

# Council Procedural Bylaw



## Bylaw Number 47

A Bylaw to Regulate the Proceedings of Council

**BE IT ENACTED** by the Council of the Town of Stratford as follows:

### **PART I – INTERPRETATION AND APPLICATION**

#### **1. Title**

1.1. This Bylaw shall be known as, and may be cited as the “Procedural Bylaw”.

#### **2. Authority**

2.1. Subsection 86(2)(e) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1., provides that a council must establish a procedural bylaw to regulate its proceedings in accordance with the Act.

#### **3. Application**

3.1. This bylaw applies to all members of Council, the Chief Administrative Officer (CAO), members of Council Committees, Town of Stratford employees, those who appear before Council and members of the general public.

3.2. When any matter relating to proceedings arise which is not covered by a provision of this bylaw or the Act, the matter shall be decided by reference to Robert’s Rules of Order, Newly Revised Edition.

3.3. In the event of any conflict between the provisions of the Act and this bylaw, the Act will prevail.

#### **4. Definitions**

4.1. “Chief Administrative Officer” or “CAO” means the administrative head of a municipality as appointed by Council under subsection 86(2)(c) of the *Municipal Government Act*.

4.2. “Council” means the Mayor and other members of the Council of the municipality.

4.3. “Councillor” means a member of Council other than the Mayor.

- 4.4. “Point of information” means the procedural mechanism by which a member may present or receive information of interest to Council.
- 4.5. “Point of order” means the procedural mechanism by which a member may rise where this by-law or any other procedural legislation is believed to have been infringed.
- 4.6. “Point of privilege” means the procedural mechanism by which a member may rise to address incorrect, defamatory or slanderous statements made about the Council, councillors, or employees of the municipality.
- 4.7. “Quorum” is a majority of all the members of council or a council committee. Vacancies are not counted in determining quorum except where the remaining number of council members is not less than four.
- 4.8. “Regulations” means the regulations adopted by the Lieutenant Governor in Council pursuant to the *Municipal Government Act*.

## **PART II – MEETINGS OF COUNCIL**

### **5. First Meeting**

- 5.1. A newly elected Council shall not transact any business until the Oaths of Office have been taken and subscribed to by persons present who have been elected to office.
- 5.2. At the first meeting of Council following a general election, Council shall establish by resolution a schedule of meeting dates for the next 12 months.

### **6. Scheduling of Meetings**

- 6.1. Prior to the beginning of each calendar year, Council shall, by resolution, establish a schedule of regular meetings for the year.
- 6.2. The CAO will ensure that the schedule of regular meetings is published in accordance with subsection 7.2 below.
- 6.3. If a regularly scheduled meeting of Council falls on a day that is a Statutory Holiday, the regular Council meeting will be held the following day unless rescheduled to another day or cancelled by resolution of Council.
- 6.4. A regular meeting of Council may be rescheduled:
  - (a) by resolution of Council;
  - (b) in accordance with this bylaw;
  - (c) by the CAO if it is apparent that quorum will not be achievable; or
  - (d) due to inclement weather, in consultation with the Mayor.
- 6.5. Council may, by resolution, establish a time limit for any meeting and may extend the time limit for any regular Council meeting with a unanimous vote in favour of the motion to extend the meeting.

## **7. Notice of Meetings**

- 7.1. Notice of regularly scheduled Council meetings will be included in an annual schedule of meetings.
- 7.2. Council shall post the annual schedule of Council meeting, including the date, time, and place of each meeting:
  - (a) On the Town of Stratford website and in the e-newsletter; and
  - (b) On the notice board within the Stratford Town Centre and in the Stratford Newsletter.
- 7.3. If Council changes the date, place or time of a regular or special meeting, the CAO must give at least 24 hours' notice of the change to the public through the website, on the electronic sign board by the Hillsborough Bridge and on the notice board within the Stratford Town Centre.
- 7.4. If Council changes the date, place or time of a regular or special meeting, the CAO must give at least 24 hours' notice of the change to all members of Council by providing a copy of the notice to each Council member by email to their town email address.
- 7.5. The notice shall specify the type of meeting and the actual or revised date, place and time of the meeting.
- 7.6. Notice of a change in date, time or place of a regularly scheduled meeting must be provided at least 24 hours in advance of the meeting to any councillors not present at the meeting at which the change was made and to the public.
- 7.7. Notice of special meetings must be provided at least 24 hours in advance of the meeting to all members of Council and the public.
- 7.8. Notice of a meeting or hearing must be given at least seven days before the Council meeting or public hearing, as the case may be, at which any of the following matters is to be considered:
  - (a) a proposal by Council to transfer land below fair market value (subsection 143(1) of the Act); or
  - (b) a local improvement to which one or more objections were made to the CAO within 30 days of receipt of notice thereof (section 203 of the Act);

## **8. Special Meetings**

- 8.1. A special meeting of Council will be called by the CAO when requested in writing by:
  - (a) the Mayor; or
  - (b) a majority of the councillors.
- 8.2. The request for a special meeting shall include a statement of the purpose of the meeting.
- 8.3. A special meeting of Council shall be held at:
  - (a) the first available date where quorum can be achieved; or

(b) no later than 21 days after the date that the CAO receives the request.

8.4. No business other than the business that Council has stated in the meeting notice will be transacted at a special meeting unless all members are present and unanimously agree to deal with other matters.

## 9. Closed Meetings

9.1. Council or a Council committee may, by resolution passed at a public meeting of the Council or committee, close all or part of a meeting to the public, either in advance or at the meeting, where the matter to be discussed is, in relation to any of the following, confidential:

- (a) commercial information which, if disclosed, would likely be prejudicial to the municipality or parties involved;
- (b) information received in confidence which, if disclosed, would likely be prejudicial to the municipality or parties involved;
- (c) personal information, other than a person's address, that is protected under this Act;
- (d) personal information that is protected under the Open Government Bylaw;
- (e) human resource matters;
- (f) a matter still under consideration, on which the council has not yet publicly announced a decision, and about which discussion in public would likely prejudice a municipality's ability to carry out its negotiations;
- (g) the conduct of existing or anticipated legal proceedings;
- (h) the conduct of an investigation under, or enforcement of, an Act or bylaw;
- (i) information which, if disclosed, could prejudice security and the maintenance of the law.

9.2. Council may, by resolution, establish a regular schedule of standing closed meetings, and notice of the schedule of closed meeting shall be provided through a sign posted in a prominent location available to the public.

9.3. No resolution or bylaw will be passed during a meeting closed to the public other than a resolution:

- (a) giving instructions to the lawyer for the municipality;
- (b) giving instructions to any person negotiating a contract on behalf of the municipality;
- (c) giving directions to employees on matters enumerated in subsection (1);
- (d) adjourning the closed meeting; or
- (e) the meeting to the public.

9.4. A resolution to close a meeting to the public must state the reason(s) for closing the meeting, in accordance with subsection 9.2

- 9.5. The Council or committee will make any matter considered at a closed meeting public when confidentiality is no longer required.
- 9.6. No Council member, Council committee member or employee of a municipality shall, disclose or act on any information acquired at a closed meeting of Council or a Council committee respecting a matter or report disclosed or discussed at the meeting, prior to the matter or report being dealt with at an open meeting of Council or the Council committee.

#### **10. Electronic Participation in Meetings**

- 10.1. A Council or Council committee member who is unable to attend a meeting of Council or the Council committee in person may participate in the meeting by telephone or by electronic means.
- 10.2. A member of Council or a Council committee may only participate by telephone or by electronic means if the Council or Council committee members are able to hear and speak to each other.
- 10.3. Members of Council and Council committees participating by telephone or electronic means are considered to be present at the meeting.
- 10.4. Where a member of Council or a Council committee is participating by telephone or electronic means and there is a report or recommendation to be considered in respect of a matter before the Council or Council committee, the Council or Council committee member shall take part in the debate and vote on that matter only if the member has before him or her a copy of the report or recommendation to be considered.

#### **11. Electronic Participation in Closed Meetings**

- 11.1. The chair of council or a council committee meeting shall require every council or council committee member participating by telephone or electronic means to confirm that there is no one else present in their location who is able to hear the discussion during the closed meeting.

### **PART III – COUNCIL MEETING PROCEDURES**

#### **12. General**

- 12.1. The Mayor will preside over all Council meetings except where the Act provides otherwise, and shall perform the duties enumerated in section 89 of the Act, including preserving order, enforcing rules, deciding points of privilege and order, and advising on points of procedure.
- 12.2. The deputy Mayor will preside in the Mayor's absence.
- 12.3. The members of Council may appoint an acting Mayor where:
  - (a) the Mayor and deputy Mayor are absent, incapacitated or otherwise unavailable and neither of them has appointed another member of Council to act in his or her stead; or

- (b) the offices of Mayor and deputy Mayor are vacant.
- 12.4. The term of an acting Mayor continues only until the Mayor or deputy Mayor is no longer absent, incapacitated or otherwise unavailable and only until a new Mayor is declared elected, unless the appointment is revoked earlier by the Council.

### **13. Agendas**

- 13.1. The agenda for each regular and special meetings of Council shall be prepared by the CAO or his or her designate.
- 13.2. The CAO shall have prepared and printed an agenda to be made available to the public. The agenda shall reflect the matters to be considered, under the following headings, referred to as the Order of Business:
- (a) call to Order;
  - (b) declarations of conflict of interest;
  - (c) approval of agenda;
  - (d) adoption of minutes;
  - (e) business arising from the minutes;
  - (f) public presentations/petitions/delegations;
  - (g) report from Mayor
  - (h) report from CAO;
  - (i) reports and business from Standing and ad hoc Committees;
  - (j) inquiries by members of Council;
  - (k) appointments to Committees;
  - (l) other business;
  - (m) proclamations;
  - (n) adjournment.

### **14. Quorum**

- 14.1. A quorum is required at all times for Council meetings.
- 14.2. A quorum is a majority of all members of the Council then sitting. Any act or proceeding of Council that is adopted at any Council meeting at which a quorum is not present is invalid.
- 14.3. Where there is a vacancy on Council, but there are at least four Council members remaining on Council, a quorum will be a majority of the remaining members of Council.
- 14.4. Where the number of Council members is reduced to less than four by reason of vacancies, the Council shall apply to the Minister, to have the remaining Council member or members to be considered to be a quorum until elections are held to fill the vacancies.

- 14.5. If a quorum is not present within twenty (20) minutes after the time fixed for the meeting, the CAO or delegate shall record the names of the members present and the meeting shall stand adjourned until the next meeting.
- 14.6. Where the CAO or delegate has confirmed in advance of the meeting that quorum will not be present, the CAO or delegate may provide notice of the cancellation of the meeting to the members of Council and the public in accordance with section 7.

### **15. Voting**

- 15.1. Voting at meetings of Council shall be undertaken as follows:
  - (a) each Council member present, except the Mayor, will vote on every matter unless a Council member is excused specifically from voting, by resolution, or the Council member is prohibited from voting because the member has a conflict of interest.
  - (b) no vote of Council will be taken by ballot or any other method of secret voting and any vote taken by any form of secret voting is of no effect.
  - (c) all votes of Council, both for and against, will be recorded.
  - (d) the failure or refusal of a member of Council to vote on a matter that is properly before the Council will be considered a vote in favour except when the member is excused or prohibited from voting.
  - (e) where there are an equal number of votes for and against a bylaw or motion, the Mayor or presiding officer will vote for the purposes of breaking the tie.

### **16. Presentation and Delegations to Council**

- 16.1. The following will be permitted at meetings of Council at the time so designated on the agenda, in accordance with the provisions of this bylaw:
  - (a) presentations to recognize an individual or group on behalf of Council or for a group or individual to present to Council some award or similar honour;
  - (b) delegations wishing to speak before Council; and
  - (c) presentations of petitions.
- 16.2. The time allotted for each presentation or delegation shall be determined by the Mayor, having regard for the remaining agenda items.

### **17. Conduct during Council meetings**

- 17.1. All persons in the public galley at a Council meeting will:
  - (a) refrain from addressing Council or a member of Council unless permitted to do so
  - (b) maintain quiet and order;
  - (c) refrain from disturbing the proceedings by words, gestures or actions including applauding, displaying flags, placards or similar material;
  - (d) refrain from talking on electronic mobile devices; and,

- (e) ensure that all electronic devices are silent and operated in such a manner that does not interfere with the meeting or with another person's ability to hear or view the proceedings.
- 17.2. Delegates and members of Council shall refrain from:
- (a) speaking disrespectfully;
  - (b) using offensive language;
  - (c) reflecting on a vote of Council except when moving to rescind or reconsider it;
  - (d) reflecting on the motives of the members of Council who voted on the motion or the mover of the motion; or
  - (e) shouting or using an immoderate tone, profane, vulgar or offensive language.
- 17.3. When a member is addressing the Council, all other members will:
- (a) remain quiet and seated;
  - (b) refrain from interrupting the speaker, except on a point of order or point of procedure; and
  - (c) refrain from carrying on a private conversation in such a manner that disturbs the speaker.
- 17.4. Council Members shall ensure that all electronic devices remain silent and do not interfere with the meeting.
- 17.5. Each member or delegate, as the case may be, shall address the Mayor, but shall not speak until recognized by the Mayor.
- 17.6. Members of Council-wishing to speak at a meeting shall ensure they do not interrupt another member.
- 17.7. If more than one member wishes to speak at a meeting at the same time, the Mayor will indicate which member will speak first.
- 17.8. The Mayor, with the approval by resolution of the Council, may authorize a person in the public gallery to address Council only on the topic being discussed at that time and within the time limits specified by the Mayor.
- 17.9. A motion must be seconded to be discussed.
- 17.10. A motion may be withdrawn at any time before voting subject to no objection from any member.
- 17.11. The following motions are not debatable by members:
- (a) Adjournment
  - (b) To take a recess
  - (c) Question of privilege
  - (d) Point of order
  - (e) To limit debate on a matter before members



- (f) On division of a question
- (g) Postpone the matter to a certain time
- (h) To postpone the matter.

17.12. The Mayor may request that any person in the public gallery who disturbs the proceedings of Council or acts improperly at a Council meeting leave or be expelled from the meeting.

17.13. If a person disturbs the proceedings of Council or refuses to leave when requested to do so, the Mayor may recess the meeting until the person leaves or adjourn the meeting to another day.

### **18. Points of Order, Procedure or Privilege**

18.1. A member of Council may, at any time, rise on a point of order, a point of privilege or a point of information. All debate shall cease and the "point" shall be clearly stated by the member and ruled upon by the Mayor.

18.2. A member of Council may, at any time during debate, request that the question, motion or matter under discussion be clarified or restated.

18.3. Where the Mayor is called upon to decide a point of order or practice he or she shall state the question without unnecessary comment and decide the issue citing the rule or authority applicable thereto.

18.4. A Council member may appeal any ruling of the Mayor or a point of order or point of privilege to the whole of Council as follows:

- (a) the motion of appeal shall be made immediately after the ruling is made by the Mayor or otherwise the ruling will be final;
- (b) the member may offer a brief reason for the challenge; and
- (c) the Mayor may state the reason for the decision he or she made.

18.5. Following the motion of appeal and the response, if any from the Mayor, the question shall be put immediately without debate.

18.6. The Mayor and Council will be governed by the vote of the majority of the members of Council present.

18.7. Neither the Mayor nor the appellant will participate in the vote on an appeal.

### **19. Motions and Debate**

19.1. A motion will express fully and clearly the intent of the mover.

19.2. Any member may require the motion under debate to be read at any time during the debate, but not so as to interrupt a member while speaking.

19.3. When a motion is under debate no other motion may be made, except a motion to:

- (a) amend a motion;

- (b) refer a motion to a Council committee or administration for a report back to Council;
  - (c) postpone a motion to a fixed date;
  - (d) request that a motion be put to a vote; or
  - (e) adjourn the meeting.
- 19.4. Notwithstanding any other provisions of this bylaw, the member of Council who moved a motion after a motion is under debate may, with the consent of Council, change the wording of the motion or agree to a change proposed by another member if the alteration does not change the intention of the motion.

## **20. Minutes**

- 20.1. The CAO shall ensure that minutes are kept of all Council meetings and Council committee meetings, both open and closed to the public.
- 20.2. The CAO shall ensure that the minutes of meetings record all resolutions, decisions and proceedings of the Council or Council committee and shall include at minimum:
- (a) the date and names of all Council or committee members and employees present at the meeting;
  - (b) the subject matter of the issues discussed; and
  - (c) any recommendations or decisions made.
- 20.3. Where a meeting is closed to the public, the minutes of the meeting that may be disclosed to the public will be restricted to
- (a) to the date of the meeting;
  - (b) the names of Council members or committee members and employees present; and
  - (c) the type of matter under subsection 9.1 that was discussed at the meeting.
- 20.4. Copies of the minutes will be open for inspection by any person during regular office hours and on the town's website and copies of the minutes will be provided to any person on request.
- 20.5. Minutes of Council meetings, when approved, shall be signed by the Mayor and the CAO, and minutes of committee meetings, when approved, shall be signed by the chairperson of the committee.
- 20.6. Any Councillor or Council committee member may make a motion to amend the minutes to correct any errors or omissions. The minutes of each meeting are to be approved at the next regular meeting of the Council or Council committee.

## **PART IV – Committees of Council**

### **21. General**

- 21.1. The following standing committees and sub-committees are hereby established:

- (a) Accountability and Engagement Committee
  - (b) Committee of the Whole Council
  - (c) Finance and Technology Committee
  - (d) Human Resources Committee
  - (e) Infrastructure Committee
    - i. Active Transportation Sub-Committee
  - (f) Planning, Development and Heritage Committee
    - i. Heritage Sub-Committee
  - (g) Recreation, Culture and Events Committee
    - i. Events Sub-Committee
    - ii. Arts and Culture Sub-Committee
  - (h) Safety Services
  - (i) Sustainability
    - i. Diversity and Inclusion Sub-Committee
- 21.2. The Mayor shall appoint from among the members of Council the chair and vice chair of all standing committees for fixed terms as the mayor considers appropriate provided that the term does not exceed the term of the Council.
- 21.3. The Council shall, by resolution, appoint the “at large” members of the standing committees and sub-committees for fixed terms provided that the term does not exceed the term of the Council. Council may name a sub-committee chair or let the sub-committee select their own chair.
- 21.4. A majority of members, including the chair and vice-chair, shall constitute a quorum for the purpose of conducting a meeting of a standing committee or sub-committee. For the purpose of determining the majority required for a quorum, only the members of the committee then sitting shall be counted and vacancies shall be excluded.
- 21.5. All “at large” members of standing committees and sub-committee shall be residents of the town. Council may make an exception for persons who are significant stakeholders in the town, such as non-resident taxpayers or persons operating a business in the town.
- 21.6. Standing Committees and sub-committees shall function in a fact-finding and advisory capacity and make recommendations to Council except where mandated otherwise in this bylaw or any other town bylaw.
- 21.7. Council may by resolution appoint ad hoc committees, and the members thereof, for specific issues with the fixed term, mandate and terms of reference specified in the resolution.

## **22. Standing Committee Composition and Terms of Reference**

- 22.1. The composition and terms of reference for the Accountability and Engagement shall be as follows:

- (a) Composition
    - i. a chair who shall be a member of Council;
    - ii. a vice-chair who shall be a member of Council; and
    - iii. five (5) "at large" members.
  - (b) Terms of Reference
    - i. to oversee the ongoing development and implementation of a strategic performance management system with a particular focus on the measurement and public reporting of results;
    - ii. to oversee the ongoing development and implementation of an engagement strategy to ensure that residents and stakeholders are informed and engaged in decision making;
    - iii. to oversee the legislative function of the town including conducting periodic reviews of bylaws and legislation and making recommendations for changes and enforcement;
    - iv. to develop and enhance partnerships with individuals, organizations, corporations and governments to improve accountability, transparency and engagement; and
    - v. to provide advice to council on matters of accountability, transparency and engagement.
- 22.2. The composition and terms of reference for the Committee of the Whole Council shall be as follows:
- (a) Composition
    - i. Mayor as chair;
    - ii. Deputy Mayor as vice-chair; and
    - iii. the remaining members of Council.
  - (b) Terms of Reference
    - i. through the Chief Administrative Officer, to oversee the operation of the Town administration;
    - ii. to discuss all policy matters for the Town;
    - iii. to hear departmental and committee reports and recommendations prior to the monthly Council meeting;
    - iv. to deal with the provincial and federal government on matters of municipal concern;
    - v. to provide for the efficient operation of the Town;
    - vi. to deal with matters of a confidential nature.
- 22.3. The composition and terms of reference for the Finance and Technology Committee shall be as follows:
- (a) Composition

- i. a chair who shall be a member of Council;
    - ii. a vice-chair who shall be a member of Council; and
    - iii. five (5) "at large" members.
  - (b) Terms of Reference
    - i. to ensure good financial stewardship through the development and implementation of a performance based budgeting system for the town and town entities and by making public engagement a central component of the process;
    - ii. to monitor the expenditures of the town and town entities;
    - iii. to oversee the development and implementation of sustainable purchasing policies and methods;
    - iv. to act as the audit committee for the town and for town entities and to make recommendations regarding best practices for accounting;
    - v. to plan and implement technology solutions to support the work of the town including communications, computer hardware and software solutions;
    - vi. to oversee the operation of the Stratford Seniors complex;
    - vii. to develop and enhance partnerships with individuals, organizations, corporations and governments to improve financial stewardship and information technology deployment; and
    - viii. to provide advice to council on matters relating to financial stewardship and information technology.
- 22.4. The composition and terms of reference for the Human Resources Committee shall be as follows:
- (a) Composition
    - i. a chair who shall be a member of Council;
    - ii. a vice-chair who shall be a member of Council; and
    - iii. such other members of Council as the Mayor deems appropriate.
  - (b) Terms of Reference
    - i. to make recommendations regarding staffing levels and human resource policies.
    - ii. to set the salary and benefits for the Chief Administrative Officer and to review and comment on the Chief Administrative Officer's annual human resource plans.
- 22.5. The composition and terms of reference for the Infrastructure Committee shall be as follows:
- (a) Composition
    - i. a chair who shall be a member of Council;
    - ii. a vice-chair who shall be a member of Council; and

- iii. five (5) "at large" members.
- (b) Terms of Reference
- i. to oversee the development, management and maintenance of all town and utility infrastructure, facilities and equipment;
  - ii. to oversee the development and implementation of the customer service regulations for water and sewer customers, including interpreting the regulations and making recommendations thereon;
  - iii. to oversee the development and implementation of beautification and naturalization efforts including trees, flowers and shrubs, seasonal decorations, signage, amenities, banners and related items;
  - iv. to develop and enhance partnerships with individuals, organizations, corporations and governments to improve stewardship of the town assets; and
  - v. to provide advice to council on matters relating to infrastructure and utility customers.
- 22.6. The composition and terms of reference for the Planning, Development and Heritage Committee shall be as follows:
- (a) Composition
- i. a chair who shall be a member of Council;
  - ii. a vice-chair who shall be a member of Council; and
  - iii. five (5) "at large" members.
- (b) Terms of Reference
- i. to oversee the development and implementation of the Town's Official Plan and related land use, development control and building standard bylaws and policies including serving as the Planning Board pursuant to Section 9 of the Planning Act, R.S.P.E.I., 1988, Cap. p-8 ;
  - ii. to oversee the development, in conjunction with other committees, of long range plans for transportation, infrastructure and the environment;
  - iii. to improve the appreciation, preservation and enhancement of the cultural, human and natural heritage of the town;
  - iv. to develop and enhance partnerships with individuals, organizations, corporations and governments to improve long term planning and heritage preservation; and
  - v. to provide advice to council on matters of planning and heritage.
- 22.7. The composition and terms of reference for the Recreation, Culture and Events Committee shall be as follows:
- (a) Composition
- i. a chair who shall be a member of Council;
  - ii. a vice-chair who shall be a member of Council; and

iii. five (5) "at large" members.

(b) Terms of Reference

- i. to improve resident physical, mental and spiritual wellness through the development and implementation of a broad and varied range of programs for interested residents and groups;
- ii. to improve community spirit and cohesiveness through the development and implementation of special events to help to build a stronger community;
- iii. to improve culture and the local cultural sector through the development and implementation of a broad and varied range of programs for interested residents and groups;
- iv. to oversee the development, scheduling and maintenance of sport, wellness and cultural infrastructure;
- v. to recognize and promote community volunteerism;
- vi. to develop and enhance partnerships with individuals, organizations, corporations and governments to improve resident wellness, culture and events.
- vii. to provide a forum and a coordinated means of communication between wellness and cultural organizations and the town; and
- viii. to provide advice to council on matters of wellness and culture.

22.8. The composition and terms of reference for the Safety Services Committee shall be as follows:

(a) Composition

- i. a chair who shall be a member of Council;
- ii. a vice-chair who shall be a member of Council; and
- iii. five (5) "at large" members.

(b) Terms of Reference

- i. to improve safety through the development and implementation of programs to address issues that affect the safety and security of residents and properties in the town.
- ii. to provide oversight for the policing of the town through liaising with the Stratford RCMP, monitoring crime statistics, public safety bylaws or programs and recommending changes to the strength of the local police force;
- iii. to provide oversight for the fire protection through liaising with the Cross Roads Rural Community Fire Company, monitoring fire losses, coordination of the town water supply for fire fighting, fire safety bylaws or programs and recommending changes to personnel or equipment;
- iv. to provide oversight for the delivery of animal protection and control through the animal control contract, bylaw and registration program;

- v. to recommend policies for street lighting to provide a safe environment for residents in a sustainable manner and to approve requests for street lighting in accordance with the policy, subject to approved budgets;
  - vi. to oversee the development and implementation of an emergency measures plan for the Town;
  - vii. to provide oversight for the delivery of transit services through the transit contract and recommendations to improve the service where warranted;
  - viii. to oversee the development and implementation of policies, bylaws and regulations regarding unsightly premises in the town;
  - ix. to develop and enhance partnerships with individuals, organizations, corporations and governments to improve public safety in the town; and
  - x. to provide advice to council on matters of public safety.
- 22.9. The composition and terms of reference for the Sustainability Committee shall be as follows:
- (a) Composition
    - i. a chair who shall be a member of Council;
    - ii. a vice-chair who shall be a member of Council; and
    - iii. five (5) "at large" members.
  - (b) Terms of Reference
    - i. to ensure that the town's sustainability vision and values are applied throughout the organization and to oversee the development and implementation of a sustainability decision making framework;
    - ii. to oversee the town's efforts to build a stronger local economy including liaising with and supporting local businesses and promoting the town;
    - iii. to oversee the town's efforts to improve the natural environment including increasing resource efficiency, reducing natural area degradation and improving town and resident stewardship of the environment;
    - iv. to oversee the town's efforts to increase diversity so that all persons feel welcome in our community and to improve inclusion so that all residents can participate more fully in our community;
    - v. to develop and enhance partnerships with individuals, organizations, corporations and governments to improve the sustainability of the town; and
    - vi. to provide advice to council on matters of sustainability.

### **23. Sub-Committee Composition and Terms of Reference**

- 23.1. The composition, mandate and terms of reference for the Active Transportation Sub-Committee shall be as follows:
- (a) Composition:
    - No less than five (5) and no more than ten (10) "at large" members.



(b) Mandate:

To improve wellness and reduce greenhouse gas emissions through assisting in the planning and promotion of an integrated network of trails and bike routes in the Town of Stratford to foster more active recreation and transportation.

(c) Terms of Reference:

- i. to provide advice and recommendations on the development of an active transportation plan and on the development and maintenance of an overall trail and bike route network;
- ii. to provide advice and recommendations on enhancements to developed trail for information, convenience and interest of trail users
- iii. to assist in community engagement supporting an active lifestyle and the active transportation network;
- iv. to provide input into, and review of, standards for the construction and maintenance of trails and bike routes;
- v. to assist, where appropriate, in the negotiation of rights-of-way or easements to accommodate trails and bike routes;
- vi. to review and make recommendations on proposed subdivision plans as they pertain to the active transportation network

23.2. The composition, mandate and terms of reference for the Arts & Culture Sub-Committee shall be as follows:

(a) Composition:

No less than five (5) and no more than ten (10) "at large" members.

(b) Mandate:

To help promote and develop a strong cultural sector that provides social and economic opportunities for residents and to support the artistic and cultural development of residents.

(c) Terms of Reference:

- i. to provide advice on policy, programs and facilities for local arts and cultural functions within the Town of Stratford.
- ii. to plan, develop, organize, coordinate arts and cultural activities and to promote the development, and make recommendation in the purchase of public art in the Town.
- iii. to provide a forum and a coordinated means for communication between arts and cultural organizations and the Stratford Recreation, Culture and Events Committee.
- iv. to encourage the participation of volunteers, service clubs and other such organizations in the work of the committee.

23.3. The composition, mandate and terms of reference for the Diversity and Inclusion Sub-Committee shall be as follows:

- (a) Composition:  
No less than five (5) and no more than ten (10) "at large" members.
- (b) Mandate:  
To help to foster a culture of openness in the community whereby all persons are welcome and able to fully participate in the community regardless of their ethnicity, religious beliefs, sex, ability, economic or other circumstances.
- (c) Terms of Reference:
  - i. To regularly review and oversee the implementation of the Town's Diversity and Inclusion Plan;
  - ii. To recommend strategies to increase diversity in the Town so that all persons feel welcome;
  - iii. To recommend strategies to improve inclusion in the Town so that all persons are able to fully participate in the community;
  - iv. To recommend strategies to enhance the Town's reputation as a diverse and inclusive community; and
  - v. To devise and carry out programs and events in support of the recommended strategies.

23.4. The composition, mandate and terms of reference for the Events Sub-Committee shall be as follows:

- (a) Composition:  
No less than five (5) and no more than ten (10) "at large" members.
- (b) Mandate:  
To help promote the social connection and community spirit of the residents in the Town of Stratford by planning and executing community events.
- (c) Terms of Reference:
  - i. to plan, develop, organize and coordinate community events that are of social benefit to the residents of the Town of Stratford at various times throughout the year. The events shall include, but not be limited to, the New Year's Levee, Winter Carnival, Canada Day, Community Expo, Remembrance Day and Children's Christmas Party.
  - ii. to provide a forum and a coordinated means for communication between event organizations and the Stratford Recreation, Culture and Events Committee.
  - iii. to encourage the participation of volunteers, service clubs and other such organizations in the work of the committee.
  - iv. to encourage participation in community events by residents of all ages and from all areas within the Town.

23.5. The composition, mandate and terms of reference for the Heritage Sub-Committee shall be as follows:

- (a) Composition:  
No less than five (5) and no more than ten (10) "at large" members.
- (b) Mandate:  
To help to promote and protect Stratford's built and natural heritage.
- (c) Terms of Reference:
  - i. to recommend an overall heritage strategy which will recognize the importance of heritage conservation and preservation;
  - ii. to identify and promote the heritage of the Town;
  - iii. to encourage the conservation, protection, rehabilitation, and on-going use of buildings, streetscapes, and areas of historic, architectural or cultural value;
  - iv. to facilitate the gathering of a heritage inventory to comprise all heritage items (buildings and structures, natural features, intellectual properties and artifacts.);
  - v. to promote the establishment of a heritage museum to provide the appropriate setting to display heritage items and for educating the public on our history;
  - vi. to coordinate discussions with heritage professionals and interested residents and groups to establish a network interaction for data collection and for project support and guidance;
  - vii. to provide advice on the development of policies and the formulation of standards for heritage conservation and preservation; and
  - viii. to continue in the role as an advisory body to the Planning and Heritage Committee.

#### **24. Mayor Committee Membership**

- 24.1. The Mayor is a member of every committee or other organization which the Council or Mayor establishes pursuant to the *Municipal Government Act* and when in attendance the Mayor, subject to subsection 16.1 possesses all the rights, privileges, powers and duties of the other members of the committee.
- 24.2. The Mayor's attendance will not be included for the purpose of determining a quorum for a committee of Council meeting.

#### **25. Chair is Member of Sub-committees**

- 25.1. The Chair of a standing committee is a member of any sub-committee of that standing committee and possesses all the rights, privileges, powers and duties of the other members of the sub-committee.
- 25.2. The Chair's attendance will not be included for the purpose of determining a quorum for the sub-committee.

**26. Terms of Committees**

- 26.1. Appointments to Ad Hoc Committees will coincide with the term of the committee but shall not extend beyond the term of Council.
- 26.2. Committee and sub-committee members will be disqualified from the committee if they miss three consecutive meetings, or more than 50% of the meetings in a year, without the prior approval of the chair.

**27. Notice of Committee Meetings**

- 27.1. Where a regular schedule of meetings for a Council committee is established, the schedule will be published on the town website and in the town.
- 27.2. Where a special meeting of a Council committee is called, or where the date, time or place of a committee meeting is changed, the CAO shall ensure that, at least 24 hours prior to the meeting, notice of the date, time and place of the meeting is given:
  - (a) to committee members by email, and
  - (b) to the public on the town website and on the notice board within the Stratford Town Centre.

**28. Council Committee Procedures**

- 28.1. Each Council committee will meet as soon as possible after it has been appointed and where a Chair and Vice-Chair has not been appointed by Council, members of that committee will select a Chair and Vice-Chair, and if required, decide the day and time for holding its regular meetings.
- 28.2. The Chair will preside at every meeting, participate in the debate and shall vote on all motions.
- 28.3. In the absence of the Chair, the vice-chair will preside, and in the absence of both the Chair and the Vice-Chair, one (1) of the other members of the committee will be elected to preside and will discharge the duties of the chair during the meeting or until the arrival of the Chair or Vice-Chair.
- 28.4. The business intended to be addressed at committee meetings will be stated in the meeting agenda.
- 28.5. Council committees shall only make recommendations to Council, unless Council has delegated decision making authority to a committee by bylaw.
- 28.6. Everyone has the right to be present at committee meetings but the chair may expel any person for improper conduct as indicated in Section 17.1. If the person refuses to leave, the chair may recess the meeting until the person leaves or adjourn the meeting to another day.
- 28.7. If a quorum is not present within twenty (20) minutes after the time fixed for a committee meeting, the Chair or CAO shall record the names of the members present and the meeting shall stand adjourned until the next meeting.

- 28.8. Only members of the committee may participate in, debate or ask questions at a standing committee or ad hoc committee meeting except in accordance with section 28 of this bylaw.

### **29. Delegations to committees**

- 29.1. Delegations wishing to appear before a Committee of Council to present information will advise the CAO or his/her designate of their intention to do so not later three days prior to the meeting.
- 29.2. The time allotted for each presentation or delegation shall be determined by the chair, having regard for the remaining agenda items.

## **PART VI – STRATFORD UTILITY CORPORATION**

### **30. Stratford Utility Corporation**

- 30.1. There is hereby established a water and sewer utility corporation to be known as the Stratford Utility Corporation to:
- (a) own, operate, manage and maintain a sanitary sewage collection and treatment system and a water supply, distribution and purification system for the Town;
  - (b) acquire, alienate, hold and dispose of real or personal property;
  - (c) through the Town, engage staff and such other employees or persons as are required to carry out the functions of the corporation;
  - (d) submit an operating budget, a capital budget, a tariff of rates and charges and a five year capital expenditure program, including an asset management program, to Council for approval on or before March 31 each year.
  - (e) conduct the affairs of the corporation in accordance with generally accepted public utility practices and in accordance with the Water Act;
  - (f) maintain safe and adequate service and facilities for services as changing conditions require;
  - (g) establish and maintain a system of accounts in accordance with the provisions of the Water and Sewerage Act;
  - (h) coordinate its' planning activities with the planning activities of the Town.
- 30.2. The Stratford Utility Corporation shall be governed by the Town Council, with oversight and recommendations from the Infrastructure Standing Committee established in subsection 22.5
- 30.3. The Chief Administrative Officer of the Town shall be the general manager of the Stratford Utility Corporation and shall:
- (a) be the senior policy advisor to the Corporation;
  - (b) be responsible for the day-to-day management and operation of the Corporation;
  - (c) be responsible for the coordination of the Corporation's planning activities with those of the municipality;

- (d) keep or arrange or be kept the minutes, documents and financial records of the Corporation;
  - (e) be the custodian of the corporate seal of the Corporation;
  - (f) arrange for the collection and receipt of all money of the Corporation;
  - (g) arrange for the opening of an account in the name of the Corporation in a chartered bank or other financial institution approved by the Town and arrange for the deposit in that account, all money received by or on behalf of the Corporation;
  - (h) co-sign all cheques of the Corporation with the chair or his/her designate;
  - (i) as soon as possible, but not more than three months after the end of the fiscal year, present a detailed audited statement of the finances of the Corporation to the Council;
  - (j) ensure that utility planning and operations are coordinated with town planning and operation; and
  - (k) delegate any of the above functions
- 30.4. For the efficient administration of Utility business:
- (a) the Corporation shall co-operate with the Town in the provision of municipal services;
  - (b) administrative and other services may, on mutual agreement, be provided to the Corporation by the Town or to the Town by the Corporation and, where so provided, shall be on a fee for service and value for money basis; and
  - (c) employees of the Corporation are employees of the Town.
- 30.5. With prior approval of Council, water and sewer service may be provided beyond the Town boundary where:
- (a) The complete cost of providing service beyond the Town boundary shall be borne by the party or parties requesting the service.
  - (b) The tariff for services provided to customers beyond the Town boundary shall be subject to approval of Council.
- 30.6. The Council may, by resolution from time to time:
- (a) borrow money upon the credit of the corporation;
  - (b) issue, reissue, sell or pledge debt obligations of the corporation; and
  - (c) mortgage, hypothecate, pledge or otherwise create security interest in all or any property of the corporation owned or subsequently acquired, to secure any debt obligation of the corporation.
- 30.7. Notwithstanding the above, the Corporation may arrange for temporary credit lines for the day to day operation of the Corporation or for temporary capital borrowing.

## **PART VI – BYLAWS**

### **31. Bylaw Procedures**

- 31.1. Council may make, amend or repeal a bylaw in accordance with the procedures established in Part 5, Division 2 of the Municipal Government Act.
- 31.2. A bylaw is only validly made by Council if it is read and formally approved by a majority of the Council members present and voting takes place on two occasions at meetings of the Council that are held on different days.
- 31.3. A bylaw may be approved and adopted by Council by resolution after being read a second time.
- 31.4. If copies of the proposed bylaw have been made available to the public at a Council meeting or prior to the meeting in which the proposed bylaw is to be read, the reading may consist of the recitation of the bylaw name and number and a brief description of its effect. Where copies of the proposed bylaw have not been made available to the public at or prior to the meeting, the entire proposed bylaw will be read word by word.
- 31.5. A bylaw adopted by Council must be printed, signed by the Mayor and the CAO, and sealed with the corporate seal of the Town.
- 31.6. Council may, amend a proposed bylaw after its first reading. If it is amended, the amendment will be read word by word at the meeting even if copies of the bylaw with the proposed amendment are made available to the public.
- 31.7. The first and second readings of a proposed bylaw are rendered null if the bylaw is not passed within two years from the date of first reading.
- 31.8. A bylaw established by Council will come into force at the time it is passed unless otherwise provided for in the Act or in the bylaw. If the Act or another Act requires a bylaw to be approved by the Minister, the bylaw will not come into force until the approval of the Minister is given.
- 31.9. The CAO shall ensure that a copy of every bylaw passed is filed with the Minister within 21 days of adoption or as required by provincial statute. The copy will be certified by the CAO as being “a true copy” on the document, and shall be signed, dated, and printed with the CAO’s name under their signature.
- 31.10. The CAO will make copies of all bylaws available for inspection by any person and shall publish all bylaws on the town website. Council will provide any person with a copy of any bylaw upon request.
- 31.11. Planning bylaws undertaken under the authority of the *Planning Act* shall be made in accordance with that act.

### **32. Repeal of Existing Bylaw**

- 32.1. On adoption, this bylaw replaces Bylaw #1 - the General Business Bylaw, and Bylaw # 33 - the Committee Bylaw.

### **33. Effective Date**

33.1. This Procedural Bylaw, Bylaw # 47, shall be effective on the date of approval and adoption below.

**First Reading:**

This Bylaw was read and formally approved by a majority of Council members present at the Council meeting held on the 12<sup>th</sup> day of June 2019.

**Second Reading:**

This Bylaw was read and formally approved by a majority of Council members present at the Council meeting held on the 26<sup>th</sup> day of June 2019.

**Approval and Adoption by Council:**

This bylaw was formally adopted by a majority of Council members present at the Council meeting held on the 26<sup>th</sup> day of June 2019.

**Signatures**

\_\_\_\_\_

**Mayor** (signature sealed)

\_\_\_\_\_

**Chief Administrative Officer** (signature sealed)

Certified to be a true copy of the Town of Stratford Procedural Bylaw, Bylaw # 47.

\_\_\_\_\_

**Chief Administrative Officer Signature**

\_\_\_\_\_

**Date**

This Bylaw was filed with the Minister of Fisheries and Communities on this \_\_\_ day of \_\_\_\_\_ 2019