

THE CORPORATION OF THE COUNTY OF LAMBTON

BY-LAW NO. 33 OF 2014

**"A By-Law to Govern the Procedure of Council of
The Corporation of the County of Lambton and All of Its Committees,
The Call of Meetings and the Conduct of its Members."**

WHEREAS Section 238(2) of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended, provides that every municipality and local board shall pass a procedure By-Law for governing the calling, place and proceedings of meetings;

NOW THEREFORE the Council of The Corporation of the County of Lambton hereby enacts as follows:

PART 1: SHORT TITLE

1.1 This By-Law shall be known as "The Procedural By-Law" for The Corporation of The County of Lambton.

PART 2: DEFINITIONS

- 2.0 "Committee" shall mean a Committee established by Council.
- 2.1 "Clerk" shall mean the Clerk of The Corporation of The County of Lambton.
- 2.2 "Closed Meeting" shall mean a meeting or part of a meeting of Council not open to the public in accordance with the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended.
- 2.3 "Council" shall mean the Council of The Corporation of The County of Lambton.
- 2.4 "Member" means any Member of Council, and includes the Warden.
- 2.5 "Inaugural Meeting" means the meeting of County Council which is held in even numbered years to elect a Warden and Deputy Warden for the two years thereafter.
- 2.6 "Meeting" shall mean any regular, special or other meeting of Council.
- 2.7 "Quorum" shall mean a majority of the whole number of Members required to constitute a Council.
- 2.8 "Rules of Procedure" shall mean the rules and regulations provided in this By-Law.

PART 3: GENERAL RULES

- 3.1 The rules and regulations contained in this By-Law shall be observed in all proceedings of Council and shall be the rules and regulations for the order and dispatch of business in Council.
- 3.2 In all unprovided cases in the proceedings of Council, the Roberts' Rules of Order shall be followed and in such cases, the decision of the Warden shall be final and acquiesced to without debate.
- 3.3 No rule of this Council shall be suspended, amended or rescinded without a vote in favour of so doing, supported by two-thirds of the Members present.
- 3.4 In the absence of the Warden, or if the Office is vacant, the Deputy Warden for the purposes of this By-Law shall act in the place and stead of the Warden and shall have all the rights, powers and authority of the Warden, while so acting.
- 3.5 No person shall be allowed to enter the bar of Council during meetings without the leave of the Warden, except Members and employees of the Corporation.
- 3.6 A Member shall not take his/her seat until he/she has filed with the Clerk of the County Council a certificate (Form 2) under the hand of the Clerk of the municipality for which he/she was elected and the seal of the corporation.
- 3.7 All motions dealing with employees shall be dealt with through a Notice of Motion at a Council Meeting.

PART 4: ELECTION OF WARDEN AND DEPUTY WARDEN

- 4.1 At the Inaugural Meeting of Council, the Clerk (or Deputy Clerk) shall preside. The Clerk shall call the Roll and if a quorum is present, ask for nominations for Warden.
- 4.2
 - a) The Warden shall be elected by secret ballot at the Inaugural Meeting of County Council.
 - b) Where there are an equal number of votes cast for Warden, a second ballot shall be held. If after the second ballot there continues to be a tie, the successful candidate shall be determined by the Clerk placing the names of the candidates on equal size pieces of paper in a box and one name shall be drawn by a person chosen by the Clerk or Chair.
 - c) For the purposes of electing the Warden, each Member of County Council shall have one vote.
- 4.3 A judge of the Ontario Court (General Division), a Justice of the Peace, or in their absence, the Clerk shall take the Oath of Office for the new Warden.
- 4.4
 - a) The Deputy Warden shall be elected by secret ballot immediately following the election of the Warden.
 - b) Where there are an equal number of votes cast for Deputy Warden, a second ballot shall be held. If after the second ballot there continues to be a tie, the successful candidate shall be determined by the Clerk placing the names of the candidates on equal size pieces of paper in a box and one name shall be drawn by a person chosen by the Clerk or Chair.

- c) For the purposes of electing the Deputy Warden, each member of County Council shall have one vote.

PART 5: MUNICIPAL GROUPS

5.1 Municipal Groups shall be established as follows:

GROUP A	GROUP B	GROUP C	GROUP D
SOUTH	NORTHWEST	CENTRAL	NORTH
St. Clair	Sarnia	Petrolia	Lambton Shores
Dawn-Euphemia		Enniskillen	Plympton-Wyoming
Brooke-Alvinston		Point Edward	Warwick
		Oil Springs	

PART 6: THE STRIKING COMMITTEE

- 6.1 Each of the four (4) municipal groups, as outlined in Section 5, shall appoint one person to sit on the Striking Committee. Such appointments shall be made immediately following the election of the Warden and Deputy Warden.
- 6.2 The Striking Committee shall meet on the same day as the election of the Warden and Deputy Warden, immediately following the election of both, and prepare a report outlining the Committee’s recommendations to Council regarding the appointment of:
- 6.3 Members of Council and/or Non-Members of Council (as the case may be) to various Boards, Commissions, Committees and Associations to which Council is required either by law or by request to appoint representatives. The Striking Committee, when preparing its recommendation to Council, shall have due regard to the preference sheets returned by Members of Council outlining their preference of Committee Membership in descending order and their proposals regarding appointments to various Boards, Commissions, Committees and Associations. It shall be understood that the information is provided only for the guidance of the Striking Committee and that the authority for making recommendations to County Council regarding Membership on various Boards, Commissions, Committees, and Association rests solely with the Striking Committee.
- 6.4 In the event during the Council year, that a position on a Board, Commission, Committee or Association becomes vacant, the Striking Committee shall meet to consider the vacancy and make a recommendation to County Council.
- 6.5 In the event during the Council year, that a position on County Council becomes vacant as a result of resignation or death of an elected person, the person replacing that individual on County Council shall assume all the appointments of the individual being replaced, and a Striking Committee meeting need not be called.

PART 7: COUNCIL MEETINGS

7.1 **Location:**

Meetings of Council shall be held at the County of Lambton Administration Building in the Council Chambers at 789 Broadway Street, Wyoming, unless otherwise decided by Resolution of Council.

7.2 **Inaugural Meetings:**

Inaugural Meetings in a non-election year shall be held on the first Wednesday of December at the hour of 9:00 a.m. In an election year, the Inaugural Meeting shall be held on the second Wednesday of December at the hour of 9:00 a.m. In the case of inclement weather, the Inaugural Meeting shall be held on the first suitable day following the date of cancellation, at the same hour.

(Amended by By-Law 27 of 2019 on June 05, 2019)

7.3 **Regular Meetings:**

All regular meetings of Council shall be held on the first Wednesday of each month at 9:00 a.m., commencing with the “in-camera” portion of the meeting, if any. The public portion of the meeting shall commence immediately following the “in-camera” portion of the meeting.

(Amended by By-Law 27 of 2024 on October 02, 2024)

7.4 **Special Meetings:**

- a) The Warden may at any time summon a special meeting of Council, and it shall also be his/her duty to summon a special meeting whenever requested, in writing, to do so by a majority of the Members of Council.
- b) In the absence of the Warden, or if the office is vacant, or if the Warden refuses to act, a special meeting may be summoned by the County Clerk upon a request signed by a majority of the Members of Council.
- c) Subject to the provisions of the *Municipal Act, 2001*, c. 25, S.O. 2001, as amended, the Council may be summoned to a special meeting referred to and in subsection 7.4 (a) and 7.4 (b), on two day's notice (48 hrs.) unless otherwise determined by the Warden.

7.5 **Postponement of Meetings:**

Any regular meetings of Council may be postponed to a day named in:

- a) A notice by the Warden. In the event the Warden determines that the regular date for Council in any particular month should be changed, Council shall meet at the call of the Warden on the day or days specified in the notice of meeting forwarded to each Member of Council from the office of the County Clerk, which notice shall be mailed or otherwise forwarded to each and every Member of Council at least a week prior to the date of the meeting; or
- b) By a special motion of Council passed by the majority of Members.

Adjournment:

- a) The Council shall adjourn at the hour of 1:00 p.m., unless otherwise determined by a vote of the Members present.
- b) The Members of the Council shall not leave their places until the Warden declares the meeting adjourned.

7.6 **Alter Time, Day or Place:**

Council may, by Resolution, alter the time, day or place of any Council Meeting.

PART 8: PUBLIC NOTICE OF MEETINGS/AGENDAS

- 8.1 The published Agenda shall be considered as adequate notice of Regular Meetings of Council, except for meetings held on a day or at a time other than as provided for by this By-Law.
- 8.2 The Agenda for Regular Meetings shall be delivered to the Warden and Members not later than forty-eight (48) hours prior to the meeting.
- 8.3 Notice and Agendas of Special Meetings called in accordance with subsection 7.4 of this By-Law shall be delivered prior to the meeting not later than forty-eight (48) hours before the hour appointed for the special meeting.
- 8.4 No business except the business dealing directly with the purpose mentioned in the Notice shall be transacted at any Special Meeting.
- 8.5 Notwithstanding any other provision of this By-Law, an Emergency Meeting may be held without written Notice, to deal with an emergency or extraordinary situation, provided that an attempt has been made by the Clerk to notify the Members about the Meeting as soon as possible and in the most expedient manner available.
- 8.6 No business except business dealing directly with the emergency or extraordinary situation shall be transacted at the Emergency Meeting.
- 8.7 Lack of receipt of a Notice or of the Agenda by the Members shall not affect the validity of the Meeting or any action taken thereat.
- 8.8 A copy of the monthly calendar outlining the regular meetings and annual meeting schedule shall be posted on the Corporation's website.
- 8.9 A complete copy of the agenda and council package shall be posted on the Corporation's website and will be available in the Legal Services/Clerk's Department for inspection, at least 2 days prior to the meeting date.

PART 9: DELEGATIONS TO COUNCIL

- 9.1
 - a) Persons desiring to present verbally, information on matters of fact, petitions, or to make a request of Council, shall notify the Clerk in writing of their desire to address Council by no later than 12:00 noon on the sixth working day immediately preceding the Council meeting which they propose to attend.
 - b) Any person wishing to present correspondence directly to County Council shall do so through the Legal Services/Clerk's Department office no later than 12:00 noon on the sixth working day immediately preceding the Council meeting. All delegations shall be made to County Council.
 - c) Any person wishing to present to Council on a matter that was included on the most recent prior Committee Agenda, shall notify the Clerk in writing of their desire to address Council no later than 12:00 noon on the second working day immediately preceding the Council meeting which they propose to attend.
- 9.2 All such persons desiring to make a presentation to Council shall, in writing, identify who they are, as well as which group or organization, if any, they claim to represent or be a Member of, vis-à-vis the topic of their presentation.
- 9.3 All such persons desiring to make a presentation to Council shall provide to the Clerk, in writing, the full nature of their presentation by no later than

12:00 noon on the sixth working day immediately preceding the Council meeting which they propose to attend.

- 9.4 All such persons who are permitted to make a presentation to Council shall be limited in speaking to a period of not more than ten minutes, which time can be lengthened by the Warden, or by motion of Council where special circumstances so warrant. Persons who provide less than six working days of Notice to the Clerk are granted not more than five minutes to address Council, which time can be lengthened by the Warden, or by motion of Council where special circumstances so warrant.
- 9.5 All references in this section to “persons” shall also include, where appropriate, references to “group” or “organization” so that where there is a number of persons who wish to speak who are all part of the same group or organization, the group or organization shall only be permitted one spokesperson, unless permission to speak by other Members of the group or organization is otherwise granted by the Warden or by motion of Council.
- 9.6 Subject to subsection 9.7 below, no person shall be permitted to speak to Council more than once on the same topic without the prior permission of the Warden, such permission to be sought no later than 12:00 noon on the sixth working day immediately preceding the Council meeting, or by motion of Council where special circumstances so warrant.
- 9.7
- a) No person shall be permitted to address Council regarding a position previously adopted by Council without a motion of reconsideration, within the term of Council.
 - b) A written request to address Council on a matter previously decided shall be submitted to the Clerk by no later than 12:00 noon on the sixth day immediately preceding the Council meeting where it shall be placed on the agenda.
 - c) No action will be taken on the request unless a motion to reconsider the matter is passed by Council.
 - d) Where a motion to reconsider is passed by Council, delegations may be permitted to address Council at the meeting set by Council where the matter will be reconsidered where the delegation otherwise meets the provisions of this By-Law.
 - e) The Clerk shall inform the person requesting the delegation of the outcome of the matter.
- 9.8 No person shall be permitted as a delegate to Council if the purpose of the delegation is to speak regarding:
- a) a tender or request for proposal which is either proposed, pending, or actually before Council or a Committee of Council for its consideration;
 - b) labour relations;
 - c) legal issues including the enforcement of By-Laws, litigation and potential litigation;
 - d) insurance claims; or
 - e) contract negotiations.

PART 10: ACCESS TO MEETINGS

- 10.1 All meetings of the Council of the County of Lambton shall be open for attendance by the public.
- 10.2 Notwithstanding paragraph 10.1 above, a meeting of Council, may be closed to the public if the subject matter being considered relates to:
- a) the security of the property of the municipality or local board;
 - b) personal matters about an identifiable individual, including municipal employees;
 - c) a proposed or pending acquisition or disposition of land by the municipality;
 - d) labour relations or employee negotiations;
 - e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality;
 - f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - g) a matter in respect of which a council may hold a closed meeting under another Act;
 - h) the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act.
- 10.3 Before holding a meeting or part of a meeting that is to be closed to the public, Council shall state by resolution:
- a) the fact of the holding of the closed meeting; and
 - b) the general nature of the matter to be considered at the closed meeting.
- 10.4 Subject to subsection 10.5, a meeting shall not be closed to the public during the taking of a vote.
- 10.5 Despite Section 10, a meeting may be closed to the public during a vote if:
- a) subsection 10.2 permits or requires a meeting to be closed to the public; and,
 - b) the vote is for a procedural matter or for giving directions or instruction to officers, employees, or agents of the Corporation or persons retained by or under contract with the Corporation.
- 10.6 Whenever possible, all reports on in-camera matters shall be in writing and all Offers to Purchase for the sale of land, either initiated or received by the County of Lambton, shall be in writing and presented to Council. Notwithstanding subsection 3.3 in situations where new information or an emergency exists, a simple majority of County Council could override this clause to deal with that situation.

PART 11: ORDER OF PROCEEDINGS, AGENDAS & MINUTES

11.1 Council Agendas:

The order of business of Council at a regular meeting shall be generally as follows:

1. Roll Call;
2. Land Acknowledgment;
3. Disclosures of Pecuniary Interest;
4. In-Camera Session (if required);
5. Silent Reflection;
6. Rise and Report;
7. Delegations;
8. Considerations of Minutes of the Previous Session(s);
9. Board of Health (Lambton Public Health);
10. Correspondence;
11. Information Reports;
12. Items not requiring a motion;
13. Reports requiring a motion;
14. Committee Minutes;
15. Items Tabled;
16. Notice of Motion;
17. Other Business;
18. By-Laws;
19. Adjournment;
20. Oh Canada.

(Amended by By-Law 27 of 2024 on October 02, 2024)

11.2 **Minutes**

- a) The minutes of Council shall consist of a record of the place, date and time the meeting started and adjourned, the name of the Warden, a record of all Members present and the names of those absent.
- b) Minutes shall be considered by Council at the next regular Council meeting in order to correct any errors or omission and adopt the minutes subject to any corrections necessary.
- c) Electronic and digital records which depict Council meetings are to be used as evidentiary aides, but do not constitute official minutes. Only the written records of the Corporation constitute official minutes.
- d) After the minutes have been adopted they will be signed by the Warden and Clerk.

PART 12: COMMENCEMENT OF MEETINGS

- 12.1 A simple majority of the Members of the Council shall constitute a quorum.
- 12.2 With quorum present at the meetings established start time, the Warden shall take the chair and call the Members to order.
- 12.3 If there is no quorum present within one-half hour after the time appointed for the meeting, the Clerk shall call the roll and record the names of the Members of Council present and the meeting shall stand adjourned until the next regular meeting day, subject to the provisions of subsections 7.4 (a) and 7.4 (b).
- 12.4 In the absence of the Warden, or if his/her office is vacant, the Deputy Warden shall exercise all rights, powers and authority of the Warden.
- 12.5 In the event the Warden and Deputy Warden are absent, or in the event they refuse to act, Council may from its Members appoint a Warden who, during such absence or vacancy, or refusal to act, shall have the power of the Warden.

PART 13: ROLE OF THE WARDEN

13.1 It is the role of the Warden as the Head of Council:

- a) to act as Chief Executive Officer of the Corporation;
- b) to preside over Council meetings so that its business can be carried out efficiently and effectively;
- c) to provide leadership to Council;
- d) to represent the Corporation at official functions;
- e) to carry out the duties of the head of Council under any Act; and

13.2 As Chief Executive Officer of the Corporation, the head of Council shall:

- a) uphold and promote the purposes of the Corporation;
- b) promote public involvement in the Corporation's activities;
- c) act as the representative of the Corporation both within and outside the County and promote the County locally, nationally and internationally; and
- d) participate in and foster activities that enhance the economic, social and environmental well-being of the County and its residents.

PART 14: ROLE OF THE COUNCIL

14.1 It is the role of Council:

- a) to represent the public and consider the well-being and interests of the County;
- b) to develop & evaluate the policies and programs of the Corporation;
- c) to determine which services the county provides;
- d) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
- e) to ensure the accountability and transparency of the operations of the Corporation, including the activities of the senior management of the Corporation;
- f) to maintain the financial integrity of the Corporation; and
- g) to carry out the duties of Council under any Act.

PART 15: RULES OF CONDUCT

15.1 Every Councillor, previous to speaking, shall stand and address the Chair.

15.2 All Members shall rise when the Warden enters the Chambers and shall remain standing until the Warden is seated.

15.3 No Member shall:

- a) Speak disrespectfully to the Warden, or to, or concerning, any Member of the Council.

- b) Use profane or indecent language.
 - c) Speak on any subject matter other than the subject in debate.
 - d) Disturb another, or the Council itself, by any disorderly conduct disconcerting to any Member speaking.
- 15.4 No Member shall resist the Rules of Procedure, or disobey the decision of the Warden, or of the Council on questions of order, or practice, or upon the interpretations of the Rules of Procedure of the Council.
- 15.5 No Member shall walk across, move about, enter or exit the Chambers or make any noise or disturbance when the Warden is putting the question and each Member present shall occupy his/her seat while a vote is being taken and until the result thereof is declared.
- 15.6 No Member shall interrupt a Member who has the floor except to raise a point of order.
- 15.7 No Member shall be permitted to retake his/her seat at any meeting after being ordered by the Warden to vacate after committing a breach of any Rule of Procedure, without making an apology to Council.
- 15.8 Any Member violating the confidentiality of in-camera meetings may not, at the discretion of Council, be allowed to sit at future in-camera meetings.
- 15.9 The response of Members to enquiries about any matter dealt with by Council at a closed meeting, prior to it being reported publicly, shall be "no comment", or words to that effect.
- 15.10 In situations where a member municipality has commenced or threatened legal proceedings against the Corporation, and the instruction, direction or advice of legal counsel for the Council is required, the member municipality which has commenced or threatened such legal proceedings shall vacate the Committee meeting or Council Chamber while such instruction, direction or advice is considered, and a quorum shall be calculated from the remaining municipalities.
- 15.11 In the event that a Member is aware he or she has a pecuniary interest, or that there is an item on the agenda as described by section 15.10, it is the duty of the Member to inform the County Clerk so that he or she is not provided with in-camera materials or reports regarding such matters as potential litigation against his or her member municipality.

PART 16: RULES OF DEBATE

- 16.1 The Warden shall preside over the conduct of the meeting including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meeting, subject to an appeal to the Council.
- 16.2 The Warden may answer questions and comments in a general way without leaving the Chair, but if he/she wishes to make a Motion or to speak on a Motion taking a definite position and endeavouring to persuade the Council to support that position, then he/she shall first leave the Chair.
- 16.3 If the Warden desires to leave the Chair for the purpose of taking part in the debate or for any other reason, the Deputy Warden will sit in his/her place until he/she resumes the chair.

- 16.4 Before a Member may speak to any matter, he/she shall first be recognized by the Warden.
- 16.5 When two or more Members indicate simultaneously that they wish to speak, the Warden shall name the Member who is to speak first.
- 16.6 No Member may speak more than twice on the same issue, except the mover, who shall have the right to reply when all other speakers are finished, providing any Member who perceives himself/herself to be misunderstood may explain his/her position, but in no case may a new matter be introduced.
- 16.7 Any Member of Council may as of right, require the question or Motion in discussion to be read for his/her information, but not so as to interrupt a Member speaking.

PART 17: QUESTIONS OF PRIVILEGE AND ORDER

- 17.1 Any Member rising to a point of order shall state the point of order without debate, and the Member so called to order shall desist from speaking until the Warden decides the point of order after which any Member may address the Chair to appeal the point of order.
- 17.2 Any Member may appeal the decision of the Warden on a point of order to the Council which shall decide the question without debate.
- 17.3 Unless a Member immediately appeals the Warden's decision to the Council, the decision of the Warden shall be final.
- 17.4 If the decision of the Warden is appealed to the Council, then the question "Shall the ruling of the Chair be sustained?" shall be put immediately without debate and its result shall be final.

PART 18: MOTIONS

- 18.1 Any Member of Council may give notice of intent that he or she will introduce a Motion at the next or a subsequent meeting of Council to introduce a new matter, or initiate any measure to make any change in the Council's established policy. The giving of notice requires no seconder and is not at that time debatable.
- 18.2 All Notices of Motion shall be in writing, signed by the mover and filed with the Clerk, at least six (6) days prior to the meeting of Council
- 18.3 Notices of Motions filed with the Clerk shall be directed to the next Regular Council Meeting unless otherwise noted.
- 18.4 A Motion to table is not debatable when seconded, and shall be put to Council immediately. A tabling Motion shall have a reference to the time it is to be brought back to Council.
- 18.5 All Motions must be formally seconded before the Warden can put the question to Council.
- 18.6 Every Motion shall be deemed to be in the possession of the Council for debate after it is accepted by the Warden, but may, with the permission of the Council, be withdrawn at the joint request of the Mover and Secunder at any time before the Motion is disposed of.
- 18.7 A Motion to adjourn, which need not be in writing, shall always be in order when seconded except:

- a) When a Member is in possession of the floor;
 - b) When the Members are voting; or,
 - c) When it has been decided by the Warden that the question has been put forthwith.
- 18.8 Only one amendment to a motion shall be allowed on the floor at one time.
- 18.9 A Motion to amend:
- a) Shall be relevant and germane to the motion; and,
 - b) Shall not be received if it proposes a direct negative to the question.
- 18.10 A Motion to call the question (close the debate) shall:
- a) not be amended;
 - b) not be debated;
 - c) apply to the Motion or amendment under debate at the time when the Motion to put the question is made.
- 18.11 A Motion to refer a matter under consideration to a Committee or the Administration or elsewhere shall:
- a) be open to debate;
 - b) be amendable; and
 - c) preclude amendment or debate of the preceding Motion, unless the Motion to refer is resolved in the negative, in which case the preceding Motion shall be open to debate and amendment.

PART 19: VOTING PROCEDURES

- 19.1 When the question under consideration contains two or more propositions the same shall, at the request of any Member of Council, be put separately.
- 19.2 Voting on the main Motion and amending Motions shall be conducted in the following order:
- a) a Motion to amend a Motion to amend the main Motion;
 - b) a Motion (as amended or not) to amend the main Motion;
 - c) the main Motion (as amended or not)
- 19.3 Every Member of Council present at a Council Meeting when a question is put shall vote thereon, except where he/she is disqualified to vote by reason of a pecuniary interest or is absent from the Council Chamber when the question is put.
- 19.4 Every Member of Council who is not disqualified from voting by reasons of a declared pecuniary interest shall be deemed to be voting against the Motion if he/she declines or abstains from voting.
- 19.5 All votes shall be by show of hands, except when a Recorded Vote is requested. The manner of determining the decision of the Council on a Motion shall not be by secret ballot or by any other method of secret voting.

- 19.6 When there is a tie vote on any Motion, it shall be deemed to have been decided in the negative.
- 19.7 When called for by any Member or when required by law, a Recorded Vote shall be taken and the results declared by the Clerk.
- 19.8 When voting during a Recorded Vote, each Member shall be called by the Clerk and shall answer "yes" if voting in favour of the question or answer "no" when voting against the question.
- 19.9 A Member may call for a Recorded Vote immediately prior to or immediately after the taking of the vote, being any time before the next item on the agenda is addressed.
- 19.10 When a Recorded Vote is taken, the names of those who voted for and those who voted against the Motion shall be entered in the Minutes.
- 19.11 When recording the "yes" votes and the "no" votes, the Clerk shall call the names in the same order as they appear on the roll call list beginning with a name randomly drawn by the Warden from a container holding all Member names. The Clerk shall, if requested, read the vote so taken either before the results or immediately following.
- 19.12 Any question on which there is an equal number of votes cast, shall be deemed to be negated.

PART 20: RECONSIDERATION

- 20.1 A Member who voted with the prevailing side of an issue and who wishes to bring a motion to reconsider shall do so in writing to the County Clerk at least six (6) days prior to the meeting of Council.
(Amended by By-Law 8 of 2022 on April 06, 2022)
- 20.2 Any Motion except a motion to refer, to amend, to table or to adjourn maybe reconsidered subject to the provisions contained in this section.
- 20.3 No debate on a Motion to reconsider a decided matter shall be permitted; however, the Mover of a Motion to reconsider may make a brief and concise statement outlining the reasons for proposing such reconsideration.
- 20.4 No Motion to reconsider a decided matter shall be considered more than once during the same meeting.
- 20.5 No report or Motion shall be reconsidered within the term of Council, except with the permission of Council granted upon a majority vote of the Members present.
- 20.6 When a Motion to reconsider a decided matter is adopted, the matter will not be discussed until the following meeting of Council.
- 20.7 In the event that a Motion to reconsider is adopted, staff shall take no further action on the course set by the original Motion until the matter is actually considered again.

PART 21: ENACTMENT OF BY-LAWS

- 21.1 Every proposed By-Law shall be introduced by a motion.
- 21.2 Every By-Law previous to its being adopted by Council shall receive three readings.

- 21.3 It shall be the duty of the Clerk to revise all By-Laws after the first reading and after such revision, shall initial same and certify on the said By-Laws that the same are correct, and at every succeeding stage of such By-Law, the said Clerk shall be held responsible for their corrections should amendments be made.
- 21.4 Upon the final reading and passing of any By-Laws, the same shall be numbered and certified by the signatures of the Warden and Clerk and the Seal of the Corporation shall certify same with the date thereof at the foot of the By-Law.

PART 22: DISCLOSURES OF PECUNIARY INTEREST

- 22.1 If a Member has any pecuniary interest, direct or indirect, in any matter in which the Council is concerned and if he/she is present at a meeting at which the matter is the subject of consideration, he/she shall disclose his/her interest and the general nature thereof and shall not take part in the consideration or the discussion of the matter nor vote on any Motion in regard to the matter. If a Member is not present and has any pecuniary interest, he/she shall disclose his/her interest at the next meeting in attendance.
- 22.2 Where the meeting referred to in subsection 22.1 is not open to the public, in addition to complying with the requirements of that subsection, the Member shall leave the meeting or the part of the meeting during which the matter is under consideration.

PART 23: CONFIRMING BY-LAW

- 23.1 The proceedings at every Regular and Special Meeting shall be confirmed by By-Law so that every decision of the Council at that meeting and every Resolution passed thereat shall have the same force and effect as if each and every one of them had been the subject matter of a separate By-Law duly enacted.

PART 24: STANDING COMMITTEES OF COUNCIL

- 24.1 There shall be one (1) Standing Committee of Council, being the Committee of the Whole.
- 24.2 The Committee of the Whole will meet from 9:00 AM to 11:00 AM every third Wednesday of the month.
- 24.3 Membership for the Committee of the Whole shall be County Council.
- 24.4 The responsibilities of the Committee of the Whole shall be to develop policies and programs and make recommendations to County Council on matters related to:
- Infrastructure & Development Services Division
 - Public Health Services Division - Emergency Medical Services Department
 - Cultural Services Division
 - Long-Term Care Division
 - Corporate Services Division
 - Finance, Facilities and Acquisitions Division
 - Social Services Division
- 24.5 The Committee of the Whole shall elect a Chair and Vice Chair annually in the first month of the calendar year.

- 24.6 Each Member of the Committee of the Whole shall have a single vote at the Committee of the Whole.

(Amended by By-Law 27 of 2024 on October 02, 2024)

PART 25: ELECTRONIC MEETINGS

- 25.1 For the purposes of this Part 25, the following capitalized term has the following meaning and all other capitalized terms shall have the meaning given to them in Part 2 hereof:

"Electronic Meeting" means a meeting called by the Warden and held in full or in part through such electronic means selected by the Warden, in consultation with the Clerk, taking into account the County of Lambton's resources, which may include, but not be limited to, audio telephone conference, video telephone conference, or online through the Internet or otherwise via the Internet, and with or without in person attendance;

- 25.2 Notwithstanding any other Part hereof, at the call of the Warden a regular or special meeting of Council (including, for greater certainty, any Committee meeting) may be conducted by Electronic Meeting, in accordance with this Part and any other protocol and/or policy as may be approved by Council from time to time;
- 25.3 A Member attending and present during an Electronic Meeting shall be counted for purposes of quorum at the commencement and at any point in time during the Meeting, and shall be entitled to vote as if they were attending the Meeting in person;
- 25.4 An Electronic Meeting may include a Closed Meeting, which shall be conducted with members of the public excluded therefrom and in accordance with this Part;
- 25.5 A public notice of an Electronic Meeting shall include sufficient information as to provide the public with the ability to reasonably access and/or otherwise observe, by such means identified in the notice, the open session of the Electronic Meeting;
- 25.6 Despite any other Part hereof any person desiring to present verbally to, or to make a request of, or present correspondence to, Council at and/or during an Electronic Meeting, shall first give the requisite notice thereof to the Clerk and meet all other requirements of these Rules of Procedure, and provided such requirements have been met, shall only be permitted to make such presentation, request or present such correspondence in writing, provided further that such written presentation, request and/or correspondence is received by the Clerk no later than 12:00 noon on the sixth working day immediately preceding the Electronic Meeting;
- 25.7 (a) As a general rule, Members are expected to attend a non-Electronic Meeting of Council (and those of its standing committees) in person. It is understood however that Member(s) may from time to time not be able to attend a meeting in person. For such reasons, and separate and apart from an Electronic Meeting scheduled pursuant to Part 25.2 above, regular and special meetings of Council (and those of its standing committees), including for greater certainty the open and close session portions thereof, shall be made accessible to Council members by Electronic Means. Members shall be permitted to attend and participate in regular and special meetings of Council (and those of its committees) remotely by Electronic Means and those so attending shall be counted towards the meeting's quorum.

(b) For the purposes of paragraph (a) above, "Electronic Means" includes such electronic method selected by the Warden, in consultation with the

Clerk, taking into account the County of Lambton's resources, which may include, but not be limited to, online Internet meeting platform resources such Microsoft Teams and/or Zoom, audio telephone conference and/or video telephone conference.

(c) The Rules of Procedure shall continue to apply to Members attending and participating by Electronic Means.

(d) In addition to such other content that these Rules of Procedure prescribe for the minutes of Council, a record of Members who participated by Electronic Means (and not in person) shall be noted in the minutes.

(Amended by By-Law 3 of 2023 on December 07, 2022)

THIS BY-LAW read a first, second and third time and finally passed this 26th day of November, 2014.

Todd Case
Warden

David Cribbs
Clerk