

# THE REGIONAL MUNICIPALITY OF HALTON

## PROCEDURE BY-LAW NO. 30-25

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# THE REGIONAL MUNICIPALITY OF HALTON

## BY-LAW NO. 30-25

A by-law to govern the calling, place and proceedings of Council and its committees and the conduct of its Members and to repeal By-law No. 90-19, as amended.

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WHEREAS s. 238(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, (the “Act”) requires that every municipality and local board pass a procedure by-law for governing the calling, place and proceedings of meetings;

AND WHEREAS the Council of The Regional Municipality of Halton (“Council” and “the Region” respectively) passed Procedure By-law No. 90-19 on December 11, 2019, and has determined that it is necessary to repeal and replace By-law No. 90-19, as amended.

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HALTON HEREBY ENACTS AS FOLLOWS:

### **Part A: General**

#### **1. Interpretation**

1.1. The following terms shall be defined as follows:

“Addendum” means a document package supplemental to an Agenda that is prepared for use at a Meeting that contains additional items required for that Meeting such as reports, Motions, by-laws or other material;

“Agenda” means a document prepared for use at a Meeting that sets out the business to be undertaken and that may contain reports, Motions and other material;

“Business Day” means a day other than a declared holiday of the Region, a Saturday, a Sunday or any other holiday as defined in the *Legislation Act, 2006*, S.O. 2006, c. 21. Sched. F, with the exception of Easter Monday and Remembrance Day;

“Committee” means any committee reporting to Council which is comprised of some of, but not the entire, membership of Council;

“Delegate” means any person or group of persons that is neither a Member nor Regional staff, wishing to address Council or a Committee in person; and a “Delegation” means the communication by a Delegate at a Meeting;

“Meeting” means any session of Council or a Committee, as the context requires, where:

- a) a Quorum of Members is present, and
- b) Members discuss or otherwise deal with the business or decision-making of the Council or committee.

“Member” means a member of Council, including the Regional Chair, or of a Committee, as the context requires;

“Motion” means a formal proposal by a Member, during a Meeting, that Council or a Committee take certain action;

“Notice of Motion” means advance notice to Members of a matter on which Council will be asked to take a position by way of a formal written communication including the proposed text of the Motion to be voted on;

“Pecuniary Interest” means a direct or indirect interest within the meaning of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50 (“Municipal Conflict of Interest Act”);

“Presiding Officer” means the individual at the Meeting designated to keep order and lead the consideration of the matters on the Agenda according to this By-law;

“Quorum” means the minimum number of Members required to be present at a Meeting in order to legally conduct business;

“Regional Chair” means the chair of the Region;

“Regular Meeting” means a scheduled Meeting held in accordance with the calendar of Meetings approved annually by Council, but does not include a Workshop Meeting or a Budget Meeting unless the Workshop Meeting or Budget Meeting has been redesignated as a Regular Meeting for the purposes of conducting business pursuant to subsection 17.3;

“Special Meeting” means a Meeting not scheduled in the calendar of Meetings approved annually by Council, called generally for the purpose of discussing one specific item of business;

“Statutory Public Meeting” means a Meeting required by legislation for the purpose of allowing members of the public to provide comments on a specific matter before the Region;

“Unreasonable or Offensive Conduct” means conduct or statements that are aggressive, abusive, threatening, intimidating, violent, harassing, defamatory, frivolous or vexatious.

## **2. References to Legislation**

- 2.1. Any reference in this By-law to any statutes, regulations or by-laws shall be deemed to be a reference to such statutes, regulations or by-laws, as amended, restated or replaced from time to time.

## **3. Rules of Procedure**

- 3.1. The rules of procedure contained in this By-law shall be the rules for the order of business in Council and Committees except as otherwise provided in this By-law.

## **4. Robert's Rules of Order**

- 4.1. All points of order or procedure for which rules have not been provided in this By-law shall be decided by the Presiding Officer in accordance, as far as is reasonably practicable, with Robert's Rules of Order.

## **5. Temporarily Suspending the Rules**

- 5.1. Except as provided elsewhere in this By-law, in Meetings of Council or Committees, any one or more of the rules in this By-law may be temporarily suspended by a vote of two-thirds of Members present and voting.

## **6. Timeline for Review and Update**

- 6.1. This By-law shall be reviewed in consultation with the Clerk on a general schedule of every five years after its date of adoption as noted in Part K. This does not prohibit updates when necessary or undertaking a full review in a period of fewer than five years, at the discretion of the Clerk.

## **7. Amendment or Repeal of Procedure By-law**

- 7.1. Amendment or repeal of this By-law is not permitted at any Meeting of Council unless notice of the proposed amendment or repeal has been given as required by the Region's approved Public Notice Policy and the notice provisions in this By-law.
- 7.2. Said notice shall consist of either announcement of the intent to amend/repeal in either a Regional staff report or a Notice of Motion from a Member issued in a Council Agenda (not a Council Addendum).
- 7.3. These notice requirements cannot be suspended.
- 7.4. This By-law shall not be amended or repealed except by a positive vote of two-thirds of the Members of the whole Council.

## **8. Administrative Corrections by the Clerk**

- 8.1. The Clerk shall be permitted to make minor clerical, typographical or grammatical corrections to any Council/Committee record or documentation, including but not limited to by-laws, Motions, resolutions, Agendas and/or minutes. Said corrections are to be made to ensure correct and complete implementation of the decisions and actions of Council or the Committee.

## **9. Board of Health**

- 9.1. Council, as the Region's Board of Health pursuant to s. 1 (1) of the *Health Protection and Promotion Act*, R.S.O. 1990, c. H.7, shall carry out its board of health meetings as part of the Meetings of Council provided for under this By-law.

## **10. Committee of Management for Long-Term Care Homes**

- 10.1. Council shall be deemed to be, and all Members are hereby appointed as, members of the Allendale Committee of Management, the Creek Way Village Committee of Management and the Post Inn Village Committee of Management, pursuant to s. 135(1) of the *Fixing Long-Term Care Act, 2021*, S.O. 2021, c. 39, Sched. 1.
- 10.2. Council shall carry out its Committee of Management meetings as part of the Meetings of Council provided for under this By-law.

## **Part B: The Regional Chair and Councillors**

### **11. Duties of the Regional Chair**

- 11.1. In addition to what is prescribed in the Act, the Regional Chair shall:
- a) assist Council and Committees in trying to reach consensus on fundamental policy issues of concern to the Region;
  - b) act as spokesperson and co-ordinate the presentation of the Region's position to the public and to other external public bodies, agencies and organizations;
  - c) represent and support Council, communicating and abiding by its decisions;
  - d) be a Member of all committees and shall have full privileges, including the right to vote at Meetings thereof, but shall not be eligible to be a committee chair or vice-chair;
  - e) perform other duties when directed to do so by resolution of Council; and

- f) preside over Meetings of Council, where they shall:
  - i) preserve order and decide all points of order, subject to appeal; and without argument or comment, state the rule applicable to any point of order if called upon to do so;
  - ii) receive and put to a vote all Motions presented by Members which do not contravene this By-law;
  - iii) announce the results of the vote on any Motions so presented;
  - iv) decline to put to a vote any Motions which are contrary to the rules of procedure or which are beyond the jurisdiction of Council;
  - v) enforce order and decorum at Meetings;
  - vi) sign all by-laws, minutes and resolutions;
  - vii) adjourn the Meeting, when required, without a vote being called or suspend or recess the Meeting for a time to be named if considered necessary.

## **12. Acting Regional Chair**

- 12.1. In each term of Council, as soon after the commencement of the term as is reasonably possible, Council shall appoint by by-law, and in alphabetical order by surname, each Councillor to serve as Acting Regional Chair on a monthly rotation.
- 12.2. The Acting Regional Chair shall act in the place of the head of council when the head of council is absent or refuses to act or the office is vacant and while so acting, such Member has all of the powers and duties of the head of council.

## **13. Notice of Absence**

- 13.1. Members shall inform the Clerk of all planned absences, late arrivals and early departures from a Meeting, wherever possible. Where circumstances prevent the Member from providing notice, it may be provided by another Member or other person on the Member's behalf.

## **Part C: Committees**

### **14. Committees of Council**

- 14.1. Council shall have the following Committees which shall report directly to Council:
  - a) Audit Committee
  - b) Interview Committee



- c) Statutory Public Meeting & Hearing Committee
  - d) CAO Recruitment Committee
- 14.2. Council may strike additional Committees as required and if needed; however, the term of any of these additional Committees shall not extend beyond the term of the Council that struck them unless otherwise provided in this By-law.

## **15. Appointments and Alternates**

- 15.1. Upon the commencement of each term of Council and as needed depending on the term of each appointment, Council shall appoint Members to its Committees.
- 15.2. When appointing Members to Committees, Council may also appoint Alternate Members who may attend Meetings of Committee during absences of the regular Member(s). An Alternate Member shall possess all the rights, privileges and obligations of a regular Member of the Committee for the Meeting of Committee in which they are participating as an Alternate. Alternates shall be Members and from the same Local Municipality as the regular Member for whom they are selected to substitute. Alternates appointed for the Regional Chair may be from any Local Municipality.
- 15.3. If more Members wish to sit on a Committee than there are seats available and no consensus is forthcoming, the Presiding Officer shall conduct an election for the positions as follows:
- a) All Members wishing to sit on the Committee shall notify the Clerk.
  - b) Prior to the calling of the vote, each Member who puts their name forward shall have up to five minutes to speak to Council to promote their candidacy for the position.
  - c) The Presiding Officer shall call for a vote for each candidate in the order in which they put their name forward.
  - d) If two or more Members are contesting a single open position:
    - i) Members shall vote for only one candidate, and;
    - ii) Whichever Member receives the most votes shall be appointed.
  - e) If three or more Members are contesting more than one open position:
    - i) Members may vote for more than one candidate, and;
    - ii) Each candidate who receives a majority of votes in favour shall be appointed; however,

- iii) Once all positions have been filled through the process noted in clause 15.3 (e) (ii), voting will stop even if there are candidates remaining to be considered.

## **16. Non-Member Attending Meetings of Committee**

- 16.1. A Member of Council who has not been appointed to a specific Committee and is not an Alternate attending for an absent Member may attend Meetings of that Committee and may take part in the discussion, but they may not move or second Motions at those Meetings or vote.

## **Part D: Meetings of Council and Committee**

### **17. Meetings – General**

- 17.1. The primary location for Meetings held in-person shall be the Halton Regional Centre, 1151 Bronte Road in Oakville, on the dates and times established according to the calendar of Meetings approved annually by Council, or at such other time or place as may be designated from time to time. Members may be permitted to participate electronically in accordance with the provisions of section 19.
- 17.2. Notwithstanding any other provision contained in this By-law, the Presiding Officer may cancel a Meeting if they deem it appropriate or in consultation with Regional staff.
- 17.3. The Regional Chair, or in their absence the Acting Regional Chair, may redesignate a scheduled Workshop Meeting as a Regular Meeting for the purposes of conducting business.
- 17.4. The Clerk shall send notification of the cancellation or redesignation of a Meeting to the Members.
- 17.5. Regardless of start time, the curfew for a Meeting shall be 11:30 p.m.
- 17.6. Any debate in progress or any business remaining on the Agenda that has not yet been taken up by 11:30 p.m. shall be deferred to a subsequent Meeting of Council or that Committee.

### **18. Meetings – Broadcasting**

- 18.1. Meetings of Council (including the Inaugural Meeting, Workshop Meetings, Budget Meetings and any Special Meetings), the Audit Committee and the Statutory Public Meeting & Hearing Committee may be broadcast to the public on the Region's website and other Internet channels as appropriate, unless the proceedings of any of these Meetings resolve into closed session, or the Meetings are being held in a venue alternate to that noted in subsection 17.1 and such broadcasting is not available.

## **19. Electronic Participation**

- 19.1. Any Member who is not physically present in the location where a Meeting takes place is permitted to participate electronically (e.g., telephone or virtual teleconference) from a location other than the Meeting's location in both open and closed sessions. The Member shall have the same rights and responsibilities, including the right to speak and vote, as if the Member was physically present.
- 19.2. The manner and method of electronic participation shall be determined by the Clerk in collaboration and consultation with Regional staff.
- 19.3. All Members who participate electronically shall be counted in determining a Quorum.
- 19.4. Members are encouraged to notify the Clerk at least 24 hours in advance of any Meeting of their intention to participate electronically.
- 19.5. Members who participate electronically in a closed session portion of a Meeting shall ensure that no unauthorized person(s) can see or hear any of the confidential materials or deliberations taking place. If this is not possible, the Member must withdraw from the Meeting until it has reconvened in open session.
- 19.6. All Members participating electronically are encouraged to keep their cameras on and always be visible on screen. Members participating electronically who turn their cameras off may be presumed to have temporarily left the Meeting and will not count towards Quorum or be permitted to participate in a vote.
- 19.7. Delegates may participate electronically in a Meeting following procedures and requirements set out by the Clerk and as described in section 40.
- 19.8. Any provisions of this By-law made impossible due to the features and functionality of the manner and method used for electronic participation may be adjusted at the discretion of the Presiding Officer and in consultation with Regional staff, provided the adjustments do not conflict with the basic principles of parliamentary law.

## **20. Special Meetings of Council**

- 20.1. The Regional Chair may, at any time, call a Special Meeting of Council and shall do so when requested in writing by a majority of the Members. A Special Meeting shall be called by the Clerk if requested in writing by a majority of the Members.
- 20.2. No business may be transacted at a Special Meeting of Council or a Committee other than that specified in the notice of Meeting or Agenda.
- 20.3. Notwithstanding any other provision contained in this By-law, the Regional Chair, a Committee Chair, or in their absence, the Acting Regional Chair or Committee Vice-Chair may cancel a Special Meeting of Council or the Committee

(respectively), as the case may be, if a Majority of the Members of Council or the Committee consents to the cancellation either via telephone or in writing.

## **21. Budget Meeting(s)**

- 21.1. Council shall hold any Workshop or other Meeting(s) required for the consideration of the annual Budget and Business Plan, in a manner to be determined by the Commissioner of Finance & Regional Treasurer in consultation with the CAO and Clerk.

## **22. Inaugural Meeting of Council**

- 22.1. Following a regular election, the Inaugural Meeting of Council shall be held after the councils of the Local Municipalities have held their first meetings but not later than December 14 of that year, with the date, time, and place of such Meeting to be fixed by the Clerk. In an emergency, the Inaugural Meeting may be rescheduled but it may not be cancelled.

- 22.2. The order of proceedings for the Inaugural Meeting of Council shall include:

- a) filing of certificates pursuant to the *Municipal Elections Act, 1996*, S.O. 1996, c. 32, Sched. and declarations of office in accordance with the provisions of s. 232 of the Act;
- b) signing of declarations of elected office and oaths of office;
- c) inaugural address by the Regional Chair;
- d) passage of a confirming by-law and any other relevant by-laws; and
- e) other ceremonial proceedings as deemed to be necessary for the Meeting.

## **23. Notice of Meeting**

- 23.1. The adoption of the annual calendar of Meetings shall constitute notice of Regular Meetings to Members and the public. The Meeting dates approved annually by Council will be posted on the Region's website which shall constitute public notice of Meetings.
- 23.2. The delivery of Agendas to each Member shall be delivered not less than 72 hours before each scheduled Meeting or not less than 48 hours before a Special Meeting. Agendas may be delivered to the Members via email, mobile app, hardcopy and/or any other means as may be determined by the Clerk.
- 23.3. The dates of Special Meetings, including Statutory Public Meetings and hearings, will be posted on the Region's website and shall constitute public notice of same.

- 23.4. A notice given to the public is sufficient even if there are times during the notice period when the website is unavailable.
- 23.5. The waiving of the requirements of subsections 23.1, 23.2 and 23.3 is prohibited except in the case of an emergency.
- 23.6. Lack of receipt of notice by any person, including Members, shall not affect the validity of holding the Meeting nor any action taken at the Meeting.
- 23.7. Notwithstanding subsection 27.8, a Meeting which has been interrupted through the loss of a Quorum may be reconvened with a Quorum without notice, provided that the Meeting is reconvened on the same date.
- 23.8. In addition to the requirements of subsection 23.3, to advise interested persons of Statutory Public Meetings, appropriate notice shall be provided as required by applicable legislation, by-law or Regional policy.
- 23.9. Notice of cancellation of a Meeting may be sent to Members by the Clerk via telephone or in writing.
- 23.10. When a Meeting has been cancelled, the Region's website shall be updated to reflect the cancellation of the Meeting.

#### **24. Public Access to Meetings**

- 24.1. Meetings shall be open to the public except as provided for in accordance with s. 239 of the Act.
- 24.2. Any Meeting or portion of a Meeting that is held in accordance with s. 239 of the Act shall be closed to the public and shall be referred to as closed session.

#### **25. Closed Session**

- 25.1. Where it is known in advance that a Meeting or portion of a Meeting shall take place in closed session, the Agenda for the Meeting will identify that the Meeting or which portion of the Meeting is to be closed and the applicable exception under s. 239 of the Act.
- 25.2. Before holding a Meeting or part of a Meeting in closed session, Council or Committee shall state by resolution the fact of the holding of the closed session, and the applicable exception under s. 239 of the Act.
- 25.3. Once in a closed session, only those items authorized by the resolution adopted under subsection 25.2 may be discussed.
- 25.4. No electronic devices or any other personal items belonging to the public are to be left in the Meeting location during a Meeting or portion of a Meeting that is held in closed session. The Presiding Officer may remind the public to take their personal

items and the Clerk shall ensure that no such items are left behind prior to the commencement of the closed session.

- 25.5. After a closed session ends, the Presiding Officer shall publicly report that the matters discussed were those authorized by the resolution to go into closed session and that any votes taken were in accordance with s. 239 of the Act, and this will be recorded in the minutes of the open session.
- 25.6. No Member shall distribute any reports or items or disclose the nature or content of discussions regarding any matters that are part of a closed session.
- 25.7. All confidential documents and deliberations considered while in closed session shall remain confidential in perpetuity unless otherwise agreed upon by a majority vote of Council. Only the final results of deliberations may be made public when such disclosure is authorized by Council.
- 25.8. Council or a Committee may vote on a recommendation included in a confidential report without moving into a closed session if no Members wish to comment or ask questions of Regional staff regarding the report.

## **26. Workshop Meetings**

- 26.1. A Workshop Meeting is a meeting of Council for the purpose of educating and training Members.
- 26.2. After notice of the Workshop Meeting has been provided, no new subjects will be added to the Agenda; however, notice requirements may be suspended by a two-thirds vote of Council to take up time-sensitive matters.
- 26.3. No decisions shall be made at a Workshop Meeting unless an exception is made for a time-sensitive matter as per subsection 26.2. Any matter requiring a decision shall be presented for consideration at a Regular Meeting of Council.
- 26.4. A Workshop Meeting may be held in closed session under s. 239 (3.1) of the Act for the purpose of educating or training the Members. If a Workshop Meeting is to be closed under s. 239 (3.1) of the Act, it will begin in open session and will be closed by resolution adopted by Council. The Workshop Meeting must resolve back into open session prior to adjournment.
- 26.5. Presentations by Regional staff or guest presenters at a Workshop Meeting shall not be subject to a time limit except at the discretion of the Presiding Officer or Council.

## **27. Quorum and Call to Order**

- 27.1. A Quorum for any Meeting of Council shall be a majority of the Members, representing at least three Local Municipalities. The Regional Chair is not included in the determination of local representation. If the Acting Regional Chair is to

preside or if the appointment of one of the other Members to act as Regional Chair is required, then the Acting Regional Chair shall still be included in the determination of local representation.

- 27.2. A Quorum for any Meeting of a Committee shall be a majority of the Members of that Committee.
- 27.3. Where the number of Members who are unable to participate in a Meeting by reason of the provisions of the Municipal Conflict of Interest Act is such that the remaining Members are insufficient to constitute a Quorum, the remaining Members shall be deemed to constitute a Quorum, provided the number is not less than two.
- 27.4. The Presiding Officer for a Meeting shall call the Members to order at the time fixed for the commencement of the Meeting, subject to a Quorum being present.
- 27.5. If the Regional Chair is late to preside over a Meeting within 15 minutes after the time fixed for the commencement of the Meeting, the Acting Regional Chair (as designated under the Acting Regional Chair By-law) shall call the Meeting to order and shall preside until the arrival of the Regional Chair. Should the Acting Regional Chair also not be in attendance, the next person in succession under the Acting Regional Chair By-law shall preside until the arrival of the Regional Chair (or the designated Acting Regional Chair, if the Regional Chair remains unavailable).
- 27.6. If a Quorum for a Meeting of Council, other than a Workshop Meeting, is not present within 30 minutes after the time fixed for the commencement of the Meeting, the Clerk shall indicate that no Quorum was present and the Meeting shall stand adjourned until the next Meeting of Council.
- 27.7. If a Quorum for a Workshop Meeting is not present within 15 minutes after the time fixed for the commencement of the Meeting, the Workshop Meeting may proceed without a Quorum being present; however, no business can materially be advanced and the report of the Workshop Meeting shall clearly indicate the parts of the Meeting that were conducted without a Quorum present.
- 27.8. If a Quorum is lost during a Meeting of Council then the Presiding Officer shall declare that the Meeting shall stand recessed until a Quorum is re-established. If a Quorum cannot be re-established, the Presiding Officer shall adjourn the Meeting until the date of the next Regular Meeting or other Meeting called in accordance with the provisions of this By-law.
- 27.9. If a Quorum is lost during a Workshop Meeting, the Meeting may continue without a Quorum; however, the minutes of the Workshop Meeting shall clearly indicate the parts of the Meeting that were conducted without a Quorum present.
- 27.10. If a Quorum is lost during the course of a Meeting of Committee, the Meeting may continue without a Quorum; however, no business can be advanced and the

minutes shall clearly indicate the parts of the Meeting that were conducted without a Quorum present.

## **Part E: Agenda and Addendum**

### **28. Agendas**

- 28.1. All reports, notices, Motions and any other material to be included in a published Council Agenda shall be delivered in writing to the Clerk no later than 4:30 p.m., 10 Business Days prior to the date of a Meeting of Council.
- 28.2. The Clerk shall prepare Agendas for all Meetings. The order of proceedings shall be determined by the Clerk.
- 28.3. Agendas will be available on the Region's website after distribution to Members.
- 28.4. Any person may obtain hardcopies of an Agenda or any public document included in an Agenda through the Clerk, subject to any charge as may be provided for in the Region's Fees and Charges By-law.
- 28.5. Once a Council Agenda has been made public, its content may not be altered except for minor administrative corrections by the Clerk or for consolidation of items from an Addendum issued in accordance with section 29.

### **29. Addendum**

- 29.1. The Clerk may prepare an Addendum to a Meeting's Agenda, in a form determined by the Clerk, that contains any additional information required for the Meeting. Any addenda shall be prepared and delivered to Council and made available to the public no less than three Business Days prior to the Meeting of Council.
- 29.2. All reports, notices, Motions and any other material to be included in an Addendum shall be delivered in writing to the Clerk no later than 4:30 p.m., one Business Day prior to its publication.
- 29.3. Any items of business included in the Addendum shall constitute notice of such items for the purposes of the Meeting.

### **30. Consolidated Council Agenda**

- 30.1. The Clerk may prepare a Consolidated Council Agenda following the initial publication of the Agenda. The Consolidated Council Agenda shall include all items of business to be considered at the Meeting from both the Agenda and Addendum and shall note which items were issued as part of the Addendum.
- 30.2. The Consolidated Council Agenda shall be prepared and delivered to Council and made available to the public no less than three Business Days prior to the Meeting of Council.



- 30.3. The Consolidated Council Agenda shall be considered the official Agenda for purposes of the Meeting and shall replace any earlier versions.
- 30.4. Once a Consolidated Council Agenda has been published, it may not be altered except for minor administrative corrections by the Clerk.
- 30.5. Any additional items of business to be considered at the Meeting of Council following the publication of the Addendum must be made available by the Clerk via separate document and Council must suspend the rules of procedure to consider the additional items of business during the Meeting.

## **Part F: Communications and Public Petitions**

### **31. Communications**

- 31.1. Communications addressed to Council or a Committee that are received by the Clerk are part of the public record and may be published as part of an Agenda.
- 31.2. Personal information other than the name of the submitter(s) and community of residence or the organization they represent, will be redacted but all other content of such communications may be made public.
- 31.3. The Clerk, in consultation with the CAO and/or Corporate Counsel, as required, shall determine the disposition of communications received by the Clerk that are intended for Council and/or Committee. Communications that do not relate to any subject to be dealt with at a Meeting will not be included on any Agenda.
- 31.4. All communications to Council or a Committee must:
  - a) be delivered to the Clerk in person, by mail or email
  - b) be addressed to Council, a Committee or to the Clerk;
  - c) be legible;
  - d) include the name and contact information of the author;
  - e) be in a reproducible format, which refers to both the medium of the communication and whether the content is subject to any copyright restrictions; and
  - f) not be defamatory or contain inappropriate content or offensive language.
- 31.5. Communications that do not meet one or more of the requirements in subsection 31.4 may not be forwarded to Members or Regional staff and may not be retained by the Clerk.

## **32. Petitions**

- 32.1. Petitions received by the Clerk become part of the public record and may be published (with signatures redacted) in an Agenda.
- 32.2. The Clerk, in consultation with the CAO, shall determine the disposition of any petitions they receive.
- 32.3. Petitions must:
  - a) contain a position statement at the top of each page so that the signatories know what they are supporting;
  - b) contain legible printed names of the signatories, an original signature for each signatory (preferably in a separate column) and contact information for each signatory;
  - c) contain the petition organizer's name and contact information;
  - d) not concern any matter that is outside of Council's jurisdiction; and
  - e) not be defamatory or contain inappropriate content or offensive language.
- 32.4. Petitions may be delivered in hardcopy or electronically to the Clerk.

## **Part G: Meeting Procedures**

### **33. Declaration of Pecuniary Interest**

- 33.1. In accordance with the Municipal Conflict of Interest Act, it is the responsibility of each Member, prior to any consideration of a matter at a Meeting, to disclose any Pecuniary Interest they have in the matter and the general nature thereof. Upon disclosing a Pecuniary Interest, the Member shall:
  - a) not take part in the discussion of or vote on any Motion in respect of the matter; and
  - b) not attempt in any way whether before, during or after the Meeting to influence the voting on any Motion in respect of the matter.
- 33.2. If the interest under subsection 33.1 is with respect to a matter dealt with at a closed session, in addition to complying with the requirements of subsection 33.1, the Member shall leave the closed session or that part of the closed session during which the matter is under consideration.
- 33.3. Where the interest of the Member has not been disclosed as required by subsection 33.1 by reason of their absence from the Meeting, the Member shall

disclose their interest and otherwise comply with subsection 33.1 at the first Meeting attended by them after the Meeting referred to in subsection 33.1.

- 33.4. In addition to their verbal disclosure of Pecuniary Interest, the Member shall file a written statement of the interest with the Clerk at the Meeting or as soon as possible afterwards. The particulars of all verbal disclosures shall appear in the minutes of the Meeting at which they were made.
- 33.5. A registry containing each filed statement and recorded disclosure shall be maintained by the Clerk for public inspection upon request during regular business hours.
- 33.6. The minutes shall reflect where a Member has declared a Pecuniary Interest on a matter and recused themselves from participation in the discussion and vote on a Motion in respect of the matter.
- 33.7. Regional staff shall not provide advice to Members regarding whether they have a Pecuniary Interest on any matter. Members should contact the Region's Integrity Commissioner for an opinion.

#### **34. Speaking Rules**

- 34.1. The Presiding Officer shall give the mover of a Motion the first opportunity to speak to the Motion, followed by the seconder.
- 34.2. A Member shall not speak on any subject other than the subject under debate.
- 34.3. The mover of a Motion may not speak against their own Motion, though they may vote against it.
- 34.4. A Member shall not speak until the Presiding Officer has recognized them. To request to speak, the Member shall signal the Presiding Officer and/or the Clerk and wait to be recognized by the Presiding Officer. When two or more Members indicate they wish to speak, the Chair shall designate the order in which they may speak.
- 34.5. When a Member has been recognized by the Presiding Officer as having the floor, the Member shall direct their question or comment to the Presiding Officer.
- 34.6. In Meetings of Council, no Member shall speak more than twice on the same matter without the leave of Council.
- 34.7. Members may speak a subsequent time(s) to a matter subject to all Members who wish to speak a first time have had that opportunity.
- 34.8. In Meetings of Council, no Member shall speak to the same matter longer than 10 minutes each time.

- 34.9. A new speakers list will be required for each amendment or amendment to an amendment on a Motion.
- 34.10. When a Member is speaking, no other Member shall pass physically between them and the Presiding Officer or interrupt them except to raise a point of order.
- 34.11. Any Member may require that the Motion under discussion be read at any time during the debate other than while another Member is speaking.
- 34.12. In a Meeting of Committee, a Member may speak more than twice on a matter but only after every other Member who wishes to speak for a first time has done so.
- 34.13. A Member may ask questions only of the Presiding Officer, Regional staff, or the originator of the Motion on the floor. Questions should not be used to make statements or assertions. Where possible, Members are encouraged to provide questions to Regional staff prior to the Meeting so that they may formulate a response to the question and provide it to the Members during the Meeting.

## **35. Voting**

- 35.1. A Motion shall be put to a vote by the Presiding Officer immediately after all Members wishing to speak on the Motion have spoken in accordance with this By-law.
- 35.2. Unless otherwise provided in this By-law or requested by the Presiding Officer, a vote may be by voice, show of hands, standing or otherwise.
- 35.3. Each Member, including the Presiding Officer, has one vote pursuant to s. 243 of the Act, and may vote at all Meetings unless prohibited by law or by this By-law.
- 35.4. No vote by secret ballot or any other method of secret voting is permitted.
- 35.5. Except as provided in this By-law, all Motions, resolutions and by-laws shall be deemed to have been carried, passed and enacted, as the case may be, by a majority vote. As this rule is a basic principle of parliamentary law it may not be suspended.
- 35.6. When the Presiding Officer calls a vote on a Motion, no Member shall walk across or out of the room, nor make any noise or disturbance.
- 35.7. After a vote is called by the Presiding Officer, no Member shall speak to the Motion, nor shall any other Motion be made until after the vote is taken and the result has been declared by the Presiding Officer or Clerk.
- 35.8. Unless otherwise provided in this By-law, when a Motion is put to a vote, every Member present at a Meeting of Council shall vote thereon, except where the Member is disqualified from voting by reason of a declared Pecuniary Interest or is absent from the room when the question or Motion is put to a vote.

- 35.9. Any Member that is present and does not vote when a vote is taken, shall be deemed as voting in the negative, except where they are prohibited from voting by law or by this By-law.
- 35.10. A Member may not request that their vote(s) for or against a Motion be noted in the Minutes unless a recorded vote has been requested and taken.
- 35.11. The Presiding Officer or Clerk shall announce the result of every vote. If a Member disagrees with the announcement of the result of any vote, they may object immediately and require that the vote be retaken, or the Member may request a Recorded Vote be taken pursuant to section 36.
- 35.12. Following a delegation or staff presentation, Members shall be limited to asking questions for clarification or additional and relevant information only.

### **36. Recorded Voting**

- 36.1. In Meetings of Council, any Member present at the time of a vote may request a Recorded Vote be taken immediately before or after a vote is taken.
- 36.2. Recorded Votes are not permitted in Meetings of Committee.
- 36.3. Unless otherwise provided in this By-law, each Member present, except a Member who is disqualified from voting by reason of a declared Pecuniary Interest, shall indicate their vote openly when a recorded vote is taken and the Clerk shall record each vote.
- 36.4. When a Recorded Vote is taken, the names of those who voted for and against the Motion shall be entered in the minutes.

### **37. Notice of Motion and Motions**

- 37.1. Except as otherwise provided for in this By-law, notice must be provided when a Motion is to be introduced at a Meeting of Council.
- 37.2. Except as otherwise provided for in this By-law, all Notices of Motion shall be presented at a Meeting of Council but shall not be debated until the next Regular Meeting of Council; or delivered to the Clerk in accordance with Part E.
- 37.3. The Motion must be submitted to the Clerk in writing prior to the publication of the Council Agenda or Addendum and in accordance with Part E. The Motion must be submitted by the mover but does not require a seconder at the time of submission. A seconder must be obtained prior to or during the Meeting at which the Motion is to be considered to allow the Motion to come before Council for consideration.
- 37.4. The Clerk shall include the Motion, in full, in the Agenda/Addendum for the Meeting concerned. This action shall constitute the notice required by subsection 37.1.

- 37.5. Notwithstanding subsection 37.4, during the Other Business portion of the Council Agenda, a Member may provide notice of a Motion; however, the Motion must be dealt with at a subsequent Meeting unless the rules for providing notice are suspended upon a majority vote of two-thirds of the Members present and voting.
- 37.6. Notwithstanding subsection 37.1, the following Motions may be introduced during a Meeting of Council without notice and without leave:
- a) a point of order or personal privilege;
  - b) to close debate;
  - c) to adjourn;
  - d) to suspend a rule of procedure;
  - e) to lay on the table;
  - f) to postpone to a certain time (defer);
  - g) to refer;
  - h) to amend;
  - i) to postpone indefinitely; and
  - j) any other procedural Motion.
- 37.7. Staff reports that go before Council for consideration and appear in a Council Agenda or Addendum shall constitute Notice of Motion for the purposes of any Motion brought at Council with respect thereto.
- 37.8. If a Motion, report or other matter of business is intended to be taken up at the Meeting but is not available for distribution at the time of publication of the Agenda, the item may be listed in the Agenda as "Available Prior to Meeting" and this shall constitute notice of the matter for the purposes of the Meeting. The item shall be delivered to Council/Committee and made available to the public (except those items deemed to be confidential matters under the Act) prior to the Meeting.
- 37.9. Notwithstanding subsection 37.8, any Motion or other business may be introduced for consideration of Council provided that it is made clear that it is an emergency and to delay consideration of such Motion or other business would not be in the best interest of the Region. The introduction of the Motion or other business shall be upon an affirmative vote of two-thirds of the Members present.
- 37.10. In Meetings of Council, all Motions must be in writing, except for the following Motions which may be introduced verbally:
- a) a point of order or personal privilege;

- b) to close debate; and
  - c) to adjourn.
- 37.11. Other Motions not included in subsection 37.10 may also be introduced verbally with permission of the Presiding Officer (in consultation with the Clerk). Any Member may still request that any such Motion be written out and read by the Clerk.
- 37.12. In Meetings of Committee, Motions are not required to be submitted in writing or to have a seconder.
- 37.13. The mover may withdraw a Motion or a Notice of Motion at any time prior to it being stated by the Presiding Officer. If withdrawn prior to being read, the Motion is not included in the minutes of the Meeting.
- 37.14. Where Notice of Motion has not been provided and the Motion to be taken up must be first introduced via a Motion to suspend the rules, the mover may withdraw their Motion prior to Council's consideration of the Motion to suspend the rules. If the mover withdraws their Motion, the Motion to suspend the rules is also withdrawn.
- 37.15. After a Motion has been stated by the Presiding Officer, it shall be deemed to be in the possession of Council/Committee, but may be withdrawn by the mover at any time before a decision or amendment, provided no Member objects. If a Member objects, the Presiding Officer or a Member can move "That permission to withdraw the Motion be granted." The request to withdraw will be granted upon an affirmative vote of the majority of Members present.
- 37.16. A Motion that has been stated by the Presiding Officer may be deferred a total of three times and shall be deemed to be withdrawn after the third deferral.
- 37.17. Appendix A: "Common Motions" forms part of this By-law and shall be used as a reference.
- 37.18. Appendix B: "Motions Table" forms part of this By-law and shall be used as a reference.

## **Part H: Ceremonial Presentations, Staff Presentations and Delegations**

### **38. Ceremonial and Staff Presentations**

- 38.1. A ceremonial presentation may involve acknowledgement of an individual, organization or a specific achievement by either, or the presentation of an award or other citation. Requests for such presentations should be made in writing to the Clerk prior to the publication of the Council Agenda. Ceremonial presentations may not take place at a Meeting of Committee.

- 38.2. A speaker making a ceremonial presentation or an award presentation shall be given 10 minutes to address Council.
- 38.3. There shall be no time limit on staff presentations at Meetings of Council or Committee.

### **39. Delegations**

- 39.1. A request to appear before Council/Committee to address an item appearing on an Agenda must be made in writing to the Clerk on the prescribed form no later than 3 p.m. on the Friday prior to the Meeting.
- 39.2. Council must suspend the applicable rules of this By-law at its Meeting to permit a Delegate who has not submitted their request in accordance with subsection 39.1 to address Council. A majority vote of Committee is required to permit a Delegate who has not submitted their request in accordance with subsection 39.1 to address Committee.
- 39.3. A Delegate who wishes to address an item not appearing on an Agenda/Addendum is not permitted. Individuals or groups who are interested in making a Delegation on such matters are requested to contact Regional staff.
- 39.4. In lieu of a Delegation, a written submission may be made to Council/Committee on an Agenda/Addendum item and the submission must be received by the Clerk by the deadlines set out in Part E.
- 39.5. An individual who wishes to be a Delegate at a Statutory Public Meeting is not required to register in advance; however, they are encouraged to notify the Clerk or otherwise make their intentions known and must wait to speak until called upon by the Presiding Officer.
- 39.6. Delegations are not permitted at the following types of Meetings identified in this By-law:
  - a) Workshop Meetings of Council
  - b) Meetings of the Interview Committee
  - c) Meetings of the CAO Recruitment Committee
- 39.7. A Delegation request shall not be permitted regarding any of the following:
  - a) any matter related to a closed session or confidential item of business;
  - b) a matter under litigation or potential litigation involving the Region, including matters before administrative tribunals or matters where the Delegate is a party to the litigation or is a representative of a party involved in the litigation;



- c) a matter that is or has been under investigation by either the Region's Ombudsman or Integrity Commissioner;
  - d) appeals by vendors or service providers who were not the successful proponents for awards of contracts by the Region;
  - e) for the purpose of promoting a business;
  - f) as part of a campaign for any elected office(s);
  - g) in exceptional circumstances, notwithstanding subsection 39.1, where the CAO, Clerk and Corporate Counsel determine, acting reasonably, that a person requesting to be a Delegate at a Meeting is likely to engage in Unreasonable or Offensive Conduct, make unreasonable or offensive statements or demands, repeatedly speak on a subject matter that is not within the Region's jurisdiction, or otherwise misuse the privilege of addressing Council or a Committee.
- 39.8. If a Delegation request is denied under subsection 39.7, the Clerk shall notify the requester, provide the reason(s) for the decision and inform the Presiding Officer of the decision to deny the request.
- 39.9. Delegates shall be given five minutes to address Council or 10 minutes to address Committee.
- 39.10. The time spent receiving and answering questions from Members shall not be deducted from the speaking time provided to Delegates.
- 39.11. Delegates shall not be permitted to assume any unused speaking time allocated to another Delegate.
- 39.12. A group wishing to appear before Council or Committee shall select a single spokesperson to present their Delegation. If a Delegation involves more than one person, the full presentation is still limited to the speaking times set out in subsection 39.9. If the spokesperson has completed the Delegation and there are questions from Council, another representative of the group may be invited to respond to those questions if needed.
- 39.13. While multiple Delegations on the same subject matter and advocating similar positions are permitted, one Delegate may not repeat the same presentation made by a previous Delegate.
- 39.14. If a Delegate has spoken previously on a matter at a Meeting and wishes to speak at a subsequent Meeting on the same matter, they must present new information in their subsequent Delegation.
- 39.15. The use of a translator or interpreter by a Delegate and any additional time required for these services shall not be counted against the Delegate's speaking time.

39.16. Notwithstanding subsection 39.9, the speaking time for a Delegate may be extended or limited with the approval of Council/Committee.

#### **40. Delegations and Electronic Participation**

40.1. Section 39 also applies to Delegates addressing Council/Committee through electronic participation.

40.2. Delegates joining a Meeting through electronic participation shall ensure that:

- a) their display name is the name with which they registered their Delegation and not an alias, generic username (e.g., “user’s iPad”) or contain inappropriate language or messaging;
- b) after joining the Meeting, they remain silent with their microphone(s) muted and camera(s) off until called upon by the Presiding Officer;
- c) they shall not attempt to interrupt the Meeting in any way through chat messaging, signals to Council/Committee (e.g. “raise hand” feature) or other disruptive behaviour.

40.3. Failure to observe these rules may result in the Delegate’s removal from the Meeting even if their Delegation has not yet occurred.

40.4. Any Delegate participating electronically who is still connected to the Meeting when a closed session begins shall be asked to terminate their connection. Any Delegates that do not remove themselves when requested to do so will be removed without further notice and may not be permitted to rejoin the Meeting.

#### **41. Conduct of Delegates and Presenters**

41.1. No Delegate or staff presenter shall:

- a) speak disrespectfully of any person;
- b) curse, use racial/gender-based/ableist slurs, utter threats, or use any terms clearly not within the realm of civil discourse;
- c) speak on any subject other than the subject for which they have received approval to address Council/Committee; or
- d) disobey the rules of procedure or a decision of the Presiding Officer or a decision of Council/Committee.

41.2. The Presiding Officer may interrupt any person for disorder or any other breach of this By-law. The person’s speaking time may be terminated and the Presiding Officer may require the person to leave the Meeting. If the person is participating electronically, their connection to the Meeting may be terminated.

## **42. Materials Delivered to the Clerk**

- 42.1. If the location for a Meeting is equipped to show electronic presentations and the Delegate or presenter has electronic presentation materials to display, they are encouraged to provide their materials to the Clerk at least 24 hours in advance of the Meeting.
- 42.2. A Delegate or presenter with hardcopy material(s) to be distributed to Members is encouraged to provide the Clerk with sufficient copies of the materials for all Members and senior Regional staff in advance of the Meeting.

## **Part I: By-laws**

### **43. By-laws**

- 43.1. Every by-law shall be in writing and shall be introduced through a Motion.
- 43.2. All by-laws, except a by-law to confirm the proceedings of Council, must relate to a matter that has been previously considered by Council.
- 43.3. The proceedings of every Meeting of Council shall be confirmed by by-law so that every resolution and decision of Council passed at that Meeting shall have the same force and effect as if each and every one of them had been the subject of a separate by-law duly enacted.
- 43.4. Where an approved recommendation or Motion authorizes the Regional Chair or Clerk, or other officer or individual to execute an agreement on behalf of the Region, the by-law to confirm the proceedings of Council as noted in subsection 43.3 shall serve as the enacting by-law for this direction. No additional by-law shall be required to authorize the signing of documents.
- 43.5. Every by-law adopted by Council shall be signed by the Regional Chair and Clerk, numbered and sealed with the corporate seal.

## **Part J: Conduct During Meetings**

### **44. Conduct of Members, Public and Staff**

- 44.1. During Meetings, Members shall abide by the Halton Regional Council Code of Conduct as adopted by Council.
- 44.2. No Member shall:
  - a) speak disrespectfully of any person;
  - b) curse, use racial/gender-based/ableist slurs, utter threats, or use any terms clearly not within the realm of civil discourse;

- c) criticize any decision of Council or a Committee except for moving, in accordance with the provisions of this By-law, that a Motion be reconsidered; or
  - d) speak in a manner that is discriminatory in nature based on an individual's race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, gender identity/expression, sex, sexual orientation, age, marital status, family status or disability.
- 44.3. If a Member disregards the rules of procedure or a decision of the Presiding Officer on a point of order, practice and/or interpretation of the rules and persists in such conduct after having been called to order by the Presiding Officer, the Presiding Officer shall move that the Member be permitted to remain in their seat if they apologize to the assembly. This Motion is not debatable and requires a majority vote in the affirmative to pass. If the Member fails to apologize following the approval of this Motion, the Presiding Officer will arrange to have the Member removed from the Meeting. The expulsion and the reasons for the expulsion shall be recorded in the minutes of the Meeting.
- 44.4. Members of the public attending Meetings shall maintain order and quiet and shall not address the Meeting unless at the direction of the Presiding Officer.
- 44.5. Only Members, the Clerk, the Clerk's agents and the CAO may approach or walk behind the Council dais during Meetings held in the Council Chambers.
- 44.6. No person shall display signs or placards (including those displayed as part of the person's clothing), applaud, heckle or engage in conversation or other behaviour during Meetings which may reasonably be found to be disruptive, inconsiderate, disrespectful or intimidating to others.
- 44.7. Excepting assistive devices required by persons with disabilities, electronic devices shall be turned off during Meetings or otherwise set so as not to emit any audible sound. If the use of an electronic device disrupts the Meeting, the Presiding Officer may direct the person in question to turn off or cease the use of such electronic device, or that the person leave the Meeting if the use of the device persists.
- 44.8. The use of cameras, electric lighting equipment, recording equipment, television cameras and any other device of a mechanical, electronic or similar nature by the public (including the media) or by Regional staff is permitted if it is not disruptive to the Meeting. The placement of such devices will be at the discretion of the Presiding Officer and/or the Clerk. Such devices will be turned off and/or removed from the Meeting if it resolves into closed session.
- 44.9. No weapons of any kind shall be brought into a Meeting except those in the possession of any uniformed officer of the Halton Regional Police Service attending a Meeting where the officer's sidearm is a standard component of their uniform, or in the possession of Regional security staff.

44.10. Any member of the public or Regional staff who contravenes any provision of section 44 or otherwise engages in Unreasonable or Offensive Conduct or any other improper conduct during a Meeting, may be expelled from the Meeting by the Presiding Officer and escorted from the Meeting by security personnel, or have their connection to the Meeting terminated if they are participating electronically. The expulsion and the reasons for the expulsion shall be recorded in the minutes of the Meeting.

## **Part K: Repeal, Short Title, Commencement**

### **45. Repeal**

45.1. By-law No. 90-19 and its amending By-laws No. 10-20, 25-20 and 44-20 are hereby repealed.

### **46. Short Title**

46.1. This By-law shall be known as the Procedure By-law.

### **47. Commencement**

47.1. This By-law comes into force on the day it is passed.

READ and PASSED this 17th day of September, 2025.

  
\_\_\_\_\_  
REGIONAL CHAIR  
\_\_\_\_\_  
REGIONAL CLERK

Report No. CS-24-25

## **Appendix A: Common Motions**

### **1. Motion to Adjourn**

- a) A Motion to Adjourn without qualification brings a Meeting to an end. Unfinished business is carried over to the next Meeting.
- b) A Motion to Adjourn:
  - i) is always in order except:
    - 1. when a Member is speaking or when Members are voting or are about to vote or during the verification of the vote;
    - 2. immediately following the passing of a Motion to close debate;
  - ii) is not debatable;
  - iii) is not amendable; and
  - iv) when resolved in the negative, cannot be presented again until further business is conducted.
- c) A Motion to Adjourn to a specific time or to reconvene upon the happening of a specified event suspends a Meeting to continue at such time.

### **2. Motion to Recess**

- a) A Motion to Recess suspends business for a short intermission and shall specify the length of time of the recess. Business is resumed at the same point at the end of the intermission.
- b) The Motion to Recess:
  - i) is amendable only with respect to the length of the recess; and
  - ii) is not debatable.
- c) A recess may also be declared by the Presiding Officer without a Motion if no Member objects.

### **3. Motion to Limit or Extend Debate**

- a) A Motion to Limit or Extend Debate sets limits or grants extensions on the time available for discussion before voting on the pending Motion.
- b) A Motion to Limit or Extend Debate:
  - i) is not debatable;
  - ii) is amendable as to the time limits involved; and
  - iii) requires a two-thirds vote.

### **4. Motion to Close debate (Call the Question)**

- a) When approved, a Motion to Close Debate results in an immediate vote on the pending Motion, without further debate or comment.
- b) A Motion to Close Debate:
  - i) is not debatable;
  - ii) is not amendable;
  - iii) cannot be moved with respect to the main Motion when there is an amendment under consideration;
  - iv) may not be moved by a Member immediately after they finish speaking to the Motion that is currently under consideration; and
  - v) requires a two-thirds vote.
- c) Debate may not be closed by a single Member stating “Call the Question”. The Motion must be moved and seconded and affirmed by a two-thirds vote; otherwise, debate continues.

### **5. Point of Personal Privilege**

- a) When a Member believes that their rights, privileges or integrity or those of Council/Committee as a whole have been prejudicially affected, that Member may raise a point of personal privilege.
- b) When a point of personal privilege is raised, it shall be considered and decided by the Presiding Officer immediately. The decision of the Presiding Officer on a Point of Personal Privilege may be appealed.

## **6. Motion to Lay on the Table / Take From the Table**

- a) A Motion to Lay on the Table allows a pending main Motion to be set aside temporarily when an urgent matter has arisen.
- b) A Motion to lay on the Table:
  - i) is not debatable; and
  - ii) is not amendable.
- c) A Motion to Lay on the Table a matter with some condition, opinion or qualification added to the Motion shall be deemed to be a Motion to Postpone.
- d) The matter tabled shall not be considered again until a Motion has been made to take up the tabled matter at the same Meeting.
- e) A Motion to Take From the Table:
  - i) is not debatable; and
  - ii) is not amendable.
- f) If a Meeting adjourns prior to a tabled matter being Taken From the Table, that matter shall be deemed to be postponed to the next Meeting of Council/Committee.
- g) If a tabled matter is not Taken From the Table before a quarterly time interval has lapsed (e.g., item tabled at a Meeting in January must be Taken From the Table by April 30 of the same year), the matter expires although it can be reintroduced later as a new matter.

## **7. Motion to Postpone to a Certain Time (Defer)**

- a) A Motion to Postpone to A Certain Time (Defer) puts off action on a pending Motion to a definite day, time, Meeting or until after a certain event.
- b) A Motion to Postpone to A Certain Time (Defer):
  - i) is debatable, but only as to whether a matter should be postponed and to what time;



- ii) is amendable as to time; and
- iii) has precedence over the Motions to Refer, to Amend and to Postpone Indefinitely.

## **8. Motion to Refer (to Committee or Regional Staff)**

- a) A Motion to Refer sends a Motion to a Committee or to Regional staff so that it can be investigated and brought back to Council for consideration.
- b) A Motion to Refer should state whether the Motion is being referred to a Committee or Regional staff and may include any instructions from Council (e.g., timeline for reporting back, instructions for consultation, etc.).
- c) A Motion to Refer may also include the report, memorandum or other documentation supplemental to the Motion.
- d) A Motion to Refer:
  - i) is debatable, but only as to whether the Motion should be referred to a Committee or Regional staff and not to debate the main Motion;
  - ii) is amendable; and
  - iii) has precedence over all amendments of the main Motion and any Motion to Postpone Indefinitely or to Lay the Motion on the Table.

## **9. Motion to Amend**

- a) A Motion to Amend changes the wording of a Motion before it is voted on.
- b) A Motion to Amend must relate to the pending Motion. No new business may be introduced by moving an amendment to a Motion.
- c) An amendment may be hostile to the intent of the main Motion; however, an amendment which, if adopted, would have the exact same effect as defeating the main Motion (e.g., a contrary Motion created by inserting the word “not”) is not in order.
- d) On an amendment, Members may only debate the merits of the amendment, not the merits of the Motion the amendment proposes to amend.

- e) An amendment may only be amended once, and the amendments must relate to each other.
- f) Voting on a Motion to Amend shall be in the following order:
  - i) first vote – the amendment to an amendment;
  - ii) next vote – the original amendment (as amended if the amendment to the amendment is adopted);
  - iii) final vote – the main Motion (as amended if an amendment is adopted).
- g) An amendment to add/remove a party(ies) to the circulation on a report or resolution may be adopted by unanimous consent, without a Motion to Amend. If there is an objection, the request must be made by way of Motion to Amend properly moved and seconded.

#### **10. Motion to Postpone Indefinitely**

- a) The adoption of a Motion to Postpone Indefinitely stops consideration of the main Motion and avoids a direct vote on it.
- b) A Motion to Postpone Indefinitely:
  - i) can be applied only to the main Motion and can only be made while the main Motion is immediately pending;
  - ii) is debatable, and debate may go into the merits of the main Motion;
  - iii) is not amendable; and
  - iv) has precedence over only the main Motion.

#### **11. Point of Order**

- a) A Point of Order alerts the Members to a breach of procedure.
- b) When a Member wishes to raise a Point of Order, the Member shall be recognized by the Presiding Officer then shall state the Point of Order. The Presiding Officer shall decide on the Point of Order.
- c) A Member may appeal the decision of the Presiding Officer.

- d) If a Member does not appeal, the decision of the Presiding Officer shall be final.
- e) If a Member appeals, Council/Committee shall decide the appeal, without debate, by voting on “Shall the ruling of the Chair be upheld.” The decision of Council/Committee shall be final.

## **12. Motion to Suspend the Rules**

- a) A Motion to Suspend the Rules is used when Council wishes to take a certain action during a Meeting that would breach the rules of procedure.
- b) A Motion to Suspend the Rules should indicate the specific rule of procedure that is to be suspended.
- c) A Motion to Suspend the Rules:
  - i) is not debatable;
  - ii) is not amendable;
  - iii) requires a two-thirds vote; and
  - iv) takes precedence over any Motion if it is for a purpose connected with that Motion and yields to a Motion to Lay on the Table.
- d) A Committee is not permitted to Suspend the Rules of Procedure.

## **13. Motion to Reconsider**

- a) A Motion to Reconsider allows Members to bring back for further consideration a Motion that has already been voted on.
- b) A Motion to Reconsider:
  - i) is debatable;
  - ii) is not amendable;
  - iii) requires a two-thirds vote, regardless of the vote necessary to adopt the Motion to be reconsidered; and
  - iv) requires the Motion to be reconsidered within one year of the date on which the original Motion to be reconsidered was adopted.

- c) A Motion to Reconsider can only be made by a Member who was present and who voted on the prevailing side of the Motion to be reconsidered.
- d) A Motion to Reconsider requires notice of such intention and no discussion by any person of the main Motion proposed to be reconsidered shall be allowed unless the Motion to Reconsider has first been adopted.
- e) No Motion upon which a notice of reconsideration has been accepted shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.
- f) If a Motion to Reconsider is decided in the affirmative, reconsideration of the Motion to be reconsidered shall become the next order of business and debate on the Motion to be reconsidered shall proceed as though it had never previously been considered.
- g) To reconsider a Motion at a Meeting of Council, notice must be submitted to the Clerk in accordance with section 37. If notice is not received, then an affirmative vote of two-thirds of the Majority of the Members present is required during the Meeting of Council to suspend the rules regarding notice requirements and permit the introduction of a Motion to Reconsider.

**14. Division of a Question**

- a) Upon the request of any Member, a motion under consideration that contains distinct propositions can have each proposition voted on separately.

## Appendix B: Motions Table

<b>Motion</b>	<b>Debatable (Y/N)</b>	<b>Amendable (Y/N)</b>	<b>Vote Type</b>
Adjourn	N	N	Majority
Amend	Y	Y	Majority
Amend the Procedure By-law	Y	Y	Two-thirds of Members of whole Council
Close debate (call the question)	N	N	Two-thirds
Division of a question	N	Y	Majority
Limit or extend debate	N	Y	Two-thirds
Point of order	N	N	Majority
Point of personal privilege	N	N	Majority
Postpone to a certain time (defer)	Y	Y	Majority
Postpone indefinitely	Y	N	Majority
Recess	N	Y	Majority
Reconsider	Y	N	Two-thirds
Refer	Y	Y	Majority
Suspend the rules	N	N	Two-thirds
Table – lay on/take from the table	N	N	Majority