

**THE CORPORATION OF THE TOWNSHIP OF BROCK**

**BY-LAW NUMBER 2356-2011-AP**

**A BY-LAW TO REGULATE THE PROCEEDINGS OF COUNCIL**

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**WHEREAS** Section 238(2) of the *Municipal Act* requires every Council to adopt a procedure by-law for governing the calling, place and proceedings of meetings;

**AND WHEREAS** Section 5 of the *Municipal Act*, S.O. 2001, as amended from time to time, provides that the powers of a municipality shall be exercised by its Council;

**AND WHEREAS** it is deemed advisable to pass this by-law for the purposes aforesaid.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF BROCK ENACTS AS FOLLOWS:**

**INTERPRETATION**

1. (a) "Chair" means the person presiding at a meeting of Council, or Committee, as the case may be;
- (b) "Clerk" means the Clerk of the Corporation of the Township of Brock;
- (c) "Committee of the Whole" means all the members of Council present at a meeting of Council sitting in Committee;
- (d) "Council" means the Council of the Corporation of the Township of Brock;
- (d) "Meeting" means any regular, special, committee or other meeting of Council or one of the Committees of Council;
- (e) "Member" means a member of the Council, or of a Committee, as the case may be;
- (f) "Sale" includes a lease of 21 years or longer and "Sell", "Selling" and "Sold" shall have a similar meaning;
- (g) "Table" or "Lay on the Table" means to suspend further discussion and to shelve.

**GENERAL**

2. In all the proceedings at or taken in Council or in a Committee, the following rules and regulations shall be observed and shall be the rules and regulations for the order and dispatch of business in Council, and in the Committees, except as hereinafter provided.
3. Except as herein provided, the rules, points of order and procedure shall be decided in accordance with the rules of parliamentary procedure of the Canadian House of Commons.

**CONVENING MEETINGS OF COUNCIL**

4. (a) The First Meeting after a regular election shall be held on the first Monday in December at the hour of 11:00 o'clock in the forenoon.
- (b) The First Regular Meeting in each calendar year shall be held on the First Monday in January at the hour of 10:00 o'clock in the forenoon.
5. The Second Regular Meeting in each calendar year shall be held on the Third Monday in January at the hour of 10:00 o'clock in the forenoon and Regular Meetings shall be held on the First and Third Monday of each month thereafter at the hour of 10:00 o'clock in the forenoon, unless any such Monday is a public or civic holiday, provided however, that Council may, at any time by a two-thirds

vote of all the members present, pass a resolution to change the date and hour for the holding of any Regular Meeting. Regular Council Meetings shall be adjourned at or before the hour of 10:30 o'clock in the afternoon, provided that Council may, at any time by a two-thirds vote of all Members present, pass a resolution extending the time for adjournment.

6. (1) In accordance with the provisions of Section 275 of the *Municipal Act*, Council shall not, in any year after the poll is held for the election of a new Council or, where all Members of Council are elected by acclamation, after the day the candidates are declared elected under Section 55(4) of the *Municipal Elections Act*, pass any by-law, except a by-law with respect to an undertaking, work, project, scheme, act, matter or thing that has been approved by the Municipal Board, or resolution for, or that involves, directly or indirectly, the payment of money other than that provided in the estimates for the current year, or enter into any contract or obligation on the part of the corporation, or appoint to or dismiss from office any officer under the control of the Council, or do any other corporate act, except in case of extreme urgency, or unless the act is one that the Council is authorized to do by a resolution or by-law passed before the day the poll held or the day the Members of Council are declared elected under said Section 55(4), as the case may be.
- (2) Subsection (1) does not apply if the new Council that will take office after the poll or acclamation will be composed of not less than three-quarters of the Members of Council, as composed at the time of the poll or acclamation.
7. The Mayor may at any time summon a special Meeting and the Clerk shall summon a Special Meeting upon receipt of the petition of the majority of the Members of Council. Where a Special Meeting is summoned by petition, the petition shall specify the purpose of the Meeting, time and place of the Meeting and thereafter, the Meeting shall be held at the time and place set out in the petition and only such matters as are mentioned in such petition may be dealt with at the Special Meeting. Where any such petition does not specify the purpose of the Meeting, any matter which may properly come before the Meeting may be dealt with.
8. Notice of a Special Meeting on petition shall be given not later than the day previous to the day on which the Meeting is held.
9. Where a Council meeting is adjourned to meet again at some date other than the next Regular Council meeting, notice of such subsequent Meeting shall be deemed to have been received by all Members of Council present at such adjournment.
10. Lack of notice shall not affect the validity of holding a Meeting or any action taken thereat where all the Members are present at the Meeting or where any Member or Members who are absent consent to the holding of such Meeting.
11. All Meetings of Council and Committees of Council shall, except as provided in this by-law be open to the public. Public notice of such meetings shall be given by publishing a notice annually in a newspaper of sufficient general circulation and by posting a notice on the Township of Brock website at least four days prior to the meeting. Notice of a special meeting, as may be authorized by section 8 shall be posted on the Township of Brock website at least one day prior to the meeting.
12. A Meeting or part of a Meeting shall be closed to the public if the subject matter being considered is:
  - (a) the security of the property of the municipality or local board;
  - (b) personal matters about an identifiable individual, including municipal or local board employees;
  - (c) a proposed or pending acquisition or disposition of land by the municipality or local board;

- (d) labour relations or employee negotiations;
  - (e) litigation or potential litigation, 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 Council, Committee of Council, board or other body may hold a closed meeting under another Act;
  - (h) consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act* if Council or a Committee of Council is designated as the head of the Township for the purposes of the said Act; or
  - (i) held for the purpose of educating or training the members provided that no member discusses or otherwise deals with any matter in a way that materially advances the business or decision making of the the Council.
13. Before holding a Meeting or part of a Meeting that is to be closed to the public, Council or a Committee of Council shall state by resolution:
- (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.
  - (c) at the conclusion of a closed meeting, a resolution to rise from the closed meeting and proceeding into public session shall be adopted; and,
  - (d)
    - (i) the verbal communications of members which are made during a closed meeting shall be confidential communications, and the disclosure, taping or transcribing of such communications is prohibited.
    - (ii) any person found by the Chair to be in contravention of this section shall be reprimanded and ejected from the meeting unless he apologizes to the members present, disengages the transcribing device and erases the taping or transcription.

#### **ORDER OF PROCEEDINGS AT MEETINGS OF COUNCIL**

14. The following shall be the order of proceedings to be presented at each Meeting:
- (1) Call to Order;
  - (2) Moment of Meditation/Personal Reflection;
  - (3) Declaration of Pecuniary Interest;
  - (4) Confirmation of Minutes;
  - (5) Hearing of Deputations;
  - (6) Petitions;
  - (7) Communications Submitted to Council;
  - (8) Reports of Committees;
  - (9) Motions;
  - (10) Consideration of By-laws;
  - (11) General Items and Enquiries;
  - (12) Confirmation By-law;

(13) Adjournment

**QUORUM**

15. A majority of the whole number of Members required to constitute the Council shall be necessary to form a quorum (e.g. where the Council is composed of 7 Members, 4 Members constitute a quorum).

**COMMENCEMENT OF MEETINGS OF COUNCIL**

16. The Mayor shall preside at all Meetings of the Council as soon after the hour fixed for the Meeting as there is a quorum, the Mayor, or person appointed to act in his place or stead, shall take the Chair and call the Meeting to order.
17. If the person who ought to preside at any Meeting does not attend within fifteen minutes after the hour appointed and after a quorum is present, the Clerk shall call the Members to order and a presiding officer shall be appointed from among the Members present, who shall act as Chair until the Meeting is adjourned.
18. If there be no quorum present within thirty (30) minutes after the time appointed for the Meeting, the Clerk shall call the roll and take down the names of the Members then present, and the Meeting shall then stand adjourned until the next day of Meeting, or until another Meeting is regularly called.
19. For the Inaugural Meeting of Council, the Mayor-Elect may designate an officiating clergyman to conduct devotional exercises.
20. Prior to confirmation of the minutes of a Meeting, if required by any Member, such minutes or so much thereof as may be required shall be read by the Clerk, but otherwise the reading of the minutes may be dispensed with.

**RULES OF DEBATE AND CONDUCT OF MEMBERS IN COUNCIL**

21. The Chair shall preside over the conduct of the Meetings including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the Meetings, subject to an appeal by any Member to the Council on any ruling of the Chair. Where a ruling of the Chair is appealed, the Chair shall forthwith and without debate put to Council the question, "Shall the ruling of the Chair be sustained?" The ruling of the Chair shall be sustained if a majority of those present vote in favour of the question, but otherwise the ruling shall be set aside.
22. If the Chair desires to leave the Chair for the purpose of taking part in the debate or otherwise, the Chair shall call on another Member to fill the Chair's place until the Chair resumes the Chair.
23. Every member speaking to any question or motion shall do so from the Member's place and shall respectfully address the Chair.
24. When two or more Members indicate a desire to speak, the Chair shall name the member who, in the Chair's opinion, first indicated a desire to speak.
25. No Member shall speak more than once on the question without leave of the Council, except in explanation of a material part of the Member's speech which may have been misconceived, and in doing so the Member is not to introduce new matter. A reply is allowed to a Member who has made a substantive motion to the Council, after everyone else wishing to speak has spoken.
26. No Member, without leave of the Council, shall speak to the same question, or in reply, for longer than ten (10) minutes.
27. A Member may ask a question only of the previous speaker and such question must be stated concisely and must require an explanation of the speaker's remarks. Any such question shall be asked through the Chair, and such question shall take precedence over the next speaker.

28. 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.
29. No Member shall speak to any question or vote on any motion except from the Members own seat.
30. A Member shall not:
  - (a) speak disrespectfully of the reigning sovereign, any member of the royal family, the Governor General, the Lieutenant-Governor, the head of the Government of Canada or of the Province of Ontario;
  - (b) use offensive words or unparliamentary words or expressions in Council, against Council, a member of Council, or any officer or employee of the Corporation;
  - (c) disobey the rules of the Council or decision of the Chair or of the Council on questions of order or practice or upon the interpretation of the rules of the Council;
  - (d) leave the Member's seat or make any noise or disturbance while a vote is being taken and until the result is declared;
  - (e) interrupt a Member while speaking except to raise a point of order.
  - (f) speak in a manner which is discriminatory in nature based on an individual's race, ancestry, place of origin, ethnic origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status, or disability.
31.
  - (1) In case any Member persists in a breach of the foregoing Section 30 after having been called to order by the Chair, the Chair shall without debate put the question, "Shall the Member be ordered to leave the Member's seat and the Council Chamber for the duration of the meeting?"
  - (2) If Council votes in the affirmative, the Chair shall order the Member to leave the Member's seat and the Council Chamber for the duration of the Meeting.
  - (3) If the Member apologizes, the Chair, with the approval of Council, may permit the Member to resume the Member's seat.
32. No food shall be consumed during the course of a meeting and all cellular telephones, blackberries, pagers, or other similar devices shall be switched to a non-audible mode.

#### **QUESTIONS OF PRIVILEGE AND POINTS OF ORDER**

33. The Mayor, or other presiding officer at a meeting of Council or a Committee, as the case may be, may expel any person for improper conduct at such Meeting.
34. When a member desires to address the Council on a question of privilege for the purpose of directing Council's attention to a matter that affects the members collectively or for the purpose of explaining any matter that reflects on the Member as an individual Member of Council, he or she shall be permitted to raise such matter of privilege and a matter of privilege shall take precedence over other matters, but he or she shall not be permitted to enter into any argument, or introduce any controversial question.
35.
  - (1) When a member desires to call attention to a violation of the rules of procedure, the Member shall ask leave of the Chair to raise a point of order and, after leave is granted, the Member shall state the point of order to the Chair without unnecessary comment and there shall be no debate until the Chair has decided the point of order;
  - (2) Unless a Member immediately appeals to the Council from the Chair's decision, the decision of the Chair shall be final;

- (3) If the decision is appealed to Council, Council shall decide the question without debate and this decision taken by a majority vote of those present shall be final.
36. When the Chair calls a member to order, the member shall refrain from speaking until the point of order is dealt with, and the Member shall not speak again without the permission of the Chair unless to appeal the ruling of the Chair.

#### **MOTIONS AND ORDER OF PUTTING QUESTIONS**

37. A motion introducing a new matter may be presented without notice, unless, before the question is put to a vote, a member objects, in which case, unless the Council, without debate, passes a resolution dispensing with such notice by a vote of two-thirds of all the members present, it shall be deemed to be a notice of motion and may not be dealt with until the next meeting. A resolution dispensing with such notice, need not be in writing.
38. Notices of motion may be received by the Clerk at any time and each motion of which the Clerk has received notice more than seven clear days before a Council Meeting shall be placed on the agenda for consideration at the next Meeting of Council.
39. Except as otherwise provided in this by-law, every motion shall be in writing, except that incidental motions dealing with questions of privilege, for leave to introduce bills, to read bills, to commit, and other motions dealing with Council procedure need not be in writing. Every motion made in Council shall be moved and seconded before being debated or put to a vote.
40. Every motion shall be deemed to be in possession of the Council for debate after it is presented by the Chair, but may, with the permission of Council, be withdrawn at any time before amendment or decision.
41. When any question is under debate, the only motions in order shall be:
- (1) To adjourn;
  - (2) To put the previous question;
  - (3) To postpone to a day certain;
  - (4) To postpone indefinitely;
  - (5) To Table or to Lay on the Table;
  - (6) To refer to commit;
  - (7) To amend.

These several motions need not be in writing and shall have precedence in the order in which they are named.

(a) **To adjourn**

A motion to adjourn the Meeting or the debate shall always be in order, except when, a Member is in possession of the floor, or the Members are voting, or it has been decided that the yeas and nays have been called or it has been decided that the previous question shall be put.

No second motion to adjourn shall be made until after some intermediate proceedings have been taken. A motion to adjourn the Meeting or to adjourn the debate cannot be amended and is not open to debate, but a motion to adjourn the Meeting or the debate to a given day or time, may be amended and is open to debate.

(b) **To put the previous question**

A motion to put the previous question shall not be amendable but is debatable and, until decided, shall preclude all amendments to the main question, and shall be put in the following words: "That the question be now put". If this motion is resolved in the affirmative by the majority of the Members present at the Meeting, the main question shall be put forthwith without any amendment or debate, but if the previous question be resolved in the negative, the main question may then be debated and amended.

A motion to put the previous question shall not be proposed when there is an amendment to the main question, except for the purpose of moving that the amendment be put and cannot be moved or seconded by a Member who has spoken on the main question or an amendment to the main question.

(c) **To postpone to a day certain**

A motion to postpone to a day certain shall be amendable and debatable, and when any question has been postponed to a day certain it shall not be taken up again during the same Meeting.

A motion which has been postponed to a day certain which has not been decided upon either in the affirmative or in the negative during the term of Council in which the motion was introduced shall be deemed to have been withdrawn.

(d) **To postpone indefinitely**

No motion to postpone indefinitely shall be amended, and when any question has been postponed indefinitely, it shall not be taken up again during the same Meeting.

A motion which has been postponed indefinitely which has not been decided upon either in the affirmative or in the negative during the term of Council in which the motion was introduced shall be deemed to have been withdrawn.

(e) **To table or lay on the table**

A motion to lay a question on the table simply shall not be amendable, but a motion "to lay on the table and publish" or adding some addition or opinion or qualification shall be subject to amendment.

(f) **To refer or commit**

A motion to refer or commit a matter under discussion to a Committee shall preclude all amendments of the motion or question until it is decided.

(g) **To amend**

Except as herein otherwise provided, an amendment to a motion shall always be in order. Only one amendment shall be allowed to an amendment.

Every amendment to a written motion shall be put in writing and shall be decided or withdrawn before the main question is voted on.

The presiding officer, when putting an amendment, shall first read the question as it appears in the main motion, then the proposed amendment, and finally the question as it would be if the amendment carried.

42. A motion relating to a matter not within the jurisdiction of the Council shall not be in order.

### **VOTING**

43. (1) Only one amendment may be presented to the main motion and only one amendment may be presented to the amendment, but when a sub-amendment has been disposed of, another may be introduced, and when an amendment has been decided, another may be introduced.
- (2) The sub-amendment, if any, shall be voted on first, then if no other sub-amendment is presented, the amendment shall be voted on next, then if no other amendment is introduced, the motion or motion as amended shall be put to a vote.
44. When the question under consideration contains distinct propositions, upon the request of any Member, the vote upon each proposition shall be taken separately.
45. After a question is put to a vote by the Chair, no Member shall speak to the question.
46. Every member present at a Meeting when a question is put shall vote thereon unless prohibited by statute or unless the member is disqualified by interest, in either of which case the member shall not vote, and if for any other reason, any Member present does not vote and pursuant to this By-law is otherwise required to vote, that Member shall be deemed to be voting in the affirmative. When a question is put to a vote, the Chair shall first call for the yeas and then for the nays. The Chair shall not have a vote except in the event of an equality of votes.
47. When a recorded vote is requested by a member, or is otherwise required, the Clerk shall record the name and vote of every Member voting on any matter or question commencing with the Member who made the request followed by the remaining Members in alphabetical order. The Chair shall not have a vote except in an equality of votes.
48. If a Member disagrees with the announcement by the Chair of the result of any vote, he or she may object immediately to the Chair's declaration and require that the Members be polled individually.
49. After any question, except one of indefinite postponement, has been decided, only a member who voted thereon with the prevailing side may move for a reconsideration at the same or a subsequent Meeting, but no discussion of the main question shall be allowed until the motion for reconsideration is carried, and no question shall be reconsidered more than once at the same Meeting. Any question which has been decided may be moved by any member at a subsequent Meeting in the same or in an amended form and again debated and voted on, without the necessity of any motion for reconsideration.
50. The members shall not leave their places on adjournment until the Chair leaves the Chair.
51. Subject to Section 52 below, a Meeting shall not be closed to the public during the taking of a vote.
52. Despite Section 51, a Meeting shall be closed to the public during the taking of a vote, if Section 12 required the Meeting to be closed to the public.

### **COMMITTEE OF THE WHOLE**

53. Whenever is shall be moved and carried that the Council go into the Committee of the Whole, the Chair shall vacate the Chair which shall then be assumed by the Chair of the Committee of the Whole who shall be appointed from time to time by the Mayor.
54. The rules governing the procedures of the Council and the conduct of its Members shall be observed in the Committee of the Whole so far as applicable, except that:

- (a) motions need not be seconded;
  - (b) no vote shall be recorded;
  - (c) members may speak more than once to a question provided no Member shall speak more than once until every member who desires to do so shall have spoken; and,
  - (d) a motion for adjournment shall not be allowed;
55. (1) The Chair of the Committee of the Whole shall report the proceedings to Council.
- (2) A motion to rise without reporting shall take precedence over any other motion and debate shall be allowed thereon.
- (3) Where the Committee of the Whole votes to rise without reporting the subject then being considered, the question shall be deemed to have been disposed of in the negative, in which case the Chairman of the Council shall resume the Chair and proceed with the next order of business.
56. A motion to rise and report progress shall always be in order and be decided without debate except when a Member is in possession of the floor or during the taking of a vote, but no second motion to the same effect shall be made until after some intermediate proceeding has taken place.
57. The Chair of the Committee of the Whole shall have all the powers and duties of the Chair of the Council with the following exceptions:
- (a) an appeal from the ruling of the Committee of Whole shall lie to the Chair of Council;
  - (b) where a member persists in any disobedience after having been called to order by the Chair of the Committee of the Whole, or where a Member desires to appeal a decision of the Chair of the Committee in accordance with clause (a) of this section, or if any disorder arises in the Committee of the Whole, the Chair of the Committee of the Whole shall forthwith suspend its proceedings and report the matter to Council.

#### **PETITIONS AND COMMUNICATIONS**

58. All petitions or other written communications on any subject within the cognizance of any standing committee shall, on presentation, be referred by the Mayor, or presiding officer, to the proper committee without any motion unless the Council otherwise decides.
59. Petitioners and depositions shall be heard by the Committee which has jurisdiction and may be heard by Council if deemed appropriate.
60. All requests to appear before a Standing Committee and/or Council to verbally present information on matters of fact or to make a request to Council, shall be presented to the Clerk at least five days preceding the date of the Standing Committee and/or Council Meeting. The deputation shall be limited to speak not more than five minutes, except a deputation consisting of more than five persons shall be entitled to two speakers with each limited to speak not more than five minutes. Deputations shall be entitled to speak beyond the time limit, provided that a majority of the members present vote to hear the delegation beyond the five minute limitation.
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61. Every proposed By-law shall be introduced by a motion for leave, specifying the title of the By-law and shall be decided without debate.
62. Every proposed By-law shall receive three separate readings.
63. The reading of the title shall be deemed the first reading of the By-law.

64. On second reading, the By-law shall be read in its entirety. When the Members of the Council have printed copies of the By-law, second reading of the By-law in its entirety may be dispensed with, by a two-thirds vote of the Members present and voting.
65. Upon the By-law receiving second reading, the Council may refer the by-law to the Committee of the Whole to consider the By-law, and a report of the Committee of the Whole shall be submitted by the Chairman of the Committee of the Whole to the Mayor who shall forthwith submit such report to the Council for adoption.
66. Unless prohibited by statute, the third reading of any by-law may occur on the same day as the first and second readings if leave is granted by a two-thirds vote of the Members present and voting and if the two-thirds vote is not received, the By-law shall stand for third reading at a subsequent Meeting of the Council.
67. The reading of the title shall be deemed the third reading of the By-law.
68. The By-law shall be signed by the Mayor and Clerk as having been passed by Council, sealed with the seal of the Corporation of the Township of Brock and numbered with a progressive number.
69. The Clerk shall endorse on all By-laws read in the Council the date of the several readings thereon, and shall be responsible for the correctness of such By-laws should they be amended.

#### **COMPOSITION AND DUTIES OF STANDING COMMITTEES**

70. Each Standing Committee shall be composed of all Members of Council, including the Mayor and the Regional Councillor.
71. The following Committees shall be Standing Committees of Council:
  - (1) the ADMINISTRATION & PERSONNEL COMMITTEE;
  - (2) the FINANCE COMMITTEE;
  - (3) the PARKS & RECREATION COMMITTEE;
  - (4) the PLANNING COMMITTEE;
  - (5) the PROTECTION TO PERSONS & PROPERTY COMMITTEE;
  - (6) the PUBLIC WORKS COMMITTEE.
72. The duties of each Standing Committee is to consider and report to Council on all matters arising out of the functions listed below the name of each Standing Committee on Schedule "A" attached to and forming part of this By-law.
73. The Chair and Members of each Standing Committee shall be appointed by Council.

#### **DATES OF STANDING COMMITTEE MEETINGS**

74. The following Standing Committees shall hold regular Meetings on the following days:  

FIRST MONDAY:	Finance Committee – 11:30 a.m.
SECOND MONDAY:	Public Works Committee – 10:00 a.m. Parks & Recreation Committee – 11:30 a.m.
THIRD MONDAY:	Finance Committee – 11:30 a.m.
FOURTH MONDAY:	Planning Committee – 10:00 a.m. Protection to Persons & Property Committee – 11:30 a.m.

Administration & Personnel Committee – 12:00 p.m.

unless any such Monday is a public or civic holiday and, provided further that the date and time of any regular Meeting of a Standing Committee may be changed by the unanimous vote of the Members of the Committee. Standing Committee meetings shall be adjourned at or before the hour of 10:30 o'clock in the afternoon, provided that Council may, at any time by a two-thirds vote of all Members present, pass a resolution extending the time for adjournment.

**SPECIAL COMMITTEES**

75. A Special or Sub-Committee may be appointed by Council or by any Standing Committee at any time to consider any special matter and to make a report and recommendation thereto to the body which appointed such Special or Sub-Committee.

**RECOMMENDATIONS OF STANDING COMMITTEES**

76. The minutes of each Standing Committee Meeting shall be deemed to be the report of that Committee containing its recommendations to Council.

**QUORUM**

77. At all Meetings of Standing Committees a majority of all the Members of the Committee shall constitute a quorum.

**RULES GOVERNING PROCEDURES OF STANDING COMMITTEES**

78. The rules governing the procedures of Council, including rules of debate and conduct of Members shall, in so far as applicable, be observed and carried out mutatus mutandis in each of the Standing Committees except that:

- (a) motions need not be seconded; and,
- (b) members may speak more than once to a question.

**POWERS AND DUTIES OF THE CLERK**

79. It shall be the duty of the Clerk to carry out and perform all the duties and powers conferred or imposed on the Clerk under the provisions of the *Municipal Act* and of any other Act including the following duties, namely:

- (a) to truly record in a book, without note or comment, all resolutions, decisions and other proceedings of the Council;
- (b) to keep the books, records and accounts of the Council;
- (c) to preserve and file all accounts acted upon by the Council;
- (d) to keep in the Clerk's office or in the place appointed for the purpose, the originals of all by-laws and of all minutes of the proceedings of the Council, the Committee of the Whole, and of all Standing Committees;
- (e) to record in the minutes of the Meeting of Council, the Committee of the Whole or Standing Committee, every disclosure of pecuniary interest made by a Member of Council, and to carry out the Clerk's statutory duties under the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended from time to time, and the *Municipal Act*, S.O. 2001, as amended from time to time;
- (f) the Clerk shall prepare and submit to Council a report containing a record of such of the acts and proceedings of the Committee of the Whole and each of the Standing Committees that require the approval, ratification, confirmation or other action by Council, and shall submit the same to a regular Meeting of Council falling at least seven days after the said Committee of the Whole or Standing Committee Meeting;

- (g) to prepare an Agenda for each Meeting of Council and forward the same to each Member of Council not later than Thursday preceding the date of the meeting, together with copies of reports and correspondence to be dealt with by the Council as set out on the Agenda, and to prepare Agendas for the Committee of the Whole and each Meeting of the Standing Committees;
- (h) to act as Secretary of the Committee of the Whole and each Standing Committee and to assign a Member of the Staff of the Clerk's Department to be Assistant Secretary of the Committee of the Whole and each such Standing Committee. The Assistant Secretary shall act as Secretary of Meetings of the Committee of the Whole and each of the Standing Committees in the absence or at the request of the Secretary;
- (i) to forward to Council, the Committee of the Whole or to the appropriate Standing Committee or Department Head as the Clerk, in the Clerk's discretion, may deem proper, all communications to Council or to the Clerk intended for the information or action of Council;
- (j) to perform such other duties as may be assigned to the Clerk by Council and as may be required by law.

**AMENDMENTS**

- 80. Any provision contained herein, other than those provisions which are otherwise required by law, may be repealed or amended by a majority vote of all the Members of Council provided that no motion for that purpose may be considered unless notice thereof has been given at a preceding regular Meeting and such notice may not be waived.
- 81. By-law Numbers 2043-2007-AP, 2238-2009-AP, and 2314-2011-AP of the Corporation of the Township of Brock are hereby repealed in their entirety.
- 82. This by-law shall come into force and take effect on the date of passing.

**THIS BY-LAW READ TWICE THIS 8<sup>TH</sup> DAY OF AUGUST, A.D., 2011.**

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Mayor  
Terry Clayton

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Clerk  
Thomas G. Gettinby

**THIS BY-LAW READ A THIRD TIME AND FINALLY PASSED THIS 8<sup>TH</sup> DAY OF AUGUST, A.D., 2011.**

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Mayor  
Terry Clayton

\_\_\_\_\_  
Clerk  
Thomas G. Gettinby

**CORPORATION OF THE TOWNSHIP OF BROCK**

**SCHEDULE "A"**

**BY-LAW NUMBER 2356-2011-AP**

**STANDING COMMITTEES OF COUNCIL**

ADMINISTRATION & PERSONNEL	FINANCE	PARKS & RECREATION	PLANNING	PUBLIC WORKS	PROTECTION TO PERSONS & PROPERTY
Clerk's Department	Treasurer's Department	Arenas	Planning	Public Works Coordinator	Animal Control and By-law Enforcement
Administration system & procedures (Other than Accounting)	Tax Collector's Department	Parks	Liaison with Regional Planning Department	Maintenance of public buildings (except community centres)	Liaison with Regional Police
Records	Preparing annual budget	Community Centres	Committee of Adjustment	Roads and streets	Streetlighting
Archives	Payroll accounting systems	Swimming pools	Zoning	Sidewalks	Protective inspections
By-laws	Audit	Recreation program		Drains	Building inspection
Minutes and Agendas	Purchasing	Libraries		Traffic control	Plumbing Inspection
Division Registrar	Financial Statements	Other cultural facilities		Cemeteries	Fire Department
Personnel Hiring	Issuing licence & permits			Garbage Collection	Emergency Planning
	Collection of fines and all other receipts			Design and Engineering of new buildings	