

Bylaw bl-2007-0017

THE CORPORATION OF THE TOWN OF GEORGINA
IN THE
REGIONAL MUNICIPALITY OF YORK

BY-LAW NO. 2007 - 0017 (COU-2)

A BY-LAW TO AMEND BY-LAW 2002-0134 (COU-2),
BEING A BY-LAW TO GOVERN THE CALLING, PLACE
AND PROCEEDINGS OF MEETINGS FOR THE TOWN OF
GEORGINA

WHEREAS the Municipal Act 2007 has amended Section 239;

AND WHEREAS Council is desirable to amend By-law No.
2002-0134 (COU-2) regarding Section 3, Holding of
Meetings;

NOW THEREFORE the Council of the Corporation of
the Town of Georgina hereby enacts as follows:

Section 3, HOLDING OF MEETINGS:

3.1 Council/Committee meetings held in the Council
Chambers

The regular meetings of Council and Committee of the
Whole shall be held in the Council Chambers of the
Civic Centre, 26557 Civic Centre Road, Keswick,
Ontario, in accordance with the schedule adopted by
Council.

The Council meetings shall normally be held on the
second and fourth Mondays of each month at 7:00 p.m.
and the Committee of the Whole shall be held on the
first and third Mondays of each month commencing at
9:00 a.m, except;

(a) when otherwise directed by resolution of
Council; or

(b) when the Mayor advises otherwise upon a minimum
of 48 hours notice, provided that this notice
shall not be required in an emergency

3.1.1, Notice:

(a) Notice to Members of all Meetings, Agendas, Agenda
Items, Cancellations and Postponements shall be provided
by the Clerk to a member's residence or place of business
as directed by the member not less than 48 hours prior to
the time set for the meeting. It may be sent by first-
class mail, courier, facsimile or electronic mail. It may
also be provided by telephone or personal contact in case
of an emergency.

- (b) Notice of all Meetings, Agendas, Agenda Items, Cancellations and Postponements may be provided to the public and the media by posting a listing in the lobby of the Civic Centre not less than 24 hours prior to the meeting and by posting notice on the Town's Website.

3.2 Vacation Period - No Meetings

Notwithstanding the provisions of this by-law, during the second and third week of the month of March, during the last two weeks of December and the first week of January, there shall be no regular

meeting of Council or Committee of the Whole. There will be one scheduled meeting date in each of the months of July and August, and that the Committee of the Whole Meeting held on the first Monday in September shall be amended to the last Monday of August, unless otherwise specified by resolution of Council.

3.3 Meeting Dates on a Public Holiday

When a regular meeting of Council or Committee of the Whole falls on a public holiday, the meeting shall be held at the same hour on the day immediately following that is not a Saturday, Sunday or public holiday.

3.4 SPECIAL MEETINGS:

3.4.1 Mayor May Summon a Special Meeting

The Mayor may, at any time, request the Clerk to summon a special meeting for the purpose and at the time, date and place specified by the Mayor.

3.4.2 Clerk to Advise Members

The Clerk shall summon a special meeting upon receipt of a petition of the majority of the Members for the purpose, and at the time, date and place specified in the petition.

3.4.3 48 Hours Notice Required

In either (3.4.1) or (3.4.2) above, the special meeting shall not be held sooner than 48 hours following the request by the Mayor or receipt of the petition, as the case may be, and the Clerk shall provide notice in writing or by electronic means of the special meeting immediately following receipt of the request or petition.

3.4.4 Notice by Telephone for an Emergency Meeting

Notwithstanding the notice requirement in Section 3.4.3, in the event of a bona fide emergency the meeting may be held as soon as

practical following receipt of the request or petition, as the case may be, and notice may be given by telephone, personal contact or by electronic means, as determined by the Chief Administrative Officer.

3.4.5 Special Meeting following the Committee of the Whole

Where it is deemed necessary to hold a meeting that is not a regularly scheduled meeting as evidenced by the consent of two-third of all the members present, a Special meeting of Council may be held in order to deal with a range of matters including, but not limited to, ratifying, confirming and expediting business arising out of the Committee of the Whole, matters which require urgent consideration or matters which require the Mayor and Clerk to sign and affix the seal of the Corporation to any agreement, deed, conveyance or other document purporting to bind the Corporation.

3.4.6 Special Meetings at the call of the Mayor or by petition from the Members

At Special meetings of the Council, it shall not be within the jurisdiction of Council at that meeting to consider or decide upon any matter unless such matter had been specified in the notice calling the meeting. This provision may only be waived where all Members of Council present vote upon a motion to waive this clause.

3.4.7 Cancelled Meetings

Any meeting may be cancelled or postponed to a day, time and place set out in a written notice from the Clerk sent to each Member at the address provided to the Clerk at least 48 hours before the scheduled date of the meeting.

3.5 CLOSED MEETINGS:

3.5.1 All meetings open to the public:

All Council, Committee and board meetings shall be open to the public

3.5.2 Closed Meetings:

Notwithstanding Section 3.6.1, a meeting or part of a meeting of Council, committee or board may be closed to the public if the subject matter being considered is:

- a) the security of the property of the municipality or local board;

- b) personal matters about an identifiable individual, including municipal 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) 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 Act

3.5.2 (1) Other Criteria:

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, board, commission or other body is the head of an institution for the purposes of that Act.

3.5.2 (2) 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:

- (i) the meeting is held for the purpose of educating or training the members
- (ii) 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.

3.5.3 Resolution:

Before holding a meeting or part of a meeting that is to be closed to the public, a municipality or local board or committee of either of them 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 subsection 3.6.2(2), the fact of the holding of the closed meeting, the general nature of its subject-matter and that it is to be closed

under that subsection.

3.5.4 No Vote While in closed session:

Subject to Section 3.5.4(1), a meeting shall not be closed to the public during the taking of a vote.

3.5.4 (1) Exception:

Notwithstanding Section 3.5.4, a meeting may be closed to the public during a vote if;

- (a) Section 3.5.2 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 or persons retained by or under contract with the municipality

3.5.5 Record of meeting:

The Clerk, in the case of a meeting of Council or the appropriate officer, in the case of a meeting of a local board or committee, shall record without note or comment all resolutions, decisions and other proceedings at a meeting of the body, whether it is closed or not.

3.5.6 Record may be disclosed:

Under Clause 6(1)(b) of the Municipal Freedom of Information and Protection of Privacy Act, a head may disclose a record of a meeting closed under Section 3.5.2(2)

3.6 Curfew

All regular or special meetings of Council or the Committee of the Whole shall be adjourned at the hour of 11:00 p.m. if in session at that hour, unless determined by the consent of not less than two-thirds of the Members present to continue, but no meeting shall continue past the hour of 12:00 midnight, without the unanimous consent of all the Members present.

3.7 Failure to Meet Notice Provision

The Clerk shall use his or her best effort to meet the notice provisions set out in this section. Failure by the Clerk to meet any of the notice provisions contained in this section does not invalidate the meeting or any proceedings at the meeting.

That By-law 2006-0141 (COU-2) is hereby repealed.

READ a first, second and third time and finally

passed this 5th day of March, 2007.

Robert Grossi, Mayor

Kathleen Foster, Deputy Clerk