

THE CORPORATION OF THE COUNTY OF MIDDLESEX

BY-LAW #7201

A BY-LAW to amend the Deputy Warden and Committee Appointment provisions of Rules of Procedure By-law #5968

WHEREAS:

- A. Section 238 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended or replaced (the “*Municipal Act, 2001*”) provides that every Municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings.
- B. The Corporation of the County of Middlesex has enacted Rules of Procedure By-law #5968;
- C. The Council of the Corporation of the County of Middlesex deems it necessary and desirable to amend Rules of Procedure By-law #5968 to:
 - (i) provide procedures to elect the Deputy Warden; and
 - (ii) amend the Committee appointment provisions of the by-law to allow Committee appointments to be made by the Warden and Deputy Warden;

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

- 1. The above recitals are true and hereby incorporated into this By-law by reference.
- 2. The provisions of By-law #5968, which is attached hereto as *Schedule “A”* and forms a part of this Amending By-law #7201, are incorporated mutatis mutandis into this by-law. By-law #5968 shall continue in full force, subject to the changes herein.
- 3. The following three clauses are hereby added to section 18 of By-law #5968 as sections 18 (D), (E) and (F), respectively:
 - (D) The Deputy Warden shall act in the place of the Head of Council when the Head of Council is absent or refuses or is unable to act and while so acting, the Deputy Warden shall have the power and duties of the Head of Council.
 - (E) It shall be the duty of the Deputy Warden to provide assistance to the Warden. The Warden shall be solely responsible for determining which of their powers and duties the Deputy Warden will assist with and may adjust such allocation from time to time at his or her discretion.
 - (F) In the event that there is no immediate Past Warden on Council, the Deputy Warden may be appointed at the inaugural meeting of Council in accordance with the procedures to appoint the Warden set out section 1(H) and (I) of this by-law.
- 4. Section 19 (J) of By-law #5968 is hereby deleted in its entirety.
- 5. Section 34 (A) of By-law #5968 is hereby deleted in its entirety and replaced by the following:

(A) The following provisions apply to Committee appointments:

- (i) At the first regular meeting of a new term of Council, the Warden and Deputy Warden shall select the members who are to serve on Committees of Council, the Middlesex County Library Board and any Third Party Committees, Boards or Associations for which a representative from the County has been requested for the term of Council or such other time as may be prescribed. Such selection shall include any citizen appointments to Committees of Council as required by the applicable Terms of Reference.
- (ii) The Warden and Deputy Warden's selection shall be confirmed by a majority vote of Council and appointed by by-law.
- (iii) Should an appointment be required throughout the term, the Warden and Deputy Warden shall make a recommendation to Council and such selection shall be confirmed by a majority vote of council and appointed by by-law.
- (iv) Any member of the Council may be placed on a Committee notwithstanding the absence of such member at the time of their being named on such Committee.

PASSED IN COUNCIL this 8th day of December, 2022.

_____, Warden

Marcia Ivanic, County Clerk

THE CORPORATION OF THE COUNTY OF MIDDLESEX

BY-LAW #5968

A By-law to provide Rules of Procedure for the meetings of the Council of The Corporation of the County of Middlesex, Committees, and Boards

WHEREAS Section 238 of The Municipal Act, 2001 provides the following:

(2) Every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings.
2001, c. 25, s. 238 (2), and,

Notice

(4) Before passing a by-law under subsection (2), a municipality and local board shall give notice of its intention to pass the by-law.
2001, c. 25, s. 238 (4)

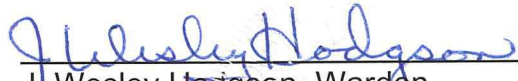
AND WHEREAS Council on December 12, 2006 adopted a recommendation of the Corporate Services Committee approving proposed Rules of procedure;


AND WHEREAS Notice was provided in accordance with the Municipal Act and the County's Notice Requirements By-law #5650.

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

1. That the Rules of Procedure, attached here to as Schedule A, be hereby approved.
2. That By-law #5579 is hereby repealed.

PASSED IN COUNCIL this 9th day of January 2007.


J. Wesley Hodgson, Warden


Donald Hudson, Clerk



RULES OF PROCEDURE

FOR THE COUNCIL OF THE COUNTY OF MIDDLESEX

Approved by Middlesex County Council
January 9, 2007

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THE CORPORATION OF THE COUNTY OF MIDDLESEX

BY-LAW #5968

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WHEREAS Section 238 of The Municipal Act, 2001 provides the following:

- (2) Every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings. 2001, c. 25, s. 238 (2), and,
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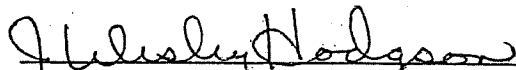
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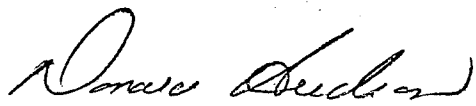
AND WHEREAS Notice was provided in accordance with the Municipal Act and the County's Notice Requirements By-law #5650.

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

1. That the Rules of Procedure, attached here to as Schedule A, be hereby approved.
2. That By-law #5579 is hereby repealed.

PASSED IN COUNCIL this 9th day of January 2007.


J. Wesley Hodgson, Warden


Donald Hudson, Clerk

1. INAUGURAL MEETING & ELECTION OF WARDEN

- (A) **First council meeting** - The first meeting of a new council of a municipality after a regular election shall be held at the time set out in the municipality's procedure by-law but in any case not later than 31 days after its term commences.

(Municipal Act, 2001, S. 230)

The first or inaugural meeting of Middlesex County Council shall be held no later than the third Tuesday in December and the meeting shall be held at 2:00 o'clock in the afternoon.

The date of the inaugural meeting of Council shall be established by Council by the October Session preceding such Inaugural Meeting. The first meeting shall be held in the Council Chamber, Middlesex County Building.

- (B) **Certification by the Clerk of the lower tier municipality** - A person elected or appointed shall not take a seat on Middlesex County Council until the Clerk of the County has received the certificate from the Clerk of the lower tier municipality certifying the name of each person elected or appointed.

(Municipal Act 2001, S.232 (3) & (4))

- (C) **Declaration of office** – No business shall be conducted at the first meeting of Council until after the declarations of office have been made by all members who present themselves for that purpose.

(Municipal Act 2001, S.232 (5))

- (D) The Clerk shall preside, or if there is no Clerk, the members present shall select a member to preside, and the person so elected may vote as a member.

ELECTION OF WARDEN AS HEAD OF COUNCIL

- (E) Council shall, in each year of its term, appoint the Head of Council at its first meeting

(Municipal Act, 2001, S. 233(1))

- (F) Despite subsection (E), if the term of office of an appointed Head of Council is the same as the term of council, Council shall, in the first year of its term, appoint the Head of Council at its first meeting.

(Municipal Act, 2001, S. 233(2))

- (G) Council may, by by-law, passed at least six months prior to the end of its term, provide that the term of office the for Head of Council shall be the term of office of the Council of the County, and a by-law passed under this section shall not be repealed once a Head of Council has been appointed, until the succeeding Council of the County is deemed to be organized.

- (H) The Warden as the Head of Council shall be appointed pursuant to the procedure as follows:

- (i) The Clerk shall be the Presiding Officer.
- (ii) By motion(s) a Past Warden will be appointed as Chair and two (2) Past Wardens will be appointed as scrutineers.
The Chair and the scrutineers will be called to the dias.
The Clerk will exit the dias.

- (iii) Voting will be by secret ballot.

(Municipal Act, 2001, S. 233(5))

- (iv) A nomination ballot will be circulated to each Councillor to nominate a candidate(s).
- (v) The Chair will announce the names of the nominees in alphabetical order.
- (vi) Each nominee, in alphabetical order, will be given the opportunity to address the caucus.

- (vii) A majority of the total votes of Councillors will be required to appoint a candidate for the position of Warden. The exception will be in Item (xii) where a successful candidate will be picked having only 50% of the votes.
- (viii) Each member of Council who is present will have one vote.
(Municipal Act, 2001, S. 233(4))
- (ix) If there are more than two candidates and if, following a vote, the candidate with the most votes does not have a majority then the candidate with the least number of votes is eliminated. A subsequent vote(s) will be taken until one candidate has a majority of votes.
- (x) If there are more than two candidates and no candidate has a majority of the votes, but there is a tie between candidates with the least number of votes, there will be a vote including only the candidates with the least number of votes, to eliminate one of them. In the event that this vote results in a tie, the Chair will by lot pick a candidate to be eliminated.
- (xi) If there are three or more candidates and the result of the vote is a tie, there will be another vote, and if the result remains a tie, the Chair will by lot pick a candidate to be eliminated.
- (xii) If there are two candidates and the result of the vote is a two-way tie, there will be another vote, and if the result remains a two-way tie, the Chair will by lot pick the candidate for the position of Warden.
- (xiii) A candidate may voluntarily withdraw his/her name at any time during the process.
- (xiv) By motion, the ballots will be destroyed.
- (xv) The successful candidate shall be appointed the Warden as the Head of Council for the Council of the Corporation of the County of Middlesex pursuant to Section (I)

(xv) The Chair and scrutineers will exit the dias.

The Clerk assumes the Chair, and is the Presiding Officer.

(l) With the Clerk presiding the successful candidate, as determined in Section (H), will be duly moved and seconded the Warden, as the Head of Council, of the Corporation of the County of Middlesex.

2. REGULAR MEETINGS OF COUNCIL

(A) After its Inaugural Meeting, the Council shall meet on the second Tuesday of each month at the hour of 2 o'clock in the afternoon, in the Council Chamber at the Middlesex County Building, except as hereinafter provided:

- (i) unless otherwise ordered
- (ii) unless the Council shall meet at the same hour on the next following day, not being a public holiday
- (iii) during the month of August, when the Council may meet at the call of the Warden
- (iv) if the business is not concluded, the Council may adjourn to meet again at the same hour on the following day, or on such other day as may be determined by the Warden
- (v) Unless there shall be a quorum present in fifteen minutes after the time appointed for the meeting of the Council, the Council shall stand adjourned until the next day of the meeting, and the Clerk shall take down the names of the members present at the expiration of such fifteen minutes.

3. SPECIAL MEETINGS OF COUNCIL

- (A) The Head of Council may at any time call a special meeting, and upon receipt to the petition of the majority of the members of Council, the Clerk shall summon a special meeting for the purpose and at the time and place mentioned in the petition.

(Municipal Act, 2001 S. 240)

Only with an affirmative vote by two-thirds of Council, will items not listed in the petition be considered at a Special Meeting called under this Section.

- (B) If there is no by-law or petition fixing the place of a special meeting, that meeting shall be held at the place where the last regular meeting was held.

4. QUORUM

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

(Municipal Act, 2001 S. 237 (1))

As soon after the hour of meeting as there shall be a quorum present, the Head of the Council shall take the Chair and call the members to order.

5. AGENDA

The Agenda shall contain the following:

- Call to Order and Warden's remarks if required;
- Provision for disclosure of pecuniary interest and general nature;
- Minutes of Council;
- Business arising from the Minutes;
- Deputations;
- Enquiries;
- Reports of County Officers;
- Notices of Motion;
- Reports;
- New Business;
- Councillor's Comments and Other Business;

Communications;
By-laws;
Introduction of Guests or Special Announcements;
Adjournment.

6. OPEN MEETINGS AND IN CAMERA SESSIONS

- (A) (i) Except as provided in this section, all meetings shall be open to the public.

(Municipal Act, 2001, S. 239 (1))

- (ii) The Head of Council or other Presiding Officer may expel any person for improper conduct at a meeting.

(Municipal Act, 2001, S. 241 (2))

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

- (i) the security of the property of the municipality or local board;
- (ii) personal matters about an identifiable individual including municipal or local board employees;
- (iii) a proposed or pending acquisition or disposition of land by the municipality or local board;
- (iv) labour relations or employee negotiations;
- (v) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (vi) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (vii) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act.

(Municipal Act, 2001, S. 239(2))

- (C) Before holding a meeting or part of a meeting that is to be closed to the public, the council, board or committee shall state by resolution:

- (i) the fact of the holding of the closed meeting; and

- (ii) the general nature of the matter to be considered at the closed meeting.

(Municipal Act, 2001, S. 239 (4))

- (D) Subject to subsection (E), a meeting shall not be closed to the public during the taking of a vote.

(Municipal Act, 2001, S. 239 (5))

- (E) Despite Section 244 of The Municipal Act, 2001, a meeting may be closed to the public during a vote if:

- (i) subsection (B) permits or requires a meeting to be closed to the public; and

- (ii) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under contract with the municipality or local board.

(Municipal Act, 2001, S. 239 (6))

7. MINUTES

- (A) Immediately after the Presiding Officer has taken his or her seat and any Pecuniary Interest recorded, the Minutes of the previous meetings not yet adopted shall be presented by the Clerk for confirmation.
- (B) It shall not be necessary to have the Minutes read where copies thereof have been furnished to members of Council prior to the meeting.
- (C) When the Minutes have been confirmed, they shall be signed by the Warden and the Clerk.

8. PERMISSION TO ENTER THE COUNCIL BAR

No person except members and officers of the Council shall be allowed to come within the Council bar during the sittings of the Council, without the permission of the Presiding Officer.

9. DEPUTATIONS

- (A) When any person or persons, not being members of the Council, desire to address the Council, the person or persons shall be permitted to do so on a motion to that effect being carried by a majority vote of the members present.
- (B) Delegations wishing to address Council must notify the Clerk, at least one week before the Council meeting, in order that the delegation may be listed on the Agenda and the subject of the delegation be identified. The delegation is to provide a written detail of the submission, at least one week before the Council meeting.
 - (i) Notwithstanding 9 (B), the restrictions outlined may be suspended at the discretion of the Warden.
- (C) No person shall be permitted to address Council on a subject not on the Agenda, unless by permission of Council by a two-thirds majority vote.
- (D) All delegations addressing Council, shall be limited to a maximum of ten minutes, regardless of the number of speakers, unless given special permission by the Warden. When more than one person is addressing Council, on the same subject, such persons following the first person shall not repeat that which was covered by the preceding speaker(s).
- (E) Only members of Council may ask questions of delegations, and shall not enter into debate. With the permission of the Chair, the CAO may ask questions of delegations. All questions to delegations shall be addressed through the Chair.
- (F) When the subject matter of a deputation is such that direction of Council is required, appropriate resolutions shall be presented for consideration, after all the delegations have been heard.
- (G) **Petitions for a grant of Money** - No petition for a grant of money for any purpose shall be recommended or given by Council on a motion or resolution but must first be reported on by one of the Standing or Special Committees of Council to which the petition has been referred.

10. REPORTS OF COUNTY OFFICERS

If deemed appropriate by the CAO, County Officers may report to the Warden and Members of County Council at any session of Council.

11. NOTICES OF MOTION

Notice shall be given, in writing, at a previous meeting of Council:

- (i) to amend, repeal, or alter a by-law; and,
- (ii) to introduce any measure or change in the Council's established policy or organization.

12. REPORTS

(A) Reports shall be submitted in the following order:

- (i) Standing Committees
- (ii) Special Committees appointed from time to time by the Warden and or Council
- (iii) Other Reports

(B) All Reports from Committees of Council shall be presented by the Chair of the Committee, or in his / her absence the Vice Chair, or by a member of the Committee, who shall, before moving the adoption of the Report, ask for discussion or any motion related to, or amendments of, the Report.

13. COMMUNICATIONS

(A) A Communications Report shall be presented to Council listing recommendations including the following:

- (i) a recommended action;
- (ii) referral to a Committee / Board;
- (iii) for information purposes.

14. NEW BUSINESS

The Warden and members of Council may ask questions and provide information according to the following

- (A) Questions may be put to the Presiding Officer, or, through him or her to any member of the staff, relating to any by-law, motion or other matter connected with the business of the Council, or the affairs of the municipality. In answering any such question, a staff member is not to debate the matter to which the same refers. A Council member shall not debate a matter with a staff member.
- (B) Any member of Council may inform the Council of any matter, which they feel would be of interest or benefit to the Council, or the municipality.

15. SPECIAL RESOLUTIONS

Resolutions dealing with any matter may be presented providing notice has been provided to Council on the Agenda or at the direction of Council approved by a two-thirds majority vote.

16. BY-LAWS

- (A) The Clerk shall introduce all by-laws to Council.
- (B) By-laws, upon request of a member of Council and consensus of Council, shall be read.
- (C) Notwithstanding 16(B) By-laws will be adopted by motion as follows:
 - (i) Taken as read for a first and second reading;
 - (ii) Taken as read for a third and final reading.
- (E) Every by-law which has passed the Council shall:
 - (i) Be under the seal of the Corporation, and shall be signed by the Head of the Council and the Clerk;
 - (ii) Be typewritten and indexed; and,
 - (iii) Be stored in safe keeping.

(Municipal Act, 2001, S. 249 (1))

17. MATTERS BEFORE COURT

No members of Council and no delegation shall be permitted to address the Council, during an open session of Council, on any matter that is before any Court for decision.

18. WARDEN AS HEAD OF COUNCIL, DEPUTY WARDEN, AND PRESIDING OFFICER

- (A) The Warden, as Head of Council, except where otherwise provided, shall preside at all meetings of Council.

(Municipal Act, 2001, S. 241 (1))

- (B) Council may by, by-law or resolution, appoint a member of Council to act in the place of the Head of Council when the Head of Council is absent or refuses to act, and while so acting such member has all the powers and duties of the Head of Council.

(Municipal Act, 2001, S.242)

- (C) The Deputy Warden will be the most immediate Past Warden who is a member of Council.

19. DUTIES OF PRESIDING OFFICER

The Presiding Officer shall:

- (A) open the meeting of Council by taking the Chair and calling the members to order;
- (B) announce the business before the Council in accordance with the Agenda;
- (C) may make such remarks as is fitting for the information or assistance of the Council;
- (D) receive and submit, in the proper manner, all motions presented by the members of Council;

- (E) put to vote all questions, which are regularly moved and seconded, or necessarily arise in the course of the proceedings and announce the result;
- (F) decline to put to vote motions which infringe rules of procedure;
- (G) enforce, on all occasions, the observance of order and decorum among the members;
- (H) authenticate, by their signature, when necessary, all by-laws, resolutions, and minutes of the Council;
- (I) inform the Council, when necessary, or when referred to for the purpose, on a point of order or usage;
- (J) select the members who are to serve on Committees, when directed to do so, in a particular case, or, when it is made a part of their general duty by a rule of procedure;
- (K) represent and support the Council, declaring its will and implicitly obeying its decisions in all things;
- (L) ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of the Council;
- (M) adjourn the meeting, when the business is concluded;
- (N) adjourn the meeting, without question, in the case of grave disorder arising in the Council Chamber.

20. VOTING RIGHTS FOR HEAD OF COUNCIL

The Head of the Council, or the Presiding Officer, except where disqualified to vote by reason of interest or otherwise, may vote with the other members on all questions,

21. HEAD OF COUNCIL ENTERING DEBATE

If the Head of the Council desires to leave the Chair, for the purpose of taking part in the debate or otherwise, they shall call on one of the Councillors to fill their place until they resume the Chair.

22. RULES OF CONDUCT AND DEBATE

- (A) Every member desiring to speak must be recognized by the Presiding Officer.
- (B) Every member, on being recognized by the presiding officer to speak, shall address the Head of Council. The Presiding Officer will permit the member to speak when it is appropriate, so as not to interrupt a matter before the Chair.
- (C) A member called to order from the Chair shall immediately stop speaking but with permission of the Chair, may explain and appeal to the Council. The Council, if appealed to, shall decide on the case, but without debate. If there be no appeal, the decision of the presiding officer shall be final.
- (D) No member shall speak disrespectfully of the reigning Sovereign or of any member of the Royal Family or of the Governor-General, Lieutenant-Governor, or person administering the Government of Canada; or, of this Province; No member shall use offensive words, in or against the Council, or, against any member thereof, nor shall the member speak beside the question in debate. No member shall reflect upon any vote of the Council, except for the purpose of moving that such vote be rescinded. Any member may ask that a vote be recounted and a vote will be recounted once only.
- (E) No member shall resist the rules of the Council, or disobey the decision of the Presiding Officer, or of the Council on questions of order or practice, or upon the interpretation of the rules of the Council. In case any member shall so resist, or disobey, the member may be ordered by the Presiding Officer to leave their seat for that meeting, and in case of the member refusing to do so, may, on the order of the Head of the Council, be removed there from by the police, but in case of ample apology being made by the offender, may, by vote of the Council, be permitted forthwith to take their seat.
- (F) When the Head of the Council is putting the question, no member shall walk across or out of the room, or make any noise or disturbance, nor when a member is speaking shall any other member pass between the member and the Chair, or interrupt the member speaking, except to raise a point of order.

- (G) When the question under discussion does not appear on the Agenda or has not been printed and distributed, any member may require it to be read, at any time of the debate, but not so as to interrupt a member while speaking.
- (H) No member shall speak more than twice to a question, except in explanation of a material part of their speech in which the member may have been misconceived, but then the member may not introduce a new matter.
- (I) A member must not, in debate, deviate from the question before Council.
- (J) In all such cases, the Head of the Council shall inform the Council that the reply of the mover of the original motion closes the debate at whatever time they are of the opinion that a clear understanding of the question has been provided.
- (K) No member, without leave of the Council, shall speak to the same question or in reply, for longer than ten minutes.
- (L) The members of the Council shall not leave their places, on adjournment, until the Head of the Council leaves the Chair.

23. PRIVILEGE

Whenever any matter of privilege arises, it shall be taken into consideration immediately.

24. MOTIONS

- (A) All motions, except ancillary motions, shall be in writing and seconded before being debated or put from the Chair.
- (B) After a motion is read by the Head of the Council, it shall be deemed to be in possession of the Council, but may, with permission of the Council, be withdrawn, before decision or amendment.

- (C) When a question is under consideration, no motion shall be received unless it is one:
- a) "to refer"
 - (i) a motion for referral to a Committee, until decided, shall preclude all amendments of the main question.
 - b) "to amend"
 - (i) an amendment modifying the intention of a motion shall be in order, but an amendment relating to a different subject, shall not be in order. Only one amendment shall be allowed to an amendment, and any amendment more than one must be to the main question.
 - (ii) a motion to be amended shall first be read as it stands, then the words proposed to be struck out and those to be inserted, and finally the motion as it would stand, if so amended.
 - (iii) amendments shall be put in the reverse order that they are received by the Presiding Officer. Every amendment submitted shall be in writing, and it shall be decided or withdrawn before the main question is put to the vote.
 - c) "to defer"
 - d) "to defer to a certain time"
 - (i) requires that a specific date, passage of an event, or County Council Session be stated in the motion.
 - e) "to adjourn"
 - (i) a motion to adjourn the Council, or to adjourn the debate, shall always be in order.
 - (ii) a motion to adjourn the Council, or the debate, to a certain day, or adding any expression of opinion, or qualification thereto, shall not be subject to debate.

- f) "to move the previous question"
 - (i) cannot be amended;
 - (ii) cannot be proposed, when there is an amendment under consideration;
 - (iii) shall preclude all amendment of main question;
 - (iv) requires a two-thirds vote of Council to carry;
 - (v) when resolved in the affirmative, the question is to be put forthwith without debate or amendment;
 - (vi) when resolved in the negative, the debate shall continue;
 - (vii) cannot be received in any Committee of Council
 - (viii) can only be moved in the following words, "That the question now be put", and shall be put forthwith;
- (D) Precedence of motions and rules governing such motions shall, unless otherwise indicated herein, be in accordance with Appendix "B" to this by-law.

25. VOTING ON MOTIONS

- (A) When the question under consideration contains distinct propositions, upon the request of any member, the vote upon each proposition will be taken separately.
- (B) After the question is finally put by the presiding officer, no member shall speak to the question, nor shall any other motion be made until after the result of the vote has been declared, and the decision of the presiding officer, as to whether the question has finally been put, shall be conclusive.
- (C) Where a non-recorded vote is taken, and a member abstains from voting, the member will be deemed to have voted in the negative.
- (D) Where a non-recorded vote is taken in Council resulting in a tie vote, the question shall be deemed to be lost.

(Municipal Act 2001, S. 245)

Following a non-recorded vote resulting in a tie vote a recorded vote shall be taken.

- (E) A member may request immediately prior or immediately subsequent to the taking of any vote, that the vote be recorded, each member present, except a member who is disqualified from voting by any Act, shall announce their vote openly, and any failure to vote by a member who is not disqualified shall be deemed to be a negative vote and the Clerk shall record each vote.

(Municipal Act 2001, S. 246(1) & (2))

- (F) When a recorded vote is requested, the Clerk shall record each vote as it is called. A recorded vote maybe called in alphabetical sequence determined by the member's surname, or in an order determined by the Council from time to time.

26. RECONSIDERATION

- (A) After a motion has been voted on by County Council, no motion for a reconsideration thereof shall be introduced, unless it is moved and seconded by two members from among those who voted with the majority, and such motion may only be passed by a two-thirds vote of the entire Council,
OR
- (B) After a Notice to introduce such motion is given by a member at a previous meeting, and such Notice of Motion appears on the Agenda of the meeting, at which it is to be considered, such motion may be passed by a majority vote of the entire Council.
- (C) No question shall be reconsidered more than once during a 12 month period, unless such period is truncated by the end of the Council term.

27. COMMITTEE OF THE WHOLE PROCEEDINGS

- (A) When it shall be moved and carried that the Council go into Committee of the Whole, the Presiding Officer may remain in the Chair of the Committee of the Whole, or may appoint a member of Council to act as Chair. Any member so appointed shall have the same duties and powers as listed in Section 19 for the Presiding Officer, inasmuch as they apply to the proceedings. The Chair shall maintain order in the Committee and shall report the proceedings thereof to Council.
- (B) The rules of the Council shall be observed in Committee of the Whole, so far as may be applicable. No member shall speak longer than five minutes on any one question. The number of times speaking on any question shall not be limited in Committee, and a member shall have the privilege of having their name recorded as voting against the motions, if requested by that member. Discussion on any motion may be concluded by any member making a motion "that the question now be put", providing that such motion is passed by a two-thirds majority of the members present.
- (C) It shall not be necessary to have a motion before the Chair, when considering business in Committee of the Whole.
- (D) Questions of order arising in Committee of the Whole shall be decided by the Chair, subject to an appeal to the Committee.
- (E) On motion in Committee of the Whole to rise as Council and report, the question shall be decided without debate.
- (F) A motion in Committee of the Whole to rise as Council without reporting, shall always be in order, and shall take precedence over any other motion. On such motion, debate shall be allowed, but no member shall speak more than once. On an affirmative vote to rise, the subject previously before the Committee of the Whole shall be the next order of business called by the Presiding Officer, upon a return to Committee of the Whole.

28. STANDING COMMITTEES OF COUNCIL

- (A) There shall be the following Standing Committees of Council in addition to the Committee of the Whole Council:
 - a) Community Services Committee;
 - b) Corporate Services Committee;
 - c) Middlesex County Library Board.
- (B) The Chairs and the Vice Chairs of each of the Standing Committees, and the Middlesex County Library Board, shall be elected by the members of their respective Committees / Board at the first meeting of the Committee / Board following the Inaugural meeting of Council.
- (C) A Councillor elected as Committee Chair or Vice Chair shall serve a term of one year, unless they cease to be a member of Council in the meantime.

29. ORGANIZATION OF COMMITTEES

- (A) The Warden shall annually at the first meeting of the Council, recommend to County Council all of the members of the following Standing Committees; the number of Councillors to be appointed to each being shown beside the Committee name:
 - 1. Community Services (5)
 - 2. Corporate Services (6)
- (B) Each Standing Committee, shall at its first meeting elect a Chair, and a Vice-Chair, who shall act in the absence of the Chair.
- (C) At the first meeting of the Committee the date and time of the committee meeting shall be determined.
- (D) The Warden shall recommend to Council all appointments to Special Committees, external bodies, and joint City of London/ County of Middlesex Committees and Boards.
- (E) The Clerk or his designate shall act as Secretary for all Committees.

- (F) A meeting of any Committee may be called by the Chair thereof whenever a meeting is considered necessary and it shall be his duty to call a meeting whenever requested in writing to do so by at least a majority of the members of such Committee.
- (G) Special meetings of any Standing Committee may be called by the Chair whenever he shall consider it necessary to do so and it shall be the duty of the Chair or in the case of his illness or absence from the County, of the Clerk to summon a special meeting of the Committee whenever requested in writing to do so by a majority of the members composing it.

30. DUTIES OF COMMITTEES

The general duties of all Standing and Special Committees of the Council shall be as follows:

- A) To report to the Council from time to time, whenever desired by the Council and as often as the interest of the County may require, on all matters concerned with the duties imposed on them respectively, and to recommend such action by the Council in relation thereto as may be deemed necessary.
- B) To cause to be prepared and introduced into the Council all by-laws as may be necessary to give effect to such of their reports or recommendations as are adopted by the Council.
- C) To examine accounts connected with the discharge of their duties or with the performance of any works or the purchase of any material or goods under their supervision.
- D) To consider and report on any and all matters referred to them by the Council or the Warden and every such report shall be signed by the Chair submitting the same.
- E) To adhere strictly in the transaction of all business to the rules prescribed by the by-laws of the Council.

31. COMMITTEE WORK

(A) The **Community Services Committee** shall:

- (i) Consider and report on all matters with respect to the Social and Family Services Department;
- (ii) Consider and report on all matters with respect to the operation of Strathmere Lodge and the residents entrusted to the County's care;
- (iii) Consider and report on any other matter relative to seniors services or services to those in need in Middlesex County.
- (iv) Consider and report on all matters concerning the provision of Social Housing.
- (v) Consider and report on matters with respect to roads, bridges or other transportation services within the County.
- (vi) Consider matters regarding waste management.
- (vii) Consider and report on all matters concerning the provision of land ambulance.
- (viii) Consider and report on matters concerning the Middlesex Fire Communications System, and other fire service matters of county-wide interest.

(B) The **Corporate Services Committee** shall:

- i) Consider and report on all matters with respect to the County's finances, including, but not limited to; budget development, recommendation, and ongoing monitoring; review of accounts; advice to the Treasurer, when requested on matters pertaining to his Office; stewardship of the County's assets; and liability and property insurance; and
- (ii) Consider and report on all matters related to compensation; human resources; health and safety; collective agreement negotiations; and employment policies and procedures; and
- (iii) Consider and report on all matters related to County property.

- (iv) Consider and report on all matters relating to the functioning of County Council.
 - (v) Consider and report on matters concerning agriculture, weed inspection, the County forests and tree cutting by-law.
 - (vi) Consider and report on matters with respect to land use planning, economic and tourism development, the County Official Plan, and related matters of County-wide interest.
- (C) The **Middlesex County Library Board** shall:
- (i) Be responsible for all matters with respect to Library Services.
 - (ii) Consider and report on such other matters as it and Council may from time to time agree that it will consider.
- (D) The **Special Events Committee's** responsibility is:
- (i) To consider and report on possible special events for Council.
 - (ii) To make arrangements for such special events as are approved by Council.
- (E) Other Standing and Special Committee's shall each consider and report on all matters, financial and otherwise, in their respective jurisdictions, and any other matters that may be referred to them.
- (F) Council may appoint such Ad Hoc Committees as are deemed necessary from time to time to deal with matters assigned to them by Council for review and report and shall be dissolved upon submission of their final reports to Council.

32. GENERAL REGULATIONS FOR CONDUCT OF BUSINESS AT COMMITTEE MEETINGS

- (A) The Chair shall preside at every meeting and may vote on all questions submitted, except where disqualified to vote by reason of interest or otherwise.
- (B) The Chair shall sign all Minutes, which the Committee may legally adopt.
- (C) In the absence of the Chair, the Vice Chair will preside, or one of the other members shall be elected to preside, who shall discharge the duties of the Chair during the meeting, or until the arrival of the Chair.
- (D) No order or authority to do any matter or thing shall be recognized as emanating from any Committee, unless it is in writing and signed by the Chair or Secretary thereof, and refers to the Minutes of the Committee under which it is issued.
- (E) The Minutes of every Committee shall be recorded and shall be circulated for confirmation or correction to the Committee members and shall be signed by the Chair as being an accurate account of the proceedings of the Committee.
- (F) Where a vote takes place on any question, and a member requests that the vote be recorded, all the members of the Committee present, including the Chair, shall vote unless disqualified from voting. In the event a member refusing to vote without being excused their vote shall be counted in the negative. Each member of a Committee shall have one vote at Committee meetings.
- (G) A member may request immediately prior or immediate subsequent to the taking of any vote, that the vote be recorded.
- (H) When a recorded vote is not requested and a member present abstains from voting the member will be deemed to have voted in the negative.
- (I) A tie vote on any question in Committee is deemed to be lost.

33. DELEGATIONS TO COMMITTEES

Delegations will be permitted to make presentations to Committees of Council. The same rules that apply to Delegations or Deputations to Council will apply at Committees as practically possible.

34. GENERAL RULES FOR ALL COMMITTEES

- (A) Any member of the Council may be placed on a Committee notwithstanding the absence of such member at the time of their being named on such Committee.
- (B) The Warden shall be a member ex-officio of all Committees of Council and may vote on all questions before the Committee and shall be counted in the formation of a quorum.
- (C) Members of the Council may attend the meetings of any of its Committees, but shall not be allowed to vote, nor shall they be allowed to take part in any discussion or debate, except by the permission of the majority of the members of the Committee.
- (D) The Council may appoint a member thereof to act on any Committee in lieu and during the absence of any member thereof, who is absent from the municipality, or unable from illness to attend the meetings of such Committee, and the member so appointed shall be deemed a member of the Committee and entitled to act thereon, only during such absence or illness.
- (E) Should a Chair of any Committee neglect to call a meeting of their Committee at such time, or with such frequency, as the proper dispatch of the business entrusted to the Committee requires, or do the business of the Committee without the knowledge or consent of its members, or contrary to their wishes or sanction, the Committee may report such neglect, refusal, or action to the Council which may, if it deems it advisable, remove said Chair from the Committee and appoint another member in their place and also may appoint a new Chair of the said Committee.

- (F) Should any member or members of a Committee neglect or refuse to attend the properly summoned meetings of their Committees, the Chair shall report such neglect or refusal to the Council, which may remove the said member or members from the Committee and appoint another member or other members in their place or places; or should any Committee neglect or refuse to give due attention to all business or matters before them, the Council may by resolution discharge such Committee and appoint another in its stead.
- (G) A majority of all members of the Committee shall constitute a quorum.

35. GENERAL PROVISIONS

- (A) The rules and regulations contained herein shall be observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business in the Council and in the Committees.
- (B) Notwithstanding (A), the rules and regulations contained herein maybe suspended by vote of two-thirds of the whole Council, and in any case for which provision is not made herein.
- (C) That all newly-elected Reeves/Mayors and Deputy Reeves/Deputy Mayors be invited to sit in on Council proceedings at the November Session immediately preceding the commencement of their terms of office.
- (D) A dress code for Members of Council and Staff shall be in effect for Council meetings and shall consist of shirt and tie and appropriate suiting for the gentlemen, and appropriate dress wear for the ladies.

36. UNPROVIDED RULES

In all unprovided cases in the proceedings of Council, or in Committee, parliamentary procedure shall be followed as contained in the Robert's Rules of Order (revised).

37. CONFLICT WITH THE MUNICIPAL ACT

In cases where the Rules of Procedure conflict with the Municipal Act, the Municipal Act shall prevail.

APPENDIX "A"
PRINCIPAL RULES GOVERNING MOTIONS

Order of Precedence	Can interrupt speaker?	Requires a second?	Debatable?	Amendable?	Vote Required?	Can be renewed at same meeting?
PRIVILEGED MOTIONS (dealing with special matters of immediate and overriding importance)						
1. Adjourn	no	yes	no	no	majority	yes
2. Recess	no	yes	no	yes	majority	yes
3. Question of Privilege	no	no	no	no	no vote	yes
II. SUBSIDIARY MOTIONS (apply to other motions and assist the Council/Committee in dealing with a main motion)						
4. Postpone Temporarily (lay on the table)	no	yes	no	no	majority	yes
5. Previous Question	no	yes	no	no	two-thirds	yes
6. Limit Debate	no	yes	no	yes	two-thirds	yes
7. Defer to a Certain Time	no	yes	yes	yes	majority	yes
8. Refer to Committee	no	yes	yes	yes	majority	yes
9. Amend	no	yes	yes	yes	majority	no
10. Defer	no	yes	yes	no	majority	no
III. MAIN MOTIONS (bring business before Council)						
11. A General Main Motion	no	yes	yes	yes	majority	no
12. Specific Main Motions Reconsider	yes	yes	yes	no	2/3 without notice majority with notice	no
13. Rescind	no	yes	yes	no	majority	no
14. Resume Consideration	no	yes	no	no	majority	yes

APPENDIX "B" (Con't)
PRINCIPAL RULES GOVERNING MOTIONS

Order of Precedence	Can interrupt speaker?	Requires a second?	Debatable?	Amendable?	Vote Required?	Can be renewed at same meeting?
IV. INCIDENTAL MOTIONS (usually arise while the main motion is open to debate)						
15. Appeal	yes	yes	yes	no	tie or majority	no
16. Point of Order	yes	no	no	no	no vote	no
17. Division of a Question	no	no	no	no	majority	no
18. Recorded Vote	yes	no	no	no	no vote	no

