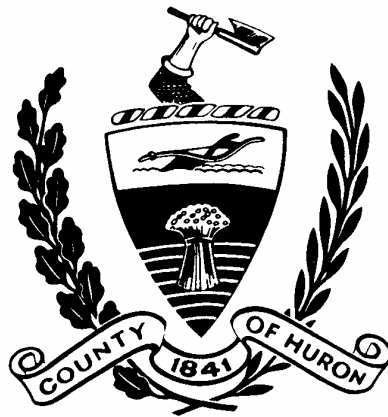


PROCEDURAL BY-LAW



**Council
of the
Corporation of the County of Huron**

PROCEDURAL BY-LAW NO. 26-2011

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**THE CORPORATION OF THE COUNTY OF HURON
BY-LAW NO. 26-2011**

A BY-LAW TO ESTABLISH RULES OF ORDER, REGULATIONS AND PROCEDURES FOR THE COUNCIL, BOARDS AND COMMITTEES OF THE CORPORATION OF THE COUNTY OF HURON.

Whereas, pursuant to *Section 238(2) of the Municipal Act, 2001, S.O. 2001, c.25, as amended*, "every municipality and local board shall pass a procedural by-law for governing the calling, place and proceeding of meetings";

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

PART 1 – DEFINITIONS

In this By-law the following definitions shall apply:

- a) "Warden" means the Head of Council of The Corporation of the County of Huron.
- b) "C.A.O." means the Chief Administrative Officer of The Corporation of the County of Huron.
- c) "Chair" means the Warden or member of Council who is the presiding officer of the session or meeting.
- d) "Clerk" means the Clerk of The Corporation of the County of Huron.
- e) "Council" means the Council of The Corporation of the County of Huron.
- f) "County" means The Corporation of the County of Huron.
- g) "Member" means a Councillor of The Corporation of the County of Huron.
- h) "Present" means physically in attendance at the meeting.
- i) "Quorum"; as it relates to Council and Committees, shall consist of not less than 50% plus one; of Council.
- j) "Committee of the Whole" means County Council sitting as a Committee.
- k) "Closed to the Public Session" means closed meetings to the public.
- l) "Director of Human Resources" means the Director of Human Resources of The Corporation of the County of Huron.

Throughout this By-law, the words "he" and "his" shall, where appropriate; be deemed to read "she" and "her".

PART 2 – MEETINGS

1. INAUGURAL SESSION

According to the provisions of the *Municipal Act, 2001, S.O. 2001, c.25, as amended, Section 230*, The Corporation of the County of Huron, Inaugural Session shall be held on the first Wednesday of the first full week of December at the hour of one o'clock in the afternoon.

In the event the day set should be a public holiday, such meeting shall be held on the next following day, not a public holiday, at the same hour.

In case of inclement weather, the Inaugural Session shall be held on the first suitable day following, at the same hour.

2. REGULAR SESSIONS

After the Inaugural Session, the Council shall meet in regular session at the call of the Warden on the day or days specified in the notice of meeting from the office of the Clerk. The notice will be in the section on the Council Agenda entitled Arrangement of Committee meetings. An electronic Agenda Package shall be emailed to each member of Council at least seven (7) days prior to the date of the meeting. From time to time there may be revisions to the electronic Agenda Package. It is prudent for members to always check for revisions to the Agenda Package. Meetings of the Council shall be held in the Council Chambers at the Court House in the Town of Goderich, or in such location as may be determined by Council.

3. SPECIAL MEETINGS

Whenever a meeting may be required for special business, it shall be called by the Warden at any (such) time as he may deem requisite; or at the request in writing of a majority of the members of the Council. The Clerk shall summon the meeting and it shall not be competent to consider or decide upon any matter at the Special Meeting that does not appear in the Notice of the Special Meeting; unless the members of Council present at such meeting unanimously consent thereto.

4. SPECIAL MEETINGS IN ABSENCE OF WARDEN

In the absence of the Warden or if his office is vacant, a Special Meeting may be summoned by the Clerk upon a requisition signed by a majority of the members of Council.

5. NOTICE OF SPECIAL MEETINGS

Subject to the provisions of the *Municipal Act, 2001, S.O. c.25*; of the Province of Ontario, the Council may be summoned to a Special Meeting referred to in *Section 3* of this By-law as the Warden determines appropriate and on one day's clear written notice. A Notice of the Special Meeting shall be posted on the Huron County web site as soon as the Special Meeting has been called.

6. QUORUM

A majority of the members of Council is necessary to form a quorum.

7. ABSENCE

- (1) Upon a quorum of members being present, the Warden shall take the chair and call the meeting to order; but in the absence of the Warden or if his office is vacant or if he refuses to act, Council may from among its members appoint a Deputy Warden who, during such absence or vacancy or refusal to act, shall have the powers of the Warden.
- (2) The office of a member of Council of a municipality becomes vacant if the member is absent from the meetings of Council for three (3) successive months without being authorized to do so by a Motion of Council.

8. IF NO QUORUM PRESENT

Where a quorum is not present within 30 minutes after the hour fixed for a meeting, the Clerk shall record the names of the members of Council present and the meeting shall stand adjourned until the next meeting, subject to the provisions of *Sections 3 and 4* of this By-law.

PART 3 – THE ELECTION OF WARDEN AND INAUGURAL SESSION

9. ELECTION OF WARDEN

- (1) In each year at the Inaugural Session of County Council in December at which a majority of all members are present, they shall organize as a Council and elect one of the members to be Warden by secret ballot subject to *Section 10, Subsection 6, a – g* inclusive of this By-law.
- (2) The C.A.O. shall conduct the election of Warden, or if there is no C.A.O., the Deputy C.A.O. shall conduct the election.

- (3) A candidate for Warden who receives a majority of the total votes cast on any vote shall be declared elected.
- (4) In the case of an equality of votes for Warden, the successful candidate shall be determined by the C.A.O. placing the names of the candidates on equal size pieces of paper in a box and one name being drawn by a neutral party. The successful candidate shall be the one whose name was drawn.
- (5) Where there are three or more candidates, if on any given ballot no candidate receives a majority of the vote, the name of the candidate with the lowest number of votes will be dropped off the next ballot and voting will continue using a second the ballot.
- (6) In the case of a tie vote for low candidate where there are three or more candidates, then Council shall vote on these tied candidates, to determine which candidate shall remain in the voting for Warden.

10. INAUGURAL SESSION

The order of business of the Inaugural Session shall be as follows:

1. Roll Call
2. Verifying of Certificates of Election
(Not required at commencement of second, third or fourth year of term of office.)
3. Declaration of Office
(Not required at commencement of second, third or fourth year of term of office.)
4. Motion - Authorizing the C.A.O. to proceed with the election of the Warden by calling for nominations of candidates for the Wardenship. Candidates shall be nominated by a mover
5. Remarks of Candidates - with a time limit of five minutes per candidate
6. The Election of Warden shall be by secret ballot in open Council and shall be conducted as follows:
 - a) Each member of County Council shall have one vote
 - b) The names of all those nominated shall be submitted to the Council on equal size pieces of non-descript paper listing those nominated in alphabetical order

- c) If more than two candidates are seeking the Wardenship, the candidate receiving the fewest number of votes will be dropped after the first ballot
 - d) All the remaining candidates shall be submitted to the Council on equal size pieces of non-descript paper in alphabetical order
 - e) The Clerk and the Deputy Clerk are the scrutineers and are to be bound to secrecy regarding the number of votes received by the candidates
 - f) The C.A.O. then reports to Council the successful candidate, in a manner that does not indicate individual totals
 - g) A Motion instructing the scrutineers to cause the ballots to be destroyed is required from Council
7. Motion - to declare the person elected Warden is required from Council
8. Installation of Warden:
a) Immediate Past Warden to escort the newly elected Warden to the dais, invest him with the Gavel, the Key, and the Warden's Pin
b) Declaration of Office to be administered by the C.A.O.
9. Devotional Exercises
10. Warden's Remarks
11. Appointment of Striking Committee:

The Striking Committee is to be comprised of the Warden, immediate Past Warden, two (2) immediate Past Board Chairs, two (2) immediate Past Committee Chairs, one (1) Councillor appointee of the Warden; and the C.A.O.

The Striking Committee shall recommend to Council the appointment of members to the following committees:

Board of Health	Five (5) Councillors, one (1) Ministry Representative plus the Warden.
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"The Board of Health shall not have fewer than three (3) and not more than thirteen (13) municipal members of each Board of Health"; as described in the Health Protection and Promotion Act, R.S.O. 1990, Chapter H.7., Part VI, s. 49 (2).

The Striking Committee shall also recommend appointments to any other Committee that the County from time to time may agree to have a member of County Council sit on.

The Warden's Economic Development Task Force is comprised of the Warden, C.A.O., Heads of all lower tier municipalities, all lower tier municipalities C.A.O.s or Clerks with additional County staff as required. This Committee meets semi-annually as a group with other meetings scheduled as required with the Warden, C.A.O., and lower tier Head of Council and staff for specific local issues.

Appointments of non-members of Council to Boards and Committees:

- a) The Library Board members who are non-members of Council cannot serve more than two (2) consecutive terms
 - b) Any non-councillor on the Library Board may be reappointed after an absence of one (1) year
 - c) The Huron County Accessibility Advisory Committee will also be comprised of five (5) non-voting members including: the Chair of the Ontarians with Disabilities Act (ODA) working group, one (1) person from the County Planning Department, one (1) person from the County Social Services Department, one (1) Municipal Building Official and the County Clerk or their designate
 - d) "The Lieutenant Governor in Council may appoint one (1) or more persons as members of a Board of Health, but the number of members so appointed shall be less than the number of municipal members of the Board of Health"; as described in the *Health Protection and Promotion Act, R.S.O. 1990, c. H.7., s. 49 (3)*. The public appointee is required to follow the application guidelines as set out by the Public Appointments Unit of the Ministry of Health and Long-Term Care
12. The report of the Striking Committee shall be considered at the Inaugural Session and a By-law enacted confirming the appointments
 13. Adjournment of Inaugural Session

PART 4 – ORDER OF BUSINESS AND CONDUCT OF PROCEEDINGS

11. REGULAR SESSION

The order of business of each day of the Regular Session shall be as follows:

1. Roll Call
2. Warden's remarks
3. Welcome to "Page"
4. Minutes of previous session
5. Declarations of pecuniary interest and the general nature thereof
6. Petitions and Deputations
7. Councillor's Issues
8. Correspondence
9. Reports of Committees
10. Inquiries
11. Unfinished business
12. Motions
13. Public question period
14. By-laws
15. Closed to the Public Session (if necessary)
16. Arrangement of Committee Meetings
17. Adjournment

12. DUTIES OF WARDEN

- (1) The Warden or Chair shall take the chair at the hour to which the Council shall have adjourned at the preceding sitting and if a quorum is present proceed to business.
- (2) The Warden or Chair shall preserve order and decorum. He may, in common with any other member, call to order any member who shall violate any of the rules of order and shall, when in the chair, decide all questions of order subject to appeal to the Council on the demand of any member, which appeal shall be determined by a two-third vote of the members of Council present and he shall state the rule applicable to the case if required, on which appeal there shall be no debate
- (3) The Warden (except when he is disqualified to vote by reason of interest or otherwise) may vote and on division shall vote, with the other members on all questions
- (4) It shall be the duty of the Warden, whenever he understands a motion introduced to be contrary to the rules of the Council or inconsistent with the matter to which it is intended to refer, to apprise the Council thereof before such motion is debated upon or put, citing the rule applicable to the case

- (5) The Warden may have the prerogative to request that a report be dealt with in the following manner
 - a) Clause by Clause
 - b) Reverting to a Committee of the Whole
 - c) By calling for yea and nay vote

Upon requesting such action as indicated above, the regular rules of procedure shall apply

- (6) When the Warden sees fit to exercise his right to vote on any question before the Council, he may explain his vote, but otherwise shall take no part in the discussion while in the Chair
- (7) The Warden shall support the position established by the majority vote of Council

13. CONDUCT OF PROCEEDINGS

- (1) to open the meeting of Council by taking the Chair and calling the members to order;
- (2) to announce the business before the Council in the order of which it is to be acted upon;
- (3) to receive and submit, in the proper manner, all motions presented, by the members of Council;
- (4) to put to vote all questions, which are regularly moved and seconded, or necessarily arise in the course of the proceedings, and to announce the result;
- (5) to decline to put to vote motions which infringe the rules or procedure;
- (6) to restrain the members, when engaged in debate, within the rules of order;
- (7) to enforce on all occasions the observance of order and decorum among the members;
- (8) to call by name any member persisting in breach of the rules of order of the Council thereby ordering him to vacate the Council Chambers;
- (9) to receive all messages and other communications and announce them to the Council;

- (10) to authenticate, by his signature, when necessary, all By-laws, motions and minutes of the Council;
- (11) to inform the Council, when necessary or when referred to for the purpose, a point of order or its usage;
- (12) to select the members who are to serve on Committees, when directed to do so in a particular case, or when it is made a part of his general duty by a rule of procedure;
- (13) to represent and support the Council, declaring its will and implicitly obeying its decisions in all things;
- (14) to ensure that the decisions of Council are in conformity with the laws and By-laws governing the activities of the Council;
- (15) to adjourn the meeting when the business is concluded;
- (16) to adjourn the meeting without question put in the case of grave disorder arising in the Council Chambers.

14. CHAIR

In directing the course of debate, the Chair shall:

- (1) designate the member who has the floor when two or more members wish to speak;
- (2) preserve order and decide questions of order;
- (3) have the C.A.O. read all motions presented before permitting debate on the question, except when otherwise provided in this By-law;
- (4) and the Chair may speak to any question by calling any other member to the Chair, but shall not, after speaking to the question, resume the chair until disposition of such question, notwithstanding, the Warden may answer any question of a member of Council made directly to the Chair.

15. MEMBERS

In addressing the Council:

- (1) no member shall speak until he has addressed himself to the Chair;

- (2) no member shall speak disrespectfully of Her Majesty the Queen or any of the Royal Family, or the Governor-General, Lieutenant-Governor or any member of the Senate, the House of Commons of Canada or the Legislative Assembly of Ontario;
- (3) no member shall use indecent, offensive or insulting language in or against the Council or any member thereof;
- (4) no member shall speak beside the question in debate;
- (5) no member shall reflect upon any prior determination of the Council except to conclude such remarks with a motion to rescind such determination;
- (6) no member shall interrupt the member who has the floor except to raise a point of order;
- (7) no member shall disturb another, or the Council itself, by any disorderly deportment disconcerting to any member speaking;
- (8) no member shall resist the rules of Council, or disobey the decision of the Chair or of the Council on questions of order or practice or upon the interpretations of the rules of order of the Council;
- (9) no member shall be permitted to retake his seat at any meeting after being ordered by the Chair to vacate after committing a breach of any rule of order of the Council, without making apology and the consent of Council expressed by a majority vote of the other members present determined without debate;
- (10) no member shall leave his place on adjournment until the Chair leaves his chair;
- (11) no member shall walk across or out of the Chambers or make any noise or disturbance when the Chair is putting a question and each member present shall occupy his seat while a vote is being taken and until the result thereof is declared;
- (12) 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;
- (13) any member may appeal the decision of the Chair on a point of order to the Council which shall decide the question without debate upon a two-third vote of the members present;

- (14) debate shall be restricted to each proposal in its turn when a question has been divided upon leave of Council;
- (15) every member who shall be present when a question is put shall vote thereon unless the Council excuse him, or unless he is personally interested in the question;
- (16) on any division, the yeas and nays shall be taken as the Statute directs;
- (17) all members of Council shall be officially addressed as Councillor;
- (18) all members of Council shall support the majority decision of the Council or Board in all cases.

PART 5 – MOTIONS AND AMENDMENTS

16. FORM

All motions must be made in writing or verbally with the names of the mover and seconder before being read by the C.A.O. or debated.

17. RE-READING AND ACTION

All motions shall be read by the C.A.O. for re-reading and action.

18. WITHDRAWAL

After the motion has been read by the Warden, Chair or C.A.O., it shall be deemed to be in possession of the Council but may be withdrawn at the request of the mover and seconder at any time before decision or amendment, with the permission of the Council.

19. TO AMEND

- (1) An Amendment must be relevant to the motion and may be either compatible with or hostile to it but cannot be a simple negation of it.
- (2) No amendment shall be accepted that is in direct conflict to the original motion.
- (3) Only two amendments at any one time shall be moved to any motion before the Council and the amendments shall take precedence of original motions and shall be put in the reverse order in which they are made.

- (4) In the event of an amendment being made to any motion and an amendment to the amendment, the amendment to the amendment having been declared lost by the Warden or Chair, it shall be in order for another amendment to the amendment to be moved before the amendment to the motion is put, but no other amendment to the amendment shall be in order.
- (5) In the event of the amendment to the amendment being voted down, the amendment shall then be put and if the same be declared lost by the Warden or Chair, it shall be in order for another amendment to a motion to be moved, but it shall not be in order to move an amendment to said amendment, or to move another amendment to the original motion.
- (6) In the event of an amendment to the amendment, or an amendment to a motion being declared carried by the Warden or Chair, he shall then put the question, "shall the amendment to the motion, or the motion as thus amended, prevail?"
- (7) Each amendment and motion shall be voted on separately. The defeat of any amendment shall not be equivalent to the carrying of an original motion. Any motion or amendment before being declared carried must receive a majority of the votes of the members present.
- (8) No member shall speak upon any question before the Council after the Warden or Chair has risen to put the motion of amendment upon same.
- (9) No motion for the reconsideration of a question previously disposed of, or to rescind a vote already taken, shall be considered carried unless a majority of the whole Council vote in favour thereof. When there is a motion to reconsider a grant or payment ordered, no cheque shall be given till such motion is carried.

20. DEBATE

When a question is under debate, no motion shall be received unless it be:

- (1) a motion for adjournment;
- (2) for the previous question;
- (3) to lay on the table;
- (4) to postpone the question to a certain day;

- (5) to refer;
- (6) to amend, which shall severally have precedence in the order in which they are named and the first three of which shall severally be decided without debate;
- (7) the previous question, until it is decided, shall preclude all amendments and debate of the main question and shall be in the following words: (That the question be now put) and if decided in the affirmative, the original question shall be put forthwith without amendments or debate;
- (8) when a motion to lay on the table prevails, the question so delayed may be called up again on any subsequent day, by motion as unfinished business;
- (9) every motion when seconded must be received and put by the Warden or Chair in Council, except in cases provided for by these rules.

21. TO ADJOURN

A motion for adjournment shall always be in order except:

- (1) when a member is in possession of the floor;
- (2) when the yeas and nays are being called;
- (3) when the members are voting;
- (4) when the adjournment was the last preceding motion.

PART 6 – TAKING THE VOTE

22. RECORDED VOTE

- (1) Any member of Council shall have the privilege of demanding a recorded vote on any question at the proper time.
- (2) Upon a request for a recorded vote, the C.A.O. shall proceed to call the vote in a manner that provides for a random order.
- (3) In recording the yeas and nays, the C.A.O. shall call the names of the members in random order, each member responding yes or no and before announcing the vote by the Warden, the C.A.O. shall, if

requested, read the vote so taken.

- (4) In all cases of a vote being taken, the C.A.O. shall proceed as directed in *Section 22, Subsection 3* of this by-law.
- (5) On the yeas and nays being called, discussion will stop unless permission be granted by the Warden or Chair.

23. OPEN VOTE

All motions regularly moved and seconded that arise in the course of the proceedings, including various committee appointments by the Council shall be made by open vote as directed in this by-law *Part 4, Section 13, Subsections 4 and 5; Section 15, Subsection 11 and 15; and Part 12, Section 43, Subsection 3.*

24. SECRET BALLOT

A secret ballot shall be conducted for the Election of the Warden at the Inaugural Session as directed in this by-law *Part 3, Section 10, Subsection 6, a – g* inclusive.

PART 7 – BY-LAWS

25. BY-LAW PROCESS

- (1) Every By-law shall be introduced on the recommendation of an adopted report, or by an order of the Council.
- (2) Every By-law shall receive three separate readings previous to its being passed, which readings may take place in one day, on approval of two-third vote of Council.
- (3) After a By-law has been twice read, it may be committed to a Committee of the Whole Council; if, however, this be not done, it may at once be read a third time and passed.
- (4) By-laws committed to a Committee of the Whole Council shall be read throughout by the C.A.O. or Chair and debated by clauses, leaving the preamble and title to be last considered.
- (5) All amendments made in Committee shall be reported to the Council by the Chair standing in his place. After the report has been received and By-law read a third time, it may be subjected to debate or amendment in the Council before the question to pass, sign and seal; be decided.

26. PRIVATE OR LOCAL BY-LAWS

- (1) That By-laws of a private or local nature shall be introduced by a petition, to be presented to some member.
- (2) That any person whose property may be affected by any private or local By-law shall have the privilege of appearing before the Committee or Council to make objection to such By-law, either in person or by agent.
- (3) Any municipality requiring a By-law confirmed for closing a road allowance shall petition the Council to that effect and produce evidence satisfactory to the County Council, that a By-law in accordance with the Statute providing for the same has been passed.

PART 8 – PETITIONS, COMMUNICATIONS AND DELEGATIONS

27. PETITIONS AND COMMUNICATIONS

- (1) Every petition, remonstrance, or other written application intended to be presented to the Council must be fairly written or printed and signed by at least one person.
- (2) Every member presenting any petition, remonstrance, or other written application to the Council, shall examine the same and be answerable that it does not contain any impertinent or improper matter and that the same is respectful and temperate in its language; he shall also endorse thereon the name of the application and the substance of such application and sign his name thereto.
- (3) All petitions or written communications on any subject within the cognizance of any standing committee shall be considered as referred to the proper committee without any motion unless otherwise ordered; and no members shall speak upon, nor shall a debate be allowed upon the presentation of a petition or other communication to the Council; but no member may move that in referring a petition or other communication certain instructions may be given to the Council or that the petition or communication shall be referred to a select committee, and if the petition or communication complains of some present personal grievance requiring immediate remedy, the matter contained therein may be brought into immediate discussion and disposed of forthwith.

28. DELEGATIONS

- (1) All individuals or delegations requiring a hearing before Council, on a matter pertaining to business, shall make previous arrangements with the County Clerk, in order that the regular procedure may not be unnecessarily interrupted.
- (2) No delegations shall be heard at any Council or Board meeting without advising Council ten (10) business days prior to such meeting. This may include business required to be referred to a Committee or Board of Council.
- (3) All inquiries requiring to be answered in the minutes should be presented in writing.
- (4) All delegations shall provide, no later than ten (10) days prior to a meeting a complete copy of their presentation or purpose of their delegation.
- (5) All delegations are limited to ten (10) minutes for their presentation.
- (6) All delegations at Committees or Boards are permitted with the approval of the Warden, CAO, and Board Chair.
- (7) Unless with prior approved of the Warden and members of Council; there shall be no audio or video taping of any Council, Committee or Board meeting.

PART 9 – MINUTES

29. MINUTE PROCESS

- (1) The minutes of the Council shall consist of a record of all members present and the names of those absent at any meeting of the Council and of all the proceedings taken in Council. All reports adopted and By-laws passed by the Council, and all matters ordered by the Council, shall be printed in appendix.
- (2) There shall be printed in a neat and compact book form, sufficient copies of the minutes and appendices of each session and the Clerk shall send one copy to the Clerk of each municipality in the County annually and to each member of the County Council who so requests.
- (3) When the matter is referred from one Council meeting to another, the Clerk shall take cognizance of the same and lay the same before the Council at its next appropriate session.

PART 10 – COMMITTEES

30. STRIKING COMMITTEE

- (1) There shall be appointed in each and every year a Striking Committee as outlined in *Part 3, Section 10, Subsection 11* of this By-law. The said Striking Committee shall proceed to recommend the appointments to the Committees as outlined below in *Subsection 2 of Part 10, Section 30*.
- (2) The Striking Committee shall recommend appointments to the various Standing Committees for the year in accordance with *Part 3, Section 10, Subsection 11* of this By-law. These appointments shall be made in accordance with this By-law *Part 12, Sections 45, 46 and 47* inclusive. In the event of a term of office not being completed, an appointment shall be made for that term only.

31. NEGOTIATING COMMITTEE

The members of the Huron County Negotiating Committee shall be the Warden, C.A.O., Director of Human Resources and Chair or Vice Chair of the Committee or Board responsible for the employees whose salaries, wages or working conditions are being considered. The Department Head(s) or designate(s) of the employees whose working conditions are being considered shall act as a resource person to the Negotiating Committee.

The Negotiating Committee shall be responsible for the negotiating of all salaries, wages and working conditions of employees of the Corporation of the County of Huron subject to ratification by Council on the recommendation of the Committee of the Whole of Council.

32. BOARD OF HEALTH

The Huron County Board of Health is governed by the *Health Protection and Promotion Act, R.S.O. 1990, Chapter H.7* and the rules and regulations as described in this By-law.

Every Board of Health shall superintend, provide or ensure the provision of the health programs and services required by the *Health Protection and Promotion Act, R.S.O. 1990, Chapter H.7* and the regulations to the persons who reside in the Health Unit served by the Board; and shall perform such other functions as required by or under this or any other Act.

The Huron County Health Unit (HCHU) is a department of the Corporation of the County of Huron and operates with the policies and procedures established by the Corporation. The HCHU endorses the single leadership or traditional model in which the Medical Officer of Health (MOH) acts as the CEO. The MOH deals with the public

health issues as prescribed under the Act and is responsible for the business management of the organization.

The Board of Health meets the first Thursday of each month at 9:00 a.m. in Health and Library Complex Auditorium, south of Clinton; except for the month of July.

33. LIBRARY BOARD

The Huron County Library Board is governed by the Public Libraries Act, R.S.O. 1990, Chapter P. 44 and the rules and regulations as described in this By-law.

The Library Board meets the third Wednesday of each month at 9:00 a.m. in the Court House Council Chambers, Goderich; except for the month of July.

34. COMMITTEE OF THE WHOLE DAY 1

Committee of the Whole Day 1 shall meet on the First Wednesday following the Regular Session of County Council. The order of business on the agenda shall be set as follows:

1. Call to Order
2. Declarations of Pecuniary Conflict of Interest and the general nature thereof
3. Motion to accept the Agenda and receive all Reports
4. Delegation (to appear at 11:30 a.m.)
5. Councillor's Issues
6. Report of the Regional Information Co-ordinator OMAFRA
7. Public Works Department
8. Planning and Development (Consents; Public Meetings /Hearings (scheduled for 10:15 a.m.)
9. Administration, Policies and Other Issues
10. Correspondence
11. Accounts & Financial Statements
12. Closed to the Public Session (if necessary)
13. Next Meeting
14. Adjournment

35. COMMITTEE OF THE WHOLE DAY 2

Committee of the Whole Day 2 shall meet on the Second Wednesday following the Regular Session of County Council. The order of business on the agenda shall be set as follows:

1. Call to Order
2. Declarations of Pecuniary Conflict of Interest and the general nature thereof
3. Motion to accept the Agenda and receive all Reports
4. Delegation (to appear at 11:30 a.m.)

5. Councillor's Issues
6. Cultural Services
7. Social Services (includes Facilities)
8. Homes for the Aged
9. Emergency Services
10. Administration, Polices & Other Issues
11. Correspondence
12. Accounts and Financial Statements
13. Closed to the Public Session
14. Next Meeting
15. Adjournment

36. HURON COUNTY ACCESSIBILITY ADVISORY COMMITTEE

Ontarians with Disabilities Act, 2001 (ODA, 2001) and Accessibility for Ontarians with Disabilities Act (AODA, 2005) is provincial legislation requiring municipalities to address issues around disabilities and barriers to accessibility.

The ODA requires all Ontario municipalities to:

- Develop an Annual Accessibility Plan, in consultation with people with disabilities
- Appoint an Accessibility Advisory Committee if over 10,000 in population
- Make the Accessibility Plan available to the public

The Huron County Accessibility Advisory Committee (HCAAC) was established in 2005 and is an Advisory Committee to County Council. The Committee is made up of community members, a majority of whom are people with disabilities. They provide vision, direction and advice towards the removal of barriers to all municipal Councils within the County of Huron.

Mission Statement:

Fulfill the purpose of the Accessibility for Ontarians with Disabilities Act, 2005 (AODA, 2005) for participating municipal Councils in our County by providing vision, direction and advice towards the removal of barriers.

Work in collaboration with the Huron County Disability Act Working Group to review plans to promote and facilitate a seamless approach to effective barrier removal across the County in public municipal buildings.

37. ADHOC AND SPECIAL COMMITTEES

The Warden may from time to time, as may be deemed necessary, appoint a special Committee to which may be referred for report any matter sent to such Committee by Council.

PART 11 – DUTIES OF COMMITTEES

38. COUNCIL SITTING AS COMMITTEE OF THE WHOLE

County Council, sitting as Committee of the Whole shall consider all matters as follows for consideration and report.

- (1) All petitions and requests for grants of money other than those coming under the jurisdiction of any Board of Council.
- (2) The statement of receipts and expenditures other than those coming under the jurisdiction of any Board of Council.
- (3) The annual estimates and budgets from any Board as consolidated.
- (4) The bonds of corporate officers giving security.
- (5) The amount and kind of security to be given by the officials of the County.
- (6) The annual report regarding investments of the sinking funds and reserve funds of the County.
- (7) All communications, petitions and resolutions relating to legislation or amendments to statutes and all requests for amendments to or confirmation of by-laws other than those coming under the jurisdiction of any Board of Council.
- (8) Any such matters as the Warden, C.A.O., or Clerk may deem necessary to place before this Committee of the Whole.
- (9) All matters concerning personnel policies or other policies of a corporate nature.
- (10)
 - a) To review and recommend general policy with regard to guidelines for salary and wage negotiations and to recommend to Council for approval, all memorandum of understanding regarding salary negotiations.
 - b) To consider all matters related to salary administration, including pay equity.
- (11)
 - a) To recommend appointments of members to Boards or special Committees in the event of a member of Council resigning, long term sickness or in the event of a death.
 - b) To recommend appointments to committees established for studying a specific subject or proposal, or individual County appointments to various organizations.

- (12) To consider all matters affecting the actual real property of the County.

39. BOARD OF HEALTH

The Huron County Board of Health is governed by the *Health Protection and Promotion Act, R.S.O. 1990, Chapter H.7* and the rules and regulations as described in this By-law.

- (1) At the first meeting of a Board of Health in each year, the members of the Board shall elect one (1) of the members to be Chair and one (1) to be Vice Chair of the Board for the year.
- (2) The Board of Health shall oversee the provision of: Part II Health Programs and Services; Part III Community Health Protection; and Part IV Communicable Diseases and the regulations relating to those Parts.
- (3) The Board of Health is also governed by the regulations as set out in *Part VI, Health Units and Boards of Health, of the Health Protection and Promotion Act* and all the rules and regulations as set out in this By-law.
- (4) The Board of Health under s.91 of the *Health Protection and Promotion Act, R.S.O. 1990 c.H.7* (HPPA) opted into agreement with the County to provide the health programs and services that the Board of Health is required to provide under the HPPA and its regulations and the services of persons qualified to perform the functions of a Medical Officer of Health, public health inspectors and other public health professionals that may be employed by the County or Board of Health.
- (5) While sitting as the Board of Health it shall consider all matters pertaining to the Health Unit for the delivery of the programs as described in *Subsection 2* above.

40. LIBRARY BOARD

The Huron County Library Board is governed by the *Public Libraries Act, R.S.O. 1990, c. P. 44*, and the rules and regulations as described in this By-law.

- (1) A Board:
 - a) shall seek to provide, in cooperation with other Boards, a comprehensive and efficient public library service that reflects the community's unique needs;
 - b) shall seek to provide library services in the French language, where appropriate;
 - c) shall operate one or more libraries and ensure that they are conducted in accordance with this Act and the regulations;

- d) may operate special services in connection with a library as it considers necessary;
 - e) shall fix the times and places for Board meetings and the mode of calling and conducting them, and ensure that full and correct minutes are kept;
 - f) shall make an annual report to the Minister and make any other reports required by this Act and the regulations or requested by the Minister from time to time;
 - g) shall make provision for insuring the Board's real and personal property;
 - h) shall take proper security for the treasurer; and
 - i) may appoint such Committees as it considers expedient.
- (2) While sitting as the Huron County Library Board, it shall consider matters pertaining to the provision of services related to the County Public Library System. It should be noted that Council has final approval over all budget and personnel related matters with respect to the County Library.

41. COMMITTEE OF THE WHOLE DAY 1

To Committee of the Whole Day 1, the following shall be referred for consideration and report and while sitting shall consider all matters pertaining to that department.

- (1) Public Works: County roads, bridges and services for weed inspection.
- (3) Planning and Development:
 - a) Establishing and implementing of an Official Plan by the County of Huron and related matters in connection therewith.
 - b) Waste Management Master Plan process and all other waste management planning responsibilities assumed by Council.
 - c) Community Economic Development including Tourism, Manufacturing, and the Huron Small Business Enterprise Centre (HSBEC).
 - d) Services for tree inspection.
 - e) Establishing, extending and maintaining County forests and in undertaking such measures for conservation as may be deemed in the best interest of the County. The committee shall have the general supervision of the County forests and may from time to time recommend to the Council the purchase of such additional lands as they may deem suitable for reforestation purposes.

- f) All matters pertaining to the Ontario Ministry of Agriculture and Food, and Rural Affairs (OMAFRA), and it shall co-operate with the local office and it's Regional Information Coordinator
- (4) Administration, Policies & Other Issues:
All matters pertaining to Corporate Services.

42. COMMITTEE OF THE WHOLE DAY 2

To Committee of the Whole Day 2, the following shall be referred for consideration and report and while sitting shall consider all matters pertaining to that department.

- (1) Cultural Services: Huron County Museum, the Huron County Historic Gaol and Marine Museum.
- (2) Social Services: All matters pertaining to the disbursement of social assistance and Ontario Works; the Huron County Housing Corporation; social housing; and Children's Services. Also Facilities that includes but not limited to operational and capital requirements of designated County Facilities and staff.
- (3) Homes: County's Homes for the Aged and the surrounding land in connection with the Homes.
- (4) Emergency Management Service (EMS):
Land ambulance service.
- (5) Administration, Policies & Other Issues:
All matters pertaining to Corporate Services.

PART 12 – GENERAL COMMITTEE

43. CHAIR AND VICE CHAIR

- (1) A Chair and Vice Chair shall be selected at the first meeting of the Committee or Board.
- (2) In the absence of the Chair of any Committee or Board, one of the other members shall be elected to preside and he shall discharge the duties of the Chair until his arrival.

- (3) The Chair or Vice Chair of every Committee or Board shall vote on every matter or question submitted for consideration and when there is an equality of votes, the question shall be deemed to be defeated.
- (4) It shall be the duty of the Chair or Vice Chair of each Committee or Board to adhere strictly in all transactions to the rules of the Council laid down for Committees.
- (5) In directing the course of debate, the Chair shall follow the rules of order as set out in this by-law Part 4, Section 14, Subsections 1 to 4 inclusive.

44. BUDGET PRESENTING PROCEDURE FOR ALL COMMITTEES

All Departments and Boards will review their budget requirements for the current year and submit same to Council for approval annually through the Committee of the Whole.

The complete and consolidated final budget shall be submitted to Council through the Committee of the Whole no later than that stated in the Municipal Act, S.O. 2001, c.25 as amended from time to time.

45. MEMBERS OF COMMITTEES

- (1) The Warden shall be a member of all Committees and Boards with the right to vote.
- (2) Any member of a Committee must be a sitting member of Council unless otherwise stated.
- (3) Any member of Council upon being elected Warden must resign from all Standing Committees except the Board of Health to which he is appointed for a term of one year. However, he is automatically a member of all Committees by virtue of his office.

46. TERM

Standing Committee appointments may be for a term of Council and not be required to be moved unless requested to do so, in writing by the affected member to the Warden and Striking Committee on an annual basis.

47. QUORUM

A majority of the members of any committee shall be a quorum.

48. COMMITTEE PAY

- (1) All members of Council will receive a full day per diem for attending all Committee or Board meetings as set by the County including mileage.
- (2) In the event that a member of Council is called upon to attend a meeting tagged onto a Council or committee meeting, the Councillor shall receive payment as if it were one meeting.
- (3) In the event that the Chair or a member of a Committee is called upon to attend a special meeting, not being a regular meeting, he is entitled to regular Committee pay and mileage for this purpose in accordance with *Section 48, Subsection 1* of this By-law.
- (4) All members of Council must attend 75% of the Sessions of Council and Committee meetings inclusive in order to receive the annual stipend as set by the County.
- (5) Board Members and non-Council members of the public will receive mileage and ½ day per diem as set by the County; unless attending a scheduled meeting for more than 2 ½ hours then those members will receive full day per diem as set by the County, for attending Committee meetings.
- (6) The Warden will receive Committee pay as set out *in Section 48, Subsections 1, 2 and 3 of this By-law*; and in addition will receive the Warden's annual honorarium as set by the County.

49. MINUTE DISTRIBUTION

It shall be the duty of the Clerk to forward copies of all minutes of Committees or Board meetings following the said meeting.

50. REPORTING

- (1) Each Committee or Board shall report to the Council on every matter referred to it and shall properly number and endorse its reports, and no report shall be presented as the report of a Committee which shall not have been approved at a meeting of the Committee.
- (2) All Committees and Boards report to the Council upon any subject or matter referred to it by Council or dealt with between sessions of Council.
- (3) Upon presentation of the report of any Committee to the Council, the Council may adopt the report as read or shall without debate resolve itself into "In Closed to the Public Session".

- (4) Any and all reports that may be considered "Confidential", and is therefore to be considered "In Closed to the Public Session", shall seek advice from the C.A.O. or the Clerk to ensure that the subject matter meets the criteria for a closed meeting discussion.

PART 13 – "CLOSED TO THE PUBLIC SESSION"

51. COMMITTEE OF THE WHOLE - "CLOSED TO THE PUBLIC SESSION"
Section 239 of the Municipal Act, 2001 as amended, establishes principles of open and accountable governance and the parameters under which a municipality, Board or Committee may hold a "Closed to the Public Session" for discussion, subject to *Part 15* of this By-law.

- (1) The rules of closed meetings and a "Closed to the Public Session" shall apply to Council, all Committees, subcommittees, task forces, Boards, and staff.
- (2) There shall be a "Closed to the Public Session" provided as the last item on each agenda of each Committee or Board meeting at which time *Part 15* of this By-law as well as any other items which the Committee or Board deem necessary to be referred to the "Closed to the Public Session" shall be discussed.
- (3) "Closed to the Public Session" meetings shall be closed meetings and attendance by non-members of Council is a privilege not a right. The C.A.O. and Clerk shall be in attendance at all "Closed to the Public Session" meetings. Non-members attending shall be noted in the Motion.
- (4) There shall be a Motion for "Closed to the Public Session" meetings subject to *Part 15, Section 55* of this By-law as follows:
 - Time noted going into a "Closed to the Public Session"
 - Reason for the "Closed to the Public Session"
 - General nature of subject matter to be considered
 - Non-members attending
 - Time noted rising from "Closed to the Public Session"
- (5) Whenever the Council goes into a "Closed to the Public Session" the Warden or Chair shall leave the chair, if he deems it advisable and shall, before he leaves the chair, appoint a Chair to preside, who shall have the same authority in the chair of the Committee as the Warden in the chair of the Council. Upon going into a "Closed to the Public Session" to consider the report of a Committee, no member of that Committee shall be called to the chair.

- (6) The Warden or Chair shall prohibit discussion of any matter that was not disclosed in the Motion authorizing the closed meeting.
- (7) If a Council, Committee or Board is going into "Closed to the Public Session" under *Part 15, Section 54* of this By-law then the Motion must also include the general nature of this its subject matter and the fact that the meeting is being closed under this specific section.
- (8) A Councillor or member may request the opportunity to go into a "Closed to the Public Session" during the discussion of a specific report(s) and recommendation(s) following criteria outlined in *Part 15* of this By-law.
- (9) Voting during "Closed to the Public Session" meetings is restricted to procedural matters or for giving directions or instructions to officers, employees or agents of the County or Board of either of them or persons retained by or under a contract with the County.
- (10) The rules of the Council shall also apply to the Committees and Boards "Closed to the Public Session" except the rule limiting the times of speaking, of taking yeas and nays and of motions, which need not be in writing.
- (11) It is the privilege of any member to make a written motion while in a "Closed to the Public Session" and requires the same to be recorded in the minutes.
- (12) All amendments made by Committees or Boards while in a "Closed to the Public Session" shall be reported by the Chair before leaving the chair, which will be referred to the Council for concurrence.
- (13) While in a "Closed to the Public Session", a Motion that the Committee or Board "rise and resume sitting" in open session, shall always be in order and shall take the place of any other Motion without debate.
- (14) All background material/reports shall be circulated to the members during the appropriate "Closed to the Public Session" and shall be collected prior to returning to open session.
- (15) All "Closed to the Public Session" minutes and background reports shall be held by the Clerk in a secure location.

PART 14 – GENERAL ADMINISTRATION

- (1) The Corporate Seal of this Council shall be in the custody of the Clerk and shall not be affixed or impressed upon any document or instrument except when authorized by this Council or by By-law, or by the Warden.
- (2) Any standing rule or order of the Council may be suspended by a vote of two-thirds of the members present.
- (3) In all unprovided cases in the proceedings of Council or in Committee, the rules of Parliament shall be followed and in such cases the decision of the Warden or other presiding officer shall be final and acquiesced in without debate.
- (4) All accounts must be in the hands of the Clerk no later than two (2) days prior to the meeting; otherwise they may not be considered or passed until next meeting of Council.
- (5) All motions or resolutions that require to be sent to an outside governing body must be first referred to the relevant Committee or to a committee appointed for the consideration of such motions or resolutions.
- (6) Committees should meet promptly so their reports can be dealt with as early as possible, thus allowing ample time for discussion of any matters.
- (7) Every member shall vote on any division before Council except where the member has a pecuniary interest in the question.
- (8) No Committee is authorized to spend more than \$2,000 on any new project without first having had the sanction of Council.
- (9) The Clerk shall send a copy of the Procedural By-law to each member of Council.
- (10) All applications for money or petitions, or other written communications, or any subject within the cognizance of any Committee or Board are subject to the provisions of *Part 8 inclusive* in this Bylaw, and shall on presentation be referred to the proper Committee or Board without any motion, and no member shall speak upon, nor shall any debate be allowed on the presentation of the same to the Council; but any member may move that in referring the same, certain instructions be given by Council, or that they may be referred to a Special Committee.

PART 15 – MEETINGS CLOSED OR OPEN TO PUBLIC

The guidelines and rules regulating meetings closed or open to the public are set out by the *Municipal Act, 2001, S.O. 2001, c.25, as amended*. Except as provided in this section, all regular Council Committee or Board meetings shall be open to the public and may not be closed except when Council goes into a "Closed to the Public Session" to deal with a specific matter as provided by this By-law.

52. EXCEPTIONS

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

- (1) the security of the property of the municipality or local Board;
- (2) personal matters about an identifiable individual, including municipal or local Board employees;
- (3) a proposed or pending acquisition or disposition of land by the municipality or local Board;
- (4) labour relations or employee negotiations;
- (5) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local Board;
- (6) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (7) a matter in respect of which a Council, Board, committee or other body may hold a closed meeting under another Act.

53. OTHER CRITERIA

A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act* if the Council, Board, commission or other body is the head of an institution for the purposes of that Act.

54. EDUCATIONAL OR TRAINING SESSIONS

A meeting of a Council or local Board or of a Committee of either of them may be closed to the public if the following conditions are both satisfied:

- (1) The meeting is held for the purpose of educating or training the members.

- (2) 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.

55. MOTION

Before holding a meeting or part of a meeting that is to be closed to the public, the Council or local Board or Committee of either of them shall state by Motion:

- (1) The fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting; or
- (2) In the case of a meeting under *Section 54* of this by-law, the fact of the holding of the closed meeting, the general nature of its subject-matter and that it is to be closed under that subsection.

56. OPEN MEETING

Subject to *Section 57* of this By-law a meeting shall not be closed to the public during the taking of a vote.

57. EXCEPTION FOR CLOSED MEETING DURING A VOTE

- (1) Except as provided in this by-law *Part 3, Section 9, Subsection 1 and Section 10, Subsection 6, a – g inclusive* no vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.
- (2)
 - a) Despite *Section 57, Subsection 1* of this By-law, a meeting may be closed to the public during a vote if, *Sections 52 and 53 of this By-law* permits or requires the meeting to be closed to the public; and
 - b) The vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, local Board or committee of either of them or persons retained by or under a contract with the municipality or local Board.

58. RECORD OF MEETING

The Council or local Board or a Committee of either of them shall record without note or comment all Motions, decisions and other proceedings at a meeting of the body, whether it is closed to the public or not. The record required shall be made by the Clerk, in the case of a meeting of Council; or the appropriate officer, in the case of a meeting of a local Board or Committee.

59. RECORD MAY BE DISCLOSED

Clause 6 (1) (b) of the Municipal Freedom of Information and Protection of Privacy Act does not apply to a record of a meeting closed under Section 54 of this By-law.

60. INVESTIGATION

A person may request that an investigation of whether a municipality or local Board has complied with *Section 239 or a procedure By-law under Subsection 239.1 of the Municipal Act, 2001, S.O. 2001, c.25, as amended* in respect of a meeting or part of a meeting that was closed to the public be undertaken by the Ombudsman appointed under the *Ombudsman Act*.

PART 16 – SALE OF LAND

Before selling any land, the County and/or its local Board shall:

- a) By By-law or motion, declare the land to be surplus;
- b) Obtain at least one appraisal of the fair market value of the land; unless the land is being sold from one municipality to another; and
- c) Give notice to the public of the proposed sale.

PART 17 – DISTRIBUTION

A copy of this By-law shall be provided to each member of Council.

By-law No. 26-2009 is hereby rescinded.

Effective Date – This By-law shall come into force and effect on May 4th, 2011.

Short Title – The short title of this By-law is the Procedural By-law.

Read a first time May 4th, 2011.

Read a second time May 4th, 2011.

Read a third time May 4th, 2011.

SEAL

WARDEN – Neil Vincent

COUNTY CLERK – Barbara L. Wilson