THE CORPORATION OF THE CITY OF THOROLD

BY-LAW NO. 74-2026

A BY-LAW TO GOVERN THE CALLING, PLACE AND PROCEEDINGS OF COUNCIL MEETINGS

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

WHEREAS the City of Thorold Procedure By-law is recognized as a key document describing the municipality's accountability, transparency and notice requirements; and

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the City of Thorold enacts as follows:

Table of Contents

DEFINITIONS 2
1.0 PURPOSE AND PRINCIPLES 4
1.1 Purpose 4
1.2 Principles 4
2.0 GENERAL 4
3.0 ELECTRONIC DEVICES 5
4.0 ROLES AND DUTIES 5
4.1 Role of the Mayor 5
5.0 MEETINGS 6
Meetings Open to the Public 8
Inaugural Meeting of Council 8
Notice of Meeting 8
Special Meetings or Emergency Meetings 9
Closed Session 9
6.0 CALL TO ORDER AND QUORUM 10
7.0 DISCLOSURE OF INTEREST 11
8.0 ADJOURNMENT 11
COUNCIL AGENDA AND MINUTES 11
9.0 COUNCIL AGENDA 11
Council Information Package 12
10.0 NOTICE OF MOTION 12
11.0 MOTIONS 13
12.0 BY-LAWS 13
13.0 MINUTES 14
14.0 COUNCIL CONDUCT AT MEETINGS 15
Conduct of Public: 15
15.0 PRESENTATIONS/DELEGATIONS/PUBLIC MEETINGS 16

Presentations:..... 16
Delegations:..... 16
Statutory Public Meeting:..... 17
16.0 QUESTIONS/SPEAKING..... 17
17.0 VOTING..... 18
19.0 RECONSIDERATION..... 19
APPENDIX “A” Public Forum Committee Meeting Procedures..... 20

DEFINITIONS

For the purposes of this by-law the following definitions shall apply:

“Accessible” means in compliance with accessibility standards established by regulation under the Accessibility for Ontarians with Disabilities Act, 2005.

“Act” means the *Municipal Act, S.O. 2001*, c. 25, as amended or replaced from time to time.

“Agenda” means the order of business setting out the matters to be considered at a meeting.

“Amend” means a change in wording or substance of a Motion before Committee or Council or a prior decision of the Council.

“By-law” means an enactment, in a form approved by Council, passed for the purpose of giving effect to decisions or proceedings of Council.

“Chair” means the person presiding at a meeting.

“Chief Administrative Officer” means the “CAO” for the City of Thorold.

“City” means The Corporation of the City of Thorold.

“City Clerk” means the City Clerk for the City of Thorold, the Deputy Clerk, or designate.

“Civic Recognition” means individuals before Council to accept an award or recognition; or for members of the community presenting an award or recognition to the Corporation; or whereby Councillors can recognize community events.

“Closed Meeting” means a meeting, or part of a meeting of Council which is closed to the public as permitted by the Municipal Act. Only the Mayor and Councillors, designated City Staff, and other persons specifically permitted by the Council, may attend pursuant to the criteria for closed/in-camera meetings set out in applicable Provincial legislation.

“Committee of Council” means an advisory committee established by Council to provide input, advice and recommendations to staff and City Council on topics identified in their Terms of Reference.

“Confirmation By-law” means a by-law passed at the conclusion of Council meetings, confirming the actions of Council taken at that meeting in respect to each resolution and other actions taken, so that every decision of Council at that meeting shall have the same force and effect as if each and every one of them had been the subject-matter of a separately enacted by-law.

“Council” / “Councillor” means the Municipal Council of the City of Thorold, composed of the Mayor and six (6) Councillors.

“Defer” means to remove a main motion from consideration of City Council or Committee until such time as provided for in the deferral motion.

“Delegation” means an individual who has submitted a request for delegation to the Clerk within the prescribed timelines to address Council in relation to a matter appearing on the current agenda.

“Deputy Mayor” means a Councillor acting in the place of the Mayor, when they are absent. This position is alternated by Councillors appointed by by-law, pursuant to the provisions of the *Municipal Act*.

“Items for Consent” means a listing of items that include, but are not limited to, those where no discussion is anticipated, informational items and routine matters.

“Items for Consideration” means a listing of items that may garner discussion and which may have an associated presentation or Council request.

“Electronic Meeting” means a meeting called and held in full or in part via electronic means (includes but not limited to audio teleconference, video teleconference, or via means of the internet) and with or without in-person attendance.

“Majority Vote” means the affirmative vote of a majority of Councillors who are qualified to vote, after a quorum has been declared to be present at a meeting.

“Mayor” means the Head of Council for the City of Thorold.

“Meeting” means a gathering of Council Members to advance the business of Council.

“Motion” means a proposal, moved by a member and seconded by another member for the consideration of Council.

“Notice of Motion” means a verbal statement, given by a member, advising Council that a motion generally described will be brought forward at a subsequent meeting.

“Pecuniary Interest” means a direct or indirect financial impact in accordance with the *Municipal Conflict of Interest Act,* R.S.O. 1990, c.M. 50.

“Point of Order” means a concern about the order in which business is being considered, or about a procedure or procedures being used in the course of a meeting.

“Point of Privilege” means a concern about the honour, dignity, character or rights of the mayor, or of a member of the Council or challenge of a Chair.

“Presentation” means information presented to Council in person by an individual or group on an issue that is not respecting a matter already on the Agenda, and which typically does not require any action to be taken by Council.

“Public Forum Committee” an informal forum where individuals can participate with elected officials and staff to resolve concerns in a way that fosters positive relationships. Terms of Reference are attached as Appendix “A”.

“Public Meeting” means a meeting of City Council conducted pursuant to the Planning Act, other provincial legislation or the City’s Notice By-law.

“Quorum” means a majority four (4) members of the City Council, either electronically or physically present.

“Reconsideration” means revisiting a previously decided motion of the Council for the purpose of rescinding the motion or changing the core purpose and intent of the motion.

“Recording Device” means any device used for the purpose of recording whether it be analogue, digital or other means of recording, including but not limited to computers, cell phones, smartphones, tablets, voice recorders, cameras or any other similar devices.

“Refer” means to remove a Main Motion from consideration by directing the matter or for administration pending more information is provided at a time provided for in the referral motion.

“Strong Mayor Powers**”** means those powers, duties and responsibilities set out in Part VI.1 of the Act, titled “Special Powers and Duties of the Head of Council”, and any regulation made thereunder, applying solely to the person who has been elected as Mayor (head of council) under the provisions of the *Municipal Elections Act, 1996*.

“Two-Thirds (2/3) Vote” means the affirmative vote of two-thirds of the members of the Council who are present at a meeting.

“Unanimous Vote” means the affirmative vote of all members of the Council who are present at a meeting.

“Unfinished Business” means matters listed on an Agenda which have not been dealt with by curfew or the adjournment of the Meeting, or a matter that has been deferred for further consideration.

1.0 PURPOSE AND PRINCIPLES

1.1 Purpose

a) Council shall observe the Rules of Procedure contained in this by-law in all proceedings of the Council. This by-law shall be used to guide the order and business of Council.

b) This by-law sets out processes that are open and transparent.

1.2 Principles

a) Each member has the right to:

i) One vote, subject to the declaration of pecuniary interest;
ii) Information to help make decisions, unless otherwise prevented by law;
iii) An efficient meeting; and

b) Be treated with respect and courtesy No item shall be placed on the agenda with respect to a matter which is not within the jurisdiction of Council. The Chair, in consultation with the Clerk, will determine if a matter is within the jurisdiction of Council.

2.0 GENERAL

2.1 Any rules or regulations contained in this by-law may be temporarily suspended, except for those rules or regulations that are set out by legislation, with the consent of **at least two-thirds** vote of the whole Council. This should be restricted to cases of extreme urgency.

2.2 All procedures of the Council not specifically provided for in this by-law, or by the Revised Statues of Ontario or Regulations, shall be decided by a motion duly put and passed by a **majority vote**.

2.3 The Clerk will be responsible for interpreting the rules of procedure under this by-law.

2.4 All points of order or procedure for which rules have not been provided in this by-law will be decided by the Chair in accordance, as far is reasonably practicable, with the rules of parliamentary law as contained in Robert's Rules of Order.

2.5 All boards as described as Local Boards under the Municipal Act and Committees of Council will use the rules of order and debate and relevant provisions of this by-law to govern the calling and proceedings of meetings.

2.6 All groups, agencies, firms or Corporations that receive funding from Council will adopt provisions related to access to public meetings similar to this by-law.

2.7 Should any provision of this By-law be or become in conflict with any statue of the Province of Ontario or with any specific procedure approved by the Council and still in effect for certain matters, the statue or specific procedure shall prevail.

2.8 During the sittings of Council, no person other than a member of Council and officials of the Corporation shall, without the prior permission of the Chair, be allowed within the Council Bar and in no case shall such person be allowed to take a seat among or occupy the seat of any of the members of Council.

2.9 In all matters and under all circumstances the Councillors shall be guided by and shall have regard to the *Municipal Conflict of Interest Act*, as amended.

2.10 Following a regular or new municipal election, the Clerk shall provide each Councillor with a copy of this by-law, including amendments thereto.

3.0 ELECTRONIC DEVICES

3.1 Each member shall place any electronic devices on a silent setting during any meeting, except for any closed meeting where electronic devices must be turned off.

3.2 No member shall use an electronic device as a recording device during any meeting.

3.3 No member shall use an electronic device to broadcast or otherwise publish or post audio, video or photographs of any meeting.

4.0 ROLES AND DUTIES

4.1 Role of the Mayor

It is the role of the Mayor, as Head of Council to:

a) Act as Chief Executive Officer of the municipality;
b) Preside over Council Meetings so that its business can be carried out efficiently and effectively, unless unavailable, in which case the Deputy Mayor will act as the Chair;
c) Provide leadership to Council;
d) Represent the municipality at official functions;
e) Carry out the duties of the Head of Council under the *Municipal Act, 2001*, as amended, and any other Act.

It is the role of the Mayor, as Chief Executive Officer of the Municipality to:

a) Uphold and promote the purposes of the municipality;
b) Promote public involvement in the municipality's activities;
c) Act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally;
d) Participate in and foster activities that enhance the economic, social and environmental well-being of the municipality of its residents.

4.2 **Role of the Deputy Mayor:**

a) Council shall appoint by by-law a Deputy Mayor. When the Head of Council or designated member is absent or refuses to act or the office is vacant, and while doing so the Deputy Mayor has all the powers and duties of the Head of Council or designated member as the case may be with respect to the role of presiding at meetings, save and except for Strong Mayor Powers.
b) The Deputy Mayor shall serve as Chair over meetings when requested by the Mayor.

4.3 **Role of Council:**

It is the role of Council to:

a) Represent the public and consider the well-being and interests of the municipality;
b) Develop and evaluate the policies and programs of the municipality;
c) Determine which services the municipality provides;
d) Ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
e) Ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
f) Maintain the financial integrity of the municipality;
g) Carry out the duties of Council under the *Municipal Act, 2001*, as amended, and any other Act.

4.4 **Role of the Clerk:**

It is the role of the Clerk to:

a) Carry out the responsibilities of their roles as described in Section 228 of the *Municipal Act*,;
b) Provide procedural advice to the Chair and Council on agenda business and on preparing motions;
c) Ensure notice of meetings is provided as set out in the by-law;
d) Make minor deletions, additions or other administrative changes to any by-law, motion and/or minutes to ensure the correct and complete implementation of the actions of Council;
e) Authenticate by signature when necessary all by-law and minutes of meetings and certify copies of such documents when required;
f) Perform such other duties as prescribed by law, or by direction of Council.

5.0 MEETINGS

5.1 All meetings of Council shall be held in the Council Chamber at Thorold City Hall, 3540 Schmon Parkway, Thorold, Ontario, and/or virtually through electronic

means, according to the schedule to be set annually and approved by Council, unless otherwise established by the resolution of Council.

5.2 Regular meetings of Council shall be held on a Tuesday, commencing at 6:30 p.m., in Open Session or on such other day, time or place as may be determined from time to time by resolution of Council.

5.3 In the event that such day is a holiday, Council shall meet at an appropriate date as soon as possible following the holiday.

5.4 Council may reduce the number of meetings to be held in the months of January, July and August, or any of them.

5.5 A schedule of Meetings of Council shall be published on the City's website by December 1st each year for the following year. Following a regular Municipal Election, the scheduled Meetings of Council shall be published on the City's website as soon as possible after approval by Council.

5.6 Councillors will advise the Clerk if they are unable to attend a Regular or Special meeting. If the Clerk becomes aware that a quorum will not be available for a scheduled meeting, the Clerk shall notify the Mayor and make the necessary arrangements to cancel and/or reschedule the meeting to an alternate date and time.

5.7 No meeting of Council shall be held in the absence of the Clerk or designate, including Closed Session meetings, in accordance with the requirements the Act, as amended.

5.8 A regular meeting or special meeting of Council may be conducted electronically or through a hybrid of in person participation and electronic.

5.9 Members attending and present during an electronic or hybrid 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.

5.10 An electronic or hybrid meeting may include a closed session which shall be conducted in the absence of the public.

5.11 A public notice of an electronic meeting shall include sufficient information as to provide the public with access to the open session.

5.12 Presentation/delegations may participate in an electronic or hybrid meeting via telephone, written comment, video conference or other technology methods deemed appropriate by the City Clerk.

5.13 A member of Council who is unable to participate electronically shall provide the Clerk a minimum of 48 hours' notice in advance so other arrangements for participation can be considered.

5.14 The Chair shall lead the meeting, and may do so virtually, supported by the City Clerk or designate, who may also attend the meeting virtually.

5.15 The Chair is to announce each agenda item on the floor of the meeting and shall maintain an orderly meeting process keeping members informed.

5.16 The Chair will acknowledge a member who requests to speak and maintain a speaker's list, based on the Chair's discretion, to ensure all members are able to participate in the debate in keeping with meeting rules. The Chair will call out the name of the member assigned to speak.

5.17 All Council meetings will be livestreamed and recordings available through the City's website.

5.18 Upon being apprised that a hybrid meeting is interrupted and cannot proceed with its live feed, due to loss of connection, sound or video, the meeting will continue as long as quorum is maintained, and the connection will be resumed as soon as possible.

5.19 Upon being apprised that a virtual Council meeting is interrupted and cannot proceed with its live feed, due to loss of connection, sound or video, the meeting will be recessed for up to 15 minutes. If the live feed of a virtual Council meeting cannot be resumed within 15 minutes, the meeting will be considered adjourned with the names of the members present and any decisions of Council up to the point in time of the interruption shall be recorded in the minutes of the meeting. The Council meeting will be rescheduled to another day or the next regularly scheduled meeting date.

Meetings Open to the Public

5.20 Except as provided herein, all meetings of Council shall be open to the public.

5.21 The Chair may expel or exclude from any meeting any person who has engaged in improper conduct at the meeting.

Inaugural Meeting of Council

5.22 The inaugural meeting of the newly elected Council after a regular election shall be held at a time and place to be fixed by the Clerk.

5.23 The Mayor elect, Chief Administrative Officer and the City Clerk shall be responsible for the content and format of the agenda for the Inaugural meeting and all arrangements for the inaugural proceedings.

Notice of Meeting

5.24 The City Clerk will provide notice to the public of all meetings of Council, agendas, cancellations and re-scheduling by:

a) posting the annual meeting schedule on the City's website;
b) updating the City's website calendar within twenty-four (24) hours of any changes made to the schedule.

5.25 The agenda for each regular Council meeting will be posted to the City's website no later than the Thursday evening before the meeting.

5.26 The agenda for each Special Meeting will be posted on the City's website not less than twelve (12) hours before the time set for such special meeting, whenever feasible.

5.27 The Notice of Special Meeting will indicate date, time, location and purpose of the meeting.

5.28 Lack of notice or public notice, or of an agenda, shall not affect the validity of a regular or special meeting of the Council, or any decision(s) taken at such meeting.

5.29 The Chair may, if it appears that a storm or like occurrence will prevent the Councillors from attending a meeting, postpone that meeting by advising the Clerk and as many Councillors as they are able to reach. Postponement will not be for any longer than the next regularly scheduled meeting.

Special Meetings or Emergency Meetings

5.30 The Chair may at any time call a special meeting of Council, or upon receipt of a petition of the majority of Councillors authorizing a Special Council Meeting, the Clerk shall call a special meeting of Council for the purposes and/or at the time mentioned in the petition.

5.31 Notice of Special Meetings of the Council shall be delivered to each Councillor as expeditiously as possible, and shall include an agenda which shall set out the matter(s) to be considered and Council shall not consider any matter(s) not set out in the agenda.

Closed Session

5.32 In accordance with Section 239(2) and 239(3.1) of the *Municipal Act*, a meeting or part of a meeting may be closed to the public if the subject matter being considered is regarding:

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 or 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 reasonable by expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations or a person, groups 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) educational or training of the members where 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.

In accordance with section 239(3) of the *Municipal Act*, a meeting or part of a meeting shall be closed to the public if the subject matter being considered is regarding:

a) 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 purpose of the Act;

b) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman referred to in subsection 223.13(1) of the Municipal Act, or the investigator referred to in subsection 239.2(1) of the Municipal Act;

5.33 Prior to moving into a closed meeting for one of the reasons listed in section 5.32, Council will pass a motion stating:

a) the fact that Council is convening into closed meeting;
b) the specific provision under the *Municipal Act* that permits the item to be considered in a closed session; and
c) the general nature of the matter to be considered.

5.34 Attendance in closed meetings will be limited to the members of Council, City Clerk, Chief Administrative Officer and those specifically invited to remain by Council.

5.35 Council is prohibited from discussing any additional matters during a closed meeting.

5.36 When in closed meeting a vote will not be taken unless the vote is for a procedural matter, or for giving staff or other individuals direction under 239(6) of the *Municipal Act*.

5.37 On reconvening in an open meeting, the Chair will accept a motion regarding the matters discussed in closed meeting or alternatively advise that direction had been given to staff during the closed session in accordance with the *Municipal Act*.

5.38 The use of electronic devices to record proceedings of a closed meeting is permitted by the City Clerk or designate only for record purposes in accordance with the Retention of Records By-law.

5.39 The Clerk is responsible for maintaining a confidential copy of all original documentation distributed and confidential minutes of all closed meetings.

5.40 All Council members attending a closed meeting virtually shall have their camera on at all times or leave the meeting.

6.0 CALL TO ORDER AND QUORUM

6.1 The Chair will call the meeting to order as soon after the scheduled start of the meeting when a quorum is present. Quorum is achieved when a majority of the members are present.

6.2 If a quorum is not present within fifteen (15) minutes of the time fixed for the commencement of the meeting, the Clerk will indicate that no quorum is present and the meeting will stand adjourned until the next meeting of Council.

6.3 Where the number of members who are unable to participate in a meeting by reason of the provisions in the *Municipal Conflict of Interest Act*, R.S.O. 1990, c.M. 50, such that at the meeting the remaining members are insufficient to constitute quorum, the remaining members will be deemed to constitute a quorum.

6.4 If during a Council meeting, a quorum is lost, the Chair will declare that the meeting will stand recessed temporarily or be adjourned until the date of the next regular meeting.

7.0 DISCLOSURE OF INTEREST

7.1 It is the responsibility of each member to identify and disclose a pecuniary interest on any item or matter before Council or Committee, in accordance with the *Municipal Conflict of Interest Act*. Declarations will be provided to each member at the meeting and they are required to complete the necessary register and remit to the City Clerk at the conclusion of the meeting.

7.2 The City Clerk will record the particulars of any disclosure of pecuniary interest made by the members of Council in the minutes of that meeting.

8.0 ADJOURNMENT

8.1 All meetings will adjourn when all business listed on the agenda of Council is complete, or at 10:00 p.m., whichever is earlier.

8.2 Where the business before Council has not been completed by 10:00 p.m., a motion may be passed by two-thirds (2/3) vote of the Councillors present to proceed beyond the hour of 10:00 p.m. to continue any unfinished business.

8.3 No meeting will proceed beyond the hour of 11:00 p.m.

8.4 Unless decided otherwise prior to the adjournment of the meeting, any unfinished business will be discussed at the next scheduled Council meeting.

COUNCIL AGENDA AND MINUTES

9.0 COUNCIL AGENDA

9.1 The Clerk will prepare for the order of business as follows:

a) Call to Order
b) Land Acknowledgement
c) Declaration of Interest
d) Adoption of the Agenda
e) Adoption of the Minutes
f) Mayor’s Report
g) Regional Councillor Update (if applicable)
h) Civic Recognition (if applicable)
i) Presentations
j) Delegations
k) Statutory Public Meetings (if applicable)
l) Items for Consent
m) Items for Consideration
n) Notice of Motion
o) Motions
p) Statements by Councillor
q) Closed Session
r) Business Arising from Closed Session
s) By-laws
t) Adjournment

9.2 The business of Council will be taken up in the order on which it appears on the agenda, unless otherwise directed by the Chair, or at the request of a member of Council.

9.3 Councillors who wish to make a statement during Statements by Councillor, shall notify the City Clerk by 12:00 p.m. on the Monday prior to the meeting.

Notification shall include sufficient detail regarding the statement(s), including how many statements will be given (to a maximum of three (3)), and the nature of each statement including whether it is an announcement, acknowledgement or general statement.

Each Councillor will have no more than three (3) minutes to speak during Statement by Councillors. Statements by Councillor are non-debatable.

9.4 Councillors will not be permitted to table a motion during Statements by Councillors unless it is related to a procedural item or request to correspond with an outside agency with the intent that the specific item appears on a future Council agenda.

9.5 Motions for staff reports or for any action that may advance any City business, must first go under Notice of Motion, to be brought forward at a future meeting of City Council.

9.6 The Mayor may introduce any matter for consideration by Council and require Council to discuss and vote on any such matter, pursuant to the Strong Mayor Powers.

9.7 Any such matter introduced by the Mayor under the Adoption of the Agenda pursuant to the Strong Mayor Powers does not require a Motion or vote of Council.

9.8 The Clerk is authorized to include the addition of business pursuant to the Strong Mayor Powers in the Agenda and minutes.

9.9 Any such matter introduced by the Mayor under the Adoption of the Agenda pursuant to the Strong Mayor Powers shall be considered under the respective agenda heading unless the Mayor directs otherwise.

Council Information Package

9.10 The City Clerk will prepare a weekly Council Information package. If a member of Council wishes to have an item of correspondence contained therein considered by Council, the member of Council will request the City Clerk place it on the appropriate agenda.

9.11 Items within the Council Information Package may include internal informational communications in memo format, correspondence from external bodies including other municipalities and levels of government, public requests, and Board and Committee minutes.

10.0 NOTICE OF MOTION

10.1 A notice of motion must be made verbally at the meeting for consideration at a future Council meeting.

10.2 A member of Council who has brought a notice of motion shall submit final wording of the motion in writing to the City Clerk, at least one week in advance of the scheduled meeting. Failing to do so will result in the motion being delayed to the next meeting. If, at the third meeting after the Notice of Motion is given, such Notice of Motion does not proceed, it shall be deemed to have been withdrawn.

10.3 When it is deemed absolutely necessary to not delay the consideration, a notice of motion may be considered by Council immediately upon its introduction by a successful two-thirds (2/3) vote of the Councillors present.

11.0 MOTIONS

11.1 The following motions may be introduced verbally, without notice and without leave, except as otherwise provided by this by-law:

a) a point of privilege or order;
b) to suspend the rules of procedure;
c) to postpone definitely (deferral motion with a specific meeting date);
d) to refer;
e) to amend;
f) to postpone indefinitely (deferral motion without a specific meeting date);
g) to close debate;
h) to recess;
i) to adjourn;
j) to challenge the Chair;
k) any other procedural motion.

11.2 All motions, except those listed in section 11.1, must be in writing.

11.3 The mover or seconder may withdraw a motion at any time prior to it being opened for discussion by the Chair. If withdrawn prior to discussion, the motion is not included in the minutes of the meeting.

11.4 After a motion has been opened for discussion by the Chair, it will be deemed to be in the possession of Council but may be withdrawn by the originator at any time before a decision or amendment, provided Council does not object.

11.5 When a motion is under consideration, no new main motion will be accepted. Non-main motions are acceptable including procedural motions and motions to refer, defer and amend.

11.6 After a motion has been put to a vote by the Chair, no Councillor may speak to the motion, nor will any other motion be made until after the vote is taken and the result has been declared.

11.7 A motion regarding a matter that is beyond the jurisdiction of Council will not be in order except a matter that, in the opinion of the majority of Council, has to do with the welfare of the residents generally. The question of the opinion is to be decided without debate.

12.0 BY-LAWS

12.1 Every by-law receives one (1) reading prior to being enacted by Council.

12.2 Unless separated at the request of a Councillor, all by-laws proposed for adoption will be passed collectively by a single motion.

12.3 Every by-law enacted by Council will be signed by the Mayor and City Clerk, numbered and sealed with the seal of the Corporation.

12.4 The proceedings of every meeting of Council shall be confirmed by by-law so that every resolution and decision of Council passed at that meeting shall have the same force and effect as if each and every one of them had been subject of a separate by-law duly enacted.

12.5 The Clerk is authorized to make minor corrections to any by-laws resulting from technical or typographical errors prior to the by-law being signed.

12.6 No by-law, except a by-law to confirm the proceedings of Council, shall be presented to Council unless its subject matter has been considered and approved by Council, and accompanied by a report and/or memorandum, save and except those introduced pursuant to Strong Mayor Powers.

12.7 The Mayor may introduce a by-law for consideration by Council, and require Council to vote on any such by-law, pursuant to the Strong Mayor Powers, and in accordance with the following:

a) Any by-law(s) introduced by the Mayor pursuant to the Strong Mayor Powers under the Adoption of the Agenda pursuant to the Strong Mayor Powers does not require a Motion or vote of Council.
b) The Clerk is authorized to include any by-law(s) introduced by the Mayor pursuant to the Strong Mayor Powers in the Agenda and minutes.
c) A By-law introduced by the Mayor pursuant to the Strong Mayor Powers to advance a provincial priority shall, in accordance with Subsection 284.11.1(4) of the Act, be passed if more than one-third (1/3) of the Members of Council vote in favour.

12.8 In accordance with Strong Mayor Powers, and subject to the timelines set out in Part VI.1 of the Act and the associated regulations, the Mayor shall communicate to the Clerk:

a) Written approval of By-laws enacted by Council; or
b) Written notice of any By-laws that the Mayor intends to Veto pursuant to Strong Mayor Powers*,* and a written veto document as prescribed by the Act*.*

12.9 Upon receipt of written notice from the Mayor as set out in 12.8, and in accordance with the timelines prescribed in the Act and its associated Regulations, the Clerk shall advise Council and the public by:

a) Posting notice of the Mayor’s approval of the By-laws on the City’s website; or
b) Posting notice of Mayoral Veto of a By-law or By-laws on the City’s website and advising all Members by email, including providing a copy of the veto document.

12.10 In accordance with Strong Mayor Powers, and subject to the timelines set out in Part VI.1 of the Act and the associated regulations, Council may override a Mayoral Veto with two thirds (2/3) of the Members of Council vote to override the veto.

a) The Mayoral Veto override shall be introduced by Motion:
    i. Without prior notice at any regular Council meeting under Adoption of Agenda; or
    ii. At a Special meeting called for this purpose in accordance with this By-law (Special Meetings or Emergency Meetings).

13.0 MINUTES

13.1 The minutes shall record:

a) The place, date and time of meeting;
b) The name of the Chair and record of attendance of Council and staff;
c) Declaration(s) of interest;
d) The motions considered and votes taken by Council; and
e) Except as provided elsewhere in this by-law, all the other decisions or authorized actions without note or comment.

13.2 Confidential minutes shall record:

a) The place, date and time of meeting;
b) The name of the Chair and the record of attendance of Council and staff and any other attendee;
c) A description of the substantive and procedural matters discussed, including specific reference to any documents considered;
d) The procedural motions considered and votes taken by Council; and
e) All directions given.

13.3 The minutes of each Council meeting shall be presented at the next regular meeting for confirmation, or where not feasible, as soon as possible thereafter.

14.0 COUNCIL CONDUCT AT MEETINGS

14.1 Council Members shall govern themselves according to Council's Code of Conduct and Council-Staff Relations Policy.

14.2 The Chair shall preserve order and rule on points of order and privilege.

14.3 Every member desiring to speak shall indicate so to be recognized by the Chair.

14.4 Every member, on being recognized, shall address themselves to the Chair.

14.5 A member called to order by the Chair shall immediately cease further comment and may appeal the call to order to Council. Council, if appealed to, shall decide on the case without debate and by way of a majority vote of the members present. If there is no appeal, the decision of the Chair shall be final.

14.6 No member shall, without leave of Council:

a) Speak to an issue for more than eight (8) minutes (cumulative);
b) Use offensive words or speak disrespectfully of the Mayor, Members of Council, staff or the public;
c) Speak on any subject other than the subject under debate;
d) Speak in contempt of any decision of Council;
e) Leave their seat or make any noise or disturbance while a vote is being taken or until the result is declared; or
f) Disobey the rules or decisions of Council or a decision of the Chair on points of order or privilege, or upon the interpretation of the Rules of Procedure. In the event that a Councillor persists after having been called to order by the Chair, the Chair shall name the Councillor and put the question "Shall the Councillor, (state first name/last name) be ordered to leave their seat for the duration of the meeting?" and such question is not debatable.

14.7 If Council decides the question set out in 14.6(f) in the affirmative by a majority vote of the Councillors present (the Councillor in question may not vote), the Chair shall order the Councillor to leave their seat for the duration of the meeting.

14.8 If the Councillor named in 14.6(f) apologizes, the Chair, with the approval of Council by majority of those present, may permit them to resume their seat.

Conduct of Public:

14.9 Members of the public in attendance at a meeting, shall not:

a) Address Council without permission;
b) Engage in any activity or behavior or make an audible noise that could affect the Council deliberations; or
c) Bring any signs or placards into the Council Chamber;

d) Make detrimental comments, or speak ill or malign the integrity of staff, the public, Mayor, Members of Council.

14.10 Any person who contravenes any provision of this section may be expelled from the meeting by the Chair.

15.0 PRESENTATIONS/DELEGATIONS/PUBLIC MEETINGS

Presentations:

15.1 Presentations addressing matters relevant to the City and seeking to provide information will be permitted in Council. Presentations shall pertain to a matter which is within the Council's statutory jurisdiction. The Clerk will be authorized to refuse requests that do not fulfill this requirement.

15.2 If an individual requests to speak regarding a matter not listed on the agenda, they must provide the Clerk with a written submission outlining their request. It will be at the discretion of the Clerk in consultation with the Mayor, if the item is an appropriate matter to be considered by Council or rather a Public Forum Committee.

15.3 Presenters will have one opportunity to present to Council on a subject matter.

15.4 Requests to be a presenter to Council must be submitted to the Clerk by 4:30 p.m. along with a copy of any presentation or visual materials if applicable, one week in advance of a meeting.

15.5 Presentations of a maximum of ten (10) minutes will be permitted provided that the presenter, or their representative is providing new information and they have requested and been granted approval from the Clerk. If there is a representative for a group of presenters the group shall share the maximum time of ten minutes.

15.6 Presentations will be listed in the order in which they are received, or in an order determined by the Clerk, and a maximum of three (3) presentations will be permitted per meeting. In the case where there is a Statutory Public Meeting, the number of presentations will be decreased or eliminated and the request will be held over until the next meeting, at the Clerk's discretion.

15.7 Council may limit or extend the time allowed for a presentation by a majority vote.

15.8 Presenters/ must abide by the rules of procedure and public conduct at meetings. They will accept any decisions of the Chair and not enter into cross debate with members, other presenters, or staff. Any discourse between Councillors and the presenters will be limited to Councillors asking questions for clarification and obtaining additional, relevant information only.

Delegations:

15.9 Any person, group or organization may request to speak to a report, memorandum, or motion listed on the agenda provided the subject matter of the delegation directly relates to the item on the agenda. A delegate will have one opportunity to address Council on a subject matter.

15.10 Requests to be a delegate speaking to a specific Council report or motion must be submitted to the Clerk prior to 4:00 p.m. the day prior to the meeting. The same timeline applies for written delegations.

15.11 Delegations will be permitted to speak for a maximum of ten minutes. The allotted time does not include answering questions from Council. Members may

address a delegate only to ask questions of clarification and not to express opinions or enter into debate or discussion. If there are numerous delegates taking the same position on a matter, the Clerk will encourage them to select one spokesperson to present their views within a10-minute time allocation.

15.12 Council may limit or extend the time allowed for a delegation by a majority vote.

15.13 After all delegations have been heard, the related corresponding item shall immediately be brought forward for the consideration of Council.

15.14 A delegation is not permitted on any matter that is the subject of a future Statutory Public Meeting or of a Statutory Public Meeting which has been closed, in which the presenter has previously provided written and/or oral comments at a Public Meeting. No delegation is permitted for a motion to reconsider, or on closed meeting agenda items.

15.15 Delegates must abide by the rules of procedure and public conduct at meetings. They will accept any decisions of the Chair and not enter into cross debate with members, other presenters, or staff. Any discourse between Councillors and the delegates will be limited to Councillors asking questions for clarification and obtaining additional, relevant information only.

Statutory Public Meeting:

15.14 Speakers will be permitted without prior registration during any Statutory Public Meeting. Delegations will be asked to fill in a sign-in sheet to fulfill legislative notice requirements.

15.15 All delegations heard during a Statutory Public Meeting will be permitted to speak for a maximum of five (5) minutes. The allotted time does not include answering questions from Council.

15.16 Presenters will only be permitted to speak once during a Statutory Public Meeting.

15.17 During a Statutory Public Meeting, if an individual provides written comments to the municipality, the individual cannot address the same content during the public meeting process.

16.0 QUESTIONS/SPEAKING

16.1 Members will be permitted to ask each presenter/delegate questions at a time directly relating to the matter under consideration.

16.2 Prior to accepting a motion the Chair will permit questions from each Councillor directly relating to the matter under consideration.

16.3 A Councillor may ask a question only for the purpose of obtaining facts relevant to the matter under discussion and necessary for clear understanding. Questions will be worded appropriately and will not be used as a means of making statements.

16.4 All Councillors will address their questions and comments through the Chair.

16.5 Councillors are encouraged to provide questions to staff prior to the meeting and address any answers received during the comments portion of the discussion.

16.6 To address Council a member will request to speak by raising their hand or by pushing the raise hand button if appearing electronically and wait to be recognized by the Chair.

16.7 The Chair will recognize the Councillors who wish to speak in the order that they come to the Chair's attention. When a Councillor has been recognized by the Chair as having the floor, the Councillor will direct their comment to the Chair and speak only to the matter under consideration.

16.8 When a Councillor is speaking, no other Councillor will interrupt, except to raise a Point of Privilege or Point of Order.

16.9 Any Councillor may require the motion under discussion to be read at any time during the debate so long as they do not interrupt a Councillor while speaking.

16.10 No Councillor will be permitted to speak a second time on an item of business until every Councillor who desires to speak has spoken.

16.11 Each Councillor will have a limit of five (5) minutes to speak on a motion and will be given the option of an additional three (3) minutes after every Councillor has been allowed to speak.

16.12 If the Chair wishes to make a motion, they may first leave the Chair position by calling on the Deputy Mayor to fill their place until they are finished.

17.0 VOTING

17.1 Voting will be conducted in the following order:

a) Amendment to any amending motion;
b) The amending motion;
c) The main motion (as amended or as originally presented).

17.2 When the motion under consideration contains multiple recommendations, a Councillor may request that the vote be taken separately on each recommendation and no vote will be required to be taken on the matter as a whole.

17.3 When a vote is called by the Chair, each Councillor, unless they have declared a conflict of interest, will vote. Once all votes have been cast, the Chair will announce the result of the vote. A vote will never be taken by a secret vote or ballot.

17.4 Every Councillor present at a meeting will vote on every motion, unless prohibited by legislation. Failure to vote for any reason will be deemed to be opposed to the motion.

17.5 Except as provided elsewhere in this by-law, a motion will be considered carried when a majority of the Councillors present and voting have voted in favour of the motion. When there is a tie vote the motion is lost.

17.6 When a recorded vote is requested, the vote will be taken only upon the request by a Member immediately before or after a vote is taken. Each Member present, except a Member who is disqualified from voting by reason of a declared Pecuniary Interest, shall indicate their vote openly during the taking of a Recorded Vote and the Clerk shall record each vote. The following protocol will be followed:

a) The City Clerk will announce a request has been made for a recorded vote, and then name the Member who made the request.
b) The City Clerk shall call upon each Member for their vote starting with the requester of the recorded vote, then proceeding in a clockwise rotation around the room, ending with the Chair.

c) The City Clerk shall record the name of each Member, and their respective vote, in the minutes of the meeting.
d) Once all votes have been cast, the City Clerk will announce the result.

19.0 RECONSIDERATION

19.1 Any proposal to reconsider, amend or rescind a previous decision of Council made within its current term shall require a motion of reconsideration.

19.2 A motion to reconsider a previous decision of Council at a subsequent meeting:

a) May only be introduced by a Councillor who was present at the meeting and voted in the majority when the decision was made or who was not present at the meeting when the decision was made;
b) Will be introduced as a notice of motion;
c) Requires an affirmative vote of two-thirds vote of the Councillors present.

19.3 The mover of a motion to reconsider will specify whether the reconsideration will address the entire original decision of Council or part of the original decision.

19.4 Debate on a motion for reconsideration will be confined to reasons for or against reconsideration.

19.5 Discussion of the previous decision will not be in order until the motion to reconsider has been adopted.

19.6 Where the motion to reconsider is approved, reconsideration will become the next order of business unless the motion to reconsider included direction to postpone reconsideration to a definitive date.

19.7 A resolution that was decided by 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 Council.

19.8 A decision of Council can only be reconsidered once during a term of Council. A motion to reconsider a previous reconsideration will never be in order.

By-law 26-2021 is hereby repealed once this by-law comes into effect.

That this by-law shall come into force and effect on the 14th day of November, 2026.

_____
Terry Ugulini, Mayor

_____
Nicholas Debono, City Clerk

APPENDIX “A” Public Forum Committee Meeting Procedures

The City of Thorold has adopted a Public Forum Committee model for individuals or groups to present concerns.

1. Composition – the Public Forum Committees shall be composed of all members of Council. In addition, the Department Director and/or designate and appropriate staff from that service area and City Clerk and/or designate will be in attendance to provide meeting support.

2. Meetings – a Public Forum Committee meeting will be held in advance of Council at 5:30 p.m. for 30 minutes maximum. The request to attend the Committee must be made a minimum of two weeks in advance by the requester. All meetings will be livestreamed.

3. Agenda – the meeting agenda shall be the responsibility of the Clerk. Agenda items must be submitted by the requester in writing with a brief description of the issue no later than one week prior to the meeting. The agenda will be published on the City’s website.

4. Minutes – the minutes shall be the responsibility of the Clerk. Following a Public Forum Committee meeting minutes that contain the recommendation(s) will be placed on the next available Council agenda.

5. Meeting Format – the Chair and/or Vice-Chair will call the meeting to order, followed by introductions of everyone in attendance. The presenter will be provided ten (10) minutes to express their concern/reason for requesting a Public Forum meeting.

   Following that staff will be provided ten (10) minutes to explain the City’s position in the matter. Following that Councillors will be provided an opportunity to ask questions of either party.

   If the members in attendance, by resolution, provide a recommendation on the subject matter:

   a) If the subject matter pertains strictly to the Presenter’s situation, a resolution will be to refer the matter to Council at the meeting immediately following the Committee.
   b) If the subject matter has a broader public interest, the resolution will be to refer the matter to Council at a subsequent meeting.

   If the Committee does not pass a resolution to refer the matter to Council, no further action will be taken on the matter.

6. The requester has one opportunity to address the Public Forum Committee on a particular subject matter, and where the Committee has passed a resolution referring the matter to Council, the requester shall not be permitted to present to Council when the matter is considered.