



**TOWNSHIP  
OF WILMOT**

## **Council Meeting Agenda**

**Monday, February 24, 2019**

**Regular Council Meeting**

**Council Chambers**

**7:00 P.M.**

- 1. MOTION TO CONVENE INTO CLOSED SESSION (IF NECESSARY)**
- 2. MOTION TO RECONVENE IN OPEN SESSION (IF NECESSARY)**
- 3. MOMENT OF SILENCE**
- 4. LAND ACKNOWLEDGEMENT**
- 5. ADDITIONS TO THE AGENDA**
- 6. DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL  
CONFLICT OF INTEREST ACT**
- 7. MINUTES OF PREVIOUS MEETINGS (Page 4)**

### **7.1 Council Meeting Minutes February 24, 2020**

#### **Recommendation**

THAT the minutes of the following meeting be adopted as presented:

Council Meeting February 10, 2020

**8. PUBLIC MEETINGS****8.1 REPORT NO. ILS 2020-006 (Page 19)****Draft Procedural By-law Amendments and Public Meeting****Recommendation**

THAT the Information and Legislative Services staff be directed to prepare proposed amendments to the Procedural By-law and report having regard for the comments received in conjunction with the Public Meeting held at the Regular Council Meeting on February 24, 2020.

**9. PRESENTATIONS/DELEGATIONS****9.1 Jim Rodger, Co-Coordinator (Page 51)****Prime Ministers Path****10. CONSENT AGENDA****11. REPORTS****11.1 Information and Legislative Services****11.1.1 REPORT NO. 2020-07 (Page 65)****Recommendation**

THAT Report No. ILS 2020-07 be received for information; and further,

THAT Governance Policy GP 20-005, Proclamation be endorsed; and further,

THAT Administrative Directive AD 20-001 Flag Standards and Criteria be received for information purposes.

**12. CORRESPONDENCE****12.1 Annual Report 2019 (Page 73)****Township of Wilmot Integrity Commissioner****Recommendation**

THAT the Correspondence 12.1 be received for information.

**13. BY-LAWS**

**14. NOTICE OF MOTIONS**

**15. ANNOUNCEMENTS**

**16. BUSINESS ARISING FROM CLOSED SESSION**

**17. CONFIRMATORY BY-LAW**

**17.1 By-law No. 2020-09**

**Recommendation**

THAT By-law No. 2020-09 to Confirm the Proceedings of Council at its Meeting held on February 24, 2020 be introduced, read a first, second, and third time and finally passed in Open Council.

**18. ADJOURNMENT**

**Recommendation**

THAT we do now adjourn to meet again at the call of the Mayor.



# TOWNSHIP OF WILMOT

## **Council Meeting Minutes**

**Monday, February 10, 2019**

**Closed Council Meeting**

**Wilmot Community Room**

**5:45P.M.**

**Regular Council Meeting**

**Council Chambers**

**7:00 P.M.**

Members Present: Mayor L. Armstrong, Councillors A. Hallman, C. Gordijk, B. Fisher, J. Gerber and J. Pfenning

Staff Present: Chief Administrative Officer G. Whittington, Director of Information and Legislative Services D. Mittelholtz, Director of Public Works and Engineering J. Molenhuis, Director of Facilities and Recreation Services S. Nancekivell, Director of Development Services H. O'Kafka, Fire Chief R. Leeson, Director of Finance / Treasurer P. Kelly, Director / Curator Castle Kilbride T. Loch, Manager of Information and Legislative Services T. Murray, Manager of Planning A. Martin, Recreation Programmer L. Smith

### **1. MOTION TO CONVENE INTO CLOSED SESSION**

**Resolution No. 2020-11**

**Moved by: Councillor J. Pfenning**

**Seconded by: Councillor B. Fisher**

THAT a Closed Meeting of Council be held on Monday, February 10, 2020 at 5:45 p.m. in accordance with Section 239(2), (k) for the purposes of:

- k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality

CARRIED.

**2. MOTION TO RECONVENE IN OPEN SESSION**

**Resolution No. 2020-12**

**Moved by: Councillor J. Pfenning**

**Seconded by: Councillor A. Hallman**

THAT Council reconvene in open session.

CARRIED.

**3. MOMENT OF SILENCE**

**4. LAND ACKNOWLEDGEMENT**

**5. ADDITIONS TO THE AGENDA**

**6. DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL  
CONFLICT OF INTEREST ACT**

Councillor C. Gordijk advised that she will not be voting on the minutes from the January 13, 2020 meeting as she had a conflict of interest and was absent for the majority of the meeting.

**7. MINUTES OF PREVIOUS MEETINGS**

**7.1 Council Meeting Minutes January 13, 2020**

**Resolution No. 2020-13**

**Moved by: Councillor J. Pfenning Seconded by: Councillor A. Hallman**

THAT the minutes of the following meeting be adopted as presented:

Council Meeting January 13, 2020.

CARRIED. AS AMENDED.

Councillor B. Fisher noted that the Mover and Seconded were missing from the Motion to Convene into Closed Session and the Motion to Reconvene in Open Session.

## **8. PUBLIC MEETINGS**

### **8.1 REPORT NO. DS 2020-005**

#### **Zone Change Application 01/20**

**Mike Roth / Philip Peppiatt & Crystal Oliveria**

**236 Wilmot Street, New Hamburg**

**Resolution No. 2020-14**

**Moved by: Councillor C. Gordijk**

**Seconded by: Councillor A. Hallman**

THAT Council approve Zone Change Application 01/20 made by Mike Roth and Philip Peppiatt & Crystal Oliveira affecting 236 Wilmot Street to rezone a portion of the subject property from Zone 11 (Open Space) and Zone 3f (Residential) to Zone 3f(H) and to reduce the front yard setback from 7.6m to 3.5m.

CARRIED.

Mayor Armstrong declared the public meeting open and stated that Council would hear all interested parties who wished to speak. He indicated that if the decision of Council is appealed to the Local Planning Appeal Tribunal, the Tribunal has the power to dismiss an appeal if individuals do not speak at the public meeting or make written submissions before the by-law is passed.

Mayor Armstrong stated that persons attending as delegations at this meeting are required to leave their names and addresses which will become part of the public record and advised that this information may be posted on the Township's official website along with email addresses, if provided.

The Manager of Planning / EDO outlined the report.

Mayor L. Armstrong asked 3 times if anyone else wished to address Council on this matter. There were none and the public meeting was declared closed.

## **9. PRESENTATIONS/DELEGATIONS**

### **9.1 Youth Action Council**

Ms. L. Smith and the members of the Youth Action Council provided a presentation on the programming that is anticipated for the 2020 calendar year.

Councillor A. Hallman thanked the youth for their presentation and advised that she would like to partner with them for the art project, noting there are opportunities for displays during the Canada Day celebrations.

Councillor J. Gerber also thanked them for their presentation, advising that it is always a highlight when YAC presents.

## **10. CONSENT AGENDA**

- 10.1 REPORT NO. PW 2020-03 (removed from Consent Agenda)**  
**4<sup>th</sup> Quarter 2019 Operations Activity Report**  
**October – December 2019**
- 10.2 REPORT NO. FIN 2020-05 (Deferred from January 13, 2020) (removed from Consent Agenda)**  
**Investing in Canadian Infrastructure Program (ICIP) - Intake 3**
- 10.3 REPORT NO. FRS 2020-003(removed from Consent Agenda)**  
**Facilities and Recreation Services Quarterly Activity Report**
- 10.4 REPORT NO. DS 2020-003**  
**2019 Building Code Act Enforcement Cost Summary**
- 10.5 REPORT NO. FIN 2020-06 (Deferred from January 13, 2020)**  
**Bill 138 Plan to Build Ontario Together Act**
- 10.6 REPORT NO. FIN 2020-14**  
**Rural Economic Development Funding**
- 10.7 REPORT NO. FD 2020-01**  
**Quarterly Report**
- 10.8 REPORT NO. CK 2020-01(removed from Consent Agenda)**  
**Quarterly Activity Report**

**Resolution No. 2020-15****Moved by: Councillor B. Fisher****Seconded by: Councillor J. Pfenning**

THAT Report Nos. DS 2020-003, FIN 2020-06, FIN 2020-14 and FD 2020-01 be approved.

CARRIED.

**11. REPORTS****11.1 CLERKS****11.1.1 REPORT NO. ILS 2020-001 (Deferred from January 13, 2020)****Notice of Proposed Procedural By-law Amendments****Resolution No. 2020-16****Moved by: Councillor J. Gerber****Seconded by: Councillor B. Fisher**

THAT the Draft Procedural By-law be received for information; and,

THAT the Director of Information and Legislative Services proceed with a Public Meeting at the Regular Council Meeting on February 24, 2020.

CARRIED.

The Director of Information and Legislative Services outlined the report.

Councillor C. Gordijk thanked staff for the report and noted her continuing concerns on this matter. She requested the township seek legal advice on the ruling and asked the staff proceed to receive a quote on the lawyer fees. The Director of Information and Legislative Services acknowledged the comments, historically members of the religious community have been providing those words, but noted that the council elect may decided to go with past political leaders or other non-religious community leaders to provide these words. She noted this is what the Township has done historically it doesn't mean that has be done moving forward and the next council can make those decisions.



Councillor J. Gerber agreed that the By-law provides future Councils the ability to flavour the Inaugural as they see fit and a legal opinion may not be required. He acknowledged that a diverse faith group has been invited in the past.

Councillor A. Hallman noted that on the Inaugural meeting, the current Council did not have the option to participate and she noted that Council has a responsibility to the next Council. Councillor A. Hallman agreed that there is no harm in asking for a quote.

Councillor J. Gerber thinks it's asking staff to perform work that is redundant and likely to not surface again.

Councillor C. Gordijk noted this has nothing to do with prayer, rather to keep religion out of Council Chambers, and if needed, have a separate ceremony downstairs for prayer.

The Director of Information and Legislative Services / Clerk noted that the proposed amended Procedural By-law says all incoming members of Council shall set the agenda for the Inaugural.

Councillor C. Gordijk noted that if an incoming member of Council is of Muslim faith, they would not be able to participate in the Inaugural.

Councillor J. Gerber noted that this Council passed a resolution opposing the actions by the Quebec Government regarding censoring religion and that this could be seen as the same action.

Councillor J. Pfenning noted that including a religious ceremony would not be inclusive to all.

Mayor L. Armstrong suggested that Council vote on accepting the draft for discussion at the Public Meeting on February 24, 2020.

Councillor C. Gordijk suggested that the report could be deferred until a legal opinion is obtained.

#### **11.1.2 REPORT NO. ILS 2020-05**

##### **Establishment and Maintenance of Governance Policy and Administrative Directives Framework**

#### **Resolution No. 2020-17**

**Moved by: Councillor J. Pfenning      Seconded by: Councillor B. Fisher**

THAT Report ISL 2020-05, 'Establishment and Maintenance of Governance Policy and Administrative Framework be received; and,

THAT Governance Policy GP-001, as set out in Attachment "A" be approved.

CARRIED.

The Manager of Information and Legislative Services / Deputy Clerk outlined the report.

Councillor J. Pfenning asked for clarification surrounding the decision making between a Governance Policy vs. an Administrative Directive. The Manager of Information and Legislative Services / Deputy Clerk advised that staff will look at the existing Corporate Policy Manual and revise each policy to be under the appropriate document, current policies that have been approved by Council will likely be converted to Governance Policy and current policies approved at the Senior Management level will be converted to Administrative Directives.

## **11.2 FINANCIAL SERVICES**

### **11.2.1 REPORT NO. FIN 2020-11**

#### **2020 Municipal Budget**

#### **Resolution No. 2020-18**

**Moved by: Councillor C. Gordijk      Seconded by: Councillor J. Gerber**

That the 2020 Municipal Budget, as prepared by the Director of Finance / Treasurer and Manager of Finance / Deputy Treasurer, be endorsed and recommended to Council on February 10, 2020.

CARRIED.

The Director of Finance / Treasurer highlighted the report and provided an overview of the budget.

Councillor A. Hallman thanked staff for the efforts put into the 2020 Budget and asked that the presentation be forwarded to allow for distribution to the community.

Councillor B. Fisher thanked staff for a job well done, noting that each year presents new challenges and staff continue to be creative and make things happen.

**11.2.2 REPORT NO. FIN 2020-12****HR Management Administrative Directive, and Governance  
Policy for Hiring Personnel Recommendation****Resolution No. 2020-19****Moved by: Councillor J. Pfenning      Seconded by: Councillor A. Hallman**

THAT Council authorize the repeal of By-law 2001-61, being the Bylaw to Adopt an Employee Policy Manual and endorse Governance Policy #??? Being a policy for the Hiring of Employees; and further,

THAT Council receive the Administrative Directive on Human Resources Management, as approved by the Senior Management Team, for information purposes.

CARRIED.

The Director of Finance / Treasurer outlined the report.

Councillor B. Fisher advised he was pleased to see this come forward.

Councillor J. Pfenning asked for clarification regarding the numbering of the Governance Policy and it was noted that with the approval of the Governance Policy and Administrative Directive Framework, staff will begin to assign numbering.

Councillor J. Pfenning noted that she was please to see this update and advised that she would like to see Human Resources, in the future, be recognized and its independence reporting to the highest level in the organization. The Director of Finance / Treasurer noted that at this time the Human Resource function is progressing well as part of the Corporate Services Department, as the organization grows there may be adjustments; however, at this time it will remain.

**11.2.3 REPORT NO. FIN 2020-05 (Deferred from January 13, 2020) (Moved  
from Consent Agenda)****Investing in Canadian Infrastructure Program (ICIP) - Intake 3****Resolution No. 2020-20****Moved by: Councillor C. Gordijk      Seconded by: Councillor J. Pfenning**

THAT Report FIN 2020-05, regarding the Investing in Canadian Infrastructure Program (ICIP)  
- Intake 3 application, be received for information purposes.

CARRIED.

### **11.3 PUBLIC WORKS AND ENGINEERING**

#### **11.3.1 REPORT NO. PW 2020-02**

**Water Supply Access Agreements with  
Township of Perth East  
Township of East Zorra-Tavistock**

#### **Resolution No. 2020-21**

**Moved by: Councillor C. Gordijk**

**Seconded by: Councillor J. Pfenning**

THAT the Water Supply Access Agreement with the Township of Perth East and the Township of East Zorra-Tavistock, be received for information;

THAT the Mayor and Clerk be authorized to execute the agreements.

CARRIED.

The Director of Public Work and Engineering outlined the report.

Councillor C. Gordijk asked for clarification on the maps and the Director of Public Works and Engineering noted those are the hydrants that are closest for their use.

#### **11.3.2 REPORT NO. PW 2020-03 (Moved from Consent Agenda)**

##### **4<sup>th</sup> Quarter 2019 Operations Activity Report**

**October – December 2019**

#### **Resolution No. 2020-22**

**Moved by: Councillor B. Fisher**

**Seconded by: Councillor C. Gordijk**

THAT the Public Works Operations 4<sup>th</sup> Quarter Activity Report for the months of October, November and December 2019 be received for information.

CARRIED.

Councillor A. Hallman asked if the total was known for the vehicle damage payout and the Director of Public Works and Engineering noted that the claim is still currently in process.

Councillor A. Hallman asked if there were any further details surrounding the power outage in New Dundee and was advised that the outages are related to Regional infrastructure.

## **11.4 FACILITIES AND RECREATION SERVICES**

### **11.4.1 REPORT NO. FRS 2020-002**

#### **Recreation Programming Update**

#### **Resolution No. 2020-23**

**Moved by: Councillor A. Hallman      Seconded by: Councillor C. Gordijk**

That Report FRS 2020-002 be received for information.

CARRIED.

The Recreation Programmer outlined the report relative to recreation and programming.

Councillor B. Fisher asked if staff have reached out to other municipalities and the Recreation Programmer advised that she participates in an Area Townships Group that discusses current trends, programming options and partnership opportunities.

Councillor J. Pfenning asked when the survey noted in the report was done and it was advised that it was complete in 2018 and another is planned for this year as part of the Co-op student program.

Councillor J. Pfenning asked how much interest the My Safe Life program has and the Recreation Programmer advised that the current capacity is 18 students at a time and there is usually a waiting list. Councillor J. Pfenning suggested that collaboration opportunities with local churches and Service Clubs may increase capacity, the Recreation Programmer acknowledged the suggestion while advised that there is a capacity limit with staffing.

### **11.4.2 REPORT NO. FRS 2020-003(Moved from Consent Agenda)**

#### **Facilities and Recreation Services Quarterly Activity Report**

**Resolution No. 2020-24**

**Moved by: Councillor J. Gerber Seconded by: Councillor A. Hallman**

That the Facilities & Recreation Services Activity Reports for the fourth quarter of 2019 be received for information.

CARRIED.

Councillor A Hallman noted that the staff numbers reflected on Page 296 highlight staff accomplishments and asked when the last new hire was and the Director of Facilities and Recreation Services advised it was 3 or 4 years ago.

**11.5 DEVELOPMENT SERVICES****11.5.1 REPORT NO. DS 2020-004**

**Release of Agreement**

**Instrument Number 988117**

**3 Redford Drive, Petersburg**

**Resolution No. 2020-25**

**Moved by: Councillor J. Pfenning      Seconded by: Councillor C. Gordijk**

THAT, Council authorize the Mayor and Clerk to execute and register the release of Agreement registered as Instrument Number 988117.

CARRIED.

**11.6 CASTLE KILBRIDE****11.6.1 REPORT NO. CK 2020-01 (Moved from Consent Agenda)**

**Quarterly Activity Report**

**Resolution No. 2020-26**

**Moved by: Councillor B. Fisher      Seconded by: Councillor J. Pfenning**

That the Castle Kilbride Activity Report for the months of October, November and December 2019 be received for information purposes.

CARRIED.

Councillor A. Hallman noted there was a drop in visitor numbers over the Christmas season and asked if the reason was known. The Director / Curator advised that number fluctuations are to be expected as some visitors and bus tours do not attend every year.

Councillor C. Gordijk asked if the drop in attendance is something to look into and the Director / Curator advised that there is no explanation that has been identified for that drop.

## **12. CORRESPONDENCE**

### **12.1 Annual Ombuds Report (Deferred from January 13, 2020)**

### **12.2 2019 Year End Assessment Report - MPAC**

#### **Resolution No. 2020-27**

**Moved by: Councillor C. Gordijk**

**Seconded by: Councillor J. Pfenning**

THAT the Correspondence 12.1 and 12.2 be received for information.

CARRIED.

## **13. BY-LAWS**

### **13.1 By-law No. 2020-04**

**Execution of Water Agreement – Perth East**

### **13.2 By-law No. 2020-05**

**Execution of Water Agreement – East Zorra Tavistock**

### **13.3 By-law No. 2020-06**

**Zone Change Application 01/20**

### **13.4 By-law No. 2020-07**

**Water Rates 2020**

#### **Resolution No. 2020-28**

**Moved by: Councillor J. Gerber**

**Seconded by: Councillor B. Fisher**

THAT By-law No. 2020-04, 2020-05, 2020-06, 2020-07 be read a first, second and third time and finally passed in Open Council.

CARRIED.

#### **14. NOTICE OF MOTIONS**

##### **14.1 (Deferred from January 13, 2020)**

##### **Resolution No. 2020-29**

**Moved by: Councillor A. Hallman      Seconded by Councillor C. Gordijk**

To direct administration to bring a report back to council in the 2020 work program on the logistics of live streaming the Council Meetings for the viewing of live and archived meetings for the ability of the residents of Wilmot Township whom do not have the ability to attend our council meetings. This motion supports Wilmot's commitment to exploring open, transparent and effective governance.

CARRIED.

Councillor J. Gerber asked how this initiative would impact the budget and noted that additions such as these should come forward sooner to be included through that process. The CAO advised that this particular request would be acceptable under the Work Program as it is asking for a report.

Councillor B. Fisher advised he supports this Motion.

##### **14.2 (Deferred from January 13, 2020)**

##### **Resolution No. 2020-30**

**Moved by: Councillor A. Hallman      Seconded by: Councillor C. Gordijk**

That staff be directed to prepare by the end of the second quarter to create an appropriate email address and an advertisement to be posted on the Townships website and social media inviting the community to nominate good neighbours in Wilmot.

This will be to recognize a Wilmot resident, group, business, or organization who make Wilmot a better place to live. They will receive a thank you card signed by the mayor and member(s) of council from the appropriate ward to send to the recipient.



CARRIED.

Councillor C. Gordijk advised she fully supports this initiative.

Mayor Armstrong asked if this is over and above the Citizen of the Year and Councillor A. Hallman advised that she sees this as something separate that could potentially lead up to that event.

Councillor J. Gerber asked if there was a Department identified to be responsible for this and Councillor A. Hallman advised that she felt Information and Legislative Services would be responsible for the program.

## **15. ANNOUNCEMENTS**

- 15.1** Councillor J. Gerber thanked and congratulated the Director of Facilities and Recreation on his upcoming retirement.

Councillor B. Fisher echoed those comments and advised that he appreciates all the advice over the years.

Mayor L. Armstrong also wished the Director of Facilities and Recreation much luck and much great health in his retirement.

Councillor A. Hallman also wished well and asked that the Director of Facilities and Recreation return this summer to fulfill a promise made during the building of the Recreation Complex, which is to do the bucket at the splash pad.

Councillor J. Pfenning also wished well and advised she has enjoyed the short time that they have worked together.

In response, the Director of Facilities and Recreation Services thanked Council and staff for the many years of support.

Councillor C. Gordijk also thanked the Director of Facilities and Recreation Services.

- 15.2** Councillor C. Gordijk thanked the Optimist for the Valentine's Dance this past Saturday.

- 15.3** Councillor B. Fisher advised that there are Family Day activities at the Recreation Complex, including free swimming and skating with the Baden Optimist serving refreshments.
- 15.4** Councillor A. Hallman advised that she and her fundraising partner in the Polar Plunge raised just over \$400.
- 15.5** Councillor A. Hallman advised that on February 26, the New Dundee Library will be hosting Technology Coaching sessions.
- 15.6** Councillor A. Hallman advised that on February 27, a talk on Early Settlers will be given by a Historian at the Steinmann Church.
- 15.7** Councillor A. Hallman advised that the New Dundee Optimist has a \$1,500. scholarship opportunity for youth.
- 15.8** Councillor J. Pfenning advised of the upcoming Heritage Day celebrations on February 22, 2020 at the New Dundee Community Centre.

**16. BUSINESS ARISING FROM CLOSED SESSION**

**17. CONFIRMATORY BY-LAW**

**17.1 By-law No. 2020-08**

**Resolution No. 2020-31**

**Moved by: Councillor C. Gordijk      Seconded by Councillor Gerber**

THAT By-law No. 2020-08 to Confirm the Proceedings of Council at its Meeting held on February 10, 2020 be introduced, read a first, second, and third time and finally passed in Open Council.

CARRIED.

**18. ADJOURNMENT (9:30 pm)**

**Resolution No. 2020-32**

**Moved by: Councillor B. Fisher      Seconded by: Councillor C. Gordijk**

THAT we do now adjourn to meet again at the call of the Mayor.



# TOWNSHIP OF WILMOT

## INFORMATION AND LEGISLATIVE SERVICES *Staff Report*

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**REPORT NO:** ILS 2020-06

**TO:** Council

**SUBMITTED BY:** Dawn Mittelholtz, Director Information and Legislative Services  
/ Municipal Clerk

**PREPARED BY:** Dawn Mittelholtz, Director Information and Legislative Services  
/ Municipal Clerk

**REVIEWED BY:** Grant Whittington, CAO

**DATE:** February 24, 2020

**SUBJECT:** Draft Procedural By-law Amendments and Public Meeting

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### **RECOMMENDATION:**

THAT the Information and Legislative Services staff be directed to prepare proposed amendments to the Procedural By-law and report having regard for the comments received in conjunction with the Public Meeting held at the Regular Council Meeting on February 24, 2020.

### **SUMMARY:**

This report and the Public Meeting are for Council to hear comments from the public on the draft Procedural By-law. After the public meeting, Members of Council may also provide comments to staff. All comments received will be reviewed by staff and included in a report coming back to Council along with the proposed By-law.

### **BACKGROUND:**

The Municipal Act, 2001, requires all municipalities in the Province of Ontario to pass a Procedural By-law to govern the calling, place and proceedings of meetings of the municipality and its local boards. On February 10, 2020, by means of a staff report on the Council Meeting Agenda, Notice was given advising the public that amendments were being considered to the Township of Wilmot Procedural By-law. Though not required, staff also advised the public of

the opportunity to comment on the draft Procedural By-law amendments through social media, the Township website and in an advertisement in the newspaper.

## **REPORT:**

As with the previous Procedural By-law Amendment process, staff used the Procedural By-laws of the municipalities within Waterloo Region and the City Guelph. These municipalities form an Area Clerks group that meet to discuss various operational matters and are a natural pool to draw from as many members of the public that would present in Wilmot would likely present in these municipalities as well, and having consistency in the Procedural By-laws is beneficial.

At the time of writing this report, one written comment was received from the public concerning the draft Procedural By-law, more specifically, how abstaining from voting is treated in the count of votes either for or against. In Wilmot's current Procedural By-law, the following definition is provided for "Abstain:"

*means a member who refuses to vote (abstain) will be recorded as voting in the negative*

Further in the Procedural By-law, the section on Voting on Motions states the following as subsection 13.6:

*If any member present at a meeting of Council when a question is put does not vote, he/she shall be deemed as voting in the negative except where he/she is prohibited from voting by law.*

The member of the public asked if this was common and expressed their concerns that "It probably would make for less abstaining although there are often legitimate reasons for that which certainly can not or should not be considered as a negative vote." Staff responded by advising that upon review of the Procedural By-laws from the municipalities within the Area Clerks group, it was confirmed that similar if not identical wording was used. Staff also advised that it is the role of Council to make decisions on municipal matters but that a conflict of interest may be declared where a Member would not take part in discussions or voting on a matter. Although the Procedural By-law supersedes it, staff also referred to Robert's Rules of Order which regards abstentions to be of the same affect as a negative vote. The member of the public responded they were satisfied with staff's response and had no further questions or comments at this time.

Members of the public and Council may provide comment until 4:30 pm March 25, 2020 which will allow staff sufficient time to receive feedback and ask any follow-up questions then prepare the proposed By-law and accompanying report. Historically, this is highly collaborative process to ensure the final proposed by-law captures what those who participated intended.

**ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:**

The holding of a Public Meeting for the draft Procedural By-law is communicating municipal matters in conformity with the Strategic Plan.

**FINANCIAL CONSIDERATIONS:**

Costs associated with the publication of the notice for the proposed amendments to the Procedural By-law are included in the proposed 2020 Operational Budget.

**THE CORPORATION OF THE TOWNSHIP OF WILMOT  
BY-LAW NO. 2020-XX  
BEING A BY-LAW TO PROVIDE FOR  
THE RULES OF ORDER AND PROCEDURE  
FOR THE MUNICIPAL COUNCIL OF  
THE CORPORATION OF THE TOWNSHIP OF WILMOT  
AND TO REPEAL BY-LAW NO. 2019-25**

WHEREAS Section 238.(2) of the revised Municipal Act, S.O. 2001, c.25 requires that every Council and local board shall adopt a procedural by-law for governing the calling, place and proceedings of meetings;

AND WHEREAS the Township of Wilmot Accountability and Transparency Policy states that accountability, transparency and openness are standards of good governance that enhance public trust and are achieved through the municipality adopting measures ensuring, to the best of its ability, that all activities and services are undertaken utilizing a process that is open and accessible to its stakeholders;

AND WHEREAS the general principles of parliamentary law should be upheld in the rules of any meeting:

The majority must be allowed to rule;  
The minority have rights that must be respected;  
Members have a right to information to help make decisions;  
Courtesy and respect for others are required;  
All members have equal rights, privileges, and obligations; and  
Members have a right to an efficient meeting;

AND WHEREAS it is deemed expedient to adopt by by-law, rules governing the order and procedure of the Council of the Corporation of the Township of Wilmot.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WILMOT ENACTS AS FOLLOWS:

**PART 1                    DEFINITIONS**

- 1.1     **“Abstain”** means a member who refuses to vote (abstain) will be recorded as voting in the negative;
- 1.2     **“Acting Mayor”** means the member of Council appointed by by-law to act from time to time in the place and stead of the Mayor, pursuant to Part 4 of this by-law.
- 1.3     **“ad hoc Committee”** means a Committee composed of Members of Council and established to review a specific matter and report its findings and recommendations to Council;
- 1.4     **“Advisory Committee”** means a Committee established by Council under a specified Terms of Reference to advise on matters which Council has deemed appropriate for the Committee to consider;
- 1.5     **“Agenda”** means the order of proceedings for a meeting setting out the business to be considered at the meeting;
- 1.6     **“Amendment”** means a change in the form of a Motion. An amendment is designed to alter or vary the term of the main motion without materially changing its meaning. It may propose that certain words be left out, that certain words be omitted and replaced by others, or that certain words be

inserted or added. Every amendment must be strictly relevant to the question being considered.

- 1.7 “Business Day”** means days of the week the Administrative Complex for the Township of Wilmot is open for Township business, typically Monday to Friday, excluding holidays. The day in which a meeting is to occur shall not be included in the calculation of “business days.”
- 1.8 “Calendar Day”** means any day of the week. The day in which a meeting is to occur shall not be included in the calculation of “calendar days.”
- 1.9 “Chair”** means the person presiding over a meeting and who is charged with the responsibility to decide questions and points of order or practice, preserve order and maintain decorum in the proceeding. The Chair, except where disqualified, may vote on all questions;
- 1.10 “Chief Administrative Officer”** means the person appointed by by-law as the Chief Administrative Officer (CAO) of the Corporation of the Township of Wilmot and whose duties are therein prescribed and to include Section 229 of the Municipal Act;
- 1.11 “Chief Executive Officer”** shall mean the Mayor in accordance with Sections 226.1 of the Municipal Act;
- 1.12 “Clerk”** means the person appointed by by-law as the Clerk of the Corporation of the Township of Wilmot and whose duties are therein prescribed in Section 228 of the Municipal Act;
- 1.13 “Closed Session”** means a closed session of a committee or Council meeting which is closed to the public in accordance with the requirements of the *Municipal Act*;
- 1.14 “Consent Agenda”** means a board meeting practice that groups routine business and reports into one agenda item. The consent agenda can be approved in one action, rather than filing motions on each item separately
- 1.15 “Council”** is the term to refer collectively to the Mayor and 5 Councillors;
- 1.16 “Councillor”** is the term consistent with the *Municipal Act*, and is the title assigned to a Member of Council, except the Mayor, elected to represent the electors of the Township of Wilmot;
- 1.17 “Division of Question”** means a request by a Member of Council to have a motion containing separate questions, recommendations or amendments, voted on in sections or parts;
- 1.18 “Emergency Meeting”** means a meeting of Council held to consider any business of the Council which is deemed by the Chair to be of an emergency situation;
- 1.19 “Ex Officio”** means by virtue of office or position and carries with it the right to participate fully in the committee meeting and to vote unless prohibited by law;
- 1.20 “Head of Council”** means the Mayor or his/her designate;
- 1.21 “Improper Conduct”** means conduct which offers any obstruction to the deliberations of proper action of Council;
- 1.22 “Inaugural Meeting”** means the first meeting of Council held after a municipal election in a regular election year;

- 1.20 “Majority Vote”** means more than half of the votes cast by members entitled to vote at a meeting;
- 1.21 “Management Team”** means the Chief Administrative Officer and Department Heads of the Township of Wilmot;
- 1.22 “Mayor”** is the Head of Council who is elected by general vote to represent electors in The Township of Wilmot;
- 1.23 “Meeting”** means any regular or special meeting of Council, or any meeting of a Committee or Advisory Committee as defined in the Municipal Act, 2001;
- 1.24 “Member of Council”** means a person duly elected to serve on the Council of The Corporation of the Township of Wilmot;
- 1.25 “Motion”** means a question to be considered by the Council or Committee which is moved, seconded, presented, read by the Chair and is subject to debate. When a motion is adopted, it becomes a resolution;
- 1.26 “Municipal Act”** means the Municipal Act, 2001 S.O. 2001, chapter 25, as amended from time to time and any successor legislation thereto;
- 1.27 “Notice of Motion”** means an advance notice to Members of Council of a matter on which Council will be asked to take a position.
- 1.28 “Pecuniary Interest”** means a direct or indirect pecuniary interest of a member as defined within the meaning of the *Municipal Conflict of Interest Act, R.S.O. 1990, chapter M.50*, as amended and any successor legislation thereto;
- 1.29 “Personal Privilege”** means the raising of a question which concerns a member of Council or the Council collectively, when a Member believes that their rights, immunities or integrity or the rights, immunities or integrity of Council as a whole have been impugned;
- 1.30 “Point of Information”** is a request directed to the Mayor or through the Chair to another Member or to the staff, for information relevant to the business at hand but not related to a Point of Procedure;
- 1.31 “Point of Order”** means a statement made by a Member during a meeting, drawing the attention of the Mayor or his/her designate to a breach of the Rules of Procedure;
- 1.32 “Point of Procedure”** means a question directed to the Mayor or Chair to obtain information on a matter of parliamentary law or the rules of Council bearing on the business at hand, in order to assist a Member to make an appropriate motion, raise a point of order, understand the parliamentary situation or the effect of the motion;
- 1.33 “Presentation”** means
- i) presentations made by Council to recognize the contributions or achievements of individuals or organizations;
  - ii) presentations made to Council by individuals or organizations at the invitation of Council;
  - iii) presentations made to Council by an advisory or other Committee
- 1.34 “Presiding Officer”** means the Mayor or in his absence, the Acting Mayor, to act in his/her absence while presiding at meetings;
- 1.35 “Public Hearing”** means a meeting of Council or that portion of a meeting of Council or any Committee of Council which has been given authority by by-



law or statute to conduct a hearing in matters pursuant to any legislation which requires Council to hear interested parties or to afford them an opportunity to be heard before taking action, passing a by-law or making a decision;

- 1.36 “Question”** means a motion that has been placed before the Council or Committee by the statement of the Chair. Only once duly stated by the Chair and “on the floor” can a motion be debated and put to a question of the members for proper resolution (Question On the Floor).
- 1.37 “Quorum”** means the majority of the whole number of the members of Council who are present in person;
- 1.38 “Recorded Vote”** means the recording in the minutes, the names of each Member of Council present and the manner of their vote on a matter or question before Council. Recorded Votes shall be taken upon request by any Member of Council. In the case of a Member who has a declared conflict or pecuniary interest in the matter or question, the minutes shall reflect the Member abstained from taking part in the discussion and the vote;
- 1.39 “Regular Meeting”** means a scheduled meeting of Council held in accordance with the approved schedule of meetings;
- 1.40 “Resolution”** means a formal determination made by Council or a Committee on the basis of a motion duly placed before a regularly constituted meeting of Council or a Committee for debate and decision, and duly passed;
- 1.41 “Rules of Procedure”** means the rules and regulations provided in this by-law;
- 1.42 “Special Meeting”** means a meeting of Council not scheduled in accordance with the approved calendar of meetings;
- 1.43 “Special Purpose Committee”** means a Committee comprised of such members of Council and other persons as appointed by Council to address matters which Council has deemed necessary within the jurisdiction of Council;
- 1.44 “Tie Vote”** means an equality of votes and the question being voted on is deemed lost.
- 1.45 “Treasurer”** means the Treasurer of the Corporation of the Township of Wilmot.

## **2. GENERAL PROVISIONS**

### **2.1 Rules and Procedures**

The rules and procedures contained in this by-law shall be observed in all proceedings of Council as defined in the Municipal Act, and shall be the rules and procedures for the order and dispatch of business of the Council and its Committees thereof;

### **2.2 Parliamentary Procedure**

Points of order or procedure not specifically governed by this By-law shall be decided by the Chair in accordance with, as far as reasonably practical, the most current edition of Robert’s Rules of Order.

### **2.3 Meeting Decorum – All Persons Present**

At no time shall any Member of Council, staff, delegations or member of public or media;

- (a) speak disrespectfully of or to any person;
- (b) use offensive words or unparliamentary language;
- (c) speak on any subject other than the subject for which he or she has received approval to address Council;
- (d) disobey the rules of procedure or a decision of the Mayor or Council;  
or
- (e) interrupt, speak-over, or continue to speak when advised by the Mayor not to, or otherwise disrupt the proceedings of the meeting or the ability of Council or staff to conduct business.

### **2.3 Mayor - Ex Officio Member – All Committees**

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.

### **2.4 Meetings Open to Public**

Subject to Section 5 of this by-law, all meetings of Council and its Committees shall be open for attendance by the public, and no person shall be excluded therefrom, except for improper conduct.

## **3. ROLES AND DUTIES**

### **3.1 General**

It is the role and duty of all elected representatives, appointed committee members, and all staff to serve the residents of the Township of Wilmot. Business of the corporation of The Township of Wilmot shall be conducted in the best interest of the residents as a whole and not to serve the interests of any one individual or group of individuals above the common good with transparency and openness, conducting business that considers open and accessible communication to every stakeholder.

### **3.2 Role of the Mayor**

It is the role of the Mayor:

- a) to act as chief executive officer of the municipality;
- b) to preside over council meetings so that its business can be carried out efficiently and effectively;
- c) to provide leadership to the council;
- (c.1) without limiting clause (c), to provide information and recommendations to the council with respect to the role of council described in clauses 224 (d) and (d.1) of the Municipal Act;
- d) to represent the municipality at official functions;
- e) to act as council's representative when dealing with other levels of government, their agencies and the private sector;

- f) to act as the Township's representative on council for the Regional Municipality of Waterloo;
- f) to carry out the duties of the head of council under the *Municipal Act* or any other Act;
- g) as chief executive officer of the municipality, the Mayor shall:
  - i) uphold and promote the purposes of the municipality;
  - ii) promote public involvement in the municipality's activities;
  - iii) act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
  - iv) participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents

### **3.3 Role of Council**

It is the role of Council:

- a) to represent the public and to consider the well being and interests of the municipality;
- b) to develop and evaluate policies and programs of the municipality;
- c) subject to legislative restrictions, develop regulations to be adopted in by-laws and resolutions for the overall benefit of the community;
- d) to determine which services the municipality provides in accordance with applicable legislation;
- e) to ensure that administrative policies, practices and procedures are in place and controllership policies, practices and procedures are in place to implement the decisions of Council;
- f) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- g) to maintain the financial integrity of the municipality; and
- h) to carry out the duties of Council under the *Municipal Act* or any other Act.

### **3.4 Duty of the Mayor**

It is the duty of the Mayor to preside over all meetings of Council and:

- a) to open meetings of Council by taking the Chair and calling the meeting to order;
- b) to receive and submit, in the proper manner, all motions;
- c) to put to a vote all motions and to announce the result;
- d) to serve as an ex-officio member of all committees and be entitled to vote at such meetings;
- e) to decline to put motions to a vote which infringe upon the rules of procedure;
- f) to inform the members of the proper procedure to be followed and to enforce the rules of procedure;

- g) to enforce on all occasions, the observance of order and decorum among the members;
- h) to call by name any member persisting in a breach of the rules of procedure and to order the member to vacate the Council Chambers;
- i) to permit questions to be asked through the Mayor, of any officer of the Township for information, to assist in any debate when the Mayor deems it proper;
- j) to provide information to members on any matter relating to the business of the Township;
- k) to authenticate by signature all by-laws and minutes of Council;
- l) to rule on any points of order raised by the members;
- m) to maintain order. Where it is not possible to maintain order, the Mayor may, without any resolution being put, adjourn the meeting to a time to be named by the Mayor;
- n) to adjourn the meeting when the business is concluded;
- o) to carry out the duties of the head of Council under the Municipal Act, or any other Act;
- p) to act in accordance with his/her Oath of Elected Office.

### **3.5 Duty of a Councillor**

It is the duty of Councillors to attend all meetings of Council and:

- a) to prepare for meetings, including reviewing the agenda and background information prior to the meeting;
  - i. to speak only to the subject under debate;
  - ii. to vote on all motions before the Council unless prohibited from voting by law;
  - iii. to observe proper procedure and decorum at all meetings;
  - iv. to state questions to be asked through the Mayor;
  - v. to attend committee meetings to which the Councillor has been appointed by Council;
  - vi. to carry out the duties of Council under the Municipal Act, or any other Act;
  - vii. to act in accordance with their Oath of Elected Office;

### **3.6 Duty of the Chief Administrative Officer**

It is the duty of the Chief Administrative Officer:

- a) to exercise general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality;
- b) to implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions;
- c) to undertake or direct the undertaking of research and provide advice to Council on the policies and programs of the municipality;

- d) perform such other duties required under this or any Act and other duties as assigned by the municipality; and,
- e) provide leadership and direction to staff as the most senior member of staff.

### **3.7 Duty of the Clerk**

It is the duty of the Clerk to attend all Council meetings and:

- a) to prepare and distribute agendas for all meetings of Council in accordance with this by-law;
- b) to record, without note or comment, all resolutions, decisions, minutes and other proceedings of the Council;
- c) if required by any member present at a vote, to record the name and vote of every member voting on any matter or question;
- d) to keep the originals or copies of all by-laws and of all minutes of proceedings of the Council;
- e) to make such minor clerical, typographical or grammatical corrections in form to any by-law, motion, resolution and/or minutes as may be required for the purpose of ensuring correct and complete implementation of the actions of Council;
- f) to perform the other duties required under the Municipal Act or any other Act;
- g) to advise Council on parliamentary procedure;
- h) to perform such other duties as are assigned by the municipality.
- i) the Clerk may delegate in writing to any person, other than a member of council, any of the Clerk's powers and duties under the Municipal Act and any other Act
- j) the Clerk may continue to exercise the delegated powers and duties, despite the delegation

### **3.8 Duty of the Treasurer**

It is the duty of the Treasurer:

- i) to collect money payable to the municipality and issue receipts for those payments;
- ii) to deposit all money received on behalf of the municipality in a financial institution designated by the municipality;
- iii) to pay all debts of the municipality on behalf of the municipality and other expenditures authorized by the municipality;
- iv) to maintain accurate records and accounts of the financial affairs of the municipality;
- v) to provide Council with such information with respect to the financial affairs of the municipality as it requires or requests;
- vi) to ensure investments of the municipality are made in compliance with the regulations made under Section 418 of the Municipal Act;
- vii) to perform such other duties as are assigned by the municipality.

### **3.9 Municipal Administration**

It is the role of the officers and employees of the municipality:

- (a) to implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions;
- (b) to undertake research and provide advice to Council on the policies and programs of the municipality; and
- (c) to carry out other duties required under this or any Act and other duties assigned by the municipality.

## **4. COUNCIL MEETINGS**

### **4.1 Place**

The regular meetings of the Council of the Township of Wilmot shall be held in the Council Chambers pursuant to Section 236 of the Municipal Act. In the case of an emergency, or other circumstances, Council may hold its meetings at any convenient location within or outside the municipality, as approved by resolution of Council;

### **4.2 Seating Arrangement of Council**

Councillors shall be seated to the right of the Mayor in Council Chambers in Ward order. For wards with more than one Councillor, those Members shall be seated in alphabetical order by last name.

### **4.3 Councillor – addressed**

Members of council are to be addressed as: "Councillor (surname inserted)".

### **4.4 Mayor - addressed**

The Mayor shall be addressed as "Mayor" (surname inserted)" or as "Your Worship."

### **4.5 Staff and Members of the Public – addressed**

Staff and members of the public are to be addressed as "Dr.," "Mr.," "Mrs.," "Ms.," "Miss.," "Mx.," or "Ind." (surname inserted) as preferred. Members of staff may also be addressed by title within the corporate structure.

### **4.6 Inaugural Meeting**

The Inaugural meeting of the Council of the Corporation of the Township of Wilmot following a regular municipal election shall be held in accordance with the Municipal Act, 2001 at 7:00 p.m., in the Council Chambers; (removed reference to specific day of the month and reference to weekends/holidays)

The Agenda for the Inaugural meeting shall be established by the incoming Members of Council and the Clerk and will reflect the values of the community with respect for diversity and inclusion of all members of the community.

No business shall be conducted at the Inaugural Meeting of Council until the Declarations of Elected Office have been made by the members of the Council.

### **4.7 Rotational Schedule – Acting Mayor**

Each term, as soon after the commencement of its term as reasonably possible, Council shall appoint by by-law, in alphabetical order, each member

of Council to serve for one calendar month as Acting Mayor for that time in the place and stead of the Mayor when the Mayor is absent from the Township area, absent through illness, or refuses to act, and the Acting Mayor shall have and may exercise all rights, powers and authority of the Mayor in his/her absence.

#### **4.8 Regular Meetings**

Following the Inaugural meeting, Regular meetings shall be held in the Council Chambers, at 7:00 p.m., local time, twice per month on Mondays as per the schedule approved by Council Resolution.

##### **Regular Meetings – January, July, August and December**

During the months of January, July, August and December in each year, there shall be one regular meeting of Council per month to be held at a time designated by Council to accommodate the ad hoc Budget Committee Meeting schedule and the summer holiday season.

Council may, by resolution or by-law, alter the time, day or place of any Council or Committee meeting.

#### **4.9 Quorum**

A majority of members of Council shall be necessary to constitute a quorum;

If no quorum is present one half hour after the time appointed for a meeting of Council, the Clerk shall record the names of the members present and the meeting shall stand adjourned until the date of the next regular meeting;

If during the course of a meeting a quorum is lost, subject to the provisions of the Municipal Conflict of Interest Act, then the meeting will stand adjourned, not ended, to reconvene at the same time of commencement on the next following day, or at such other time and place as the Mayor or his/her Designate will then announce;

If in the Mayor or his/her Designate's opinion it is not essential that the balance of the agenda be dealt with before the next regularly scheduled meeting, the Mayor or his/her Designate will announce that the unfinished business of Council will be taken up at the next regularly scheduled meeting;

#### **4.10 Absence – Head of Council**

If the Head or Acting Head of Council, pursuant to the rotation list established by By-law, does not attend within fifteen (15) minutes after the time appointed for a meeting of Council, the Clerk shall call the members to order and an Acting Head of Council shall be appointed from among the members present and he/she shall preside until the arrival of the Head of Council or his/her designate and while so presiding, the Acting Head of Council shall have all the powers of the Head of Council and will be so entitled to vote as a member.

In the absence of the Head of Council, or if the office is vacant, Council may, from among its members, appoint a Head of Council, who, during such absence or vacancy or refusal to act, has all the powers of the Head of Council.

#### **4.11 Notice of Regular Meetings (Agenda) – Delivered in Advance to Council, CAO, Management Team**

The Agendas shall be considered as notice of regular meetings.

The Clerk shall cause to be delivered to each member of Council, an agenda for each regular meeting of Council, electronically and/or hard copy to the

address provided by the Member of Council to the Clerk for delivery of such agendas. The agenda shall be provided not later than three (3) business days before the holding of such meeting. At the same time the Clerk shall make available a copy of the agenda to the Chief Administrative Officer and to the members of the Management Team in electronic and/or hard copy format.

#### **4.12 Agendas – Available to the Public/Media**

Agendas for Open Session meetings of Council shall be made available to the public and media on the Township website within twenty-four (24) hours of delivery to the Members of Council.

#### **4.13 Reports Under Separate Cover**

Where the completion of the Agenda is delayed due to an overdue staff Report or Presentation that is expected to be included on the Agenda and is time sensitive or deemed necessary to be included on the Agenda for political reasons, the Clerk will complete the Agenda within the timeframe provided in this By-law and provide notation on the Agenda that the overdue report or presentation will be provided under separate cover.

When the report or presentation is completed, the Report Under Separate Cover will be sent electronically to Members of Council, the CAO and the Management Team, if hardcopies have been requested by Members of Council or staff, they will be made available for pick-up.

The Report Under Separate Cover will be integrated into the online version of the Agenda for the public and media. Staff will notify the public and media of the Agenda being update through the website and Township social media channels.

#### **4.13 Special Meetings**

In addition to regular meetings, special meetings of Council shall be held upon written direction signed by the Mayor and delivered to the Clerk stating the date, time and purpose of such meeting.

The Mayor may, at any time, summon a Special Meeting of Council on twenty-four (24) hours notice to the members and upon receipt of the petition of the majority of the members of Council, the Clerk shall summon a Special Meeting for the purpose at the time, date and place mentioned in the petition.

If time is of the essence, notice may be given to Council by telephone call.

No other business other than that stated in the notice shall be considered at a Special Meeting.

#### **4.14 Agendas – Special Meetings – Delivered in Advance to Council, CAO, Management Team**

Notice or an agenda to Council of a Special Meeting called in accordance with this by-law shall be delivered to the Members, CAO and Management Team by means of personal delivery, telephone, facsimile transmission or electronic mail. The Notice/Agenda to Council of the Special Meeting shall be provided not less than 24 hours before the hour set for such meeting.

#### **4.15 Agendas – Special Meetings – Available to the Public/Media**

Agendas for Special Meetings shall be made available to the public and media as soon as possible after they have been delivered to Members of Council.



If time is of the essence, notice or an agenda may be given to the press/media by telephone call.

**4.16 Special meetings – agenda – provided at the meeting**

The Clerk may provide the agenda of the Special meeting at the meeting where time constraints do not allow the Agenda to be delivered to the members of Council or the press at least 24 hours before the hour appointed for the holding of the Special meeting.

**4.17 Emergency Meetings**

Notwithstanding any other provision of this by-law, an emergency meeting may be held without notice, to deal with an emergency or extraordinary situation provided that an attempt has been made by the Clerk to notify members about the meeting as soon as possible and in the most expedient manner available.

**4.18 Emergency – business specified – transacted**

No business except business dealing with the emergency or extraordinary situation shall be transacted at the emergency meeting.

**4.19 Lack of receipt of notice or an Agenda by the members of Council shall not affect the validity of the meeting or any action lawfully taken thereat.**

**4.20 Rescheduling or Cancellation of Regular Council Meetings**

When it is deemed to be advisable, the Mayor is authorized to change the date and/or time of or cancel the regular Council meeting next following and the agreement of the majority of the members of Council, having been polled by the Clerk, shall be required to effect the change, provided a minimum of seven (7) days' notice is given of the change of date of the meeting. The Township website shall be updated.

**5. CLOSED MEETINGS/SESSIONS**

**5.1** Closed meetings or sessions may be held as deemed necessary by the Head of Council in consultation with the Clerk. Such meetings or sessions may be closed to the public in accordance with the requirements of the Municipal Act, 2001. All reasonable efforts on the part of Council and staff will be made to keep meetings open to the public unless closure is specifically authorized under the Municipal Act and it is deemed necessary.

**5.2 Matters that may be considered – closed**

The only matters that may be considered in a closed session are as follows:

- (a) the security of the property of the municipality or local board;
- (b) personal matters about an identifiable individual, including municipal or local board employees;
- (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- (d) labour relations or employee negotiations;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
- (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

### **5.3 Matters to be considered – Closed – mandatory**

A meeting shall be closed to the public if the subject matter relates to:

- a) the consideration of a request under the Municipal Freedom of Information and Protection to Privacy Act, when the council, board, commission or other body is acting as head of the institution for the purposes of the Act; or
- b) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman appointed by municipality in accordance with subsection 223.13 (1) of the Municipal Act, or the Closed Meeting Investigator referred to in subsection 239.2 (1) of the Municipal Act.

### **5.4 Procedure – convening into closed session**

Before holding a meeting or part of a meeting that is to be closed to the public, a council or committee of council or local board shall state by resolution:

- (a) the fact of the holding of the closed meeting;
- (b) the general nature of the matter to be considered at the closed meeting.

### **5.5 Procedure – modifications**

The rules governing the procedure of the Council and its Committees and the conduct of its members shall be observed in Closed meetings or sessions, with the necessary modifications, except that:

- a) a member shall not speak more than once to a motion until every member who desires to speak has spoken once;
- b) the number of times of speaking on any question shall not be limited;
- c) recorded votes are not permitted at closed sessions

**5.6 Meeting not closed – during vote**

Subject to Section 5.3, a meeting shall not be closed to the public during the taking of a vote.

**5.7 Meeting closed during vote – exception**

A meeting or part of a meeting may be closed to the public during a vote, if:

- (a) section 5.3. applies and
- (b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality or local board or persons retained by or under contract with the municipality or local board.

**5.8 Minutes of Closed Meeting/Sessions**

Minutes of all or part of a Council meeting that is closed shall be recorded by the Clerk and will be retained in confidence by the Clerk and such minutes will not be open to inspection by any member of the public.

The Clerk, in making the minutes shall not record any personal information as defined in the Municipal Freedom of Information and Protection to Privacy Act.

**5.9 Agenda of Closed Meeting/Session**

Agendas for Closed Meetings/Sessions will be circulated to Members of Council not later than 3 (three) business days before the holding of such meeting. Closed Meeting Agendas and reports shall only be circulated by hardcopy and will be collected by the Clerk at the close of Closed Meeting/Session for destruction. The Clerk shall identify the most amount of detail possible to allow for Council to consult with the Integrity Commissioner in regard to potential pecuniary interest.

**6. PUBLIC NOTICE OF MEETINGS OF COUNCIL & COMMITTEES**

**6.1 Public Notice of Regularly Scheduled Meetings**

Public Notice of regularly scheduled meetings of Council or a Committee for The Township of Wilmot shall be given by posting the schedule of Council meetings as approved by Council resolution on the Township's official website, and the meeting schedule of Committees as approved by the Committee members, on the Township's official website at the beginning of each calendar year or upon scheduling. The meeting schedule shall include the date, time and location of meetings.

**6.2 Public Notice of Special Meetings**

Public Notice of a Special Meeting of Council or a Committee shall be given by posting to the schedule of meetings on The Township of Wilmot's official website not less than one day in advance of the date of the meeting.

**6.3 Public Notice of Emergency Meetings – Not Required**

An emergency meeting of Council or a Committee may be held without public notice being given, to deal with an emergency or extraordinary situation.

**6.4 Public Notice – Closed Meetings For the Purpose of Education and Training of Members**

Public notice of a meeting of Council or a Committee that is closed to the public and is held for the purpose of educating or training the members of

Council or a Committee, as the case may be, shall be given by the passing of a resolution by Council or the Committee at a meeting open to the public stating;

- a) the fact of the holding of the closed meeting;
- b) the general nature of its subject matter; and
- c) the legislative provision allowing for the holding of the closed meeting

#### **6.5 Public Notice – Other Closed Meetings**

Public notice of a meeting of Council or a Committee that is closed to the public, except a meeting held for the purpose of educating or training the members of Council or a Committee, as the case may be, shall be given by the passing of a resolution by Council or the Committee at a meeting open to the public stating:

- a) the fact of the holding of the closed meeting, and
- b) the general nature of the matter to be considered at the closed meeting

#### **6.6 Agendas – Open Session Meetings**

Prior to the meeting, where possible and pending the distribution to the Members, the agenda for Council and Committee meetings shall be posted on the Township's official website within twenty-four (24) hours of delivery to the Members Council or the Committee. Notice of the posting of the Agenda shall be made public through the Township's social media account(s) and/or email list(s). This provision does not apply to agendas of meetings that are Closed Sessions.

#### **6.7 Posting of Agendas – Failure to Post**

Notwithstanding section 6.6 above, failure to post the agenda to the Township's official website, social media or email list shall not affect the validity of the meeting or any action lawfully taken thereat.

#### **6.8 Emergency Meeting – Notice Not Required**

Notwithstanding any other provision of this by-law, an emergency meeting may be held without public notice being given, to deal with an emergency or extraordinary situation.

#### **6.9 Public Notice – Agenda – Not Received – Validity**

Lack of receipt of Public Notice or an Agenda shall not affect the validity of the meeting or any action lawfully taken thereat.

### **7 ORDER OF BUSINESS - COUNCIL**

#### **7.1 General Provisions**

The Clerk shall have prepared and printed a list of the items in the order of topics set out as the routine of business for the use of each Member at a regular meeting;

- 7.1.1 Any Member of Council may file in writing not later than 5 (five) business days before the holding of such meeting with the Clerk an item for inclusion on the Council Agenda to allow for a staff response if necessary.

#### **7.2 Order of Business**

- 7.2.1 As soon after the hour fixed for the holding of the meeting of Council as a quorum is present, the Head of Council shall take the Chair and call the meeting to order;
- 7.2.2 Immediately after the Head of Council or presiding officer has called the meeting to order the following order or procedure shall be observed for a regular Council meeting:

**Call to Order**  
**Closed Session**  
**Reconvene Into Open Session**  
**Moment of Silent Reflection**  
**Land Acknowledgement**  
**Additions to the Agenda**  
**Disclosure of Pecuniary Interest Under the Municipal Conflict of Interest Act**  
**Minutes of Previous Meeting**  
**Public Meetings**  
**Presentations**  
**Delegations**  
**Consent Agenda**  
**Reports**  
**Correspondence**  
**By-laws**  
**Notice of Motions**  
**Announcements**  
**Business Arising from Closed Session**  
**Confirmatory By-law**  
**Adjournment**

### **7.3 Minutes**

- 7.3.1 The Minutes shall record:

- (i) the place, date and time of the meeting;
- (ii) the names of the presiding officer, and the record of the members in attendance.
- (iii) any disclosure made under the Municipal Conflict of Interest Act;
- (iv) the reading, if requested, correction and adoption of the minutes of prior meetings;
- (v) all the other proceedings of the meeting without note or comment.

- 7.3.2 Such Minutes as referred to in Section 7.3.1 may be adopted by Council without having been read at the meeting considering the question of their adoption.

- 7.3.3 The Minutes shall be posted to the Township website within 48 (forty-eight) hours of the Minutes' adoption.

### **7.4 Land Acknowledgement**

- 7.4.1 The Land Acknowledgement, as approved by Resolution of Council, shall be read at the beginning of every Council Meeting and Committee of Council Meeting. The Chair or presiding officer shall ask if any person present of Indigenous decent wishes to read the Land Acknowledgement. In absence of any person declaring their desire to read the Land Acknowledgement, the Members of Council or

the Committee, as the case may be, shall read the Land Acknowledgement on a rotating basis starting with the presiding officer. Any Member can decline to read the Land Acknowledgement and may do so without explanation.

- 7.4.2 The Land Acknowledgement may be read at official functions of the Township or other community events at the discretion of the organizer.

## **7.5 Additions to the Agenda**

Additions to the Agenda may be submitted by members of staff to the Clerk in writing for emergency items of a time sensitive nature. The Addition to the Agenda must be submitted not later than 4 (four) hours in advance of the Council Meeting and must be distributed to Council electronically and posted on the Township Website immediately upon receipt.

## **7.6 Disclosure of Pecuniary Interest**

- 7.6.1 It shall be the responsibility of each individual member to determine if a conflict exists and disclose any pecuniary interest and the nature thereof in accordance with the provisions of the Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M.50, as amended, in any regular or Special Council or Committee meeting.
- 7.6.2 Any member required to make a disclosure of pecuniary interest shall disclose any direct or indirect pecuniary interest and state the general nature of such interest in accordance with the provisions of the Municipal Conflict of Interest Act, as amended, and it shall be recorded by the clerk in accordance with the provisions of the Act or any amendments thereto;
- 7.6.3 Where a member of Council, either on his/her own behalf or while acting, by, with or through another, has a pecuniary interest, direct or indirect, in any matter and is present at a meeting at which the matter is the subject of consideration, the member shall:
- (i) prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
  - (ii) not take part in the discussion;
  - (iii) not vote on any question in respect of the matter;
  - (iv) not attempt in any way whether before, during or after the meeting to influence the voting on any such question.
- 7.6.4 Where a meeting is not open to the public, in addition to complying to the requirements of this by-law, the member shall immediately leave the meeting for the part of the meeting during which the matter is under consideration;
- 7.6.5 Where the interest of a member of Council has not been disclosed for reason of absence from the particular meeting, the member shall disclose the interest and otherwise comply at the first meeting attended by the member after that particular meeting;
- 7.6.6 The failure of one or more members to comply with this section of the by-law shall not affect the validity of the meeting in regard to said matter.

## **7.7 Presentations**

7.7.1 Any person making a presentation to Council, including staff members, consultants engaged by the Township, or individuals representing any other corporation, organization or local board of the Township, shall be permitted to address Council without a time limit.

7.7.2 All audio and visual materials presented to Council by a presenter must be reviewed by the Clerk and CAO relative to inappropriate language, graphic images or other messaging that does not reflect the decorum of Council Chambers. Such materials may include, but are not limited to, audio recordings, slide presentations, photos, videos and handouts but does not include the presenters speaking notes.

Presenters must provide materials not less than five (5) business days before the commencement of the meeting of Council.

## **7.8 Delegations**

7.8.1 No person except members of Council and Township Officials shall be allowed to come within the bar during the sitting of Council without the permission of the Head of Council.

7.8.2 Persons desiring to verbally present information on matters of fact, or make a request of Council, relative to matters not on the Agenda, shall give notice to the Clerk in writing, not less than five (5) business days before the commencement of the meeting of Council and may be heard on leave of the Mayor or other presiding officer of Council, but shall be limited in speaking to not more than ten (10) minutes. Where a delegation consists of five or more persons, it may be permitted to have two spokespersons address Council, in which event each of such spokespersons shall be limited to speaking for not more than ten (10) minutes.

Such delegations will be asked to first discuss the matter with staff, if the matter is operational in nature or may otherwise be resolved by speaking with staff.

7.8.3 Persons desiring to verbally present information on matters of fact, or make a request of Council, relative to matters on the Agenda, shall give notice to the Clerk in writing, not later than four (4) hours before the commencement of the meeting of Council and may be heard on leave of the Mayor or other presiding officer of Council, but shall be limited in speaking to not more than ten (10) minutes. Where a delegation consists of five or more persons, it may be permitted to have two spokespersons address Council, in which event each of such spokespersons shall be limited to speaking for not more than ten (10) minutes.

7.8.4 All audio and visual materials presented to Council by a delegation must be reviewed by the Clerk and CAO relative to inappropriate language, graphic images or other messaging that does not reflect the decorum of Council Chambers. Such materials may include, but are not limited to, audio recordings, slide presentations, photos, videos and handouts but does not include the delegations speaking notes.

Delegations appearing relative to subsection 7.8.2 are requested to provide materials not less than five (5) business days before the commencement of the meeting of Council so they may be included in the Council Agenda Package for Council's information. Delegations appearing relative to subsection 7.8.3 must provide materials not less than one (1) hour in advance of the Council Meeting. If a Closed Meeting, ad hoc Budget Advisory Committee Meeting or other meeting involving Members of Council and Clerk's Services staff is

scheduled and noted on the Council Agenda, materials must be provided 1 (one) hour in advance of the scheduled meeting.

- 7.8.5 When any person, not being a registered delegation desires to address Council on a matter on the Agenda, they shall be permitted to do so on leave of the Mayor or other Presiding Officer. Non-registered delegations will not be permitted to present to Council any audio or visual materials as described in subsection 7.8.4. Non-registered delegations shall be limited in speaking to not more than five (5) minutes. Where a delegation consists of five or more persons, it may be permitted to have two spokespersons address Council, in which event each of such spokespersons shall be limited to speaking for not more than five (5) minutes.
- 7.8.6 When any person, not being a registered delegation desires to address Council on a matter not on the Agenda, they shall be permitted to do so only on a motion to such effect being passed by a majority vote of the members present. Non-registered delegations will not be permitted to present to Council any audio or visual materials as described in subsection 7.8.4. Non-registered delegations shall be limited in speaking to not more than five (5) minutes. Where a delegation consists of five or more persons, it may be permitted to have two spokespersons address Council, in which event each of such spokespersons shall be limited to speaking for not more than five (5) minutes.
- 7.8.7 Delegations, registered or non-registered, appearing to speak relative to Public Meetings shall do so in accordance with the relative legislation or by-law regulating said Public Meeting and shall be limited in speaking to not more than ten (10) minutes. Where a delegation consists of five or more persons, it may be permitted to have two spokespersons address Council, in which event each of such spokespersons shall be limited to speaking for not more than ten (10) minutes.

## **7.9 Consent Agenda**

- 7.9.1 In preparing the agenda for Council and Committee meetings, the Clerk may identify items which are considered to be routine and non-controversial under the heading “Consent Agenda,” which matters may be considered by Council as a summary matter in one motion rather than as separate items, unless a member of Council otherwise requests.
- 7.9.2 Any member of Council or staff, before the consent motion is voted on, may add or remove any number of items of business from the consent motion.
- 7.9.3 In the event that a member declares a conflict of interest on an item that is included in the consent motion, that item shall be removed from the consent motion and dealt with separately.
- 7.9.4 Items removed from the consent motion at the request of a member of Council or staff will be considered under the “Reports” section.

## **7.10 Communications and Petitions**

- 7.10.1 Every communication including petition designed to be presented to Council shall be legibly written or printed and shall not contain any impertinent or improper matter or language and shall be signed by at least one person and filed with the Clerk.



7.10.2 Any person who files a petition must leave their name and contact information with the Clerk.

7.10.3 Any person who signs a petition must be made aware by the person filing the petition that their names, signatures, and contact information, as included on the petition, may be included in the Council Agenda and made available to the public including publication on the Township website.

7.10.3 Every petition or communication shall be delivered to the Clerk not less than five (5) business days before the commencement of the meeting of Council and if in the opinion of the Chief Administrative Officer, it contains any impertinent or improper matter or language, the Chief Administrative Officer shall decide whether it should be included in the agenda for a Council meeting.

7.10.4 Every petition received shall be circulated to the Department Head responsible for the general service area the petition pertains to, or their designate. The Department Head, their designate, or the Chief Administrative Officer may contact the person who filed the petition to discuss the matter contained within the petition before the petition is added to the Agenda. After discussions with the Department Head, their designate or the Chief Administrative Officer have included, the person who filed the petition may contact the Clerk to withdraw the petition.

7.10.5 Communications or petitions addressed to Council shall be listed by the Clerk on the agenda and the Clerk shall briefly indicate therein the content of each such petition or communication.

7.10.6 Resolutions from other municipalities and addressed to Council shall be listed by the Clerk on the agenda for the next regular meeting, and shall be listed under Correspondence.

## **7.11 By-laws**

7.11.1 All by-laws shall be considered by Council and shall be introduced and receive first, second and third reading by a motion;

7.11.2 Copies of all by-laws to be considered by Council shall be provided to each member of Council with the Agenda Package;

7.11.3 All by-laws when introduced shall be in type-written form, shall contain no blanks except such as may be required to conform to accepted procedure or to comply with provisions of any Act, and shall be complete with the exception of the date;

7.11.4 By-laws which received first and second reading at a previous meeting and have now been cleared for final reading shall be read a final time and approved in open Council;

7.11.5 Every by-law shall have three readings previous to it being passed;

7.11.6 The Clerk shall record on all by-laws enacted by Council, the date of the first, second and third readings;

7.11.7 Every by-law which has been enacted by the Council shall be numbered and dated and shall be sealed with the seal of the Corporation and signed by the Mayor and the Clerk and shall be stored in the Clerk's Department for safekeeping;

## **7.12 Notice of Motion**

7.12.1 A Notice of Motion shall:

- i) be in writing;
- ii) shall be directed by the Clerk to the next regular Council meeting and shall be printed in full on the agenda.

(Subsections 7.12.2 through 7.12.5 were moved from Section 11)

**7.12.2** Notice of all new motions except motions listed in Sections 11.8 and 11.9 shall be given in writing and delivered to the Clerk at least six (6) business days preceding the date of the meeting at which a motion is to be introduced and the motion shall be printed in full and unaltered on the agenda for that meeting of Council, as a means of introduction, and each succeeding meeting until the motion is considered or otherwise disposed of. The motion shall be submitted to the Clerk in writing which may include by email.

**7.12.3** When a Member's notice of motion has been called from the Chair in two successive meetings and not proceeded on, it shall be dropped from the agenda unless Council otherwise decides.

**7.12.4** If Council determines that the notice of motion shall appear on the agenda at a third meeting, such notice of motion is called from the Chair and not proceeded with, it shall be deemed to have been withdrawn.

**7.12.5** Any motion may be introduced without notice if Council, without debate, dispenses with notice on the affirmative vote of at least two-thirds of the members present and voting.

**7.12.6** Members of Council are expected to prepare their Notice of Motion in accordance with traditional parliamentary formatting and use traditional parliamentary language. Assistance with formatting or language may be sought from the Clerk or Deputy Clerk.

**7.12.7** Members of Council considering the submission of a Notice of Motion are encouraged to speak with the appropriate Department Head or CAO to ensure a Notice of Motion is the most efficient means of dealing with a matter.

**7.12.8** Assistance with the substance of a Notice of Motion may be sought from the Department Head relative to the subject matter or the CAO.

**7.12.9** Review of the Notice of Motion by staff shall not constitute support from staff on the content of the Motion.

### **7.13 Announcements**

**7.13.1** Members of Council may make any special event announcements or report on community activities.

### **7.14 Adjournment**

**7.14.1** A motion may be made at any time by a member who has the floor, requires no seconder and need not be in writing provided that no motion to adjourn may be made during the taking of a vote on any question.

**7.14.2** Where a motion to adjourn is duly moved and carried and any item of business or any by-law then before Council is left undisposed of, such item of business or by-law may be considered at the appropriate place in the order of procedure at any subsequent regular meeting of Council.

7.14.3 Where a motion to adjourn is lost no second motion to the same effect may be made until after some intermediate proceeding shall have been had.

7.14.4 On a motion to Adjourn, no Member shall leave their seat until the Chair has declared the meeting adjourned.

7.14.5 A regular or special meeting of Council or Committee shall adjourn at the hour of 11:00 pm if in session at that time and shall reconvene at such other day and time as the Members may direct by resolution.

## **8. RULES OF DEBATE**

8.1 Any member desiring to speak shall so indicate by raising his/her hand and, upon being recognized by the Mayor or other presiding officer, shall address the Chair by stating “through you, Mayor (surname)...” or “through you, Your Worship...”

8.2 When two or more members raise their hands to speak the Mayor or presiding officer shall recognize the member who raised his/her hand first.

8.3 The Mayor or other presiding officer may state his/her position on any matter before Council without leaving the Chair, but it shall not be permissible to debate the question without first leaving the Chair after appointing a member to preside during such remarks.

8.4 The Mayor or presiding officer shall resume the Chair for the taking of the vote.

8.5 The Mayor or presiding officer may, without leaving the Chair, address Council between proceedings on any matter pertinent to the business of the municipality.

8.6 When a member is speaking no member shall pass between him/her and the Chair or interrupt him except to raise a point of order.

8.7 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.

8.8 No member, without leave of Council, shall speak to the same question, or in reply, for longer than ten minutes.

8.9 A member may ask a question only for the purpose of obtaining information relating to the matter under discussion and such question must be stated concisely and asked only of the Chair.

8.10 Notwithstanding Section 8.9, when a member has been recognized as the next speaker, then immediately before speaking such member may ask a question of the Mayor or presiding officer on the matter under discussion only for the purpose of obtaining information, following which the member shall speak again.

8.11 The following matters and motions with respect thereto may be introduced orally without written notice and without leave, except as otherwise provided by this By-law:

- i) a point of order or personal privilege;
- ii) presentations of petitions;
- iii) to move the question be put;

- iv) to adjourn.
- v) to refer;
- vi) to table or to postpone, defer to a day certain;
- vii) to amend;
- viii) to suspend the Procedural By-law
- ix) any other procedural motion.

## **9. POINT OF ORDER**

- 9.1 The Mayor or presiding officer shall preserve order and decide on points of order.
- 9.2 When a point of order is raised or when a member is called to order by the Mayor or presiding officer, the member speaking shall immediately cease until the Mayor or presiding officer has decided on the point of order and may further address Council only for the purpose of appealing to the Council from such decision.
- 9.3 The Mayor or presiding officer, in giving his/her decision, should cite the rule or law governing the case. The Mayor may ask for the assistance of the Clerk or Council in deciding the matter but the Mayor's decision shall be final if there is no appeal.
- 9.4 If the decision of the Mayor or presiding officer is appealed to Council, the Mayor shall restate the point in issue and ruling thereon and, without further debate, shall put the question "shall the ruling of the Chair be sustained". The Mayor or presiding officer may vote on this question and in the event of an equality of votes the Chair shall be deemed to be sustained.
- 9.5 When a member considers that his/her integrity or the integrity of Council as a whole or the integrity of staff has been impugned, he/she may as a matter of personal privilege, at any time, with the consent of the Mayor or presiding officer, draw the matter to Council's attention.

## **10. CONDUCT OF MEMBERS IN COUNCIL**

- 10.1 No Member shall:
  - i) speak disrespectfully of the Reigning Sovereign, the Governor General, the Lieutenant Governor of any province, or any person administering the Government of Canada or this Province;
  - ii) use offensive words or unparliamentary language in or against the Council or against any Member or against any staff;
  - iii) speak on any subject other than the subject in debate;
  - iv) criticize any decision of Council except for the purpose of moving in accordance with the provisions of Section 12 that the question be reconsidered.
  - v) disobey the rules of Council, or a decision of the Mayor or presiding officer, or of Council on questions of order or practice, and upon the interpretation of the rules of Council, and in the case where a member persists in any such disobedience after having been called to order by the Mayor or presiding officer, the Mayor or presiding officer may 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 Council", but if the member apologizes he/she may, by vote of Council, be permitted to retake his/her seat.

- 10.2 No charge shall be made which involves the character, conduct or language of a member of Council unless such member is present to reply or unless due notice has been given to such member to be present to offer a defence.
- 10.3 A question put to a member may not contain imputations, epithets, ironical expressions or hypothetical cases, nor may a question refer to debates or answers to questions in the same meeting. A question may not be put which publishes the names of persons, or contains statements not strictly necessary to render the question intelligible, or contains charges which the member who asks the question is not prepared to substantiate. The solution of an abstract legal case may not be sought by a question. A question cannot be made a pretext for a debate, and when a question has been fully answered it cannot be renewed.
- 10.4 When a member has been called to order by the Mayor or presiding officer for breach of parliamentary decorum, it is the member's duty to defer at once to the decision of the Mayor or presiding officer and to make apology by explaining that there was no intent to infringe on any rule of debate, or by immediately withdrawing the offensive or unparliamentary language which may have been used. However, if a member persists in unparliamentary conduct, the Mayor or presiding officer shall be compelled to name such member and submit such conduct to the decision of Council. In such a case, the member whose conduct is in question should explain and withdraw and it shall be for Council to decide what action to take.

## **11. MOTIONS**

- 11.1 A motion must be formally seconded before the Mayor or presiding officer can put the question or the motion can be recorded in the minutes.
- 11.2 When a motion is presented in Council in writing, it shall be read or if it is a motion which may be presented orally, it shall be stated by the Mayor or presiding officer before debate.
- 11.3 A motion in respect of a matter which is ultra vires the jurisdiction of Council shall not be in order.
- 11.4 After a motion is read or stated by the Mayor or presiding officer, it shall be deemed to be in possession of Council but may, with the permission of Council, be withdrawn at any time before decision or amendment.
- 11.5 A motion properly before Council for decision must receive disposition before any other motion can be received except motions in respect of matters listed in Sections 11.8 and 11.9.
- 11.6 A motion called in the order in which it stands on the agenda of the routine of business of a meeting and which is not decided by Council, shall be allowed to stand retaining its precedence on the agenda of the routine of business of the next ordinary meeting of Council.

11.7 A motion to refer a matter under discussion by Council to Township staff or a Committee shall preclude all amendments of the main question until it is decided.

11.8 A motion to amend:

- i) shall be presented in writing;
- ii) shall receive disposition of Council before a previous amendment of the question;
- iii) shall be relevant to the question to be received;
- iv) shall not be received proposing a direct negative to the question;
- v) may propose a separate and distinct disposition of a question;
- vi) shall be put in the reverse order to that in which it was moved.
- vii) shall contain only one motion to amend an amendment to the question and any further amendment must be to the main question;

11.9 A motion for the previous question:

- i) cannot be amended;
- ii) cannot be proposed when there is an amendment under consideration;
- iii) shall preclude all amendments of the main question;
- iv) when resolved in the affirmative, shall to be put forward without debate or amendment;
- v) can only be moved in the following words "that the question be now put"; and,
- vi) may be voted against by the mover and seconder.

11.10 A motion on a matter of privilege shall receive disposition of Council forthwith upon receipt and when settled, the question so interrupted shall be removed to the point where it was suspended.

11.11 A motion for reference to a Committee or staff until it is decided, will preclude all amendments of the main question and any motion to postpone or defer, or to lay on the table.

- i) a motion to refer is debatable.

11.12 When the matter under consideration contains distinct recommendations or propositions, upon the request of any Member, a vote upon each recommendation or proposition will be taken separately.

## **12. RECONSIDERATION**

12.1 After any question, except one of indefinite postponement, has been decided, any member may, at the same session or at a subsequent session, move for a reconsideration thereof. Such motion must be made in writing, but no discussion of the main question shall be allowed unless the motion for reconsideration is passed by a two-thirds majority of all the members of Council, nor shall any question be reconsidered more than once.

- 12.2 A motion to reconsider an amendment may not be submitted until after the original motion to which the amendment was proposed has been considered and disposed of.
- 12.3 If a motion to reconsider is decided in the affirmative, such reconsideration shall become the next order of business, unless the motion calls for a future definite date, and debate on the question to be reconsidered may proceed as though it had never previously been voted on.
- 12.4 Debate on a motion for reconsideration must be confined to the reasons for or against reconsideration.
- 12.5 When a by-law has been defeated at any stage of the order of procedure, it shall be subject to a motion to reconsider and the foregoing rules shall apply thereto, except that, when a motion to reconsider a by-law is carried by the required majority, a motion that leave be given to introduce the said by-law shall become the next order of business and, if this motion is carried, the by-law shall be dealt with in accordance with the usual order of procedure as if it had been first introduced at the meeting during which the motion to reconsider was voted on.

### **13. VOTING ON MOTIONS**

- 13.1 Immediately preceding the taking of the vote, the Mayor or presiding officer may state the question in the form introduced and shall do so if required by a member except when a motion for the previous question has been resolved in the affirmative. He/she shall state the question in the precise form in which it will be recorded in the minutes.
- 13.2 After a question is finally put by the Mayor or presiding officer, 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.
- 13.3 Every member present at a meeting of Council when a question is put shall vote thereon unless prohibited by statute, by reason of conflict of interest or for any reason.
- 13.4 No vote will be taken in Council or Committee by ballot or by any other method of secret voting.
- 13.5 Upon the request of a member, immediately after a vote is taken, the Clerk shall record the negative vote of such member on any question.
- 13.6 If any member present at a meeting of Council when a question is put does not vote, he/she shall be deemed as voting in the negative except where he/she is prohibited from voting by law.
- 13.7 If a member disagrees with the announcement of the Mayor that a question is carried or lost he/she may, but only immediately after the declaration by the Mayor, object to the Mayor's declaration and require a recorded vote to be taken.
- 13.8 When the Mayor calls for the vote on a question each member shall remain in his/her seat until the result of the vote has been declared by the Mayor, and during such time no member shall walk across the room or speak to any other member or make any noise or disturbance.
- 13.9 When the matter under consideration contains distinct recommendations or propositions, upon the request of any Member, a vote upon each recommendation or proposition will be taken separately.
- 13.10 A member not present before the result of the division on a question is declared, shall not be entitled to vote on that question.

13.11 The manner of determining the decision of Council on a motion shall be at the discretion of the Mayor or presiding officer and may be by voice, show of hands or otherwise.

13.12 Upon the taking of any vote if all the members present when the vote is taken vote unanimously, the Mayor or presiding officer may direct the Clerk to record the vote accordingly.

13.13 Any question on which there is an equality of votes shall be deemed to be in the negative.

#### **14. RECORDED VOTE**

14.1 When a recorded vote is requested by a member, or is otherwise required, the Clerk shall record the name and vote of every member by ward, on any matter or question.

14.2 Where a vote is taken for any purpose and a member requests immediately prior to or immediately subsequent to the taking of the vote, that the vote be recorded, each member present, except a member who is disqualified from voting by any Act, shall announce his/her vote openly, and any failure to vote by a member who is not disqualified shall be deemed to be a negative vote and the Clerk shall record each vote accordingly.

14.3 When a recorded vote is requested by any member the Clerk will call of the vote, announce the division and will record them in the minutes of the meeting.

#### **15. RECESS**

15.1 A majority vote of Members present is required to recess a meeting, and the time of return shall be announced by the Mayor or Presiding Officer.

#### **16. COMMITTEES (ad hoc/Advisory/Special Purpose)**

**16.1** Ad hoc, Advisory or Special Purpose Committees may be established by Council at any time as is deemed necessary for the consideration of matters within the jurisdiction of the Council, pursuant to Section 11 of the Municipal Act or as required by any Act or Statute of the Province of Ontario.

##### **16.2 Establishment/Appointment**

The names of the persons to be appointed to any ad hoc, Special Purpose or Advisory Committee to which Council is required or empowered to appoint persons, shall be determined by Council by resolution or by-law or as required by any Act or statute of the Province of Ontario at the first regular meeting of a new Council, or as soon thereafter as is reasonable.

##### **16.3 General Role of Committees**

The role of Committees shall generally be to:

- i) make recommendations to Council on matters which are in their jurisdictions;
- ii) guide and request staff through the Chief Administrative Officer, to provide reports on the direction and nature of policy development, fact findings, analysis and generation of possible alternatives required; and
- iii) receive public Delegations and establish mechanism to receive further public input within their jurisdiction.



#### **16.4 General Role of Committee Members**

The role of a committee member shall generally be to:

- i) attend committee meetings being prepared to discuss items on the Agenda;
- ii) discuss items on the Agenda in a respectful manner, and, when called, vote on the matter with the public interest in mind; and
- iii) to uphold the decision and actions of the Committee.

#### **16.4 Election of Committee Chair**

The Clerk, or their designate, shall preside at the first meeting of each Committee at the start of its term for the purpose of electing a Chair of the Committee.

#### **16.3 Terms of Reference – Advisory Committees**

Subject to the provision of any general or special Act, the Council, in establishing any Advisory Committee, will set forth Terms of Reference of the Committee, and such other provisions as the Council deems proper.

#### **16.4 Procedures – Committees**

The procedures of the Committees shall be the same as those set out for Council insofar as they are applicable, with the following exceptions:

- i) In Committees the vote on any particular item shall not be recorded however a member on request may be recorded as being opposed;
- ii) At the request of any member of the Committee present, any item on the agenda may be re-opened by a majority vote of the members present;
- iii) A quorum in any Committee is the majority of the Members of the Committee as appointed by Council, and the Mayor, if present, is a member to be included in determining the quorum;
- iv) If any Committee neglects to attend to its duties, the Council may intervene and order it to meet and report;
- v) The Chair of a Committee may vote on any question before the Committee;
- vi) Any question on which there is an equality of votes shall be deemed to be in the negative;
- vii) In Committee, members may speak more than once on the same question;
- viii) Should any member of a Committee refuse or neglect to attend the regular or special meetings thereof, the Chair may report such neglect or refusal to the Council who may remove such member from the Committee and appoint another member;
- viii) Advisory Committees shall prepare minutes and submit them to Council.

### **17. REVIEW AND AMENDMENT TO THIS BY-LAW**

- 17.1 Within six (6) months of the new term of Council, the Clerk shall review this by-law. If amendments are required, the Clerk shall follow the requirements

of subsection 17.3. If no amendments are deemed necessary, the Clerk shall report same to Council.

17.2 If deemed necessary by Council, the CAO or the Clerk, the Clerk may review this by-law and propose amendments in accordance with section with subsection 17.3.

17.3 No amendment or rescinding of this by-law or any part of thereof shall be considered at any meeting of Council unless notice of the proposed amendment or rescinding has been given at a previous regular meeting of Council and the waiving of this notice by Council is prohibited.

## **18. SUSPENSION OF THE RULES**

18.1 Any rules or procedures established by this by-law, other than a quorum requirement, may be suspended at or for a particular meeting, by resolution, provided two-thirds of members present vote in favour thereof, unless prohibited by law;

## **18. SEVERABILITY**

18.1 Should any section, sub-section, clause or paragraph or provision of this by-law be declared by a court or 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 provisions so declared to be invalid.

## **19. REMARKS**

19.1 In this by-law, words of the singular include the plural, words in the plural include the singular and words importing the masculine gender include the feminine gender where the context so requires.

## **20. ROBERT'S RULES**

20.1 In all unprovided for cases in the proceedings of Council or Committee, resort shall be had to Robert's Rules of Order as a rule for guidance on the question, and in such cases the decision of the Mayor or other presiding officer shall be final and acquiesced in without debate.

## **21. SHORT TITLE**

21.1 This by-law may be referred to as either the "Procedural By-law" or the "Rules of Procedure".

## **22. EFFECTIVE DATE**

22.1 By-law No. 2007-63 and any other by-laws inconsistent with the provisions of this by-law are hereby rescinded.

22.2 This by-law shall come into force and effect on the date of passage.

**READ** a first and second time on the 13<sup>th</sup> day of May, 2019.

**READ** a third time and passed in open Council on the 13<sup>th</sup> day of May, 2019.

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**Mayor**

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**Clerk**





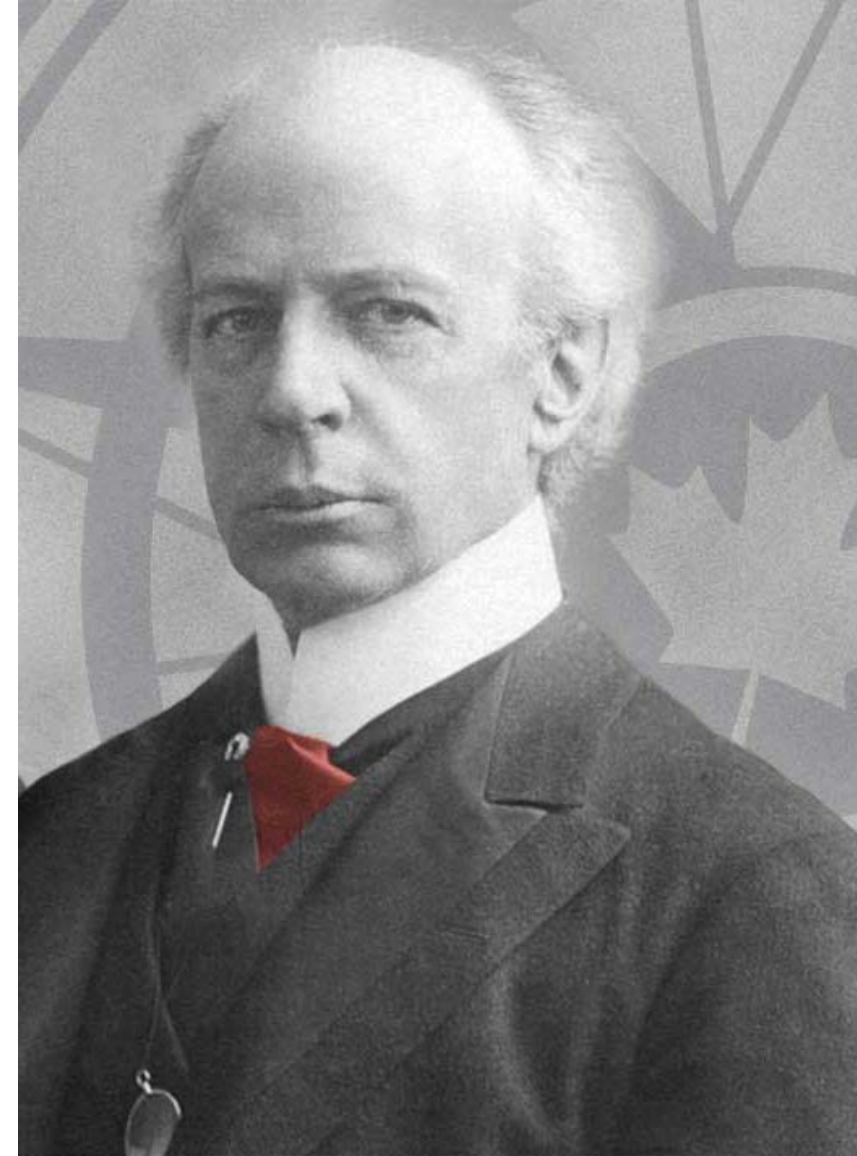






THANK  
YOU!

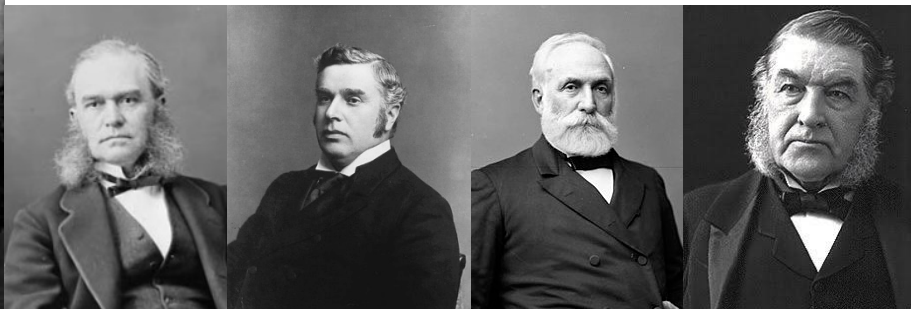




1891

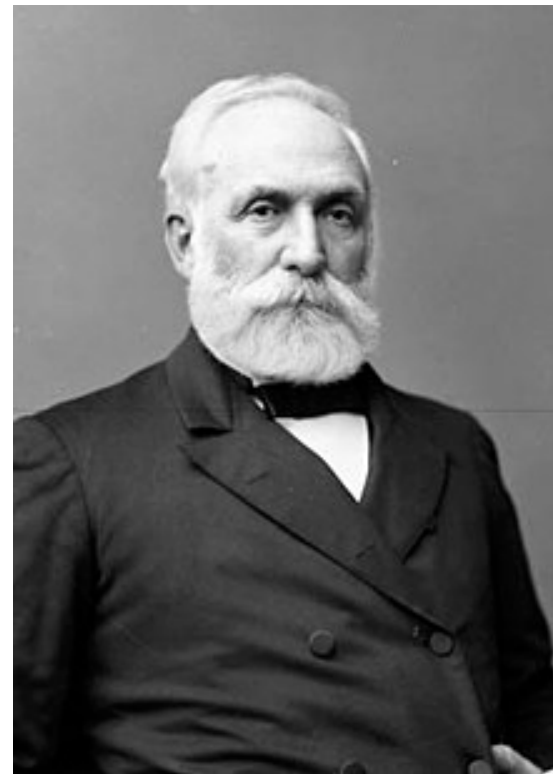
1896





1891

1896



Sir  
John  
ABBOTT  
1891-92

Sir  
John  
THOMPSON  
1892-94

Sir  
Mackenzie  
BOWELL  
1894-96

Sir  
Charles  
TUPPER  
1896









# Nathan Scott











SYMPOSIUM  
**June 19-20, 2020**



# JOHN ENGLISH



- Waterloo-Oxford DSS graduate
- PhD, Harvard University
- Faculty, University of Waterloo & University of Toronto
- Member of Parliament (Kitchener), 1993-97
- Author, volumes on Sir Robert Borden and Arthur Meighen
- Official Biographer, Lester B Pearson & Pierre E Trudeau
- Executive Director, Centre for International Governance Innovation
- Editor, Dictionary of Canadian Biography
- Officer of The Order of Canada



# SYMPOSIUM

## Saturday Public Sessions

- **Prime Ministers & The Media**
- **Canada In The 1890s**
- **Trudeau To Trudeau**



**Abbott  
Thompson  
Bowell  
Tupper**



**Saturday, June 20<sup>th</sup>  
3:30 pm  
Unveiling  
"The 4 PMs"**





THANK  
YOU  
WILMOT.







# TOWNSHIP OF WILMOT

## INFORMATION AND LEGISLATIVE SERVICES *Staff Report*

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**REPORT NO:** CL 2020-07

**TO:** Council

**SUBMITTED BY:** Dawn Mittelholtz, Director of Information and Legislative Services/Municipal Clerk

**PREPARED BY:** Dawn Mittelholtz, Director of Information and Legislative Services/Municipal Clerk  
Tracey Murray, Manager of Information and Legislative Services/Deputy Clerk

**REVIEWED BY:** Grant Whittington, CAO

**DATE:** February 10, 2020

**SUBJECT:** Proposed Proclamation Governance Policy and Flag Protocol Administrative Directive

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### **RECOMMENDATION:**

THAT Report No. ILS 2020-07 be received for information; and further,

THAT Governance Policy GP 20-005, Proclamation be endorsed; and further,

THAT Administrative Directive AD 20-001 Flag Standards and Criteria be received for information purposes.

### **SUMMARY:**

Municipalities are often approached to endorse proclamations on a variety of topics. This report and policy provides a recommendation not to endorse proclamations to avoid potential legal issues and political criticism. The report also includes the Flag Standards and Criteria for information.

**BACKGROUND:**

In the fall of 2019, staff was asked to review the current proclamation policy which does not allow for the issuance of proclamations. Staff conducted this review as part of the Governance Policy and Administrative Directive conversion.

The non-issuance of proclamations had been an informal policy until August 2016 when the Flag and Proclamation Policy was adopted by Senior Management. Staff have received several inquiries over the years but there have been no complaints about the policy.

**REPORT:**

Staff are recommending that Council approve the attached Proclamation Governance Policy. Peer municipalities are split on whether they allow proclamations. The following municipalities in the Region of Waterloo do not allow Proclamations:

- Region of Waterloo
- City of Kitchener
- City of Waterloo
- Township of North Dumfries
- Township of Woolwich

The following allow them:

- City of Cambridge
- Township of Wellesley

Review of a greater reach identified that allow proclamations can have a negative impact, for instance, in the 1990's the City of London was subjected to a high profile Ontario Human Rights Commission complaint when the City denied a proclamation relative to Pride celebrations. The City of London received negative public and media attention when a proclamation was issued relative to a white supremacist organization that held themselves out to be a heritage organization. These instances caused them to revoke their policy; however, they have recently reinstating the allowance with very strict regulations as to when they can be implemented.

Staff continue to recommend that the Township does not endorse proclamations. By not endorsing any proclamations, the Township does not have to say no to any one group or person that does not align with the values of the community or on matters that are beyond the jurisdiction of the municipality or may involve a matter before a higher level of government that may not be in the best interest of the municipality. Additionally, the municipality cannot be accused of favouritism or furthering a personal agenda if a proclamation is brought forward proactively but another is not.

By not endorsing proclamations, there is no effect on staff resources. However, if proclamations were to be allowed staff would be required to properly vet all organizations that come forward which would require extensive research time, possibly requiring the preparation of reports for Council.

The Flag standards and criteria Administrative Directive is reviewed as required through the changes in flag etiquette from the Federal Government, therefore, fitting the criteria to be approved at the Senior Management level under the category of an Administrative Directive.

#### **ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:**

This Governance Policy aligns with the Strategic Plan by communicating municipal matters and establishing a fair standard thereby strengthening customer service


#### **FINANCIAL CONSIDERATIONS:**

None.

#### **ATTACHMENTS:**

Attachment 1: Governance Policy GP 20-005, Proclamations

Attachment 2: Administrative Directive AD 20-001, Flag Standards and Criteria

	<b>Governance Policy</b>	
	Section: Corporate Administration	
	Proclamation Governance Policy	
	<b>Policy # 20-005</b>	<b>Pg. 1 of 1</b>
Revision Date: February 18, 2020	Issue Date: August 9, 2016	
Approved by: Council	Review Date: February 18, 2020	
Policy Owner: ILS Department	Policy Author: T. Murray	

## PURPOSE

To establish a Governance Policy regarding proclamations.

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## DEFINITIONS

Proclamation - a public or official announcement, especially one dealing with a matter of great importance.

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## STANDARDS AND PROCEDURES

- (a) The Corporation of the Township of Wilmot shall not issue proclamations.
- (b) The flags of service clubs or other special interest groups shall not be flown on any of the Township of Wilmot's flagpoles.

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## RESPONSIBILITIES

Information and Legislative Services staff will monitor peer municipalities to ensure best practices are being followed.

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## COMMUNICATION

Information and Legislative Services staff will communicate policy parameters are necessary.

	<b>Administrative Directive</b>	
	Section: Corporate Administration	
	Flag Standards and Criteria	
	<b>AD # 20-001</b>	<b>Pg. 1 of 4</b>
Revision Date: February 18, 2020	Issue Date: August 9, 2016	
Approved by: Senior Management Team	Review Date: February 18, 2020	
Directive Owner: ILS Department	Directive Author: T. Murray	

## PURPOSE

The Corporation of the Township of Wilmot acknowledges that flags are a symbol of honour and pride and wishes to institute an Administrative Directive which will signify respect and dignity for the flags while providing opportunities to bestow an honour or express a collective sense of sorrow through the action of lowering flags to half-mast.

## SCOPE

To establish standard criteria which will provide clear guidance and direction to Township staff as to the appropriate times and process for the action of lowering flags located on municipally owned property, to half-mast.

## DEFINITIONS

**Flag(s):** Includes the National Flag of Canada; the Provincial flag of Ontario; The Regional Municipality of Waterloo Flag; The Township of Wilmot Flag.

**Half-mast:** The position of the flag when flying at half-mast will depend on its size, the length of the mast and its location; but generally, the centre of the flag should be half-way down the mast.

**Municipal Flagpole:** Includes all flagpoles in the Township of Wilmot on Municipal Property under the care or control of Municipal staff.

## STANDARDS AND PROCEDURES

Only the National Flag of Canada, the Provincial Flag of Ontario, the Region of Waterloo Flag, and the Township of Wilmot Flag should be flown on flagpoles owned and maintained by the Corporation of the Township.

Flags representing private organizations, events, not-for-profit organizations, service clubs, special interest groups/causes shall NOT be displayed.

All flags shall be flown or displayed in accordance with the dignity and general rules of etiquette for flying and displaying the National Flag of Canada, as adopted by the Departments of Canadian Heritage and Secretary of State.

Flags shall be flown or displayed in good condition. Any soiled, frayed or torn flags shall be replaced immediately.

The Corporation of the Township of Wilmot follows Federal and local protocol in flying the National Flag of Canada at half-mast on certain occasions, including as directed by the Department of Canadian Heritage. Half-masting of flags will occur from the day of death, up to and including the day of funeral, in the event of the death of any of the following persons:

- The Reigning Sovereign or member of the Royal Family in the first degree (spouse, son, daughter, father, mother, brother, sister)
- The Governor General of Canada
- The Prime Minister of Canada
- The Lieutenant Governor of Ontario
- The Premier of Ontario
- A current or previous Head or Member of Township of Wilmot Council or Region of Waterloo Council
- A current Township of Wilmot employee
- A current Federal Member of Parliament for the Township of Wilmot
- A current Provincial Member of Parliament for the Township of Wilmot
- A current member of Kitchener-Wilmot Hydro Commission
- A current School Board Trustee representing The Township of Wilmot
- In any other circumstance the determination will be made by the Office of the Mayor and CAO.

#### **1) FLYING OF FLAGS ON MUNICIPAL FLAGPOLES**

- (a) The only flags flown on municipal flagpoles will be the National Flag of Canada, the Provincial Flag of Ontario, the Regional Municipality of Waterloo Flag and The Corporation of the Township of Wilmot Flag.
- (b) The Corporation of the Township of Wilmot will adhere wherever possible to the Flag Etiquette guideline provided by the Government of Canada.
- (c) Only one flag shall be flown per pole.
- (d) Where there are only two flag poles the National Flag of Canada and The Township of Wilmot Flag shall be flown.
- (e) Where there is only one flag pole, the National Flag of Canada shall be flown.
- (f) The Mayor, Acting Mayor or the Chief Administrative Officer of the Township of Wilmot may approve the raising of any of the following flags on the municipal flagpoles regularly occupied by The Township of Wilmot Flag:
  - i. The United Nations
  - ii. The Flag of a State recognized by Canada when an official representative is visiting the Township or an official representing a Municipality officially linked to the Township of Wilmot through a Sister City, Twin City or similar arrangement.

- iii. Canadian Armed Forces flag (on Canadian Armed Forces Day)
- \*g) Notwithstanding 1(a-f) the flags flown on the cenotaphs located within the Township of Wilmot shall be chosen and provided by the Royal Canadian Legion; **and shall be the responsibility of the Royal Canadian Legion to raise or lower the flags as requested by the Legion.**

## 2) RULES FOR HALF-MASTING OF FLAGS

- a) When a flag is lowered to half-mast if already lowered, it should be first raised to masthead.
- b) Flags on municipal flagpoles shall be lowered to half-mast as a symbol of mourning. When half-mast, all flags on municipal flagpoles fitted with halyards and pulleys will be lowered to half-mast. **At no time will only one flag on a series of flag poles be lowered to half-mast.**
- c) Flags shall be lowered to half-mast as soon as possible and **during business hours where practical** after the time of notification until sunset of the day of the funeral or memorial. When funeral or memorial service will not be scheduled within two weeks of the notification, the flags will be lowered to half-mast for a period of at least 72 hours and then again on the date of the funeral or memorial service, or for a different duration as advised by the Government of Canada or decided upon the Mayor, Acting Mayor or Chief Administrative Officer.
- d) The Mayor, Acting Mayor or Chief Administrative Officer may approve the lowering of flags to half -mast:
- i. To recognize the passing of a person of national or international stature who has had a significant impact on the community.
  - ii. In response to a tragic or catastrophic event in the world consistent with the Department of Canadian Heritage.
- e) The Fire Chief, or designate may approve the lowering of flags to half-mast at the Township of Wilmot Fire Halls as a symbol of mourning for the passing of a retired fire fighter, the death of an active Wilmot fire fighter in the line of duty or a fire fighter from another municipal jurisdiction in the line of duty and **it is the responsibility of the Fire Department staff to lower and raise the flags.**
- f) During periods of half-mast, the flags on all municipal flagpoles must be flown at full-mast on the following legal holidays created under the *Holiday Act*:
- Victoria Day
  - Canada Day

**\*\*The following protocol pertains to all municipal flagpoles throughout the Township:**

- g) Flags will be lowered **on all municipal flagpoles throughout the Township** as a symbol of mourning for the following **annual** events:
- i. April 28, Day of Mourning for Persons Killed or Injured in the Workplace
  - ii. June 23, National Day of Remembrance for Victims of Terrorism (Air India Flight 182)
  - iii. November 11, Remembrance Day

- iv. December 6, National Day of Remembrance and Action on Violence Against Women.

**When the abovementioned annual events fall on a weekend day, the flags shall be lowered by staff on the last business day and raised again on the next business day.**

**Flags located at the Fire Halls shall be lowered and raised again by Fire Department staff.**

- h) When the flags throughout the Township are lowered to half-mast, Information and Legislative Services staff shall send, as soon as practical, an email to Members of Council and staff advising them of the reason for the flag being lowered and any other details deemed appropriate such as when the flag will be raised. When required information has not been provided but is forthcoming, Information and Legislative Services will advise Department Heads of the general nature of the flag lowering so they may provide those details to staff until official notification can be made. Information and Legislative Services will post the reason for the flags being lowered on the Township's social media accounts following notification to Council and staff.

If flags are being lowered at the Fire Halls only, Fire Department staff would be responsible for notification to Council and staff and advising Information and Legislative Services staff of what message they would like posted on social media.

In response to the death of a person listed under Policy Details or events listed in Section 2) subsection (d), any additional methods of notification will be determined by the Director of Information and Legislative Services, or delegate, in consultation with the CAO and/or Mayor as the situation dictates.

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## **RESPONSIBILITIES**

This policy is to be followed by all Township of Wilmot staff on all municipal property and/at all Municipal facilities.

**\*Unless otherwise stated, the lowering/raising of flags in this policy pertains to the flags located at the Township of Wilmot Administration Building only.**

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## **REVISION LOG**

February 18, 2020 REV-002



January 15, 2020

Annual Report 2019  
Township of Wilmot Integrity Commissioner

I was appointed Integrity Commissioner for the Township of Wilmot in March 2013 (By-law 2013-16) in conformity with Section 223.2 of the Ontario Municipal Act, 2001. One of the requirements for the Integrity Commissioner is to provide for review an annual report to Council on investigations completed and underway.

I conducted one formal enquiry in 2019 under the Township of Wilmot's Code of Conduct for Members of Local Boards that was addressed in Report IC2019 – 01 dated August 26, 2019. The investigation concluded that no breach of the Code had occurred.

As a result of the implementation of Bill 68 ("Modernizing Ontario's Municipal Legislation Act, 2017"), a number of features of the municipal accountability framework have changed, including the expansion the Integrity Commissioner's responsibilities to include members of local boards and possible violations of the Municipal Conflict of Interest Act. I prepared a comprehensive orientation presentation for Council on accountability in general and conflict of interest in particular that I delivered to Council in January 2019 and a separate orientation on the same topics for members of local boards that I delivered in two sessions in October 2019.

During the course of the year I responded to several enquiries from elected officials, members of local boards and Township staff respecting applications of the code of conduct, ethical behaviour procedures, rules and policies and obligations under the *Municipal Conflict of Interest Act*. It is now part of the legislated mandate of Integrity Commissioners to provide advice of this kind for those serving the Township in elected and non-election capacities.

I continue to engage in professional development activities through maintaining regular contact with other Municipal Integrity Commissioners across Ontario to discuss the application of Codes of Conduct, the *Municipal Conflict of Interest Act* and other integrity-related questions.

Respectfully submitted,  
**Robert J. Williams, Ph.D.**  
Integrity Commissioner  
Township of Wilmot