

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 55-2016

Being a by-law to Govern the Calling, Place and Proceedings of Council and Committees

WHEREAS pursuant to Section 238 of the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended, every municipality and local board shall pass a procedure by-law to govern the calling, place and proceedings of meetings.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

Definitions

1. For the purpose of this by-law the following definitions are applicable:

- a) "Act" means the *Municipal Act, 2001*, S.O. 2001 c.25, as amended;
- b) "CAO" means the Chief Administrative Officer of the Municipality;
- c) "Clerk" means the Director of Corporate Services/Clerk of the Municipality or her or his designate;
- d) "Council" means the Council of the Municipality;
- e) "Council Chambers" means the Council Chambers at the offices of the Municipality located at 2021 Division Road North, Kingsville, Ontario;
- f) "Committee" means any advisory or other committee, sub-committee or similar entity of which at least fifty per cent of the members are also members of Council or of a Local Board, as the case may be;
- g) "Emergency" means circumstances which, in the opinion of the Mayor, are considered to be of an urgent or time sensitive nature, and which may affect the health, safety or physical security of residents of the Municipality;
- h) "Holiday" means:
 - New Year's Day
 - Family Day
 - Good Friday
 - Easter Monday
 - Victoria Day
 - Canada Day
 - Civic Holiday
 - Labour Day
 - Thanksgiving Day
 - Remembrance Day
 - December 24
 - Christmas Day
 - Boxing Day
 - December 31
- i) "Local Board" unless otherwise defined in this By-law, means a municipal service board, transportation commission, board of health, planning board, or any other board, commission, committee, body or local authority established or exercising any power under any statute with respect to the affairs or purposes of one or more municipalities, excluding a school board; conservation authority; police services board or public library board.

- j) "Mayor" means the Head of Council and the Chief Executive Officer of the Municipality;
- k) "Meeting" unless otherwise specified, means any Regular, Special or other meeting of Council, Local Board or Committee, as the case may be;
- l) "Member" means a member of Council, Committee or Local Board, as the case may be;
- m) "Municipality" means The Corporation of the Town of Kingsville.
- n) "Notice of Motion" means advance written notice to members regarding a matter on which Council will be asked to take a position.
- o) "Quorum" means, subject to the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M. 50, as amended, a majority of the whole number of the Members;
- p) "Point of Privilege" means a matter that a Member considers to impugn his or her integrity or the integrity of Council;
- q) "Presiding Officer" means the Mayor, the Deputy Mayor or other Member who may be presiding over a Meeting in accordance with sections 29 and 30 as the case may be;
- r) "Rules of Order" means the rules of order as set out starting at section 45 of this By-law;
- s) "Staff" means an officer or employee of the Municipality;

General

- 2. The procedures contained in this By-law shall be observed in all proceedings of the Council and shall be the procedures for the dispatch of business by Council.
- 3. The procedures contained in this By-law shall be observed, with the necessary modifications, in all proceedings of Local Boards, unless the Local Board has otherwise passed a procedure by-law governing the calling, place and proceedings of its meetings.
- 4. Issues arising in proceedings of Council not specifically governed by the provisions of this By-law shall be resolved by resort to Robert's Rules of Order, as revised from time to time.
- 5. Except as otherwise provided for in this By-law, any provision in this By-law which is not mandatory under the Act or any statute may be suspended by resolution.

Role of Council

- 6. It is the role of Council to:
 - a) represent the public and consider the well-being and interests of the Municipality;
 - b) develop and evaluate the policies and programs of the Municipality;
 - c) determine which services the Municipality provides;
 - d) ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;

- e) ensure the accountability and transparency of the operations of the Municipality, including the activities of the senior management of the Municipality;
- f) maintain the financial integrity of the Municipality; and
- g) carry out the duties of Council under the Act or any other statute.

Role of Mayor

7. It is the role of the Mayor to:
- a) act as Chief Executive Officer of the Municipality;
 - b) preside over Council meetings so that its business can be carried out efficiently and effectively;
 - c) provide leadership to the Council;
 - d) without limiting clause (c) to provide information and recommendations to the Council with respect to the role of Council described in section 6 of this By-law;
 - e) represent the Municipality at official functions; and
 - f) carry out the duties of the Head of Council under the Act or any other statute.
8. As Chief Executive Officer of the Municipality, the Mayor shall:
- a) uphold and promote the purposes of the Municipality;
 - b) promote public involvement in the Municipality's activities;
 - c) act as the representative of the Municipality both within and outside the Municipality, and promote the Municipality locally, nationally and internationally; and
 - d) participate in and foster activities that enhance the economic, social and environmental well-being of the Municipality and its residents.

Calling of Meetings

Inaugural Meeting

9. The inaugural meeting of the Council after a regular municipal election shall be held on the 1st Monday in December at 7:00 p.m.

Regular Meetings

10. Regular Meetings of Council shall be held on the second and fourth Mondays of each month at 7:00 p.m.
11. When the day for a Regular Meeting of Council is a Holiday, the Council shall, unless the Council decides otherwise, meet at the same hour on the next following day which is not a Holiday.

Special Meetings

12. The Mayor may, at any time, call a Special Meeting.

13. Upon receipt of a petition of a majority of Members of Council by the Clerk, the Clerk shall call a Special Meeting for the purpose and at the time and date mentioned in the petition.
14. The Special Meeting shall be held no sooner than 48 hours following the calling of the Meeting by the Mayor or the Clerk, as the case may be.

Place of Meetings

15. Unless otherwise specified in a notice of Meeting or in the case of an Emergency, Meetings shall be held at the Council Chambers.

Notice of Meetings

16. Subject to paragraphs 17 and 18, notice of Meetings shall be given at least once not less than seven days nor more than thirty days prior to the Meeting in the following manner:
 - a) posted at the Municipality's offices located at 2021 Division Road North, Kingsville, Ontario;
 - b) posted on the Municipality's website; and /or
 - c) published in a newspaper having general circulation in the Municipality.
17. In the event a Special Meeting is called within a time frame that does not permit for notice to be given in accordance with paragraph 16, notice of the Meeting shall be given as set out in section 16 a) and b) only and the Clerk shall use best efforts to notify local media.
18. In the event a Special Meeting is called in an Emergency, the Clerk shall use best efforts to provide notice of the Meeting using any method that is reasonable in the circumstances and the Clerk shall use best efforts to notify local media.
19. The notice of a Special Meeting shall specify the purpose of the Meeting.

Closed Meetings

20. Except as otherwise provided herein, all Meetings shall be open to the public.
21. No member shall divulge any information to any person that pertains to any aspect of any discussion or direction of Council that was given or provided at a Closed Meeting of Council.
22. A Meeting may be closed to the public if the subject matter being considered relates to:
 - a) the security of the property of the Municipality or Local Board;
 - b) personal matters about an identifiable individual, including Municipality or Local Board employees;
 - c) a proposed or pending acquisition or disposition of land by the Municipality or Local Board;
 - d) labour relations or employee negotiations;

- e) litigation or potential litigation, including matters before administrative tribunals, affecting the Municipality or Local Board;
 - f) 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 may hold a closed meeting under another statute.
23. A Meeting shall be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the Council is the head of the Municipality for the purposes of that statute.
24. A Meeting shall be closed to the public if the subject matter relates to 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 the *Act*, or the investigator referred to in the *Act*.
25. A Meeting 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; and
 - 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.
26. Before all or part of a meeting is closed to the public, the Council, Local Board or Committee shall state by resolution:
- a) the fact of the holding of the closed meeting, and the general nature of the matter to be considered at the closed meeting; or
 - b) in the case of a meeting under paragraph 23, the fact of the holding of the closed meeting, the general nature of its subject matter and that it is to be closed under subsection 239(3.1) of the *Act*.
27. Subject to section 28, a Meeting shall not be closed to the public during the taking of a vote.
28. A Meeting may be closed to the public during a vote if,
- a) sections 22, 23 or 24 permits or requires the Meeting to be closed to the public; and,
 - b) the vote is for a procedural matter or for giving directions or instructions to officers, employees, or agents of the Municipality, Local Board or Committee of either of them or persons retained by or under contract with the Municipality or Local Board.

Presiding Over Meetings

29. The Mayor shall preside at all Meetings, however, when the Mayor is delayed, absent, refuses or is unable to act, or the office is vacant, the Deputy Mayor shall act in the place and stead of the Mayor.

30. When both the Mayor and Deputy Mayor are absent or are unable to act, or the offices are vacant, the Members may, by resolution, appoint a Member from amongst themselves for the purpose of the Member presiding over a Meeting.
31. The duties of the Presiding Officer shall be as follows:
 - a) to call the Meeting to order;
 - b) to announce the business before Council in the order in which it is to be acted upon;
 - c) when two or more Members seek to address Council, designate the Member who may speak first;
 - d) to receive and submit, in the proper manner, all motions presented by the Members;
 - e) to put to a vote all questions which are moved and seconded, or necessarily arise in the course of the proceedings, and to announce the result;
 - f) to decline to put to a vote motions which are contrary to the procedures as set out in this By-law;
 - g) to enforce the Rules of Order and conduct of Members' behaviour which disrupts the order and decorum of the Meeting;
 - h) to call by name any Members breaching the Rules of Order or section 49 thereby ordering the Member to vacate his or her seat;
 - i) decide questions on the Rules of Order, including Points of Privilege, and procedures set out in this By-law, stating reasons for the decision;
 - j) to inform the Council when necessary or when referred to for the purpose, on a Rule of Order or procedure under this By-law;
 - k) to represent and support the Council, declaring its will and implicitly obeying its decisions in all things;
 - l) to ensure that the decisions of Council are in conformity with the laws and By-laws governing the activities of the Municipality;
 - m) to adjourn the Meeting without question in the case of grave disorder; and
 - n) to expel any person for improper conduct at a Meeting, which includes, but is not limited to, conduct obstructing the deliberations or proper action of Council.

Call to Order and Adjournment

32. At or after the hour fixed for holding of the Meeting, if there is a Quorum present, the Presiding Officer shall call the Meeting to order.
33. If no there is no Quorum present one half hour after the time fixed for holding of the Meeting, the Clerk shall record the names of the Members present and the Meeting shall stand adjourned until the next Regular Meeting or until a Special Meeting is called.
34. Meetings shall stand adjourned at 11:00 p.m.

35. Notwithstanding section 34, a Meeting may continue past 11:00 p.m. upon a unanimous resolution of Council.

Agendas and Materials

36. The Clerk shall prepare an agenda for Meetings of Council. The Clerk's designate shall prepare an agenda for Meetings of Committees and Local Boards.
37. The order of business shall be set out in the agenda as follows, but modifications to the matters to be included or the order of business may be affected without requiring amendments to this By-law:

- Call to Order
- Moment of Silence and Reflection
- Playing of National Anthem
- Disclosure of Pecuniary Interest
- Presentations/Delegations
- Matters Subject to Notice
- Amendments to the Agenda
- Adoption of Accounts
- Staff Reports
- Business / Correspondence – Action Required
- Minutes of the Previous Meetings
- Minutes of Committees and Recommendations
- Business / Correspondence – Informational
- Notices of Motion
- Unfinished Business, Announcements, and Updates
- By-Laws
- Closed Session
- Report Out of Closed Session
- Confirmatory By-law
- Adjournment

38. Insofar as is practicable, agendas together with all relevant materials, shall be made available to Members on the fourth day, excluding Holidays, prior to a Regular or Special Meeting, or in the event such day falls on a Saturday or Sunday, the day prior that is not a Saturday, Sunday or Holiday; or, in the event a Special Meeting is called within a shorter time frame, as soon as possible following the calling of the Meeting, as the case may be.
39. If a member wishes to make any additions to the Agenda, those additions shall be forwarded to the Clerk. All items for inclusion on the Agenda must be received in accordance with the timelines established in section 42.
40. Agendas delivered to Members shall contain the recommendations of Staff following each item or group of items.

Delegations

41. Any person, group, corporation or organization who wishes to appear before Council as a delegation shall submit a written request to the Clerk detailing the issue to be presented.

42. The written request to appear as a delegation shall be submitted to the Clerk not later than 12:00 noon on the fifth day, excluding Holidays, prior to a Regular or Special Meeting, or in the event such day falls on a Saturday or Sunday, the day prior that is not a Saturday, Sunday or Holiday, and shall include any written or printed material that the delegation may wish to have distributed to Council.
43. Notwithstanding section 42, the Clerk, in consultation with the Mayor and CAO, may make a determination as to whether a delegation may be deferred to a subsequent Meeting. When making such decision, the following shall be taken into consideration:
 - a) the anticipated length of the Meeting based upon the items to be included on the agenda;
 - b) the urgency of the issue raised by the proposed delegation; and
 - c) the necessity of the preparation of any Staff report to be presented in connection with the issue raised by the proposed delegation.
44. When appearing before Council, a delegation shall be limited to not more than 10 minutes. Notwithstanding the foregoing, a delegation consisting of more than 5 persons shall be limited to 2 speakers who shall speak not more than 10 minutes each.

Rules of Order

45. At a Meeting, no person shall:
 - a) speak on any subject other than the subject in debate, or, in the case of a delegation, the issue raised in the written request to appear as a delegation;
 - b) use offensive words or derogatory language;
 - c) speak disrespectfully of any person;
 - d) address a Member or Council without permission of the Presiding Officer;
 - e) disturb a Member, Staff or member of the public by engaging in any behaviour which disrupts the order and decorum of the Meeting; or
 - f) resist the Rules of Order or disobey the decisions of the Presiding Officer on the Rules of Order or a procedure as set out in this By-law.
46. The Council, if appealed to, shall decide the question without debate and its decision shall be final.
47. A Member may raise a Point of Privilege at any time during a Meeting. When a Point of Privilege is raised, it shall be considered and decided by the Presiding Officer without debate.

Conduct of Members

48. Without limiting the obligations of a Member to observe the Rules of Order and those obligations as set out in section 49, at a Meeting no Member shall:

- a) address a Member or Council unless through the Presiding Officer and only when recognized to do so;
 - b) leave without first obtaining permission from the Presiding Officer;
 - c) interrupt the Member who has the floor except to raise a question on a Rule of Order, Point of Privilege or procedure set out in this By-law;
 - d) having committed a breach of any Rule of Order or provision of this section and being ordered to vacate by the Presiding Officer, in the absence of an apology offered to Council at the same Meeting, retake her or his seat, until the next Meeting.
49. Members shall act at all times in a manner that will enhance public trust and confidence in local government and shall govern themselves in accordance with:
- a) the Declaration of Office; and
 - b) the Code of Conduct for Members of Council and Members Appointed by Council as amended from time to time.
50. No Member shall be absent from Meetings for three successive months without being authorized to do so by resolution.

Motions

51. A motion must be formally seconded before the question can be put or a motion recorded in the minutes.
52. When a motion is presented to Council in writing it shall be read, or, if it is an oral motion, stated by the Presiding Officer.
53. After a motion is read or stated by the Presiding Officer, it shall be deemed to be in possession of Council but may, with the permission of Council be withdrawn at any time before the question being put to a vote.
54. No Member may speak more than once to the same question without the consent of the Presiding Officer.
55. When a question is under debate, no motion shall be received except a motion:
- a) to refer the question to a Committee or Local Board (debatable);
 - b) to amend (debatable);
 - c) to lay the question on the table (not debatable);
 - d) to defer indefinitely (debatable);
 - e) to defer to a certain time (debatable);
 - f) to adjourn (not debatable); and
 - g) that the vote now be taken (not debatable).

56. A motion to amend:
 - a) is debatable;
 - b) is amendable;
 - c) shall be relevant and not contrary to the principle of the issue or motion under consideration; and
 - d) that such altered disposition continues to relate to the same issue.
57. Only one amendment can be presented to the main motion at one time and only one amendment can be presented to an amendment at one time, but when a sub-amendment has been disposed of, another may be introduced, and when an amendment has been decided, another may be introduced.
58. The sub-amendment, if any, shall be voted first, then if no other sub-amendment is presented the amendment shall be voted on next, then if no other amendment is introduced, the motion or motions as amended shall be put to a vote.
59. Notwithstanding sections 57 and 58 a “friendly” amendment may be made with the consent of the mover and seconder.
60. After a motion, as amended, is finally put, no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the result is declared.

Motion to Lay the Question on the Table

61. A motion to lay the question on the table:
 - a) is not debatable;
 - b) is not amendable; and
 - c) shall only be used to temporarily set aside a pending motion to take care of other business deemed urgent.
62. A question remains on the table until taken/lifted from the table or until the close of the next regular meeting. If the question is not taken/lifted from the table by the close of the next regular meeting, the motion is deemed withdrawn on the close of that regular session.
63. A question may be taken/lifted from the table during the “Unfinished Business, Announcements, and Updates” segment of the Agenda, or as soon as the interrupting business is disposed of, provided no question is pending. Any member can move to take/lift a question from the table and a question is successfully taken/lifted from the table on a majority vote of Council.

Motion to Defer

64. A motion to defer to a specific date, or following the occurrence of a specific event, means that the motion or item for discussion shall be postponed to a specific date or until after the occurrence of a specific event. When the item is brought back for discussion, it shall be placed on the Agenda in the Unfinished Business segment of the Agenda and shall have priority over all other matters discussed in that segment.
65. A motion to defer indefinitely shall be treated as a motion to lay the question on the table.

Motion to Reconsider

66. Subject to section 67, after any question has been decided by the Council, any Member who was present and who voted in the majority may, at any subsequent meeting of Council, move for the reconsideration thereof.
67. The following motions cannot be reconsidered:
 - a) to defer indefinitely;
 - b) to adjourn;
 - c) to recess;
 - d) to suspend any provision of this By-law in accordance with section 5; and
 - e) to reconsider.
68. No discussion of the main question by any person shall be allowed unless the motion to reconsider has first been passed.
69. If a motion to reconsider is decided in the affirmative, reconsideration shall become the next order of business and debate on the question to be reconsidered shall proceed.
70. A motion to reconsider:
 - a) is debatable;
 - b) is not amendable; and
 - c) requires a 2/3 of Council vote, regardless of the vote necessary to adopt the motion to be reconsidered.
71. No question upon which a motion for reconsideration has been passed shall be reconsidered more than once.
72. A motion to reconsider suspends action of the motion to which it applies until the motion to reconsider has been decided.

Non-Debatable Motions

73. The following motions are non-debatable:
 - a) to adjourn;
 - b) to close, limit or extend debate;
 - c) to lay on the table;
 - d) to suspend any provision of this By-law in accordance with section 5; and
 - e) that the vote be taken.

Notice of Motion

74. Notices of Motion shall:
 - a) Be in writing; and
 - b) Include the name of the mover.
75. Notice of motion shall be given in writing to the Clerk not later than 12:00 noon five days prior to the next regular meeting so that the matter may be included in the Council agenda package for consideration and debate at the upcoming Council Meeting.

76. Notwithstanding section 75, if Notice of Motion is received during a Council Meeting, the motion shall be read out by the Mayor or the mover during the Notice of Motion segment of the Agenda.
77. Any Notice of Motion given pursuant to section 76 shall not be considered or debated until the next regular Council Meeting or at a Special Meeting of Council called for that purpose.

Voting

78. Immediately prior to voting on a motion, the Presiding Officer shall state the question in the precise form it is to be recorded in the minutes, including any amendments to the question.
79. The Presiding Officer may, upon request of a Member, divide the question and the vote upon each proposal shall be taken separately.
80. A Presiding Officer, except in the case of a Presiding Officer declaring a pecuniary interest, may vote on all questions and when so doing, shall vote last. If the Presiding Officer desires to move or second a motion, the Presiding Officer shall vacate his or her seat and sections 29 and 30 shall apply, as the case may be.
81. Except where expressly provided in statute, any question on which there is an equality of votes shall be deemed to be lost.
82. No vote shall be taken by ballot or any other method of secret voting and every vote so taken are of no effect.
83. If a Member is present at a Meeting and does not vote on a question, the Member shall be deemed to have voted in the negative, except where the Member has not voted by virtue of declaring a pecuniary interest.
84. Where a vote is taken for any purpose and a Member requests, before or after the vote, that the vote be recorded, each Member present, except a Member who has declared a pecuniary interest, shall, in an order determined by the Clerk, announce their vote openly, and the Clerk shall record each vote.
85. On an unrecorded vote, the manner of determining the decision on a motion shall be at the discretion of the Presiding Officer and may be by voice, show of hands, standing or otherwise.

By-Laws

86. No by-law, except a by-law to confirm the proceedings of Council, shall be presented to Council unless the subject matter thereof has been considered and approved by Council.
87. No by-law shall be introduced except upon motion by a Member specifying the title of the by-law.
88. Every by-law when introduced shall be in typewritten form and shall contain no blanks except such as may be required to conform to accepted procedure or to comply with provisions of any statute and shall be complete with the exception of the number and date thereof.
89. Council may refer any proposed by-law to a Local Board, Committee, Staff or other person or organization for review and comment.

90. Every by-law shall have three readings prior to it being passed.
91. The first reading of the by-law shall be decided without amendment or debate.
92. Unless specified otherwise by statute, a by-law may be read a first, second and third and final time at the same Meeting.
93. A by-law shall include the date of each reading.
94. Every by-law enacted by the Council shall be numbered and dated and shall be sealed under the seal of the Corporation and shall be signed by the Clerk and Presiding Officer.
95. A by-law to confirm the proceedings shall be the final by-law adopted by Council at each Meeting.

Record of Meetings

96. The Municipality, a Local Board or a Committee shall record, without note or comment, all resolutions, decisions and other proceedings at a Meeting, whether it is closed to the public or not, and shall, when doing so, include the following:
 - a) the place, date and time of the Meetings; and
 - b) the names of the Presiding Officer and the record of the attendance of the Members.
97. The record required by section 96 shall be made by:
 - (a) the Clerk, if the Meeting is a meeting of Council; or
 - (b) an assigned Staff person, if the Meeting is a meeting of a Local Board or Committee.

Identification and Declaration of Pecuniary Interest

98. For the purposes of sections 99 to 102 inclusive, "Local Board" means a school board, board of directors of a children's aid society, committee of adjustment, conservation authority, court of revision, land division committee, municipal service board, public library board, board of management of an improvement area, board of health, police services board, planning board, district social services administration board, trustees of a police village, board of trustees of a police village, board or committee of management of a long-term care home, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act in respect of any of the affairs or purposes, including school purposes, of one or more municipalities or parts thereof, but does not include a committee of management of a community recreation centre appointed by a school board or a local roads board.
99. It is the responsibility of each Member at a Meeting to identify any pecuniary interest, as set out in the *Municipal Conflict of Interest Act*, in any matter that is the subject of consideration at the Meeting.
100. Where a Member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a Meeting at which the matter is the subject of consideration, the member,

- a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- b) shall not take part in the discussion of, or vote on any question in respect of the matter; and
- c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

and, where the Meeting is not open to the public, in addition to complying with the aforementioned requirements, the Member shall forthwith leave the Meeting or the part of the Meeting during which the matter is under consideration.

101. Where the interest of a Member has not been disclosed as required by reason of the Member's absence from a Meeting, the Member shall disclose the interest and otherwise comply with aforementioned requirements at the next Meeting attended by the Member.
102. Sections 99 to 101 inclusive do not apply to a pecuniary interest in any matter that a Member may have,
- a) as a user of any public utility service supplied to the Member by the Municipality or Local Board in like manner and subject to the like conditions as are applicable in the case of persons who are not members;
 - b) by reason of the Member being entitled to receive on terms common to other persons any service or commodity or any subsidy, loan or other such benefit offered by the Municipality or Local Board;
 - (c) by reason of the Member purchasing or owning a debenture of the Municipality or Local Board;
 - (d) by reason of the Member having made a deposit with the Municipality or Local Board, the whole or part of which is or may be returnable to the Member in like manner as such a deposit is or may be returnable to all other electors;
 - (e) by reason of having an interest in any property affected by a work under the *Drainage Act* or by a work under a regulation made under Part XII of the Act relating to local improvements;
 - (f) by reason of having an interest in farm lands that are exempted from taxation for certain expenditures under the *Assessment Act*;
 - (g) by reason of the Member being eligible for election or appointment to fill a vacancy, office or position in the Council or Local Board when the Council or Local Board is empowered or required by any general or special Act to fill such vacancy, office or position;
 - (h) by reason only of the Member being a director or senior officer of a corporation incorporated for the purpose of carrying on business for and on behalf of the Municipality or Local Board or by reason only of the Member being a member of a board, commission, or other body as an appointee of a Council or Local Board;
 - (i) in respect of an allowance for attendance at Meetings, or any other allowance, honorarium, remuneration, salary or benefit to which the Member may be entitled by reason of being a Member or as a member of a volunteer fire brigade, as the case may be;
 - (j) by reason of the Member having a pecuniary interest which is an interest in common with electors generally; or

- (k) by reason only of an interest of the Member which is so remote or insignificant in its nature that it cannot reasonably be regarded as likely to influence the Member.

Striking Committee

103. Following a regular municipal election, a Striking Committee shall be established for the purpose of making recommendations to Council regarding the appointment of persons to serve on Committees, Local Boards or other bodies.

104. The Striking Committee shall be comprised of the following:

- a) Mayor;
- b) Deputy Mayor; and
- c) Member of Council with the most votes in the regular municipal election.

Repeal and Coming Into Force

105. By-law 105-2011 is hereby repealed.

106. This By-law shall come into force upon third reading and being finally passed.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS
13th DAY OF JUNE, 2016.**

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo