

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

BY-LAW NO. 11-987

Being a by-law to amend Bylaw 09-845 - to regulate the proceedings of Council of the Municipality of Temagami.

WHEREAS the Municipal Council of the Corporation of the Municipality of Temagami has enacted Bylaw 09-845 to govern the proceedings of Council; and to govern the calling, place and proceedings of meetings in accordance with Sections 238 (2), 239 and 251 of the Municipal Act, S.O., 2001, c.25, c.M. 45, as amended;

AND WHEREAS Section 2.1 of By-law 09-845, as amended, requires the rules and regulations of said bylaw to apply to Committees of Council;

AND WHEREAS it is the opinion of Council that, since many of the Standing Advisory Committees of the Council of the Municipality of Temagami do not meet the definition of "Committee" in the Municipal Act, 2001, as amended, that less formality is required, and indeed more appropriate, at the committee level to facilitate open discussion in keeping with the type of work accomplished by committees;

AND WHEREAS Council deems it appropriate to amend By-law 09-845 to provide for more relaxed rules of procedure for Standing Advisory Committees of Council where the composition of the committee does not meet the definition in section 238 of the Municipal Act, 2001;

NOW THEREFORE the Council of the Corporation of the Municipality of Temagami hereby enacts as follows:

1. That the following definition shall be added as Section 1.1 and the remaining definitions shall be re-numbered accordingly:
 - 1.1 "Advisory Committee" shall mean any Committee, or similar entity composed of a member or members of Council along with members of the public; and municipal staff.
2. That Section 2.1 shall be deleted and replaced by the following:
 - 2.1 The rules and regulations contained in this By-law shall be observed and shall be the rules and regulations for order and dispatch of business in all Meetings of Council and Committees of Council which meet the criteria for a Committee as defined in the Municipal Act, 2001, as amended, including Committee of the Whole. In the Municipal Act, 2001 as amended, "committee" means "any advisory or other committee, subcommittee or similar entity of which at least 50 per cent of the members are also members of one or more councils or local boards." Where a Standing Advisory Committee or other Advisory Committee does not meet the criteria for a Committee as defined in the Municipal Act, 2001, as amended, then the rules of procedure for such a committee shall be as specified in section 18.6 of this bylaw.

3. That Section 15.4 shall be deleted.

4. That Section 18.6 shall be added as follows:

18.6 Where Advisory Committees do not meet the criteria for a Committee as defined in the Municipal Act, 2001, as amended, (see section 2.1) they will not necessarily be subject to the requirements of the rules of procedure set out in this by-law. They will, however, still be obliged to follow the requirements for: notice of meetings; meetings open to the public; and records of meetings as follows:

- (a) Notice of meetings: Where an Advisory Committee has regularly scheduled meetings, the notice requirements may be met by posting the schedule of meetings on the Municipal website and on the bulletin board in the lobby of the Municipal Office. When a meeting is to be held at a time, day or place other than that posted as above, the Advisory Committee shall give notice, at least 48 hours in advance of such meeting, to be posted on the Municipal website and on the bulletin board in the lobby of the Municipal Office.
- (b) Meetings open to the public: All meetings of Advisory Committees shall be open to the public to observe the proceedings. No Advisory Committees shall be permitted to go into Closed Session without the specific authorization of Council by resolution, in which case all rules of this by-law and the Municipal Act concerning closed meetings shall apply.
- (c) Records of meetings: Minutes of the proceedings of all meetings of Advisory Committees shall be recorded in accordance with section 16 of this by-law. Although formal motions shall not be required, they may be used as deemed advisable by the committee. If formal motions are not used, the amendment, if necessary, and the adoption of the minutes of the previous meeting may be by vote or by affirmation by consensus of the committee at the next meeting where a quorum is present and the manner of adoption shall be recorded.

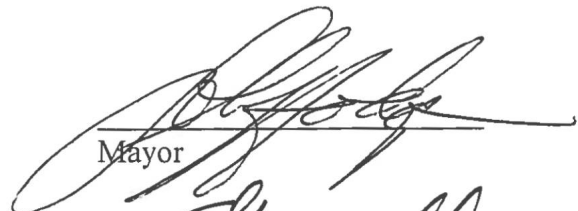
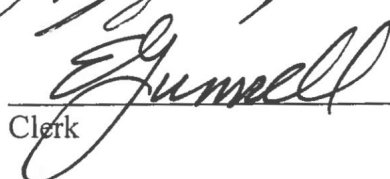
5. That the Clerk of the Municipality of Temagami is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to this by-law, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

6. That this By-law shall take effect on the final passing thereof.

TAKEN AS READ A FIRST time on this 10th day of March, 2011.

READ A SECOND TIME on this 10th day of March, 2011.

READ A THIRD TIME AND FINALLY PASSED on this 10th day of March, 2011.


Mayor

Clerk