



The Corporation of the
Township of Manitouwadge

Manitouwadge Anniversary Committee
Inaugural
Wednesday, March 27, 2024
7:00 PM in the Council Chambers

AGENDA

- 01 CALL TO ORDER, WELCOME & INTRODUCTIONS - Kathy Hudson
- 02 DECLARE CONFLICTS OF INTEREST
- 03 APPROVAL OF AGENDA
- 04 REVIEW OF DOCUMENTS:
 - a. Manitouwadge Anniversary Committee – Terms of Reference
 - b. Municipal Code of Conduct for Council and Committee Members
 - c. Municipal Procedural Bylaw
 - d. Workplace Violence, Harassment Prevention Policy
 - e. Respectful Behaviour Policy
 - f. Social Media Policy
 - g. Various Acts, Regulations and Entities that govern Municipalities:
 - i. [Municipal Act](#)
 - ii. [Municipal Conflict of Interest Act](#)
 - iii. [Municipal Freedom of Information and Protection of Privacy Act](#)
 - iv. [Accessible Customer Services Act](#)
- 05 ELECTION OF CHAIR & CO-CHAIR (Terms of Reference, Sec. 5)
 - 01 Election of Chair and Co-Chair from Community Members
- 06 BUSINESS
 - 01 Manitouwadge Anniversary Committee Overview – Municipal Staff
 - 02 Bottle Drive Planning for April 10th, 2024
 - 03 Sponsorship Letters/Letters to Organizations
 - 04 Operating Budget Request
- 07 NEXT MEETING DATE
- 08 ADJOURNMENT

THE CORPORATION OF THE TOWNSHIP OF MANITOUWADGE

BYLAW NO. 2024-10

Being a Bylaw to Establish the Manitouwadge Anniversary Committee.

WHEREAS the Township of Manitouwadge supports the celebration and commemoration of the history of the Township of Manitouwadge; and,

WHEREAS Section 9 of the Municipal Act, 2001, S.O. 2001, c.25 (Municipal Act, 2001) states that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and,

WHEREAS Section 10(2) of the Municipal Act, 2001, provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the economic, social and environmental wellbeing of the municipality, and for the health, safety and wellbeing of persons; and,

WHEREAS Council wishes to establish the Manitouwadge Anniversary Committee, a Committee of Council, and to authorize the execution of the Terms of Reference for the Manitouwadge Anniversary Committee, to provide planning and coordination of significant milestone dates in the history of the Township of Manitouwadge.

NOW THEREFORE the Council of The Corporation of the Township of Manitouwadge enacts as follows:


1. **THAT** Council hereby approves the establishment of the Manitouwadge Anniversary Committee.
2. **THAT** the Terms of Reference of the Manitouwadge Anniversary Committee are outlined in Schedule "A", attached hereto and forming part of this Bylaw.
3. **THAT** this Bylaw shall come into force and take effect immediately following final passing.

READ A FIRST AND SECOND TIME this 21st day of February, 2024 and

READ A THIRD TIME AND FINALLY ENACTED this 21st day of February, 2024.



Mayor Jim Moffat



Joieen Reough, Clerk

Schedule "A" to Bylaw 2024- 10

Terms of Reference The Township of Manitouwadge Anniversary Committee

1. Purpose

The purpose of the Manitouwadge Anniversary Committee (MAC) is to plan, organize, and execute successful celebrations for the upcoming 70th (2024) and 75th (2029) anniversaries of the Township of Manitouwadge. The Committee will work together to ensure that the events commemorate the history, achievements, and community spirit of the Township.

Small rural communities are the heartbeat of Northern Ontario. They are the economic, social and cultural centres within vast geographic locations and require acknowledgment and commemoration. The Manitouwadge Anniversary Committee is a volunteer committee appointed by Council. The Committee will provide event planning and coordination assistance to Council and staff, by identifying opportunities for current and former resident participation and celebration of these milestone anniversaries.

2. Roles and Responsibilities

It is the responsibility of all appointed Members to be provided with, and comply with:

- the Municipal Code of Conduct for Council and Committee Members;
- the Municipal Procedural Bylaw;
- Municipal Act, 2001;
- Municipal Freedom of Information and Protection of Privacy Act;
- Municipal Conflict of Interest Act;
- Accessible Customer Service Act;
- Workplace Violence/Harassment Prevention Policy;
- Other applicable bylaws and policies.

No individual Member, nor the Committee as a whole, has the authority to make direct representations on behalf of the Township to federal or provincial government officials, staff, boards or agencies.

Members shall abide by the rules outlined within the *Municipal Conflict of Interest Act* and shall disclose any pecuniary interest to the Recording Secretary and excuse themselves from meetings for the duration of the discussion and voting (if any) with respect to that matter.

The Committee will abide by any terms and conditions which may be set out by Council, CAO, municipal solicitor, auditor and/or insurer for any activities relating to Committee business in keeping with the Committee's Terms of Reference and established policies.

3. Mandate

The following represents the Council approved mandate of the Manitouwadge Anniversary Committee:

a. Event Planning:

Develop a detailed plan for the 70th and 75th Anniversary celebrations, including the timeline, budget, and logistics.

- Identify and secure suitable venues for the event activities.
- Coordinate with municipal staff, vendors, and stakeholders to ensure smooth execution.

b. Program Development:

Create a diverse and engaging program that reflects the Township's history, culture, and achievements.

- Organize various activities, such as parades, exhibitions, concerts, sporting events, and community engagement initiatives.
- Collaborate with local artists, performers, and organizations to showcase talent and foster community participation.
- Work collaboratively with Municipal Staff on programming and coordination efforts.

c. Marketing and Promotion:

Develop a comprehensive marketing and promotion strategy to raise awareness and generate excitement about the anniversary celebrations.

- Utilize various channels, such as social media, newspapers/newsletters, radio, and community bulletin boards, to disseminate information.
- In consultation with Municipal Staff, design and distribute promotional materials, including posters, flyers, and banners.

d. Fundraising and Sponsorship:

Identify potential sponsors, partners, and donors to support the Anniversary celebrations financially.

- In collaboration with Municipal Staff, prepare sponsorship packages and proposals to attract funding and in-kind contributions.
- Coordinate fundraising activities, such as charity events, auctions, or crowdfunding campaigns.

e. Volunteer Management:

Recruit and train volunteers to assist with various tasks during the Anniversary celebrations.

- Assign roles and responsibilities to volunteers and ensure they are adequately trained and supported throughout the event.
- Recognize and appreciate the efforts of volunteers.

f. Annual Operating Budget:

Through the Director of Community Services, identify budget requests to Council during the annual budget review and deliberation process.

g. Ad-Hoc Working Groups:

Working Groups may be established, on an ad-hoc basis, to research and develop programs of interest that fit within the mandate of the Manitouwadge Anniversary Committee. Residents and experts may be added to the Ad-Hoc Working Groups without having to be approved by Council.

4. Composition

The Committee shall be comprised of a maximum of nine (9) voting Members which will include the following:

- One (1) Council representative - voting;
- One (1) member of the Manitouwadge Historical and Archival Society - voting;
- One (1) member of the Manitouwadge Public Library Board or Staff - voting;
- Appointed Community Members:
 - Five (5) members of the public:
 - One (1) of whom shall be a local youth – voting; and,
 - One (1) member shall be of Indigenous heritage – voting;
- Mayor – Ex-Officio;
- CAO – non-voting;
- Economic Development Officer – non-voting;
- Director of Community Services – non-voting;
- Other resource staff as determined – non-voting.

Committee Members will be appointed by Council in accordance with established municipal policy.

5. Appointment of Officers

The Committee shall, at its first meeting in each year, elect from its community membership a Chair, Co-Chair or Vice-Chair. It is acknowledged that there are no per diems for any Committee positions and it is acknowledged that none of the above positions shall be paid for their services. All Committee Members are considered volunteer positions.

6. Term of Appointment

The term of a Committee Member is four years, concurrent with the term of Council. Additional Members may be appointed throughout the term. Members shall continue to serve beyond the end of their term until the appointments of their successors have been approved by Council.

7. Resources

The Community Services Department will provide support in the form of advice, day-to-day liaison with the Township, updates on program and promotional ideas and initial assistance in their implementation to the degree resources are available. The Director of Community Services will also assist in the preparation and submission of reports, if needed, and attend meetings of the Committee.

The Administrative Assistant for the Community Services Department shall be designated as the Recording Secretary. The Recording Secretary shall prepare and publish agendas; attend all MAC meetings for the purpose of taking minutes; and prepare and publish minutes in an accessible format to be made available on the Township of Manitouwadge website.

The Recording Secretary shall ensure that a current Terms of Reference for the Committee has been provided to the CAO's Office and is posted on the Township's website.

8. Timing of Meetings

Meetings will be held on a set day and time as may be determined by the Committee or at the call of the Chair.

9. Location of Meetings

The location of the meetings will be set by the Committee and must be held in an accessible municipal facility. The Committee shall strive to meet in person but where it is not possible or reasonable to do so, meetings will be held through the Township's Zoom account and posted to the Township's YouTube account for public viewing.

10. Meetings

The Committee shall hold a minimum of eight (8) meetings in each calendar year. The Chair, through the Clerk, shall post notice of the meetings, including the agenda for the meetings, to be provided to Members of the Committee and posted to the Township's website a minimum of three (3) business days prior to the date of each meeting. Quorum for meetings shall consist of a majority of the Members of the Committee. No meeting shall proceed without quorum.

Working meetings throughout the year to advance the efforts of the work plan shall be held at the call of the Chair with the Chair providing notice of the working meetings to all Members of the Committee a minimum of three (3) business days prior to the date of each meeting. No formal minutes are required to be taken at working meetings; however, notes shall be taken.

11. Procedures

Procedures for meetings of the Committee shall be governed by the Township's Procedural Bylaw and legislation or, where both of these are silent, by Roberts Rules of Order.

12. Closed Meetings

The Committee shall not be permitted to hold Closed Meetings.

13. Role of the Chair

The Chair is responsible for ensuring the smooth and effective operation of the Committee and its' roles. This will include responsibility for:

- Calling the meetings to order;
- Encouraging an informal atmosphere to encourage the exchange of ideas, while providing order and decorum;
- Chairing the meetings to ensure business is carried out efficiently and effectively;
- Be the liaison with other Committee Members;
- The Chair shall conduct meetings in accordance with the Township's Procedural Bylaw;
- Creating an agenda in consultation with the Recording Secretary;
- Consult with the Clerk on matters related to the mandate of the Committee;

- Not have the authority to direct Managers, staff or the Committee;
- In the absence of the Chair, these responsibilities will be undertaken by the Vice-Chair.

14. Role of the Recording Secretary

The Recording Secretary is responsible for ensuring a complete up-to-date record for the Committee:

- In liaison with the Chair, arrange date, time and venue for meetings;
- In liaison with the Chair, set agendas and circulate agendas to the Members three business days prior to the meeting;
- Circulate draft minutes to the Members;
- Keep a complete up-to-date record of the Committee minutes.

15. Role of Members

Membership on the Committee is a position of responsibility and requires a strong commitment to the Terms of Reference. Committee Members are required to:

- Attend all regularly scheduled meetings. Members shall notify the Chair or Secretary if they are unable to attend a meeting;
- Adhere to the provisions set out in any Bylaw, Policy, Procedure, Act or Regulation for Boards and Committees of Council;
- If a Member has an unexplained absence of three or more consecutive meetings, then their seat on the Committee shall be declared vacant;
- Review all information supplied to them;
- Prepare information for use in the development of materials for the Committee;
- Promote the role of the Committee and its decisions made;
- Offer input to Committee Reports to Council.

16. Role of Municipal Staff

The Township of Manitouwadge staff, by its nature and purpose, affects and is affected by many different Municipal departments. Assistance will be provided on an as required basis from various departments. Municipal staff will be responsible for carrying out the following functions with respect to the Committee:

- Act as an information resource;
- Assist the Committee in its reporting to Council;
- Provide correspondence to the Committee;
- Responsible to maintain accurate and up-to-date Committee records and providing minutes to Council.

17. Agendas and Minutes

A copy of the Agenda shall be provided to the CAO's Office at the same time it is provided to Committee Members. The CAO's Office will distribute the Agenda to Council Members as per established procedures.

Minutes of all meetings shall be forwarded to the CAO's Office, not later than two weeks after the meeting. Action items requested of staff and/or Council will be brought to the attention of the CAO's Office at that time. The CAO's Office will electronically circulate the meeting minutes to all Members of Council for their information. The Clerk's Office will maintain a set of printed minutes on file for public review.

The Clerk shall ensure that all Committee Agendas and Minutes are posted to the Township's website at the same time as they are circulated to the CAO's Office.

18. Reports

One written report to Council is required per year from the Committee, being the work plan and the previous year's annual report.

If there are recommendations or requests of the Manitouwadge Anniversary Committee that fall outside of this report, they are to be forwarded to Council, through the CAO's Office in a formal written report on the Township's Report to Council template. It will be the responsibility of the Committee Chair to provide a memo to the Director of Community Services and the Clerk identifying the Committee recommendations for final preparation of the report.

19. Purchasing Policy

This Committee will work with the Director of Community Services to ensure that the Township's Procurement Policy is followed; that any purchases made are authorized by the Director of Community Services and are within the allowable budget, approved by Council.

20. Insurance

The General Liability Policy and Errors and Omissions Liability Policy for the Township of Manitouwadge will extend to this Committee and its Members. The applicable insurance policies extend to Committee Members while in the

performance of their duties and to those activities authorized by the Township of Manitouwadge and Council. Members must adhere to the policies and procedures of the Township of Manitouwadge and Council, including the Terms of Reference.

The Committee must provide, via the CAO's Office, an annual updated listing of all Members, including Member positions, to the Township of Manitouwadge to ensure the applicable insurance coverage remains in force.

Committee Members are not entitled to any benefits normally provided by the Corporation of the Township of Manitouwadge, including those provided by the Workplace Safety and Insurance Board of Ontario ("WSIB") and are responsible for their own medical, disability or health insurance coverage.

21. Expulsion of Member

Any Member of the Committee who misses three consecutive meetings, without being excused by the Chair, may be removed from the Committee in accordance with adopted policy.

Any Member of the Committee may be removed from the Committee at the discretion of Council for reasons including, but not limited to, the Member being in contravention of the *Municipal Act*, the *Municipal Freedom of Information and Protection of Privacy Act*, the *Provincial Offences Act*, the *Municipal Conflict of Interest Act* or the *Code of Conduct for Council and Committee Members*; disrupting the work of the Committee; or other legal issues. The process for expulsion of a Committee Member is outlined in the Township's *Code of Conduct for Council Members*, Bylaw No. 2019-07.

22. Terms of Reference

The Recording Secretary shall ensure that a current Terms of Reference for the Committee has been provided to the CAO's Office and is posted on the Township's website.

Any responsibilities not clearly identified within these Terms of Reference shall be the responsibility of the Township of Manitouwadge. Council may, at its discretion, change the Terms of Reference for this Committee at any time. Any changes proposed to these Terms of Reference by the Committee shall be recommended to Council via the Clerk's Office through a Report to Council.

At the discretion of Council, the Committee may be dissolved by a Resolution of Council.

THE CORPORATION OF THE TOWNSHIP OF MANITOUWADGE

BYLAW NO. 2023-45

Being a Bylaw to Establish Rules of Order and Procedures for the Council of the Township of Manitouwadge.

WHEREAS Section 238(2) of the Municipal Act, 2001, S.O. 2001, c.25 (the Municipal Act, 2001), as amended, authorizes the Council of every municipality to pass bylaws governing the proceedings of Council, the conduct of its Members and the calling of meetings; and,

WHEREAS the Municipal Act, 2001, as amended, provides that the Procedural Bylaw shall provide public notice of meetings; and,

WHEREAS it is desirable that there be rules governing the order and procedures of the Council.

NOW THEREFORE the Council of The Corporation of the Township of Manitouwadge enacts as follows:

1. **THAT** the Procedural Bylaw, annexed hereto as Schedule "A" and forming a part of this Bylaw, is hereby adopted by the Council of the Corporation of the Township of Manitouwadge.
2. **THAT** this Bylaw may be known as the "Procedural Bylaw".
3. **THAT** Bylaw 2017-15 and Bylaw 2021-06 are hereby repealed.
4. **THAT** this Bylaw shall come into force and take effect immediately following final passing.

READ A FIRST AND SECOND TIME this 13th day of September, 2023 and
READ A THIRD TIME AND FINALLY ENACTED this 27th day of ~~September~~, 2023.



Mayor Jim Moffat



Joleen Keough, Clerk

Schedule "A" to Bylaw 2023-45

Procedural Bylaw

Part 1 – Definitions

- 1.1 **Act** – means the Municipal Act, S.O. 2002, c.25, as amended from time to time.
- 1.2 **Acting Mayor** - means a Member who is temporarily appointed to serve in the Chair's place.
- 1.3 **Addition to Agenda** - means an urgent matter requiring immediate action or attention, typically involving a deadline date that cannot be met if the item is not added to a certain agenda.
- 1.4 **Administration** - means the body of persons employed by the Corporation or contracted by the Corporation for services.
- 1.5 **Advisory Committee** – means a Committee appointed by Council which membership is composed of a majority of members of the public, or a minority of Members of Council and is not bound by Closed Meeting rules under the Municipal Act.
- 1.6 **Agenda** – means a list of items on an Agenda of Council or Committee and which may contain recommendations to be considered and which may also contain certain notices for the information of the public in accordance with this Bylaw.
- 1.7 **Amend** - means a change in wording or substance of a Motion before Committee or Council or a prior decision of Council.
- 1.8 **Chair** - means the person presiding at a Meeting which most common to be the Mayor, or Acting Mayor.
- 1.9 **Chief Administrative Officer or CAO** - means the Chief Administrative Officer of the Corporation of the Township of Manitouwadge; (may be referred to as the CAO).
- 1.10 **Clerk** – means the Clerk of the Corporation of the Township of Manitouwadge, or those who have been designated by the Clerk who shall have the powers and duties of the Clerk on behalf of the Township.
- 1.11 **Closed Meeting–or In-Camera Meeting** - means a meeting, or part of a meeting, that is closed to the public to consider matters authorized under the Municipal Act or other enabling Statute. Members may participate in a closed or in-camera meeting electronically and will be counted for the purposes of quorum in a closed session.
- 1.12 **Committee** – means a Committee, Board, Advisory, Statutory, Staff/Ad Hoc Committee established by resolution of Council to advise on specific matters which Council has deemed appropriate for the Committee to consider in accordance with its mandate and its terms of reference.
- 1.13 **Confirming Bylaw** – means a bylaw to confirm all of the actions of Council during the meeting as intended to be legal and binding.
- 1.14 **Council** – means the elected Council of the Township of Manitouwadge.
- 1.15 **Debate** - means regulated discussion, and speaking in advocacy of a position on an issue.

- 1.16 Defer** - means to remove a main Motion from consideration of Council or a Committee until such time as provided for in the deferral Motion.
- 1.17 Delegation** – means a request in writing by an individual/group/organization who is not a Member of Council or staff, who wishes to appear before a regular or special meeting of Council or Committee and address the Members, typically relating to an issue or item.
- 1.18 Electronic Participation** – means a meeting, held in full or in part, via electronic means (including telephone, video conferencing etc.) and with or without in-person attendance.
- 1.19 Emergency** – means in the event of an emergency being declared by the Premier, Cabinet or the municipal Head of Council under the Emergency Management and Civil Protection Act. Once the Emergency declaration has ended, regular meeting rules apply.
- 1.20 Management Team** - means the Chief Administrative Officer and Department Heads of the Township.
- 1.21 Mayor** – means the Head of Council of the Township of Manitouwadge.
- 1.22 Meeting** – means any regular, special, or other meeting of Council, of a local board or of a Committee of either of them, where, a quorum of Members is present, and Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, local board or Committee called in accordance with this Bylaw.
- 1.23 Member** – means a Member of Council or a Committee.
- 1.24 Motion** – means a question or a recommendation to be considered by the Council or a Committee which is moved, seconded, presented, read and is subject to debate. When a motion is adopted, it becomes a resolution.
- 1.25 Notice** – means a written, printed, published, verbal, electronic or posted notification or announcement to the public generally, but does not include notice given to specified persons.
- 1.26 Pecuniary Interest** – means an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person which whom the person is associated, in accordance with the Municipal Conflict of Interest Act.
- 1.27 Point of Order** – means a statement made by a Member during a meeting, drawing to the attention of the Chair an alleged breach of the Rules of Procedure. It may be called to bring attention to:
- Breaches of the rules of order of Council;
 - Difficulty in continuation of the meeting;
 - Improper, offensive or abusive language;
 - Notice that the discussion is outside the scope of the motion or the notice of motion;
 - Irregularities in the proceedings.
- 1.28 Point of Privilege** - means the raising of a question which concerns a Member, or the Council collectively, when a Member believes that their rights or, the integrity of Council as a whole, have been impugned.

- 1.29 Publish** – means publicly announced in the opinion of the Clerk, has such circulation within the Municipality as to provide reasonable notice to those affected thereby, and includes posting on one or more of the following: Municipal website, newspaper, social media or broadcasting on a local radio station. “Publishing, published and publication” have corresponding meanings.
- 1.30 Presiding Officer** – means the Mayor or Acting Mayor, or the person appointed by the Members present at a meeting in the event the Mayor or Acting Mayor are not in attendance within fifteen (15) minutes after the hour appointed for the Council meeting.
- 1.31 Quorum** – means a majority of the Members of Council, subject to the provisions of the Municipal Conflict of Interest Act, 1990, as amended. Electronic participation under regular meeting provisions, Members may participate electronically, and are counted for quorum.
- 1.32 Recess** - means to take a break during a meeting for a defined period of time.
- 1.33 Recorded Vote** – means the recording of the name and vote of every member of Council of which is recorded by the Clerk on a motion during a Council meeting, upon request of any Member of Council prior to the vote.
- 1.34 Resolution** – means a motion that has been resolved by Council.
- 1.35 Rules of Procedure** – means the rules and regulations which are set forth in this Bylaw.
- 1.36 Substantive Motion** – means any motion except one of the following:
- a) To refer;
 - b) To defer;
 - c) To amend;
 - d) To table the question;
 - e) To recess;
 - f) To vote on the question;
 - g) To reconsider
 - h) To adjourn;
 - i) To divide
- 1.37 To Defer** – means a motion to postpone all discussion or action on a matter until a future date or time, which is established as part of the motion.
- 1.38 To Refer** – means a motion to direct the matter under discussion to Council, a Committee of Council, staff or another Committee or group for further consideration or review.
- 1.39 To Table** – means a motion to postpone a matter without setting a future date or time for consideration and for which consideration may be resumed at any time by a motion to lift from the table.
- 1.40 Reconsider** - means to re-open debate on a prior decision of Council only, as if the decision had never been made, in strict accordance with the requirements of this Bylaw. Reconsideration has a corresponding meaning.
- 1.41 Website** – means the Township of Manitouwadge’s electronic community gateway for the public to access websites containing a variety of pages and online services and information and is used as a tool for providing notice.

Part 2 - General Rules

2.1 Rules - regulations - observed - at all times

The rules and regulations contained in this Bylaw shall be observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business in the Council.

2.1 Rules - observed - modifications - permitted

The rules contained in this Bylaw shall be observed, with the necessary modifications, in every meeting of Council.

2.2 Parliamentary procedure - proceedings

Those proceedings of the Council, the Committees thereof not specifically governed by the provisions of this Bylaw shall be regulated in accordance with generally accepted parliamentary procedure, such as Robert's Rules of Order.

2.3 Acting Mayor – 3 Month Rotation of Members

The position of Acting Mayor shall be on a rotating basis among the four Members of Council whereby each Member shall be appointed Acting Mayor for a three month period commencing in alphabetical order, all of which will be appointed by Resolution in conjunction with the annual Council Meeting Schedule.

2.4 Absence - Mayor – Acting Mayor - Authority

In the absence of the Mayor from the Municipality, or if they are absent through illness or if they refuse to act or if the office is vacant, the Acting Mayor for the purposes of this Bylaw shall act in the place of the Mayor and shall have all the rights, powers and authority of the Mayor, while so acting.

2.5 Members of Council – Notify Clerk - Absence

Members of Council are requested to notify the Clerk when the Member is aware that they will be absent from any meeting of Council or for any duration that may interfere with the business of Council.

The office of a Member of Council will become vacant if the Member is absent from the meetings of Council for three successive months without being authorized to do so by a resolution of Council. This is in accordance with Section 259 (1)(c) of the Municipal Act, 2001, as amended.

2.6 Minutes of Meetings

Minutes shall be taken of any and all meetings, open or closed. The Clerk shall take minutes for meetings of Council.

2.7 Taping/Televising/Recording

Meetings which are not closed to the public may be taped, televised or otherwise electronically or mechanically recorded so long as the taping, televising or recording is carried out in a manner that does not interfere with the proceedings of the meeting and provided same has been authorized by the Clerk.

2.8 Electronic Participation by Members

Participation in Council meetings by electronic means is permitted under the following conditions:

- The Clerk has the sole discretion to determine the electronic means of participation of requesting Members;
- All meeting facilities must enable the meeting participants and the public to hear and or watch and hear, each other. Members may participate electronically in both Open and Closed Council Meetings including Special Meetings;
- The Chair is required to be present in person. If the Chair is participating electronically an alternate Chair will be determined by those present, typically the Acting Mayor;

- Members participating electronically do count in establishing quorum;
- To ensure that a quorum can be achieved, Members must notify the Clerk one day in advance of the meeting of their intent to participate electronically;
- The intent is to have all Members of Council present for meetings whenever possible. Members are encouraged to attend meetings in-person wherever possible;
- Members attending electronically may not have full visual access to all portions of the meeting including presentations, delegations and materials presented in-person at the meeting. The Clerk will circulate such documents following the meeting;
- Members must connect electronically to the meeting no later than 10 minutes prior to the commencement of the meeting to allow the Clerk ample time to ensure connectivity and advance preparation of the meeting;
- Members attending electronically must advise Members of Council if they need to disconnect from the meeting for any reason at any time by indicating to the Chair of their departure. The Clerk shall record in the minutes the time the Member left the meeting. In the event connection is lost during any meeting, the Member shall attempt to reconnect to the meeting without disruption to the meeting. In the event a reconnection does not occur the Member attending electronically shall be considered to have left the meeting at the point of disconnection;
- The Member shall be allowed to vote, and their vote will be required to be verbally announced. The Chair shall recognize electronic participants by requesting a verbal 'aye or nay' vote in the event of voice attendance only, or a raised hand in the event of visual attendance. This shall be followed at the end of the vote of Members in attendance. Electronic Members need to ensure they address the Chair by vocalizing their request for discussion prior to the vote called;
- Members need to present in a manner similar to being present in the open meeting. They are responsible for ensuring there is no background noise at their location that would interfere with the meeting. Audio should be muted at all times except for when addressing meeting attendees;
- Members must adhere to the Rules of Order in this Procedural Bylaw when attending in an electronic format and all decorum and rules apply while attending remotely;
- The Clerk may provide for electronic participation of staff including electronic participation of the Clerk where necessary.

2.9 Electronic Participation by Members during an Emergency

In the event of an emergency declared by the Premier, Cabinet or the Municipal Head of Council under the Emergency Management and Civil Protection Act, Members may, where deemed necessary by the Mayor or Clerk, meet in an electronic meeting for the purposes of conducting the business of Council.

Under the emergency provision, Members may participate in both open and closed sessions in the electronic format. It is permitted, when deemed necessary, for all Members to participate remotely.

Members participating electronically count towards quorum and are permitted to vote. Meetings held under this provision would still be required to follow existing meeting rules including providing of notice of meetings to the public, maintaining meeting minutes, and subject to certain exceptions, that meetings continue to be open to the public.

The Mayor, in consultation with the Clerk, may exclude members of the public, including delegations, depending on the nature of the emergency.

Where circumstances allow, meetings will be live streamed or recorded and made available following the meeting.

The Clerk may provide for electronic participation of staff including electronic participation of the Clerk where necessary.

During a state of emergency, the provisions of this section pertaining to electronic participation applies. Once the emergency has ended, regular meeting rules apply including the regular electronic meeting provisions.

2.10 Cell phones/ Smart Phones

All phones are required to be turned to vibrate during all Council and Committee meetings. This applies to all Members, Staff, Media and the public.

2.14 Staff at Council Meetings

Senior Management Team Members who have agenda items to present are expected to attend the Council meeting unless otherwise requested by the CAO. If a Member wishes a Senior Management Team Member who does not have an agenda item to attend a meeting, the Member shall so notify the CAO by 12 noon on the working day prior to the meeting to make such request. It is the sole discretion of the CAO to direct that staff person to attend.

Part 3 – Giving of Public Notice & Scheduling of Meetings

3.1 Meetings – Open to the Public

All meetings of Council shall be open to the public and held at the Council Chambers at the Township Hall, 1 Mississauga Drive, unless otherwise advertised.

3.2 Public Notice and Contents

The published agenda shall be considered as adequate public notice and deemed to have been given by its being posted on the Township's Civic Web Meeting Portal and available for public review in the office of the Clerk no later than end of day on the Friday preceding the regularly scheduled meeting.

Every notice of a meeting of Council or Committee shall indicate the date, time and place of commencement of the meeting.

3.3 Public Notice – Special Meetings of Council or Committee of Council

A minimum of twenty-four (24) hours public notice shall be given (see exception in Section 3.7) prior to the holding of the special meeting, typically held in Council Chambers. The advance public notice shall be given to Council, appropriate staff, the affected parties, the public, and shall state the specific business to be considered at the special meeting.

Notice of the special meeting shall be posted on the Portal at least twenty-four (24) hours preceding the meeting, as well as advertised on the Township's website at (www.manitouwadge.ca) at the Clerk's discretion as to the appropriate form of media publicity.

No other business than that stated in the Notice, and subsequently on the agenda, shall be considered at a special meeting.

3.4 Public Notice – Closed Meetings

If it is necessary for a closed meeting to be held that is not on a regularly scheduled meeting date, a minimum of twenty-four (24) hours public notice shall be given prior to the holding of an in-camera meeting not already provided for on any meeting agenda where notice is deemed to have been given. The advance public notice shall be given to Council, appropriate staff, the affected parties, the public, and shall state the general nature of business to be considered.

3.5 Public Notification – Other Meetings

Notice shall be given for any meeting, open or closed, and such notice shall be determined by the Clerk in accordance with this Bylaw.

3.6 Public Notice – Adoption of Procedural Bylaw

Before passing a Procedural Bylaw, or amendment, the Council shall give notice of intention to pass such bylaw by providing notice on the applicable agenda preceding the meeting, subsequently posted on the Portal.

3.7 Emergency or Disaster – Notice not Required

In the event of a disaster or emergency as defined in the Emergency Plan, an emergency meeting may be held without notice to deal with the emergency or extraordinary situation, provided that an attempt has been made by the Chief Administrative Officer and/or Clerk or Clerk's designate, to notify the Members about the meeting as soon as possible and in the most expedient manner available.

3.8 Minimum Requirements

The notice requirements set out in this Bylaw are minimum requirements only and the Clerk may give notice in an extended manner if in the opinion of the Clerk and/or Member of Council, the extended manner is reasonable and necessary in the circumstances.

3.9 Subordinate to other required Forms of Notice

The notice requirements set out in this Bylaw shall be subject to any specific requirements for the fixing of notice as prescribed by legislation or as directed by Council.

Part 4 - Schedule of Meetings

4.1 Inaugural - Time Chosen

Following the municipal election, the Inaugural Meeting shall be held at the first available date where all Members are available to be present, at the Township Hall, Council Chambers, but no later than 30 days or as provided for in the Municipal Act, 2001, as amended.

4.2 Regular Council - Monthly - Time

Regular Council meetings are generally held in the Council Chambers at the Township Hall, 1 Mississauga Drive, in the Township of Manitouwadge, on the second and fourth Wednesday of each month, as outlined in the Meeting Schedule. Meetings are typically held the second and fourth Wednesday of the month, but are amended from time to time as required. July, August and December meetings are only conducted on the second Wednesday unless a special meeting is required.

4.3 Municipal Elections - Meeting Time - Exception

Notwithstanding any other provision of this Bylaw, in the month in which a regular municipal election is held, the Council shall not meet in that month, unless required in accordance with Section 3.3.

4.4 Calling of Special Council Meeting

The Mayor or designate may, at any time, call a special meeting of Council, or upon receipt of a petition signed by a majority of the Members, the Clerk shall call a special meeting for the purpose and at the time mentioned in the petition, in accordance with the notice provisions contained in this Section.

4.5 Cancellation/Postponement of Meeting - Notice by Clerk

Any meeting may be cancelled or postponed and re-scheduled to a day, time and place. Such changes shall be given in the form of a written notice by the Clerk, provided at least 24 hours' notice can be given, or if known in advance, Council shall adopt a motion for this purpose.

If the 24 hour advance notice cannot be provided for whatever reason, the Clerk shall attempt to notify the Members and the general public as soon as possible and in the most expedient manner available.

Part 5 - Closed Meetings

5.1 Criteria & Procedure – Closed (In-Camera) Meetings

Meetings shall be closed to the public as provided for in the Municipal Act, 2001, as amended.

5.2 Electronic Participation

Where Members are participating electronically, each Member will be requested by the Clerk at the start of the meeting to confirm they are alone in the room they are participating and that no other individual may hear proceedings of the confidential in-camera session. This confirmation will be recorded in the minutes to emphasize the importance of confidentiality of the session.

5.3 Motion to move into Closed Meeting

Prior to Council resolving into a Closed Meeting for one of the reasons in accordance with the Act as noted above, Council shall state by motion:-

- a) the fact of holding the Closed Meeting and the provision under the Act;
- b) the general nature of the matter to be considered.

5.4 Closed Items to be included on Open Agenda

Before Council moves into a closed meeting, a public motion authorizing the closed meeting and stating the general nature of the matter or matters to be considered at the closed meeting shall be passed; no additional matters shall be considered by Council at the closed meeting.

5.5 Closed Meeting Reports/Agendas/Minutes

Closed Meeting Reports shall be so marked and attached to the closed agenda and circulated to Council prior to the regular Council meeting.

Closed Meeting Agendas and Minutes shall be so marked and circulated by either the Clerk or CAO and identified with a coloured background. Closed Agendas and Minutes may be emailed directly to Council, and the CAO. The Clerk shall file the Closed Meeting Minutes in the Clerk's office vault.

5.6 Motions permitted in Closed Meeting

A vote may not be taken at a meeting which is closed to the public, with the exception of motions for procedural matters such as confirming minutes and adjourning the meeting, as well as written motions for giving directions or instructions provided such direction is not a decision by the Council.

5.7 Moving out of Closed to Regular Meeting to Vote

Members shall adjourn from the Closed Meeting and reconvene in the Open Meeting to report from the Closed Meeting and to vote, if necessary, on any motion. Such motions pertaining to direction and action from the Closed Meeting shall provide as much detail as possible for reporting out to the Open Meeting, and if applicable, identifying the specific staff position required to follow-up on the recommended course of action set out by Council, as the case may be, from the Closed Meeting.

5.8 Minutes – Closed Meeting

Closed Meeting Minutes shall be formatted with a coloured background so they are distinguishable from Regular Minutes.

For the purpose of a Closed Meeting, the Clerk shall record the following, without note or comment:

- i) The starting time of the closed meeting and fact of the holding;

- ii) All those in attendance;
- iii) Any Declarations of Pecuniary Interest & general nature thereof;
- iv) Any Closed Delegations
- v) The general nature of the matter considered at the closed meeting;
- vi) Approval of previous Closed Minutes
- vii) Personal information shall not be recorded;
- viii) The disposition of the matter;
- ix) Reports/recommendations to be moved into Open Meeting for a vote;
- x) The concluding time of the closed meeting.

5.9 Closed Meeting Investigation – Report

If the municipality or local board receives a report under Subsection (10) of Section 239.2 of the Municipal Act, 2001 the municipality or local board as the case may be, shall pass a resolution stating how it intends to address the Closed Meeting Investigator's report.

5.10 Attendance at a Closed Meeting

Unless otherwise directed by Council and/or the CAO, attendance at Closed meetings is limited to the CAO, Clerk, and Department Heads.

Part 6 - Proceedings - Council Meetings

6.1 Agenda – Established by Clerk

The Clerk, subject to such changes as may be appropriate in the circumstances, shall prepare for electronic distribution of the agenda to each Council Member, and the Chief Administrative Officer, and posting on the Manitouwadge Civic Web Portal for public review no later than end of day on the Friday preceding the regularly scheduled meeting outlining the "Order of Business" as follows:

6.2 Regular Order of Business:

1. Call to Order - Land Acknowledgement
2. Additions or Deletions to Agenda
3. Disclosure of Pecuniary Interest & General Nature Thereof
4. Approval of Agenda
5. Delegations and Presentations
5. Adoption of Minutes
6. Petitions
7. Reports and Committees
8. Reports of Council
9. Verbal Update by Mayor
10. Verbal Update by CAO
11. Business
12. Bylaws
13. Motions and Notices of Motion
14. Closed Session
15. Business arising from Closed Session (if applicable)
16. Confirmatory Bylaw
17. Adjournment

6.3 Call to order - quorum present

As soon after the hour fixed for a meeting as a quorum is present, the meeting shall be called to order by the Mayor.

6.4 No Quorum

If no quorum is present fifteen (15) minutes after the time appointed for a meeting of Council, the Clerk shall record the names of the Members present and the meeting shall stand adjourned until the date of the next regular meeting. A quorum for meetings for the purpose of Council shall be a majority of the total members, or, the presence of at least three (3) Members.

Should any Council Member in attendance make a Declaration of Pecuniary Interest thereby reducing the number present to two (2) and less than a quorum, the meeting may continue, as provided in the Municipal Conflict of Interest Act, as amended.

6.5 Declaration of Pecuniary Interest – Duty of Member/Completion of Form

Members shall comply with the Municipal Conflict of Interest Act, and in accordance with the Act any Member shall disclose any direct or indirect pecuniary interest as follows:

- (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.

For the applicable meeting, a Member shall forward the necessary Declaration Form regarding their Disclosure of Pecuniary Interest to the Clerk and shall provide the form to the Clerk for recording it in the Minutes and the Clerk shall read the Declaration Form into the record.

All Declarations shall be recorded exactly as submitted by the Member by the Clerk accordingly both in the Minutes and on any applicable resolution. The Clerk, as soon as reasonably possible following the meeting, shall add the declaration to the Council Registry which will be available for public inspection. The Clerk shall maintain a copy of each statement filed by the Member.

No Member shall request any staff member for their opinion or to comment on whether or not the Member has a Pecuniary Interest, whether direct or indirect. Members may seek a legal opinion as to whether they may or may not have a Pecuniary Interest on a particular matter.

6.6 Minutes

The Minutes of the Council shall be taken by the Clerk, and shall consist of a record of all proceedings taken during a Council meeting pursuant to the Municipal Act, 2001, as amended. The Clerk shall record, without note or comment, the following information for the purpose of the official Minutes:

- Date, place and time of meeting
- Name of the Presiding Officer
- Members both present and absent
- Identify any Members participating electronically
- Member who makes a Disclosure of Pecuniary Interest & General Nature Thereof
- Any public delegation including the name of the person/group
- Follow up discussion/direction to staff on a particular matter
- Recorded Votes
- Notices of Motions
- Announcements
- Proclamations
- Time of Adjournment/Close of Meeting

6.7 Bylaws

Bylaws shall be introduced in the applicable section on the Council agenda. If applicable, bylaws of an urgent nature that fall under 'additions to the agenda' may be considered and presented with the additional item under that section of the meeting, provided they are in accordance with the Notice Bylaw.

6.8 Three Readings required before Enactment

Every bylaw shall receive three readings (first, second and third) by Council before being enacted. Bylaws may be presented for one or two readings at the direction of Council or staff prior to the Council Meeting depending on the nature of the bylaw.

In accordance with this Section, authorization is given to dispense with the actual reading of the bylaws and that only the titles of each bylaw shall be read within the applicable motion.

6.9 Curfew – Regular Council Meetings

Council shall adjourn no later than 11:00 p.m. unless a motion to extend the meeting beyond 11:00 p.m. is unanimously passed prior to 11:00 p.m. A similar motion shall be required for each hour thereafter.

Part 7 – Rules of Conduct and Debate

7.1 Order - decorum - maintained - Mayor

The Mayor shall preside over the conduct of the meeting, including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meeting, subject to an appeal to the Council.

7.2 Member Speaking - recognition by Mayor - required

Before a Member may speak to any matter, they shall first be recognized by raising their hand to be addressed by the Mayor. When a Member is participating electronically, the Member must endure to speak when it is most appropriate and other Members have completed their discussion by verbally or visually indicating to the Mayor that they wish to speak.

7.3 Speaking - order - determination

When two or more Members indicate simultaneously that they wish to speak, the Mayor shall name the Member who is to speak first.

7.4 Disruption - Council - by Member - prohibited

A Member shall not disturb the Council by any disorderly deportment.

7.5 Disruption – Electronic Participation

A Member shall not participate electronically where rules of order and decorum are not respected and adhered to. Should the electronic participation of a Member be deemed disruptive to a meeting, the Mayor may instruct the Clerk to terminate the electronic participation by that Member provided the Mayor has advised the Member that the participation/actions are disruptive to the meeting.

7.6 Offensive language - insults - prohibited

A Member shall not use profane or offensive words or insulting expressions.

7.7 Disobedience - rules - points of order - prohibited

A Member shall not disobey the rules of the Council or a decision of the Mayor or of the Council on points of order or on the interpretation of the rules of procedure of the Council.

7.8 Leaving seat - disturbance during vote - prohibited

A Member shall not leave their seat or make any noise or disturbance while a vote is being taken or until the result is declared.

7.9 Interruption - speakers - exception

A Member shall not interrupt a Member who is speaking, except to raise a point of order or a question of privilege.

7.10 Leaving meeting - not to return - Mayor informed

A Member shall not leave the meeting when they do not intend to return thereto without first advising the Mayor.

7.11 Disorderly conduct - Member to be removed - question

In the event that a Member persists in a breach of the rules prescribed in this Bylaw, the Mayor has the sole discretion to order the Member to leave their seat for the duration of the meeting.

7.12 Apology - Member to resume seat - by permission

If the Member apologizes, the Mayor, with the approval of the Council, may permit them to resume their seat.

Part 8 – Motions in Council

8.1 Motions in Writing

All substantive motions introduced to Council shall be in writing.

8.2 Disposition of motion

Every motion in Council must be voted on and either carried, defeated, or deferred before any other motion (other than a motion to amend), can be introduced; deferred; amended, etc.

8.3 Motion to Defer (later in same meeting)

This motion provides a mechanism whereby a motion can be set aside and taken up again at any time later in the meeting by moving a procedural motion to resume consideration of the matter.

- Motion is not debatable
- Is not amendable
- Approval requires a two-thirds majority of votes cast

8.4 Motion to Defer (to subsequent meeting)

This motion enables the discussion of a substantive issue to be put off to a subsequent meeting.

- Motion shall state the substantive issue and the date and/or time of the postponement
- Is debatable only with respect to the date and time
- Must have a seconder
- Amendments restricted to the stated date/and or time
- Approval by majority.

8.5 Motion to Defer Indefinitely

This motion provides a mechanism whereby an issue can be fully discussed, although no decision is to be taken.

- Is debatable and is not restricted so substantive issue can be fully discussed
- Approval by majority.

8.6 Motion to Amend

- Shall be presented in writing;
- Shall not negate the main motion;
- Shall receive disposition of Council before a previous amendment or the question;
- Shall not be further amended more than once, provided that further amendment may be made to the main question;
- Shall be relevant to the question to be received;
- Shall not be received proposing a direct negative to the question;
- May propose a separate and distinct disposition of a question;
- Shall be put in the reverse order to that in which it is moved.

8.7 Motion to Withdraw

A motion shall only be withdrawn by the Mover and Secunder, and only with the consent of the majority of Council.

8.8 Ultra Vires Motion

Council shall not consider a motion that is ultra vires (beyond its power of authority).

8.9 Motion to Reconsider

The following are the rules applicable to a motion to reconsider:

1. Shall be moved by a Member voting on the prevailing side;
2. Shall not be debated;
3. Shall not be amended;
4. Shall not be considered if the action approved in the motion cannot be reversed;
5. Suspends action on the motion to which it applies until it has been decided.

No motion shall be reconsidered more than once during a period of twelve (12) months following the date on which the question was decided unless there is sufficient reason that a different outcome might result, such as new information has come forward, or incorrect statements were made during the original debate.

8.10 Motion to Refer

A motion to refer, or to refer back to a Committee or a member of staff with instructions may be put forth and amended but shall be disposed of by Council before the original motion or any other motion pertaining to the original motion.

8.11 Notice of Motion

A Member may introduce a new matter by way of notice of motion. The notice of motion shall be read at a meeting of Council and then shall be placed on the next regular Council meeting Agenda by the Clerk, unless the Member otherwise states a specific Council meeting date.

A notice of motion when introduced is not moved or seconded but the motion shall be moved and seconded at the subsequent meeting, at which time it is then debatable/amendable.

8.12 Speaking to motion - limitation - subject - maximum 5 minutes

When a member is speaking to a motion, they shall confine their remarks to the motion and in speaking shall be limited to a maximum of five (5) minutes.

8.13 Speaking to motion – exception - vote - reply

A Member shall not speak more than once to any motion, but the Member who has made a motion shall be allowed to speak for a maximum of 5 minutes to answer any questions.

8.14 Motion - under debate - read - at any time

A Member may require the motion under debate to be read at any time during the debate, but shall not interrupt a Member who is speaking.

8.15 Motion under debate – questions – before vote

When a motion is under debate, a Member may ask a concisely worded question of another Member, or Senior Management, through the Mayor prior to the motion being put to a vote by the Mayor in accordance with this Bylaw.

Part 9 – Voting by Council

9.1 Mandatory vote – all Members

The Mayor and all Members present are required to vote by a CLEAR show of hands when a question is put forth, unless they have declared a Pecuniary Interest on a particular item.

9.2 Amendment to Motion - Voted on first

A motion to amend an amendment to a motion shall be voted on first.

9.3 Voting - order

Voting on the main motion and amending motions shall be conducted in the following order:

- (a) A motion to amend a motion to amend the main motion;
- (b) A motion (as amended or not) to amend the main motion; and
- (c) The main motion (as amended or not).

9.4 Motion to vote - immediately - after all have spoken

A motion shall be put to a vote by the Mayor immediately after all Members desiring to speak on the motion have spoken in accordance with the provisions of this Bylaw.

9.5 Speaking - after motion - before vote announced

After a motion is put to a vote by the Mayor, no Member shall speak on that motion nor shall any other motion be made until after the result of the vote is announced by the Mayor.

9.6 No vote - deemed negative - exception

Every Member who is not disqualified from voting by reason of a Declaration of Pecuniary Interest shall be deemed to be voting against the motion if they decline or abstain from voting.

9.7 Secret voting - on motion - prohibited

The manner of determining the decision of the Council on a motion shall not be by secret ballot or by any other method of secret voting.

9.8 Result - announced

The Mayor shall announce the result of every vote, except in the case of a recorded vote in which the Clerk shall announce the result.

9.9 Result - disagreement - objection immediate - retaken

If a Member disagrees with the number of votes for and against a motion as announced by the Mayor, they may object immediately to the Mayor's declaration and, with the consent of the Council, the vote shall be retaken.

9.10 Tie vote - deemed negative

When there is a tie vote on any motion, it shall be deemed to have been decided in the negative.

9.11 Recorded vote - When called for

Any Member present may request that a vote be recorded and shall call for a recorded vote immediately prior to, or following, the taking of the vote. Each Member present, except a Member disqualified from voting by any Act, shall announce their vote openly when asked by the Clerk. The Clerk shall request Council Members to announce their vote in alphabetical order, and then will request the Mayor to announce their vote last. The names of those who voted for and against shall be noted in the Minutes. If any Member does not advise of their vote, they shall be deemed as voting in the negative. The Clerk shall announce the result of the vote.

9.12 Recorded vote - all Member to vote - exception

All Members present shall vote when a recorded vote is called for, except when they have been disqualified from voting by reason of a Declaration of Pecuniary Interest.

9.13 Voting - number of Members - calculation

In every vote/recorded vote required of the whole Council, the number of Members constituting the Council shall be determined by excluding:

- (a) The number of Members who are present at the meeting but who are excluded from voting by reason of the Municipal Conflict of Interest Act, and
- (b) The number of seats that are vacant on the Council by reason of the Municipal Act, 2001, as amended.

9.14 Open Voting Only

No voting shall take place at any meeting that has been closed to the public in accordance with Section 239 of the Act, except as it may pertain to a procedural matter or for giving direction or instructions to municipal officials/employees.

Part 10 – Delegations

10.1 Addressing in Council

Any person desiring to present information or speak to Council at a Council Meeting shall submit a delegation request to have an opportunity to do so at the commencement of the meeting as provided for on the Agenda and will be announced by the Presiding Officer. The prescribed "Delegation Request Form" must be filed with the Clerk according to timelines noted on the prescribed form in advance. Such persons shall have no more than ten (10) minutes at a Council meeting to address Members and no debate on any subject shall be engaged in by either Council or those providing the Delegation. The Mayor/Acting Mayor may use their discretion should the ten minute time-frame not be met.

10.2 Delegation Request Form Necessary

A signed Delegation Request Form shall be submitted to the Clerk with a legibly written presentation provided before the delegation.

10.3 Delegation Request Form Deadlines

For Council Meetings: A Delegation Request Form shall be completed and submitted to the Clerk's Office before 12:00 p.m. ten (10) calendar days prior to a regular Council Meeting that sets out the topic to be addressed, together with the date of the meeting and the name and contact information (phone number, email address) of the person or group making such request.

For Special Council/Committee Meetings:

Typically delegations are not included on Special Meeting Agendas, and will be heard at the pleasure of the Mayor/Deputy Mayor, provided it relates to the subject matter on the agenda.

10.4 Curtailment of Time

The Mayor or Acting Mayor may curtail any delegation for disorder or any other breach of this Bylaw, and, if the Mayor or Acting Mayor rules that the delegation is concluded, the person or persons appearing shall withdraw.

10.5 Location

No person, except Council Members and authorized staff shall be allowed to come within the Council Members' seating location during a meeting without the permission of the Mayor, Acting Mayor or Clerk. The public is expected to speak from the lectern table provided in Council Chambers to address Council.

10.6 Presentation In-Person

All delegations must be conducted in-person in the meeting room that the meeting is being conducted with the Mayor having discretion to permit delegations/presentations in another format.

10.7 Behaviour of Deputant

Delegation participants are attending a business meeting of Council and as such proper decorum is expected of all those in attendance. As may be necessary from time to time, the Mayor, Acting Mayor or Clerk shall advise of the rules of order contained in this Section of the Bylaw to contingents of the public in attendance either observing or addressing Council, particularly on a sensitive issue.

Delegation participants are expected to sit in the general public seating area and present their information from the lectern table.

No Deputant shall:

1. Speak without first being recognized by the Presiding Officer or Chair;
2. Speak disrespectfully of any person;
3. Use offensive words or gestures, or make abusive comments;
4. Speak on any subject other than the subject stated on their Delegation Request Form;
5. Disobey the Rules of Procedure or a decision of the Council or Committee.

10.8 Conduct by the Public

Members of the public, who constitute the audience at a meeting, shall not:

- Address Council or Committee without permission;
- Bring signage, placards or banners into such meetings;
- Engage in any activity or behaviour that would affect the deliberations;
- Bring food into the Council Chambers or meeting unless so authorized;
- Allow cellular phones to ring so as to disrupt the proceedings.

10.9 Expulsion

The Presiding Officer or Chair may cause to expel and exclude any member of the public who creates any disturbance or acts improperly during a meeting of Council or Committee. If necessary, the Clerk may be called upon to seek the appropriate assistance from police officers for this purpose.

10.10 Written Submission

Presenters are required to provide their speaking notes in advance of the meeting to the Clerk for purposes of the official record and to be added to the agenda.

10.11 CAO – Department Heads or Applicable Staff - address to Council

Notwithstanding the provisions of Section 10.1 of this Bylaw, the CAO, Department heads or applicable staff to the subject being discussed shall be permitted to address Council and the person(s) making the delegation with advance permission of the Mayor.

10.12 Business - stated - matters - related to

Persons appearing before the Council shall confine their remarks to the business stated in their request.

10.13 Repetition - prevented - hearing declined - exception

In order to avoid repetition and to ensure an opportunity for the expression of different points of view but except as required by law, the Mayor or Acting Mayor may decline to hear any person who has an identifiable common interest or concern with any other person who has already appeared and spoken at the meeting.

10.14 Appearance - previous - limitation - new information

Any person appearing before Council who has previously appeared before Council on the same subject matter, shall be limited to providing only new information in their second and subsequent appearances.

10.15 Delegations – Request of Council or Committee

From time to time it may be necessary for the Council or a Committee to invite a person, group or organization to attend a meeting to discuss a specific matter or issue. Unless otherwise required by law and the provisions of the Municipal Act, these delegations shall be open to the public.

10.16 Quantity of Delegations at a Meeting

Council meetings will be permitted up to three (3) delegations per meeting. It will be at the discretion of the CAO and Clerk, if additional delegations will be permitted to appear on the agenda at any particular meeting.

10.17 Petitions to Council

Should a member of the public wish to present a petition to Council on a particular matter, such petition must be presented at an open meeting of Council through a delegation request and copies will be circulated to Members of Council by the Clerk.

10.18 Materials to Council

Any member of the public making a delegation to Council shall provide the Clerk with any records pertaining to their delegation. The Clerk will circulate to Members of Council on their behalf. Any electronic copies should be forwarded to the Clerk in advance of the meeting.

10.19 Matter to Staff

The CAO and/or Clerk has discretion to decline a request to appear as a Delegation and to refer the matter to be resolved by Staff.

10.20 Anonymous Correspondence to Council

Correspondence received by the Township addressed to Council with no name and contact information attached to such correspondence will not be circulated to Council or filed for record.

Part 11 – Other Committees of Council

11.1 Mayor – Ex-Officio Member – All Meetings

The Mayor shall be Ex-Officio of all Committees of the Council, shall not be counted for purposes of quorum but shall be entitled to attend, participate and vote in the absence of the appointed Council Member.

11.2 Appointments of Council Committee Members

Committee appointments shall include Council Members and shall be made by resolution of Council at its first meeting in December, or as required from time to time.

11.3 Report Recommendations to Council

Staff with the responsibility of that area, or designate, or the CAO, shall present the report recommendations to Members at Council Meetings for ratification whether supported or rejected.

11.4 Minutes

Minutes of the proceedings of various Township Committee meetings shall be recorded and filed with the Clerk's office by an administrative appointed staff member of the Township and electronically circulated by that person to each Member of Council, the CAO and the respective Department Lead (including any staff requesting same). The Clerk's Department shall post Committee Minutes on the Portal and will be included in minute listings for Council resolution support.

11.5 Curfew – Motion

Should the Committee not be able to carry out its business during the allotted time set out in this Bylaw, it shall be necessary to order, by a unanimous vote of Members present, for the meeting to continue.

11.6 Procedure - modifications

The rules governing the procedure of the Council and the conduct of its Members shall be observed in Committee meetings with the necessary modifications.

11.7 Council may establish Advisory Committees from time to time

While Advisory Committees are not bound by the Closed Meeting rules in the Municipal Act, Council encourages that Advisory Committees meet in public and only meet in Closed Session as may be required from time to time.

When Council establishes an Advisory Committee it shall be done by resolution, and shall set both the mandate and the term of the Committee. Appointments to an Advisory Committee shall also be by way of resolution. Any Terms of Reference shall be established by Bylaw.

Part 12 - Confirmatory Bylaw

12.1 Proceedings – all matters

The proceedings at every open and special meeting of Council shall be confirmed by Bylaw at the meeting of Council to which it applies. This action is required so that every decision of the Council at that meeting and every resolution adopted at such meeting shall have the same force and effect as if each and every one of them had been the subject matter of a separate Bylaw duly enacted. A Confirmatory Bylaw, when introduced, shall be taken as having been read and shall be voted on without debate.

Part 13 – Severability

13.1 Each and every one of the provisions of this Bylaw is severable and if any provision of this Bylaw should, for any reason, be declared invalid by any Court of competent jurisdiction, it is the intention Council that each and every one of the then remaining provisions of this Bylaw remain in full force and effect.

**THE CORPORATION OF THE TOWNSHIP OF
MANITOUWADGE**

Workplace Violence/Harassment Prevention Policy

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CORPORATION OF THE TOWNSHIP OF MANIOWADGE
POLICY

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POLICY: WORKPLACE VIOLENCE/HARASSMENT PREVENTION	POLICY NO.

1.0 POLICY STATEMENT

The Corporation of the Township of Manitowadge is committed to providing a safe and healthy workplace free from actual, attempted or threatened violence. The Township of Manitowadge recognizes that workplace violence/harassment is a health and safety and human resources issue and will take reasonable precautions to prevent workplace violence and to protect employees at the workplace. The Township of Manitowadge considers violence/harassment to be a serious misconduct and will not tolerate violence or any form of threatening remark or gesture against any employee while carrying out their normal duties.

The Township of Manitowadge will support and assist any employee subjected to workplace violence/harassment by other employees and by non-employees.

**2.0 PURPOSE OF WORKPLACE VIOLENCE/HARASSMENT PREVENTION
POLICY**

This policy is intended to:

- Create and foster a work environment free from workplace violence/harassment;
- Provide a definition of workplace violence/harassment;
- To alert all employees that the municipality will not tolerate workplace violence and harassment;
- Ensure that incidents of workplace violence/harassment are reported appropriately;
- Ensure that complaints of workplace violence/harassment are handled in a timely and equitable manner and to establish investigation procedures;

To ensure the Township of Manitowadge is complying with the amendments of Bill 168.

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3.0 SCOPE AND APPLICATION OF POLICY

This policy applies to all employees of the Corporation of the Township of Manitowadge regardless of position. This policy also applies to all members of the public.

For the purposes of this policy the workplace includes all places where municipal business occurs and includes:

- All municipal property
- Municipal vehicles including any personal vehicles used for municipal business
- Any off-site locations where municipal activities take place

4.0 DEFINITION

Workplace violence includes any action, act, or incident in which an employee or worker is physically threatened with injury or assaulted in circumstances arising out of his or her employment as a direct or indirect action of another employee or a member of the public.

Workplace harassment includes engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome.

In this policy "Workplace Violence/Harassment" may include, but is not limited to the following

- The use of physical force against or by a worker that causes or could cause physical injury. This includes, but is not limited to, physical acts such as punching, hitting, kicking, pushing, damaging property or throwing objects;
- The attempted use of physical force against or by a worker that could have caused physical injury;
- An action or statement (or series of actions or statements) reasonably believed to be a threat of physical harm or as a threat to safety or security in the workplace;
- Bringing a weapon of any kind to the workplace or possessing a weapon of any kind while carrying out municipal business, or threatening to bring a weapon to a municipal workplace

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- Intimidation, bullying or aggressiveness.
- Psychological trauma which includes stalking.
- Open disregard for personal rights of others

5.0 ZERO TOLERANCE

The Township of Manitowadge values the health and safety of its employees and expects that its workplaces will be free of workplace violence/harassment. The municipality will not tolerate incidents of workplace violence/harassment perpetrated against or by any employee, customer, vendor, contractor, visitor or any other person involved in municipal operations.

Everyone is responsible for acting in compliance with this policy. With respect to acts of workplace violence, as defined in this policy, the Corporation of the Township of Manitowadge may, where appropriate:

- Remove the perpetrator from a municipal workplace by security or the police.
- Report the conduct to the Municipal Manager Clerk and/or to the police
- Discipline any employee, up to and including dismissal

6.0 RESPONSIBILITIES AND OBLIGATIONS

As with all matters relating to health and safety, responsibilities are shared among all workplace parties.

The Corporation of the Township of Manitowadge is responsible for:

- Establishing policies and procedures to address workplace violence/harassment;
- Ensure that the process for reporting and responding to incidents of workplace violence is communicated, maintained and followed;

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- Providing awareness and education to all employees on preventing and dealing with potential and real violent threats and encounters;
- To ensure that a workplace violence/harassment assessment is conducted;
- To ensure that all employees are trained in this policy;

Managers / Supervisors are responsible for discouraging and preventing all workplace violence/harassment based on the following measures:

- Set a good example;
- To post this policy in the workplace
- To ensure this policy is communicated to employees, contractors and other persons as needed;
- Approach employees if violence/harassment is suspected;
- Seek advice if uncertain whether an incident involved workplace violence;
- Take disciplinary action against those found to have exhibited workplace violence/harassment, regardless of seniority.
- Support and assist any employee complaining of workplace violence/harassment;

Joint Health and Safety Committee/JHSC is responsible for:

- The annual review of the Violence/Harassment in the Workplace Prevention Policy;
- Forward all suggestions and or amendments to the Municipal Manager Clerk;
- Ensure all employees are familiar with the Violence/Harassment in the Workplace Prevention Policy and receive applicable awareness training.

Employees are responsible for:

- Ensuring that all corporate work environments are free from workplace violence/harassment;

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POLICY: WORKPLACE VIOLENCE/HARASSMENT PREVENTION	POLICY NO.

- Treat all individuals with respect and dignity and refrain from threats and acts of violence/harassment as per definition;
- To participate in training regarding this policy;
- Report all incidents of workplace violence/harassment to their manager/supervisor.

7.0 REPORTING AND INVESTIGATING WORKPLACE VIOLENCE/HARASSMENT

All Township of Manitowadge employees will be made aware of the Violence/Harassment in the Workplace Prevention Policy and how to carry out the following procedures:

- Prevent or minimize the risk of violence;
- Recognize and control potentially violent situations;
- Recognize harassment;
- Respond to incidents and obtain assistance.

Making a Complaint

- A person who is subjected to workplace violence/harassment is encouraged to bring the matter to the attention of the person responsible for the conduct as soon as possible, provided such approach would not endanger the safety of the employee. Promptness protects the rights of both the complainant and the person complained against.
- The complainant should keep a record describing the incident, when it happened and any witnesses. Clearly stating the objection in a letter or memo to the perpetrator can be a good record of events.
- Where the complainant does not wish to bring the matter directly to the attention of the person responsible, or where such an approach is attempted and does not produce a satisfactory result, the complainant should seek the advice either of the department manager or supervisor.

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- The department manager/supervisor will discuss the next steps with the complainant.

Investigation

The department manager or supervisor and the Municipal Manager Clerk will investigate and take appropriate action to deal with each employee complaint.

The investigation will include:

- i) A documented interview with the complainant and/or victim;
- ii) A documented interview with the alleged perpetrator(s);
- iii) A documented interview with any witnesses with relevant information to provide;
- iv) Any other step the investigator deems necessary to fully and fairly investigate the complaint or incident.

NOTE: The Corporation of the Township of Manitowadge must notify the Ministry of Labour and JHSC within 48 hours in writing if a workplace violence incident results in a person being killed or critically injured under the Occupational Health and Safety Act. If there is an incident of workplace violence and a worker is disabled or requires medical attention the employer must notify the Municipal Manager Clerk immediately.

Consequences

Any employee who has engaged in workplace violence/harassment may be disciplined up to and including termination of employment for cause.

Confidentiality of Complaints

All workplace violence/harassment complaints and resulting investigations will, to the greatest degree possible, be treated in confidence.

Complaints Involving a Department Head or Members of Council Any allegations of workplace violence/harassment made by or against a department head, or a member of municipal council, shall be referred to the Municipal Manager Clerk. If the complaint is against the Municipal Manager Clerk the matter should be referred to the Mayor.

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Complaints Regarding Non-Employees

- An employee of the Township who is subjected to employment related workplace violence/harassment by a person who is not an employee of the Municipality should seek the advice of the Department Manager or Supervisor;
- If an employee feels that their safety is in danger they should contact their immediate supervisor, manager or the police to attend the location for assistance;
- An employee is free to consult their own personal legal counsel at any step in the process at their expense;
- For non-employees who have committed an act of workplace violence/harassment, the Municipality may take action against the individual through civil court proceedings to protect its employees and/or property;
- The Municipal Manager Clerk, department manager and supervisor will take whatever action is necessary to ensure that the Municipality fulfills its responsibility to support and assist the person subjected to workplace violence.

8.0 REFUSAL

Under the Occupational Health and Safety Act, a worker can refuse to work if he or she has reason to believe he or she may be endangered by workplace violence {Section 43 (3)(b.1)}. However, work cannot be refused on the ground of workplace harassment under this act. It is intended that the above reporting and investigating procedures, set out in this policy will address workplace violence/harassment concerns before they escalate to work refusals.

9.0 NO REPRISAL

No disciplinary action or reprisal can be made against a complainant who acts in good faith under this policy, even if the complaint turns out to be false, impossible to verify or the behaviour complained or does not rise to the level of violence or harassment. A reprisal is a form of harassment and will not be tolerated. However, a false accusation made by a person who knows it to be false may also constitute harassment and could be subject to discipline up to and including termination of employment for cause."

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Reprisal includes:

- Any act of retaliation that occurs because a person has complained of or provided information about an incident of workplace violence;
- Intentionally pressuring a person to ignore or not report an incident of workplace violence;
- Intentionally pressuring a person to lie or provide less than full cooperation with an investigation of a complaint or incident of workplace violence.

10.0 DOMESTIC VIOLENCE

Any employee experiencing violence outside of the workplace that may create a risk of danger to themselves or others in the workplace is encouraged to report such violence so that the municipality can take reasonable preventive steps.

11.0 WORKPLACE RISK ASSESSMENT

The Corporation of the Township Workplace Violence/Harassment Assessment is attached in Appendix 1. Methods and procedures for controlling risks will form part of the policy after the workplace assessment has been completed.

12.0 TRAINING

Training on this policy will be provided to all employees of the Township of Manitouwadge.

13.0 POLICY REVIEW

The Joint Health and Safety Committee will review this policy and risk assessments annually.

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14.0 LEGISLATION / STANDARDS / POLICIES

- Criminal Code of Canada
- Ontario Human Rights Code
- Occupational Health and Safety Act
- Municipal Freedom of Information and Protection of Privacy Act
- Workplace Safety and Insurance Act

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APPENDIX 1

The Corporation of the Township of Manitouwadge Workplace Violence/Harassment Assessment

Definition of "Workplace Violence"

Workplace violence includes any action, act, or incident in which an employee or worker is physically threatened with injury or assaulted in circumstances arising out of his or her employment as a direct or indirect action of another employee or a member of the public.

Definition of "Workplace Harassment"

Workplace harassment includes engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome.

In this policy "Workplace Violence/Harassment" may include, but is not limited to the following

- The use of physical force against or by a worker that causes or could cause physical injury. This includes, but is not limited to, physical acts such as punching, hitting, kicking, pushing, damaging property or throwing objects;
- The attempted use of physical force against or by a worker that could have caused physical injury;
- An action or statement (or series of actions or statements) reasonably believed to be a threat of physical harm or as a threat to safety or security in the workplace;
- Bringing a weapon of any kind to the workplace or possessing a weapon of any kind while carrying out municipal business, or threatening to bring a weapon to a company workplace
- Intimidation, bullying or aggressiveness;
- Psychological trauma which includes stalking;
- Open disregard for personal rights of others

Purpose of this assessment:

- To comply with Bill 168 Amendments to the Occupational Health and Safety Act;
- To identify potential risks to the Joint Health and Safety Committee;
- To assist in the development of policies to minimize future risks.
- Consideration of the circumstances that exist in other similar workplaces will also be filled by consulting with other, municipalities to compare risks.

As per the requirements of Bill 168 the following survey must be completed at each workplace location in the Township of Manitouwadge.

**Corporation of the Township of Manitouwadge Workplace Violence/
Harassment Assessment**

Building/Location: _____

Completed by: _____

Date: _____

REVIEW OF PAST INCIDENTS, COMPLAINTS, RECOMMENDATIONS

1. Have there been past incidents and investigations into workplace violence/harassment at this location?

- YES
- NO

If yes, list all reported incidents in the past 2 years, briefly describing circumstances and resolution:

2. Have there been worker complaints of workplace violence/harassment at this location?

- YES
- NO

If yes, list all worker complaints in the past 2 years, briefly describing circumstances and resolution:

3. Has JHSC raised concerns respecting violence/harassment or made recommendations respecting violence?

- YES
- NO

If yes, list all concerns, recommendations and circumstances in the past 2 years, as well as resolution and preventative measures taken:

4. Has an assessment been conducted of experiences with workplace violence/harassment in similar workplaces, industries or trades

- YES
 NO

If yes, provide details, examples or statistics obtained for past 2 years.

If no, access information from safe workplace association for industry and list available information for past 2 years.

INTERVIEWS WITH EMPLOYEES

1. Have interviews with employees been conducted to assess past incidents and concerns respecting workplace violence/harassment?

- YES
 NO

If yes, describe process generally:

2. Have employees experienced verbal abuse?

- YES
- NO

If yes describe all incidents in past 2 years:

3. Have employee's experienced written threats?

- YES
- NO

If yes, describe all incidents in the past 2 years:

4. Have employees been threatened with physical harm?

- YES
- NO

If yes, describe all incidents in the past 2 years:

5. Have employees experienced a physical assault or attack while employed?

If yes, describe all incidents in the past 2 years:

PHYSICAL PREMISES

1. Is workplace near high crime area?

- YES
- NO

If yes, describe:

2. Are there signs of vandalism on or near the property?

- YES
- NO

If yes, describe:

3. Is the workplace isolated from other buildings?

- YES
- NO

If yes, describe:

4. Is the building entrance well lit?

- YES
- NO

Describe:

5. Are parking lots well lit?

- YES
- NO

Describe:

6. Is the parking lot subject to video surveillance?

- YES
- NO

If yes, describe:

7. Are there alarms in parking lots?

- YES
- NO

If yes, describe:

8. Have there been incidents of violence, theft in parking lot?

- YES
- NO

If yes, describe:

WORK SITUATION WITH POTENTIAL FOR VIOLENCE

1. Do employees work with money or valuables?

- YES
- NO

If yes, describe:

2. Do employees deliver or collect items of value?

- YES
- NO

If yes, describe:

3. Do employees deal with individuals who may be under the influence of drugs or alcohol?

- YES
- NO

If yes, describe:

4. Do employees deal with activities or individuals that may result in negative or confrontational response?

- YES
- NO

If yes, describe:

5. Do employees work alone?

- YES
- NO

If yes, describe:

6. Do employees work during late evening or early morning hours?

- YES
- NO

If yes, describe:

7. Do employees work in a residential setting?

- YES
- NO

If yes, describe:

8. Do employees provide services, care, advice or education to individuals who may be violent?

- YES

NO

If yes, describe:

9. Do employees work where alcohol is served?

YES

NO

If yes, describe:

SECURITY, ACCESS, RECEPTION, SIGNAGE

1. Is there a security system at this location?

YES

NO

If yes, describe:

2. Do reception, or keys control access to the workplace?

YES

NO

If yes, describe:

3. Is the reception area staffed at all times?

- YES
- NO

If yes, describe:

4. Is there video surveillance at building entrances?

- YES
- NO

If yes, describe:

5. Are rules for visitors clearly posted?

- YES
- NO

If yes, describe:

6. Do you have a visitor policy to receive, escort and identify visitors?

- YES
- NO

If yes, describe:

7. Are there signs in the buildings showing employees/visitors how to obtain emergency assistance if needed?

- YES
- NO

If yes, describe:

8. Is there a means of summoning immediate assistance in work areas should workplace violence occur?

- YES
- NO

If yes, describe:

TRAINING RECORD

Bill 168 Compliance

Please return this page to the Municipal Office

I have reviewed the Municipality of Manitowadge Workplace Violence/Harassment policy:

- I understand the definition of workplace violence/harassment
- I understand the process to report an incident
- I understand how to summon immediate assistance in case of an emergency

This confirmed that I have read and understand the training materials provided to me by The Corporation of the Township of Manitowadge.

Name: _____

Date: _____

Signature: _____

THE CORPORATION OF THE TOWNSHIP OF MANITOUWADGE

December 8, 2010 Session No. 2010-398

Moved by: Natalie Labbé

Seconded by: [Signature]

RESOLVED THAT: Council is in receipt of Administration Report No. ADM2010-07 submitted by, Cecile Kerster, Municipal Manager Clerk, regarding the approval of the Workplace Violence/Harassment Prevention Policy (Bill 168);

AND BE IT FURTHER RESOLVED THAT: at the conclusion of Council's discussion and review regarding the report, Council chooses option:

- a) That the Workplace Violence/Harassment Prevention Policy be adopted.

Recorded Vote	FOR	AGAINST
Mayor John MacEachern		
Councillor Connie Hunter		
Councillor Donna Jaunzarins		
Councillor Natalie Labbé		
Councillor Sheldon Plummer		

CARRIED DEFEATED

[Signature]
Mayor John MacEachern



**THE CORPORATION OF THE
TOWNSHIP OF MANITOUWADGE**

POLICY #: ADM2021-03

RESPECTFUL BEHAVIOUR POLICY

**THE CORPORATION OF THE TOWNSHIP OF MANITOUWADGE
RESPECTFUL BEHAVIOUR POLICY**

SECTION: ADMINISTRATION	POLICY #: ADM2021-03
POLICY: RESPECTFUL BEHAVIOUR POLICY	SCHEDULE "A" TO BY-LAW 2021-20

1. POLICY STATEMENT

The Township of Manitouwadge is committed to promoting a safe, healthy, respectful, and positive environment for all members of the public, Members of Council and staff.

The goal of this policy is to define behaviour, whether unreasonable, frivolous and/or vexatious, that may negatively impact the experience of others or creates unsafe conditions, and how these behaviours will be addressed when it occurs within any Township facility or an association with any service, program or event provided by or associated with the Township of Manitouwadge.

2. PURPOSE

This policy contributes to the Township's objective of working with all members of the public in ways that are consistent and fair while acknowledging that there may be a need to protect staff, Members of Council and residents of the Township of Manitouwadge from unreasonable behaviour and frivolous and/or vexatious actions.

Some situations arising from unreasonable behaviour may cause concern for the reasonable safety of other individuals on Township premises. Other situations may compromise the enjoyment of Township facilities for all users.

Vexatious, frivolous and/or unreasonably persistent requests may compromise the Township's ability to deliver good customer service in an equitable, efficient and effective manner. Such requests may also impede staff from attending to other essential issues. These situations and requests may require the Township to put restrictions on the contact that some individuals have with the Township.

This policy is not intended to deal with generally difficult clients and individuals. It applies to members of the public whose behaviours and actions are unreasonable, frivolous and/or vexatious. Determining whether particular behaviours or actions are unreasonable, frivolous or vexatious can be a flexible balancing exercise that requires all circumstances of a particular case to be taken into account. In many cases, the key question is whether the behaviours or actions are likely to cause distress, disruption or irritation, without proper or justifiable cause.

THE CORPORATION OF THE TOWNSHIP OF MANITOUWADGE

RESPECTFUL BEHAVIOUR POLICY

The decision to classify someone's behaviour as unreasonable or to classify a request as vexatious or frivolous, could have serious consequences for the individual, including restricting their access to Members, Township staff, services and/or property. As such, this policy provides clear examples of behaviours and actions, as well as clear steps for staff to follow.

Any restrictions made under this policy and the related Township Trespass to Property – Procedures are dependent on particular circumstances, and there is an opportunity for the affected individual to have any restrictions reviewed and/or appealed.

3. SCOPE

This policy applies to all persons (residents, non-residents, volunteers, tenants, and staff) within Township facilities, and at any other location where Township staff are present.

This policy applies to in-person interactions and all forms of verbal communication (for example, by telephone) and written communication (for example, by email).

This policy, and the related Township Trespass to Property – Procedures, are to be implemented if behaviours or requests from an individual are determined to be unreasonable, frivolous and/or vexatious as defined herein.

The policy only applies to interactions and occurrences that involve a member of the public.

4. DEFINITIONS

Frivolous – a complaint or request that has no serious purpose or value, about a matter so trivial or one so meritless on its face, that investigation would be disproportionate in terms of time and cost.

Unreasonable – behaviour/conduct that is unacceptable in all circumstances regardless of how stressed, angry or frustrated the individual is, because it compromises the health, safety and/or security of Members of Council, staff, other service users or the individual themselves.

Vexatious – the complaint or request for service is initiated with the intent to embarrass or annoy the recipient, or is part of a pattern of conduct by the complainant or requester that amounts to an abuse of the complaint or request for service process.

THE CORPORATION OF THE TOWNSHIP OF MANITOUWADGE

RESPECTFUL BEHAVIOUR POLICY

5. APPLICATION

This policy, and the related Township Trespass to Property – Procedures, are to be implemented if behaviours or requests from an individual are determined to be unreasonable, frivolous and/or vexatious as defined herein. The following behaviours or requests may take place in circumstances including, but not limited to, one or more of the following:

- Public meetings;
- Written communication;
- Telephone communication;
- In-person communication;
- Electronic communication, including email and social media; and/or
- Interactions at Township property, parks or facilities.

Examples of Unreasonable Behaviour:

Examples of what might be considered unreasonable behaviour are shown below. The list is not exhaustive, nor does one single feature on its own necessarily imply that the person will be considered as being in this category:

- Refusing to specify the grounds of a complaint, despite offers of assistance;
- Changing the basis of the complaint/request as the matter proceeds;
- Denying or changing statements made at an earlier stage;
- Covertly recording meetings and conversations;
- Submitting falsified documents from themselves or others;
- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous staff, or detailed letters every few days, and expecting immediate responses;
- Refusing to accept the decision/repeatedly arguing points with no new evidence;
- Persistently approaching the Township through different routes about the same issue;
- Causing distress to staff, which could include use of hostile, abusive or offensive language, or an unreasonable fixation on an individual member of staff;
- Making unjustified complaints about staff who are trying to deal with the issues, and seeking to have them replaced;
- Engaging in aggressive, disrespectful or intimidating behaviour, bullying, harassment or using coarse language while accessing a Township program, service, event or facility; and/or,
- Loitering, causing a disturbance or acting under the influence of drugs and alcohol while attending Township premises.

THE CORPORATION OF THE TOWNSHIP OF MANITOUWADGE

RESPECTFUL BEHAVIOUR POLICY

Examples of Vexatious or Frivolous Requests:

Examples of what might be considered to be vexatious or frivolous are provided below. The list is not exhaustive, and for a request to be considered as vexatious or frivolous it is likely that more than one of the examples is relevant:

- Submission of obsessive requests with very high volume and frequency or correspondence;
- Requests for information the requestor has already seen, or clear intention to reopen issues that have already been considered;
- Where complying with the request would impose significant burden on the Township in terms of expense, and negatively impact the ability to provide service for others;
- Where the requester stated that the request is actually meant to cause maximum inconvenience, disruption or annoyance;
- Harassing the Township, which could include very high volume and frequency of correspondence, or mingling requests with accusations and complaints.

Furthermore, a pattern of conduct occurs when on several occasions an individual engages in one or more of the following:

1. Brings complaints concerning issues that staff have already investigated and concluded;
2. Brings complaints concerning an issue that is substantially similar to an issue that staff have previously investigated and concluded and no new information is being introduced; and/or,
3. Engages in unreasonable conduct which is abusive of the request for services or complaints process, including but not limited to the examples set out under the Application section of this policy.

This policy is meant to complement, not replace, the Workplace Violence and Harassment Policy, the Public Feedback Policy, the Employee Code of Conduct and the Code of Conduct for Members of Council.

6. POLICY REQUIREMENTS

The decision to classify someone's behaviour as unreasonable, or to classify a request or complaint as frivolous and vexatious, could have serious consequences for the individual, including restricting their access to Township services and staff.

THE CORPORATION OF THE TOWNSHIP OF MANITOUWADGE

RESPECTFUL BEHAVIOUR POLICY

The decision may be as a result of a repeated pattern of conduct when, on several occasions, a person engages in one or more behaviours or actions identified as unreasonable, frivolous and/or vexatious, or may be a single significant incident that requires invocation of this policy.

If an incident presents an immediate threat, contact 9-1-1.

7. RESPONSIBILITIES

All users of this policy are required to document the actions of the individual, and their own actions, in as much detail as possible.

Certain situations involving unreasonable behaviour on Township property, parks or facilities may require immediate action by way of a Trespass Notice, after all possible alternative measures are considered and/or implemented. In such cases, reference should be made to responsibilities set out in the Township Trespass to Property – Procedures, including the “Guidelines for Issuing a Trespass to Property Notice” set out in Appendix A of the Procedures.

For situations involving unreasonable behaviour that does not require such immediate action, as well as those circumstances that involve frivolous and vexatious requests, specific responsibilities include as follows:

Employees:

- If a staff member experiences or witnesses any incident or behaviour that makes the staff member uncomfortable or unsafe, the staff member should report the matter to their Department Head, providing any supporting material;
- If a staff member believes that a request or a complaint is unreasonable, frivolous or vexatious, the staff member should consult with their Department Head, providing any supporting material.
- Staff are responsible for advising their Department Head of the steps that have been taken to resolve the issue, which may include the following:
 - Length of time that staff have been in contact with the individual and the history of interactions;
 - Amount of correspondence that has been exchanged with the individual;
 - Number of requests that the individual has brought and the status of each;
 - Nature of the individual’s behaviour and the amount of time that has been consumed; and
 - Maintaining detailed records of staff interactions with individuals in order to justify any actions taken to restrict the individual’s access to staff or services.

THE CORPORATION OF THE TOWNSHIP OF MANITOUWADGE RESPECTFUL BEHAVIOUR POLICY

- If applicable, ensure compliance with any relevant duties and procedures outlined in the Township Trespass to Property – Procedures.

Department Head:

- Review the information provided by staff and determine if the individual's behaviour warrants the application of restriction(s);
- Work with staff to determine appropriate restriction(s), including how to inform the individual of the restriction(s);
- Determine a proposed review date for removing, modifying or continuing the restriction(s);
- Meet with the Chief Administrative Officer and outline the situation, including the proposed restriction(s) and review date; and
- If applicable, ensure compliance with any relevant duties and procedures outlined in the Township Trespass to Property – Procedures.

Chief Administrative Officer (CAO):

- Make the determination to classify an individual's behaviour as unreasonable or to classify a request as frivolous and/or vexatious;
- Determine the restriction(s) to be imposed on the individual and communicate these restrictions to the individual;
- Maintain all documentation related to the review and determination of restriction(s);
- Conduct reviews of any restriction(s) and communicate the outcome to the individual;
- Review any appeals and confirm, rescind or amend the restriction(s); and
- Advise the Clerk in writing when restriction(s) are placed on an individual under the policy, providing a copy of the notice given to the individual as well as any additional information requested by the Clerk in the event of an appeal;
- If applicable, ensure compliance with any relevant duties and procedures outlined in the Township Trespass to Property – Procedures.

Members of Council:

- Consult with the CAO and the Integrity Commissioner regarding the cases of unreasonable behaviour and/or frivolous and vexatious action that the Member wishes to address, as described in this policy. Upon being consulted by a Member of Council, the Integrity Commissioner shall provide advice to the Member respecting any proposed action under this policy as it relates to the Member's obligations under the Code of Conduct for Members of Council.

THE CORPORATION OF THE TOWNSHIP OF MANITOUWADGE RESPECTFUL BEHAVIOUR POLICY

- The appeal mechanism for any restriction(s) placed on an individual through the procedure for Members of Council is through the Integrity Commissioner.

Municipal Clerk:

- Track and monitor the use of the policy, in consultation with the Municipal Law Enforcement Officer (MLEO) on matters relating to the Township Trespass to Property – Procedures;
- Develop and provide any templates, forms and communications to assist in implementing this policy;
- Report on an annual basis on the use of the policy/exercise of authority by the Department Head, MLEO, CAO, and Members of Council under the policy;
- In the event of an appeal, provide to the CAO a copy of the notice given to the individual as well as any additional information requested;
- Review the policy and revise as needed, at least once per Council term, through the Township’s regular governance reviews; and
- If applicable, ensure compliance with any relevant duties and procedures outlined in the Township Trespass to Property – Procedures.

8. MONITORING/CONTRAVENTIONS

Course of Action:

1. **Information Reviews:** Based on the information provided by staff, and Department Heads, a review shall be conducted by the CAO to determine if an individual’s behaviour warrants the application of restriction. Each case should be considered on an individual basis. This determination, or any restrictions, shall consider the specific circumstances of the matter as well as the following:
 - a. The individual’s personal circumstances, level of competency, literary skills etc. that may be known to staff;
 - b. If applicable, whether the request of complaint has been dealt with properly and in line with the relevant procedures and statutory guidelines;
 - c. If applicable, whether staff have made reasonable efforts to satisfy or resolve the request or complaint;
 - d. If applicable, that communication with the individual has been adequate;
 - e. If applicable, whether the individual is presenting new material or information about the situation or making a new request or complaint.

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2. **Notice:** Upon determination that an individual's behaviour is unreasonable or to classify a request or complaint as frivolous or vexatious, and depending on the severity of the incident, the CAO shall:
 - a. Send a letter of warning to the individual indicating that the behaviour/requests are a violation of this policy and that restrictions may be imposed should they continue; or
 - b. Send a letter of notification to the individual indicating that the matter has been reviewed and that restrictions are to be imposed. This letter shall include a summary of the findings of the CAO's review, including as follows:
 - i. A summary of the matter which has led to the restrictions;
 - ii. A summary of the interactions with the individual;
 - iii. A description of the restrictions that are to be applied; and
 - iv. The rationale for applying the restrictions.

3. **Potential Restrictions:** Restrictions should be tailored to deal with the individual circumstances. Actions available to the CAO to restrict the individual may include, but are not limited, to any one or combination of the following:
 - a. Limiting the individual's correspondence with staff to a particular format, time or duration;
 - b. Limiting the individual to a particular point of contact;
 - c. Requiring any face-to-face interactions between the individual and staff to take place in the presence of another staff member or Police to observe and keep the peace;
 - d. Requiring the individual to make contact with the Township only through a third party, such as a solicitor, counsellor or the Mayor;
 - e. Limiting or regulating the individual's use of Township services;
 - f. Refusing the individual access to a Township facility except by appointment or specific permission;
 - g. Requiring that the individual produce full disclosure of documentation or information before staff will further investigate a complaint;
 - h. Instructing staff not to respond to further correspondence from the individual regarding the complaint of a substantially similar issue;
 - i. Informing the individual that further contact on the matter will not be acknowledged or replied to;
 - j. Closing the complaint or request of service;
 - k. Instructing staff not to investigate any complaints regarding an issue that has already been investigated or which is substantially similar to an issue that has already been investigated;
 - l. Instructing staff to severely reduce or completely cease responses to further complaints or request and correspondence from the individual;

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m. Pursuing legal action including issuance of a Notice of Trespass in accordance with the Township Trespass to Property – Procedures. All staff who have the authority to issue notices in accordance with the Procedures are required to consider and/or implement all possible alternative measures before issuing a Trespass to Property Notice.

4. **Restriction Review:** The letter of notification shall advise of a review date for the matter, depending on the severity of the incident and the nature of the matter and restriction/service provided. Generally, all cases where this policy is applied should be reviewed every three (3) months or six (6) months and not more than twelve (12) months after the service change or restriction was initially imposed or continued/upheld.

The affected individual will be invited to participate in the review process by providing a written submission or by way of another method appropriate in the circumstances, unless it is determined that this invitation will provoke a negative response from the individual.

Prior to the review date, staff and the CAO shall meet and review the situation and determine if the restrictions should continue. During this review, consideration shall be given to factor, such as:

- Whether the individual has had any contact with the Township during the restriction period;
- The individual's conduct during the restriction period;
- Any information/arguments put forward by the individual for review;
- The effect that continuing the restriction may have on the individual; and
- Any other information that may be relevant in the circumstances.

The individual shall be informed of the outcome of the review by way of letter within ten (10) business days of completion of the review and be given another date for review if any restrictions remain.

9. APPEALS

1. The individual shall have the ability to appeal any decision to impose restrictions by contacting the CAO in writing within ten (10) business days from the date the restriction was issued.
2. The appeal will be reviewed by the CAO within fourteen (14) business days.
3. The CAO's decision is final.

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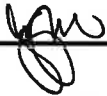
4. Requests for reviews of decisions made under the Township Trespass to Property – Procedures shall be made in accordance with the review process set out in those Procedures.
5. In the event that the issue cannot be resolved through this policy, the individual may submit a complaint to the Office of the Ontario Ombudsman.

10. MONITORING

This policy shall be reviewed at least once per Council term by the Municipal Clerk as part of the Township’s regular Governance Review process.

References:

Code of Conduct for Members of Council
 Council/Staff Communications Policy
 Employee Code of Conduct
 Public Feedback Policy
 Township Trespass to Property – Procedures
 Workplace Violence and Harassment Policy

Approval: 	Resolution #2021-188
<input type="checkbox"/> CAO <input checked="" type="checkbox"/> Clerk	Council Meeting of: 23/06/21
Supersedes Policy # _____	Dated: ___/___/___ Original Issue: X Revised Issue: <input type="checkbox"/>



Social Media Policy

Original: January 12, 2022

Background

The Township of Manitouwadge (the Township) is responsible for the accurate, open, and transparent sharing of information with the public through education and promotion of various programs, services, initiatives, and Council decisions. To effectively share that information, the Township uses a combination of traditional communications and online communications to reach the largest number of residents, visitors, and stakeholders as possible.

The popularity of social media sites and/or networks provide the Township with a powerful communications tool that allows for information to be shared immediately, effectively and in a cost-efficient manner.

The CAO's office is the lead authority for the Township's online communication strategies. Social media accounts for corporate-use will be established and managed by the CAO's office in conjunction with the assistance of appointed senior managers as Social Media Moderators.

Purpose

To provide rules and guidelines on the acceptable participation in social media sites and networks. This policy is to be read in conjunction with other relevant policies such as but not limited to: Code of Conduct, Staff-Council Relations Policy and Workplace Violence and Harassment Policy.

While the Township recognizes the popularity of social networking, certain behaviours must be observed to protect both employees' and the corporation's reputation. This policy serves to:

- Safeguard the Township's reputation;
- Provide employees and members of Council with clear usage guidelines;
- Provide protocol around monitoring, administration, acceptable-use and privacy.

Definitions

Follow means to subscribe to a social media account of another user and receive their posts as updates.

Political material means comments or posts made by politicians, supporters or otherwise, for the purpose of political gain or to drive a political agenda.

Social media means the web-based technologies and sites and includes blogging, microblogging (Twitter), photo-sharing (Flickr, Instagram, Snapchat), video sharing or webcasting (YouTube, Facebook Live), and social networking (LinkedIn, Facebook, blogs, discussion boards) which allow users to interact with each other by sharing information, opinions, knowledge, photographs and interests.

Social Media Moderator means Township staff tasked with posting and reviewing content on Township Social Media sites.

Township Social Media Sites means social media sites created and managed by Township staff.

Senior Manager means the group of senior Township managers assembled under the direction of the CAO to manage and coordinate corporate affairs and workload.

Scope

This Policy applies to all Township employees and councillors participating on all Township Social Media Sites. Participating in social media (employees and councillors) is considered an official corporate act, and therefore must be viewed in the same way as participating in other media, meetings or public forums.

Procedures

a) Creating a Township Social Media Site:

- Departments wishing to use social media sites should work with the CAO's office to discuss specific goals and objectives and identify specific sites and platforms.
- Login and password information will be provided to the CAO and the applicable senior manager.

b) Administering Township Social Media Sites:

- All Township Social Media Sites are administered by Township employees named as Social Media Moderator(s) by the senior manager or the CAO.

- The CAO's office requires notification when an employee is named as a Moderator.
- When a Social Media Moderator leaves Township employment, all passwords should be changed for those Township Social Media Sites to which they had access. This will be the responsibility of the relevant senior manager to ensure the CAO's office is notified.
- Content of Township Social Media Sites will be monitored by Social Media Moderators who are responsible for:
 - Correcting misinformation and ensuring content is up-to-date;
 - Responding to inquiries by directing the individual to the appropriate department contact;
 - Removing any post that is considered to be false, defamatory, abusive, hateful, obscene, racist, sexually-oriented, threatening or discriminatory
 - Denying access to, or blocking users, who continue to post inappropriate or offensive comments.

c) Response Time:

The Township's social media channels are monitored during business hours: Monday - Thursday, 8:30am – 4:30pm and Friday, 9:00am – 2:00pm. Staff aim to address all appropriate comments (deemed so as per the above list) **within 8 business hours**.

Please note that this turnaround time is impacted by staff availability and resources across the corporation, and there will be instances when a response may take more time. In addition, situations are best dealt directly with specific departmental staff, and responses will therefore provide relevant departmental contact information.

d) Internal / External Content Standards:

- Comments and posts are welcome on Township Social Media. However, content, comments, posts or links containing any of the following will not be permitted on any Township Social Media outlets:
 - Obscene, racist, or otherwise discriminatory content;
 - Sarcastic and/or disrespectful comments;
 - Personal attacks, insults, or threatening language;
 - Comments not directly related to the particular post;
 - Information that may tend to compromise the safety or security of the public or public systems;
 - Plagiarized material or copyrighted material;
 - Confidential information published without prior consent;
 - Promotion of political candidates or other political material;

- Content that is deemed to be inappropriate by the Township's CAO.
- Health & Safety - In accordance with the *Ontario Human Rights Code* and the *Occupational Health and Safety Act*, and in protecting the public and Township employees from harm and harassment, the Township does not condone the following on social media:
 - Abusive, profane, derogatory, or offensive comments;
 - Slanderous or defamatory remarks, obscene language or sexual content;
 - Information that may compromise the safety or security of Township employees;
 - Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, colour, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation.

Should comments that meet any of the criteria above be directed at any Township-managed social media channel via social media, the following steps will be taken:

Step 1: The Township's account will request removal (or remove directly if possible) the offensive comment/post/tweet, advising the offender that they will be blocked if the offensive content is not removed.

Step 2: If the Township's request does not result in the removal of the offensive content, the Township will block the offending user. The Township of Manitouwadge reserves the right to block/ban specific users from the Township's official social media channels whose activities do not comply with the Social Media Policy. For more information, please contact (807) 826-3227 ext: 231.

- All Township Social Media Sites or pages within existing social media services will be required to contain the following terms and conditions / disclaimer:
 - All posts are monitored by municipal staff who may delete any post, message or content. If a submission violates guidelines, or is in any other way inappropriate, the submission will be removed in its entirety from the site.
 - If a user continues to post messages that violate the guidelines, the user may be blocked from using the site. If you believe a submission to any municipal social media site violates the guidelines, please report it immediately to the municipality.

e) Department Content Submissions:

Each department is responsible for submitting completed notices, posters and/or messaging to a Social Media Moderator for posting on Township Social Media Sites.

f) Employee Personal Use of Social Media:

Township employees, including part-time, casual, contract and volunteer firefighters, in their private capacity as citizens, may want to use social media to share information and communicate with friends, family and co-workers. Even though they are using social media for personal purposes, some Township policies apply to the use of social media by employees when they are off-duty including but not limited to the Township's Workplace Violence and Harassment Policy.

Employees who identify themselves as Township employees or who are identifiable as Township employees in their personal social media use should adhere to the following guidelines:

- Always conduct themselves in a manner that conforms to the Township's Code of Conduct, Health and Safety policies and Human Rights policies.
- Township employees are discouraged from discussing Township business through personal social medial accounts, websites, or networks.
- Township employees should make it clear that their position does not officially represent the Township's position. Use phrases such as "in my personal opinion" or "Personally..." to communicate that you are expressing your personal views.
- Township employees must ensure that they do not reveal anyone's personal information gained through their knowledge or work performance.
- Never identify or comment about other Township employees without their express consent. Even positive comments may be inappropriate or unwanted.
- Township employees must not use social media in a manner that would harm the Township's reputation. Such conduct includes slurs, derogatory comments, or insults.
- Township employees are responsible not only for their own social media posts but also any comments made to their social media posts that were reasonably encouraged or welcomed by the employee's post.

Employees are reminded that despite efforts they may take to keep social media posts private, there is a public nature to all social media posts. Furthermore, social media users may be denied an opportunity to delete an ill-advised post completely. Screen shots and cached data can maintain a social media post even after the original post is deleted.

Township employees are encouraged to use caution in their personal social media use. Township employees who violate the terms of this policy with social media use, including personal social media use may be subject to discipline up to and including dismissal for cause.

g) Township Council and Social Media:

- Township Social Media Sites will follow any current Member of Council's social media accounts, which are used to promote municipal and community information. For clarity: strictly personal accounts will not be followed.
- At the start of the nomination period for any municipal election or by-election, all accounts owned by Members of Council will be un-followed, and no further material will be shared on Township Social Media sites.
- Sitting councillors are discouraged from posting or using Township Social Media Sites from the beginning of the nomination period until the election results are made official by the clerk.
- The CAO and/or Social Media Moderators reserve the right to delete posts by sitting councillors on Township Social Media Sites during municipal election campaigns.