

PROCEDURAL BY-LAW No. 2021-090

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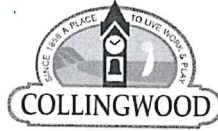
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**SCHEDULE "D" - TERMS OF REFERENCE
CORPORATE AND COMMUNITY SERVICES STANDING COMMITTEE**

**BY-LAW No. 2021-090
OF THE
CORPORATION OF THE TOWN OF COLLINGWOOD**



BEING A BY-LAW TO GOVERN THE PROCEEDINGS OF COUNCIL, STANDING
COMMITTEES, AND OTHER COMMITTEES AND BOARDS OF COUNCIL

WHEREAS subsection 238(2) of the Municipal Act, 2001, S.O. 2001 c. 25, as amended, requires that every municipal council and local board pass a procedural by-law for governing the calling, place and proceedings of meetings;

AND WHEREAS it is deemed expedient to adopt by by-law, rules governing the order and procedure for the Council of The Corporation of the Town of Collingwood, and to repeal By-law No. 2019-075 as amended;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF COLLINGWOOD HEREBY ENACTS AS FOLLOWS:

1. DEFINITIONS

In this By-law:

"**Agenda**" means an agenda for a Council or Committee Meeting.

"**By-law**" means this Procedural By-law.

"**Chair**" means the person presiding at a meeting.

"**Chief Administrative Officer**" or "**CAO**" means the Chief Administrative Officer of the Town.

"**Clerk**" means the Town Clerk and/or Deputy Clerk of the Town and/or designate.

"**Code of Conduct**" means the "Code of Conduct for Members of Council, Local Board and Committee Members".

"**Committee**" means any Standing Committee or similar entity of which at least 50 per cent of the Members are also Members of one or more Council or Local Boards.

"**Consent Agenda**" means the listing of items of a routine nature identified by the Clerk or a Member as requiring additional discussion or action or of wider community interest, including correspondence to the Town and/or Council, proclamations and/or minutes of Committees.

"**Correspondence List**" means a listing of items of a routine nature received by Council requiring no further action or discussion unless requested by Council, CAO or Department Head.

"**Council**" means the Council of The Corporation of the Town of Collingwood.

"**Defer**" means to postpone a decision or discussion on a matter until later in the same meeting or to a future meeting of Council or Committee.

"**Deputy Mayor**" means a Member of Council elected to the Office of Deputy Mayor and to act in the place of the Mayor in his/her absence, as elected to represent the Town and sits as a representative on the Council of the County of Simcoe.

"**Emergency Meeting**" means a meeting of Council held to consider any business of the Council which is determined by the Chair to be for an emergency and shall be limited to a matter considered to be of an urgent nature, or which would affect the health or well-being of the residents of the Town, or if so advised by a Provincial Ministry.

"**Local Board**" means a board, commission, committee, body or local authority of the Town established or exercising authority under any general or special Act for municipal purposes.

"**Majority Vote**" means more than half of the votes cast by members entitled to vote at a Meeting.

"**Mayor**" means the Head of Council as defined in the *Municipal Act, 2001*, as elected to represent the Town and on the Council of the County of Simcoe.

"**Meeting**" means any regular, special or other meeting of a council, of a local board or of a committee of either of them, where,

(a) a quorum of members is present, and

(b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

"Member of Council" or "Member" means any person duly elected or appointed to serve on the Council or Committee or Other Committees and Boards of the Town.

"New Information" means information that has not been previously presented or considered during the original debate and vote on a decided matter. The information must be new; credible; otherwise not known nor available at the time of the original presentation, debate or decision. What constitutes New Information shall be determined by the Clerk and/or CAO, whose decision is final and binding.

"Notice of Motion" means an advance notice to Members of a matter on which Council will be asked to take a position.

"Other Committees and Boards" means a Committee established by Council to advise on matters which Council has deemed appropriate for the Committee to provide recommendations for Council's review, or as established as a municipal services board or a Local Board.

"Point of Privilege" shall mean a question affecting the rights or privileges of the Council/Committee/Board collectively or the position and conduct of Members as elected or appointed representatives where the Chair is asked to immediately consider and take action to remedy a situation negatively affecting the rights or privileges of Members individually or collectively as a whole, despite other pending business currently before body.

"Publish" means published in a newspaper that, in the opinion of the Clerk, has such circulation within the Town as to provide reasonable notice to those affected thereby, or posted on the municipal website and to social media.

"Publication" has a corresponding meaning as Publish.

"Quorum" means 50% + one (1) Member of Council or Committee or Other Committees and Boards of the Town.

"Refer" means to direct a matter under discussion back to staff, another Committee, agent or organization for further consideration or to obtain more/additional information.

"Regular Meeting" means a scheduled meeting held in accordance with this By-law.

"Rules of Procedure" means the rules and regulations governing the proceedings of Council, and its Committees and Other Committees and Boards.

"Special Meeting" means a meeting not scheduled in accordance with this By-law that is required to deal with a specific matter.

"Standing Committee" means one of the Committees of Council as set out in Section 5.1.

"Town" means the municipality of The Corporation of the Town of Collingwood.

2. GENERAL PROVISIONS

2.1 Rules and Regulations

The rules and regulations contained in this By-law shall be the Rules of Procedure for the order and dispatch of business in Council, Committees and Other Committees and Boards shall be observed at all times. The Rules of Procedure contained herein may be suspended by a two-thirds vote of the Members present at the Meeting, unless prohibited by law or provided otherwise.

2.2 Alternative Interpretation

In the event of a conflict in the interpretation of any provision of this By-law, reference shall be made to *Robert's Rules of Order* for clarification.

2.3 Remuneration/Compensation

No member of Council shall receive a stipend, remuneration or compensation for any committee or board that they are a Council appointed member on, unless otherwise authorized by the Chief Administrative Officer (CAO). Such compensation authorized by the CAO shall be reported in the annual remuneration report.

If payment is required to be provided and not authorized by the CAO, those funds shall go into general revenues and will form the basis of the funds available for Council grants and donations. Travel expenses shall be exempt from this provision.

2.4 Preparation of the Agenda

Prior to each Meeting, the Clerk or Recording Secretary shall prepare an Agenda of all the business to be brought before such Meeting. The Agenda shall be distributed to Members in accordance to the notice provisions provided on Schedule "A" – Form of Meeting Notices.

Any correspondence received by the Clerk that is specific to an agenda item after the agenda has been published shall endeavour to be circulated to all members and applicable staff as soon as practical prior to the meeting.

2.5 Absence of Mayor

In the absence of the Mayor or if he/she refuses to act as Chair or if the office is vacant, the Deputy Mayor shall act in the place and stead of the Mayor and shall have all the rights, powers and authority of the Mayor. In the absence of the Deputy Mayor, the Member who received the highest votes will act in the place of the Deputy Mayor in the absence of the Mayor, and so on.

The actions provided for above shall apply to any other protocol or procedure that includes the role of the Mayor in the event that he / she is absent.

2.6 Record of the Proceedings - Minutes

The Clerk shall be the secretary of all Meetings of Council and Committee. It is the duty of the Clerk to record the proceedings of Council in the form of minutes in accordance with the *Municipal Act, 2001*. The minutes of a Meeting shall be approved at the next Regular Meeting or as soon as practical.

2.7 Recording Equipment

Council and Committee Meetings are to be recorded by video and live streamed, whenever practical, to increase public accessibility to such meetings and enhance accountable local government. Video recordings of Meetings may not always be available due to equipment malfunctions and/or an alternate location to hold such Meeting and shall not be relied upon as the official record of the Meeting.

The use of audio and video recording equipment by the public or the media will be permitted if it is not disruptive to the Meeting. The location of such recording equipment shall be at the discretion of the Chair.

2.8 Signing Authority

The Mayor or, in his/her absence, the Deputy Mayor and the Clerk are hereby authorized to sign and seal all agreements and other municipal documents that have been approved by Council, unless otherwise provided or as prescribed in the Town's Signing Officers By-law or Delegation By-law.

2.9 Request for Clarification

Members are encouraged to contact the CAO and appropriate Department Head prior to a Meeting to raise questions or clarify issues relevant to a matter on the Agenda. Members shall not give direction to staff except through majority vote. This serves to provide staff with time to prepare to address the question or clarification at the meeting, and staff will endeavour to respond prior to meeting should time permit.

2.10 Presentations – Council/Standing Committee Members

Community Announcements are to be brief, succinct and timely. Members should direct the public to the website or respective department for additional details if it pertains to upcoming events. Due to the time constraints and logistics, this time is to be provided for verbal updates only and refrain from adding pictures, videos, slides, etc. as it can detract from the agenda and formal business before the Council or Committee.

Individual members of council may make presentations to a standing committee or council on any matter relevant to the municipal business. Such presentations shall be limited to ten (10) minutes in length and listed under Other Business on the agenda. If the member wishes to provide a presentation or supporting materials to the matter he/she is discussing, it is the sole responsibility of the member to prepare such materials. Presentations and supporting materials are to be submitted to Clerk Services by Friday at noon prior to the council meeting the member is presenting at.

Presentation requests must be provided in writing to the Clerk as least 48 hours prior to the agenda being distributed.

2.11 General Consent Agenda / Correspondence List

The Clerk or designate is responsible for determining the content of the General Consent Agenda and shall list in the General Consent Agenda only those communications and petitions which pertain to matters of Council business requiring further discussion or of wider community interest and may include recommended action from Staff if necessary, at the discretion of the CAO and Clerk. Consent agenda items may include, but are not limited to petitions, communications from other tiers of government, community members and organizations requiring a response from Council.

General Consent Agenda items shall be considered at the most appropriate standing committee meeting as per the mandate identified in the Terms of Reference, excepting those of a time sensitive nature.

All the items listed in the General Consent Agenda shall be received or otherwise approved by one (1) motion. A Member may request that an item(s) in the consent motion be voted on separately for alternate direction after the required notice has been provided.

Wherein a member wishes to pull an item from the General Consent Agenda at a Council meeting with the intention of providing direction or proposing a motion, the item should be referred to the appropriate standing committee for consideration, excepting matters of a time sensitive nature or matters not directly within the mandate of a standing committee.

The Clerk or designate shall prepare a Correspondence List, not included in the General Consent Agenda. This Correspondence List includes items received of an informational nature with no discussion or action anticipated and is considered bulk communications not specific to the Town of Collingwood and is of a general nature. The Correspondence List shall be circulated to members on a weekly basis or as soon as practical with the link to where the list is posted for public view to the Town's website or meeting portal. Correspondence List items may include, but are not limited to, communications from other tiers of government, resolutions from other municipalities, proclamations, flag raisings and letters from community members and organizations.

All correspondence to be provided on a General Consent Agenda or Correspondence List shall be legibly written or printed, include contact information for at least one person, and be filed with the Clerk for inclusion on a meeting agenda. Personal information, other than contact information, disclosed in correspondence will become part of the public record, including the name of the author. Correspondence may be withheld from an agenda if it is considered to be inappropriate or offensive in nature or provided anonymously.

A consent agenda may also be prepared to combine reports/minutes of Committees and Boards to be received for information purposes only.

3. ROLES AND RESPONSIBILITIES

3.1 Role of the Mayor

It is the role of the Mayor:

- (a) to fulfill such duties and responsibilities provided for in the Municipal Act and Code of Conduct for Council, Local Board and Committee Members;
- (b) to act as Chief Executive Officer of the Town;
- (c) to preside over Meetings of Council so that its business can be carried out efficiently and effectively;
- (d) to provide leadership to the Council;
- (e) without limiting clause (c) above, to provide information and recommendations to the Council with respect to the role of Council described below;
- (f) to represent the Town at official functions;
- (g) to act as Council's representative when dealing with other levels of government, their agencies and the private sector, unless otherwise delegated; and
- (h) to carry out the duties of the head of council under the *Municipal Act, 2001* or any other Act, including but not limited to:
 - (i) uphold and promote the purposes of the Town;
 - (j) promote public involvement in the Town's activities;
 - (k) act as the representative of the Town both within and outside the municipality, and promote the Town locally, nationally and internationally; and
 - (l) participate in and foster activities that enhance the economic, social and environmental well-being of the Town and its residents.

3.2 Role of Council

It is the role of Council:

- (a) to fulfill such duties and responsibilities provided for in the Municipal Act and Code of Conduct for Council, Local Board and Committee Members;
- (b) to represent the public and to consider the well-being and interests of the Town;
- (c) to develop and evaluate the policies and programs of the Town;
- (d) to determine which services the Town provides in accordance with applicable legislation;
- (e) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
- (f) to ensure the accountability and transparency of the operations of the Town, including the activities of the senior management of the Town;
- (g) to maintain the financial integrity of the Town; and
- (h) to carry out the duties of Council under the *Municipal Act, 2001* or any other Act.

No Member has the authority to direct or interfere with the performance of any work being carried out by an employee, agent or contractor of the Town. Each employee is responsible only to his or her superior officer and CAO as established in the formal organization structure of the Town.

3.3 Ex officio

The Mayor is *ex officio* Member of each Committee, Other Committee or Board or other body established by Council unless prohibited by law. Where a Committee is established by reference to a particular number of Members without specifically providing for the membership of the Mayor, such number is automatically increased by one. The Mayor may otherwise participate, unless prohibited by law, in the business of the Committee, Other Committee or Board on the same basis as any other Member of the Committee. However, the Mayor as an *ex officio* Member is not entitled to vote unless legally permitted otherwise.

3.4 Duty of the Chair

The Mayor shall chair Meetings of Council, unless the Mayor is unavailable, in which case the Deputy Mayor will chair the Meeting or, in the absence of the Deputy Mayor, the Member shall chair the Meeting in accordance with Section 2.5.

The Chair shall preside over the conduct of the Meeting, including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the Meeting, subject to an appeal of any ruling of the Chair by any Member of the Council or Committee. It is the duty of the Chair to preside at all Meetings, and:

- (a) to open the Meeting by taking the Chair and calling the Meeting to order;
- (b) to put to a vote all motions and to announce the result;
- (c) decline to put motions to a vote which infringe upon the Rules of Procedure;
- (d) to inform the Members of the proper procedure to be followed and to enforce the Rules of Procedure;
- (e) to enforce on all occasions, the observance of order and decorum among the Members;
- (f) to call by name any Member persisting in a breach of the Rules of Procedure and order the member to vacate the Meeting room;
- (g) to permit questions to be asked through the Chair of any staff or Member present for information to assist in any debate when the Chair deems it proper;
- (h) to provide information to Members on any matter relating to the business of the Town and when possible, to be discussed with the Clerk and CAO prior to calling the Meeting to order;
- (i) to authenticate by signature all by-laws and minutes of Council;
- (j) to rule on any points of order or points of privilege raised by Members;
- (k) to maintain order and, where it is not possible to maintain order, the Chair may, without any motion being put, adjourn the Meeting to a time to be named by the Chair;
- (l) to carry out the duties of the head of council under the *Municipal Act, 2001* or any other Act; and
- (m) to act in accordance with his/her oath of allegiance, oath of elected office and Code of Conduct.

If the Mayor/Chair desires to leave the Chair during a Meeting for the purposes of taking part in the debate or otherwise, he/she shall call on the Deputy Mayor/Vice Chair, or in the absence of the Deputy Mayor/Vice Chair, on another Member, to fill his/her place until resuming the Chair, as further outlined in Section 2.5 of this By-law.

When two or more Members wish to speak, the Chair shall name the Members who, in his/her opinion, should speak and in which order.

3.5 Duty of Members

It is the duty of the Members to attend all Meetings, and:

- (a) to prepare for Meetings, including reviewing the Agenda and background information prior to the Meeting;
- (b) to speak only to the subject matter under debate;
- (c) to vote on all motions before the Council unless prohibited from voting by law;
- (d) to observe proper procedure and decorum at all Meetings;
- (e) to state questions to be asked through the Chair;
- (f) to attend all Meetings of a Committee, Other Committees and Boards to which the Member has been appointed by Council;
- (g) to carry out the duties of Members under the *Municipal Act, 2001* or any other Act; and
- (h) to act in accordance with their declarations to office and oaths of allegiance, and Code of Conduct.
- (i) to disclose an interest under Section 5 of the Municipal Conflict of Interest Act (MCIA) at a meeting or as soon as possible afterwards and submit to the Clerk a written statement not later than 72 hours after declaring the pecuniary interest on the prescribed Declaration on Interest Form. The written statements shall be posted on the municipal website and form the MCIA Registry. This shall be applicable to Members of Council and Local Boards and apply only to matters pertaining to the MCIA.
- (j) Members are required to notify the Chair and Clerk or Recording Secretary as soon as practicable when the Member is aware that he/she will be absent from a Meeting.

3.6 Duty of the Chief Administrative Officer

It is the duty of the CAO to attend all Meetings of Council, and:

- (a) to review all staff recommendations and reports prior to their submission to Council or a Committee and, when deemed necessary, to submit his/her comments on the said reports;
- (b) to ensure that all resolutions and by-laws submitted to Council or a Committee accurately reflect the goals and objectives of the Town;
- (c) to assist the Council to discharge its responsibilities and, in a non-partisan manner, to aid Council Members to carry out their duties;
- (d) to attend all Council Meetings with the right, with the consent of the Chair, to speak but not to vote; and to attend Meetings of the Committees when invited or when the CAO deems it advisable to do so, with the right, with the consent of the Chair, to speak but not to vote;

3.7 Duty of Clerk

It is the duty of the Clerk to attend all Council Meetings, and:

- (a) to fulfill such duties and responsibilities provided for in the Municipal Act;
- (b) to attend or cause a designate to attend all Meetings of the Council, or Committee and other Meetings as deemed necessary;
- (c) to record, without note or comment, all resolutions, decisions, and other proceedings of such Meetings as indicated above;
- (d) to forward a copy of all resolutions, enactments and orders of the Council and Committees to those concerned in order to provide notice;
- (e) if required by any Member present at a vote, to record the name and vote of every Member voting on any matter or question;
- (f) to keep the official records of the Town, including the minutes of the proceedings of Council;
- (g) to keep in his/her office or in the place appointed for that purpose, the originals or copies of all by-laws and of all minutes of the proceedings of Council;
- (h) to make such minor clerical, typographical or grammatical deletions, additions or other changes in form to any by-law, motion, resolution and/or minutes as may be required for the purpose of ensuring correct and complete implementation of the actions of Council;
- (i) where a video or audio recording of a Meeting is made, to retain such recording in accordance with the Records Retention By-law;
- (j) to forward, by way of delegated authority, housekeeping or consolidation, by-law(s) directly to Council for consideration;
- (k) to present annually a Meeting calendar outlining the regular Standing Committee and Council Meeting schedule for the next year, which may be amended from time to time;
- (l) to provide to each Member of Council a copy of this By-law when the Member of Council makes a declaration of office and is sworn into office and upon request thereafter;
- (m) to perform such other duties as are prescribed by law or by direction of Council;
- (n) to act as the head pursuant to the *Municipal Freedom of Information and Protection of Privacy Act*.

4. COUNCIL MEETINGS

The Agendas shall be considered notice of Meetings. The form of notice for Meetings is set out in Schedule "A".

Items of an urgent matter may be placed on an addendum/addenda to an Agenda if the items are received by the Clerk after the Agenda has been prepared. The addendum/addenda shall be added to the Council Agenda for approval at the Meeting pursuant to Section 2.4. The motion to approve the Agenda and addendum/addenda shall be one motion unless a request is made by a Member of Council to separate the approval of the addendum/addenda.

Items deemed to be of an urgent/emergent nature that have a timeline associated with the matter that does not allow for it to be considered at a standing committee meeting may go directly on the agenda to Council with the approval of the CAO.

4.1 Inaugural Meeting

The first Meeting of a newly-elected Council after a regular election shall be held no earlier than November 15 and not later than 31 days after its term commences at a date, time and location to be determined by the Clerk.

The Clerk shall establish the agenda in consultation with CAO and Mayor-Elect, with the following items required to appear on the agenda.

- (a) Call to Order
- (b) Indigenous Recognition
- (c) National Anthem
- (d) Charge to Council

- (e) Filing of Certificates and Declarations of Office and Oaths of Allegiance, and Code of Conduct in accordance with the provisions of the *Municipal Act, 2001*
- (f) Statements by Members
- (g) Closing Remarks/Invocation
- (h) Adjournment

No business shall be conducted at the inaugural Meeting of Council until the declarations of office and oaths of allegiance and code of conduct have been made by the Members of Council.

4.2 Regular Meeting Times

Regular Meetings of Council shall be held at the hour of 5:00 p.m. (local time) on the third and fourth Monday of each month, unless otherwise authorized by Council. The regular schedule may be amended at the discretion of the Clerk and CAO to reflect scheduling conflicts and holidays. Such amendments to the regular schedule shall be circulated to all members of Council and the public as soon as possible.

In the event there is no business to discuss, or matters that are not of an urgent nature, the Mayor and Clerk shall have the authority to cancel the Meeting.

That Council recess for the month of August, unless otherwise determined by the Mayor in coordination with the CAO and Clerk. Due to the potential of council being in a lame duck position in the months of August, September, October and November in an election year, limiting their ability to make decisions on items described in section 275 of the Municipal Act, meetings may be 'tentatively' scheduled in the month of August to ensure business continuity during this period. A minimum of two weeks void of regular meetings will be maintained.

In an election year, immediately following the election, Council shall only meet as deemed necessary until the new term of Council takes effect.

4.3 Special Meetings of Council

The Mayor may, at any time, summon a Special Meeting of Council on twenty-four (24) hours written notice to the Members. Upon receipt of a written petition, hard copy or digitally, from a majority of the Members, the Clerk shall summon a Special Meeting on twenty-four (24) hours written notice to all Members and the media for the purpose and at the time mentioned in the petition. The only business to be dealt with at a Special Meeting is that which is listed in the notice of the Meeting. Special Meetings may be open or closed as provided in the *Municipal Act, 2001*.

4.4 Emergency Meeting

Notwithstanding any other provision of this By-law, an Emergency Meeting may be held without notice, to deal with an emergency or extraordinary situation, provided that an attempt has been made by the Clerk to notify the Members about the Meeting as soon as possible and in the most expedient manner available.

No business except business dealing directly with the emergency or extraordinary situation shall be transacted at the Emergency Meeting.

4.5 Location of Meetings

All Meetings of Council shall be held in the Council Chambers or at any other place in the Town or in an adjacent municipality as authorized by the Mayor. A Meeting may be held virtually or a combination of virtual and in-person at the discretion of the Chair, CAO and/or Clerk in accordance with Section 4.27.

4.6 Calling a Meeting to Order

As soon as a Quorum is present, after the hour fixed for the holding of a Council Meeting, the Mayor shall take the Chair and call the Meeting to order.

4.7 Quorum

If a Quorum is not present twenty (20) minutes after the time appointed for a Meeting, the Clerk shall record the names of the Members who are present and the Meeting shall not commence or proceed, unless the Clerk is previously notified that attendance will be delayed due to extenuating circumstances. If all those Members who are present remain until a Quorum is present, then the Meeting shall proceed.

4.8 Late Arrival

If a Member arrives late for a Council Meeting, any prior discussion and/or decision shall not be reviewed without the unanimous consent of all Members who are present and shall require formal rules of reconsideration.

4.9 Speaking Order

Members shall have an opportunity to speak to a motion once, and shall be succinct and avoid duplication when possible, being provided five minutes to speak. A member may speak more than once for clarification or to provide new information with an additional five

minutes provided at the discretion of the Chair, provided that every Member who wishes to speak on the item has spoken. The Chair may limit discussion in the interest of the decision-making process. This decision may be appealed by Members.

Members should not interrupt another member without the consent of the Chair by requesting to speak unless they make a point of order or point of privilege. The Chair is responsible for controlling the discussion to ensure effective meeting management.

4.10 Order of Business

Having reviewed the draft Agenda with the Mayor, the Clerk shall prepare, for the Members of Council, the "Order of Business" to include:

- Call to Order
- Adoption of Agenda
- Indigenous Recognition
- Declarations of Conflict or Pecuniary Interest
- Adoption of the minutes of the previous Meeting(s) of Council
- Community Announcements
- Public Meetings (statutory)
- Deputations
- Reports/Minutes of Committees/Boards
- Standing Committee / Staff Reports
- Motions
- By-laws
- Notice of Motion
- Old or Deferred Business
- Other Business
- Consent Agenda(s)
- County Report (first Council Meeting of the month)
- In-camera Session (if required)
- Confirmatory By-law
- Adjournment

The business of each Meeting shall be taken up in the order in which it stands on the Agenda unless otherwise deemed expedient by the Chair or at the request of a majority of the Members who are present.

4.11 Delegations

Delegates shall be encouraged to appear before a Committee rather than before Council. Anyone wishing to appear as a formal delegate before Council or a Committee shall advise the Clerk by 4:30 p.m. forty-eight hours prior to the publication of the Agenda for the delegation request to be considered. The request to appear before Council or a Committee shall be in writing and shall state the nature of the matter to be presented.

No person other than the delegate may speak on the matter and for not more than a total of ten (10) minutes. A delegate not on the Agenda of a Council Meeting, whether or it is or isn't related to a matter on the Agenda shall not be heard without the consent of a majority of the Members who are present.

The priority in which delegates shall be heard by Council or Committee shall be as follows:

- (a) delegates listed on the Agenda; and
- (b) delegates who, subsequent to the preparation of the Agenda and prior to the commencement of a Meeting, apply to the Clerk to be heard on a matter listed on the Agenda.

Unless there is a staff presentation, all formal delegates appearing before Council and/or Committee shall be heard under Deputations at the beginning of the Regular Meeting or just prior to the beginning of the specific item and shall be permitted to speak only once on an item. Once deliberations on a specific item have commenced, no further presentations relative to the item shall be made by the delegate or by any person other than a Member. The matter may be referred to a future Meeting if there is not an accompanying report.

Delegates shall respond to questions from the Members only through the Chair.

Further provisions with respect to delegations at a Committee Meeting are described within its Terms and Conditions attached hereto.

4.12 Decorum

Attendees at a Meeting shall maintain order and:

- shall not display signs or placards, heckle or engage in telephone or other

- conversation or any behaviour that may be considered disruptive
- ensure settings and backgrounds of those participating virtually in a meeting are neutral and respectable
- that the participant is in a quiet place not to cause unnecessary background noise
- when not speaking try to ensure that the audio is muted
- to be cognizant of one's body language when participating
- participants are not to be impaired through the use of drugs or alcohol while participating in a meeting
- while in a closed session, ensure that members are in a private room, volume is appropriately controlled, use of a headset or earbuds is used if voices can carry to other rooms.
- If a distraction / interruption occurs, advise the Chair that you need to recuse yourself. Turn off your video and audio until you can return to the meeting.

All cell phones and electronic devices shall be turned off and/or set to silent mode and are not to distract a member's attention during a Meeting.

The Chair may request a person to be expelled or excluded from any Meeting who disrupts the Meeting.

No person, except Members of Council and staff of the Town, shall be allowed to approach the dais where the Members of Council are seated or speak at a meeting unless invited by the Chair.

At a meeting, Members of the public who wish to submit materials for Council's consideration must do so through the Clerk, and are not to be placed at the Council table, or if emailed to Members directly during a meeting a copy shall be provided to the Clerk

4.13 Motions

Every motion shall be read aloud, and when duly moved and seconded, shall be open for discussion. A motion or amendments thereto, may not be withdrawn without the consent of the mover and seconder.

A motion must be moved and seconded (exception 4.26 motion to adjourn) prior to being debated by the Members. Each Member shall have an opportunity to speak to the motion once, and shall be succinct and avoid duplication when possible, being provided five minutes to speak. A member may speak more than once for clarification or to provide new information with an additional five minutes provided at the discretion of the Chair, provided that every Member who wishes to speak on that item has spoken. The Chair may limit discussion in the interest of the decision-making process. This decision may be appealed by Members. Following deliberations, the Chair shall call the vote on the motion and discussion on the motion is closed.

Where a motion to amend the main motion is moved, a seconder to the amendment is requested. If there is no seconder, the amendment is void and no further discussion on the amendment is to occur. If there is a seconder for the amendment, the Chair shall provide all Members with an opportunity to speak to the amendment. Once the discussion to the amendment is complete, the Mayor/Chair shall call the vote on the amendment and discussion on the main motion may continue.

Where a motion to defer has been duly moved and seconded, the motion to defer shall not be open for debate or amended and applies to the main motion and any amendments thereto under debate at the time the motion to defer is made.

Where a motion to refer a matter back to staff or another Committee has been duly moved and seconded, the motion shall be open for debate, may be amended, and precludes all amendments and the main motion.

Where a motion to adjourn has been duly moved there shall be no discussion on the subject matter.

4.14 Amendment to a Motion

Only one motion to amend the original motion shall be on the floor at any one time.

4.15 Two or More Matters

When the motion under consideration contains two or more matters, upon the request of any Member, each matter shall be voted on separately.

4.16 Under Debate

When a motion is under debate, no motion shall be received except for the following purposes and according to the following order, namely:

- (a) to extend the hour of automatic adjournment;
- (b) to recess;
- (c) to adjourn;

- (d) to Defer to a definite date;
- (e) to Defer indefinitely;
- (f) to Refer the matter back to Staff or another committee for more information; or
- (g) to amend the main motion.

4.17 Adoption in a Single Motion

One or more report items on Committee or Council Agenda may be adopted in a single motion. At a Council Meeting, any Member may request that an item be discussed separately, and that item shall not be included in the motion to adopt.

4.18 Points of Order or Privilege

A Member may interrupt the person who has the floor to raise a Point of Order when such Member feels that there has been a deviation or departure from the Rules of Procedure. The ruling of the Chair shall be final unless a Member appeals the ruling to Council which shall then decide upon the question without debate.

A Member may rise at any time on a Point of Privilege where such Member believes that the rights or privileges of the Council collectively or the position and conduct of Members is in question, including their integrity or the integrity of the whole has been impugned by another Member, Staff or delegate. Upon hearing such point, the ruling of the Chair shall be final unless the Member appeals the ruling to Council which shall then decide upon the question without debate.

If a member ~~strongly~~ believes that a point of privilege should be called, and it was not in reference to the member themselves, the member can, with the consent of the Chair, bring to the Mayor/Chair's attention a point of privilege (not personal privilege). The member shall indicate the point of privilege does not relate to themselves or Council as a whole but towards an individual member. The Mayor/Chair may either identify it directly or ask if a member wishes to call a point of personal privilege. If no member responds, the matter is mute. If the affected Council member wishes to raise it as a personal privilege, then the appropriate process is followed.

Where the Chair recognizes that a breach of privilege has taken place, the Chair shall demand that the offending Member, Staff or delegate apologize and refrain from any further offense comments, and failing such apology shall require such Member, staff or delegate to remove themselves from the meeting for the duration of the Meeting.

Only a Member may appeal the decision of the Chair to the Council which shall decide the question "that the decision of the Chair be sustained" without debate upon a Majority Vote of the Members who are present.

4.19 Notice of Motion

Notices of Motion shall be filed in writing with the Clerk and shall be added to the next Agenda of a Regular Meeting of Council as a Notice of Motion. Notwithstanding the written inclusion of a Notice of Motion on an Agenda, any member may verbally provide a Notice of Motion during a Council or Committee Meeting should it pertain to an item being considered on the agenda and provide a written or digital copy following the Meeting to the Clerk. The motion may be referred to the appropriate standing committee for consideration or considered at the next regular meeting of Council.

Should the standing committee be provided with an opportunity to make comment or consider a notice of motion prior to the motion being considered at Council, such comments or recommendations would be provided on the council agenda underneath the motion for council's consideration at the next regular meeting.

Where notice of a motion is being requested to be waived and the motion considered at the same meeting, a 2/3 majority vote of the members present at the meeting is required. Waiving notice of motion should only be considered if the matter is urgent and time will not permit the item to be discussed at a subsequent meeting. If 2/3 majority vote is not achieved then the motion will appear on the next regular agenda.

Notices of motion requiring action from staff are to include a preamble 'Whereas' sentence identifying how the item is aligned with the Town's strategic plan and departmental budget priorities/business plans as approved by Council, and if it is not aligned, to explain why the matter should be a priority and redirect necessary resources.

Only the member presenting a notice of motion may provide a brief and concise statement for the notice of motion for the benefit of the members, public and staff.

Resolutions as a result of a motion that may be of interest to other municipalities will be circulated to appropriate municipal advocacy organizations as appropriate for consideration or their circulation if deemed appropriate (i.e. AMO, FCM, AMCTO, OMMA, etc), unless the resolution pertains to a specific limited number of municipalities. Staff are not responsible for maintaining mailing / distribution lists for all Ontario municipalities.

4.20 Voting on Motions

Each Member present and voting shall announce or indicate his/her vote upon a motion openly and no vote shall be taken by ballot, or any other method of secret voting. In the event a Member present abstains from voting, he/she will be deemed to have voted in the negative unless the Member's reason for abstaining is due to his/her disclosure of a pecuniary interest. When a Member abstains from voting by virtue of a disclosure of pecuniary interest situation, his/her abstention shall not be deemed to be either an affirmative or a negative vote. When a Member abstains from voting by virtue of a conflict to a provision of the Code of Conduct that falls outside of the scope of the Municipal Conflict of Interest Act, his/her abstention shall be deemed to be a negative vote if the Member remains at the table.

4.21 Voting on Motions and Recorded Votes (formal and informal)

Any vote on a matter of Council business, excluding procedural matters, will be informally recorded. This informal recording of votes does not form part of the official minutes but populates a database for the purpose of providing such information in an accessible and transparent manner as statistical data viewable by the public. All Members are required to acknowledge their vote to the Mayor/Chair typically by show of hands or use of voting cards, or other electronic voting methods as may be established, unless a formal recorded vote is called.

If a formal recorded vote has been requested, it shall be recorded in the official minutes of the meeting, in addition to populating the above noted database. A formal request for a recorded vote must be made by a Member at the Meeting immediately before or after the taking of the vote. All Members who are present at the Meeting shall vote when called to do so by the Clerk by standing or use of voting cards or other electronic voting methods as may be established, unless he/she has disclosed a pecuniary or disqualifying interest or is absent from the table at the time the vote is taking place. The Clerk shall announce the results after the vote has been called and Members present have participated (or abstained).

The name of each Member who voted on the request for a formal recorded vote, and the manner in which he/she voted, shall be noted in the official minutes of the meeting.

If there is an irregularity between the database and the official minutes, the vote recorded in the official minutes shall supersede.

A record of attendance and voting history for all substantive matters shall be maintained for all Standing Committees of Council in the same manner as Council, and such attendance (attendee, absent or regrets) and voting history records be made available on the Town website for public view.

4.22 Tie Votes

Any motion of which there is a tie vote shall be deemed to be decided in the negative.

4.23 Reconsideration of a Matter

A motion to reconsider:

- (a) is not debatable;
- (b) is not amendable;
- (c) cannot be considered if the action approved in the motion cannot be reversed;
- (d) suspends action on the motion to which it applies until it has been decided.

A motion to reconsider requires a two-third vote to be considered.

No motion shall be reconsidered more than once during a period of twelve (12) months following the date on which the question was originally decided unless New Information is brought forward that might have reasonably affected the debate or the decision, or a mistake in procedure can be shown to have occurred.

No debate on a motion to reconsider a decided matter shall be permitted; however the mover of a motion to reconsider may provide or may make a brief and concise statement outlining the reasons for proposing such reconsideration.

If a motion to reconsider is decided in the affirmative at a Meeting, then consideration of the original matter shall become the next order of business.

When a question is brought before a succeeding Council, it shall be deemed to be new business and not a matter of reconsideration.

4.24 By-laws

All by-laws may be enacted in a single motion. Every by-law which is passed by Council shall be sealed with the seal of the corporation, signed by the Mayor or the Chair of the Meeting at which the by-law was passed and by the Clerk and shall be deposited with the

Clerk for custody.

4.25 Recess

A member of Council may request a recess through the Chair at any point in a meeting without requiring consensus of council. The Chair shall have discretion to the length of the recess being called and the appropriate time in which the recess is taken, as to not interrupt a matter currently being considered by Council.

4.26 Adjournment

It shall be the duty of the Chair to declare a Meeting adjourned following five (5) consecutive hours. The Meetings may be extended by a vote of two-thirds of the Members who are present in increments of one hour. A motion to adjourn does not require a seconder.

4.27 Electronic Meeting Participation (Council, Local Boards and Other Committees)

That while every effort shall be made by Members to attend meetings physically in person, during the following circumstances members of Council, Local Boards and Other Committees may participate by telephone or other electronic video teleconferencing means in a meeting to the extent and in the manner set out in this By-law:

- a) It is not safe or possible to attend an in-person meeting due to a natural weather event;
- b) Health and safety restrictions as determined by the CAO in consultation with the Mayor or Town of Collingwood Emergency Control Group;
- c) Restrictions or guidelines set out by the Simcoe Muskoka District Health Unit, the Ontario Provincial Police or the Province of Ontario; or
- d) The activation of the Emergency Control Group or a declared emergency by any level of government or health unit.

Exceptions to the above circumstances shall be provided at the discretion of the Chair, providing the ability for staff, the public and/or members to participate in a meeting via telephone or other electronic video teleconferencing means, if deemed appropriate.

Members participating electronically are required to use their Town issued equipment or use their own personal equipment (i.e. phone and/or computer) at their own expense.

Members shall advise the Clerk, or designate, as soon as practicable prior to the scheduled meeting of his/her intent to participate electronically, and upon approval of the Chair. In all cases, staff will accommodate electronic participation on a best effort basis and subject to available resources that may be required for the delivery of competing essential municipal services. All attempts will be made to ensure meetings are live streamed and recorded.

Members participating electronically will count towards quorum and have the ability for full participation including ability to vote in both public and closed session (in-camera) meetings. Voting may take place by way of roll call, or in an alternate method authorized by the Chair, ensuring that Members and the public are aware of how each member votes.

If a member participating remotely must leave the meeting for any length of time wherein they are not able to participate in the discussion or vote, the member shall immediately inform the Clerk (or recording secretary) of their absence that will be acknowledged in the minutes, and further advise the Chair. Any vote taken during their absence, would only include the members present and indicate that member's absence during the vote. Should a Member participating in the meeting remotely not make their vote known at the time the vote is called and has not advised the Clerk (or recording secretary) of their absence, the vote shall be considered an abstention and therefore deemed as a negative vote.

In the event of a technical failure during the meeting, a recess of not more than 10 minutes can be taken to allow staff to reinstate the electronic participation. If a member can no longer participate by electronic means it will not affect the validity or continuation of the meeting or decisions. If a quorum is lost, the meeting will be deemed to be adjourned.

Electronic participants are permitted to participate in Closed Session (In-Camera) session meetings only for the purpose of a meeting held while under the circumstances provided in Section 4.27 Paragraph 1. In the case that Members participate electronically in closed sessions, all Members must attest to the fact that they recognize they will be in a closed session and are able to ensure confidentiality.

5. IN-CAMERA MEETINGS

5.1 Council, Committee(s) and Board(s) – In-Camera

5.1.1 Meetings of Council, Committees and Local Boards or portions thereof, may be held in-camera in accordance with the *Municipal Act, 2001*. The Clerk, in conjunction with the CAO or Chair will place the in-camera session on the agenda, if required, prior to the meeting.

In-camera sessions requested by members of Council shall be vetted through the Clerk in advance of the meeting to ensure that it meets the in-camera exemption requirements of the Municipal Act.

In-camera meetings may be held by special meeting as determined appropriate by the Clerk in consultation with the Chair and CAO. Council should make every effort to reserve their schedules the afternoon prior to a regular meeting should a special meeting be called for this purpose.

The only matters to be considered in-camera are as follows:

- a) the security of the property of the Town or Local Board;
- b) personal matters about an identifiable individual, including Town or Local Board employees;
- c) a proposed or pending acquisition or disposal of land for Town or Local Board purposes;
- d) labour relations or employee negotiations;
- e) litigation or potential litigation, including matters before administrative tribunals, affecting the Town or a Local Board;
- f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- g) a matter in respect of which a Council, Board, Committee or other body has authorized a Meeting to be closed under another Act;
- h) Information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- i) A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons or organization;
- j) A trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; and
- k) A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on, or to be carried, by or on behalf of the municipality or local board.

5.1.2 Other criteria

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

- (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 purposes of that Act; or
- (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), or the investigator referred to in subsection 239.2 (1) of the Municipal Act.

5.1.3 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:

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

5.1.4 The Clerk shall confirm either verbally, or provide in the written preamble of the motion, that the reason(s) for the in-camera session have been duly reviewed and considered and the matter is authorized under the exception provisions to conduct a closed session in accordance with the Municipal Act prior to proceeding into closed session.

5.2 Procedure – Moving into In-Camera

Prior to moving in-camera for one or more of the reasons listed in Section 6.1, the Council, Committee or Local Board shall pass a resolution in open session stating:

- (a) the fact that the Council, Committee or Local Board is convening into in-camera session; and
- (b) the general nature of the matter(s) to be considered.

A motion to accept the in-camera agenda material including any confidential instruction provided in accordance with the Municipal Act and any outstanding minutes may be included on the public agenda and considered, if council is satisfied with the content avoiding any requirement to move into an in-camera session.

5.3 Voting Prohibited In-Camera – Exception

Subject to Section 6.1, a Meeting shall not be closed to the public during the taking of a vote. Despite section 244 of the *Municipal Act, 2001*, a Meeting may be closed to the public during a vote if,

- (a) subsections 239(2) or (3) of the *Municipal Act, 2001* permit or require 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 Town or Local Board of either of them or persons retained by or under a contract with the Town or Local Board.

Upon request from any Member of Council the vote may be recorded.

5.4 Meeting – In-Camera (Closed) – Attendance

The Clerk shall prepare an in-camera Agenda to be circulated to Members of Council which shall include any delegation to Council as recommended by the Mayor and/or CAO during the closed session. Once the presentation has been made the delegation shall be requested to leave the in-camera or closed session while Council deliberates. The Agenda may include names of staff members required to be present during the in-camera Meeting in addition to the Clerk.

5.5 Meetings – In-Camera – Record

The Clerk shall record all vote(s)/direction(s) provided during in-camera (closed) sessions which relate only to the direction provided by Council pursuant to clause 239(6)(b) of the *Municipal Act, 2001*. Copies of these records containing only the vote/direction provided by Council will be distributed to Council only. The record of vote(s)/direction(s) kept during in-camera (closed) sessions will be subject to the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*. Confidential information may be sequentially and distinctly numbered to each recipient and shall be copied on pink paper where possible.

All in-camera sessions may be audio and where possible video recorded for the sole purpose of conducting investigations undertaken by the Ombudsman, Integrity Commissioner, Closed Meeting Investigator or a Judge, and shall not be used for any other purpose.

That the recordings be stored on an encrypted electronic device separate from the Town servers, to be located in the Town vault with the official Council minutes, in a locked box. Restricted and controlled access by the Clerk or Deputy Clerk ensures that only those privileged to view or listen to the in-camera meeting recordings is able to do so.

That audio/video recordings of in-camera sessions be retained for a period of six (6) years, after which time the recording shall be destroyed in accordance with the Town's Record Retention Policy.

5.6 Rise and Report – In-Camera Business

Should Council, Committee and Local Boards be in a position to rise and report from a closed session, notice shall not be required prior to considering the matter. The matter may be considered by a simple majority.

5.7 In-Camera (Closed) Meeting Investigation Resolution

If Council or local board receives a report from a closed meeting investigator, and if the report determined that a meeting was held contrary to section 5.1, Council or the local board, as the case may be, shall pass a resolution stating how it intends to address the report.

6. COMMITTEE MEETINGS

6.1 Standing Committees

The Standing Committees of Council shall be as follows:

- Corporate and Community Services Standing Committee
- Development and Operations Services Standing Committee
- Strategic Initiatives Standing Committee

6.2 Appointment of Standing Committees

Recommendations of appointments to the Standing Committees are made by the Striking Committee and confirmed by resolution of Council at a regular Meeting.

6.3 Appointment of Special Committees

Special Committees may be appointed by the Council and shall report to Council on any matter referred to them by Council.

6.4 Quorum

A majority of the Members shall be a Quorum, or as otherwise provided within the Municipal Conflict of Interest Act.

6.5 Hearings

Hearings, which are subject to the *Statutory Powers Procedures Act*, shall follow procedures set forth in the *Statutory Powers Procedures Act*.

6.6 Rules of Procedure for Committees

The Rules of Procedure for Committees shall be the same as for Council except where they may be changed by the Committee. Any Committee may appoint a sub-committee.

6.7 Terms of Reference for Standing Committees

The terms of reference for the following Standing Committees shall be as follows:

- a) Strategic Initiatives Standing Committee - Terms of Reference attached hereto as Schedule "B"
- b) Development and Operations Services Standing Committee - Terms of Reference attached hereto as Schedule "C"
- c) Corporate and Community Services Standing Committee - Terms of Reference attached hereto as Schedule "D"

6.8 Recommendations of Standing Committee

Unanimous decisions in favour of a matter discussed at a Standing Committee be presented to Council in the form of a report. This report and all recommendations therein shall be considered in a single motion at a council meeting in the form of a consent agenda. Any member of council may request an item from the standing committee report be pulled and voted on separately from the main motion.

All other recommendations are to be provided separately on the agenda for consideration of Council.

7. OTHER COMMITTEES AND BOARDS

7.1 Procedure

All Other Committees and Boards shall follow the procedures set out in this By-law, except for municipal services boards as authorized by the Town who may adopt their own procedures, otherwise must act in accordance with the provisions of this By-law or as legislated by another Act as otherwise determined.

The rules governing the procedure of the Council and the conduct of its Members shall be observed in Other Committee and Board Meetings, with the following modifications:

- (a) A motion to hear from the public is not required, provided that the person wishing to speak is speaking to an issue on the Agenda or with the consent of the Chair. The member of the public shall be limited to 5 minutes and is permitted to speak only once to a specific item. If the item is not identified on the Agenda, the Chair may direct that the matter be heard at the end of the Meeting to ensure appropriate time is available to address the main business of the Committee. Should a member of the public be disruptive or disrespectful during such discussion, protocol provided under Section 4.13 may be applied;
- (b) a Member shall not speak more than once to a motion until every Member who desires to speak has spoken once.
- (c) Other Committees are not required to provide notice of a motion put on the floor by a Member at a meeting, however are encouraged to do so.
- (d) Where notice of a motion is being requested to be waived during a local Board meeting and the motion considered at the same meeting, a 2/3 majority vote of the members present at the meeting is required. Waiving notice of motion should only be considered if the matter is urgent and time will not permit the item to be discussed at a subsequent meeting. If 2/3 majority vote is not achieved than the motion will appear on the next regular agenda

7.2 Reports/Minutes

Reports/Minutes shall be listed in the section on the Agenda designated for Reports/Minutes of Committees/Boards and shall be received and recommendations considered (if any) during the next Meeting. Recommendations contained in Reports/Minutes that require direction from Council will also be identified on the respective Agenda.

Draft minutes may be distributed personally, electronically, or by fax for official approval

following each Other Committees and Boards Meeting. The minutes will be deemed "approved" by the Chair if a majority of the Members who are present at the respective Meeting submit their written approval of the draft minutes to the appropriate secretary. If a majority in the affirmative is not received or if the Other Committees and Boards cannot establish a consensus with respect to the draft minutes, the minutes will proceed to the next meeting of the Other Committees and Boards for approval. All approved minutes shall be forwarded to Council. All minutes of the proceedings, recommendations and decisions of Other Committees and Boards shall be kept by the Clerk's Department.

7.3 Meetings – Regular Holiday Exception

Other Committees and Boards shall establish a schedule of Regular Meetings, however, they may meet more frequently if deemed necessary or, at the call of the Chair. If a Regular Meeting falls on a civic or public holiday, the Meeting may be held on another day and time as approved by the Chair.

Local boards and advisory committees shall recess for the month of August, unless determined by the Chair in coordination with the Clerk or designate.

7.4 Staggered Committee/Board Appointment

If not otherwise provided for by this By-law or the Establishing By-law of the Other Committee, public appointments shall be for staggered terms with all appointments being for three (3) year terms. Depending on the composition of Other Committees, the Members will be staggered as equally as possible.

A public member shall not be appointed for more than two (2) consecutive terms. If no qualified public expressions of interest are received as a result of the advertisement to fill the vacancies, Council may, at their sole discretion, waive the "sunset clause" by resolution of Council and appoint a public member whose term had expired immediately preceding the vacancy. A public member may not apply to the same Committee until one year after their term had expired.

All Council appointments to Local Boards shall be for a four year term, consistent with the term of office, and not be designated to a specific position on Council. Each appointee shall be reviewed and considered in relation to merits such as their experience, qualifications, interest, workload and commitment. However, any appointment to a specific Committee/Other Committee/Board can be reviewed annually if requested by a member of Council and not require the formal rules of reconsideration.

7.5 Electronic Meeting Participation

Although members of Other Committees and Boards are encouraged to participate at meetings in person, they may participate in a meeting by telephone or other electronic video teleconferencing means. Members participating electronically are required to use their own personal equipment (i.e. phone and/or computer) at their own expense and shall advise the Clerk or Recording Secretary at least 48 hours prior to the scheduled meeting of his/her intent to participate electronically.

Members participating electronically count towards quorum and have the ability to vote.

A member cannot be absent for more than three (3) consecutive meetings, without receiving consent in the form of a formal resolution approved by a majority vote by the applicable Other Committee or Local Board.

Throughout the pandemic, electronic participation in meetings has provided for greater opportunity to recruit volunteers to sit on Other Committees and Boards and provide flexibility in attending meetings. Should Other Committees or Boards wish to continue with holding their meetings electronically outside the parameters provided under section 4.27, a 2/3 vote of the membership of the Other Committee or Board wishing to conduct their meetings electronically shall be required.

**Refer to Section 4.27 Electronic Meeting Participation*

7.6 Sub-committees – quorum requirements

The establishing by-laws for Other Committees that have been enacted and passed by Council allow for the creation of sub-committees to assist with specific initiatives being undertaken by the Other Committee. To assist Other Committee's in being able to form a sub-committee when needed, the sub-committee shall not be subject to the quorum requirements of the Other Committee as set out in their independent establishing by-laws, however recommendations of the sub-committee cannot be considered at the sub-committee level and are required to be forwarded to the Other Committee the sub-committee reports to for consideration if the actions being undertaken are within the authority and jurisdiction of the Other Committee.

7.7 General roles of Other Committee and Board Members and Staff

7.7.1 The duty and roles of Other Committee and Board Members:

- a) It is the duty of the member to attend meetings;
- b) Prepare for meetings, including reviewing the Agenda Package and background information prior to the meeting;
- c) Where possible, a member(s) should discuss a potential recommendation with staff prior to the meeting to assess resources that are available to implement the recommendation;
- d) Speak only to the subject matter under debate;
- e) Prior to voting on matters ensure all relevant information has been made available and if not refer to Standing/Committee and Council if a detailed staff report is necessary, or directly to staff if the matter does not require significant time away from staffs approved workplans, to obtain information prior to making a final decision;
- f) Vote on all motions unless prohibited from voting by law;
- g) Observe proper procedure and decorum at all meetings;
- h) State questions to be asked through the Chair;
- i) To attend all meetings of a Committee, Other Committees and Boards to which the Member has been appointed to;
- j) To carry out the duties of members under the Municipal Act, 2001, when applicable, and to act in accordance with the Code of Conduct, lobbyist registry and procurement policies;
- k) To disclose any pecuniary interest under Section 5 of the Municipal Conflict of Interest Act (MCIA) at a meeting or as soon as possible afterwards;
- l) Members are required to notify the Chair and Clerk or Recording Secretary as soon as practicable when the member is aware that he/she will be absent from a meeting;
- m) To disclose any real, or perceived conflicts of interest that may not be pecuniary in nature to increase transparency and further not participate in the discussion if the member discloses the reasons they believe it is a 'disqualifying interest';
- n) To represent their own personal interests and opinions, and not that of an agency or organization, unless the member has express authority or knowledge of the specific matter.

7.7.2 The roles of Department Heads to Other Committees and Boards

- a) Attend necessary Standing Committee and Council meetings;
- b) Attend a minimum of 2 committee/board meetings a year to observe the operation and provide guidance as may be necessary;
- c) Act as a backup in the event the staff resource is unable to attend a committee/board meeting;
- d) Act as a liaison, together with the staff resource if appropriate, between the Other Committee/Board to Standing Committee/Council;
- e) Review all sets of committee/board meeting minutes prior to Standing Committee;
- f) Act as the department liaison of significant Other Committee/Board initiatives between CAO and other Department Heads;
- g) Prepare staff reports if requested by Standing Committee/Council on initiatives recommended by the Other Committee/Board that may require further analysis.

7.7.3 The roles of Staff Resources to Other Committees and Boards

- a) Attend all committee/board meetings or ensure a designate attend in your absence (ideally the Department Head);
- b) Prepare for meetings and provide updates from Town operations that relate to the Other Committee/Board mandate or initiatives;
- c) Provide staff input prior to Other Committee/Board recommendations including costs, implementation, capacity concerns, identify and seek impact to other departments or current initiatives or provide alternative options if available;
- d) Col Be informed of applicable legislation and grants relative to the Committee/Board mandate to provide advice and guidance;
- e) Timely review of all committee/board meeting minutes prepared by the Recording Secretary prior to distribution;
- f) Prepare and/or approve the committee/board agenda prior to distribution;
- g) Act as the department liaison between the Committee/Board and Department Head(s)

8. LEGAL ACTIONS & PROCEEDINGS

8.1 Town's Solicitor

The Town's Solicitor is authorized to commence or to defend any proceeding appeal, or other form of action in a court or before an administrative tribunal to meet statutory or regulatory time limits and to seek costs where appropriate in accordance with the rules of the court or administrative tribunal.

8.2 Report to Council

The Town's Solicitor shall report to Council at the first available opportunity on such any action taken, and Council shall determine whether the matter should be continued or discontinued.

9. CONFIRMATORY BY-LAW

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

Notwithstanding any other provision of this By-law, confirmatory by-laws shall not be amendable or debatable.

10. INTERPRETATION OF BY-LAW

This By-law shall be interpreted in accordance with the following:

- (a) the part numbers and headings, subheadings and section, subsection, clause and paragraph numbers are inserted for convenience of reference only and shall not affect the construction or interpretation of this By-law;
- (b) this By-law shall be construed with all changes in number and gender as may be required by the context;
- (c) references in this By-law to any legislation or any provision thereof include such legislation or provision thereof as amended, revised, re-enacted and/or consolidated from time to time and any successor legislation thereto.

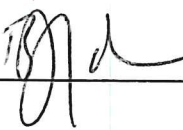
The Clerk shall be responsible to interpret and administer the Rules of Procedure of this By-law.

11. REPEAL – ENACTMENT


By-law No. 2019-075 and any amendments thereto, are repealed upon this By-law coming into effect.

This By-law shall come into full force and effect on the date of final passage hereof at which time all by-laws and/or resolutions that are inconsistent with the provisions of this By-law and the same are hereby repealed or rescinded insofar as it is necessary to give effect to the provisions of this By-law.

ENACTED AND PASSED this 13th day of December, 2021.



MAYOR



CLERK

**SCHEDULE "A" TO BY-LAW No. 2021-090
FORM OF MEETING NOTICES**

1. Notice

Notice shall be given of Meetings, unless otherwise provided.

2. Agendas – Deemed Notice

The Agendas shall be considered as notice of Meetings.

3. Regular Meeting Agenda Distribution

The Clerk shall ensure that the Agenda and respective package for each Regular Meeting of Council shall be delivered to each member of the Council, in electronic format, at the email address established and provided by the Town, for delivery of such notice, by the end of the regular business day four (4) days prior to the meeting date. An Agenda constitutes such notice. At the same time, the Clerk shall also ensure that the Agenda is provided to the CAO, and to the heads of all Town departments. All Meetings will be open to the public and no person will be excluded except where Council or Committee agrees to meet in-camera for confidential discussion in accordance with this By-law.

4. Standing Committee Agenda

The Clerk shall ensure that the Agenda and respective package for each Standing Committee meeting shall be delivered to each Member, in electronic format, at the email address established and provided by the Town, for delivery of such notice, by the end of the regular business day four (4) days prior to the meeting date. An Agenda constitutes such notice. At the same time, the Clerk shall also ensure that the Agenda is provided to the CAO, and to the heads of all Town departments. All Meetings will be open to the public and no person will be excluded except where the Committee agrees to meet in-camera for confidential discussion in accordance with this By-law.

5. Special Meeting Agenda Distribution

Notice of a Special Meeting called in accordance with this By-law shall be delivered to Members of Council by means of personal delivery or electronic mail, to the address provided by the Member or email address as established and provided by the Town, to the Clerk for delivery of Agendas. The Notice of the Special Meeting shall be provided not later than twenty-four (24) hours before the hour appointed for the holding of such Special Meeting. Where time is of the essence, notice may be given by telephone call to the Members of Council and the media that regularly attends Council Meetings.

The Clerk may provide the Agenda of the Special Meeting at the Meeting where time constraints do not allow the Agenda to be delivered to the Members of Council at least twenty-four (24) hours before the hour appointed for the holding of the Special Meeting.

No business except the business dealing directly with the purpose mentioned in the Agenda shall be transacted at a Special Meeting.

6. Emergency Meetings

Notwithstanding any other provision of this By-law, an Emergency Meeting may be held without notice, to deal with an emergency or extraordinary situation, provided that an attempt has been made by the Clerk to notify the Members about the Meeting as soon as possible and in the most expedient manner available.

No business except business dealing directly with the emergency or extraordinary situation shall be transacted at the Emergency Meeting.

7. Agenda – Notice not Received – Validity

Receipt of a Notice or an Agenda must be received by at least a Quorum of the Members of Council to validate any Meeting or any action lawfully taken thereat.

8. Other Committees and Boards – Deemed Notice

The Agenda of a Committee or Board Meeting shall be considered as notice of the Meeting and shall be delivered to all Members.

The secretary shall cause to be delivered to Members of the Other Committee or Board an Agenda for each meeting, to the address provided by the member to the Clerk for delivery of Agendas. The Agenda of a Regular Meeting shall be delivered electronically where possible so as to be received not later than forty-eight (48) hours before the hour appointed for the meeting.

9. In-Camera Agenda

An In-Camera Agenda package shall be provided to Members prior to the Meeting and the material discussed shall remain confidential until such time as it may be deemed as public

information by the Clerk. An in-camera item may be added to the agenda by an addendum to the agenda and posted not later than 24 hours prior to the commencement of the meeting.

10. Time and Form of Notice

The form of the notice shall include the following information:

- (a) A description of the purpose of the Meeting, or the purpose and effect of the proposed by-law.
- (b) The date, time and location of the Meeting.
- (c) Notice of the order and content of the Meeting.

Where notice is prescribed by a specific Act or piece of Legislation, the municipality shall cause such notice to be given as prescribed.

Where notice is not prescribed, notice shall be published as follows:

- (a) On the Town's website.
- (b) Posted in the Town Hall.

Nothing in this By-law shall prevent the Clerk from using more extended methods of notice.

Nothing in this By-law shall prevent the Clerk from using more comprehensive timeframes for providing notice.

SCHEDULE "B" TO BY-LAW No. 2021-090
TERMS OF REFERENCE
STRATEGIC INITIATIVES STANDING COMMITTEE

1. Composition

The Strategic Initiatives Standing Committee shall be composed of all Members of Council.

2. Meeting Date, Time and Location

Meetings for the Strategic Initiatives Committee are scheduled on the first Monday of the month and can be cancelled at the call of the Chair in coordination with the CAO if the meeting is not needed. Other meetings of the Strategic Initiatives Standing Committee may be called at a difference date by the Chair in coordination with the Chief Administrative Officer if deemed necessary. The Meetings shall be held in the Council Chambers, unless otherwise authorized by the Chair. **Refer to Section 4.27 Electronic Meeting Participation*

No meeting shall be held in August, unless determined by the Chair in coordination with the CAO and Clerk. Due to the potential of council being in a lame duck position in the months of August, September, October and November in an election year, limiting their ability to make decisions on items described in section 275 of the Municipal Act, meetings may be 'tentatively' scheduled in the month of August to ensure business continuity during this period. A minimum of 2 weeks void of regular meetings will be maintained.

Strategic Initiatives Standing Committee meetings shall commence at 5:00 p.m. unless otherwise determined by the Chair.

3. Chair

The Chair of the Standing Committee shall be the Mayor or his or her designate, unless otherwise designated by the Standing Committee. The Chair or Vice Chair is responsible to present their Committee report(s) to Council. The Chair or Vice Chair shall respond to questions regarding Committee deliberations and recommendations and refer questions to the CAO or director, as required.

4. Delegations

Member(s) of the public wishing to appear as a formal delegation/deputation to the Committee may contact the Clerk or designate not less than 48 hours prior to agenda being published to register to have the delegation added to the Agenda. A formal deputation period will be provided at the beginning of each Meeting to hear matters / business that is being considered by the Committee.

Deputations that are not formally registered on the Agenda, will be permitted to speak to a matter. Speaking is limited to maximum of five (5) minutes per deputation.

If the deputation is with respect to a matter not identified on the Agenda before the Committee, the Chair may direct that the matter be heard at the end of the Meeting to ensure appropriate time is available to address the main business of the Committee.

5. Procedures

The general meeting procedures as provided within the Procedural By-law shall be adhered to. The Order of Business will be consistent with the various Standing Committees as determined by the Clerk, and may change from time to time.

6. Departmental Resources

- Chief Administrative Officer
- All other departments as required

7. Mandate

The general mandate of the Strategic Initiatives Standing Committee shall be:

- To provide the coordination and oversight for significant strategic / executive initiatives impacting the future of the Town in terms of its financial sustainability and fiscal management, together with strategic direction and corporate priorities. Responsible for making recommendations for appointments of Council and public volunteers to the various committees and boards.
- To report and make recommendations to Council with respect to:
 - budget deliberations
 - strategic planning
 - corporate audits

- variance reporting
 - operational reviews
 - long range capital projects
 - municipal election
 - procurement
 - emergency services
- To review and recommended appointments of members of Council to the various standing committees, local boards and other committees, for Council's consideration.

8. Sub-Committees/Ad hoc Committees/Task Forces

The Committee shall have the ability to second people from the community for the purpose of establishing advisory committees and task forces for specific issues or events, as necessary, which would provide meaningful assistance, but which would dissolve upon completion of the task.

SCHEDULE "C" TO BY-LAW No. 2021-090
TERMS OF REFERENCE
DEVELOPMENT AND OPERATIONS SERVICES STANDING COMMITTEE

1. Composition

The Development and Operations Services Standing Committee shall be composed of five (5) Members of Council, with the Mayor as one of the five voting members and the remainder of the membership appointed by Council.

Membership to the Standing Committee may be reviewed annually to allow for movement between the various Standing Committees, providing the members with an opportunity to increase their knowledge and experience to the various items and responsibilities applicable to each of the committees, providing them with a well-rounded understanding of the municipal operations within their term on Council.

2. Meeting Date, Time and Location

The Development and Operations Services Standing Committee shall meet the second Monday of the month, commencing at 5:00 p.m. in the Council Chambers, unless otherwise authorized by the Chair. The regular schedule may be amended at the discretion of the Clerk and CAO to reflect scheduling conflicts and holidays. **Refer to Section 4.27 Electronic Meeting Participation*

No meeting shall be held in August, unless determined by the Chair in coordination with the CAO and Clerk. Due to the potential of council being in a lame duck position in the months of August, September, October and November in an election year, limiting their ability to make decisions on items described in section 275 of the Municipal Act, meetings may be 'tentatively' scheduled in the month of August to ensure business continuity during this period. A minimum of 2 weeks void of regular meetings will be maintained.

3. Chair

The Chair and Vice Chair of the Standing Committee shall be determined by the Standing Committee at its first meeting following an inaugural meeting. Chair and Vice Chair appointments shall be for a one-year term, reviewed annually to provide each member of Council an opportunity to Chair meetings of the Standing Committee. The Standing Committee may permit a member to continue as Chair for one additional year, but not to exceed two consecutive years. The Mayor cannot be appointed to the position of Chair or Vice Chair.

The Chair shall be responsible to present the Committee report(s) to Council and shall respond to questions regarding Committee deliberations and recommendations and refer questions to the CAO or director as required.

4. Delegations

Member(s) of the public wishing to appear as a formal delegation/deputation to the Committee may contact the Clerk or designate not less than 48 hours prior to agenda being published to register to have the delegation added to the Agenda. A formal deputation period will be provided at the beginning of each Meeting to hear matters / business that is being considered by the Committee.

Deputations that are not formally registered on the Agenda, will be permitted to speak to a matter. Speaking is limited to maximum of five (5) minutes per deputation.

If the deputation is with respect to a matter not identified on the Agenda before the Committee, the Chair may direct that the matter be heard at the end of the Meeting to ensure appropriate time is available to address the main business of the Committee.

5. Procedures

The general meeting procedures as provided within the Procedural By-law shall be adhered to. The Order of Business will be consistent with the various Standing Committees as determined by the Clerk, and may change from time to time.

6. Departmental Resources & Committee/Board Reports

Departmental Resources:

- Planning and Building Service Services
- Engineering, Public Works and Environmental Services

Committees/Board Reports:

- Collingwood Heritage Committee
- Committee of Adjustment and Property Standards Appeal Committee

- Line Fences Committee
- Nottawasaga Valley Conservation Authority Board

7. Mandate

The general mandate of the Development and Operations Services Standing Committee shall be to report and make recommendations to Council with respect to:

- development and maintenance of the Official Plan and Zoning By-law
- building inspection services
- planning and infrastructure policies and approvals
- heritage
- transportation networks and policy matters related to general infrastructure development
- operation of water and wastewater services to ensure compliance with municipal and provincial legislation and policies
- economic development, business retention and attraction

8. Sub-Committees/Ad hoc Committees/Task Forces

The Committee shall have the ability to second people from the community for the purpose of establishing advisory committees and task forces for specific issues or events, as necessary, which would provide meaningful assistance, but which would dissolve upon completion of the task.

**SCHEDULE "D" TO BY-LAW No. 2021-090
TERMS OF REFERENCE FOR
CORPORATE AND COMMUNITY SERVICES STANDING COMMITTEE**

1. Composition

The Corporate and Community Services Standing Committee shall be composed of five (5) Members of Council, with the Mayor as one of the five voting members and the remainder of the membership appointed by Council.

Membership to the Standing Committee may be reviewed annually to allow for movement between the various Standing Committees, providing the members with an opportunity to increase their knowledge and experience to the various items and responsibilities applicable to each of the committees, providing them with a well-rounded understanding of the municipal operations within their term on Council.

2. Meeting Date, Time and Location

The Corporate and Community Services Standing Committee shall meet the first Monday of the month, commencing at 2:00 p.m. in the Council Chambers, unless otherwise authorized by the Chair. The regular schedule may be amended at the discretion of the Clerk and CAO to reflect scheduling conflicts and holidays. **Refer to Section 4.27 Electronic Meeting Participation*

No meeting shall be held in August, unless determined by the Chair in coordination with the CAO and Clerk. Due to the potential of council being in a lame duck position in the months of August, September, October and November in an election year, limiting their ability to make decisions on items described in section 275 of the Municipal Act, meetings may be 'tentatively' scheduled in the month of August to ensure business continuity during this period. A minimum of 2 weeks void of regular meetings will be maintained.

3. Chair

The Chair and Vice Chair of the Standing Committee shall be determined by the Standing Committee at its first meeting following an inaugural meeting. Chair and Vice Chair appointments shall be for a one-year term, reviewed annually to provide each member of Council an opportunity to Chair meetings of the Standing Committee. The Standing Committee may permit a member to continue as Chair for one additional year, but not to exceed two consecutive years. The Mayor cannot be appointed to the position of Chair or Vice Chair.

The Chair shall be responsible to present the Committee report(s) to Council and shall respond to questions regarding Committee deliberations and recommendations and refer questions to the CAO or director as required.

4. Delegations

Member(s) of the public wishing to appear as a formal delegation/deputation to the Committee may contact the Clerk or designate not less than 48 hours prior to agenda being published to register to have the delegation added to the Agenda. A formal deputation period will be provided at the beginning of each Meeting to hear matters / business that is being considered by the Committee.

Deputations that are not formally registered on the Agenda, will be permitted to speak to a matter. Speaking is limited to maximum of five (5) minutes per deputation.

If the deputation is with respect to a matter not identified on the Agenda before the Committee, the Chair may direct that the matter be heard at the end of the Meeting to ensure appropriate time is available to address the main business of the Committee.

5. Procedures

The general meeting procedures as provided within the Procedural By-law shall be adhered to. The Order of Business will be consistent with the various Standing Committees as determined by the Clerk, and may change from time to time.

6. Departmental Resources & Committee/Board Reports

Departmental Resources:

- Clerk Services
- Finance Services
- Fire Services
- Customer and Corporate Services
- Parks, Recreation & Culture

Committees/Board Reports:

- Accessibility Advisory Committee

- Collingwood Downtown Business Improvement Area
- Museum Advisory Committee
- Trails Advisory Committee

7. Mandate

The general mandate of the Corporate and Community Services Standing Committee shall be to report and make recommendations to Council with respect to:

- strengthening of administrative, finance and corporate policies, including human resources
- fire services, including by-law development and enforcement including but not limited to roads, traffic, parking, transportation, land use, noise, property standards, heritage and infrastructure
- communications
- information technology
- accessibility
- parks, recreation and cultural policy development and programming priorities
- special events
- grant administration including Council Grants and PRC Grants and Bursaries
- investment attraction and marketing
- the collaboration of marketing, communications, events and Downtown initiatives
- customer service initiatives
- healthy community initiatives
- green/environmental initiatives
- fleet and facilities

8. Sub-Committees/Ad hoc Committees/Task Forces

The Standing Committee shall have the ability to second people from the community for the purpose of establishing advisory Committees and task forces for specific issues or events, as necessary, which would provide meaningful assistance, but which would dissolve upon completion of the task.