

THE CORPORATION OF THE TOWNSHIP OF WILMOT

BY-LAW NO. 2024-XX

BEING A BY-LAW TO AMEND BY-LAW 2024-42 BEING THE PROCEDURAL BY-LAW

WHEREAS Section 5 (1) of the Municipal Act, 2001, S.O., c. 25, as amended, states the powers of a municipality shall be exercised by its council;

AND WHEREAS Section 5 (3) of the Municipal Act, 2001, S.O., c. 25, as amended, states a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS Section 8 (1) of the Municipal Act, 2001, S.O., c. 25, as amended, states the powers of a municipality under that or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 238 (2) of the Municipal Act, 2001, S.O., c.25, as amended, requires that every municipality and Local Board shall pass a procedural by-law for governing the calling, place and proceedings of meetings;

AND WHEREAS Section 238 (3.1) of the Municipal Act, 2001, S.O., c.25, as amended, allows for a municipality's procedural by-law to permit a member of Council, of a Local Board or a committee of either of them, to participate electronically in a meeting to the extent and in the manner set out in the by-law;

AND WHEREAS Section 238 (3.3) of the Municipal Act, 2001, S.O., c. 25, as amended, allows the procedural by-law to provide that,

- (a) a member of a council, of a Local Board or of a committee of either of them who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time; and
- (b) a member of a council, of a Local Board or of a committee of either of them can participate electronically in a meeting that is open or closed to the public;

AND WHEREAS the Township of Wilmot Accountability and Transparency Policy states that accountability, transparency and openness are standards of good governance that enhance public trust and are achieved through the municipality adopting measures ensuring, to the best of its ability, that all activities and services are undertaken utilizing a process that is open and accessible to its stakeholders;

AND WHEREAS the general principles of parliamentary law should be upheld in the rules of any meeting, these rules are based on a regard for the rights of:

- the majority,
- the minority, especially a strong minority – greater than one third,
- of individual members,
- of absentees, and
- of all these together.

AND WHEREAS it is deemed expedient to adopt by by-law, rules governing the order and procedure of the Council of The Corporation of the Township of Wilmot.

AND WHEREAS the Council of the Corporation of the Township of Wilmot (hereinafter called “the Council”) has determined that certain amendments should be made to the Procedural By-law of the Corporation of the Township of Wilmot, being By- law 2024-42;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WILMOT ENACTS AS FOLLOWS:

1. **THAT** By-Law 2024-42 is hereby amended as follows:

Section 4.8 Regular Meetings of Council- Schedule be amended to reflect the following:

Following the Inaugural Meeting, Regular Meetings of Council will be held at 7:00 p.m., local time, on the fourth Monday of the month, save and except for July, August and December as per the schedule approved by Council Resolution or By-law.

Section 4.9 Regular Meetings of Council- July, August, and December to reflect the following:

During the months of July, August and December in each year, there will be one Regular Meeting of Council per month to be held on the fourth Monday to accommodate items of a time sensitive nature, or in which direction was previously given by the Committee of the Whole.

Section 4.14 Regular Meetings- Notice (Agenda) be amended to reflect the following:

4.14.3 The Clerk/Committee Administrator will ensure the Agenda is available to the Members and the Chief Administrative Officer, staff, the public and the media as appropriate not later than ten (10) Days before the holding of such Regular Meeting.

Section 4.25 Correspondence – Petitions for Council be amended as follows:

Strike out all references to five (5) Business Days and insert twelve (12) days

Section 5.7 Closed Meeting Agendas be amended to reflect the following:

5.7.1 Agendas for Closed Meetings will be circulated to Members no later than ten (10) days before the holding of the Meeting. If Closed Meeting Agendas and reports are circulated by hardcopy, the Clerk/Committee Administrator will collect all the materials for destruction at the adjournment of the Closed Meeting.

Part 6 Presentation, Delegation and Written Submissions be amended as follows:

Strike out all references to five (5) Business Days and insert twelve (12) days

Strike out all references to Business Day(s) and replace with day(s)

Part 9 Motions be amended as follows:

9.20.2 A Notice of Motion will:

- (i) Be in writing, which may include email and will be delivered to the Clerk/Committee Administrator at least twelve (12) days preceding the date of the Regular Meeting at which the Motion is to be considered unless otherwise directed by the Member;

2. **THAT** this By-law shall come into full force and effect on January 1, 2025.

READ a first and second time in Open Council this 25th day of November, 2024.

READ a third time and finally passed in Open Council this 25th day of November, 2024.

Mayor

Clerk

DRAFT