

THE REGIONAL MUNICIPALITY OF HALTON

BY-LAW NO. 90-19

A BY-LAW TO GOVERN THE CALLING, PLACE AND PROCEEDINGS OF COUNCIL AND ITS COMMITTEES AND THE CONDUCT OF ITS MEMBERS AND TO REPEAL AND REPLACE BY-LAW NO. 73-13, AS AMENDED.

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

AND WHEREAS Regional Council passed Procedural By-law No. 73-13 on June 19, 2013, and has determined that it is desirable to repeal and replace By-law No. 73-13, as amended.

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

PART 1 – DEFINITIONS

1.1 Definitions

In this By-law:

- (a) “Act” means the *Municipal Act, 2001*, S.O. 2001, c. 25;
- (b) “Acting Regional Chair” means the Member appointed by by-law to act from time to time in the place and stead of the Regional Chair;
- (c) “Addendum” means a supplemental document package prepared for use at a Meeting which contains additional information required for that Meeting such as reports, Motions, by-laws or other material;
- (d) “Agenda” means any document prepared for use at a Meeting setting out the business to be undertaken and containing reports, Motions and other material, including any Addendum documents;
- (e) “Alternate” means a Councillor who is appointed in accordance with Section 4.2 of this by-law to serve on a Committee in the place of an absent regular Committee Member;
- (f) “Budget Meeting” means a Meeting of Council to receive information and presentations from Regional staff and/or Delegations related to, and/or to consider and vote on, the annual budget and business plan of the Region including any related reports and recommendations;

- (g) "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;
- (h) "CAO" means the chief administrative officer of the Region;
- (i) "Clerk" means the clerk of the Region or their designate;
- (j) "Closed Session" means a Meeting or a part of a Meeting closed to the public in accordance with this By-law and the Act;
- (k) "Committee" means any committee of which all members are Members of Council but which is not comprised of the entire membership of Council;
- (l) "Committee Chair" means the chair of a Committee;
- (m) "Committee Vice-Chair" means the vice-chair of a Committee;
- (n) "Council" means the council of the Region;
- (o) "Councillor" means a Member of Council other than the Regional Chair;
- (p) "Delegate" means any person, group of persons, Regional consultant, agency, board, committee, firm or organization that is neither a Member nor Regional staff, wishing to address a Committee or Council in person; and a "Delegation" means the communication by a Delegate at a Meeting;
- (q) "Development Charges Act" means the *Development Charges Act, 1997*, S.O. 1997, c. 27;
- (q.1) "Electronic Participation" means participation in a Meeting from a remote location by such electronic means or service as determined and provided by the Clerk, and "participate electronically" has a corresponding meaning; (*By-law No. 10-20*)
- (r) "Emergency" means a situation or the threat of an impending situation adversely affecting property and/or the health, safety and welfare of the community or the Region, which by its nature and magnitude requires a timely, co-ordinated, and controlled response;
- (s) "Local Board" means a local board as defined in Section 1(1) of the Act;

- (t) “Majority” means a number greater than half of the total;
- (u) “Meeting” means any regular, special or other meeting of Council or of a Committee, as the context requires, where:
 - (i) a Quorum of Members is present, and
 - (ii) Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council or Committee;
- (v) “Member” means a member of Council or of a Committee, as the context requires;
- (w) “MFIPPA” means the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56;
- (x) “Motion” means a formal proposal by a Member, during a Meeting, that a Committee or Council take certain action;
- (y) “Municipal Conflict of Interest Act” means the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50;
- (z) “Notice of Motion” means advance notice to Members of a matter on which Council will be asked to take a position;
- (aa) “Open Session” means a Meeting or part of a Meeting that is open to the public;
- (bb) “Pecuniary Interest” means a direct or indirect interest within the meaning of the Municipal Conflict of Interest Act;
- (cc) “Planning Act” means the *Planning Act*, R.S.O. 1990, c. P.13;
- (dd) “Quorum” means the minimum number of Members required to be present at a Meeting in order to legally conduct business;
- (ee) “Recorded Vote” means a vote taken in a Council Meeting for which the names of each Member present and whether they voted in favour of or against the Motion is recorded in the minutes;
- (ff) “Region” means The Regional Municipality of Halton;
- (gg) “Regional” means pertaining to the Region;
- (hh) “Regional Chair” means the chair of the Region;

- (ii) “Regular Meeting” means a scheduled Meeting held in accordance with the calendar of Meetings approved annually by Council, but does not include either a Workshop Meeting, unless it has been redesignated as a Regular Meeting for the purposes of conducting business pursuant to Section 6.7, or a Budget Meeting;
- (jj) “Special Meeting” means a Meeting not scheduled in the calendar of Meetings approved annually by Council;
- (kk) “Staff Presentation” means a presentation made during a Meeting by Regional staff in order to provide information related to an item on a Meeting Agenda; and a “Staff Presenter” means the Regional staff making the presentation;
- (ll) “Statutory Public Meeting” means a Meeting, other than a hearing under the Development Charges Act, conducted by the Statutory Public Meeting & Hearing Committee and required by legislation, including but not limited to the Development Charges Act or the Planning Act;
- (mm) “Unreasonable or Offensive Conduct” means conduct or statements by a member of the public that can be considered to be aggressive, abusive, threatening, intimidating, violent, harassing, defamatory, frivolous or vexatious; and
- (nn) “Website” means the official website of the Region.

1.2 Numbers and Gender

In this By-law, words imparting singular numbers include the plural and vice versa, and all references to gender should be read as gender neutral.

1.3 References to Legislation

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.

PART 2 - GENERAL

2.1 Rules of Procedure – order and dispatch of business

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

2.2 Rules of Procedure – temporarily waiving rules – 2/3 vote

Except as provided elsewhere in this By-law, in Committees or Council, any one or more of the following rules may be temporarily waived by a vote of two-thirds (2/3) of Members present and voting:

- (a) rules regarding Agenda content and order of proceedings;
- (b) rules regarding Delegate status, thereby permitting unlisted Delegates to speak or declining to hear from Delegates who may be listed on the Agenda;
- (c) rules regarding speaking limits for ceremonial presentations, Delegations, Staff Presentations and debate; and
- (d) rules regarding standard notice to introduce a Motion.

2.3 Robert's Rules of Order

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

2.4 Rules of Procedure – Committee Meetings

Unless otherwise set out herein, the rules governing the procedure of Council shall be observed in all Committee Meetings.

2.5 Procedural By-law - amendment or repeal – ¾ vote

This By-law shall not be amended or repealed except by a positive vote of three-quarters (3/4) of the Members of the whole Council.

2.6 Procedural By-law – amendment or repeal - notice

Notwithstanding Section 2.5, no amendment or repeal of this By-law shall be considered at any Meeting of Council unless notice of the proposed amendment or repeal has been given as required by this By-law and the Region's Council approved notice provisions.

2.7 Administrative Corrections – by Clerk

The Clerk shall be permitted to make minor clerical, typographical or grammatical corrections to any Committee/Council 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 the Committee/Council.

2.8 Halton Region Board of Health

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

2.9 Committee of Management for Long-Term Care Homes

Council shall be deemed to be, and all Members of Council 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 Section 132(1) of the *Long-Term Care Homes Act, 2007*, S.O. 2007, c. 8.

2.10 Applicable Policies

The following policies as adopted by Council shall apply to all Members:

- (a) Council Code of Conduct;
- (b) Regional Council-Employee Relations Policy;
- (c) Pregnancy/Parental Leave for Members of Council Policy; and
- (d) any other policy applying to Members of Council as required by legislation, or enacted by Council.

PART 3 – THE REGIONAL CHAIR

3.1 Duties – Regional Chair

The Regional Chair shall:

- (a) assist Committees, of which they are a Member, and Council 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, declaring its will and obeying its decisions in all things;
- (d) perform other duties when directed to do so by resolution of Council; and
- (e) preside over the 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 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 business is concluded; and
 - (viii) adjourn the Meeting without a vote being called or suspend or recess the Meeting for a time to be named if considered necessary.

3.2 Responsibilities – Regional Chair

The Regional Chair shall be:

- (a) the chief executive officer of the Region, in accordance with Section 225(a) of the Act, and shall hold office until a successor is elected or appointed;
- (b) the chair of Council Meetings except when the gavel is passed as per the procedure noted in Sections 9.2 and 9.3; and
- (c) 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.

3.3 Voting - by the Regional Chair

The Regional Chair has the right to vote at all Committee and Council Meetings.

3.4 Acting Regional Chair – appoint by by-law

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, each Councillor to serve as Acting Regional Chair for a designated period of time, with each period being of equal duration, insofar as is practicable. The Acting Regional Chair shall serve when the Regional Chair is absent or refuses to act or the office is vacant, and while so acting in the place and stead of the Regional Chair shall have and may exercise all rights, powers, and authority of the Regional Chair in their absence, subject to any applicable legislation and/or by-laws.

PART 4 – ABSENCE AND ALTERNATES

4.1 Notice of Absence – Members - notify Clerk

Members are encouraged to notify the Clerk when they are aware that they will be late to or absent from a Meeting.

4.2 Alternates - appointment

Council may appoint Alternates for Members appointed to a Committee at the same time that regular Members of those Committees are appointed.

4.3 Alternates - requirements

Council shall ensure that Alternates are:

- (a) Regional Councillors;
- (b) from the same local municipality as the regular Member whom they are selected to replace; and
- (c) not already Members of the Committee for which they are selected as Alternates.

4.4 Alternates - at Committee – rights – privileges - obligations

Alternates shall possess all of the rights, privileges and obligations of a regular Member of the Committee for the Meeting in which they are participating as an Alternate.

4.5 Alternates – Members considered to be absent – reflect in minutes

A Committee Member who is replaced by an Alternate will be considered to be absent from the Meeting and the Clerk shall ensure that the absence is reflected in the minutes of the Committee Meeting.

4.6 Minutes – indicate Alternates

The Clerk shall ensure that the minutes of a Committee Meeting expressly indicate any Alternates who are in attendance in the place of a regular Member.

4.7 Alternates – Committee Meeting - Quorum

The attendance of an Alternate at a Committee Meeting in place of a regular Member shall be counted for the purposes of determining Quorum.

4.8 Alternates – not permitted to participate

An Alternate will not be permitted to participate in a Meeting as an Alternate unless the Clerk has received notice that the regular Member wishes to be replaced by their Alternate either directly from the regular Member or from a relative, their assistant, or the local clerk.

PART 5 - COMMITTEES

General Rules

5.1 Committees - Appointments

Upon the commencement of each term of Council, Council shall adopt a resolution for the appointment of Members and any Alternates to the Statutory Public Meeting & Hearing Committee and the Interview Committee as noted below.

5.2 Election of Chair and Vice-Chair

At the first Meeting of the Committee term:

- (a) the Clerk shall hold an election for the Committee Chair from among the Members of the Committee; and
- (b) the Committee Chair or the Clerk shall hold an election for the Committee Vice-Chair from among the Members of the Committee.

5.3 Committee Chair and Vice-Chair - term

The Committee Chair and a Vice-Chair shall serve in those positions until their successor is appointed, except in an election year, when the term shall end on November 14th.

5.4 Committee Chair - responsibilities

The Committee Chair shall be accountable to:

- (a) ensure that the Committee deals with policy issues effectively;
- (b) ensure public dialogue and communication on policy matters are effective and co-ordinated;
- (c) ensure the needs of the Committee for administrative support, analysis and advice are provided through the Office of the CAO; and
- (d) carry out all other duties as provided for in Section 3.1, as applicable.

5.5 Committee Chair – absence – Alternate

If the Committee Chair must be absent from a Meeting, an Alternate may attend in their place; however, the Meeting shall be chaired by the Committee Vice-Chair and not the Alternate.

5.6 Committee Chair/Vice-Chair – absence - Alternates

If both the Committee Chair and Vice-Chair must be absent from a Meeting, Alternates may attend in their place; however, a regular Member of the Committee shall be selected to chair the Meeting in accordance with Section 6.58.

5.7 Attending Committee Meetings – when not a Member

Members of Council who are not Members of a Committee may attend Meetings of that Committee and may take part in the discussion. However, these Members are not entitled to:

- (a) move Motions at the Meeting; or
- (b) vote at the Meeting.

Statutory Public Meeting & Hearing Committee

5.8 Statutory Public Meeting & Hearing Committee

At the commencement of each term of Council, Council shall establish a Statutory Public Meeting & Hearing Committee which shall:

- (a) provide for the holding of any and all necessary Statutory Public Meetings with respect to the preparation of an official plan and official plan amendments in accordance with the provisions of the Act and of the Planning Act and make a written report to Council summarizing the evidence and arguments presented to the Committee;
- (b) provide for the holding of any and all necessary Statutory Public Meetings required under the Development Charges Act, and make a written report to Council summarizing the evidence and arguments presented to the Committee;
- (c) provide for the holding of any and all necessary hearings under the Development Charges Act, and provide its recommendations to Council in writing;
- (d) provide for the holding of any and all necessary Statutory Public Meetings required under the Retail Business Holidays Act, and make a written report to Council summarizing the evidence and arguments presented to the Committee; and
- (e) provide for the holding of any and all necessary Statutory Public Meetings that may be required under any other applicable act.

5.9 Statutory Public Meeting & Hearing Committee - Composition

The Statutory Public Meeting & Hearing Committee shall be composed of:

- (a) two (2) Councillors and one (1) Alternate from the City of Burlington;
- (b) one (1) Councillor and one (1) Alternate from the Town of Halton Hills;
- (c) one (1) Councillor and one (1) Alternate from the Town of Milton;
- (d) two (2) Councillors and one (1) Alternate from the Town of Oakville; and
- (e) the Regional Chair.

5.10 Statutory Public Meeting or Hearing – held by Council

Notwithstanding Section 5.8, a Statutory Public Meeting or a hearing under the Development Charges Act may instead be held by Council at the call of the Regional Chair.

Other Committees

5.11 Interview Committee

At the commencement of each term of Council, Council shall establish an Interview Committee to review applications, conduct interviews and make recommendations directly to Council on the appointment of members of the public to Local Boards, committees and other bodies.

5.12 Interview Committee – Composition

The Interview Committee shall be composed of:

- (a) one (1) Councillor and one (1) Alternate from the City of Burlington;
- (b) one (1) Councillor and one (1) Alternate from the Town of Halton Hills;
- (c) one (1) Councillor and one (1) Alternate from the Town of Milton;
- (d) one (1) Councillor and one (1) Alternate from the Town of Oakville; and
- (e) the Regional Chair or their designate.

5.13 Interview Committee – recruitment of candidates

Candidate applications for positions to be recruited by the Interview Committee shall be solicited by way of public advertisement at the appropriate time. Final determination of appointments shall be made by Council based on the recommendation(s) of the Interview Committee.

5.14 CAO Recruitment Committee

The CAO Recruitment Committee shall be composed of the Regional Chair and the mayors of the four local municipalities. The CAO Recruitment Committee shall make recommendations to Council for the appointment of a CAO.

PART 6 - COMMITTEE AND COUNCIL MEETINGS

Inaugural Meeting of Council

6.1 Inaugural Meeting of Council - timing

The inaugural Meeting of Council, following a regular election, shall be held after the councils of the local municipalities have held their first meetings but not later than December fourteenth (14th) of that year, with the date, time, and place of such Meeting to be fixed by the Clerk.

6.2 Inaugural Meeting of Council – order of proceedings

The order of proceedings 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 Section 232 of the Act;
- (b) signing of declarations of elected office and oaths of office;
- (c) passage of a confirming by-law and any other relevant by-laws; and
- (d) other ceremonial proceedings as deemed by Council to be necessary or desirable for the Meeting.

6.3 Inaugural Meeting of Council – address by Regional Chair

An inaugural address by the Regional Chair may be delivered at the inaugural Meeting of Council or at a subsequent Meeting of Council.

Meetings - general

6.4 Meetings - Committees – location and timing

Committees shall hold their Meetings in the Council Chambers at the Halton Regional Centre, 1151 Bronte Road in Oakville, according to the approved calendar, or at such other time or place as may be designated by Council from time to time.

6.5 Regular and Budget Meetings – Council – location and timing

Council shall hold its Regular Meetings and Budget Meetings in the Council Chambers at the Halton Regional Centre, 1151 Bronte Road in Oakville, according to the calendar of Meetings approved annually by Council, or at such other time or place as may be designated by Council from time to time.

6.6 Meetings – seating arrangement

At Committee/Council Meetings, Members shall be seated in alphabetical order of the Members' surnames, with the Committee/Regional Chair seated

in the centre.

6.7 Meetings – cancellation and redesignation

Notwithstanding any other provision contained in this By-law, a Committee Chair, the Regional Chair, or in their absence, the Committee Vice-Chair or Acting Regional Chair may cancel a Meeting scheduled in the calendar of Meetings approved annually by Council if the Committee Chair, Regional Chair, Committee Vice-Chair, or Acting Regional Chair deems it appropriate. Staff may recommend the cancellation of a Meeting but shall confirm with the appropriate chair/vice-chair prior to notification of the remainder of the Members. The Regional Chair or in their absence the Acting Regional Chair may also redesignate a Workshop Meeting scheduled in the calendar of Meetings approved annually by Council as a Regular Meeting for the purposes of conducting business.

6.8 Evening Meetings - adjournment

In the event that a Committee or Council meets in the evening, the Meeting shall adjourn no later than 11:30 p.m. Any business remaining on the Agenda shall be deferred to a subsequent Meeting of the Committee or Council.

Special Meetings

6.9 Special Meetings - Committees

A Committee Chair, or in their absence the Committee Vice-Chair may, at any time, call a Special Meeting of that Committee and shall do so when so requested in writing by a Majority of the Members of the Committee. In the absence of the Committee Chair and Vice-Chair, a Special Meeting shall be called by the Clerk when requested in writing by a Majority of the Members of the Committee.

6.10 Special Meetings - Council

The Regional Chair, or in their absence the Acting 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 of Council. In the absence of the Regional Chair and the Acting Regional Chair, a Special Meeting shall be called by the Clerk when requested in writing by a Majority of the Members of Council.

6.11 Special Meetings – transaction of business - Agenda

No business may be transacted at a Special Meeting of a Committee or Council other than that specified in the Agenda.

6.12 Special Meetings - cancellation

Notwithstanding any other provision contained in this By-law, a Committee Chair, the Regional Chair, or in their absence, the Committee Vice-Chair or Acting Regional Chair may cancel a Special Meeting of the Committee or

Council, as the case may be, only if a Majority of the Members of the Committee or Council consents.

Budget Meetings

6.13 Budget Meeting – annual

Council shall hold a Budget Meeting, typically in December of each year except in a municipal election year, for the purposes of receiving information and presentations related to, and/or to consider and vote on, the proposed budget and business plan of the Region for the coming calendar year including any related reports and recommendations. Any parts of the budget and business plan and related reports and recommendations that have not been voted on at the Budget Meeting will be considered at a subsequent Council Meeting.

6.14 Budget Meeting – following Inaugural Meeting of Council

In years when a municipal election takes place and the Inaugural Meeting of Council is held in December, the Budget Meeting will be held in January of the following year.

6.15 Budget Meeting – reports included in Agenda

Reports and recommendations pertaining to the annual budget and business plan of the Region shall be included in the Agenda for the Budget Meeting.

6.16 Budget Meeting – Delegations

Notwithstanding Section 10.14, Delegations invited by Council to present at Budget Meetings regarding funding requests for their organizations as detailed in Regional staff reports shall not be subject to a speaking time limit except at the discretion of Council.

Notice of Meetings

6.17 Notice of Meeting – delivery of Agendas – to Members

The delivery of Agendas to each Member of Council not less than seventy-two (72) hours before each Meeting included in the calendar of Meetings approved annually by Council or not less than forty-eight (48) hours before a Special Meeting of a Committee or of Council constitutes notice of a Meeting.

6.18 Notice of Meeting – to the public

The calendar of Meetings approved annually by Council, available on the Website, shall constitute notice of Meetings as set out in the calendar.

6.19 Notice of Meeting – Special Meetings – to the public

Notice of Special Meetings, including Statutory Public Meetings and hearings under the Development Charges Act, will be made available on the schedule of Meetings on the Website.

6.20 Agendas – available on Website

Agendas, including all public documents, will be available on the Website or through the Clerk’s Office after distribution to Members, but not less than forty-eight (48) hours before a Meeting.

6.21 Agendas - copies of public documents

Any member of the public may obtain a copy of a public document included on an Agenda through the Clerk’s Office, for such charge as may be provided for in the Region’s then current fees and charges by-law.

6.22 Notice to Public - sufficiency

A notice given to the public is sufficient even if there are times during the notice period when the Website is not accessible.

6.23 Notice of Meeting – waiving of notice

The waiving of the requirements of Sections 6.17, 6.18, 6.19 and 6.20 is prohibited except in the case of an Emergency.

6.24 Notice of Meeting – lack of receipt

Lack of receipt of notice shall not affect the validity of holding the Meeting nor any action taken at the Meeting.

6.25 Notice of Meeting – loss of Quorum

Notwithstanding Section 6.67, 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.

6.26 Notice of Meeting – advertising – Statutory Public Meetings

In addition to the requirements of Section 6.19, to advise interested persons of Statutory Public Meetings, appropriate advertising shall be undertaken as required by applicable legislation, by-law or Regional policy.

6.27 Notice of Cancellation of Meeting - form

A notice of cancellation of Meeting may be sent to Members by e-mail or in writing, or the Clerk may telephone Members to notify them of the cancellation of a Meeting.

6.28 Cancellation of Meeting – Clerk to update Website

When a Meeting has been cancelled, the Clerk shall ensure that the schedule of Meetings available on the Website is updated to reflect the cancellation of the Meeting.

6.29 Public Access to Meetings – open to the public

Committee and Council Meetings shall be open to the public except as provided for in Sections 6.30, 6.31 and 6.32.

Closed Session

6.30 Closed Session – in accordance with the Act

A Committee or Council Meeting, or part of such Meeting, may be held in Closed Session only in accordance with the Act. The following matters may be considered in Closed Session:

- (a) the security of the property of the Region;
- (b) personal matters about an identifiable individual, including Regional employees;
- (c) a proposed or pending acquisition or disposition of land by the Region;
- (d) labour relations or employee negotiations;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the Region;
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (g) a matter in respect of which the Committee or Council may hold a closed meeting under another act;
- (h) information explicitly supplied in confidence to the Region by Canada, a province or territory or a Crown agency of any of them;
- (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the Region, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- (j) a trade secret or scientific, technical, commercial or financial information that belongs to the Region and has monetary value or potential monetary value; and

- (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the Region.

6.31 Closed Session – request under MFIPPA/investigation by Ombudsman or Closed Meeting Investigator

A Committee or Council Meeting, or a part of the Meeting, shall be held in Closed Session if the subject matter relates to the consideration of a request under MFIPPA or to an ongoing investigation by the Region’s Ombudsman or Closed Meeting Investigator.

6.32 Closed Session – Workshop Meeting

In accordance with the provisions of the Act, a Workshop Meeting, or a portion thereof, may be held in Closed Session if the following conditions are both satisfied:

- (a) the Meeting is held for the purpose of educating or training the Members; and
- (b) at the Meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of Council.

6.33 Closed Session - Agenda

The Agenda for the Closed Session portion of the Meeting shall include a list of items to be considered at the Closed Session and shall identify the Subsection of the Act, or other applicable legislation which authorizes each item to be considered at the Closed Session.

6.34 Closed Session - resolution

Before holding a Meeting or part of a Meeting in Closed Session, the Committee or Council shall state by resolution:

- (a) the fact of the holding of the Closed Session and the general nature of the matter to be considered at the Closed Session; or
- (b) in the case of a Meeting under Section 6.32, the fact of the holding of the Closed Session, the general nature of its subject matter, including a brief description of the matter being considered, and that it is to be closed under Section 6.32 and under Section 239(3.1) of the Act.

6.35 Closed Session – no additions

Once in a Closed Session, only those items authorized by the resolution in Section 6.34 may be discussed.

6.36 Closed Session – publicly report - resume Open Session

Prior to moving into Closed Session, the Committee/Regional Chair shall publicly report that Open Session will resume following the end of the Closed Session.

6.37 Closed Session – public to remove all personal items

No electronic devices or any other personal items belonging to members of the public are to be left in the Meeting location during a Closed Session. The Committee/Regional Chair may remind members of 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.

6.38 Closed Session - voting

Subject to Section 6.39, a Meeting shall not be closed to the public during the taking of a vote.

6.39 Closed Session – voting – procedural matters – staff direction

A vote may be taken during a Closed Session for a procedural matter or for giving directions or instructions to officers, employees and/or agents of the Region or persons retained by, or under contract to, the Region.

6.40 Closed Session – report on matters discussed

After Closed Session ends, and when Open Session resumes, the Committee/Regional Chair shall publicly report that the matters discussed were those authorized by the resolution and that any votes taken were in accordance with Section 6.39, and this will be recorded in the minutes of the Open Session.

6.41 Closed Session – distribute reports – disclose nature of discussions

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.

6.42 Disclosure - confidential documents

Only Council may authorize the disclosure of confidential documents included in an Agenda or otherwise distributed to Members.

6.43 Closed Session – not move into Closed Session

A Committee or Council, rather than moving into a Closed Session, may simply acknowledge confidential items without discussion, and may vote in accordance with a recommendation included in a confidential report without moving into a Closed Session.

6.44 Closed Session - investigation

Pursuant to Section 239.1 of the Act, any person may request that an investigation be undertaken into whether the Region has complied with Section 239 of the Act or this By-law in respect of a Meeting or part of a Meeting that was closed to the public.

6.45 Closed Session – suspend webstreaming and recording

Notwithstanding Section 12.8, any active webstreaming and recording will be suspended when a Committee or Council moves into a Closed Session.

Workshop Meetings

6.46 Workshop Meetings – coordinated through Clerk

Workshop Meetings shall be coordinated through the Clerk.

6.47 Workshop Meetings – location

Workshop Meetings shall regularly be held in the Council Chambers at 1151 Bronte Road, Oakville, unless another location is designated by the CAO and/or Regional Chair.

6.48 Workshop Meetings – notice to Members

The Clerk shall give notice to all Members regarding the subject, date, time and location of the Workshop Meeting in accordance with Section 6.17.

6.49 Workshop Meetings – notice – to the public

Notice of the Workshop Meeting date, time and location will be made available to the public on the schedule of Meetings on the Website

6.50 Workshop Meetings – notice - new items on Agenda

After notice of the Workshop Meeting has been provided, no new subjects will be added to the Agenda since the appropriate notification will not have been given in accordance with this By-law, however, time-sensitive matters may be taken up at the Workshop Meeting by a vote of Council to waive the rules of procedure.

6.51 Workshop Meetings – minutes

The Clerk shall prepare minutes of the Workshop Meeting that describe the proceedings, subject matter discussed in general terms and any requests for additional information that are not resolved in the Workshop Meeting itself.

6.52 Workshop Meetings – attendance by public

Any member of the public who attends a Workshop Meeting will be permitted to observe the proceedings unless the proceedings resolve into Closed Session. No Delegations are permitted at Workshop Meetings.

6.53 Workshop Meetings – decisions

Decisions shall not be made at a Workshop Meeting unless an exception is made as per Section 6.50 for a time-sensitive matter. Otherwise any matter requiring a decision shall be reported back to Council for consideration and approval.

6.54 Workshop Meetings – Closed Sessions

A Workshop Meeting may be held in Closed Session under Section 239(3.1) of the Act for the purpose of educating or training the Members. If a Workshop Meeting is to be closed under this Section 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 in order to adjourn.

6.55 Workshop Meetings - webstreaming

Webstreaming of a Workshop Meeting shall be at the discretion of Council and/or the CAO. No Workshop Meeting held in Closed Session in accordance with Section 6.32 will be webstreamed. If the Workshop Meeting is being held in a location where webstreaming is not available, the Workshop Meeting will not be webstreamed.

6.56 Workshop Meetings - Presentations

Notwithstanding Section 10.14, presentations by Regional staff or guest facilitators or speakers at a Workshop Meeting shall not be subject to a time limit except at the discretion of Council.

Quorum and Call to Order

6.57 Quorum – call to order

The chair for a Meeting of a Committee or Council shall call the Members to order as soon after the time fixed for the commencement of the Meeting as a Quorum is present.

6.58 Call to order – Committee Chair late

In the event that a Committee Chair does not attend a Committee Meeting at which they are to preside within fifteen (15) minutes after the time fixed for the commencement of the Meeting, the Committee Vice-Chair shall call the Meeting to order and shall preside until the arrival of the Committee Chair. Should the Committee Vice-Chair also not be in attendance, then those Members in attendance shall, by resolution, nominate and elect one of themselves to act as the acting Committee Chair for that Meeting and this Member shall preside until the arrival of either the Committee Chair or the Committee Vice-Chair.

6.59 Quorum – within fifteen minutes – Committee Meeting

If a Quorum for a Committee Meeting is not present within fifteen (15) minutes after the time fixed for the commencement of the Meeting, the Committee

may proceed without a Quorum being present but the report of the Committee Meeting shall clearly indicate the parts of the Meeting that were conducted without a Quorum present.

6.60 Call to order – Regional Chair late

In the event that the Regional Chair does not attend a Council Meeting at which they are to preside within fifteen (15) minutes after the time fixed for the commencement of the Meeting, the Acting Regional Chair 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 Members in attendance shall, by resolution, nominate and elect one of themselves to act as Regional Chair for that Meeting and this Member shall preside until the arrival of either the Regional Chair or the Acting Regional Chair.

6.61 Quorum – within thirty minutes – Council Meeting

If a Quorum for a Council Meeting, other than a Workshop Meeting, is not present within thirty (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 called in accordance with the provisions of this By-law.

6.62 Quorum – within fifteen minutes – Workshop Meeting

If a Quorum for a Workshop Meeting is not present within fifteen (15) minutes after the time fixed for the commencement of the Meeting, the Workshop Meeting may proceed without a Quorum being present but the report of the Workshop Meeting shall clearly indicate the parts of the Meeting that were conducted without a Quorum present.

6.63 Quorum – Committees

A Quorum for any Committee Meeting shall be a Majority of the Members of that Committee.

6.64 Quorum – Council

A Quorum for any Council Meeting shall be a Majority of the Members of Council, together representing at least three (3) 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 Member acting as Regional Chair shall be included in the determination of local representation.

6.65 Quorum – Municipal Conflict of Interest Act

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 at that Meeting 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 (2).

6.66 Quorum – lost – Committee Meeting

If during the course of a Committee Meeting a Quorum is lost, the Committee Meeting may continue without a Quorum.

6.67 Quorum – lost – Council Meeting

If during the course of a Council Meeting, other than a Workshop Meeting, a Quorum is lost, then the Regional Chair shall declare that the Meeting shall stand recessed until a Quorum is re-established. If a Quorum cannot be re-established, the Regional Chair 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.

6.68 Quorum – lost – Workshop Meeting

If during the course of a Workshop Meeting a Quorum is lost, the Workshop Meeting may continue without a Quorum.

Electronic Participation *(By-law No. 10-20)*

6.69 Electronic Participation

The provisions in Sections 6.70 to 6.76 apply when it has been determined by the Regional/Committee Chair and Chief Administrative Officer that Electronic Participation will be required by all Members attending a Meeting, or when individual Members participate in a Meeting electronically. *(By-law No. 44-20)*

6.70 Electronic Participation – scope of participation

Any Member who is not physically present in the location where a Meeting takes place is permitted to participate electronically in both Open and Closed Session and shall have the same rights to speak and vote as if the Member was physically present.

6.71 Electronic Participation – Quorum

All Members who participate electronically shall be counted in determining whether or not a Quorum of Members is present.

6.72 Electronic Participation – Clerk attends in person

The Clerk shall be required to be physically present in the location where any Meeting with Electronic Participation takes place.

6.73 Electronic Participation – notice to Clerk

Members are encouraged to notify the Clerk twenty-four (24) hours in advance of any Meeting at which they intend to participate electronically.

6.74 Electronic Participation – no Chairs/Vice-Chairs for Consideration of Reports in Council – motions not in writing

The following shall not apply to Meetings with Electronic Participation:

- (a) the provisions of Sections 9.2 and 9.3, setting out the roles of Chairs/Vice-Chairs for Consideration of Reports in Council; and
- (b) the provisions of Section 9.46, requiring Motions to be in writing and signed.

6.75 Electronic Participation – speaking order – voting

The following may be adjusted at the discretion of the Committee/Regional Chair based on the features and functionality of the electronic means or service being used to permit Electronic Participation:

- (a) the provisions included in Section 9.14 setting out the order in which Members wishing to speak are recognized;
- (b) the provisions included in Section 9.24 requiring voting to be by show of hands;
- (c) the provisions of Sections 9.35 and 9.36, setting out the process for a Recorded Vote; and
- (d) any other provisions of this By-law made impossible due to the features and functionality of the electronic means or service being used to permit Electronic Participation.

6.76 Electronic Participation – Delegates *(By-law No. 25-20)*

Delegates may be permitted to participate electronically in a Meeting of Council or Committee following procedures and requirements set out by the Clerk and subject to the following:

- a) electronic means of participating must be available for the Meeting;
- b) Electronic Participation must be clear and uninterrupted and allow for two-way communication, and if any unreasonable delay or interference is caused to the Meeting as a result of the Electronic Participation, the connection will be terminated; and
- c) notwithstanding Section 10.4, a request to appear as a Delegate through Electronic Participation must be received by the Clerk at least two Business Days prior to the date of the Meeting.

PART 7 - COMMITTEE AND COUNCIL MEETING AGENDAS & MINUTES

Agendas

7.1 Delivery to the Clerk - inclusion in Agenda

All reports, notices, Motions and any other material to be included in a published Agenda shall be delivered in writing to the Clerk not less than fourteen (14) Business Days prior to the date of a Committee or Council Meeting.

7.2 Agenda – Regular Meeting - Council

The Clerk shall prepare an Agenda in the following order for the use of Members at Regular Meetings of Council:

- (a) Roll Call
- (b) National Anthem
- (c) Disclosures of Pecuniary Interest
- (d) Confirmation of Proceedings of Previous Council Meeting
- (e) Ceremonial Presentations
- (f) Delegations
- (g) Staff Presentations
- (h) Memoranda & Correspondence
- (i) Consideration of Reports and Motions
 - (i) Annual Appointment Report (when required)
 - (ii) Health and Social Services
 - (iii) Planning and Public Works
 - (iv) Administration and Finance
 - (v) Budget Reports (when required)
 - (vi) Motions
- (j) By-laws
- (k) Other Business/Comments of Members
- (l) Confirmation of Proceedings
- (m) Adjournment

(n) Information Section (optional).

7.3 Agenda – Addendum

The Clerk may prepare an Addendum to the Council Meeting Agenda containing any minutes, correspondence, Motions, reports, by-laws or additional information required for the Council Meeting. Any Addendum shall be prepared and delivered to Council and made available to the public no less than three (3) Business Days prior to the Council Meeting.

7.4 Agenda Addendum – Notice

Any items of business included in the Addendum shall constitute notice of such items for the purposes of the Council Meeting.

7.5 Agenda - Special Meeting - Council

The Clerk shall prepare an Agenda in the following order for the use of Members at Special Meetings of Council:

- (a) Roll Call
- (b) National Anthem
- (c) Disclosures of Pecuniary Interest
- (d) Delegations
- (e) Staff Presentations
- (f) Memoranda & Correspondence
- (g) Consideration of Reports and Motions
- (h) By-laws
- (i) Confirmation of Proceedings
- (j) Adjournment
- (k) Information Section (optional).

7.6 Agenda – Budget Meeting

The Clerk shall prepare an Agenda in the following order for the use of Members at Budget Meetings:

- (a) Roll Call

- (b) Disclosures of Pecuniary Interest
- (c) Delegations
- (d) Staff Presentations
- (e) Memoranda & Correspondence
- (f) Consideration of Reports
- (g) Other Business/Comments of Members
- (h) Confirmation of Proceedings
- (i) Adjournment
- (j) Information Section.

7.7 Agenda – Workshop Meeting

The Clerk shall prepare an Agenda in the following order for the use of Members at Workshop Meetings:

- (a) Roll Call
- (b) Disclosures of Pecuniary Interest
- (c) Presentations
- (d) Memoranda
- (e) Other Business/Comments of Members
- (f) Confirmation of Proceedings
- (g) Adjournment
- (h) Information Section (optional).

The Memoranda section of the Agenda shall include a memorandum from the CAO or other Regional staff as appropriate outlining the purpose and general schedule for the Workshop Meeting.

7.8 Agenda - Statutory Public Meeting

The Clerk shall prepare an Agenda in the following order for the use of Members at Statutory Public Meetings:

- (a) Disclosures of Pecuniary Interest
- (b) Chair Declares the Public Meeting Open
- (c) Staff Presentations
- (d) Delegations
- (e) Other Submissions
- (f) Chair Declares the Public Meeting Closed
- (g) Adjournment
- (h) Information Section.

7.9 Agenda – hearing under Development Charges Act

The Clerk shall prepare an Agenda in the following order for the use of Members at hearings under the Development Charges Act:

- (a) Disclosures of Pecuniary Interest
- (b) Opening of Hearing
- (c) Staff Presentations
- (d) Delegations
- (e) Other Submissions
- (f) Consideration of Reports
- (g) Closing of Hearing
- (h) Adjournment.

Minutes

7.10 Minutes - secretary

The Clerk shall be the secretary of Council, the Statutory Public Meeting & Hearing Committee and the Interview Committee, as well as any other Committee as required by Council.

7.11 Minutes – Open Session – Closed Session

The Clerk shall prepare minutes of all Meetings, whether they are open to the public or not, which shall record:

- (a) the type, place, date and time of Meeting;
- (b) the name of the chair(s) presiding over the Meeting;
- (c) an attendance record of the regular Members, Alternates, and Council Members present who are neither regular Members nor Alternates (if applicable);
- (d) the time of late arrival or early departure of any of the individuals listed in Section 7.11(c);
- (e) the resolutions, decisions and other proceedings of the Meeting, without note or comment;
- (f) attendance of Regional staff, including the CAO, Commissioners, the clerk and any others who participate in the proceedings of the Meeting;
- (g) any disclosures of Pecuniary Interest; and
- (h) the time the Meeting moved in and out of Closed Session and the report pursuant to Section 6.40, if applicable.

7.12 Minutes – record – sufficient details

The minutes shall provide an accurate and meaningful record of open and closed sessions by including sufficient details to identify the subjects that were discussed and the nature of the discussion, listed in chronological order. Questions from Members to Regional staff that are answered satisfactorily in the Meeting and do not require follow-up shall not be recorded in the minutes.

7.13 Minutes – Committee - defeated Motion/recommendation

No Motion/recommendation that is defeated in Committee shall be recorded in the minutes.

7.14 Minutes – Committee reports

The reports, including the minutes, of each Meeting of Committee shall be presented to Council at the next Regular Meeting for consideration of the recommendations therein.

7.15 Minutes – confirmation by Council

The minutes of each Council Meeting shall be presented to Council at the next Regular Meeting for confirmation.

7.16 Minutes – signed by Regional Chair and Clerk

After the minutes of each Council Meeting have been confirmed by Council, the minutes shall be signed by the Regional Chair and Clerk.

7.17 Minutes – s. 6(1)(b) of MFIPPA - does not apply

In accordance with Section 239(9) of the Act, Section 6(1)(b) of MFIPPA does not apply to a record of a Meeting closed under Section 6.32. As such, minutes of Closed Session Workshop Meetings shall be made available to the public.

PART 8 – COMMUNICATIONS AND PUBLIC PETITIONS

Communications

8.1 Communications - provided to the Clerk

The Clerk, in consultation with the CAO, shall determine the disposition of communications received by the Clerk that are intended for a Committee or Council Meeting.

8.2 Communications - requirements

All communications must:

- (a) be delivered to the Clerk in person or by mail, e-mail or fax;
- (b) be addressed to Council, a Committee or to the Clerk;
- (c) be legible;
- (d) include the name and the mailing address or telephone number of the author;
- (e) be in a reproducible format; and
- (f) not be defamatory or contain inappropriate content or offensive language.

Anonymous communications will not be forwarded to Members or Regional staff and will not be retained by the Clerk.

8.3 Communications – part of public record

Personal information and opinions in communications received by the Clerk are part of the public record, unless the author of the communication requests the removal of their personal information when submitting it or the Clerk determines that the disclosure of the personal information would contravene MFIPPA.

8.4 Communications – consideration by Regional staff

If the Clerk, in consultation with the CAO, decides that Regional staff should consider any communication they receive:

- (a) the Clerk will forward a copy of the communication to the appropriate Regional staff; and
- (b) Regional staff may submit a report directly to a Committee or to Council in response to the communication.

Public Petitions

8.5 Petitions – part of the public record

Petitions received by the Clerk become part of the public record and may be published (with signatures removed) in an Agenda and on the Website.

8.6 Petitions – disposition by Clerk

The Clerk, in consultation with the CAO, shall determine the disposition of any petitions they receive.

8.7 Petitions - requirements

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 and the address and telephone number for each signatory. Signatures should be in a separate column and will be removed if the petition is published in an Agenda or on the Website;
- (c) contain the petition organizer's name, address and telephone number;
- (d) not concern any matter that is outside of Council's jurisdiction; and
- (e) not be defamatory or contain inappropriate content or offensive language.

8.8 Petitions – mailed – hand delivered

Petitions may be mailed or hand delivered to the Clerk.

PART 9 - COMMITTEE AND COUNCIL MEETING PROCEDURES

9.1 Chairs/Vice-Chairs for Consideration of Reports in Council - Appointments

On an annual basis, Council shall appoint by way of resolution through an annual appointment report, a Chair and Vice-Chair for each of the Health and Social Services, Planning and Public Works, and Administration and Finance portions of the Consideration of Reports during Regular Meetings of Council (see (ii) through (iv) of Section 7.2(i)). The Chairs and Vice-Chairs shall serve in these roles until they step down or until successors are appointed.

9.2 Chairs for Consideration of Reports in Council - Responsibilities

The Chairs for Consideration of Reports in Council shall assume the gavel and preside during their assigned portion of the Council Meeting and be accountable to carry out all duties as provided for in Section 3.1, as applicable.

9.3 Chairs for Consideration of Reports in Council - Absence

If a Chair for Consideration of Reports in Council is absent or has declared a Pecuniary Interest during part or all of their portion of the Meeting, the Vice-Chair shall assume the gavel and preside. If both the Chair and Vice-Chair are absent or have declared a Pecuniary Interest during part or all of their portion of the Meeting, the Regional Chair shall retain the gavel.

9.4 Regional Chair – Consideration of Annual Appointment Report, Budget Reports and Motions in Council

For greater certainty, the Regional Chair shall retain/be returned the gavel and preside during the Annual Appointment Report, Budget Reports and Motions portions of the Consideration of Reports during Regular Meetings of Council (see (i), (v) and (vi) of Section 7.2(i)).

Declaration of Pecuniary Interest

9.5 Declaration of Pecuniary Interest – responsibility to declare

In accordance with the Municipal Conflict of Interest Act, it is the responsibility of each Councillor and the Regional Chair to, prior to any consideration of a matter at a Meeting, disclose a Pecuniary Interest in the matter and the general nature thereof, and the Councillor/Regional Chair 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 such Motion.

9.6 Declaration of Pecuniary Interest – Closed Session

If the interest under Section 9.5 is with respect to an item dealt with at a Closed Session, in addition to complying with the requirements of Section 9.5, the Councillor/Regional Chair shall forthwith leave the Closed Session or that part of the Closed Session during which the matter is under consideration.

9.7 Declaration of Pecuniary Interest – not disclosed - absent

Where the interest of a Councillor/Regional Chair has not been disclosed as required by Section 9.5 by reason of their absence from the Meeting, the Councillor/ Regional Chair shall disclose their interest and otherwise comply with Section 9.5 at the first Meeting of the Committee or Council attended by them after the Meeting referred to in Section 9.5.

9.8 Declaration of Pecuniary Interest – Written Statements, Record Particulars, Registry

The Councillor/Regional Chair, in addition to their verbal disclosure of Pecuniary Interest, 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. A registry containing hard copies of each filed statement and recorded disclosure shall be maintained by the Clerk for public inspection upon request during regular business hours.

9.9 Declaration of Pecuniary Interest - record abstention

In the case of a Councillor/Regional Chair who has declared a Pecuniary Interest on a Motion, the minutes shall reflect that the Councillor/Regional Chair abstained from the vote.

Speaking Rules

9.10 Speaking Rules – mover and seconder

The Chair shall give the mover of a Motion the first opportunity to speak to the Motion, followed by the seconder.

9.11 Speaking Rules – speak against Motion

The mover of a Motion may not speak against their own Motion.

9.12 Speaking Rules - recognition by Chair - Committee

A Member shall not speak in Committee until the Committee Chair has recognized them. In order to be recognized, the Member shall raise their hand and wait to be recognized by the Committee Chair.

9.13 Speaking Rules - recognition by Regional Chair - Council

A Member shall not speak in Council until the Regional Chair has recognized them. In order to be recognized, the Member shall raise their hand and wait to be recognized by the Regional Chair.

9.14 Speaking Rules - direction of comments – speakers’ list

When a Member has been recognized by the Committee/Regional Chair as having the floor, the Member shall direct their question or comment to the Committee/Regional Chair and speak only to the matter under consideration. The Committee/Regional Chair shall recognize Members who wish to speak in the order that they come to their attention. When the speakers’ list is exhausted, before putting the Motion to a vote or leaving the item concerned, the Committee/Regional Chair shall ask whether any additional Members wish to speak to the Motion or item concerned. The speakers’ list applies to the business at hand. A new amendment or amendment to an amendment requires a new speakers’ list.

9.15 Speaking Rules - no interruptions

When a Member is speaking, no other Member shall pass between them and the Committee/Regional Chair, or interrupt them, except to raise a point of order.

9.16 Speaking Rules - read Motion

Any Member may require that the Motion under discussion be read at any time during the debate, but not so as to interrupt any Member who is speaking.

9.17 Speaking Rules – Member - Council – speaking limit

In Council, no Member shall speak more than twice on the same matter without the leave of Council, except in explanation of a material part of their remarks which may have been misunderstood, but then they shall not be permitted to introduce any new matter.

9.18 Speaking Rules – Member - Committee – speaking limit

In Committee, a Member may speak more than twice on a matter but only after every other Member who wishes to speak has done so.

9.19 Speaking Rules – Member - ask questions – obtain information

A Member may ask the Committee/Regional Chair, Regional staff or the originator of the Motion, questions for the purpose of obtaining information. All questions shall be stated clearly and questions shall not be used to make statements or assertions. Members are encouraged to provide questions to Regional staff prior to the Meeting so that staff may formulate a response to the question and provide it to the Member during the Meeting.

9.20 Speaking Times – Member - Council

In Council, no Member shall speak to the same Motion for any longer than ten (10) minutes each time. For the purpose of clarity, this rule only applies to Council Meetings and not to Committee Meetings.

Voting

9.21 Calling a Vote – Member - no disturbance

When the Committee/Regional Chair calls a vote on a Motion, no Member shall walk across or out of the room, nor make any noise or disturbance.

9.22 Calling a Vote - no other Motion – no speaking to Motion

After a vote is called by the Committee/Regional Chair, 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.

9.23 Ruling by Committee/Regional Chair - not in order

If a Member considers that a ruling made by the Committee/Regional Chair is not in order, an appeal may be made. When appealed, the Committee/Regional Chair may give a brief explanation of the ruling and ask Members to vote on whether the Committee/Regional Chair's ruling is to be upheld. In the event of a tie vote, the ruling is upheld. The decision of Committee/Council under this Section is final.

9.24 Voting – show of hands – secret ballot

The manner of determining the decision of a Committee or Council on a Motion where no Recorded Vote is called shall be by a show of hands and shall not be by secret vote or ballot.

9.25 Voting – one vote each

Each Member, including the Regional Chair, has one (1) vote pursuant to Section 243 of the Act, and may vote at all Meetings unless prohibited by law or by this By-law.

9.26 Voting – in place of Committee/Regional Chair

Where a Member is acting in the place of the Committee/Regional Chair, such Member shall have and may exercise all the rights and powers of the Committee/Regional Chair while so acting but shall vote only once on all matters.

9.27 Voting – Majority – tie vote

Except as provided elsewhere in this By-law, a Motion shall be deemed to have been carried when a Majority of the Members present and voting (including those deemed as voting under Section 9.28) has voted in favour of the Motion. Consequently, on a tie vote, the Motion is lost.

9.28 Voting – negative vote – do not vote

If any Member present does not vote when a vote is taken, they shall be deemed as voting in the negative, except where they are prohibited from voting by law or by this By-law.

9.29 Voting – announce result

The Committee/Regional Chair 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 9.33.

9.30 Voting – voting on defeated side

If a Member voted on the defeated side, the Member may request that their vote be recorded in the minutes. Such request shall be made immediately after the vote is taken.

9.31 Voting – support by mover - seconder

In voting, all Motions may be supported or opposed by the mover and/or seconder.

Recorded Voting

9.32 Recorded Voting

The provisions of Sections 9.25, 9.26, 9.27, 9.28 and 9.31 also apply to Recorded Votes.

9.33 Recorded Voting – required by Member – Council

In Council Meetings, any Member may require a Recorded Vote to be taken on the Motion concerned before or immediately after a vote is taken.

9.34 Recorded Voting – not permitted - Committee

Recorded Votes are not permitted in Committee Meetings.

9.35 Recorded Voting – in favour – rise - opposition

When a Recorded Vote is permitted and required, the Regional Chair shall call for those Members in favour to all rise, if they are able, at which time the Clerk shall record the name of each Member standing or raising their hand pursuant to Section 9.36 and their vote in favour; then the Regional Chair shall call for those Members opposed to all rise, if they are able, at which time the Clerk shall record the name of each Member standing or raising their hand pursuant to Section 9.36 and their vote in opposition. The Clerk shall then record the name of each Member who abstained from voting pursuant to Sections 9.5 and 9.28 and how they were deemed to have voted, if applicable.

9.36 Recorded Voting – unable to rise – show of hands

If a Member is unable to rise, they shall indicate their vote by a show of hands.

9.37 Recorded Voting – announce result

The Regional Chair shall announce the result of the Recorded Vote.

Notice of Motion and Motions

9.38 Motion – notice required

Except as otherwise provided for in this By-law, notice must be provided when a Motion is to be introduced at a Council Meeting.

9.39 Motion – submitted to Clerk – in writing

The Motion must be submitted to the Clerk in writing prior to the Council Meeting. The Motion must be sent or signed by the mover and does not require a seconder.

9.40 Motion – inclusion in Agenda

The Clerk shall include the Motion, in full, in the Agenda or Addendum for the Meeting concerned and the Motion shall be dealt with at this Meeting. This action shall constitute the notice required by Section 9.38.

9.41 Notice of Motion – dealt with at next Regular Council Meeting

Notwithstanding Section 9.40, during the Other Business portion of the Council Agenda, a Member may bring forward a Motion without the required notice, with the stipulation that said Motion be dealt with at the next Regular Council Meeting.

9.42 Motion – notice not required

Notwithstanding Section 9.38, the following Motions may be introduced during a Council Meeting without notice and without leave:

- (a) a point of order or personal privilege;
- (b) to close debate;
- (c) to adjourn;
- (d) to suspend (waive) the rules of procedure;
- (e) to 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.

9.43 Notice of Motion – staff reports

Staff reports that go before Council for consideration and appear in a Council Agenda shall constitute Notice of Motion for the purposes of any Motion brought at Council with respect thereto.

9.44 Notice of Motion – Material available prior to Meeting

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) as soon as is practicably possible prior to the Meeting.

9.45 Notice of Motion – Emergency – 2/3 vote

Notwithstanding the foregoing, any Motion or other business may be introduced for consideration of Council provided that it is made clear that to delay such Motion or other business for consideration at an appropriate Committee or future Council Meeting would not be in the best interest of the Region and that the introduction of the Motion or other business shall be upon an affirmative vote of two-thirds (2/3) of the Members of Council present.

9.46 Motions – in writing – Council

In Council Meetings, all Motions must be in writing and signed by the mover and seconder, 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.

9.47 Motions – Committee – not required to be submitted in writing

In Committee Meetings, Motions are not required to be submitted in writing or to have a seconder.

9.48 Motions – withdraw – prior to being stated by Committee/Regional Chair

The mover may withdraw a Motion or a Notice of Motion at any time prior to it being stated by the Committee/Regional Chair. If withdrawn prior to being read, the Motion is not included in the minutes of the Meeting.

9.49 Motions – withdraw – after being stated by Committee/Regional Chair

After a Motion has been stated by the Committee/Regional Chair, it shall be deemed to be in the possession of Committee/Council, but may be withdrawn by the mover at any time before a decision or amendment, provided Committee/Council does not object.

9.50 Motions – beyond jurisdiction – not in order

A Motion in respect of a matter which is beyond the jurisdiction of a Committee/Council shall not be in order except a matter which, in the opinion of the Majority of the Committee/Council, has to do with the welfare of the citizens generally. The question of the opinion is to be decided without debate.

9.51 Motions – deferred - withdrawn

A Motion that has been stated by the Committee/Regional Chair may be deferred a total of three (3) times and shall be deemed to be withdrawn after the third (3rd) deferral.

9.52 Appendix A – Common Motions

Appendix A: “Common Motions” forms part of this By-law and shall be used as a reference.

9.53 Appendix B – Motions Table

Appendix B: “Motions Table” forms part of this By-law and shall be used as a reference.

9.54 Appendix C – Committee/Council Differences

Appendix C: “Committee/Council Differences” forms part of this By-law and shall be used as a reference.

PART 10 – CEREMONIAL PRESENTATIONS, STAFF PRESENTATIONS & DELEGATIONS

Ceremonial Presentations

10.1 Ceremonial Presentations – at a Council Meeting

Members of the public or Regional staff may, with the approval of the Regional Chair, attend a Council Meeting for the purpose of a ceremonial presentation or an awards presentation. Requests should be made in writing through the Clerk.

Delegations

10.2 Delegations - requests to appear – item on Agenda

Requests to appear before a Committee or Council to address an item appearing on a Committee or Council Agenda must be made in writing and shall include:

- (a) the Delegate's full name;
- (b) the Delegate's mailing address and, if applicable, e-mail address;
- (c) the Delegate's telephone number;
- (d) an outline of the nature of the Delegation;
- (e) if applicable, the name, address and telephone number of any person, group or organization that the Delegate is representing;
and
- (f) the specific action being requested of Committee/Council.

10.3 Delegations - submission of request to appear - listed on Agenda

Delegates who wish to address an item appearing on a Committee or Council Agenda must provide the Clerk with a request to be listed on the Agenda no later than fourteen (14) Business Days before a Committee/Council Meeting. Delegations may be listed on the Council Addendum if their request is received after this deadline but at least seven (7) Business Days prior to the Meeting.

10.4 Delegations - submission of request to appear - not listed on Agenda

Delegates who wish to address an item appearing on an Agenda but do not provide the Clerk with a request to appear as a Delegate within the timeframes listed in Section 10.3 have until 4:30 p.m. on the Business Day prior to the Meeting to provide the Clerk with a request to appear. The names

of these Delegates will not appear in the Agenda or Addendum and the rules of this By-law will have to be waived at the Meeting to permit the Delegates to address the Committee/Council.

10.5 Delegations – item not on Agenda – may not appear before Committee/Council

Delegations on new items of business not scheduled to appear on any Agendas are not permitted. Individuals or groups who are interested in appearing before Council on such matters are requested to contact Regional staff to determine whether or not the matter may be appropriate for inclusion on a forthcoming Agenda or if the matter can be resolved without an appearance before Council.

10.6 Delegations – Written Submission

In lieu of a Delegation, a written submission may be made to Council or Committee on an Agenda item and the submission must be received by the Clerk by the deadline as noted in 10.4.

10.7 Delegates – Statutory Public Meetings

Notwithstanding Sections 10.3 and 10.4, Delegates are not required to submit a request to the Clerk in order to speak at a Statutory Public Meeting, however, they must wait to speak until the Chair opens the floor to unregistered delegations.

10.8 Delegates – Interview Committee Meetings

Delegations are not permitted at Meetings of the Interview Committee.

10.9 Delegation – not permitted

A request to appear before Council or Committee shall not be permitted regarding any of the following:

- (a) a matter that is under litigation between the Delegate or a client of the Delegate and the Region, including matters before administrative tribunals;
- (b) a matter that is under investigation by either the Region's Ombudsman or Integrity Commissioner;
- (c) appeals by vendors or service providers who were not the successful proponents for awards of contracts by the Region; and
- (d) in exceptional circumstances, notwithstanding Sections 10.2, 10.3 and 10.4, 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 Committee or Council.

10.10 Delegate – inform requester why not permitted

If a Delegation request is denied under Section 10.9, the Clerk shall:

- (a) notify the requester and provide reasons for the decision; and
- (b) inform the Members of the decision to deny the request.

10.11 Delegate – Right of Council to Refuse to Hear

A Committee or Council may, by a vote to waive the rules of procedure, refuse to hear from any registered Delegations.

Speaking Times

10.12 Speaking Times – Ceremonial Presentations

Speakers involved in ceremonial presentation or awards presentations shall be given ten (10) minutes to address Council.

10.13 Speaking Times – Staff Presentations

There shall be no time limit on Staff Presentations at Committee or Council, although Regional staff are encouraged to advise the Committee/Regional Chair in advance if the presentation time will exceed thirty minutes.

10.14 Speaking Times – Delegates

Delegates shall be given:

- (a) ten (10) minutes to address a Committee; or
- (b) five (5) minutes to address Council.

10.15 Speaking Times – answering questions – Delegate

The time spent receiving and answering questions from Members shall not be deducted from the speaking time provided to Delegates.

10.16 Speaking Times – unused time - Delegate

Delegates will not be permitted to assume any unused speaking time allocated to another Delegate.

10.17 Delegations – group – spokesperson and speaking times

Groups are encouraged to select a single spokesperson to present their views. However, if a Delegation involves more than one person, the total presentation is still limited to the speaking times set out in Section 10.14.

10.18 Delegations – repeated information

While multiple Delegations on the same subject matter and advocating similar positions are permitted, a Delegate may not repeat the same presentation made by a previous Delegate.

10.19 Delegations – translator – speaking times

Delegates may use a translator, and the translation time does not count towards speaking times.

10.20 Extend Speaking Time - Delegates

Notwithstanding Section 10.14, speaking times for Delegates may be extended or limited if the Committee/Regional Chair obtains the approval of the Committee/Council. If the speaking time has been exceeded and no Member of Council has objected, Council has allowed the speaking time to be extended by unanimous consent.

General

10.21 General - questions to Delegates and Regional staff

Following a Delegation or Staff Presentation, Members shall be limited to asking questions for clarification or for additional and relevant information only.

10.22 General - Delegates – Staff Presenters - conduct

No Delegate or Staff Presenter shall:

- (a) speak disrespectfully of any person;
- (b) use offensive words;
- (c) speak on any subject other than the subject for which they have received approval to address the Committee or Council; or
- (d) disobey the rules of procedure or a decision of the Committee/Regional Chair or a decision of the Committee/Council.

10.23 General – Interrupt Delegation or Staff Presentation

The Committee/Regional Chair may interrupt any person appearing before the Committee/Council for disorder or any other breach of this By-law, and the person shall withdraw if the Committee/Regional Chair so rules.

10.24 Electronic Presentations – copies to Clerk

The Council Chambers are equipped to show electronic presentations. If persons appearing before a Committee/Council would like to show an electronic presentation, they are encouraged to provide a copy of their

presentation by e-mail, memory stick, or other means to the Clerk in advance of the Committee/Council Meeting.

10.25 Presentations – copies to Clerk

Persons who appear before a Committee/Council who have hard copy materials they would like distributed to Members are encouraged to provide the Clerk with sufficient copies of the documents for all Members of the Committee/Council and CAO/Commissioners in advance of the Meeting.

PART 11 – BY-LAWS

11.1 By-Laws - consideration of subject matter

No by-laws shall be presented to Council, except by waiving the rules, unless the subject matter thereof has been considered and approved by Council at the Meeting where the by-laws are to be presented or at a previous Meeting.

11.2 By-Laws - in writing – introduced by Motion

Every by-law shall be in writing and shall be introduced upon a Motion by a Member.

11.3 By-Laws - signed - sealed

Every by-law which has been passed by Council shall be signed by the Regional Chair and Clerk, the corporate seal affixed thereto, and kept in the office of the Clerk.

PART 12 - CONDUCT DURING MEETINGS

Conduct of Members

12.1 Conduct of Members – Committee - Council

No Member shall:

- (a) speak disrespectfully of the Reigning Sovereign, any of the Royal Family, the Governor General of Canada, and the Lieutenant Governor of any Province or any member of the federal or provincial government;
- (b) use offensive words in or against the Committee or Council or against any Member;
- (c) speak on any subject other than the subject under debate;
- (d) criticize any decision of a Committee or Council except for moving, in accordance with the provisions of this By-law, that a Motion be reconsidered; or
- (e) 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.

12.2 Conduct of Members – disregard rules of procedure – points of order

If a Member disregards the rules of procedure or a decision of the Committee/Regional Chair on points of order, practice and/or interpretation of the rules, and persists in such conduct after having been called to order by the Committee/Regional Chair, the Committee/Regional Chair shall move “that if the Member apologizes they may, by a vote of the Committee/Council, be permitted to remain in their seat.” This Motion is not debatable. If the Member fails to apologize, the Member will be ordered by the Committee/Regional Chair to leave the Meeting.

12.3 Conduct of Members – electronic devices - distraction

With the exception of 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. In the event that the use of an electronic device distracts from the business of a Meeting, the Committee/Regional Chair may direct the Member in question to turn off or cease the use of such electronic device.

Conduct of Public and Staff

12.4 Public/Staff Conduct – Committee - Council

Persons attending Committee/Council Meetings shall maintain order and quiet and shall not address Committee/Council except with the permission of Committee/Council.

12.5 Public/Staff Conduct – Council Dais

No person except Members of Council, the Clerk, the Clerk's agents, and the CAO or CAO's designate shall be allowed to approach or walk behind the Council dais during Meetings held in the Council Chambers without the permission of the Committee/Regional Chair or the Committee/Council.

12.6 Public/Staff Conduct – signs - disruption

No person shall display signs or placards, applaud, heckle or engage in conversation or other behaviour which may be considered to be disruptive, inconsiderate, disrespectful or intimidating to others.

12.7 Public/Staff Conduct – electronic devices - disruption

Mobile and other electronic devices, with the exception of assistive devices required by persons with disabilities, shall be turned off during Meetings or set so they do not emit any audible sound and their use shall be limited so as not to disrupt the proceedings of Committee/Council.

12.8 Public/Staff Conduct – recording equipment

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 staff may be permitted provided that it is not disruptive to the Meeting. The location of such devices will be at the discretion of the Committee/Regional Chair and/or the Clerk.

12.9 Public/Staff Conduct – no food – Council Chambers

Food shall not be brought into the Council Chambers by members of the public or staff.

12.10 Public/Staff Conduct – Committee – Council - language

When invited to address Committee/Council, no person shall use indecent, offensive or insulting language or speak disrespectfully of any individual listed in Section 12.1, any Member, or any employee of the Region.

12.11 Public/Staff Conduct – expelled from Meeting

Any person, other than a Member of Committee/Council, who contravenes any provision of Section 12.4 to 12.10, or otherwise engages in Unreasonable or Offensive Conduct or any other improper conduct, may be expelled from the Meeting by the Committee/Regional Chair. The expulsion and the reasons for the expulsion shall be recorded in the Minutes of the Meeting.

PART 13 – REPEAL, SHORT TITLE, COMMENCEMENT

13.1 Repeal

By-law No. 73-13, as amended, is hereby repealed.

13.2 Short Title

This By-law shall be known as the Procedural By-Law.

13.3 Commencement

This By-law comes into force on January 1, 2020.

READ and PASSED this 11th day of December, 2019.

REGIONAL CHAIR

REGIONAL CLERK

Report No. LPS113-19

APPENDIX A: COMMON MOTIONS

MOTION TO ADJOURN

- 1.1 A Motion to Adjourn without qualification brings a Meeting to an end. Unfinished business is carried over to the next Meeting.
- 1.2 A Motion to Adjourn:
 - (a) is always in order except:
 - (i) when a Member is speaking or when Members are voting or are about to vote or during the verification of the vote;
 - (ii) immediately following the carriage of a Motion to Close Debate;
 - (b) is not debatable;
 - (c) is not amendable; and
 - (d) when resolved in the negative, cannot be presented again prior to further business being conducted.
- 1.3 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.

MOTION TO RECESS

- 2.1 A Motion to Recess temporarily suspends business for a short intermission. Business is resumed at the same point at the end of the intermission. The Motion to Recess shall specify the length of time of the recess and:
 - (a) is amendable only with respect to the length of the recess;
 - (b) is not debatable; and
 - (c) requires a Majority vote.

MOTION TO LIMIT OR EXTEND DEBATE

- 3.1 A Motion to Limit or Extend Debate permits a Committee/Council to control the discussion of a Motion by setting limits on the time available for discussion before voting on the pending Motion. A Motion to Limit or Extend Debate:
- (a) is not debatable;
 - (b) is amendable as to the time limits involved; and
 - (c) requires a two-thirds (2/3) vote.

MOTION TO CLOSE DEBATE (CALL THE QUESTION)

- 4.1 When decided in the affirmative, a Motion to Close Debate brings Members to an immediate vote on the pending Motion, without further debate or comment. A Motion to Close Debate:
- (a) is not debatable;
 - (b) is not amendable;
 - (c) cannot be moved with respect to the main Motion when there is an amendment under consideration;
 - (d) should be moved by a Member who has not already debated the Motion; and
 - (e) requires a two-thirds (2/3) vote.

Note: Debate may not be closed by a single Member announcing "Call the Question". The Motion must be moved and seconded and affirmed by a two-thirds (2/3) vote; otherwise, debate continues.

POINT OF PERSONAL PRIVILEGE

- 5.1 A Point of Personal Privilege is not related to a Motion on the floor, but rather affects individual Members. It is in order only when the dignity, safety or reputation of a Member or Committee/Council is at stake.
- 5.2 The Motion allows Members to interrupt the Meeting to state an urgent request. When a point of personal privilege is raised, it shall be considered and decided by the Committee/Regional Chair immediately. The decision of the Committee/Regional Chair on a Point of Personal Privilege may be appealed to the Committee/Council.

MOTION TO TABLE

- 6.1 A Motion to Table allows a pending main Motion to be put aside temporarily when something else of an urgent nature has arisen. A Motion to Table:
- (a) is not debatable; and
 - (b) is not amendable.
- 6.2 A Motion to Table a matter with some condition, opinion or qualification added to the Motion shall be deemed to be a Motion to Postpone.
- 6.3 The matter tabled shall not be considered again by the Committee/Council until a Motion has been made to take up the tabled matter at the same or subsequent Meeting of the Committee/Council.
- 6.4 A Motion to take up a tabled matter is not subject to debate or amendment.
- 6.5 A Motion that has been tabled at a previous Meeting of the Committee/Council cannot be taken from the table unless notice thereof is given in accordance with Section 9.38.
- 6.6 A Motion that has been tabled and not taken from the table for six (6) months shall be deemed to be withdrawn and cannot be taken from the table.

MOTION TO POSTPONE TO A CERTAIN TIME (DEFER)

- 7.1 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.
- 7.2 A Motion to Postpone To A Certain Time (Defer):
- (a) is debatable, but only as to whether a matter should be postponed and to what time;
 - (b) is amendable as to time; and
 - (c) has precedence over the Motions to Refer, to Amend, and to Postpone Indefinitely.

MOTION TO REFER (TO COMMITTEE/ REGIONAL STAFF)

- 8.1 A Motion to Refer sends a Motion to a Committee, or back to Regional staff so that it can be investigated and brought back to Council.
- 8.2 A Motion to Refer should state the Committee that the Motion is to be referred to and when the Committee should report back to Council.
- 8.3 For greater certainty, a Motion to Refer may not send a Motion to another municipality, board or agency.
- 8.4 A Motion to Refer:
 - (a) is debatable, but only as to whether the Motion should be referred to a Committee, and not to debate the main Motion;
 - (b) is amendable; and
 - (c) has precedence over all amendments of the main Motion and any Motion to postpone indefinitely or to table the Motion.

MOTION TO AMEND

- 9.1 A Motion to Amend changes the wording of a Motion before it is voted on.
- 9.2 A Motion to Amend must relate to the pending Motion. No new business may be introduced by moving an amendment to a Motion.
- 9.3 An amendment which, in effect, is nothing more than a rejection of the main Motion (ie. a contrary Motion) is not in order.
- 9.4 On an amendment, Members may only debate the merits of the amendment, not the merits of the Motion the amendment proposes to amend.
- 9.5 An amendment may only be amended once, and the amendments must relate to each other.
- 9.6 Voting on a Motion to Amend shall be in the following order:
 - (a) first vote – the amendment to an amendment;
 - (b) next vote – the original amendment;

(c) final vote – the main Motion (if an amendment is adopted, the final vote will be on the main Motion, as amended).

9.7 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.

MOTION TO POSTPONE INDEFINITELY

10.1 The adoption of a Motion to Postpone Indefinitely kills the main Motion and avoids a direct vote on it.

10.2 A Motion to Postpone Indefinitely:

(a) can be applied only to the main Motion and can only be made while the main Motion is immediately pending;

(b) is debatable, and debate may go into the merits of the main Motion;

(c) is not amendable; and

(d) has precedence over no other Motion.

POINT OF ORDER

11.1 Point of Order is the Motion that is used to alert the Members to a breach of procedure.

11.2 When a Member wishes to raise a Point of Order, the Member shall be recognized by the Committee/Regional Chair and shall then state the Point of Order to the Committee/Regional Chair. The Committee/Regional Chair shall decide on the Point of Order.

11.3 After the Committee/Regional Chair has decided on the Point of Order, a Member may appeal the decision to the Committee or Council.

11.4 If a Member does not appeal, the decision of the Committee/Regional Chair shall be final. If a Member appeals to the Committee or Council, the Committee/Council shall decide the appeal without debate and the decision shall be final.

MOTION TO SUSPEND THE RULES (WAIVE THE RULES)

- 12.1 A Motion to Suspend the Rules is used when a Committee or Council wishes to do something during a Meeting that would violate the rules of procedure. A Motion to Suspend the Rules:
- (a) is not debatable;
 - (b) is not amendable;
 - (c) requires a two-thirds (2/3) vote; and
 - (d) takes precedence over any Motion if it is for a purpose connected with that Motion and yields to a Motion to Table.

MOTION TO RECONSIDER

- 13.1 A Motion to Reconsider allows Members to reconsider the vote on a Motion.
- 13.2 A Motion to Reconsider:
- (a) is debatable;
 - (b) is not amendable;
 - (c) requires a two-thirds (2/3) vote, regardless of the vote necessary to adopt the Motion to be reconsidered; and
 - (d) requires the Motion to be reconsidered within one (1) year of the date on which the Motion to Reconsider was adopted.
- 13.3 After any Motion, except one of Indefinite Postponement, has been decided by Council, any Member who was present and who voted on the prevailing side may, at a subsequent Meeting of Council, move for the reconsideration thereof, provided due notice of such intention is given as required by this By-law, but no discussion of the main Motion by any person shall be allowed unless the Motion to Reconsider has first been adopted.
- 13.4 After any Motion, except one of indefinite postponement, has been decided by a Committee, but before a decision thereon by Council, any Member who was present and who voted on the prevailing side may, at a subsequent Meeting of the Committee, move for the reconsideration thereof, provided due notice of such intention is given as required by this By-law, but no discussion of the main Motion by any

person shall be allowed unless the Motion to reconsider has first been adopted.

- 13.5 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.
- 13.6 If a Motion to Reconsider is decided in the affirmative, reconsideration 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.
- 13.7 To reconsider a Motion at a Council Meeting, notice must be submitted to the Clerk forty-eight (48) hours in advance of the Council Meeting. If notice is not received, then a two-thirds (2/3) vote is required during the Council Meeting to introduce a Motion to Reconsider.

DIVISION OF A QUESTION

- 14.1 Division of a Question is used when a Motion has several parts and the Members wish to vote on each part separately.
- 14.2 The parts of the Motion must be able to stand alone for Division of a Question to be in order.
- 14.3 A Motion to Divide a Question:
 - (a) is not debatable; and
 - (b) is amendable.

APPENDIX B: MOTIONS TABLE

Motion	Debatable	Non-Debatable	Amendable	Non-Amendable	Majority Vote	Other Vote
adjourn {Appendix A, Sections 1.1-1.3}		X		X	X	
amend {Appendix A, Sections 9.1-9.7}	X		X		X	
amend the procedural by-law {Section 2.5}	X		X			$\frac{3}{4}$ of Members of whole Council
close debate (call the question) {Appendix A, Section 4.1}		X		X		2/3
division of a question {Appendix A, Sections 14.1-14.3}		X	X		X	
limit or extend debate {Appendix A, Section 3.1}		X	X			2/3
point of order {Appendix A, Sections 11.1-11.4}		X		X	X*	
point of personal privilege {Appendix A, Sections 5.1-5.2}		X		X	X*	
postpone to a certain time (defer) {Appendix A, Sections 7.1-7.2}	X		X		X	

Motion	Debatable	Non-Debatable	Amendable	Non-Amendable	Majority Vote	Other Vote
postpone indefinitely {Appendix A, Sections 10.1-10.2}	X			X	X	
recess {Appendix A, Section 2.1}		X	X		X	
reconsider {Appendix A, Sections 13.1-13.7}	X			X		2/3
refer {Appendix A, Sections 8.1-8.4}	X		X		X	
suspend the rules (waive the rules) {Appendix A, Section 12.1}		X		X		2/3
table – lay on the table/take from the table {Appendix A, Section 6.1-6.6}		X		X	X	

*on appeal following ruling by Committee/Regional Chair

APPENDIX C: Committee/Council Differences

Issue	In Committee	In Council
Ceremonial Presentations – speaking time	Not permitted	10 minute limit
Delegations – speaking time	10 minute limitation	5 minute limitation
Motions – making	Motions may be in writing or verbal	Motions must be in writing other than those specified in Section 9.42
Motions – seconding	Seconding not required	All Motions must be seconded
Notice of Motion	No Notice of Motion required	Notice of Motion required
Quorum	Majority of Committee	Majority of Council with 3 local municipalities
Recorded Vote	Not allowed	Allowed
Speaking – length of time	No limitation	10 minute limitation each time
Speaking – number of times	No limitation	2 times only per issue