through the Town Clerk's office and will appear on the Town's website for the public. The notice shall set out the matters to be considered at the meeting. Electronic delivery of the agenda shall be considered written notice. Meeting agendas shall be available on the day of the meeting to any person upon request.
- (c) Any change to a scheduled meeting shall be posted on the Municipality's website and the website calendar amended accordingly. The media that attend meetings shall be notified electronically of such a change.
- (d) Prior to adjourning any meeting, the Chair shall verbally announce the date of the next meeting.

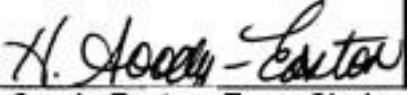
**And whereas** all other sections of By-law 07-81 shall be deemed to remain in force;

**And whereas** this By-law shall come into force and take effect on the date of passage.

Read a first time this 5<sup>th</sup> day of June 2017

Read a second and third time and finally passed this 5<sup>th</sup> day of June 2017

  
\_\_\_\_\_  
R.N. Bentley, Mayor

  
\_\_\_\_\_  
Sandy-Easton, Town Clerk