

OFFICE CONSOLIDATION

This is a consolidation of the Township's By-law to govern the proceedings of Council and Committee meetings, being By-law 2017-07, as amended by By-laws 2018-01 and 2018-11, prepared for reference and information purposes only. The following is an electronic reproduction made available for information only. It is not an official version of the By-law. Official versions of all by-laws can be obtained by the Clerk. If there are any discrepancies between the consolidation and By-laws 2017-07, 2018-01, 2018-11 and 2020-09, the By-laws shall prevail.

The Corporation of the TOWNSHIP OF THE ARCHIPELAGO

BY-LAW NO. 17- 07

Being a By-law for governing the calling, place and proceedings of meetings of Council, Task Forces, and Committees of Council for the Township of The Archipelago

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c. 25, section 238, of the *Municipal Act, 2001* requires that every municipality shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

AND WHEREAS Council deems it expedient to establish rules and procedures to facilitate the efficient and effective transaction of business and to protect the rights and privileges of its members;

NOW THEREFORE Council of the Corporation of the Township of The Archipelago hereby enacts as follows:

1.0 DEFINITIONS:

1. "ACTING HEAD OF COUNCIL" shall mean the Councillor designated by Council to preside as a result of the absence of the Reeve.
2. "BY-LAW" means the equivalent of legislative action by Council.
3. "CALENDAR YEAR" means the period from January 1st of any one year to and including December 31st of the same year.
4. "CLERK" shall mean the Clerk of the Corporation of the Township of The Archipelago or the Deputy Clerk, or his/her delegate who shall have all the powers and duties of the Clerk under this and every other Act.
5. "CLOSED SESSION" shall mean a meeting closed to the public.
6. "COMMITTEE" means any advisory or other committee, subcommittee, Committee of the Whole or similar entity composed of members of Council alone or together with members of another council or the public, and it includes those Committees listed on Schedule "A" to this By-law.
7. "COMMITTEE CHAIR" means the Chairperson of any committee as appointed from time to time by Council or the Committee. The Committee Chair shall have the same powers during a Committee Meeting as the Head of Council has during Council Meetings.
8. "COMMITTEE OF THE WHOLE" shall mean a committee whose members are all the members of Council.

9. "CORPORATION" means the Corporation of the Township of The Archipelago.
10. "COUNCIL" means the elected members of the Council of the Corporation of the Township of The Archipelago.
11. "HEAD OF COUNCIL" means the Reeve.
12. "IMPROPER CONDUCT" means an open disregard of the rulings of the Chair and the rules and conduct outlined in this Procedural By-law and Robert's Rules of Order.
13. "MAJORITY" means a number greater than half the total of the eligible voting members of Council or Committee in attendance.
14. **"MEETING" means any regular, special or other meeting of Council, a local board or a committee of either where:**
 - (a) **A quorum is present, and**
 - (b) **Members discuss or deal with any matter that materially advances the business or decision making of the Council, local board or committee.**
15. "MEMBER" shall mean elected members of Council, Committee of the Whole, Committees, Task Forces and Local Boards.
16. "MOTION" means a matter that is put before the members of Council for their consideration, discussion and decision.
17. "PECUNIARY INTEREST" means an interest in a matter whereby a member could influence, or vote on a matter to such an extent as to create or cause financial gain, benefit, or result in a state of affairs to which the member would enjoy bonus or benefit unlike other members or in common with ratepayers. Pecuniary interest may be direct or indirect. (See Municipal Conflict of Interest Act)
18. "POINT OF ORDER" is a tool, which is used to draw attention to a breach in rules, an irregularity in procedure, the irrelevance or continued repetition of a speaker or the breaching of established practices or contradiction of a previous decision.
19. "QUORUM OF COUNCIL" shall mean more than 50% of the eligible voting members of Council or a Committee.
20. "RECORDED VOTE" means the recording of the name and vote of every member voting on any matter or question.
21. "RESIDENT" shall include any person who rents, leases or owns property or resides on property in the Township of The Archipelago.
22. "RESOLUTION" means an expression of the decision or wishes of Council, which has been submitted in the form of a motion and then adopted by majority vote.
23. **"ELECTRONIC MEETING" shall mean a Meeting where any Member is not physically present but participates via electronic means of communication; "electronic means" can include but is not limited to video conference and/or audio conference, but does not include written communication such as email or instant messaging."**

- 24. “EMERGENCY” shall mean any period of time during which an emergency has been declared to exist in all or part of the Township of The Archipelago by the Reeve or all or part of the Province under sections 4 or 7.0.1 of the Emergency Management and Civil Protection Act.”**

2.0 INTENT OF BY-LAW:

1. The rules and regulations hereinafter provided shall govern the proceedings of the Council, Committee of the Whole, Task Forces or Committees of Council. Any part or parts of this By-law may be suspended, if agreed upon by a majority of the Members present at any meeting duly constituted and so long as it is not mandatory under a statute.
2. All points of Order of Procedure not provided for in these Rules shall be decided in accordance with Robert’s Rules of Order and the Reeve shall submit the ruling without debate.

3.0 LOCATIONS AND MEETING TIMES:

1. The First or Inaugural Meeting of the Council after a regular election shall be held on the first Friday in December at 9:00 a.m., in the Township of The Archipelago Council Chambers, at 9 James St., in Parry Sound.
2. Council shall hold regular meetings according to a calendar proposed annually by the Clerk and approved by Council. Such meetings will be held at the Municipal Office located at 9 James St., in Parry Sound. Regular meetings shall generally be scheduled on the Friday following the third Thursday of each month and shall generally commence at 9:00 am.
3. Committee of the Whole shall hold regular meetings at the Municipal Office located at 9 James St., in Parry Sound. The regular meetings shall generally be scheduled on the Thursday prior to the Council Meeting and shall routinely commence at 9:00 a.m.
4. Council may determine the new date or time for any regular meetings of Council or Committee of the Whole at any preceding Regular Meeting of Council.

4.0 MEETINGS OF COUNCIL:

1. At the hour appointed, when a quorum is present, the Reeve shall call Council to order. A majority of the members of Council shall constitute a quorum.
2. In case the Reeve does not attend within fifteen (15) minutes after the time appointed and if a quorum is present, the Clerk shall call the members to order. The Chairperson shall be chosen from the members present and shall preside during the meeting or until arrival of the Reeve.
3. While presiding, the Chairperson chosen by Council shall have all of the powers of the Reeve and shall be entitled to vote as a member.
4. If there is no quorum within thirty (30) minutes after the time appointed for the meeting, the Clerk shall call the roll and record the names of the members present and the meeting shall stand adjourned until the next regular meeting or until a special meeting is called.

5. All votes of Council shall be open to the public except those votes taken during a meeting or part thereof that is closed to the public in accordance with Section 20.1 of this By-law and if said vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Township, Committee or Local Board or persons retained by or under contract with the Township, Committee or Local Board or to adjourn from closed session.
6. With the exception of the Inaugural Session, no person other than a Member or the Clerk shall be allowed to approach the Council during a Session of Council without the permission of the Reeve or Council, unless that person is given deputation status as described in section 13.0.
7. At the Inaugural meeting of Council the agenda shall be as follows:
 - i) Filing of Certificates and Declarations of Office in accordance with the Act;
 - ii) Election of Chairman when required by the Act;
 - iii) Such other items as deemed appropriate by the Clerk.
8. Every meeting of Council shall be deemed to be adjourned at the hour of 6:00 p.m. unless it is extended by unanimous consent of the members of Council then present.
9. **“Members shall be physically present at the meeting to participate and shall not be permitted to participate electronically, except where otherwise permitted by this by-law.”**

5.0 SPECIAL MEETINGS OF COUNCIL:

1. The Reeve shall, if requested in writing by the majority of members of Council, call a special meeting.
2. The Reeve may call a special meeting to deal with a matter which he/she deems to require immediate action. Notice of a special meeting shall be given by contacting each Member of Council and verbally advising them of the time and place of the meeting, or notice may be given in writing, via voice recording or by e-mail.
3. Special meetings require minimum notice of forty-eight hours, unless otherwise agreed to by a majority of members to the satisfaction of the Clerk.
4. At special meetings of the Council, no financial decisions shall be made or incurred, unless the same shall be referred to in the notice calling the meeting.
5. Special meetings of Council may be held outside of the municipality with the consent of the majority members of Council and a minimum notice of 48 hours given.

6.0 CONDUCT OF MEMBERS:

1. Every Member, prior to speaking, shall address the Chair, shall confine his/her remarks to the question, shall not use any indecorous or offensive language and shall avoid personalities.
2. Should more than one Member at one time wish to address the Chair, the Chair shall name the Member who is to speak first.

3. No person other than the one proposing a question (who shall have leave to reply) shall speak more than once without leave of the Chair, unless it is to explain their remarks which have been misunderstood, and then the Member shall not introduce any new matter.
4. The Chair may call a Member to order while speaking, whereupon the Member called to order shall be silent on the matter and shall not further speak until the point of order is determined, unless it is to appeal the decision of the Chair.
5. When the Chair is putting a question, no Member shall walk out of, or across the Council Chamber, nor, when a Member is speaking, shall any other Member hold discourse or interrupt the speaker except to a question of order, nor pass between the speaker and the Chair.

7.0 IMPROPER CONDUCT

1. It shall be the duty of the Reeve or Chair to adjourn the meeting without the question being put, or to suspend or recess the sitting for a time to be named, if considered necessary because of grave disorder arising in the meeting.
2. It shall be the duty of the Reeve or Chair to inform the individual(s) that unless order is restored the following will occur;
 - i) The Reeve or Chair may expel or exclude from any meeting any person who has been guilty of improper conduct at the meeting for the balance of the meeting;
 - ii) If the person guilty of improper conduct refuses to leave the meeting when requested to do so, force sufficient to remove him/her for the remainder of the Council meeting may be used, and if he/she resists and lays hands on those removing him/her, he/she commits an assault and can be at once arrested by a police officer(s);
 - iii) If the individual(s) re-enter the Council Chambers after the above steps have been followed, the individual(s) will then be found to have breached the Municipal Procedural By-law, as well as having committed the offense of trespass.

8.0 PUBLIC CONDUCT AT MEETINGS:

1. Members of public present during a Council or Committee of the Whole meetings shall maintain order and quiet and shall not address Council or the Committee of the Whole except with the permission of Council or the Committee of the Whole.
2. No person shall display signs or placards, applaud participants in debate or engage in conversation or other behavior which may disrupt the proceedings of Council or the Committee of the Whole.
3. No person shall bring into the Council Chambers food or drinks, cellular telephones, pagers or other electronic devices which emit a sound unless such devices are turned off or silenced, or in the case of food and drinks, are not considered by the Reeve or Chair of the Committee to be disruptive to the meeting.
4. No person attending a Meeting may approach or speak to the Reeve or a Councillor while the Meeting is in progress, unless invited by the Chair to

address Council as a Deputation or Presentation, or during a break or recess in the proceedings called by the Chair.

5. When invited to address Council or the Committee of the Whole, no person shall use indecent, offensive or insulting language or speak disrespectfully of the Royal Family, the Governor General, the Lieutenant Governor of any Province, any member of the Federal, Provincial or Regional Council, any Member of Council, any employee of the Township, or of any individual.
6. Any person, not being a member of Council, who contravenes any provision of this section may be expelled from the Meeting by the Chair.

9.0 AGENDA:

1. The primary Agenda shall be sent to Council one-week prior to the meeting. The primary agenda will be posted on the website with a note that a revised agenda which may include late business items. The cutoff for this revised agenda is 12 hours prior to the Council meeting and it shall be posted to the website no later than 12 hours prior to the meeting.
2. All Agenda items will have back-up information where possible or a short description of the topic to be discussed.
3. The Order of Business shall be as follows:
 - a) Call to Order of the Meeting
 - i) National Anthem
 - ii) Approval of Agenda
 - iii) Announcement of Public Meetings
 - b) Declaration of a Conflict (Pecuniary) of Interest - as defined in the *Municipal Conflict of Interest Act* R.S.O. 1990, C.M. 50 (the Municipal Conflict of Interest Act) or any successor legislation in effect from time to time.
 - c) Adoption of Previous Minutes
 - d) Deputations - as referred to in section 13.0. of this By-law.
 - e) Closed Meeting
 - f) Unfinished Planning Business
 - g) Official Plan/Zoning Amendments
 - h) Consent Applications
 - i) Site Plan Control
 - j) Shore/Concession Road Allowances
 - k) Reports of the Chief Administrative Officer (Schedule "B")
 - l) Report of Task Forces/Committees
 - m) Correspondence received in the Clerk's Office no later than 4:00 p.m. on the Wednesday previous to the subject meeting and circulated to members of Council for review and consideration.
 - n) Other Business

- o) By-laws are to be received in the Clerk's office and circulated to Council no later than 4:00 p.m. on the Friday previous to the subject meeting and circulated to members of Council for review and consideration. By single motion, By-laws are to be considered read the number of times as required, unless otherwise directed by legislation.
- p) Question Time
- q) Notices of Motions
- r) Confirming By-law - At the conclusion of all regular meetings of Council, and prior to adjournment, a by-law shall be brought forward to confirm the actions of Council at the meeting in respect of each motion, resolution and other action taken.
- s) Adjournment - a motion to adjourn is always in order, and shall be decided upon.

10.0 ORDER OF BUSINESS:

1. The business of Council shall be taken in the order in which it stands upon the agenda or at the discretion of the majority of Council.
2. Agenda items may be added to the agenda at the discretion of the majority of Council.
3. The Chairman or designate of each Committee submitting a report shall field questions regarding same during discussions of that report.
4. When any matter listed on the agenda is left unresolved at the time of adjournment, either for want of a quorum or otherwise, such matter(s) shall be taken up at the next meeting of the Council.
5. Councillors who wish to raise questions during question time that require research should submit their questions in writing two clear business days before the meeting.

11.0 MINUTES:

1. Minutes of Council and Committee of the Whole shall be recorded by the Clerk or the Clerk's delegate and shall consist of a record of all proceedings taken in the Council. Pursuant to the *Municipal Act 2001*, the Minutes shall be without note or comment.
2. All Minutes, Committee Reports as adopted, and By-laws passed by the Council shall be kept in the Clerk's Office and shall be made available for viewing during normal office hours, save and except those minutes and reports recorded during a meeting or part thereof that was closed to the public, in accordance with section 20.1 of this By-law, and subject to the provisions of any applicable by-law, act or statute.
3. Minutes of Council and Committee of the Whole shall be prepared by the Clerk or the Clerk's delegate and be made available to the Members prior to the next meeting.

12.0 PETITIONS AND COMMUNICATIONS:

1. Correspondence shall be referred by the Reeve and/or Clerk to the appropriate Committees at their regular meetings or after presentation to the Council, whichever comes first. Correspondence for which no action has

been directed nor discussion taken place shall be deemed to have been received by Council.

2. Every petition or paper addressed to the Council may be presented by a spokesperson.
3. When any petition, application or proposition presented by a spokesperson is referred to any Committee, such spokesperson shall be duly notified of the meeting or meetings of the Committee at which the same is to be heard, considered or resolved upon.
4. The Clerk shall have the authority to remove any correspondence that is unsigned.

13.0 DEPUTATIONS:

1. Any person desiring to present information orally on matters of fact or to make a request of Council shall submit a request in writing to the Clerk no later than 12:00 noon on the Wednesday of the week prior to the subject meeting. A deputation request properly received will be placed before Council as soon as is practicable. Any exceptions must be approved by a majority of Council.
2. Each deputation as addressed shall be limited to not more than ten (10) minutes. Extensions to these limits will be at the discretion of the majority of Council. There will be no debate of the subject matter presented.
3. All deputations shall have one person to speak on behalf of the deputation.
4. The Clerk or the Clerk's delegate, with the permission of the Reeve, may direct that a deputation be received by a Committee prior to being received by Council.
5. Each deputation shall submit prior to be placed on the Agenda, who they represent and what they are coming to speak about and provide any background material on the matter.
6. Deputation and those in attendance at a Council meeting are hereby bound by the rules and conduct set out in this procedure By-law.

14.0 BY-LAWS AND AGREEMENTS:

1. Every By-law and/or Agreement shall be circulated to members of Council as referred to in section 9.0 of this By-law, and by such circulation to Council members shall be deemed to have been made known to the public.
2. Every By-law and / or Agreement shall be introduced by Motion or leave, specifying the title thereof, or on recommendation of an adopted report or by an order from Council.
3. **By single motion, By-laws are to be considered read the number of times as required for that session of Council and shall be discussed, committed or amended forthwith. If a single member of Council objects or raises a concern to a By-law, and the majority of Council is in agreement, the By-law shall be deferred to the next regular meeting of Council.**
4. Every By-law, once passed, shall be dated and duly signed and sealed by the Reeve and Clerk or the Clerk's delegate.

5. At the conclusion of all regular meetings of Council, and prior to adjournment, a By-law shall be brought forward to confirm the actions of Council at the meeting in respect of each motion, resolution and other action taken.
6. A confirmation By-law when introduced shall be voted on without debate.

15.0 MOTIONS/RESOLUTIONS:

1. The adoption of a resolution can only be accomplished by way of a motion. The following conditions shall apply:
 - i) All motions must be made in writing;
 - ii) All motions must be moved and seconded;
 - iii) A motion must be read out by the Chair or his designate.
2. Every Motion and Resolution, when duly moved and seconded, shall be stated aloud by the Reeve and shall then be open for discussion and consideration.
3. After a Motion has been moved and seconded, and placed in the hands of the Reeve, it shall be considered to be in the possession of the Council, but it may be withdrawn with the consent of the mover and seconder.
4. Except as contemplated elsewhere in this By-law, each member of the meeting shall have the opportunity to address the question. Any member may require the question under discussion to be read at any time during the debate, but not so as to interrupt any other member while speaking. With leave of the Chair, the Clerk or any other appropriate member of staff may address Council to clarify the issues pertaining to the subject matter of the question or to provide additional information pertaining thereof. Except with leave of the Chair, no member shall be allowed more than 5 minutes to address the question or to speak more than twice on the question for a total entitlement of 10 minutes. This notwithstanding, no member shall be permitted to speak for a second time until all members have had the opportunity to speak once. When there are no further speakers to the question, the Chair will put the question to a vote. No further discussion is permitted once the Chair indicates that he or she is putting the question to vote.
5. Friendly amendments: An amendment to a motion may be made by the mover and seconder during the course of debate without a formal motion to amend, provided no member objects.
6. A motion may be withdrawn with the consent of the mover and seconder.
7. A motion to refer to a Committee or staff before the question is decided shall preclude any further amendment of the main question.
8. Except in respect of a motion to amend, a motion properly before Council for decision must receive disposition before any other main motion will be received.
9. A formal motion to amend:
 - i) Shall be presented in writing;
 - ii) Shall be directly germane to the question to be received; and
 - iii) May not propose a direct negative to the question.

10. In the event that the majority of Council determines they would prefer not to vote on a matter at the time, the Chair will make the motion "Deferred" and the said motion shall appear as an item of business on the next subsequent agenda or such identified subsequent agenda as Council shall otherwise direct.
11. In the alternative, but with the concurrence of Council, the Chair will mark the matter as being "referred" where it is the will of the majority to have the matter sent to a committee, staff or consultant/ Council in such a case may identify a date upon which the matter is to come back before it.
12. A motion to rescind any specific resolution may only be moved once during a term of Council.
13. Except with the consent of the majority of the members of Council, a defeated motion may only be brought forward for reconsideration once during the meeting in which it was considered.

16.0 VOTING ON MOTIONS:

1. Prior to a question being voted on, each Member present in the Council Chamber shall take their seat and shall vote unless they have declared a conflict of interest pursuant to the *Municipal Conflict of Interest Act*.
2. Immediately preceding the taking of a vote, the Reeve or Chair shall state the question in the precise form in which it will be recorded in the Minutes and may also state the question in the form introduced, and shall do so if required by the Member.
3. After a question is finally put by the Reeve or Chair, no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.
4. The decision of the Reeve as to whether the question has been finally put shall be final, except on appeal by any Member, upon which the decision of a majority of Council shall be conclusive.
5. Any Member may require any question to be repeated from the Chair prior to the voting on such question.
6. A recorded vote may be requested by any Member on any question and shall be taken by call of the roll in Open Council by the Clerk. A recorded vote shall be requested either immediately prior to or immediately following the taking of the vote, and if requested following any vote, the question shall be put again and the Clerk will call for the votes of every Member, commencing in the following order:

During a Council meeting held in January or in July of any year, Councillors, in alphabetical order, representing Ward 1 shall commence the vote; in February or in August of any year, Councillors, in alphabetical order, representing Ward 2 shall commence the vote; in March or in September of any year, Councillors, in alphabetical order, representing Ward 3 shall commence the vote; in April or in October of any year, Councillors, in alphabetical order, representing Ward 4 shall commence the vote; in May or in November of any year, the Councillor representing Ward 5 shall commence the vote; in June or in December of any year, the Councillor representing Ward 6 shall commence the vote and the Reeve shall have the final vote. The Clerk shall report the results of the vote to the Reeve and the Reeve shall declare the result.

7. The Reeve shall declare the vote on all questions and should his/her declaration be disputed, the Reeve shall require the vote be retaken by the Clerk.
8. A failure to vote by a Member on any question shall be deemed to be a negative vote except where a member has declared a conflict of interest pursuant to the *Municipal Conflict of Interest Act*.
9. A tie vote shall be declared to be a lost vote.

17.0 RULES OF DEBATE:

1. Every Member, prior to speaking to any question or motion, must first be recognized by the Chair.
2. 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.
3. The following matters and motions with respect thereto may be introduced orally, without written notice and without leave, and do not require a seconder and are not debatable except as otherwise provided by this By-law:
 - i) a point of order;
 - ii) presentation of petitions;
 - iii) to separate the question;
 - iv) to table indefinitely or to a day certain;
 - v) to recess for a time definite;
 - vi) to adjourn.
4. The following motions may be introduced without notice and without leave:
 - i) to refer;
 - ii) to amend;
 - iii) to lift from the table;
 - iv) to table.
5. A motion to refer, until it is decided, shall precede all amendments of the main question.

18.0 POINTS OF ORDER IN COUNCIL:

1. The Reeve shall preserve order and decide questions in order.
2. Any member rising to a point of order shall ask leave of the Reeve to raise a point of order and, after leave is granted, shall state the point of order to the Reeve. The Reeve shall then make a decision on the point of order.
3. Thereafter, a member shall address the Chair only for the purpose of appealing the Reeve's decision to the Council.
4. If no member appeals, the decision of the Reeve shall be final.
5. The Council, if appealed to, shall decide the question without debate, and its decision shall be final.
6. Where a member considers that his/her integrity or the integrity of the Council as a whole has been impugned, he/she may, as a matter of

personal privilege, rise at any time, with the consent of the Reeve, for the purpose of drawing the attention of the Council to the matter.

19.0 RECONSIDERATION OF COUNCIL DECISIONS:

1. After any question has been decided the following shall prevail:
 - i) Any member of Council who voted therein with the majority may give notice within one (1) calendar year after the question was decided, for a reconsideration of the question at any regular meeting of the Council. A majority vote shall be required to carry the motion.
 - ii) Any time after one (1) calendar year after the question has been decided, the subject matter of the question shall be a proper matter to be brought forward as though it were a new question, and once the question has been allowed to be brought forward and has then been decided, subsection (i) shall again prevail and similarly, if the motion for reconsideration is not carried, subsection (i) shall again prevail.
2. Notwithstanding sub-paragraph (i) hereof, any member of Council who did not vote on the question by reason of not being a duly elected member of Council at the time the vote was taken, shall be deemed to be a member of Council who voted therein with the majority for the purpose of sub-paragraph 19.1(i) hereof.
3. 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 in a calendar year.

20.0 PROCEEDINGS IN CLOSED MEETING:

1. All meetings of Council shall be open to the public, but a meeting or any part thereof may be closed to the public if the subject matter being considered is:
 - i) the security of the property of the municipality or local board;
 - ii) personal matters about an identifiable individual, including municipal or local board employees;
 - iii) a proposed or pending acquisition or disposition of land for municipal or local board purposes;
 - iv) labour relations or employee negotiations;
 - v) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - vi) advice that is subject to solicitor - client privilege, including communications necessary for that purpose;
 - vii) a matter in respect of which Council, board, Committee or other body has authorized a meeting to be closed under another Act;
 - viii) a request under the Freedom of Information and Protection of Privacy Act (MFIPPA), if the council, board, commission or other body is the head of an institution for the purposes of that Act;
 - ix) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, or a Municipal Ombudsman;
 - x) **educational or training sessions, if the meeting is held for the purpose of educating or training the members and if**

- no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council;**
- xi) 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;**
 - xii) 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;**
 - xiii) 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**
 - xiv) 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.
2. Before entering into Closed Session, Council must pass a resolution containing the following information:
 - i) The fact of the holding of the closed meeting;
 - ii) The general nature of the matter to be considered at the closed meeting
 - iii) the reasons the matter requires a Closed Meeting; Council must state one or more of the ten discretionary reasons found in section 239 of the Act.
 3. During the conduct of the closed meeting, Members of Council are prohibited from discussing any additional matters not contained within the motion to move into Closed Session.
 4. In the event that the Closed Session consideration of an item begins to move beyond the statutory requirements for meeting in Closed Session, any member shall promptly advise the Council accordingly.
 5. All decisions, regardless of whether they were noted in the agenda, shall be recorded in the Minutes of Closed Session.
 6. In the event that an item considered at a Closed Meeting is subsequently addressed/passed in Open Session, the protections afforded individuals under the Municipal Freedom of Information and Protection of Privacy Act are to be respected.
 7. All attendees in Closed Session shall keep confidential all information obtained during his/her attendance at the meeting unless by the concurrence of Council, the information, or parts of the information, may be disclosed in public in accordance with the Municipal Freedom of Information and Protection of Privacy Act.
 8. Responsibilities of staff and Councillors in relation to Closed Meetings are:
 - i) The Open and Closed Agenda Descriptions shall be sufficient enough to provide the general nature of the matter Council or Committee is considering at the Closed Meeting;
 - ii) If staff brings forward a report to the open session of a meeting that is supplemented by a separate confidential report, such as a legal

opinion, Council then can either consider and pass the public report in Open Session, or move to meet into Closed Session to ask questions about the legal opinion;

- iii) The Clerk or designate shall ensure that a complete hard copy record, including all supportive documents, is kept of the Closed Session in accordance with Subsections 239(7) and (8) of the Act.
- iv) All attendees at a Closed Session acknowledge and agree to keep strictly confidential all matters, discussion and /or materials considered In Camera, unless such information has been made public in the proper process.

9. “Members shall be physically present at the meeting to participate and shall not be permitted to participate electronically, except where otherwise permitted by this by-law.”

21.0 NOMINATING COMMITTEE:

- 1. Council shall, at its first meeting in December, or soon thereafter as is practical, establish a Nominating Committee composed of three (3) members; the Reeve and two other members to be selected by Council as a whole, by vote.
- 2. The Nominating Committee is charged with the responsibility of recommending to Council, a list of names to elect a Chair and Vice Chair for each of the Committees of Council or Task Forces/Committees that Council may establish from time to time and for any board or body that Council is required to appoint members to, whether such appointments are members of Council or any other person. The Reeve may be an ex-officio member of any or all Task Forces/Committees.
- 3. The Nominating Committee may use any method it desires, in addition to advertising for qualified persons, to secure the names of persons it may consider recommending to Council, to serve on various Task Forces/Committees, boards or bodies.

22.0 TASK FORCES/COMMITTEES:

- 1. The Criteria for Committees and Appointees, attached hereto as Schedule “A”, forms a part of this By-law.
- 2. The members shall determine the dates and times of all meetings thereof, as they deem necessary.
- 3. A quorum of any Task Force/Committee shall be the majority of its members.
- 4. The term of Task Forces/Committees shall be for the term of Council.
- 5. Any Council member may attend any Task Force/Committee meeting. The Council member may participate in the debates but will not be able to make motions or vote on any issue unless requested to attend by the Task Force/Committee.
- 6. A Special or Advisory Task Force/Committee may be appointed by Council to consider a specific matter.
- 7. Subject to the provisions of this By-law and any applicable statute, meetings or parts of meetings may be held in private, on a vote of the members.

23.0 REGULATIONS FOR CONDUCTING BUSINESS IN TASK FORCES/ COMMITTEES OF COUNCIL

1. The Chairperson of any Task Force/Committee of Council shall assign duties of secretary to any member of the respective Task Force/Committee. The Chairperson or designate shall:
 - i) Notify all members including the Reeve of any regular or special meetings of such a Task Force/Committee.
 - ii) Prepare an agenda and indicate all matters so far as are known that are to be brought before the Task Force/Committee at such meeting.
 - iii) Attend all meetings of the Task Force/Committees and record all recommendations to be forwarded to Council.

2. The general duties of all Task Forces/Committees of the Council shall be as follows:
 - i) To report to the Council, whenever desired by the Council, and as often as the interests of the municipality may require, on all matters connected with the duties imposed on them respectively, and to recommend such action by the Council in relation thereto as may be deemed necessary;
 - ii) To consider and report on any and all matters referred to them by the Council and any such report shall be signed by the Chairperson;
 - iii) To adhere in the conduct of all business to the rules prescribed by the by-laws of the Council;
 - iv) Whenever, at the conclusion of the last meeting, there is any matter before the Task Force/Committee that has not been disposed, the matter is to be forwarded to the incoming committee of the following year, for consideration.
 - v) The Council may refer back to any Task/Force Committee any report in whole or in part of any question or matter, which it presented to Council, for reconsideration.

3. The Archipelago Area Planning Board shall consist of the Reeve or designate and three (3) members of Council from the south and three (3) members from the north with the Reeve or his/her designate being one (1) of the six (6) Council members. The Board shall also consist of two (2) additional property owners from within the Planning Board area who are outside of the Township. The Council members, other than the Reeve or his/her designate, are to be selected by the Nominating Committee and approved by Council and shall hold office for the term of Council.

4. The Township of The Archipelago Committee of Adjustment shall consist of All Members of Council.

24.0 OFFENCE

1. Every person who contravenes any of the provisions of this By-Law is guilty of an offence and shall, upon conviction thereof, forfeit and pay a penalty of not more than FIVE THOUSAND DOLLARS (\$5,000.00), exclusive of costs and every such fine is recoverable under the Provincial Offences Act, R.S.O. 1990, c. P. 33.

25.0 SEVERABILITY

- 1. If a court of competent jurisdiction should declare any section or part of a section of this By-Law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the By-Law and it is hereby declared that the remainder of the By-Law shall be valid and shall remain in force.

26.0 ELECTRONIC MEETINGS DURING A DECLARED EMERGENCY

- 1 A regular meeting, special meeting or closed meeting of Council or Committee may be conducted by an Electronic Meeting during an Emergency, in accordance with this Section and any Emergency Electronic Meeting Protocol, as developed and amended as necessary by the Clerk.**
- 2 Members participating in an Electronic Meeting shall be counted for the purposes of quorum at the commencement and at any point in time during the meeting, and shall be entitled to vote through a vote recorded by the Clerk, as if they were attending the meeting in person.**

AND FURTHER that this By-law hereby repeals all previous By-laws to govern the calling, placing and proceedings of the Township of The Archipelago’s meetings;

AND FURTHER that this By-law shall come into force and take effect upon the final passing thereof.

READ and FINALLY PASSED in OPEN COUNCIL this 17th day of February, 2017.

THE CORPORATION OF THE TOWNSHIP OF THE ARCHIPELAGO

“Peter Ketchum”
Peter Ketchum, Reeve

“Maryann Weaver”
Maryann Weaver, Clerk

SCHEDULE "A"

COMMITTEES/TASK FORCES

COMMITTEES

Communications:	All of Council
Donations:	All of Council
Environment:	All of Council
Finance and Administration:	All of Council
Human Resources:	All of Council
Nominating:	Reeve and 2 members of Council
Planning and Building:	All of Council
Property Standards:	All of Council
Public Works:	All of Council
Strategic/Police:	All of Council

PLANNING

Committee of Adjustment:	All members of Council, as approved by By-law
Planning Board:	1 member of Council from each Ward & 2 unincorporated members

TASK FORCES

Holiday Cove Marina	3 members of Council
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BOARDS/AGENCIES

Belvedere Heights Home for The Aged Board	1 member of Council if selected from a designated group of municipalities (McDougall, Archipelago, Carling)
Community Policing Advisory Committee	1 member of Council
District of Parry Sound Social Service Board Administration Board (DSSAB)	As per the Boards Representation By-law
Georgian Cliffs Memorial Park (Cemetery) Board	2 members of Council 5 Citizen members
North Bay Parry Sound District Health Unit	1 member if selected from a designated group of municipalities (McDougall,

Archipelago, Carling,
McKellar, Whitestone,
Seguin, Town of Parry
Sound)

Parry Sound Area Chamber of Commerce

1 member of Council

**Parry Sound District Emergency Medical
Services Committee**

1 member of Council

Parry Sound Public Library Board

1 member of Council or a
Citizen Representative

West Parry Sound District Museum

1 member of Council

SCHEDULE “B”

Reports of the Chief Administrative Officer

The Chief Administrative Officer’s Reports shall include the following;

1. A monthly report to the Finance Chair, which shall include the following data:
 - a) Tax Summary by Ward, showing prepaid and current taxes and current and previous years penalty.
 - b) Arrears Summary, which shows tax arrears by month and year.
2. A report from the Chief Building Official showing the number of construction value of Building Permits issued during the preceding month and totals to date for the current year, along with comparative figures from the previous year.
3. A report from the Manager of Operational Services stating the activities and projects undertaking during the previous month and the schedule for the current month.
4. A report from the Manager of Corporate Services stating the activities and projects undertaking during the previous month and the schedule for the current month.
5. A report from the Manager of Development & Environmental Services stating the activities and projects undertaking during the previous month and the schedule for the current month.
6. An update on all outstanding legal matters.
7. Any other reports as requested by Council or as recommended by the Committee/Task Forces or deemed by the Chief Administrative Officer.