



THE CORPORATION OF THE COUNTY OF WELLINGTON

BY-LAW 5968-26

A by-law to provide procedural rules for the meetings of the Council of the Corporation of the County of Wellington ("County Council"), and its Standing Committees, and to repeal by-law number 5857-24 and all amendments thereto.

WHEREAS Section 238(2) of the Municipal Act 2001, Chapter 25 ("the Act"), requires every municipality to pass a procedure by-law for governing the calling, place and proceedings of meetings;

AND WHEREAS it is expedient that Wellington County Council also adopts rules governing the order and procedure of its Standing Committees by by-law.

NOW THEREFORE the Council of the Corporation of the County of Wellington enacts as follows:

1. GENERAL PROVISIONS

1.1 For the purposes of this by-law,

"meeting" means any regular, special or other meeting of County Council, or of its Standing Committees, where:

- a) a quorum of members is present, and
- b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of County Council or Standing Committees.

1.2 County Council, Committee of the Whole and Standing Committees shall observe the rules of procedure contained in this by-law. This by-law shall be used to guide the order and dispatch of business of County Council and Standing Committees and

wherever possible, with necessary modifications, for all advisory committees and ad hoc committees unless otherwise provided. Provided always that these rules may be suspended by vote of two-thirds of the whole of County Council where not prescribed by the Act or any other relevant legislation, and in any case for which provision is not made herein.

- 1.3 This procedural by-law shall not apply to a Library Board and Wellington County O.P.P. Detachment Board unless adopted as its procedural by-law with necessary modifications, subject to any legislative requirements.

2. NOTICE REQUIREMENTS

2.1 Public notice shall be provided for all meetings in accordance with Section 238 (2.1) of the Act as set out in the County of Wellington's Public Notice Policy.

2.2 Notice of Meetings

- a) The County Clerk gives Notice of a Regular Meeting of County Council by:
 - i. Providing all members of County Council with an agenda by the Friday preceding a meeting day of County Council; and
 - ii. Posting the agenda to the County Website.
- b) The County Clerk gives Notice of Standing Committee Meetings by:
 - i. Providing all members of the Standing Committees with an agenda by the Friday preceding a meeting day of the Standing Committee; and
 - ii. Posting the agenda to the County Website.
- c) The County Clerk gives Notice of Special Meetings of County Council by:
 - i. Providing all members of County Council with an agenda at least 48 hours prior to the special meeting; and
 - ii. Posting the agenda to the County Website.
- d) The County Clerk gives Notice of Emergency Meetings of County Council by:

- i. Providing all members of County Council with an agenda at least 24 hours prior to the meeting and the general nature of the matters to be discussed.
 - ii. Posting the agenda to the County Website.
- 2.3 The County Clerk gives Notice of a Workshop by:
 - a) Providing Notice to all members of County Council indicating the date and time of the workshop and the general nature of the matters to be discussed;
 - b) Posting the agenda to the County Website.
- 2.4 The County Clerk, in consultation with the Warden or Standing Committee Chair, may cancel any Meeting prior to its scheduled commencement and shall provide appropriate notice of the cancellation.
- 2.5 Failure of any person outlined herein to receive notice of a Meeting shall not affect the validity of the Meeting, nor any decisions, recommendations, or actions resulting therefrom.
- 2.6 If a Meeting Notice is substantially given but varies from the form and manner provided in this Procedure By-law, the ability to hold the Meeting and the actions taken at the Meeting are not invalidated.
- 2.7 Location and Schedule of Meetings
 - a) Meetings of County Council and Standing Committees shall take place at the County Administration Office, Council Chambers or at another location within the County or as provided for in the Act when notice is given.
 - b) The schedule and location of Meetings for both County Council and Standing Committees shall be posted on the County's website.

3. INAUGURAL MEETING

- 3.1 The first meeting of County Council after a regular election and after a by-election under Section 266 shall be held after the Councils of the municipalities that form part of the County for municipal purposes have held their first meetings, but in any event, not later than 31 days after its term commences as provided in Section 230 of the Act, and the meeting shall be held at 10:00 in the morning or at such hour as may be fixed by By-law. The first meeting shall be held in the Council Chambers, County Administration Centre. (Municipal Act 2001, c.25, s.230)
- 3.2 A new council shall be deemed to be organized after a regular election or after a by-election under Section 266 of the Act, when the declarations of office under Section 232 of the Act have been made by a sufficient number of members to form a quorum. (Municipal Act 2001, c.25, s.231)
- 3.3 A person shall not take a seat on County Council until the person takes the declaration of office in the form established by the Minister for that purpose. If a person is elected to the councils of both a lower-tier and an upper-tier municipality or is appointed by the council of a lower-tier municipality to the council of the County of Wellington, the Clerk of the lower-tier municipality shall, immediately after the election or appointment, certify to the Clerk of the County of Wellington the name of each person so elected or appointed.
- 3.4 A person elected or appointed under S232(3) of the Act shall not take the seat on the council of the County of Wellington until the Clerk of the County of Wellington has received the certificate under S232(3) of the Act in respect of that person. (Municipal Act 2001, c.25, s.232 (1), (3), (4)).
- 3.5 The County Clerk shall preside at the First Meeting of County Council until a Warden is elected.
- 3.6 No business shall be conducted at the first meeting of County Council until after the declarations of office have been made by all members who present themselves for that purpose. (Municipal Act 2001, c.25, s.232(5)).

3.7 The Head of Council of the Corporation of the County of Wellington shall be known as the Warden.

3.8 The term of office for the Warden shall be two years.

4. VOTING ON ELECTION MOTIONS

4.1 For election of Warden, a majority of County Council members shall be present.

4.2 The Warden shall be appointed by secret ballot at the start of the County Council meeting, during a session conducted by the County Clerk in accordance with this Section. Scrutineers are permitted. The County Clerk shall announce the results of the secret ballot, but not the vote tallies. The County Clerk shall release the vote tallies by the end of business day. The duly appointed Warden shall assume the Chair. (Municipal Act 2001, c.25 S.233 (5)).

4.3 In the conduct of elections for Warden, the County Clerk shall open nominations, and receive the names of those nominated. Seconders are not required to put a name in nomination. Speeches of nomination or acceptance shall not be permitted. The County Clerk shall confirm the nominee's willingness to stand. On a motion of County Council, the nominations shall be closed.

4.4 Each nomination shall be made one at a time to allow the County Clerk to confirm a nominee's willingness to stand. An individual Councillor shall make no more than one nomination of Warden unless it is confirmed by the County Clerk that all other nominations have been received.

4.5 Following the close of nominations, the County Clerk shall conduct the election by placing the names of those nominated before County Council in order of their nomination. The County Clerk shall record the votes, and report the results to County Council following each round of voting. The candidate receiving a clear majority of the votes of the members present shall be declared elected Warden. When no candidate receives a majority, the County Clerk shall conduct a new vote. Any candidate who may wish to withdraw, must do so before the vote is taken whether

it be the first or any succeeding vote. If on the first vote, no candidate receives a majority vote, the candidate receiving the least number of votes shall be deemed to have withdrawn. If a tie occurs among two or more candidates with the fewest votes, those candidates shall then be voted on before the succeeding vote is taken and the candidate with the least number of votes shall be withdrawn from subsequent votes. The candidates with the fewest votes on each succeeding vote shall be withdrawn and the voting shall be continued until one candidate has received a majority vote of the members present.

- 4.6 In the case of an equality of votes for Warden, the successful candidate shall be determined by the County Clerk placing the names of the candidates on equal size pieces of paper in a box and one name being drawn by a neutral party. The successful candidate shall be the one whose name is drawn.
- 4.7 In the event a Councillor challenges the ballot results as County Council's direction for the position of Warden, the County Clerk shall conduct an open vote for the challenged position.
- 4.8 The County Clerk shall call for a motion to adopt the ballot results as County Council's direction for the position of Warden that required secret ballots. Once County Council direction has been established by motion, the County Clerk shall call for a further motion to appoint the Warden.
- 4.9 The same process above shall be used for appointment of Chairs to Standing Committees with the Warden conducting the process.
- 4.10 The Election of Chairs shall take place in the following order:
 1. Chair, Administration, Finance and Human Resources Committee;
 2. Chair, Economic Development Committee;
 3. Chair, Heritage and Seniors Committee;
 4. Chair, Planning and Land Division Committee;
 5. Chair, Roads Committee;

- 6. Chair, Joint Social Services and Land Ambulance Committee (JSSLA);
- 7. Chair, Solid Waste Services Committee.

- 4.11 The Chairs of the Standing Committees of Council, and any other appointment for which County Council may direct by resolution, shall be appointed by secret ballot during a session conducted by the Warden, such term being for two years. Scrutineers are permitted. The Warden shall announce the results of the secret ballot, but not the vote tallies. The County Clerk shall release the vote tallies by the end of business day.
- 4.12 The Warden shall call for a motion to adopt the ballot results as County Council's direction for the positions that required secret ballots. Once County Council direction has been established by motion, the Warden shall call for a further motion to appoint the Councillors to the positions.
- 4.13 Following the election of Chairs of all Standing Committee's there shall be an election for the County Councillor with Wellington County O.P.P. Detachment Board reporting duties.
- 4.14 The Chair elected for the Heritage and Seniors committee shall also serve as the County Council member with Library Board reporting duties.
- 4.15 The Warden shall call for a motion to destroy all the ballots.

5. REGULAR MEETINGS OF COUNTY COUNCIL

- 5.1 After its Inaugural Meeting, County Council shall meet on the last Thursday of each month of the year at 10:00 a.m., in the Council Chambers at the County Administration Centre, except as hereinafter provided:
 - a) unless otherwise ordered;
 - b) Unless County Council shall meet at the same hour on the next following day, not being a public holiday;

- c) During the months of July, August and December, when County Council may meet at the call of the Warden;
- d) If the business is not concluded on the last Thursday, County Council may adjourn to meet again at the same hour on the following day, or on such other day as may be determined by the Warden.

6. SPECIAL MEETINGS OF COUNTY COUNCIL

6.1 The Warden may at any time call a special meeting, and upon receipt of a petition of the majority of the members of County Council, the County Clerk shall call a special meeting for the purpose and at the time mentioned in the petition. Items not listed in the petition will only be considered at a Special Meeting called under this Section with an affirmative vote by two-thirds of County Council. (Municipal Act, 2001, c.25 s.240 (a) and(b))

7. MEETINGS IN TIMES OF EMERGENCY AND/OR PANDEMIC

7.1 In times of emergency or pandemic and when a quorum of County Council cannot be achieved, the Warden's Advisory Committee has the delegated authority to act as County Council. (Municipal Act, 2001, c.25 s.23.1)

8. LOCATION OF MEETINGS

8.1 Despite Section 5.1, meetings may be held outside the municipality within an adjacent municipality. (Municipal Act 2001, c.25, s. 238(3)).

9. DUTIES OF WARDEN AS HEAD OF COUNTY COUNCIL

9.1 The Warden as Head of County Council, except where otherwise provided, shall preside at all meetings of County Council. (Municipal Act, 2001, c.25, s. 241(1))

9.2 If the Warden is absent or refuses to act, or the office is vacant, County Council designates the following persons to act in the place of the Warden: Firstly, the Chair of Administration, Finance and Human Resources Committee; if unable to act, secondly, the Immediate Past Warden (if on County Council); if unable to act, thirdly, the Councillor with reporting duties to the Wellington County O.P.P. Detachment

Board; if unable to act, and fourthly, the Chair of the Roads Committee and while so acting such member has all the powers and duties of the head of council with respect to the role of presiding at meetings. (Municipal Act, 2001, c.25, Section 242).

9.3 The Warden may expel any person for improper conduct at a meeting. (Municipal Act 2001, c. 25, s. 241(2)).

10. PRESIDING OFFICER AND DUTIES OF PRESIDING OFFICER

10.1 The Presiding Officer is the person designated to preside over a meeting of Council or Committee including the Warden, Acting Warden, Committee Chair or Acting Chair or other designated member as provided in Section 9 (or the Clerk for the duties prescribed for the Inaugural Meeting of Council and the election of Warden) with the duties listed below:

- a) open the meeting by taking the Chair and calling the members to order;
- b) may make such remarks as is fitting for the information or assistance of County Council or the Standing Committee;
- c) receive and submit, in the proper manner, all motions presented by the members;
- d) put to vote all questions, which are regularly moved and seconded, or necessarily arise in the course of the proceedings and announce the result;
- e) decline to put to vote motions which infringe rules of procedure;
- f) enforce, on all occasions, the observance of order and decorum among the members;
- g) authenticate, by their signature, when necessary, all by-laws, resolutions, and minutes;
- h) inform the member, when necessary, or when referred to for the purpose, on a point of order or usage;

- i) select the members who are to serve on Standing Committees, when directed to do so, in a particular case, or, when it is made a part of their general duty by a rule of procedure;
- j) represent and support County Council, declaring its will and implicitly obeying its decisions in all things;
- k) ensure that the decisions are in conformity with the laws and by-laws governing the activities of County Council or the Standing Committee;
- l) adjourn the meeting, when the business is concluded;
- m) adjourn the meeting, without question, in the case of grave disorder arising in the Council Chamber;
- n) expel any person for improper conduct at a meeting. (Municipal Act 2001, c. 25, s. 241(2)).

11. VOTING RIGHTS FOR THE WARDEN OR PRESIDING OFFICE

11.1 The Warden, or the Presiding Officer, except where disqualified to vote by reason of interest or otherwise, may vote with the other members on all questions, and, except where otherwise expressly provided by the Act, any question on which there is an equality of votes shall be deemed to have voted in the negative.

12. WARDEN OR PRESIDING OFFICER ENTERING DEBATE

12.1 If the Warden or Presiding Officer desires to leave the Chair, for the purpose of taking part in the debate or otherwise, they shall call on one of the Councillors to fill their place until they resume the Chair.

13. ALTERNATE MEMBERS

13.1 Alternate members for the Mayors represented on County Council may be appointed by a member municipality. Only one Alternate may be appointed by the local municipality for the entire term of council. Alternates may only attend County Council Meetings, excluding the Inaugural Meeting, and will have the same powers

and duties of a permanent member to speak, move motions and vote, with the exception of submitting Notices of Motions. (Municipal Act, 2001, c25 s.268).

14. QUORUM

14.1 A majority of the members of County Council or Standing Committees is necessary to form a quorum. (Municipal Act, 2001, c.25 s.237(1)).

14.2 If quorum is not achieved within 15 minutes after the start time of the County Council/Committee meeting, the County Council/Committee shall stand adjourned until the next scheduled meeting, and the County Clerk shall take down the names of the members present at the expiration of such 15 minutes.

15. WRITTEN DISCLOSURE OF PECUNIARY INTEREST

15.1 Members shall file a written statement with the County Clerk and declare publicly at the meeting any pecuniary interest, direct or indirect, in any matter that is the subject of consideration at a meeting. The County Clerk shall keep a registry of declarations and associated written statements which will be made available to the public. (Municipal Conflict of Interest Act, RSO 1990 s.5 and s.6).

16. RECORDING AND LIVE STREAMING COUNCIL MEETINGS

16.1 County Council meetings may be audio and/or video recorded, and/or livestreamed publicly by the County except for proceedings closed to the public provided for by the Act or this By-law. The official record of all meetings shall be the written minutes in accordance with Section 228 (1) of the Act.

17. AGENDA

17.1 The County Clerk shall prepare a Council Agenda containing the following:

Call to Order

O Canada

Warden's Remarks

Roll Call

Declaration of Pecuniary Interest

Confirmation of County Council Minutes
Presentations and Delegations
Introduction of By-laws
Resolution Moving County Council into Committee of the Whole
County Council in Committee of the Whole
Closed Meeting
Rise and Report
Warden's Report from Closed Meeting
Consideration of By-laws in Committee of the Whole
Committee Minutes and By-laws for Action
Proposed By-laws resolution to refer to County Council
Reports from Staff
Correspondence for County Council's Information
Resolution that the Committee of the Whole Rise and Report
Resolution to Adopt Action of County Council in Committee of the Whole
Resolution for Third Reading of By-laws
Notice of Motion
Adjournment

18. OPEN MEETING AND CLOSED MEETING SESSIONS

OPEN MEETING

18.1 Except as provided in this section, all meetings shall be open to the public. (Municipal Act, 2001, c.25, s. 239(1)).

EXCEPTIONS

18.2 A meeting or part of a meeting may be closed to the public if the subject matter being considered is:

- a) the security of the property of the municipality or local board;

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

- l) an ongoing investigation respecting the municipality or a local board by the Ombudsman appointed under the Ombudsman Act, an Ombudsman referred to in S223.13(1) of the Act, or the investigator referred to in S239(1) of the Act; (Municipal Act 2001, c.25, s.239(3))
- m) related to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act, if the Council, Board, Commission or other body is the head of an institution for the purposes of that Act; (Municipal Act 2001, c.25, s.239(3); or
- n) if the following conditions are both satisfied:
 - i. The meeting is held for the purpose of educating or training the Members; and
 - ii. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee. ((Municipal Act, 2001, c.25, s. 239(2)) and s. 239 (3.1))

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

- a) the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting; or
- b) In the case of a meeting under S239 (3.1), the fact of the holding of the closed meeting and the general nature of its subject matter to be considered at the closed meeting and that it is to be closed under that subsection. (Municipal Act, 2001, c.25, s.239 (4) (a) and (b))

18.4 Subject to subsection 18.5, a meeting shall not be closed to the public during the taking of a vote. (Municipal Act, 2001, c.25, s. 239(5))

18.5 Despite section 244 of The Municipal Act, 2001, c. 25, a meeting may be closed to the public during a vote if:

- a) S239 (2) or (3) permits or requires the meeting to be closed to the public; and
- b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under contract with the municipality or local board. (Municipal Act, 2001, c. 25, s.239 (6))

19. MINUTES

19.1 Minutes of each Meeting of Council are presented to the subsequent regular Meeting of Council for approval. Minutes of Council will be posted on the County's website following approval by Council. When the Minutes have been confirmed, they shall be signed by the Warden and the County Clerk.

20. PERMISSION TO ENTER COUNCIL CIRCLE

20.1 No person except staff, members and officers of County Council shall be allowed to come within the Council circle during the sittings of County Council, without the permission of the Presiding Officer.

21. PRESENTATIONS TO COUNTY COUNCIL

21.1 Presentations will be permitted at County Council at the request of the County Clerk or the Chief Administrative Officer of the County ("CAO"), on a motion to that effect being carried by a majority vote of the members present.

21.2 Presentations shall be limited to a maximum of ten minutes.

22. DELEGATIONS TO COUNTY COUNCIL

22.1 When any person or persons, not being members of County Council, desire to address County Council, the person or persons shall be permitted to do so on a motion to that effect being carried by a majority vote of the members present.

- 22.2 No delegations to County Council shall be permitted without first attending the relevant Standing Committee meeting.
- 22.3 Delegations wishing to address County Council must notify the County Clerk, by 3:00 pm the Monday preceding the County Council meeting, in order that the delegation may be listed on the Agenda and the subject of the delegation be identified. The delegation shall also provide a written detail of the submission by 3:00 pm the Monday preceding the County Council meeting. If a delegation is unable to adhere to the deadline, the delegation may attend at the discretion of the majority members of County Council.
- 22.4 Delegations to County Council will be scheduled at the discretion of the County Clerk in consultation with the Warden and CAO, subject to:
- a) Volume of material on agenda;
 - b) Number of requests for a specific meeting date;
 - c) Urgency of request;
 - d) Subject matter – no delegation shall speak on a matter that is not within the jurisdiction of County Council or committee;
 - e) No delegation shall be permitted at orientation and education workshops;
 - f) No delegation shall be made relating to litigation or potential litigation, including matters that are before and under the jurisdiction of any court or administrative tribunal unless such matter is referred to County Council by the said administrative tribunal or court.
- 22.5 No person shall be permitted to address County Council on a subject not on the Agenda, unless by permission of County Council by unanimous consent.
- 22.6 County Council and Standing Committees are not a forum for public promotion of private interests by delegations and therefore such delegations shall not be permitted.

- 22.7 All delegations addressing County Council, shall be limited to a maximum of 10 minutes for individual delegations and 10 minutes for group delegations, regardless of the number of speakers, unless given special permission by County Council. When more than one person is addressing County Council, on the same subject, such persons following the first person shall not repeat that which was covered by the preceding speaker(s).
- 22.8 Only members of County Council may ask questions of delegations, and parties shall not enter into debate. With the permission of the Presiding Officer, the C.A.O. may ask questions of delegations. All questions to delegations shall be addressed through the Presiding Officer.
- 22.9 When the subject matter of a delegation is such that direction of County Council is required, appropriate resolutions shall be presented for consideration, after all the delegations have been heard.
- 22.10 The rules for delegations at County Council shall apply to Standing Committees.

23. MINUTES FROM COMMITTEES

- 23.1 Minutes of the following Committees shall be submitted to County Council for approval:
- a) Standing Committees
 - b) Special Committees appointed from time to time by County Council
- 23.2 All Minutes from Standing Committees of County Council shall be presented by the Chair of the Standing Committee, or in their absence, by a member of the Standing Committee, who shall, before moving the adoption of the Minutes, ask for discussion or any motion related to, or amendments of, the Minutes. The Chair or member may read the Minutes, or, if the Minutes were previously circulated to County Council, move its adoption, without reading the Minutes.
- 23.3 Minutes of the Wellington County O.P.P. Detachment Board and Library Board shall be submitted to County Council by the County Councillor appointed under Section

4.13 and 4.14 for information of County Council.

23.4 Minutes of the Standing Committees will be posted on the County's website following approval of the Council. When the minutes are confirmed they will be signed by the Chair.

24. REPORTS FROM STAFF

24.1 Reports from staff will be submitted to the appropriate Standing Committee of County Council by the designated Department Head. Where a decision is required, a report may contain recommendations for consideration by the Standing Committee and decision by County Council. Reports from the CAO may be forwarded to one of the County's Standing Committees, or if appropriate, directly to the Warden and Members of County Council. Reports from Staff containing urgent matters may be brought forward directly to County Council with approval of the Warden and CAO.

25. CORRESPONDENCE FOR INFORMATION

25.1 Correspondence under this heading requires no action by County Council at the time of the meeting. It may contain correspondence for which reports are to be received at future meetings and should be noted as such.

26. SPECIAL RESOLUTIONS

26.1 Resolutions dealing with any matter may be presented providing notice has been provided to County Council on the agenda or at the direction of County Council approved by a two-thirds majority vote.

27. BY-LAWS

27.1 County Council shall be notified by a listing, giving By-law number and short explanatory note, of all By-laws to be presented to County Council.

27.2 By-laws shall be introduced by motion, and shall be read three times by the County Clerk before being passed.

- 27.3 With the concurrence of County Council, the County Clerk will dispense with the reading of the By-law titles for first, second and third reading.
- 27.4 When a By-law is read in County Council, the County Clerk shall certify the readings and the date thereof. After By-laws have passed, the County Clerk shall be responsible for their correctness should they be amended.
- 27.5 When in Committee of the Whole, each By-law or any portion thereof shall be read if requested by County Council.
- 27.6 Any changes to By-laws made in Committee of the Whole shall be reported by the Presiding Officer to the County Council, prior to their third reading and shall be received forthwith, and the amendments so incorporated into the By-laws prior to their final reading before County Council.
- 27.7 Every By-law which has been passed by County Council shall:
- a) Be under the seal of the Corporation, and shall be signed by the Warden and the County Clerk; and
 - b) Be typed and indexed.

28. NOTICES OF MOTION

- 28.1 Notices of Motion shall be given, in writing, at a previous meeting of County Council:
- a) to amend, repeal, or alter a By-law; and,
 - b) to introduce any measure or change in the County Council's established policy or organization.
- 28.2 This section may not be used to introduce first reading of a by-law.
- 28.3 The written form of the motion will be placed on the next or a subsequent agenda of County Council in the precise form in which it was introduced by the member. No alteration of the wording will be permitted other than through the appropriate amendment procedure at County Council.
- 28.4 No delegations shall be permitted to speak on a Notice of Motion.

28.5 Alternate Members may not submit Notices of Motion.

29. QUESTIONS AND INFORMATION

29.1 Questions may be put to the Presiding Officer or, through him or her to any member of the staff, relating to any By-law, motion or other matter connected with the business of County Council, or the affairs of the municipality. In answering any such question, a staff member is not to debate the matter to which the same refers. A County Council member shall not debate a matter with a staff member.

29.2 Any member of County Council may inform County Council of any matter, which they feel would be of interest or benefit to County Council, or the municipality.

29.3 Any member of County Council may inform County Council of any matter, or make a request for their comfort or the general comfort or convenience of County Council, or any member.

30. MATTERS BEFORE COURT

30.1 No members of County Council and no delegation shall be permitted to address the Council, during an open session of County Council, on any matter that is before any Court or any Administrative tribunal for decision.

31. RULES OF CONDUCT AND DEBATE

31.1 Every member desiring to speak shall rise to be recognized by the Presiding Officer.

31.2 A member called to order from the Presiding Officer shall immediately sit down but then may rise, explain and appeal to County Council. County Council, if appealed to, shall decide on the case, but without debate. If there is no appeal, the decision of the Presiding Officer shall be final.

31.3 No member shall speak disrespectfully of the reigning Sovereign or of any member of the Royal Family or of the Governor-General, Lieutenant-Governor, or person administering the Government of Canada; or, of this Province; nor shall the member use offensive words, in or against County Council, or, against any member thereof, nor shall the member speak beside the question in debate. No member shall reflect

upon any vote of County Council, except for the purpose of moving that such vote be rescinded. Any member may ask if a vote be recounted, and a vote will be recounted once only.

- 31.4 No member shall resist the rules of County Council, or disobey the decision of the Presiding Officer, or of County Council on questions of order or practice, or upon the interpretation of the rules of County Council, the Warden or other Presiding Officer may expel any person for improper conduct at a meeting. (Municipal Act, 2001, c.25, s. 241.2)
- 31.5 When the Presiding Officer is putting the question, no member shall walk across or out of the room, or make any noise or disturbance, nor when a member is speaking shall any other member pass between the member and the Presiding Officer, or interrupt the member speaking, except to raise a point of order.
- 31.6 When the question under discussion has not been printed and distributed, any member may require it to be read, at any time of the debate, but not so as to interrupt a member while speaking.
- 31.7 No member shall speak more than twice to a question, except in explanation of a material part of their speech in which the member may have been misconceived, but then the member may not introduce a new matter.
- 31.8 A member must not, in debate, deviate from the question before County Council.
- 31.9 In all such cases, the Presiding Officer shall inform County Council that the reply of the mover of the original motion closes the debate at whatever time the Presiding Officer are of the opinion that a clear understanding of the question has been provided.
- 31.10 No member, without leave of County Council, shall speak to the same question or in reply, for longer than five minutes.
- 31.11 The members of the County Council shall not leave their places, on adjournment, until the Presiding Officer leaves the Chair.

32. PRIVILEGE

32.1 Whenever any matter of privilege is raised by a member who considers that their integrity, the integrity of County Council or the Committee as a whole or staff has been impugned, it shall be taken into consideration immediately. The member raising the point of privilege shall state the substance of and the basis for the point of privilege and the Presiding Officer shall rule on the point of privilege immediately without debate by County Council.

33. MOTIONS

33.1 All motions, except ancillary motions, shall be in writing and seconded before being debated or put from the Presiding Officer. Verbal motions duly moved and seconded, may be accepted at the discretion of the Presiding Officer.

33.2 After a motion is read by the Presiding Officer, it shall be deemed to be in possession of County Council, but may, by a simple majority vote of County Council, be withdrawn, before decision or amendment.

33.3 When a question is under consideration, no motion shall be received unless it is one:

a) “to refer”

i. a motion for referral to a Committee, until decided, shall preclude all amendments of the main question.

b) “to amend”

i. an amendment modifying the intention of a motion shall be in order, but an amendment relating to a different subject, shall not be in order. Only one amendment shall be allowed to an amendment, and any amendment more than one must be to the main question;

ii. a motion to be amended shall first be read as it stands, then the words proposed to be struck out and those to be inserted, and finally the motion as it would stand, if so amended;

iii. amendments shall be put in the reverse order that they are received by the Presiding Officer. Every amendment submitted shall be in writing, and it

shall be decided or withdrawn before the main question is put to the vote.

- c) “to defer”
 - i. is not open to debate;
 - ii. is not subject to amendment;
 - iii. applies to the main motion and any amendments thereto under debate at the time the motion to defer is made.
- d) “to defer to a certain time”
 - i. requires that a specific date, passage of an event, or County Council Session be stated in the motion.
- e) “to move the previous question”
 - i. cannot be amended;
 - ii. cannot be proposed, when there is an amendment under consideration;
 - iii. shall preclude all amendment of main question;
 - iv. requires a two-thirds vote of County Council to carry;
 - v. when resolved in the affirmative, the question is to be put forthwith without debate or amendment;
 - vi. when resolved in the negative, the debate shall continue;
 - vii. cannot be received in any Committee of County Council;
 - viii. can only be moved in the following words, “That the question now be put”, and shall be put forthwith.

33.4 Precedence of motions and rules governing such motions shall, unless otherwise indicated herein, be in accordance with Appendix “A” to this by-law.

34. VOTING ON MOTIONS

34.1 When the question under consideration contains distinct propositions, upon the request of any member, the vote upon each proposition will be taken separately. The mover and the seconder of the original motion shall be deemed to be the mover and seconder of the item(s) being voted on separately.

34.2 After the question is finally put by the Presiding Officer, no member shall speak to the question, nor shall any other motion be made until after the result of the vote

has been declared, and the decision of the Presiding Officer, as to whether the question has finally been put, shall be conclusive.

- 34.3 Where a non-recorded vote is taken, and a member abstains from voting, the member will be deemed to have voted in the negative.
- 34.4 If a member present at a meeting at the time of a vote requests immediately before or after 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 their vote openly, and the County Clerk shall record each vote. A failure to vote as set out in this section by a member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote. (Municipal Act, 2001 c.25 s.246(1) (2))
- 34.5 When a recorded vote is requested, the County Clerk shall record each vote as it is called, starting with the County Council member who requested the recorded vote, and continuing counter-clockwise until all members, including the Presiding Officer have voted.
- 34.6 Decisions of the Land Division Committee respecting matters of Land Division will be signed by the members voting in the majority, and will include reasons for the decision. (Planning Act, RSO, 1990, P.13)

35. RECONSIDERATION

- 35.1 After a motion has been voted on by County Council, no motion for a reconsideration thereof shall be introduced, unless it is moved and seconded by two members from among those who voted with the majority, and such motion may only be passed by a two-thirds vote of the entire County Council.
- 35.2 After a Notice to introduce such motion is given by a member at a previous meeting, and such Notice of Motion appears on the Agenda of the meeting, at which it is to be considered, such motion may be passed by a majority vote of the entire County Council.

35.3 No question shall be reconsidered more than once during a 12-month period, unless such period is truncated by the end of County Council term.

35.4 A resolution that was decided by County Council cannot be reconsidered if action has been taken in implementing the resolution, resulting in legally binding commitments that are in place on the date the Motion to reconsider is considered by County Council.

36. COMMITTEE OF THE WHOLE PROCEEDINGS

36.1 The general mandate of the Committee of the Whole is to review matters before being considered by County Council to provide opportunity for open debate and provide recommendations to County Council for consideration. All Standing Committees and Local Boards including the Library Board and the Wellington County O.P.P Detachment Board will report into the Committee of the Whole.

36.2 When it shall be moved and carried that the Council go into Committee of the Whole, the Presiding Officer may remain in the Chair of the Committee of the Whole, or may appoint a member of County Council to act as Chair. Any member so appointed shall have the same duties and powers as listed in Section 10 for the Presiding Officer, inasmuch as they apply to the proceedings. The Presiding Officer shall maintain order in the Committee and shall report the proceedings thereof to County Council.

36.3 The rules of the County Council shall be observed in Committee of the Whole, so far as may be applicable. No member shall speak longer than five minutes on any one question. The number of times speaking on any question shall not be limited in Committee. Discussion on any motion may be concluded by any member making a motion “that the question now be put”, providing that such motion is passed by a two-thirds majority of the members present.

36.4 It shall not be necessary to have a motion before the Presiding Officer, when considering business in Committee of the Whole.

36.5 Questions of order arising in Committee of the Whole shall be decided by the Presiding Officer, subject to an appeal to the Committee.

36.6 On motion in Committee of the Whole to rise as County Council and report, the question shall be decided without debate.

37. STANDING COMMITTEES OF COUNTY COUNCIL

37.1 There shall be the following Standing Committees of County Council in addition to the Committee of the Whole Council:

- a) Administration, Finance and Human Resources
- b) Roads
- c) Heritage and Seniors
- d) Planning and Land Division
- e) Joint Social Services and Land Ambulance
- f) Solid Waste Services
- g) Warden's Advisory
- h) Economic Development

37.2 A County Councillor elected as Standing Committee Chair shall serve a term of two years, unless they cease to be a member of County Council in the meantime.

37.3 The duly elected Warden, Chairs of the Standing Committees and the County Council member with reporting duties from the Wellington County O.P.P. Detachment Board comprise the Warden's Advisory Committee.

37.4 The Warden's Advisory Committee shall recommend to County Council the membership of the Standing Committees listed in subsection 37.1 and the members of the Wellington County O.P.P. Detachment Board.

37.5 A County Councillor appointed to a Standing Committee shall serve a term of two years, unless they cease to be a member of County Council in the meantime.

37.6 The Standing Committees shall be comprised as follows:

- a) Administration, Finance and Human Resources - 4 County Councillors and the Warden, ex-officio. A quorum is 3;
- b) Roads - 4 County Councillors and the Warden, ex-officio. A quorum is 3;
- c) Heritage and Seniors - 4 County Councillors, and the Warden, ex-officio. A quorum is 3;
- d) Planning and Land Division - 4 County Councillors and the Warden, ex-officio. A quorum is 3; (Planning Act, RSO, 1990, P.13 Section 44(5)) In accordance with the Planning Act, when dealing with matters of Land Division, the members must elect a Chair from their number (Planning Act, RSO, 1990, P. 13 Section 44(7)). Any member so elected will serve as Chair for Land Division matters, notwithstanding election of a Chair by County Council in accordance with subsection 37.2 above;
- e) Joint Social Services and Land Ambulance (“JSSLA”) – 3 County Councillors, the Warden as ex-officio, 3 City of Guelph Councillors, and the Guelph Mayor. A quorum is 5. Chair and Vice-Chair will alternate between the County and the City as per the JSSLA Terms of Reference;
- f) Solid Waste Services - 4 County Councillors and the Warden, ex-officio. A quorum is 3;
- g) Economic Development – 4 County Councillors and the Warden, ex-officio. A quorum is 3;

37.7 In the event of a vacancy in the Chair under the control of County Council, of duration unacceptable to County Council, the Council shall elect a new Chair for the remainder of the term.

37.8 In the event of a vacancy on any Standing Committee under the control of County Council, of a duration unacceptable to County Council, the Council shall appoint a substitute member to the Committee for the duration of the term.

38. BOARDS

38.1 Library Board - 4 County Councillors, the Warden as ex-officio, and four citizen appointments appointed by County Council are made to the Wellington County Library Board in accordance with subsection 10 (1) of the Public Libraries Act, R.S.O. 1990, Chapter P.44; citizen appointments shall be appointed for the term of Council in accordance with subsection 10 (3) of the Public Libraries Act, R.S.O. 1990, Chapter P.44. In accordance with the Public Libraries Act, the members must elect a Chair from their number. (Public Libraries Act, RSO, 1990 P.44 Section 14.(3).) Any member so elected will serve as Chair for Library Board agenda items, notwithstanding election of a Chair by County Council in accordance with Section 4.14 and Section 37 above. Quorum is 5.

38.2 Wellington County O.P.P. Detachment Board – 2 County Councillors, the Warden as ex-officio, 1 County appointed community member and 1 Provincial Appointee. The third council member appointment and the community representative on the Wellington County O.P.P. Detachment Board is appointed by County Council in accordance with Section 34 and 67 of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1 and Section 4.13 above. The County community representative shall be appointed for the term of Council. Quorum is 3.

39. GENERAL REGULATIONS FOR CONDUCT OF BUSINESS AT STANDING COMMITTEES

39.1 The Chair shall preside at every meeting and may vote on all questions submitted, except where disqualified to vote by reason of interest or otherwise, where a Chair does not vote, any question on which there is an equality of votes, the Chair's vote shall be deemed to be a vote in the negative.

39.2 The Minutes of all Standing Committees shall be recorded and circulated to Committee of the Whole to be received and referred to County Council for adoption. The Chair shall sign all Minutes as being an accurate account of the proceedings of the committee, upon County Council approval and posted to the County website.

- 39.3 In the absence of the Chair, one of the other members shall be elected to preside, who shall discharge the duties of the Chair during the meeting, or until the arrival of the Chair.
- 39.4 No order or authority to do any matter or thing shall be recognized as emanating from any Standing Committee, unless it is in writing and signed by the Chair or Secretary thereof, and refers to the Minutes of the Standing Committee under which it is issued.
- 39.5 Where a division takes place on any question, and a member requests that the vote be recorded, all the members of the Standing Committee present shall vote unless disqualified from voting by an Act. In the event a member refusing to vote without being excused their vote shall be counted as a negative vote. Each member of a Standing Committee shall have one vote at Standing Committee meetings.
- 39.6 When a recorded vote is not requested and a member present abstains from voting the member will be deemed to have voted in the negative.

40. PLANNING AND LAND DIVISION PROCEEDINGS

- 40.1 For the purpose of considering matters related to Section 53 of the Planning Act, the Planning and Land Division Committee will be constituted and appointed pursuant to Section 56 of the Planning Act, and Sections 44(2) to 44(11) inclusive will apply with necessary modifications to a Land Division Committee.
- 40.2 The Statutory Powers Procedure Act, RSO, 1990, applies to the proceedings of the Planning and Land Division Committee when it considers matters of Land Division.
- 40.3 Once established by By-law, the membership of the Land Division Committee will be forwarded to the Minister of Municipal Affairs and Housing by certified copy of the By-law. (Planning Act, RSO, 1990, P.13 subsection 44(2)).
- 40.4 For the purpose of considering matters related to Land Division, the Land Division Committee will appoint a Secretary-Treasurer, who will keep the minutes and records of all applications and decisions thereon and of all other official business of the

Committee related to Land Division, and Section 253 of the Municipal Act, 2001 applies with necessary modifications to such documents. (Planning Act, RSO, 1990, P. 13 S 44(8), (10)).

40.5 To the extent that they do not conflict with the terms of the Planning Act and the Statutory Powers Procedures Act, the terms of this procedural by-law apply to matters of Land Division.

41. PRESENTATIONS AND DELEGATIONS TO STANDING COMMITTEES

41.1 Presentations and delegations will be permitted to Standing Committees of County Council and Sections 21 and 22 of this By-law will apply to Standing Committee meetings, with the necessary changes to the section being applied.

42. GENERAL RULES FOR ALL STANDING COMMITTEES

42.1 Any member of County Council may be placed on a Standing Committee notwithstanding the absence of such member at the time of their being named on such Standing Committee.

42.2 The Warden shall be a member ex-officio of all Standing Committees of County Council and may vote on all questions before the Standing Committee and shall be counted in the formation of a quorum.

42.3 The number of members required for a quorum for each of the County's Standing Committees is specified in subsection 37.6.

42.4 Where a resolution appointing a Standing Committee does not name the members thereof, it shall be the prerogative of the Warden or Chair, as the case may be, to name the members.

42.5 Members of County Council may attend the meetings of any of its Standing Committees, but shall not be allowed to vote, nor shall they be allowed to take part in any discussion or debate, except as invited by the Chair.

42.6 Members of County Council may attend the meetings of Library Board and Wellington O.P.P Detachment Board in accordance with the Boards' governance documents and

requirements set out in the Municipal Act, 2001, Public Libraries Act and Community Safety and Policing Act, 2019.

42.7 County Council may appoint a member thereof to act on any Standing Committee in lieu and during the absence of any member thereof, who is absent from the municipality, or unable from illness to attend the meetings of such Standing Committee, and the member so appointed shall be deemed a member of the Standing Committee and entitled to act thereon, only during such absence or illness.

42.8 Should a Chair of any Standing Committee neglect to call a meeting of their Standing Committee at such time, or with such frequency, as the proper dispatch of the business entrusted to the Standing Committee requires, or do the business of the Standing Committee without the knowledge or consent of its members, or contrary to their wishes or sanction, the Standing Committee may report such neglect, refusal, or action to County Council which may, if it deems it advisable, remove said Chair from the Standing Committee and appoint another member in their place and also may appoint a new Chair of the said Standing Committee.

42.9 Should any member or members of a Standing Committee neglect or refuse to attend the properly summoned meetings of their Standing Committees, the Chair shall report such neglect or refusal to County Council, which may remove the said member or members from the Standing Committee and appoint another member or other members in their place or places; or should any Standing Committee neglect or refuse to give due attention to all business or matters before them, County Council may by resolution discharge such Standing Committee and appoint another in its stead.

43. SUSPENSION OF RULES

43.1 Despite Section 1, no standing Rules or Order of Council shall be suspended except by unanimous consent.

44. UNPROVIDED RULES

44.1 In all matters not addressed by this By-law, parliamentary procedure shall be followed as set out in Bourinot’s Rules of Order.

45. ADMINISTRATIVE AUTHORITY OF THE COUNTY CLERK

45.1 The County Clerk is authorized to revise or correct by-laws, minutes and other records or documents relating to County Council and Standing Committee for technical, typographical or other administrative errors and omissions for the purpose of ensuring an accurate and complete record of proceedings and general housekeeping.

46. ADHOC/WORKING COMMITTEES

46.1 County Council may establish such adhoc/working committees from time to time as may be required to comply with legislative requirements and these rules shall apply to such committees with necessary changes.

47. GENERAL RULES

47.1 This by-law shall take effect immediately following the passing thereof.

48. REPEAL OF PREVIOUS BY-LAW

48.1 By-law number 5857-24 is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND PASSED MARCH 26, 2026.

CHRIS WHITE, WARDEN

JENNIFER ADAMS, COUNTY CLERK