

Shepherd, Osyany & King LLP  
Barristers and Solicitors

155 Main Street West  
P.O. Box 760  
Shelburne, Ontario, L0N 1S0  
☎ (519) 925-5331  
Fax: (519) 925-3202

George H. Shepherd (retired 2002)  
Andrew Osyany Professional Corporation - *osyany@sok-law.com*  
Douglas J. King Professional Corporation - *king@sok-law.com*

File No. 20023

March 4, 2010

The Corporation of the Township of Melancthon  
157101 Highway 10  
R.R.#6  
Shelburne, Ontario L0N 1S9

Dear Mesdames & Sirs:

Re: TOWNSHIP OF MELANCTHON 2010 GENERAL MATTERS

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You have asked me whether Council can control the videotaping of public Council meetings.

Videotaping is not mentioned specifically, either in the Municipal Act or in the Procedural By-law. However, videotaping is an intrusive activity, and it is within Council's discretion as to whether or not to permit it. This is in the inherent jurisdiction of Council. I note, in addition, that s. 12 (p) of the Procedural By-law requires the Mayor or Presiding Officer to deal with behaviour that disrupts the order and decorum of the meeting.

Therefore, initially, the Mayor (or Presiding Officer) would make a ruling on the issue, and that ruling is subject to the vote of council, should any councillor challenge it.

In the event that a person does not abide by the ruling, the person can be ejected, with the assistance of law enforcement officers, and until such time as the law enforcement officers appear, the meeting would be adjourned.

Yours very truly,  
SHEPHERD, OSYANY & KING, LLP  
per:

Andrew Osyany

(ext. 233)

AO/ofa