

**By-law 2019-50**

**A By-law of the City of Greater Sudbury  
to Establish Procedures for the  
City of Greater Sudbury**

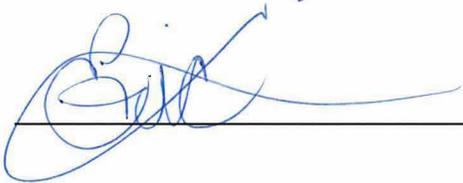
**Whereas** the Council of the City of Greater Sudbury wishes to establish a By-law governing the procedures of Council;

**Now therefore the Council of the City of Greater Sudbury hereby enacts as follows:**

1. The attached Schedule "A", Council Procedure By-law is hereby enacted, and adopted upon passage.
2. Sections 1 to 37 and 47 to 48 and Appendix A of By-law 2011-235, as amended, are hereby repealed.

**Read and Passed in Open Council** this 19th day of March, 2019

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

**PROCEDURE BY-LAW 2019-50**  
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**PART I. DEFINITIONS****ARTICLE 1. TERMS DEFINED**

In this by-law,

“Advisory Panel” means a body established by Council in accordance with Article 32 and composed mainly of stakeholders and citizens, the purpose of which is advisory or consultative in nature, and includes round tables, working groups and any other Council-appointed body, the majority of whose membership consists of individuals who are not Members of Council.

“Chair” means the Mayor or presiding officer at a Council or Committee meeting.

“Civic Petition” means a petition submitted to the Clerk or a Member of Council pursuant to Article 17.

“Clerk” means the Clerk of the City of Greater Sudbury, or that person’s delegate pursuant to section 228 of the *Municipal Act, 2001*.

“Closed meeting” means a meeting, or part of a meeting, that is not open to the public pursuant to section 239 of the *Municipal Act, 2001*.

“Committee” means a group composed only of Members of Council, who are appointed by Council to perform a function, or functions, and does not include a committee otherwise defined by statute.

“Community Delegation” means any citizen or group of citizens who represent a recognized community group or organization and who wish to make a presentation at a meeting to address existing or proposed municipal policies or initiatives.

“Consent Agenda” means those items on a Council or Committee agenda which are of a routine or repetitive nature, or are unlikely to require debate, and may be summarily dealt with in accordance with Article 13.

“Council” means the Council of the City of Greater Sudbury.

“Councillor” means a Member of Council of the City of Greater Sudbury, but does not include the Mayor.

“Deputy Mayor” means a Councillor appointed in accordance with Article 3.

“Friendly Amendment” means a proposal by a Member to make a minor amendment to a motion.

“Local Board” means a body or local authority established by statute or by-law that exercises authority with respect to the affairs or purposes of the Municipality, and is

composed of citizens, or citizens and Members of Council, provided the number of Council Members represents less than half of the Board's membership.

"Managers' Reports" means reports in the administratively accepted format prepared by staff for matters that are not of a routine nature and:

- (a) request direction or a decision of Council or a Committee; or,
- (b) may be for information only where the matter is of a substantive nature and will likely be subject to discussion or questions from the Members.

"Mayor" means the head of Council and Chief Executive Officer of the City of Greater Sudbury.

"Meeting" means any regular, special or other meeting of Council or a Committee where:

- (a) a quorum of members is present; and,
- (b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of Council or a Committee.

"Member" means a Member of Council or a Committee and includes the Mayor, Deputy Mayor, Chair and Vice-Chair, as the case may be.

"Motion" means a question which a Member may bring forward for the consideration of the Members present, and may be:

- (a) procedural ("procedural motion") when it concerns the process, timing, manner or methodology of any matter; or
- (b) substantive ("substantive motion") for all other questions.

"Municipality" means the City of Greater Sudbury.

"Procedure By-law" means this By-law, as amended from time to time.

"Recommendation" means a proposed course of action suggested by a Committee or staff for decision by Council.

"Resolution" means the decision of Council on any motion.

"Vice-Chair" means a duly appointed Member who shall serve as Chair of a meeting where the Chair is absent or otherwise unable or unwilling to preside.

"Workshop" means a gathering of all Members of Council for training and educational purposes.

## PART II. GENERAL PROVISIONS

### ARTICLE 2. GENERAL

#### 2.01 Purpose

The City of Greater Sudbury hereby establishes its Procedure By-law in accordance with the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended. The rules and procedures contained herein shall apply to all meetings of Council and Committees, unless otherwise stated. The rules herein shall also apply to Local Boards with necessary modifications where such Local Board has not adopted its own rules.

#### 2.02 Basic Principles

The basic principles for the application of these rules are:

- (1) take up business one issue at a time;
- (2) promote courtesy, justice, impartiality and equality;
- (3) promote openness and the efficient conduct of meeting processes and,
- (4) while the majority rules, the rights of the individual, minority and absent Members are protected.

#### 2.03 Robert's Rules of Order

For purposes of interpreting this By-law or determining a proper course of action for matters that may arise that are not specifically contemplated by this By-law, the most recent edition of *Robert's Rules of Order* in existence at the time shall be referred to.

#### 2.04 Rules - Temporarily Suspended by Two-Thirds Majority

Any rules established by this By-law, other than a quorum requirement, may be temporarily suspended at, or for, a particular meeting with the consent of two-thirds of Members present and voting, provided that this does not result in a contravention of the *Municipal Act, 2001* or any other statute.

#### 2.05 Rules - Amendments

Any provision contained in this By-law may be repealed, amended, varied, or supplemented, provided that a notice of motion or staff report has been presented at an earlier regular Council meeting. This requirement may not be waived.

#### 2.06 Conflict - Rules of Procedure

In the event of any conflict between the provisions of this By-law and any other by-law of the Municipality concerning rules of procedure, the provisions of this By-law shall apply.

### **2.07 Decision of Clerk Final**

Any decision of the Clerk made pursuant to this By-law shall be considered final, unless overruled by Council or a Committee by majority vote.

### **2.08 French Language Policy**

Members and staff shall ensure that all communications are conducted in accordance with the Municipality's French Language Services Policy, where applicable.

### **2.09 Clerk - Administrative Corrections**

The Clerk is authorized to make corrections for technical, typographical or other administrative errors or omissions to minutes, resolutions and by-laws for the purpose of ensuring that Council and Committee records accurately reflect the proceedings.

## **ARTICLE 3. MAYOR/DEPUTY MAYORS**

### **3.01 Chair - Council Meetings**

The Mayor shall be the Chair of Council meetings.

### **3.02 Ex-Officio - Committees**

The Mayor shall be an ex-officio Member of all Committees and shall be entitled to vote as a Member of such Committees. The Mayor shall only be considered for the determination of the quorum requirements when in attendance at a Committee meeting.

### **3.03 Mayor - Member of Local Board**

Unless otherwise prohibited, when the Mayor is appointed by Council to be a Member of a Local Board, a Deputy Mayor may attend a meeting of the Local Board on the Mayor's behalf.

### **3.04 Appointment - Deputy Mayors**

At the earliest opportunity following a municipal election and at the middle of the term of Council, Council shall appoint two of its Members as Deputy Mayors, who may serve consecutive terms, to hold office for one half of Council's term or until their successors are appointed in accordance with this By-law.

### **3.05 Absence of Mayor**

A Deputy Mayor shall act from time to time in place of the Mayor, while the Mayor is absent or otherwise unable or unwilling to perform the duties of that office, or when the position of Mayor becomes vacant.

### **3.06 Deputy Mayor Schedule**

Deputy Mayors shall exercise such authority alternately by calendar month beginning in January with the Deputy Mayor representing the lowest Ward number.

### **3.07 Selection Consideration**

When appointing Deputy Mayors, Council shall attempt to ensure that at least one Deputy Mayor speaks both official languages.

### **3.08 Mayor and Deputy Mayors Absent - Acting Deputy Mayor Rotation**

Where both Deputy Mayors are unavailable to perform their duties pursuant to Article 3.05 or at a Council meeting where the Mayor and the Deputy Mayors are absent after five (5) minutes from the scheduled commencement time, an Acting Deputy Mayor shall be determined in numerical order by ward and the current calendar month. In other words, if the Council meeting is in the month of March, the Councillor for ward 3 would be Acting Deputy Mayor. Where the Councillor for the current calendar month is unable or unwilling to act then the Acting Deputy Mayor shall be determined by the next ward or wards chronologically.

## **ARTICLE 4. CHAIR AND VICE-CHAIR**

### **4.01 Role of Chair of a Meeting**

Without limitation to any other obligations or responsibilities contained elsewhere in this By-law for the Chair of a Meeting, the Chair's role generally includes the following:

- (1) Review and consultation regarding draft agendas prior to publication;
- (2) Chairing the Meeting in an objective, efficient and orderly manner in accordance with this By-law and applicable legislation;
- (3) Enforcing the rules of decorum;
- (4) Ensuring that time limits for Members or persons speaking at Council or a Committee are followed;
- (5) Ruling on all points of order, questions of privilege and other matters under this By-law requiring a determination by the Chair at a Meeting;
- (6) Ensuring that all Members who wish to speak on a matter have spoken;
- (7) Ensuring that Members have sufficient clarity on a matter prior to a vote being taken;
- (8) Once discussion and debate for a matter is completed, putting the matter to a vote;
- (9) Voting on all matters unless prohibited by the *Municipal Conflict of Interest Act*, as amended; and,
- (10) Calling recesses where appropriate.

#### **4.02 Committees - Appointment of Chair and Vice-Chair**

Committees shall appoint a Chair and Vice-Chair for a 2-year term unless, by resolution, they choose a shorter period of appointment. Chairs and Vice-Chairs may serve consecutive terms.

#### **4.03 Committee Meeting - Acting Chair**

If the Chair and Vice-Chair are not in attendance at a Committee meeting within five (5) minutes after its scheduled commencement time, the Clerk shall call the meeting to order and the Members shall by majority vote appoint an acting Chair from amongst themselves until the Chair or Vice-Chair arrives.

### **ARTICLE 5. MEETINGS - LOGISTICS**

#### **5.01 Inaugural Council Meeting**

The inaugural meeting of Council shall take place at Tom Davies Square at the earliest opportunity at the beginning of the term of Council, on a date and time to be scheduled by the Clerk in consultation with the incoming Mayor.

#### **5.02 Regular Council Meetings - Time, Date, Location**

Wherever possible, the Clerk shall schedule regular meetings of Council to be held on two Tuesdays each month during the months of January to June and September to November, inclusive, beginning at 6:00 p.m. at Tom Davies Square, or at a time and location determined by the Clerk.

#### **5.03 Council Meetings - July, August, December**

During the months of July, August and December in each year, there shall be one regular meeting of Council to be held at a date, time and location determined by the Clerk.

#### **5.04 Committee Meetings**

Committee meetings shall be scheduled in accordance with the City's by-law for Committees of Council and Advisory Panels, subject to the discretion of the Clerk.

#### **5.05 Meetings of Council and Committees - July, August**

During the months of July and August, Council and Committee meetings shall be scheduled during the day and in the same week.

#### **5.06 Meeting on Holiday**

The Clerk shall avoid scheduling regular meetings of Council or Committees on statutory and school holidays and days which involve other significant events.

### **5.07 Meetings during Election Period**

Except for the Planning Committee, and Council meetings scheduled to approve Planning Committee recommendations:

- (1) there shall be no meetings of Committees during the period between Nomination day and Voting day, inclusive, as defined in the *Municipal Elections Act, 1996*. S.O. 1996, c. 32, as amended; and
- (2) there shall be no meetings of Council during the weeks containing advance voting dates and the week of Voting Day, except to deal with any urgent matters that may require Council's attention during that period.

### **5.08 Approval of Schedules**

The Clerk shall provide the upcoming calendar year meeting schedules for Council and Committees for Council's approval.

### **5.09 Special Meeting - Council - Summoned by Mayor**

The Mayor, in consultation with the Clerk, may summon a special meeting of Council to be held at such date, time and location determined by the Mayor.

### **5.10 Special Meeting - Council - Summoned by Majority Petition**

The members of Council may, in consultation with the Clerk, summon a special meeting of Council, by way of petition signed by the majority of the Members of Council and setting out the purpose for the meeting and preferred date, time and location. No Councillor may subsequently remove their name from the petition once it is received by the Clerk.

### **5.11 Special Meeting - Committees - Summoned by Chair**

Committee Chairs, in consultation with the Clerk, may summon a special meeting of their respective Committee to be held at such date, time and location determined by the Chair.

### **5.12 Councillors' Seating Arrangement**

During Council meetings, Councillors' seats shall be arranged numerically according to Ward number, counter-clockwise beginning on the Mayor's right.

### **5.13 Late Arrival - Early Departure - Noted by Clerk**

If a Member arrives at a meeting after the roll has been called, or leaves before the meeting has been adjourned, the Clerk shall note the Member's time of arrival or departure in the minutes.

### **5.14 Staff Attendance**

Staff members shall attend such meetings as required in order to assist and support the Members.

### **5.15 Cancellation of Meetings**

The Clerk, in consultation with the Mayor or applicable Committee Chair, may cancel any meeting prior to its scheduled commencement and shall provide appropriate notice of the cancellation forthwith.

## **ARTICLE 6. NOTICE OF MEETINGS**

### **6.01 Notice - Form - Agenda**

A meeting notice shall be in the form of an agenda, which shall make mention of the date, time and place for the Meeting.

### **6.02 Clerk to Give Notice**

The Clerk shall give notice of each meeting to:

- (1) all Council Members;
- (2) the Chief Administrative Officer and appropriate staff members; and,
- (3) such other persons as the Chair of the meeting in question or the Clerk deems necessary.

### **6.03 Notice - Regular Meeting - Distribution**

Subject to Articles 6.04 and 6.06, the Clerk shall send the meeting notice electronically so as to be received by persons described in Article 6.02 not later than three calendar days immediately prior to the meeting date. The Clerk shall ensure that the agenda is posted to the Municipality's website prior to the meeting. Paper copies of agendas will be provided to Members only upon request and will be delivered to the Members' mailboxes at Tom Davies Square or to Members' homes upon request.

### **6.04 Notice - Special Meeting - Distribution**

In the case of special meetings, the Clerk shall provide at least 24 hours notice to persons described in Article 6.02 except where, due to an emergency situation, such notice is not possible. In circumstances where a meeting of the Council or Emergency Governance Committee is required the Clerk shall attempt to inform each recipient outlined above of the date, time, place and purpose of the meeting by telephone, electronic mail or other means deemed by the Clerk to be expeditious and practical.

**6.05 Notice Not Received - Validity of Meeting**

Failure of any person outlined herein to receive notice of a meeting shall not affect the validity of the meeting, nor any decisions, recommendations, or actions resulting therefrom.

**6.06 Closed Meeting Reports**

Notwithstanding anything in this Article, all closed meeting agendas and reports shall be distributed in a manner that ensures confidentiality.

**PART III. AGENDA****ARTICLE 7. PREPARATION AND FORMAT****7.01 Clerk's Responsibility**

The Clerk shall prepare the agendas of all meetings of Council and Committees in accordance with the provisions contained in this Part, and shall distribute the agendas in accordance with Article 6.

**7.02 Items from Staff - CAO Approval**

The Clerk shall accept items for any agenda from staff in the administratively approved format. With the exception of reports from the Auditor General and the Integrity Commissioner, all staff reports are subject to the approval of the Chief Administrative Officer.

**7.03 Revised Agenda**

Following the delivery of notice as required by Article 6, should changed circumstances warrant a revision to the Agenda, the Clerk may make such revisions as are necessary up until 12 p.m. on the business day prior to the meeting, after which time changes will only be permitted at the meeting in accordance with Article 7.07.

**7.04 Addendum - Permitted after Deadline if Urgent**

An addendum may only be presented when one or more items arise after the deadline for preparation of the agenda and prior to the meeting which are of an urgent nature and require immediate consideration.

**7.05 Addendum - Resolution Required**

Before any addendum may be dealt with during a Meeting a resolution must be passed by a two-thirds majority of the Members present to waive notice provisions and deal with any or all of the items on the addendum.

**7.06 Meeting Agenda Items and Order**

Meeting agendas shall contain the following headings in the order shown below, however, the Clerk, in consultation with the respective Chairs, may exclude any headings deemed not relevant, except declarations of pecuniary interest.

(1) Moment of silent reflection	(10) Managers' reports
(2) Roll call	(11) Referred and deferred items
(3) Declarations of pecuniary interest and the general nature thereof	(12) By-laws
(4) Public hearings	(13) Members' Motions
(5) Community delegations	(14) Correspondence for information only
(6) Matters arising from Closed Council meetings	(15) Addendum
(7) Matters arising from Committees	(16) Civic petitions
(8) Consent agenda: (a) Adoption of minutes; (b) Award of tenders and requests for proposals; and, (c) Routine management reports.	(17) Question Period
(9) Presentations by staff	(18) Continuation of closed meeting (incomplete items)
	(19) Matters arising from continuation of closed meeting
	(20) Adjournment

**7.07 Alteration of Agenda at a Meeting**

Agenda items, including their order, shall not be altered at a meeting, unless otherwise decided by a two-thirds majority vote of the Members present.

**7.08 Items Not Considered - Next Meeting**

Any agenda items not dealt with at a meeting prior to its adjournment shall be placed by the Clerk on a subsequent agenda.

**PART IV. MEETINGS - AGENDA ITEMS ADDRESSED**

**ARTICLE 8. DECLARATIONS OF PECUNIARY INTEREST**

**8.01 Member to Disclose**

Prior to a particular matter being addressed, Members shall declare any pecuniary interests they may have, and the general nature thereof, in connection with that matter pursuant to the *Municipal Conflict of Interest Act*, as amended.

## **8.02 Written Statement and Registry**

At a meeting or as soon as possible afterwards, Members shall file a written statement of the interest and its general nature with the Clerk on the standard form provided to Members for such purpose. The Clerk shall maintain a registry of the written statements filed by Members and the declarations recorded in the minutes of meetings and shall make the registry available for public inspection on the City's website.

## **8.03 Closed Session**

Where a Member declares a pecuniary interest regarding a matter dealt with in closed session the Clerk shall include the declaration but not the general nature thereof in the minutes for the next open session meeting.

## **8.04 Items to be Separated**

Where a Member declares a pecuniary interest regarding a matter that may be combined with other matters such matter shall be separated from the combined motion and voted upon separately.

# **ARTICLE 9. PUBLIC HEARINGS**

## **9.01 Rules - Precedence**

When a hearing is required by statute or by-law, the rules set out in this Article shall apply and shall take precedence over any other provision to the contrary in this By-law.

## **9.02 Announcement by Chair**

The Chair shall commence the hearing by announcing the fact that the matter is a public hearing, describing the particular subject matter and the fact that any person who wishes to speak on the matter shall be allowed to do so.

## **9.03 Order of Speakers**

The order of speakers shall be:

- (1) staff;
- (2) the applicant/appellant; and
- (3) anyone else who wishes to speak on the matter, including Members of Council who are not Members of the Committee hearing the matter.

## **9.04 Time - Limitation**

Speakers will be limited to no more than 10 minutes to address the Members. Where it appears that a significant number of speakers wish to address the Members, the Chair shall encourage speakers to limit their presentations to 5 minutes to provide sufficient opportunity for all persons to be heard.

### **9.05 Limitation on Motions**

Once a hearing has begun, no motion shall be read or voted upon until all persons wishing to address the hearing have had the opportunity to do so, with the exception of reasonable motions to recess and motions to adjourn and defer the hearing to a later date, where it is apparent, due to the significance of the matter and the number of speakers wishing to address the Members, that the hearing cannot be completed during the current Meeting.

### **9.06 Members - Late Arrival - Early Departure**

Should a Member arrive after a public hearing has commenced, or leave before the public hearing is complete, the Clerk shall record this in the minutes and the Member shall take no part in the vote on any recommendation or motion for such public hearing.

### **9.07 Deferral/Continuation**

Where a public hearing is to be deferred and continued at a later date, the Chair shall inform the persons present of the time and place of the continuation. Where the date and time for the continuation is not yet known, notices of the continuation shall be sent to every person who leaves their name and address with the Clerk and those persons who have already provided the Clerk with a written request for such notice.

### **9.08 Conclusion of Hearing - Announcement**

The Chair shall conclude the hearing by announcing that the public hearing portion is complete and that the Members will now discuss and vote on the matter.

### **9.09 Following Announcement - No Further Submissions**

Following this announcement, no further submissions shall be accepted by Members or staff from any applicant/appellant or members of the public, and the matter shall be discussed and voted on by all Members present for the public hearing.

### **9.10 Participation by Non-Members**

With the consent of the Members of the Committee, Councillors that are not Members of a Committee may attend and take part in any discussion or debate regarding matters that involve public hearings at such Committee meetings but shall not be permitted to vote.

### **9.11 Recommendation to Council**

Any ruling resulting from a hearing before a Committee shall be in the form of a recommendation to Council for a final decision.

### **9.12 Record of Proceedings**

The Clerk shall summarize in the minutes all evidence and representations given and all findings of fact made at a public hearing, collect any documentation presented during the hearing, record by ward number the names of all Members present and record their votes on all recommendations.

### **9.13 No Submissions while Discussing Minutes**

While discussing or confirming the recommendations from a public hearing or any resulting by-law, it is not in order for Council to hear from the applicant/appellant or any other person.

### **9.14 Post-Hearing Submissions**

Notwithstanding any other provision of this By-law, where a public hearing is complete, it is not in order:

- (1) for the Clerk to circulate written or oral submissions from the applicant or any other person that were not already presented during the hearing; and
- (2) for a Member to receive or circulate written or oral submissions from the applicant/appellant or any other person that were not already presented during the hearing.

### **9.15 Changed Planning Act Application - Whether Hearing Required**

If Council or the Planning Committee sees fit to consider an application pursuant to the *Planning Act*, as amended, that is materially different from the request originally applied for, Council or the Planning Committee shall first decide whether a further public meeting should be held.

## **ARTICLE 10. COMMUNITY DELEGATIONS**

### **10.01 Municipal Jurisdiction**

With the exception of where a Community Delegation is a visiting dignitary, community delegations may be included on an agenda by the Clerk where the subject matter is of municipal jurisdiction and relates to existing or proposed municipal policies or initiatives.

### **10.02 Public Input already Received**

Community delegations will not be included on an agenda where opportunities for public input have been provided by way of open houses, public hearings, surveys or other forms of civic engagement.

### **10.03 Which Body to Hear Delegation**

Community delegations shall be heard by a Committee or an Advisory Panel, as determined by the Clerk, unless:

- (1) the delegation includes a visiting dignitary;
- (2) the delegation is invited to present at a Council meeting by the Mayor or a Councillor; or
- (3) the subject matter or issue in question is already on Council's agenda or does not align with the mandate for any Committee,

in which case the delegation shall be heard by Council.

### **10.04 All Requests to Clerk - Deadline**

Requests from community delegations shall be sent in writing to the Clerk at least three (3) weeks prior to the requested meeting date and shall describe the proposed subject matter and how the presentation relates to existing or proposed municipal policies or initiatives.

### **10.05 Number of Community Delegations**

The number of community delegations at a meeting shall be limited to two.

### **10.06 Determination of the Clerk**

On receipt of a community delegation's request, the Clerk shall decide whether the request is an appropriate item to be added to an agenda, and:

- (1) if it is, include it as an item on the agenda for the appropriate meeting, along with a copy of the request, and advise the delegation of the scheduled time and date for their presentation;
- (2) if it is not, so advise the delegation and, at the Clerk's discretion, provide Councillors with the community delegation's supporting documentation for their information; or
- (3) refer the request to staff for appropriate action.

### **10.07 Finance and Administration Committee - Budget Impact**

Requests from community delegations that have a budget impact not included in the current year's budget shall be referred to Members of Council who may request by Motion that a business case for funding be prepared by staff for the following year's budget process.

### **10.08 Community Delegations - Procedure**

The following procedure shall apply to community delegations:

- (1) The Chair will call the community delegation to the podium.
- (2) Community delegations may have up to three representatives at the podium and shall have a maximum of ten minutes for their presentation subject to being provided with an additional five minutes by consensus of a majority of Council or the Committee.
- (3) The Chair shall advise the community delegation when there is one minute remaining and, once the initial or additional time has expired, the Chair shall inform the community delegation, following which the presentation shall immediately be concluded subject to any questions by Members.

### **10.09 Request by Community Delegation Immediately Prior to Meeting**

Prior to the commencement of a meeting, a community delegation may make a request to the Clerk to appear as a delegation respecting an item on the agenda. If, with the exception Article 10.04, the request otherwise complies with the requirements for a community delegation in this Article 10 the Chair shall ask the Members who may agree to hear the community delegation by a two-thirds majority vote.

### **10.10 Limit on Appearance of Community Delegations**

Once a community delegation has been heard by Council or a Committee, subsequent presentations by the same delegation on the same or substantially the same matter shall not be permitted within the same term of Council.

## **ARTICLE 11. CLOSED MEETINGS**

### **11.01 When Closed Meetings Authorized**

At any point during a meeting, Council or a Committee may close a meeting or part of a meeting to the public in accordance with s. 239 of the *Municipal Act, 2001*, as amended, provided that the resolution states the intention to close the meeting, the grounds for closing the meeting and the general nature of the matters to be considered.

### **11.02 Scheduling**

Unless otherwise determined by the Clerk, closed meetings shall be scheduled immediately prior to the regular or special meeting of Council or a Committee and shall recess at least ten minutes prior to the time scheduled for the commencement of the regular or special meeting.

### **11.03 Incomplete Items**

Any matters not completed at the recess of the closed meeting shall be continued at the conclusion of the open meeting, or placed on the next closed meeting agenda.

**11.04 Chair**

Closed meetings shall be chaired by:

- (1) the Deputy Mayor for Council meetings; and
- (2) the Vice-Chair for Committee meetings.

**11.05 Discussion and Debate Limited**

During a closed meeting only those items set out in the resolution required by s. 239(4) of the *Municipal Act, 2001* may be discussed.

**11.06 Speakers Not Limited**

The number of times a Member may speak on any question shall not be limited at a closed meeting, provided that no Member shall speak more than once until every other Member who wishes to do so has spoken.

**11.07 Motion for Adjournment Not Permitted**

A motion for adjournment shall not be permitted at a closed meeting.

**11.08 Voting**

Voting shall take place in open session, however Council may vote during a closed meeting pursuant to subsection 239(6) of the *Municipal Act, 2001* if:

- (1) the meeting was permitted or required by the *Municipal Act, 2001*; and
- (2) the vote relates to:
  - (a) a procedural matter; or
  - (b) directions or instructions to officers, employees, agents or persons retained by the Municipality.

**11.09 Resolution Required**

All votes under s. 239(6) of the *Municipal Act, 2001* shall be taken in accordance with the voting process set out in this By-law, as applicable, including the requirement of a mover and seconder and a written resolution.

**11.10 Completion - Reconvene Open Meeting - Report**

Upon completion of the closed meeting:

- (1) the Members shall immediately reconvene in open session;
- (2) the Chair of the closed meeting shall report the results thereof; and
- (3) if applicable, the Members shall vote on any resolutions emanating from the closed meeting.

### **11.11 Disclosure**

No Member, officer, employee or agent shall disclose the content or deliberations of a closed meeting, unless:

- (1) expressly authorized to do so by a majority vote of the Members;
- (2) such disclosure is required to execute the specific direction(s) provided in the closed meeting, and then only to the extent that is necessary in the circumstances; or
- (3) as required by law.

### **11.12 Electronic Devices**

All electronic devices shall be turned off during closed meetings with the exception of devices used by Members and staff to access electronic agendas or presentations for such meetings and for no other purpose.

## **ARTICLE 12. REPORTING BY COMMITTEE CHAIRS**

### **12.01 General**

A resolution shall be prepared to accept the recommendations from each Committee meeting.

### **12.02 Recommendations of Committees**

As part of the Council meeting agenda, each Committee Chair or designate will rise and provide a brief outline of the recommendation(s) being proposed to Council by their respective Committees, allowing for debate, following which the recommendation(s) will be voted on with one resolution. Members may pull any recommendation for separate vote.

### **12.03 Recommendations of Committees Conducting Hearings**

If the recommendations are from the Planning Committee, the Hearing Committee, or from any Committee that has conducted a hearing that is subject to the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S.22, as amended, and Council decides not to approve the recommendation(s), Council shall direct what course of action is to be taken and provide reasons in support thereof.

### **12.04 Items Lost on Tie Vote**

Items that are lost on a tie vote at Committees are to be reported to Council with no recommendation in order to allow Council the opportunity to discuss the matter and make a decision.

**ARTICLE 13. CONSENT AGENDA****13.01 Introduction by Motion**

The Clerk shall prepare one motion to approve all of the items contained in the consent agenda except where a Member has declared a pecuniary interest in which case any such matter shall be introduced and voted upon separately. Prior to voting, Members shall be given the opportunity to ask questions regarding any matter on the consent agenda.

**13.02 Member Wishing to Debate and Pull for Separate Vote**

Any Member who wishes to debate and have a separate vote on any item(s) set forth in the consent agenda motion shall so advise the Chair, following which:

- (1) the item(s) shall be separated from the consent agenda motion;
- (2) the main consent agenda motion shall be voted on;
- (3) amendments to the separated item(s) may be proposed during the course of the debate; and,
- (4) each separated item shall be voted on individually.

**13.03 Adoption of Minutes - Council and Committees**

Minutes of Council and Committee meetings shall be prepared by the Clerk and adopted by Council for the sole purpose of confirming the administrative proceedings at such meetings. The correction of errors or omissions may be made by Council without debate.

**ARTICLE 14. PRESENTATIONS BY STAFF****14.01 Request to Clerk**

Staff members may request that the Clerk schedule a staff presentation on an agenda. Where there is a Manager's Report associated with the presentation, the report will be addressed concurrently with the presentation.

**14.02 Time Limit**

Subject to being provided with additional presentation time by Council or Committee for matters that involve significant or complex policies, projects or initiatives, staff presentations shall be limited to a maximum of ten minutes.

**ARTICLE 15. BY-LAWS****15.01 Details**

By-laws presented to Council shall include the following details:

- (1) the by-law's title and number;
- (2) the number of required readings if more than one is mandated by statute; and
- (3) except for by-laws confirming the proceedings of Council, the authority under which the by-law is being proposed or a descriptive annotation setting out the by-law's purpose.

### **15.02 Introduction by Motion**

One motion shall be introduced to pass all of the by-laws without amendment or debate.

### **15.03 Invitation to Debate**

The Chair shall then invite debate on any by-law(s) set forth in the motion to pass all of the by-laws and any Member wishing to debate one or more of the by-laws shall advise the Chair accordingly, following which the by-law(s) shall be separated from the motion. The motion will be voted upon followed by debate and voting on the separated by-law(s).

## **ARTICLE 16. MEMBERS' MOTIONS**

### **16.01 Notice of Motion - Submitted Prior to Meeting**

A Member's motion shall only be considered at a meeting where notice has been provided. Notice of a Member's motion shall be provided by submitting the notice of motion in writing to the Clerk by no later than 12 p.m. on the Monday two (2) weeks prior to the designated meeting whereupon it shall be included on the agenda.

### **16.02 Notice of Motion - During Meeting Without Notice**

A Member's motion may be submitted to the Clerk during a meeting without notice, in which case:

- (1) during the "Members' Motions" portion of the meeting, once the motions for which notice has been provided have been considered, the Chair shall have any other Members' motions read; and
- (2) the Member's motion shall be recorded in the minutes and placed on the agenda for the next regular meeting.

### **16.03 Motion without Notice**

In circumstances of an urgent nature, a Member may request that a Member's motion for which notice has not been provided be considered immediately if a vote dispensing with notice is supported by a two-thirds majority of Members present.

## **16.04 Withdrawal**

A Members' Motion shall be withdrawn if it appears on two successive agendas without being dealt with, unless the Members decide by majority vote to place it on a subsequent agenda.

## **ARTICLE 17. CIVIC PETITIONS**

### **17.01 Submission to Member**

Citizens of the Municipality may submit civic petitions to a Member of Council, which may be introduced during the "Civic Petitions" portion of the agenda.

### **17.02 Required Elements**

The civic petition must be in writing and:

- (1) be signed by at least two residents of the municipality;
- (2) set out the residential address of each petitioner;
- (3) indicate the name of one contact person and contact information for staff follow-up; and,
- (4) state the purpose of the petition which purpose shall be within the jurisdiction of the Municipality.

### **17.03 Reference to Staff**

Unless otherwise directed by City Council, civic petitions received under this Article will be provided to the Executive Leadership Team members for their review and consideration.

## **ARTICLE 18. QUESTION PERIOD**

### **18.01 Questions - New and Relevant Matters**

Members may direct up to two questions each to staff regarding matters that are of municipal jurisdiction of an immediate nature not previously dealt with during the meeting.

### **18.02 Answers - Immediate or Deferred**

When asked a question during question period staff shall:

- (1) answer immediately; or
- (2) indicate how the answer will be provided to the Member or Members.

### **18.03 Information Requests to Staff**

Any request for information or reports made by a Member that, in the opinion of staff, will require more than two hours of staff time must receive the consent of the majority of Members present.

### **18.04 Questions and Answers Not Recorded**

Questions and answers shall not be recorded in the minutes.

## **ARTICLE 19. MOTIONS**

### **19.01 Substantive Motions - General Rules**

The following rules apply to substantive motions:

- (1) In order to be heard, a motion must be signed by a mover and a seconder.
- (2) Following the introduction of the motion by the Chair, the mover and seconder may speak on the motion, in that order, prior to all other Members.
- (3) The mover and seconder must both be present at the time a vote is taken.

### **19.02 Motion - Waive Reading**

The Members may waive the reading of all or part of the motion by consent of the majority of Members present.

### **19.03 Mover and Seconder Need Not Support Motion**

A Member who moves or seconds a motion may vote in favour or against that motion.

### **19.04 Motions - Friendly Amendments**

After a motion has been read, a Member may propose a friendly amendment, following which the mover may:

- (1) accept the friendly amendment, in which case the motion shall be read incorporating the amendment; or,
- (2) reject the friendly amendment, in which case it may be presented as an amendment.

### **19.05 Motion that Vote be Taken**

A motion that a vote be taken may be made after each Member has had an opportunity to speak at least once on the motion being debated, following which:

- (1) the motion shall be put to a vote without debate; and

- (2) if carried by a majority of Members present, the substantive motion and any related amendments shall immediately be put to a vote without further debate.

### **19.06 Motion - Withdrawal**

A motion may be withdrawn by the Member moving it before it is read by the Clerk; however, after the motion has been read by the Clerk a motion may only be withdrawn by a majority vote of the Members present.

### **19.07 No Motions during Debate - Exceptions**

When a motion is under debate, no further motion shall be entertained other than a motion:

- (1) to refer;
- (2) to defer;
- (3) to withdraw the motion;
- (4) to amend;
- (5) that a vote be taken;
- (6) to extend the meeting time; or
- (7) to adjourn.

### **19.08 Motion to Refer or Defer - Precedence**

A motion to refer or defer shall take precedence over any motion or amendment, except a motion to extend the meeting time or a motion to adjourn.

### **19.09 Motion to Refer**

A motion to refer shall specify the body to which it would be referred and shall only be debatable as to the advisability of the referral to such other body.

### **19.10 Motion to Defer**

A motion to defer must give a reason for the deferral and specify a time certain or the occurrence of an event when the matter must be returned to an agenda otherwise it will be included on the next regular agenda. A motion to defer shall only be debatable as to the advisability of the postponement of the matter being considered.

### **19.11 Motion to Adjourn**

A motion to adjourn is not debatable and may be made at any time during a meeting except:

- (1) when another Member has the floor;

- (2) when a vote has been called; or
- (3) during the taking of a vote.

### **19.12 Subsequent Motions to Adjourn**

If a motion to adjourn is defeated, another motion to adjourn shall not be made until after an intermediate proceeding has been completed.

### **19.13 Amendments to Motions**

The following rules apply to amendments to motions:

- (1) An amendment to a motion or to an amendment must be similar in nature to the subject matter being addressed, with sufficient variance to constitute a different question, and cannot be a mere rejection of the motion.
- (2) For amendments to motions:
  - (a) only one amendment at a time can be presented to a motion;
  - (b) once an amendment to a motion has been voted on, another amendment to the motion may be introduced; and
  - (c) an amendment to a motion cannot be withdrawn until any amendment to the amendment has been withdrawn or defeated.
- (3) For amendments to amendments:
  - (a) only one amendment may be presented to an amendment; and
  - (b) once an amendment to an amendment has been voted on, another amendment to the amendment may be introduced.
- (4) The order of voting shall be:
  - (a) an amendment to an amendment; then
  - (b) an amendment to a motion; then
  - (c) the motion, as amended.

### **19.14 Procedural Motions**

The following procedural motions do not require a seconder and may be brought orally during a meeting:

- (1) to defer;
- (2) to refer;
- (3) to adjourn;
- (4) to withdraw a motion;
- (5) to extend the time limit for a Community Delegation or staff presentation;

- (6) to recess a meeting;
- (7) to report from a closed meeting;
- (8) to take a vote;
- (9) to make changes to the agenda pursuant to Article 7.07;
- (10) to overrule a decision of the Clerk; and
- (11) any other motion that is of a procedural nature.

## PART V. MEETING RULES

### ARTICLE 20. QUORUM

#### **20.01 Majority Necessary**

The quorum required to commence and continue a Meeting shall be a majority of its Members.

#### **20.02 No Quorum - Automatic Adjournment - Fifteen Minutes**

If a quorum is not present within 15 minutes of the Meeting's scheduled commencement:

- (1) the Meeting shall stand adjourned until the next regular Meeting or until a special Meeting is called to deal with matters on the Meeting's agenda; and
- (2) the Clerk shall record the names of the Members present at the expiration of the 15 minute time limit and append this record to the agenda for the next Meeting.

#### **20.03 Alternate Members for Committee Quorum**

If a Committee quorum is not possible because of the absence of one or more of its Members, the following procedure shall apply:

- (1) With the exception of the Mayor, any Member present at the meeting who is not a Member of the Committee may, with their consent entered in the minutes, become an alternate Member of the Committee and will be counted to determine quorum.
- (2) If more than one Member is present, priority for selection will be determined in accordance with the rotation schedule for Acting Deputy Mayor as outlined in Article 3.08, beginning with the current month's Acting Deputy Mayor.
- (3) This process shall continue until sufficient alternate Members are appointed to achieve a quorum.

- (4) In the event that an absent Committee Member arrives after an alternate Member has been appointed, the alternate Member shall cease to be part of the Committee except where a public hearing is in progress in which case the alternate Member shall remain until such matter has been voted upon.

#### **20.04 Quorum - Meeting Called to Order**

Subject to Article 20.02, the Chair shall call the meeting to order as soon as a quorum is established following the meeting's scheduled start time.

#### **20.05 Loss of Quorum**

If at any time during the meeting a quorum is lost, the meeting shall automatically be recessed until a quorum is re-established unless:

- (1) the Chair first declares the meeting adjourned; or
- (2) the loss of a quorum continues for 15 minutes,

in which case the meeting shall stand adjourned either until the next regular meeting or until a special meeting is called to deal with the matters remaining from the adjourned meeting.

#### **20.06 Where Declarations of Conflict Affect Quorum**

Where the number of members who, by reason of the provisions of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended, are prevented from participating in a meeting is such that at that meeting the remaining members are not of sufficient number to constitute a quorum, then:

- (1) provided such number is not less than two, the remaining number of members shall be deemed to constitute a quorum; or
- (2) if such number is less than two, the process described in the *Municipal Conflict of Interest Act* shall apply.

### **ARTICLE 21. ADJOURNMENT**

#### **21.01 Automatic Adjournment**

Subject to Article 21.03, all meetings shall automatically adjourn three hours after commencement if still in session, unless otherwise decided by a two-thirds majority of the Members present.

#### **21.02 Continuation - Automatic Adjournment Hourly**

Where, by Article 21.01, a meeting is authorized to continue past three hours, the meeting shall be automatically adjourned one hour later, unless the meeting is

authorized to continue for further one-hour periods, with each period requiring the unanimous consent of all Members present.

### **21.03 Exception - Planning Committee**

Despite Articles 21.01 and 21.02, the Planning Committee shall adjourn automatically after 4.5 hours unless the meeting is authorized to continue for one hour periods, with each period requiring the unanimous consent of all Members present.

### **21.04 Matters to be Addressed before Adjournment Effective**

At a Meeting of Council, where a meeting has adjourned automatically or by a motion by any Member, prior to the adjournment being effective, the Members shall consider the By-laws and a resolution to deal with any Addendum on the agenda, if such items have not already been addressed.

## **ARTICLE 22. RULES OF DEBATE**

### **22.01 Chair - Speaking Before Debate**

The Chair may state relevant facts and their position on any matter before the commencement of debate.

### **22.02 Chair - Speaking at Conclusion of Debate**

Without entering into further debate, the Chair may speak to close the debate on any matter after all Members wishing to speak have done so.

### **22.03 Chair - Participation in Debate**

If the Chair wishes to participate in the debate, the Chair must leave the chair and call on the Deputy Mayor, Acting Deputy Mayor, Vice-Chair, or Acting Vice-Chair, as the case may be, to act in the Chair's place until the debate is closed. In such a case, the Chair waives the privilege to close the debate and the Member acting in the Chair's place may do so.

### **22.04 Recognition by Chair - Acknowledgement of Speaker**

No person shall address a meeting without first being recognized by the Chair, following which all remarks shall be respectfully made through the Chair.

### **22.05 Opportunity to Speak - Members of Council**

At Council meetings, a Member shall not speak more than once on a matter without the majority consent of the other Members, except:

- (1) in response to a question by another Member;

- (2) to explain comments which the Member believes have been misunderstood; or
- (3) in the case of the mover of a motion, in reply immediately prior to the Chair closing debate and after everyone else has spoken, however the right of reply does not apply to:
  - (a) movers of amendments; or
  - (b) the mover of the main motion if that Member has proposed an amendment.

## **22.06 Speaking Time**

No Member shall speak or reply to a matter for longer than 10 minutes without majority consent.

## **ARTICLE 23. DECORUM**

### **23.01 General**

The following Rules of Decorum shall apply to Meetings, as indicated:

- (1) No person shall:
  - (a) speak disrespectfully of any other person or office;
  - (b) use offensive words or unparliamentary language;
  - (c) address remarks to anyone but the Chair;
  - (d) interrupt a person who has the floor;
  - (e) engage in disruptive or distracting behaviour in such manner as to interrupt the proceedings;
  - (f) come onto the Council floor or within the enclosure formed by the Member's Council tables during meetings, without permission from the Chair;
  - (g) display signs, placards or props; or
  - (h) disobey the rules set out in this By-law or rulings made by the Chair.
- (2) In addition to the above, no Member shall:
  - (a) speak on any subject other than the subject in debate;
  - (b) interrupt a person who has the floor, except to raise a point of order or information, or a question of privilege;
  - (c) leave their seat while a vote is being taken until the results are declared; or
  - (d) enter a meeting while a vote is being taken.

**23.02 Consequence of Breach of Conduct - General**

Any person, except a Member, found to be in contravention of these rules of conduct is subject to exclusion from participation in, or expulsion from, the meeting by the Chair.

**23.03 Consequence of Breach of Conduct - Members**

In the event that a Member persists in a breach of the rules of conduct after having been called to order by the Chair:

- (1) the Chair shall request a vote without debate as to whether that Member should be ordered to leave the meeting; and
- (2) if a majority of Members decides the question in the affirmative, the Member in question shall immediately comply.

**23.04 Refusal to Comply**

Where a person found to be in breach of conduct refuses to comply with such a ruling, the Chair may adjourn the meeting without motion until such time as that Member has left the meeting.

**23.05 Apology**

If the Member in breach of conduct apologizes to the Members, they may be permitted to retake their seat if the Members agree by majority vote.

**23.06 Communication with Media**

To convey information relating to decisions and recommendations of Council or a Committee in open session, the Mayor or the Chair, as applicable, may communicate with the media in consultation with staff.

**ARTICLE 24. POINTS OF INFORMATION****24.01 Questions or Clarification - Previous Speaker or Staff**

A Member may, through the Chair, rise on a point of information to:

- (1) ask a previous speaker questions or seek clarification regarding that speaker's remarks; and
- (2) ask questions of staff during debate of any agenda item.

**ARTICLE 25. POINTS OF ORDER****25.01 Violation of Rules of Procedure**

A Member may, through the Chair, rise on a point of order where they believe that a violation of the rules of procedure has occurred.

**25.02 Member Speaking to Yield the Floor**

When a point of order is acknowledged by the Chair, any Member speaking at the time shall cease doing so until the point has been dealt with.

**25.03 Brief Explanation - Ruling**

The Member raising a point of order shall provide concise reasons for rising, following which the Chair shall issue a ruling.

**25.04 Appeal of Ruling**

The Chair's ruling shall be final, unless immediately appealed as follows:

- (1) the Member appealing shall state the reasons for the appeal;
- (2) the Chair may offer reasons in favour of upholding the ruling; and
- (3) the Members shall vote on the appeal without debate.

**25.05 Results of Appeal**

If the appeal is:

- (1) upheld, the Chair shall change the ruling accordingly; or
- (2) rejected, the ruling shall stand and no further avenues of appeal are allowed.

**25.06 Proceedings Resumed**

Once the appeal has been dealt with the proceedings shall resume, subject to any changes resulting from the Chair's ruling or results of the appeal.

**ARTICLE 26. QUESTIONS OF PRIVILEGE****26.01 Rights, Privileges or Integrity Brought Into Question**

A Member may, through the Chair, rise on a question of privilege where they believe that the rights, privileges, or integrity of any person or office have been brought into question.

**26.02 Member Speaking to Yield the Floor**

When a question of privilege is acknowledged by the Chair, any Member speaking at the time shall cease doing so until the question has been dealt with.

**ARTICLE 27. PUBLIC INPUT MEETINGS****27.01 Purpose**

The Clerk, as directed by Council or a Committee, may schedule a meeting for the purpose of receiving public comments on any matter and, if less than a quorum is present, no resolutions may be enacted at the meeting except for a motion appointing a Chair, if required, and a motion to adjourn.

**27.02 Procedure**

Where Council has directed that a Public Input Meeting be held by Council or by a Committee, the following rules shall apply:

- (1) Prior to receiving public comment, the Chair shall briefly state the purpose of the public input meeting.
- (2) Staff will make any presentations as outlined in the agenda.
- (3) The Chair may allow a maximum of five minutes to each speaker, in order to allow as many persons as possible an opportunity to speak, provided however that members of a recognized group or community organization may only present one speaker.
- (4) When called to the podium, each speaker shall state their full name and comment on the matter in question.
- (5) Each speaker shall address all remarks to the Chair.
- (6) Speakers shall be heard in the following order:
  - (a) those persons who have contacted the Clerk's Office prior to the close of the agenda to have their names placed on the speaker's list in the order that the names are received;
  - (b) those persons who have added their names to the speaker's list following the close of the agenda and prior to the start of the Public Input Meeting; and
  - (c) any person in the public gallery who has indicated their desire to address the Members through the Chair.
- (7) Upon the completion of a speaker's comments, a Member may ask the speaker a question for the purpose of clarification or for obtaining additional relevant information only.
- (8) No Member shall enter into debate with a speaker respecting their comments.

**ARTICLE 28. WORKSHOP****28.01 Provision of Notice**

Notice, in accordance with Article 6, of the date, time and location for a Workshop shall be provided by way of an agenda.

**28.02 Content Limited**

Agenda content for a Workshop shall be limited to the educational content referenced and shall not include any other matters that materially advance the business or decision-making of Council or a Committee.

**28.03 Resolutions Limited**

No resolutions shall be considered and voted upon in a Workshop with the exception of a resolution to appoint a Chair or a resolution to adjourn or recess.

**28.04 Quorum not Required**

Quorum of Council is not required for the workshop to proceed.

**PART VI. VOTING****ARTICLE 29. GENERAL****29.01 Voting Commenced - Discussions and Motions Prohibited**

Once a vote is duly called for by the Chair, no Member shall speak to the matter in question or present any motion until the vote has been taken and the result announced by the Clerk.

**29.02 Agenda Items with Options**

Where a report on an agenda contains options for Council or a Committee's consideration, unless Council decides otherwise by a two-thirds majority vote, such options shall be voted on as motions in the order in which they are presented in the report until one option is carried or until all options have been defeated or lost.

**29.03 All Members to Vote - Exception**

Regardless of the method of voting:

- (1) every Member present at a meeting, including the Chair, shall vote on the issue at hand unless prohibited by statute or this By-law; and
- (2) if any Member present refuses to vote or fails to vote, the Member shall be deemed to vote against the question unless prohibited by statute or this By-law.

**29.04 Method - Show of Hands**

Except where a recorded vote is requested pursuant to Articles 29.05 or 29.06, voting shall be by a show of hands in favour or against, following which:

- (1) the Chair shall announce the result; and
- (2) the Clerk shall record only the result, and not whether Members voted for or against the question.

**29.05 Method - Recorded Vote**

Any Member may request a recorded vote immediately before or after the taking of a vote, following which:

- (1) the Clerk shall call on Members by name according to ward number, starting with ward 1, and thereafter the starting point for the taking of subsequent recorded votes will move to the next Member in ward order, provided however, that the vote will always end with the Chair;
- (2) each Member present who is not disqualified from voting by statute or this By-law shall announce their vote openly, in the order set out above; and
- (3) the Clerk shall announce and record the result of the vote, and record how each Member voted.

**29.06 Method - Simultaneous Recorded Vote**

Any Member may request a simultaneous recorded vote before the taking of a vote, following which:

- (1) each Member present, unless otherwise prohibited by statute or this By-law, shall on a sheet of paper provided by the Clerk, simultaneously mark in favour of or against the question and sign their respective names; and
- (2) the Clerk shall:
  - (a) collect the sheets of paper;
  - (b) announce the name and vote of each Member and the vote result; and
  - (c) record the result, including how each Member voted.

**29.07 Appointments to Committees, Boards, Advisory Panels or Groups**

Where the number of applicants for appointment to any Committee, Board, Advisory Panel or Group exceeds the number of positions available, unless Council directs otherwise, a simultaneous recorded vote shall be used with the following procedure for as many voting rounds as necessary:

- (1) Each Member may cast a vote for each position available and the Clerk shall read each ballot aloud and record each individual vote.

- (2) Applicants receiving a majority vote of Members present shall be recommended for appointment.
- (3) Applicants receiving no votes and the least amount of votes shall be excluded from further consideration unless this would result in insufficient applicants to fill the positions available.
- (4) If two or more applicants are tied with the least number of votes and their exclusion would result in insufficient applicants to fill the positions available the Committee shall decide by majority vote which of the tied applicants shall remain eligible for further consideration.
- (5) If it becomes apparent by reason of an equality of votes that no applicant can achieve sufficient votes to become a recommended applicant, then the Clerk shall make the selection by lot.

**29.08 Majority Vote is Default**

A matter is passed when a majority of Members present vote in favour of it and a reference in this by-law to a vote shall be by way of majority unless otherwise stated.

**29.09 Voting Calculation**

The following represents the required number of votes for a majority or a two-thirds majority:

<b>Members Present &amp; Voting</b>	<b>Majority</b>	<b>Two-thirds Majority</b>
13	7	9
12	7	8
11	6	8
10	6	7
9	5	6
8	5	6
7	4	5
6	4	4
5	3	4
4	3	3
3	2	2

**29.10 Tie Vote - Deemed Lost**

In the event of a tie vote, the motion shall be deemed to be lost, except where otherwise provided by statute.

**29.11 Result of Vote - How Recorded**

The Clerk shall record the result of votes as follows:

- (1) if passed, "Carried";
- (2) if not passed, "Defeated"; or
- (3) if tied, "Motion Lost".

**29.12 Distinct Propositions - Request for Separate Vote**

When the motion under consideration contains distinct propositions, a Member may require that each proposition be voted on separately, provided the Members agree.

**29.13 Member Not at Council Table**

A Member who is not at the Council table when the Chair calls for a vote shall not be entitled to vote.

**ARTICLE 30. MOTION TO RECONSIDER****30.01 Where Required**

A motion for reconsideration under this Article shall be required where a Member wishes to change the core purpose or intent of a decision of the current Council.

**30.02 Reconsider at Same Meeting**

A Member who voted on the prevailing side of a decision may bring a motion to reconsider at the same meeting at which the question to be reconsidered was dealt with and shall require the support of a majority of the Members present.

**30.03 Reconsider at Subsequent Meeting**

A Member who voted on the prevailing side of a decision may bring a motion to reconsider at a meeting subsequent to that at which the question to be reconsidered was dealt with and shall require the support of two-thirds of the Members present in order for the motion to be carried.

**30.04 Debate on Motion for Reconsideration**

Debate on a motion to reconsider shall be confined to reasons for or against reconsideration.

**30.05 Affirmative Vote - Next Order of Business - Exception**

If a motion to reconsider is carried, the decision to be reconsidered shall become the next order of business, unless the motion calls for a future definite date for the reconsideration.

**30.06 Debate on Question Being Reconsidered**

Debate on the question being reconsidered shall proceed as though it had not been previously voted on.

**30.07 Limited to Two Reconsiderations**

During a term of Council, a maximum of two motions to reconsider a Council decision shall be permitted after which the Council decision shall not be reconsidered for the remainder of the Council term.

**30.08 No Delay of Action**

A notice of motion to reconsider any Council decision shall not operate to stop or delay any action in furtherance of that decision, unless Council so directs by a two-thirds majority vote.

**30.09 Reconsideration of Council Decision by Committee**

A Committee may reconsider any recommendation made by it however, once Council has ratified such recommendation or decided a motion, a Committee may not seek to reconsider the same issue, nor consider any other issue which could create a result inconsistent with Council's decision, unless a motion to reconsider is approved by Council herein.

**PART VII. COMMITTEES - ADVISORY PANELS****ARTICLE 31. COMMITTEES OF COUNCIL****31.01 Committees - List**

The Committees of Council are:

- (1) Audit Committee;
- (2) Community Services Committee;
- (3) Emergency Governance Committee;
- (4) Emergency Services Committee;
- (5) Finance and Administration Committee;
- (6) Hearing Committee;
- (7) Nominating Committee;
- (8) Operations Committee; and
- (9) Planning Committee.

**31.02 Committee Mandates and Composition**

The mandate, primary objectives and composition for each Committee described in Article 31.01 and any other Committees established from time to time shall be as described in the City's by-law for Committees of Council and Advisory Panels, as amended from time to time.

**31.03 Ad Hoc Committees - Motion to Establish**

Where the subject matter does not clearly relate to the mandate or scope of an existing Committee, Council may by by-law establish Ad Hoc Committees from time to time in order to consider specific matters.

**31.04 Motion Requirements**

A motion to establish an Ad Hoc Committee shall include the name, membership, purpose, objectives and the term for the Committee provided that the term shall not exceed the term of Council.

**31.05 Meeting Location**

All Committee meetings shall be held at Tom Davies Square, unless otherwise indicated by the Clerk.

**31.06 Authority**

All Committees shall have the full authority to exercise or perform any power or duty delegated under this or any other by-law.

**31.07 Committee Decisions not Binding on Council**

No decision of any Committee shall be binding on Council and, with the exception of the Emergency Governance Committee, no action shall be taken from that decision, unless Council adopts the Committee's recommendations.

**31.08 Committee Appointments**

Council shall appoint Members to Committees and Boards, as required, at the first regular meeting of a new Council.

**31.09 Participation by Non-Members**

Subject to Article 9.10, Councillors that are not Members of a Committee may attend and take part in any discussion or debate at such Committee meetings but shall not be permitted to vote.

### **31.10 Committee and Board Appointments - Term**

Unless otherwise indicated by Council or this By-law, the appointment of a Council Member to a Committee or Board shall coincide with the term of Council.

## **ARTICLE 32. ADVISORY PANELS**

### **32.01 Motion to Establish**

Council may by by-law establish Advisory Panels from time to time in order to consider specific matters.

### **32.02 Motion Requirements**

A motion to establish an Advisory Panel shall include the name, membership, purpose, objectives and the term for the Committee provided that the term shall not exceed the term of Council.

### **32.03 Composition**

Advisory Panels shall be composed of stakeholders and citizens recruited in a public and transparent manner and recommended to Council by the Nominating Committee. Members of Council may be included, provided they do not represent a majority of the Panel's Members.

### **32.04 Appointment of Chair**

Advisory Panels shall, at their first meeting, appoint from among their Members a Chair.

### **32.05 Filling Vacancies**

In the event that a position on an Advisory Panel becomes vacant and the number of remaining Panel Members falls below the number required in the establishing motion the Clerk shall proceed to fill the vacancy.

### **32.06 Filling Vacancy - Method**

In order to fill a mid-term vacancy on an Advisory Panel, the following process shall be followed:

- (1) Where the number of applications received during the initial application process exceeded the required minimum number of positions, the Clerk shall present the applications that were not previously selected to the Nominating Committee for consideration.
- (2) Where there are insufficient applications for consideration, the opportunity shall be advertised and applications that are received will be presented to the Nominating Committee for consideration.

**32.07 Role**

Advisory Panels shall provide advice, information and expertise to the Municipality through a designated Executive Leadership Team staff member, who shall then report this advice to Council, as appropriate.

**32.08 Conduct of Meetings**

Meetings of Advisory Panels are informal, do not require agendas or minutes and are not required to follow the rules of procedure set out herein, except for the rules of conduct and decorum. Public notice of Advisory Panel meetings is not required.