



**BY-LAW NUMBER 140-2007
OF
THE CORPORATION OF THE CITY OF STRATFORD**

BEING a By-law to provide for the Rules of Order and Procedure for the Municipal Council of the City of Stratford and to repeal By-law 216-2002, as amended.

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

AND WHEREAS it is deemed expedient to adopt by by-law, rules governing the order and procedure of the Council of The Corporation of the City of Stratford;

NOW THEREFORE BE IN ENACTED by Council of The Corporation of the City of Stratford as follows:

PART 1 DEFINITIONS

- 1.1 Ad-Hoc Committee
- 1.2 Advisory Committee
- 1.3 Agenda
- 1.4 Chair
- 1.5 Chief Administrative Officer (CAO)
- 1.6 Clerk
- 1.7 Committee of the Whole Open Session
- 1.8 Committee of the Whole In-camera Session
- 1.9 Consent Agenda
- 1.10 Council
- 1.11 Councillor
- 1.12 Deputy Mayor
- 1.13 Division of question
- 1.14 Electronic Attendance
- 1.15 Emergency
- 1.16 Emergency Meeting

- 1.17 Ex officio
- 1.18 Improper Conduct
- 1.19 In-camera
- 1.20 Inaugural Meeting
- 1.21 Majority vote
- 1.22 Mayor
- 1.23 Member of Council
- 1.24 *Municipal Act*
- 1.25 Nominating Committee
- 1.26 Notice of Motion
- 1.27 Pecuniary Interest
- 1.28 Point of Order
- 1.29 Point of Personal Privilege
- 1.30 Public Meeting
- 1.31 Quorum
- 1.32 Recorded Vote
- 1.33 Regular Meeting
- 1.34 Special Meeting
- 1.35 Special Purpose Committee
- 1.36 Standing Committee
- 1.37 Sub-committee

PART 2 GENERAL PROVISIONS

- 2.1 Rules – procedures observed – at all times
- 2.2 Rules – observed – modifications – permitted
- 2.3 Parliamentary procedure - proceedings
- 2.4 Rules – suspended – 2/3 consent - Council
- 2.5 Absence – Mayor – Deputy Mayor – authority
- 2.6 Absence – Deputy Mayor – Acting Deputy Mayor – appointed
- 2.7 Meetings – location – Council Chamber – exception
- 2.8 Councillor – addressed
- 2.9 Mayor – addressed
- 2.10 Electronic Attendance by Council Members at Meetings
- 2.11 Electronic Delegations by Members of the Public - during emergencies

PART 3 ROLES AND DUTIES

- 3.1 Role of Mayor
- 3.2 Role of Council
- 3.3 Duty of Mayor
- 3.4 Duty of Councillors
- 3.5 Duty of Clerk
- 3.6 Mayor – ex officio – all committees

PART 4 **SCHEDULE OF MEETINGS**

- 4.1 Inaugural – first Monday – December - time
- 4.2 No business – Inaugural – until Declarations
- 4.3 Appointments – Nominating Committee
- 4.4 Regular – bi-monthly – holiday - exception
- 4.5 Regular – bi-monthly – exception
- 4.6 Election – meeting time
- 4.7 Committee of the Whole Open Session – when necessary
- 4.8 Committee of the Whole, In-camera – same day – Regular Council
- 4.9 Special meeting – emergency – called by Mayor
- 4.10 Special meeting – called by Council
- 4.11 Special meetings – emergency – held in Council Chamber
- 4.12 Third Monday – each month
- 4.13 Meeting Schedule – Clerk to provide
- 4.14 Cancellation of Meeting – Mayor - Chair

PART 5 **PUBLIC NOTICE OF MEETINGS**

- 5.1 Public Notice – meeting schedule
- 5.2 Posting of agendas – failure to post
- 5.3 Agendas – delivered – in advance
- 5.4 Special meetings – calling of – 24 hours prior
- 5.5 Special meetings – agenda – provided at meeting
- 5.6 Special meetings – business specified - transacted
- 5.7 Emergency – notice not required
- 5.8 Emergency – business specified – transacted
- 5.9 Public notice – agenda – not received - validity
- 5.10 Standing Committees - agenda
- 5.11 Sub-committees – agenda – delivered – 36 hours prior
- 5.12 Agenda – In-camera – not sent electronically
- 5.13 Agenda – Open Session – available – public - exception
- 5.14 Items – urgent – Addendum/Addenda

PART 6 **IN-CAMERA MEETINGS**

- 6.1 Matters to be considered – In-camera
- 6.2 Procedure – modifications
- 6.3 Points of order – decision by Chair
- 6.4 Procedure – moving into – In-camera
- 6.5 Procedure – rise and report – In-camera
- 6.6 Meeting – not closed – public – vote
- 6.7 Agenda – not received – validity – not affected
- 6.8 Agenda – distribution – with council agenda
- 6.9 Communication devices – turned off – In-camera Sessions

PART 7 COUNCIL AGENDAS/ORDERS OF THE DAY

- 7.1 Council Agendas – Composition – prepared by Clerk
- 7.2 Deadline – material inclusion
- 7.3 Order of business – as specified - exception

PART 8 COMMENCEMENT OF COUNCIL MEETINGS

- 8.1 Quorum – majority – required
- 8.2 Call to order – quorum present
- 8.3 Adjournment – quorum not present – names recorded
- 8.4 Quorum – lost – adjourn to reconvene - exception
- 8.5 Acting Deputy Mayor – absence – member appointed – to preside
- 8.6 Members of Council – notify – Clerk - absence
- 8.7 Meeting – in session – entrance within bar – restriction

PART 9 RULES OF DEBATE AND CONDUCT

- 9.1 Order – decorum – maintained - Mayor
- 9.2 Mayor – speaking on motion – to leave Chair
- 9.3 Mayor – leaving Chair – member designated in place
- 9.4 Speaking – recognition by Mayor - required
- 9.5 Speaking – order - determination
- 9.6 Speaking – limitation – subject – maximum 5 minutes
- 9.7 Speaking – once only – exception – vote - reply
- 9.8 Speaking – under debate – motion - prohibited
- 9.9 Motion – under debate – questions – before vote
- 9.10 Motion – under debate – read – at any time
- 9.11 Disruption – Council – by member - prohibited
- 9.12 Offensive language – insults - prohibited
- 9.13 Disobedience – rules – points of order - prohibited
- 9.14 Leaving seat – disturbance during vote - prohibited
- 9.15 Speaking – without addressing - prohibited
- 9.16 Interruption – speakers - exception
- 9.17 Leaving meeting – not to return – Mayor informed
- 9.18 Disorderly conduct – member to be removed - question
- 9.19 Disorderly conduct – member to leave seat
- 9.20 Apology – member to resume seat – by permission
- 9.21 Failure to leave seat – removal
- 9.22 Council – contact – Senior Manager – prior to meeting
- 9.23 Referrals – Staff – Committees – resolution required
- 9.24 Electronic devices – at meetings – public – turned off

PART 10 QUESTIONS OF PRIVILEGE – POINTS OF ORDER

- 10.1 Rights – privileges – integrity – of members - affected
- 10.2 Administration – integrity questioned - procedure
- 10.3 Rules of procedure – violation – raised by member
- 10.4 Appeal – Mayor’s decision – immediately - required
- 10.5 Appeal – decision – question put – to Council
- 10.6 Call to order – member to sit – speaking - permission
- 10.7 Clerk – called upon - advice

PART 11 MOTIONS – ORDER – PUTTING MOTIONS

- 11.1 Notice of motion – filed with Clerk
- 11.2 Motion – seconded before debate
- 11.3 Withdrawal – before put - requirement
- 11.4 Motion under debate – other motions permitted
- 11.5 Motion to adjourn - qualifications
- 11.6 Motion to adjourn – rejected - procedure
- 11.7 Adjournment – 11:00 p.m.
- 11.8 Adjournment – extensions – reconvene – subsequent Wednesday
- 11.9 Motion to proceed – beyond 11:00 p.m. - qualifications
- 11.10 Motion to table - qualifications
- 11.11 Motion to postpone (defer) – to certain time - procedure
- 11.12 Motion to refer – qualifications
- 11.13 Motion to amend - qualifications
- 11.14 Motion to amend – main motion – one at a time
- 11.15 Motion to amend - amendment – one at a time
- 11.16 Motion – not within jurisdiction – not in order
- 11.17 Motion to amend – direct negative – not considered

PART 12 VOTING

- 12.1 Request – call the question – decision - Mayor
- 12.2 Amendment – to amendment – voted on first
- 12.3 Voting - order
- 12.4 Recommendations – division of question – voted on separately
- 12.5 Motion to vote – immediately – after all have spoken
- 12.6 Speaking – after motion – before vote announced
- 12.7 Mandatory vote – all members - exception
- 12.8 No vote – deemed negative - exception
- 12.9 Secret voting - prohibited
- 12.10 Result – announced – by Mayor
- 12.11 Result – disagreement – objection immediate - retaken
- 12.12 Tie vote – deemed defeated
- 12.13 Recorded vote – required – when called for

- 12.14 Recorded vote – called for – before/after - vote
- 12.15 Recorded vote – names – entered in minutes
- 12.16 Recorded vote – all members to vote - exception
- 12.17 Voting – numbers of members - calculation
- 12.18 Opposition – support – not recorded in minutes - exception

PART 13 RECONSIDERATION

- 13.1 Introduction – by majority voter
- 13.2 Reconsideration – 2/3 vote – whole Council required
- 13.3 Reconsideration – qualifications
- 13.4 Members – responsible – determination – how voted
- 13.5 Reconsideration – once – twelve months
- 13.6 Debate – prohibited – statement of reason - permitted
- 13.7 Affirmative vote – original matter – next business
- 13.8 Succeeding Council – not reconsideration

PART 14 DELEGATIONS

- 14.1 Appearance – before Council – written request
- 14.2 Delegations – Agenda – motion to address
- 14.3 Delegations – not on Agenda – permission of Mayor
- 14.4 Delegations – public hearings – motion to address - exception
- 14.5 Business – stated – matters – related to
- 14.6 Appearance – before Council – copy of presentation
- 14.7 Repetition – prevented – hearing declined - exception
- 14.8 Appearance – previous – limitations – new information
- 14.9 Curtail – delegation – reasons
- 14.10 Delegations – decorum – observed
- 14.11 Delegations – completion – presentation
- 14.12 Members of the public – decorum - meetings

PART 15 COMMUNICATIONS – PETITIONS

- 15.1 Presentation – information – legibly written – signed
- 15.2 Material – distribute to Council – prohibited – unless authorized
- 15.3 Listed – in Orders of the Day
- 15.4 Language – obscene – defamatory – prohibited
- 15.5 Letters – received by CAO
- 15.6 Consent Agenda – preparation – by Clerk
- 15.7 Consent Agenda – consideration of item – motion

PART 16 STANDING COMMITTEE REPORTS

- 16.1 Reports – comprised – Standing Committee recommendations
- 16.2 Clerk – list motion to file – next available council meeting

16.3 Reports – adopted – confirmed – by motion

PART 17 ENACTMENT OF BY-LAWS

- 17.1 By-laws – introduced
- 17.2 Readings – 3 – required – before finally passed
- 17.3 By-laws - taken collectively
- 17.4 Readings – 3 – at same meeting
- 17.5 Readings – 3 – separately - exception
- 17.6 Title – introduced – by Clerk
- 17.7 By-law – introduced - final form
- 17.8 Signed – seal affixed – dates shown
- 17.9 By-law – Clerk - safekeeping

PART 18 SUB-COMMITTEES - MEETINGS

- 18.1 Sub-committee meetings – regular – holiday - exception
- 18.2 Sub-committee meetings – cancellation – by Chair
- 18.3 Sub-committee meetings – special – called by Chair
- 18.4 Sub-committee – recommendations – to Standing Committee
- 18.5 Procedure – modifications
- 18.6 Points of order – decision by Chair
- 18.7 Sub-committees – quorum – two members
- 18.8 Chair/Vice-Chairs – Sub-committees – Standing Committees
- 18.9 Sub-committees – other members of Council – attend – voting prohibited
- 18.10 Minutes – kept – Clerk’s Division
- 18.11 Agenda – not received – validity – not affected

PART 19 STANDING COMMITTEES – MEETINGS

- 19.1 Standing Committees – composition
- 19.2 Standing Committees – monthly – time
- 19.3 Meetings – special – called by Chair
- 19.4 Chairs – Vice-Chairs - appointment – nomination - procedure
- 19.5 Procedure - modifications
- 19.6 Points of order – decision by Chair
- 19.7 Chair – replacement – by Council – at any time
- 19.8 Standing Committee – recommendations – to Council
- 19.9 Standing Committee – recommendations – exception - reconvene
- 19.10 Minutes – kept – report to Council
- 19.11 Agenda – not received – validity – not affected

PART 20 ADVISORY COMMITTEES

- 20.1 Advisory Committees – composition
- 20.2 Mayor – member – ex officio – all advisory committees
- 20.3 Meetings – regular – public notice
- 20.4 Meetings – special – called by Chair
- 20.5 Chairs – Vice-Chairs – appointment - procedure
- 20.6 Agenda – distribution
- 20.7 Agenda – not received – validity – not affected
- 20.8 Minutes – taken – Recording Secretary
- 20.9 Adjournment – quorum not present

PART 21 AD-HOC COMMITTEES

- 21.1 Ad-Hoc Committees – composition
- 21.2 Mayor – member – ex officio – ad-hoc committees
- 21.3 Meetings – regular – public notice
- 21.4 Meetings – special – called by Chair
- 21.5 Chairs – Vice-Chairs – appointment - procedure
- 21.6 Agenda – distribution
- 21.7 Agenda – not received – validity – not affected
- 21.8 Minutes – taken – Recording Secretary
- 21.9 Adjournment – quorum not present

PART 22 SPECIAL PURPOSE COMMITTEES

- 22.1 Special Purpose Committees – composition
- 22.2 Mayor – member – ex officio
- 22.3 Meetings – public notice
- 22.4 Chair – appointment – procedure
- 22.5 Agenda – distribution
- 22.6 Agenda – not received – validity – not affected
- 22.7 Minutes – taken – Recording Secretary
- 22.8 Special Purpose – completed – dissolved
- 22.9 22.9 Adjournment – quorum not present

PART 23 DISCLOSURES OF PECUNIARY INTEREST

- 23.1 Pecuniary interest – responsibility – disclosure
- 23.2 Pecuniary interest – disclosure – open meeting - requirements
- 23.3 Pecuniary interest – disclosure – In-camera session – requirements
- 23.4 Pecuniary interest – disclosure – absent – meeting
- 23.5 Record – disclosure – minutes – Clerk
- 23.6 Non-compliance – by member – validity not affected
- 23.7 Disclosure – by majority – quorum – requirement

23.8 Return of In-camera Agenda – to Clerk

PART 24 REPEAL - ENACTMENT

- 24.1 By-laws - previous
- 24.2 Effective date

PART 1 - DEFINITIONS

In this By-law:

- 1.1 **“Ad-Hoc Committee”** means a Committee established by Council to review a specific matter and once the Committee has reported to Council with respect to its findings and recommendations, the Committee is automatically dissolved;
- 1.2 **“Advisory Committee”** means a Committee established by Council to advise on matters which Council has deemed appropriate for the Committee to consider;
- 1.3 **“Agenda”** means the order of proceedings for a meeting setting out the business to be considered at the meeting;
- 1.4 **“Chair”** means the person presiding at a meeting and who is charged with the responsibility to decide questions and points of order or practice, preserve order and maintain decorum in the proceeding. The Chair, except where disqualified, may vote on all questions;
- 1.5 **“Chief Administrative Officer”** means the Chief Administrative Officer (CAO) or Designate of The Corporation of the City of Stratford;
- 1.6 **“Clerk”** means the City Clerk of The Corporation of the City of Stratford or designate;
- 1.7 **“Committee of the Whole Open Session”** means all members of Council sitting as Committee of the Whole. Its purpose is to facilitate discussion by using less strict rules than those used in formal meetings of the Council;
- 1.8 **“Committee of the Whole In-camera Session”** means all members of Council sitting as Committee of the Whole in accordance with the closed meeting provisions of the *Municipal Act, 2001*;
- 1.9 **“Consent Agenda”** means a listing of items of business which unless dealt with by motion of Council, are deemed to be for the information of Council and no further action is taken with respect to the items;

- 1.10 **“Council”** in the context of The Corporation of the City of Stratford is the term to refer collectively to the Mayor and 10 Councillors;
- 1.11 **“Councillor”** is the term consistent with the *Municipal Act*, and is the title assigned to a Member of Council, except the Mayor, elected to represent electors of Stratford;
- 1.12 **“Deputy Mayor”** means the Councillor appointed by Council to act in the place of the Mayor in accordance with this By-law;
- 1.13 **Division of question** means a request by a Member of Council to have a motion containing separate questions, recommendations or amendments, voted on in sections or parts.
- 1.14 **“Electronic Attendance”** means attendance at a meeting by use of telephone, computer, or other digital means that:
- i. enables all of the meeting's participants to see, hear and speak with each other, and
 - ii. enables the public to see and hear the statements and votes of the Council Members in electronic attendance during the part of the meeting that is open to the public;
- 1.15 **“Emergency”** means an emergency existing in the City of Stratford and declared in accordance with the Emergency Management and Civil Protection Act by the Premier, or Cabinet or the Mayor for The Corporation of the City of Stratford;
- 1.16 **“Emergency Meeting”** means a meeting of Council held to consider any business of the Council which is deemed by the Chair to be of an emergency situation;
- 1.17 **“Ex officio”** means by virtue of office or position and carries with it the right to participate fully in the committee meeting and to vote unless prohibited by law;
- 1.18 **“Improper Conduct”** means conduct which offers any obstruction to the deliberations of proper action of Council;
- 1.19 **“In-camera”** means a closed session of a Council or Committee of the Whole meeting which is closed to the public in accordance with the *Municipal Act*;
- 1.20 **“Inaugural Meeting”** means the first meeting of Council held after a municipal election in a regular election year;

- 1.21 **"Majority vote"** means more than half of the votes cast by members entitled to vote at a meeting;
- 1.22 **"Mayor"** is the Head of Council who is elected by general vote to represent electors in Stratford;
- 1.23 **"Member of Council"** means a person duly elected to serve on the Council of The Corporation of the City of Stratford;
- 1.24 **"Municipal Act"** means the *Municipal Act, 2001 S.O. 2001, chapter 25*, as amended from time to time and any successor legislation thereto;
- 1.25 **"Nominating Committee"** means the Council-elect of the most recent regular municipal election, meeting prior to the Inaugural Council meeting to consider committee and sub-committee structure and composition, meeting schedules and matters related to the orientation of the Council-elect;
- 1.26 **"Notice of motion"** means an advance notice to Members of Council of a matter on which Council will be asked to take a position;
- 1.27 **"Pecuniary Interest"** means a direct or indirect interest within the meaning of the *Municipal Conflict of Interest Act, R.S.O. 1990, chapter M.50* as amended and any successor legislation thereto;
- 1.28 **"Point of Order"** means a matter that a member of Council considers to be a departure from or contravention of the rules, procedures or generally accepted practices of Council;
- 1.29 **"Point of Personal Privilege"** means a matter that a member of Council considers to impugn their integrity or the integrity of Council;
- 1.30 **"Public Meeting"** means a meeting to which the public is invited to provide comments and ask questions on a particular matter(s);
- 1.31 **"Quorum"** means the majority of the whole number of the members of Council who are present in person;
- 1.32 **"Recorded Vote"** means the recording in the Minutes, the names of each Member of Council present and the manner of their vote on a matter or question before the Council. In the case of a Member who has declared a conflict or pecuniary interest in the matter or question, the minutes shall reflect the Member abstained from the taking part in the discussion and the vote;
- 1.33 **"Regular Meeting"** means a scheduled business meeting of Council held in accordance with the approved calendar/schedule of meetings;

- 1.34 **“Special Meeting”** means a meeting of Council not scheduled in accordance with the approved calendar of meetings;
- 1.35 **“Special Purpose Committee”** means a committee established by Council to consider a specific matter and disbanded once they have reported to Council.
- 1.36 **“Standing Committee”** means a Committee established by Council and comprised of all members of Council to consider the recommendations of its respective Sub-committee or matters referred to the Committee;
- 1.37 **“Sub-committee”** means a Sub-committee of a Standing Committee comprised of such members of Council appointed by Council and includes the Mayor as ex officio, to address matters which Council deems appropriate for the Sub-committee to consider. Sub-committees address on-going administrative matters within the scope and responsibility of Council and make recommendations to Council through their respective Standing Committees.

PART 2 - GENERAL PROVISIONS

- 2.1 **Rules – procedures observed – at all times**
The rules and procedures contained in this by-law shall be observed in all proceedings of Council and local boards as defined in the *Municipal Act*, and shall be the rules and procedures for the order and dispatch of business of the Council, its committees and sub-committees, its advisory committees, ad-hoc committees and local boards, except where a local board has adopted its own procedural by-law.
- 2.2 **Rules – observed – modifications – permitted**
The proceedings of the Council and its committees, the conduct of the members of Council and the calling of meetings shall be governed by the rules and regulations contained in this By-law.
- 2.3 **Parliamentary procedure - proceedings**
Points of order or procedure not specifically governed by this By-law shall be decided by the Chair and in the case of a conflict with or omission of the rules of procedure; Bourinot's Rules of Order may be consulted as an interpretive aid in resolving the problem.
- 2.4 **Rules – suspended – 2/3 consent - Council**
Any rules or procedures contained in this by-law may be suspended with the consent of two-thirds of the whole Council, unless prohibited by law.

2.5 Absence – Mayor – Deputy Mayor – authority

In the absence of the Mayor or if the office is vacant, the Deputy Mayor shall act in the place and stead of the Mayor, including presiding at Council meetings, and shall have all the rights, powers and authority of the Mayor.

2.6 Absence – Deputy Mayor – Acting Deputy Mayor – appointed

In the event that the Deputy Mayor is unable to act in the place and stead of the Mayor, the Chair of the Finance and Labour Relations Committee is deemed to be Acting Deputy Mayor in the place and stead of the Head of Council and has and may exercise, while so acting, all the rights, powers and authority of the Head of Council, including presiding at Council meetings.

2.7 Meetings – location – Council Chamber – exception

Meetings of Sub-committees, Standing Committees and Council shall be held in the Council Chamber of City Hall unless otherwise decided by a majority of the members, or the Mayor or Clerk.

2.8 Councillor - addressed

Members of Council are to be addressed as: "Councillor (surname inserted)".

2.9 Mayor - addressed

The Mayor shall be addressed as "Mayor "(surname inserted)" or as "Your Worship."

2.10 Electronic Attendance by Council Members at Meetings

Electronic Attendance by Council Members at meetings shall only be permitted:

1. For Council meetings during an Emergency and where the Member's health or the health of others may be impacted by the attendance of the Council Member at a meeting.
2. Electronic attendance by Members will be permitted in a meeting closed to the public, as permitted by Section 239 of the Municipal Act, 2001.
3. Members participating through electronic attendance in a meeting shall participate in an enclosed room and ensure no other person is present.
4. If a Member intends to attend the meeting by electronic attendance, the Member shall provide the Clerk of notice of the Member's intention 6 or more hours prior to the time at which the meeting is scheduled to commence.
5. Members attending the meeting through means of Electronic attendance shall be included in the calculation of quorum.

6. In the event of an interruption in the communications' link to a Member in electronic attendance, the Chair may:
 - a. decide to take a short recess until it is determined whether or not the link can be re-established, or
 - b. continue the meeting and treat the interruption in the same manner as if a member who is physically present leaves the meeting room.
7. No Member shall speak to a question or motion until the Member has been recognized by the Mayor or Chair. A Member shall signal their desire to speak by verbally requesting when the Mayor or Chair has opened the floor for discussion.
8. Every Member present at a meeting of the Council when a question is put shall vote, unless prohibited by statute. If prohibited, the Clerk shall record the name of the Member and the reason that he or she is prohibited from voting. A Member attending the meeting through means of electronic attendance shall vote by audibly stating "in favour" or "opposed". Where a Member is not prohibited from voting and the Member chooses to abstain from voting, their vote shall be recorded as opposed.

2.11 Electronic Delegations by Members of the Public - during emergencies

1. Delegations may participate in an electronic meeting held during an emergency via telephone or other technology methods deemed appropriate by the City Clerk's Office, and in accordance with the rules set out in Part 14

PART 3 - ROLES AND DUTIES

3.1 Role of Mayor

It is the role of the Mayor,

- a) to act as chief executive officer of the municipality;
- b) to preside over council meetings so that its business can be carried out efficiently and effectively;
- c) to provide leadership to the council;
- d) without limiting clause c) to provide information and recommendations to the council with respect to the role of council described in 3.2 d) and e)

- e) to represent the municipality at official functions;
- f) to carry out the duties of the head of council under the *Municipal Act* or any other Act; and,
- g) as Chief Executive Officer of the municipality, the Mayor shall:
 - i) uphold and promote the purposes of the municipality;
 - ii) promote public involvement in the municipality's activities;
 - iii) act as the representative of the municipality both within and outside the municipality and promote the municipality locally, nationally and internationally; and
 - iv) participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.
 - v) to act as Council's representative when dealing with other levels of government, their agencies and the private sector;

3.2 **Role of Council**

It is the role of Council,

- a) to represent the public and to consider the well-being and interests of the municipality;
- b) to develop and evaluate the policies and programs of the municipality;
- c) to determine which services the municipality provides;
- d) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
- e) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- f) to maintain the financial integrity of the municipality; and
- g) to carry out the duties of council under the *Municipal Act* or any other Act.

3.3 **Duty of Mayor**

It is the duty of the Mayor to preside at all meetings of Council, and:

- a) to open the meeting of Council by taking the Chair and calling the meeting to order;
- b) to receive and submit, in the proper manner, all motions presented by the members;
- c) to put to a vote all motions and to announce the result;
- d) to serve as an ex-officio member of all committees of the Council and entitled to vote at meetings;
- e) decline to put motions to a vote which infringe upon the rules of procedure;
- f) to inform the members of the proper procedure to be followed and to enforce the rules of procedure;
- g) to enforce on all occasions, the observance of order and decorum among the members;
- h) to call by name any member persisting in a breach of the rules of procedure and order the member to vacate the Council Chamber;
- i) to permit questions to be asked through the Mayor of any officer of the City for information to assist in any debate when the Mayor deems it proper;
- j) to provide information to members on any matter relating to the business of the City;
- k) to authenticate by signature all by-laws and minutes of Council;
- l) to rule on any points of order raised by members;
- m) to represent and support the Council;
- n) to maintain order. Where it is not possible to maintain order, the Mayor may, without any motion being put, adjourn the meeting to a time to be named by the Mayor;
- o) to adjourn the meeting when the business is concluded;

- p) to carry out the duties of the head of council under the *Municipal Act* or any other Act; and,
- q) to act in accordance with his/her Oath of Elected Office.

3.4 **Duty of Councillors**

It is the duty of the Councillors to attend all meetings of Council, and:

- a) to prepare for meetings, including reviewing the agenda and background information prior to the meeting;
- b) to speak only to the subject under debate;
- c) to vote on all motions before the Council unless prohibited from voting by law;
- d) to observe proper procedure and decorum at all meetings;
- e) to state questions to be asked through the Mayor;
- f) to support the Council;
- g) to attend Sub-committee, Standing Committee, Advisory Committee and Ad-Hoc Committee meetings to which the member has been appointed by Council;
- h) to act in accordance with their Oath of Elected Office;

3.5 **Duty of Clerk**

It is the duty of the Clerk to attend all Council meetings, and:

- a) to record, without note or comment, all resolutions, decisions and other proceedings of the council;
- b) if required by any member present at a vote who requests a recorded vote, to record the name and vote of every member voting on any matter or question;
- c) to keep the originals or copies of all by-laws and of all minutes of the proceedings of the council;
- d) to make such minor clerical, typographical or grammatical corrections in form to any by-law, motion, resolution and/or minutes as may be required for the purpose of ensuring correct and complete implementation of the actions of Council;

- e) to perform the other duties required under the *Municipal Act* or under any other Act;
- f) to advise Council on parliamentary procedure; and
- g) to perform such other duties as are assigned by the municipality.
- h) the Clerk may delegate minute-taking for meetings as deemed necessary.

3.6 Mayor – ex officio – all committees

The Mayor is ex officio a member of each Sub-committee, Standing Committee, Advisory Committee, Ad-Hoc Committee, Board and Commission or other body established by Council unless prohibited by law. Where a committee is established by reference to a particular number of members without specifically providing for the membership of the Mayor, such number is automatically increased by one, except where prohibited by law, being the Mayor, as provided under this Section. The Mayor may vote and otherwise participate unless prohibited by law, in the business of the committee on the same basis as any other committee member.

PART 4 - SCHEDULE OF MEETINGS

4.1 Inaugural – first Monday – December - time

Following a regular municipal election, the Inaugural meeting shall be held on the First Monday in December of that year at 7:00 p.m in the Council Chamber or City Hall Auditorium or as otherwise determined by the Mayor-elect or the Clerk.

4.2 No business – Inaugural – until Declarations

No business shall be conducted at the Inaugural Meeting of Council until the Declarations of Elected Office have been made by the members of Council.

4.3 Appointments – Nominating Committee

The members of Council required to serve on Sub-committees, Standing Committees, Advisory Committees, Ad-Hoc Committees, Boards, Commissions, Special Purpose Bodies, Outside Boards and Agencies shall be determined by Council. Prior to the Inaugural Council Meeting, Council-elect may meet as Nominating Committee to consider meeting schedules, sub-committee, committee, advisory and ad-hoc committee structure and composition, council representation on boards, commissions, special purpose bodies, outside boards and agencies and matters related to the orientation of the Council-elect. Following the adoption of a Nominating Committee Report at the Inaugural Meeting, or subsequent meeting, Council may make amendments at any time during the term of Council.

- 4.4 **Regular – bi-monthly – holiday - exception**
Following the Inaugural meeting, Regular meetings shall be held in the Council Chamber or as otherwise determined by the Mayor or Clerk, on the second and fourth Mondays of each month commencing at 7:00 p.m., except for the month of December, when there shall be one Regular meeting on the second Monday. When a Regular meeting falls on a Monday that is a public holiday or on a day when City Hall is closed, the meeting shall be held on the next following date that is not a public holiday.
- 4.5 **Regular – bi-monthly – exception**
When deemed necessary, Council may change the date, time and location of a Regular meeting by majority vote of Council.
- 4.6 **Election – meeting time**
Notwithstanding the provisions of Section 4.4 of this By-law, if a regular Council meeting is scheduled for a municipal / school board voting day in Stratford, the Regular Council meeting will be rescheduled to the following Monday or as otherwise determined by Council in accordance with Section 4.5.
- 4.7 **Committee of the Whole Open Session – when necessary**
Committee of the Whole Open Sessions may be held when deemed necessary by the Mayor to facilitate discussion on a matter or matters. Recommendations made at a Committee of the Whole Open Session require approval by City Council at a Council meeting.
- 4.8 **Committee of the Whole In-camera – same day – Regular Council**
Committee of the Whole In-camera Sessions shall be held on the second and fourth Mondays of each month prior to Regular Council meetings or as deemed necessary. Such In-camera Sessions may be closed to the public in accordance with the *Municipal Act*.
- 4.9 **Special meeting – emergency – called by Mayor**
The Mayor may, at any time, call a Special or Emergency Meeting.
- 4.10 **Special meeting – called by Council**
Council, with the support of a majority of members, may at any time, call a Special Meeting.
- 4.11 **Special meetings – emergency – held in Council Chamber**
Special or emergency meetings shall be held in the Council Chamber, unless otherwise decided by the Mayor or Chair or Clerk.
- 4.12 **Third Monday – each month**
That the third Monday in each month shall be the designated meeting date for Special Council Meetings, Committee of the Whole Open Sessions, Special

Public Meetings or Hearings of Council, at a suitable time confirmed by the Clerk.

Further, if the Chair of a Sub-committee requests a change in date to a regularly scheduled Sub-committee meeting, the date shall be the third Monday in each month at a suitable time to be confirmed by the Clerk.

The Clerk shall give notice at least 48 hours prior to the third Monday with respect to whether or not there will be a meeting required.

If the third Monday is a holiday observed by the City, then a meeting scheduled for the third Monday, would be held on the third Tuesday.

4.13 Meeting Schedule – Clerk to provide

Prior to the end of the current year, the Clerk shall provide Council with a report setting out the meeting schedule for the next year, noting the exceptions to the Regular Council, Standing Committee and Sub-committee meeting schedules, including but not limited to March break, holiday schedules and year-end. Members of Council are requested to advise the Clerk of changes required at the time the Report is presented by the Clerk.

4.14 Cancellation of Meeting – Mayor - Chair

Regarding a Council meeting, the Mayor, or in the absence of the Mayor, the Deputy Mayor or Acting Deputy Mayor, or regarding a Standing Committee or Sub-committee meeting, the Chair of a Committee or Sub-committee, or in the absence of the Chair, the Vice-Chair of a Standing Committee or Sub-committee, prior to a regularly scheduled meeting, may cancel the meeting due to inclement weather, a matter of respect or a lack of business requiring immediate attention. The Clerk or designate shall advise members of Council, staff and agents required to attend the meeting and scheduled delegations of the cancellation and provide notice on the City's official website of the cancellation and such posting shall constitute sufficient notice of cancellation.

PART 5 - PUBLIC NOTICE OF MEETINGS

5.1 Public Notice - Meeting Schedule

Public Notice of meetings shall be given by posting the meeting schedule on the City's official website at the beginning of each calendar year. The meeting schedule shall include the date, time and location of Council, Committee/Sub-committee, Advisory Committee and Ad-Hoc Committee meetings. The meeting schedule is subject to change as necessary. Prior to the meeting, the Agenda shall be posted on the City's official website, where possible.

5.2 Posting of Agendas – Failure to post

Notwithstanding section 5.1 above, failure to post the agenda to the City's official website shall not affect the validity of the meeting or any action lawfully taken thereat.

5.3 Agendas – delivered – in advance

The Clerk shall cause to be delivered to each Member of Council, an Agenda for each regular meeting of Council and Standing Committees, to the address provided by the Member of Council to the Clerk for delivery of such Agendas. The Agenda of the Regular Council meeting and Standing Committees shall be provided not later than 48 hours before the hour appointed for the holding of such meeting. At the same time, the Clerk shall also distribute a copy of the Agenda to the CAO and to the Directors of all municipal departments.

5.4 Special meetings – calling of – 24 hours prior

The members of Council shall be advised of the calling of a special meeting by means of personal delivery, or telephone, or facsimile transmission or electronic mail,. The Notice of the Special Meeting shall be provided not later than 24 hours before the hour appointed for the holding of such special meeting.

5.5 Special meetings – agenda – provided at the meeting

The Clerk may provide the Agenda of the Special Meeting at the meeting where time constraints do not allow the Agenda to be delivered to the Members of Council at least 24 hours before the hour appointed for the holding of the Special meeting.

5.6 Special meetings – business specified – transacted

No business except the business dealing directly with the purpose mentioned in the Agenda shall be transacted at a Special meeting.

5.7 Emergency – notice not required

Notwithstanding any other provision of this By-law, an emergency meeting may be held without public notice being given, to deal with an emergency or extraordinary situation. In such case, the Clerk shall attempt to advise the members of Council about the calling of the emergency meeting as soon as possible and in the most expedient manner available.

5.8 Emergency – business specified - transacted

No business except business dealing with the emergency or extraordinary situation shall be transacted at the emergency meeting.

5.9 Public Notice - Agenda – not received – validity

Lack of receipt of Public Notice or an Agenda shall not affect the validity of the meeting or any action lawfully taken thereat.

5.10 Standing Committees – Agenda

The Agenda for a Standing Committee meeting shall be delivered to members of Council along with the Agenda for Regular council meetings or delivered in another manner as determined by the Clerk.

5.11 Sub-committees – agenda – delivered – 36 hours prior

The Clerk shall cause to be delivered to members of Council, an Agenda for each Sub-committee meeting. The Agenda of a regular Sub-committee meeting shall be delivered so as to be received not later than 36 hours before the hour appointed for the Sub-committee meeting.

5.12 Agenda – In-camera – not sent electronically

Agendas of an In-camera Meeting or In-camera Session shall not be sent electronically to members of Council.

5.13 Agenda – Open Session – available – public - exception

Agendas for meetings shall be made available to the public and media as soon as possible after they have been delivered to Members of Council. This provision does not apply to Agendas of meetings that are In-camera meetings or In-camera Sessions.

5.14 Items – urgent – on Addendum/Addenda

Items of an urgent nature may be placed on an Addendum/Addenda to an Agenda if the items are received by the Clerk after the Agenda has been prepared. The Addendum/Addenda shall only be added to the Council or Standing Committee Agendas with majority vote of Council at the meeting.

PART 6 - IN-CAMERA MEETINGS

6.1 Matters to be considered – In-camera

Council or Committee of the Whole may meet in In-camera Session for one or more reasons prescribed in the *Municipal Act*. Sub-committees of Council, Advisory Committees of Council, Ad-Hoc Committees of Council or Special Purpose Committees shall not hold In-camera Sessions unless authorized to do so by the *Municipal Act* or any other applicable legislation.

6.2 Procedure – modifications

The rules governing the procedure of the Council and its Committees and the conduct of its members shall be observed in Committee of Whole In-camera meetings or sessions, with the necessary modifications, except that:

- a) a member shall not speak more than once to a motion until every member who desires to speak has spoken once;

- b) the number of times of speaking on any question shall not be limited;
- c) recorded votes are not permitted at In-camera sessions

6.3 Points of order – decision by Chair

Points of order arising in Committee of the Whole In-camera meetings or sessions shall be decided by the Chair, subject to an appeal by any member of the Committee.

6.4 Procedure – moving into – In-camera

Prior to adjourning to an In-camera Session for one or more of the reasons authorized in the *Municipal Act*, or any other applicable legislation, the Council or Committee of the Whole shall adopt a resolution in Open Session, stating:

- a) the fact that the meeting is adjourning to an In-camera Session,
- b) the general nature of the matter(s) to be considered, and
- c) a brief description of the matter(s) being considered, where necessary.

Members of Council are prohibited from discussing any additional matter(s) not contained within the resolution to adjourn to an In-camera session even if the subject matter falls under the *Municipal Act*. The Clerk shall advise the Mayor or Chair, of the procedure for discussing additional matters at the In-camera Session, not contained within the resolution.

6.5 Procedure – rise and report – In-camera

Where Council or Committee of the Whole met in In-camera Session prior to a Council meeting, the general nature of the matter(s) considered at the In-camera Session shall be reported out at that Council meeting. Further, In-camera matters that require a decision of Council by resolution and/or by-law shall be listed on a subsequent Council agenda in order to give prior notice to the public. Urgent matters that require a decision of Council may be reported out and considered at the same Council meeting.

6.6 Meeting – not closed – public - vote

A meeting may be closed to the public during the taking of a vote in accordance with the *Municipal Act*.

6.7 Agenda – not received – validity – not affected

Lack of receipt of the agenda by the Members of Council shall not affect the validity of the Committee of the Whole In-camera meeting or any action lawfully taken thereat.

6.8 Agenda – distribution – with Council agenda

The City Clerk shall cause to be prepared and distributed, the Committee of the Whole In-camera Agendas as deemed necessary.

6.9 Communication devices – turned off – In-camera Sessions

Members of Council, staff and any invited persons attending an In-camera Session shall turn off their communication devices for the duration of the In-camera Session.

PART 7 - COUNCIL AGENDAS/ORDERS OF THE DAY

7.1 Council Agendas – Composition – prepared by Clerk

The Clerk shall prepare the Council Agendas with the Orders of the Day for Regular Council meetings consisting of the following:

- 1.0 Call to Order
- 2.0 Declarations of Pecuniary Interest and the General Nature Thereof
- 3.0 Adoption of the Minutes
- 4.0 Adoption of the Addenda to the Agenda
- 5.0 Report of the Committee of the Whole In-camera Session
- 6.0 Deputations and Presentations
- 7.0 Orders of the Day
- 8.0 Business for which Previous Notice has been Given
- 9.0 Reports of the Standing Committees
- 10.0 Notice of Intent
- 11.0 Reading of the By-laws
- 12.0 Consent Agenda
- 13.0 New Business
- 14.0 Adjournment
- 15.0 Reconvene Items

and with necessary modifications for Special and Emergency meetings.

7.2 Deadline – material inclusion

The deadline for receipt of material by the Clerk to be included on the Agenda for Regular Council meetings shall be 4:30 p.m. on the Tuesday prior to the regular meeting. Requests to address Council at a Council meeting regarding an item on the Agenda, or other matter approved by the Mayor, shall be made in writing to the Clerk by the deadline for receipt of material. Members of the public wishing to address Council at public meetings are not required to notify the Clerk in writing.

7.3 Order of business – as specified - exception

The business of each meeting shall be taken up in the order in which it stands on the Agenda unless otherwise decided by consensus of Council present.

PART 8 - COMMENCEMENT OF COUNCIL MEETINGS

8.1 Quorum – majority – required

Quorum at a Council meeting shall be a majority of the members constituting the Council.

8.2 Call to order – quorum present

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

8.3 Adjournment – quorum not present – names recorded

If there is no quorum present within 15 minutes after the time appointed for the meeting, the Council shall stand adjourned until the date and time of the next regular or special meeting and the Clerk shall record the names of the members present upon such adjournment.

8.4 Quorum – lost – adjourn to reconvene - exception

If during the course of a meeting, quorum is lost, then the meeting shall stand adjourned to reconvene as determined by the Mayor or Chair. If in the opinion of the Mayor or Chair, it is not essential that the balance of the agenda be dealt with before the next regularly scheduled meeting, then the Mayor or Chair shall announce that the unfinished business will be considered at that time.

8.5 Acting Deputy Mayor – absence – member appointed – to preside

In the case where a quorum is present and the Mayor, the Deputy Mayor, and Chair of the Finance and Labour Relations Committee have not attended within 15 minutes after the time appointed, the Clerk shall call the members to order and the members present shall elect a member as Acting Deputy Mayor to preside during the meeting or until the arrival of the Mayor.

8.6 Members of Council – notify – Clerk - absence

Members of Council shall notify the Clerk when the member is aware that he/she will be absent from any meeting of Council, Committee or Subcommittee.

8.7 Meeting – in session – entrance within bar – restriction

Except members, employees and authorized agents of the municipality, no person shall be allowed entrance beyond the bar of the Council Chamber

during Council meetings without a motion to hear the presentation adopted by majority vote of the members of Council.

PART 9 - RULES OF DEBATE AND CONDUCT

9.1 Order – decorum – maintained - Mayor

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

9.2 Mayor – speaking on motion – to leave Chair

The Mayor may answer questions and comment in a general way without leaving the chair, but if he/she wishes to speak to a motion taking a position and endeavouring to persuade the Council to support that position, then he/she shall first leave the chair.

9.3 Mayor – leaving Chair – member designated in place

If the Mayor desires to leave the chair for the purpose of taking part in the debate or for any other reason, he/she shall designate another member to fill his/her place until he/she resumes the chair.

9.4 Speaking – recognition by Mayor - required

Before a member may speak to any matter, he/she shall first be recognized by the Mayor.

9.5 Speaking – order - determination

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

9.6 Speaking – limitation – subject – maximum 5 minutes

When a member is speaking to a motion, he/she shall confine his/her remarks to the motion and in speaking shall be limited to a maximum of 5 minutes, unless otherwise decided by the Mayor.

9.7 Speaking – once only – exception – vote - reply

A member shall not speak more than once to any motion, unless otherwise decided by the Mayor, but the member who has made a motion shall be allowed to reply for a maximum of 5 minutes.

9.8 Speaking – under debate – motion - prohibited

A member who has already spoken to any motion under debate shall not be permitted to move any motion described in Section 11.4 of this By-law, except a motion to proceed beyond the hour of 11:00 p.m. Section 9.8 applies to Council meetings only.

- 9.9 **Motion – under debate – questions – before vote**
When a motion is under debate, a member may ask a concisely worded question through the Mayor or Chair, of the CAO, City Director, Clerk, or other employee of the municipality, or other persons under contract to the municipality, prior to the motion being put to vote by the Mayor in accordance with Section 12.5 of this By-law.
- 9.10 **Motion – under debate – read – at any time**
A member may require the motion under debate to be read at any time during the debate, but shall not interrupt a member who is speaking.
- 9.11 **Disruption – Council – by member - prohibited**
A member shall not disturb the Council by disorderly conduct or comments.
- 9.12 **Offensive language – insults - prohibited**
A member shall not use profane or offensive words or insulting expressions. Further, no member of Council will publish, either in print, on the web or by broadcast, any derogatory or demeaning comment or opinion about any other member of Council, member of staff or member of the public.
- 9.13 **Disobedience – rules – points of order - prohibited**
A member shall not disobey the rules of the Council or a decision of the Mayor or of the Council on points of order or on the interpretation of the rules of procedure.
- 9.14 **Leaving seat – disturbance during vote - prohibited**
A member shall not leave his/her seat or make noise or cause a disturbance while a vote is being taken or until the result is declared.
- 9.15 **Speaking – without addressing - prohibited**
A member shall not speak until he/she has addressed himself/herself to the Mayor or Chair.
- 9.16 **Interruption – speakers - exception**
A member shall not interrupt a member who is speaking, except to raise a point of order or a question of privilege.
- 9.17 **Leaving meeting – not to return – Mayor informed**
A member shall not leave the meeting when he/she does not intend to return thereto without first advising the Mayor or Chair.
- 9.18 **Disorderly conduct – member to be removed - question**
In the event that a member persists in a breach of the rules of this By-law, after having been called to order by the Mayor, the Mayor shall put the

question "shall the member be ordered to leave his/her seat for the duration of the meeting?" and such question is not debatable.

9.19 Disorderly conduct – member to leave seat

If the Council decides the question set out in Section 9.18 of this By-law in the affirmative by a majority vote of the members, the Mayor or Chair shall order the member to leave his/her seat for the duration of the meeting.

9.20 Apology – member to resume seat – by permission

If the member apologizes, the Mayor or Chair, with the approval of the Council, may permit him/her to resume his/her seat.

9.21 Failure to leave seat – removal

If a member does not leave his/her seat after being ordered to do so by the Mayor or Chair in accordance with Section 9.19 of this By-law, and if the member does not apologize in accordance with Section 9.20 of this By-law, then the Mayor or Chair shall seek appropriate assistance.

9.22 Council – contact – Senior Manager – prior to meeting

Members of Council are encouraged to contact the appropriate City Director or Manager prior to a meeting to raise questions or clarify issues relevant to a matter on the Council and Standing Committee Agenda; however, a member of Council shall not give direction to staff except through majority vote of Council.

9.23 Referrals – Staff – Committees – resolution required

Items shall be referred to Staff or a Sub-committee upon a resolution of Council and the resolution shall contain sufficient direction as to the reason for the referral.

9.24 Electronic devices - at meetings - turned off

The public shall turn off all cell phones and electronic devices or set such phones and devices to vibrate during any meeting. This provision does not apply to electronic devices required for medical or health reasons.

PART 10 - QUESTIONS OF PRIVILEGE – POINTS OF ORDER

10.1 Rights – privileges – integrity – of members - affected

If a member believes that his/her rights, privileges or integrity or those of the members collectively have been prejudicially affected, he/she shall ask leave of the Mayor or Chair to raise a question of privilege which shall take precedence over all other matters, but he/she shall not be permitted to enter into any argument or introduce any motion related to the question of privilege.

- 10.2 **Administration – integrity questioned - procedure**
When the Mayor or Chair considers that the integrity of a member of the civic administration has been impugned or questioned, the Mayor or Chair may permit the CAO or City Director to make a statement to Council.
- 10.3 **Rules of procedure – violation – raised by member**
When a member desires to call attention to a violation of the rules of procedure, he/she shall ask leave of the Mayor or Chair to raise a point of order and after leave is granted, he/she shall state the point of order succinctly and the Mayor or Chair shall then decide upon the point of order and advise the members of his/her decision.
- 10.4 **Appeal – Mayor’s decision – immediately - required**
Unless a member immediately appeals the Mayor’s or Chair’s decision to the Council, the decision of the Mayor or Chair shall be final.
- 10.5 **Appeal – decision – question put – to Council**
If the decision of the Mayor or Chair is appealed to the Council, then the question “Shall the ruling of the Chair be sustained?” shall be put immediately without debate and its result shall be final.
- 10.6 **Call to order – member to sit – speaking - permission**
When the Mayor or Chair calls a member to order, that member shall not speak again to the matter under discussion without the permission of the Mayor or Chair, unless to appeal the ruling.
- 10.7 **Clerk – called upon - advice**
The Clerk may be called upon by the Mayor or Council to provide advice with regard to interpretation of rules of procedure.

PART 11 - MOTIONS – ORDER – PUTTING MOTIONS

- 11.1 **Notice of motion – filed with Clerk**
Notices of motion from members of Council shall be submitted to the Clerk who shall list the notice of motion on the next regular Council or Subcommittee Agenda, as deemed appropriate.
- 11.2 **Motion – seconded before debate**
Motions shall be seconded before being debated or put to a vote.
- 11.3 **Withdrawal – before put - requirement**
Every motion shall be deemed to be in the possession of Council for debate after it is accepted by the Mayor or Chair, but may be withdrawn or amended with the joint support of the mover and seconder at any time before the question is put to a vote.

11.4 Motion under debate – other motions permitted

When a motion is under debate, no other motion shall be in order except a motion:

- a) to adjourn;
- b) to proceed beyond the hour of 11:00 p.m.;
- c) to table;
- d) to put the question (to close the debate);
- e) to postpone;
- f) to refer; or
- g) to amend.

11.5 Motion to adjourn - qualifications

A motion to adjourn shall:

- a) not be amended;
- b) not be debated;
- c) always be in order, except when a member is speaking or the members are voting.

11.6 Motion to adjourn – rejected - procedure

When a motion to adjourn has been decided in the negative, no further motion to adjourn shall be made until after some subsequent proceeding has taken place.

11.7 Adjournment – 11:00 p.m.

All Regular Council and Standing Committee meetings shall stand adjourned when the Council has completed the business as listed on the Agenda, or upon the arrival of the hour of 11:00 p.m.

11.8 Adjournment – extensions – reconvene – subsequent Wednesday

In the event the business before Council or the Standing Committees has not been completed by 11:00 p.m., then Council, by two-thirds majority vote of the members present, may approve an extension of the meeting in 30 minute increments. Should a motion to extend the meeting fail, the meeting shall automatically adjourn and reconvene into Council to deal with any matters already dealt with in Committee that, in the opinion of Council, require formal

Council approval by resolution and/or by-law. If other business on the Agenda is not completed after an extension or extensions, the meeting(s) shall reconvene at 7:00 p.m. on the subsequent Wednesday or on another day and time as agreed upon by Council by majority vote.

11.9 Motion to proceed beyond 11:00 p.m. - qualifications

A motion to proceed beyond the hour of 11:00 p.m. shall:

- a) not be amended;
- b) not be debated; and
- c) always be in order, except when a member is speaking or the members are voting.

11.10 Motion to table - qualifications

A motion to table (lay on the table) a particular matter removes the subject from consideration until Council votes to take it from the table. A matter can be tabled for a specific period of time or tabled indefinitely. A motion to take from the table is required to bring the matter back before Council for consideration. A motion to table shall:

- a) not be amended;
- b) not be debated; and
- c) apply to the main motion and any amendments thereto under debate at the time when the motion to table was made;

11.11 Motion to postpone (defer) – to certain time - procedure

A motion to postpone (defer) is used to postpone discussion for a certain period of time. A motion to postpone (defer) a matter to a certain time shall:

- a) be open to debate; however the debate must be limited to the advisability of the proposed postponement;
- b) be amendable; and
- c) preclude amendment and debate of the preceding motion, unless the motion to postpone to a certain time is resolved in the negative, in which case the preceding motion shall be open to debate and amendment.

11.12 Motion to refer – qualifications

A motion to refer is used to give closer study of something. It is used to require a committee or staff to examine the matter under consideration in

greater detail. A motion to refer a matter should include the name of the Committee or official, etc. to whom the matter is to be referred and instructions respecting the terms upon which the matter is to be referred, and, shall:

- a) not be open to debate;
- b) be amendable; and
- c) preclude amendment or debate of the preceding motion, unless the motion to refer is resolved in the negative, in which case the preceding motion shall be open to debate and amendment.

11.13 Motion to amend - qualifications

A motion to amend, add to, delete from, or substitute words in the main motion, shall:

- a) be open to debate;
- b) not propose a direct negative to the main motion; and
- c) be relevant to the main motion.

11.14 Motion to amend – main motion – one at a time

Only one motion to amend the main motion shall be allowed at one time.

11.15 Motion to amend – amendment – one at a time

Only one motion to amend a motion to amend the main motion shall be allowed at one time.

11.16 Motion – not within jurisdiction – not in order

A motion relating to a matter not within the jurisdiction of the Council is not in order and shall not be entertained by the Mayor or Chair.

11.17 Motion to amend – direct negative – not considered

A motion to amend shall not be considered when it is a direct negative to the motion under consideration.

PART 12 - VOTING

12.1 Request – call the question – decision - Mayor

A Member of Council may request that the Mayor or Chair “call the question” and the Mayor or Chair accepts or denies the request. Unless a member immediately appeals the decision to the Council, the decision of the Mayor or Chair shall be final.

12.2 Amendment – to amendment – voted on first

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

12.3 Voting - order

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

- a) a motion to amend a motion to amend the main motion;
- b) a motion, as amended, to amend the main motion; and
- c) the main motion, as amended.

12.4 Recommendations – division of question – voted on separately

When the motion under consideration contains distinct recommendations, any member of Council may request division of the question and the Mayor or Chair shall call the question separately on each distinct recommendation.

12.5 Motion to vote – immediately – after all have spoken

A motion shall be put to a vote by the Mayor immediately after all members desiring to speak on the motion have spoken in accordance with Section 9.9 of this By-law.

12.6 Speaking – after motion – before vote announced

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

12.7 Mandatory vote – all members - exception

Every member present, including the Mayor or Chair, shall vote on every motion unless the member has declared a pecuniary interest in the matter. The Mayor's or Chair's declaration of the vote shall be deemed to reflect how he/she voted on the motion.

12.8 No vote – deemed negative - exception

Notwithstanding the provisions of Section 12.7 of this By-law, every member who is not disqualified from voting by reason of a declared pecuniary interest shall be deemed to be voting against the motion if he/she declines or abstains from voting.

12.9 Secret voting – prohibited

No vote shall be taken by Council by ballot or by any other method of secret voting and every vote so taken is of no effect.

12.10 Result – announced – by Mayor

The Mayor or Chair shall announce the result of every vote taken as either Carried or Defeated.

12.11 Result – disagreement – objection immediate - retaken

If a member disagrees with the result as announced by the Mayor or Chair, he/she may object immediately and, with the consent of Council, the vote shall be retaken.

12.12 Tie vote – deemed defeated

When a vote is taken and a tie results, it is deemed to be Defeated.

12.13 Recorded vote – required – when called for

A recorded vote shall be taken when called for by any member or when required by law. The Clerk shall call upon each member of Council entitled to vote on the motion, to answer “support” or “opposed” beginning with the member who requested the recorded vote and then proceeding in a clock-wise direction to the other members of Council.

12.14 Recorded vote – called for – before/after - vote

A member may call for a recorded vote immediately prior to or immediately after the taking of the vote in accordance with the Municipal Act.

12.15 Recorded vote – names – entered in minutes

When a recorded vote is taken, the names of the members of Council who voted in support and those who voted in opposition to the motion, shall be entered in the minutes. The names of members who were absent from the meeting during the vote and the names of members declaring a conflict or pecuniary interest shall be entered in the minutes.

12.16 Recorded vote – all members to vote - exception

All members present shall vote when a recorded vote is called for, except when they have been disqualified from voting by reason of a declared conflict or pecuniary interest.

12.17 Voting – numbers of members - calculation

In any vote required of the whole Council, the number of members constituting the Council shall be determined by excluding:

- a) the number of members who are present at the meeting but who are excluded from voting by reason of the *Municipal Conflict of Interest Act, R.S.O. 1990, c.M.50*, as amended, and any successor legislation thereto; and

- b) the number of seats that are vacant on Council by reason of Section 38 of the *Municipal Act, R.S.O. 1990, c.M.45*, as amended and any successor legislation thereto.

12.18 Opposition – support – not recorded in Minutes – exception

The Clerk shall not note dissenting votes in the Minutes unless a request has been made by a member of Council for a recorded vote.

PART 13 - RECONSIDERATION

13.1 Introduction – by majority voter

A motion to reconsider a decided matter shall only be moved and seconded by two members who voted with the prevailing side on the original motion.

13.2 Reconsideration – 2/3 vote – whole Council required

A motion to reconsider a decided matter shall require the approval of two-thirds support of the whole Council.

13.3 Reconsideration - qualifications

A motion to reconsider:

- a) is not debatable;
- b) is not amendable;
- c) cannot be considered if the action approved in the motion cannot be reversed;
- d) suspends action on the motion to which it applies until it has been decided.

13.4 Members – responsible – determination – how voted

Each Member of Council shall be responsible for making a determination on how the Member voted on a specific matter. The Clerk shall not record or note in the Minutes how a member votes unless a request for a recorded vote has been made.

13.5 Reconsideration – once – twelve months

No motion to reconsider shall be considered more than once during a period of twelve months following the date on which the question was decided.

13.6 Debate – prohibited – statement of reason - permitted

No debate on a motion to reconsider a decided matter shall be permitted; however the mover of a motion to reconsider may provide or may make a

brief and concise statement outlining the reasons for proposing such reconsideration.

13.7 Affirmative vote – original matter – next business

If a motion to reconsider is decided in the affirmative at a meeting, then consideration of the original matter shall become the next order of business.

13.8 Succeeding Council – not reconsideration

When a question is brought before a succeeding Council, it shall be deemed to be new business and not a matter of reconsideration.

PART 14 - DELEGATIONS

14.1 Appearance – before Council – written request

A person desiring to be heard by Council shall submit a written request to the Clerk with sufficient details to reveal the nature of the presentation and decision or action being requested of Council. Provided that the matter is related to the business of Council, the Clerk is authorized to list the request on the agenda for the next Regular Council meeting or future Council meeting, unless it is determined that the request should be directed to the appropriate Sub-committee or City department or due to time constraints, to another meeting. The person shall be advised by the Clerk that they may not be heard by Council unless a majority of Council members vote to allow the presentation to be heard.

14.2 Delegations – Agenda – motion to address

Persons listed on a Council Agenda shall be permitted to address Council once a motion to hear has been adopted by a majority vote of the members of Council and then only after the nature or intent of the presentation has been made if not already listed on the Agenda. Where there is a delegation, one spokesperson shall be permitted to address Council.

14.3 Delegations – not on Agenda – permission of Mayor

Persons wishing to address Council after the Council Agenda has been prepared, shall only be added to the Addendum/Addenda by the Clerk with the permission of the Mayor. If permission is granted, a motion to hear the delegation or presentation as provided in Section 14.2 is then required to be made at the meeting.

14.4 Delegations – public hearing – motion to address - exception

Delegations will be permitted from the gallery without prior registration or motion to hear during a public hearing portion of a meeting under the provisions of the *Planning Act* or other legislation or regulation requiring a public hearing, or on any other matter that Council holds a public meeting.

14.5 Business – stated – matters – related to

Persons appearing before Council shall confine their remarks to the business stated in their request and shall be permitted to speak for no more than 10 minutes unless an extension to the time limit is granted by majority vote of the members of Council present.

14.6 Appearance – before Council – copy of presentation

Persons appearing before Council shall provide a copy of their presentation to the Clerk at the meeting.

14.7 Repetition – prevented – hearing declined - exception

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

14.8 Appearance – previous – limitations – new information

Any person appearing before Council, Sub-committee or Standing Committee who has previously appeared on the same subject matter shall be limited to providing only new information in their second appearance. Further, persons wishing to present new information at a Committee meeting or Council meeting following their presentation at Sub-committee, shall confine their remarks about new information to 5 minutes at the Committee meeting or Council meeting.

14.9 Curtail – delegation - reasons

The Mayor or Chair may curtail any delegation, any questions of a delegation or debate during the presentation, for disorder or other breach of this by-law and if the Mayor or Chair rules that the delegation is concluded, the person or persons appearing shall withdraw from the podium.

14.10 Delegations – decorum - observed

Delegations shall not:

- 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 Council;
- d) disobey a decision of the Mayor, Chair or Council;
- e) enter into cross debate with other delegations, Administration, Council members or the Mayor.

14.11 Delegations – completion - presentation

Upon the completion of a presentation by a delegation, any discourse between members of Council and the delegation shall be limited to members asking questions for clarification and obtaining additional, relevant information. Members of Council shall not enter into debate with the delegation respecting the presentation. After all questions have been put to the delegation, and before any motion is made, the delegation shall be asked to resume his/her seat in the gallery. Once a motion has been moved and seconded, no further representation or questions of the delegation shall be permitted except for purposes of clarification of the motion as deemed necessary by the Mayor or Chair.

14.12 Members of the public – decorum - meetings

Members of the public attending a meeting shall respect the decorum of Council and refrain from public outbursts, shouting or behaviour intended to disrupt the debate, discussion and/or general proceedings of the Council. The Mayor or Chair may request that a member or members of the public vacate the Council Chamber if their behaviour is deemed to be disruptive. The Mayor or Chair may unilaterally suspend the meeting until order is restored.

PART 15 - COMMUNICATIONS – PETITIONS

15.1 Presentation – information – legibly written – signed

Every communication or petition intended for presentation to Council shall be legibly written or printed and shall be signed by at least one person giving his/her address.

15.2 Material – distribute to Council – prohibited - unless authorized

No person, except a member of Council or an authorized City employee shall, before a meeting of Council, place on the desks of members or otherwise distribute any material whatsoever unless such person is acting with the approval of the Clerk.

15.3 Listed – in Orders of the Day

The Clerk shall list in the Orders of the Day only those communications and petitions which pertain to matters of Council business.

15.4 Language – obscene – defamatory - prohibited

Communications or petitions containing obscene or defamatory language shall not be listed in the Orders of the Day, but shall be directed to the CAO.

15.5 Letters – received by CAO or Clerk

Letters, petitions and other communications addressed to the City or Council and received by the CAO or Clerk shall be dealt with as follows:

- a) where the subject matter of the correspondence is within the jurisdiction of a Sub-committee, Advisory Committee, or Ad-Hoc Committee, such correspondence shall be forwarded directly to the appropriate Committee;
- b) correspondence of a routine administrative nature shall be referred directly to the appropriate City Director or Manager;
- c) Resolutions from other municipalities, public agencies or organizations shall be placed on the Consent Agenda for the consideration of Council;
- d) information and updates from AMO, FCM, Associations, other governments and advisory, ad-hoc and board minutes shall be distributed to Council with the next regular Council package without being listed on an Agenda, unless determined otherwise by Council;
- e) Petitions presented to Council:
 - shall contain a clear statement of the matter on which Council is being asked to take action,
 - shall be a matter within the jurisdiction of Council,
 - shall identify a spokesperson,
 - shall include the signature, printed name and full address of each petitioner. If the signatures are affixed to more than one sheet, then the intent or action requested of the petition must be repeated at the top of each signature sheet, and
 - shall be made available by the City to the public upon request.
- f) Letters, petitions and other communications addressed to the City or Council that are not signed or do not include the writer's name, address or contact information in order to identify the writer or sender, shall be forwarded to the CAO to determine what action, if any, will be taken regarding the letter, petition and other communication.

15.6 **Consent Agenda – preparation – by Clerk**

The Clerk shall cause a Consent Agenda to be prepared and distributed of routine matters, reports provided for information purposes, resolutions from other municipalities, public agencies or organizations and similar matters. The Consent Agenda shall be distributed with the Regular Council Agendas, as deemed necessary. Items of an urgent matter received by the Clerk after the Consent Agenda has been distributed, may be added to the Consent Agenda by means of an Addendum/Addenda and once the matter(s) is on the Addendum/Addenda, is deemed to form part of the Consent Agenda.

15.7 Consent Agenda – consideration of item – motion

A member of Council, at the appropriate time during the Council meeting, may request that a matter listed on a Consent Agenda, be considered by making a motion with the support of a seconder.

PART 16 - STANDING COMMITTEE REPORTS

16.1 Reports – comprised – Standing Committee recommendations

Reports of Standing Committees shall be listed in the Section on the Agenda designated for Standing Committee Reports for the next Regular Council meeting following the Standing Committee meetings and the Reports shall be comprised of the recommendations made at Standing Committee meetings, unless dealt with otherwise by Council.

16.2 Clerk – list motion to file – next available Council Agenda

When a motion is defeated or lost due to a tie vote at a Standing Committee meeting and no other motion dealing with the matter is considered at that Standing Committee, the Clerk may list the matter on the next available Council Agenda with a motion to file (take no action) for Council's consideration.

16.3 Reports – adopted – confirmed – by motion

Reports of each Standing Committees may be adopted by Council in a single motion and the passage of such a motion shall be taken to confirm and adopt all of the recommendations contained in the report, except for those recommendations dealt with or voted on separately.

PART 17 - ENACTMENT OF BY-LAWS

17.1 By-laws – introduced

By-laws shall be introduced in the Section on the Agenda designated for the Reading of By-laws or as reconvened items following Standing Committees. By-laws listed on an Addendum/Addenda may be considered at a Council meeting after the adoption of the Addendum/Addenda.

17.2 Readings – 3 – required – before enactment

Every By-law shall receive First and Second Reading together, immediately followed by Third and Final Reading by Council before being finally passed, unless required otherwise by law.

17.3 By-laws – taken collectively

By-laws under consideration at a Council meeting may be taken collectively by unanimous vote of the members of Council present and entitled to vote.

Following the vote to take the By-laws collectively, a member of Council shall not be permitted to request that one or more By-laws be taken separately, unless required by law or declaration of pecuniary interest.

17.4 Readings – 3 – at same meeting

Unless prohibited by law, By-laws shall proceed to Third and Final Reading at the same meeting provided that First and Second Reading was supported by at least two-thirds majority vote of the members of Council present and entitled to vote. The Clerk shall note in the Minutes when at least two-thirds support has been received.

17.5 Readings – 3 – separately - exception

Notwithstanding Section 17.4, upon request of one or more members of Council present at the meeting, a By-law may be given separate readings for First Reading, Second Reading and Third and Final Reading by separate motions. In such instances, in order to proceed with Second Reading and Third and Final Reading at the same meeting, First Reading and Second Reading each must be supported by at least two-thirds majority vote of the members present.

17.6 Title – introduced – by Clerk

The Clerk shall include a brief description of the by-laws to be introduced at the Council meeting under the appropriate Section of the Agenda. By-laws of an urgent nature that were not included on the Regular Council Agenda prior to distribution, may be included on the Addendum/Addenda to the Agenda.

17.7 By-law – introduced - final form

Every By-law introduced at a Council meeting shall be in its final form and contain no blanks except such as may be required to conform to accepted procedure or to comply with the provisions of any Act.

17.8 Signed – seal affixed – dates shown

Every By-law enacted by Council shall be numbered and shall be signed by the Mayor or Chair and the Clerk, sealed with the seal of the Corporation and shall show the dates of the three readings by the Council.

17.9 By-law – Clerk - safekeeping

Every By-law enacted by Council shall be deposited with the Clerk for safekeeping.

PART 18 - SUB-COMMITTEES - MEETINGS

18.1 Sub-committee meetings – regular – holiday - exception

Sub-committees shall meet each month in the Council Chamber in accordance with the meeting schedules established by Council, as deemed necessary or,

at the call of the Chair. If a regular Sub-committee meeting is a holiday, the meeting may be held on another day and time as approved by the Chair.

18.2 Sub-committee meetings – cancellation – by Chair

The Clerk shall consult with the Chair of a Sub-committee or Vice-Chair in the absence of the Chair where there is no business for the Agenda to determine if the meeting may be cancelled. The Chair or Vice-Chair shall advise the Clerk who shall cause notice of cancellation of the meeting to be given to the members of Council and the media. Further, the meeting schedule on the city's official web site shall be updated to reflect the cancellation of the meeting.

18.3 Sub-committee meetings – special – called by Chair

Special meetings of Sub-committees may be called by the Chair whenever he/she considers it necessary.

18.4 Sub-committee – recommendations – to Standing Committee

Each Sub-committee may hear delegations, consider and make recommendations to its Standing Committee on those matters within its jurisdiction or matters referred to the Sub-committee. Sub-committees may also refer matters to another Sub-committee or Committee.

18.5 Procedure – modifications

The rules governing the procedure of the Council and the conduct of its members shall be observed in Sub-committee meetings, with the necessary modifications, except that:

- a) motions do not require a seconder;
- b) a motion to hear from the public is not needed, provided that the person wishing to speak is speaking to an issue on the agenda of the Sub-committee or with the consent of the Chair;
- c) a member shall not speak more than once to a motion until every member who desires to speak has spoken once.

18.6 Points of order – decision by Chair

Points of order arising in Sub-committee shall be decided by the Chair, subject to an appeal by any member of the Sub-committee.

18.7 Sub-committee – quorum – two members

Notwithstanding any other provision of this By-law, quorum for a sub-committee meeting shall be two members of the Sub-committee.

- 18.8 **Chairs/Vice-Chairs – Sub-committee – Standing Committee**
The Chairs and Vice-Chairs of Sub-committees of Council shall be the respective Chairs and Vice-Chairs of the Standing Committees.
- 18.9 **Sub-committees – other members - attend – voting prohibited**
Members of Council who are not members of a Sub-committee may attend and be heard, but only Sub-committee members are entitled to vote at the Sub-committee meeting.
- 18.10 **Minutes – kept – Clerk’s Division**
Minutes of the proceedings of Sub-committee meetings shall be prepared by the Clerk’s Division and shall include a summary of the discussion and the recommendations and decisions made at the meeting. The minutes shall form the basis of Agendas for Standing Committees.
- 18.11 **Agenda – not received – validity – not affected**
Lack of receipt of the agenda by the members shall not affect the validity of the Sub-committee meeting or any action lawfully taken thereat.

PART 19 - STANDING COMMITTEES – MEETINGS

- 19.1 **Standing Committees – composition**
There shall be Standing Committees of the Council as determined by Council.
- 19.2 **Standing Committees – monthly – time**
Standing Committee meetings shall be held in the Council Chamber on the second and fourth Mondays of the month following a Regular Council meeting or, at the call of the Chair.
- 19.3 **Meetings – special – called by Chair**
Special meetings of a Standing Committee may be called by the Chair whenever he/she considers it necessary.
- 19.4 **Chairs – Vice-Chairs - appointment – nomination - procedure**
The Chairs and Vice-Chairs of the Standing Committees shall be appointed by Council at the Inaugural Meeting in each term of Council of a regular municipal election year.
- 19.5 **Procedure - modifications**
The rules governing the procedure of the Council and the conduct of its members shall be observed in Standing Committee meetings, with the necessary modifications, except that:

- a) a member shall not speak more than once to a motion until every member who desires to speak has spoken once;
- b) a motion to hear from the public is not needed, provided that the person wishing to speak is speaking to an issue on the agenda of the Standing Committee or with the consent of the Chair.

19.6 Points of order – decision by Chair

Points of order arising in Standing Committee shall be decided by the Chair, subject to an appeal by a Member of Council.

19.7 Chair – replacement – by Council – at any time

Council may at any time, replace the Chair of a Standing Committee by majority vote of the Members of Council.

19.8 Standing Committee – recommendations – to Council

Each Standing Committee, after having considered its Sub-committee recommendations, may make recommendations to Council by Report of the Standing Committee at the next regular Council meeting, unless otherwise decided.

19.9 Standing Committee – recommendations – exception - reconvene

Notwithstanding Section 19.9 of this By-law, a Standing Committee recommendation may be dealt with by Council when the Council meeting reconvenes that same night.

19.10 Minutes – kept – report to Council

Minutes of Standing Committees shall be kept by the Clerk and the proceedings shall be recorded in the form of recommendations voted upon by the members.

19.11 Agenda – not received – validity – not affected

Lack of receipt of the agenda by the members shall not affect the validity of the Standing Committee meeting or any action lawfully taken thereat.

Part 20 - ADVISORY COMMITTEES

20.1 Advisory Committees – composition

Council may establish Advisory Committees from time to time to advise Council on matters within the jurisdiction of the Council.

20.2 Mayor – member – ex officio – all advisory committees

The Mayor shall be ex officio, a member of all advisory committees and entitled to vote and to make motions and amendments.

20.3 Meetings – regular – public notice

Advisory Committees shall meet in accordance with the meeting schedule established by the Advisory Committee. Public notice shall be given by means of posting the date, time and location of the meetings to the City's official website.

20.4 Meetings – special – called by Chair

Special meetings of Advisory Committees may be called by the Chair whenever he/she considers it necessary. Prior to calling a Special meeting, the Chair shall consult with the Recording Secretary.

20.5 Chairs – Vice-Chairs – appointment - procedure

The Chairs and Vice-Chairs of Advisory Committees shall be appointed in accordance with established policies of the City.

20.6 Agenda – distribution

The Clerk or designate shall cause Agendas to be distributed to Advisory Committee members at least 5 working days prior to regular Advisory Committee meetings. The Agenda shall be posted to the City's official website as soon as possible.

20.7 Agenda – not received – validity – not affected

Lack of receipt of the agenda by the members shall not affect the validity of the Advisory Committee meeting or any action lawfully taken thereat.

20.8 Minutes – taken – Recording Secretary

If a Recording Secretary is provided by the City, he/she shall be responsible for recording the actions and recommendations made at Advisory Committee meetings and for forwarding a copy of the Minutes to the Clerk. If a Recording Secretary is not provided by the City, a member of the Advisory Committee shall record the actions and recommendations made at the meeting and shall forward a copy of the Minutes to the Clerk as soon as possible, following the meeting.

20.9 Adjournment – quorum not present

If no quorum is present after 15 minutes of the scheduled start of the meeting, the Chair shall advise the members present and the Recording Secretary provided by the City shall leave and no business or decisions shall be permitted.

Part 21 - AD-HOC COMMITTEES

21.1 Ad-Hoc Committees – composition

Council may establish Ad-Hoc Committees from time to time to provide recommendations to Council of matters within the jurisdiction of the Council.

21.2 Mayor – member – ex officio – ad-hoc committees

The Mayor shall be ex officio, a member of ad-hoc committees and entitled to vote and to make motions and amendments.

21.3 Meetings – regular – public notice

Ad-hoc Committees shall meet in accordance with the meeting schedule established by the Ad-Hoc Committee. Public notice shall be given by means of posting the date, time and location of the meetings to the City's official website.

21.4 Meetings – special – called by Chair

Special meetings of Ad-Hoc Committees may be called by the Chair whenever he/she considers it necessary. Prior to calling a Special meeting, the Chair will consult with the Recording Secretary.

21.5 Chairs – Vice-Chairs – appointment - procedure

The Chairs and Vice-Chairs of Ad-Hoc Committees shall be appointed in accordance with the established policies of the City.

21.6 Agenda – distribution

The Clerk or designate shall cause Agendas to be distributed at least 5 working days prior to the Ad-Hoc Committee meeting. The Agenda shall be posted to the City's official website as soon as possible.

21.7 Agenda – not received – validity – not affected

Lack of receipt of the agenda by the members shall not affect the validity of the Ad-Hoc Committee meeting or any action lawfully taken thereat.

21.8 Minutes – taken – Recording Secretary

If a Recording Secretary is provided by the City, he/she shall be responsible for recording the actions and recommendations made at Ad-Hoc Committee meetings and for forwarding a copy of the Minutes to the Clerk. If a Recording Secretary is not provided by the City, a member of the Ad-Hoc Committee shall record the actions and recommendations made at the meeting and shall forward a copy of the Minutes to the Clerk as soon as possible, following the meeting.

21.9 Adjournment – quorum not present

If no quorum is present after 15 minutes of the scheduled start of the meeting, the Chair shall advise the members present and the Recording Secretary if provided by the City, shall leave and no business or decisions shall be permitted.

Part 22 - SPECIAL PURPOSE COMMITTEES

- 22.1 **Special Purpose Committees – composition**
Council may establish Special Purpose Committees from time to time to provide recommendations to Council of matters within the jurisdiction of the Council.
- 22.2 **Mayor – member – ex officio**
The Mayor shall be ex officio, a member of Special Purpose Committees and entitled to vote and to make motions and amendments.
- 22.3 **Meetings – public notice**
Special Purpose Committees shall meet as deemed necessary by the Chair. Public notice shall be given by posting the date, time and location of the meetings to the City's official website.
- 22.4 **Chair – appointment - procedure**
The Chair of a Special Purpose Committee shall be determined by the Mayor.
- 22.5 **Agenda – distribution**
The Chair, in consultation with staff, shall determine the method and manner of distribution of Agendas for Special Purpose Committees. The Agenda shall be posted to the City's official website as soon as possible.
- 22.6 **Agenda – not received – validity – not affected**
Lack of receipt of the agenda by the members shall not affect the validity of the meeting or any action lawfully taken thereat.
- 22.7 **Minutes – taken – Recording Secretary**
The Recording Secretary provided by the City shall be responsible for recording the actions and recommendations made at the meetings and shall forward a copy of the Minutes to the Clerk as soon as possible, following the meeting.
- 22.8 **Special Purpose – completed - dissolved**
When a Special Purpose Committee has completed its work and submitted its report, it dissolves automatically, unless otherwise directed by Council.
- 22.9 **Adjournment – quorum not present**
If no quorum is present after 15 minutes of the scheduled start of the meeting, the Chair shall advise the members present and the Recording Secretary shall leave and no business or decisions shall be permitted.

Part 23 - DISCLOSURES OF PECUNIARY INTEREST

23.1 Pecuniary interest – responsibility – disclosure

It is the responsibility of each Member of Council to identify and disclose any pecuniary interest as defined by the *Municipal Conflict of Interest Act, R.S.O. 1990, c.M.50* and any successor in legislation thereto, in any item or matter before the Council or any Sub-committee, Standing Committee, Advisory or Ad-Hoc Committee, Special Purpose Committee, Board or Commission.

23.2 Pecuniary interest – disclosure – open meeting - requirements

Where a Member of Council, either on his/her own behalf or while acting, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting at which the matter is the subject of consideration, the Member shall:

- a) prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- b) not take part in the discussion;
- c) not vote on any question in respect of the matter; and
- d) not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

23.3 Pecuniary interest – disclosure – In-camera session - requirements

Where a meeting is not open to the public, in addition to complying with the requirements in Section 23.2 of this By-law, the Member of Council shall forthwith leave the meeting for the part of the meeting during which the matter is under consideration, and also disclose the interest, but not the general nature of that interest at the next meeting that is open to the public.

23.4 Pecuniary interest – disclosure – absent - meeting

Where the interest of a Member of Council has not been disclosed by reason of absence from the particular meeting, the Member shall disclose the interest and otherwise comply at the first meeting attended by the Member after the particular meeting.

23.5 Record – disclosure – minutes – Clerk

The Clerk shall cause the particulars of any disclosure of pecuniary interest made by Members of Council to be recorded and any such record shall appear in the Minutes of that particular meeting.

23.6 Non-compliance – by member – validity not affected

The failure of one or more members to comply with Section 23.0 of this By-law shall not affect the validity of the meeting in regard to the said matter.

23.7 Disclosure – by majority – quorum - requirement

Notwithstanding the provisions of Section 8.1 of this By-law, when a majority of the members has disclosed an interest in accordance with Section 23.0 of this By-law and the *Municipal Conflict of Interest Act*, and any successor legislation thereto, the remaining number of members shall be deemed to constitute a quorum, provided such number is not less than two.

23.8 Return of In-camera Agenda – to Clerk

If a member of Council believes or knows that he/she has a pecuniary interest under the *Municipal Conflict of Interest Act* regarding an item on an In-camera Agenda after receiving the Agenda, the member shall return that part of the Agenda and any background information distributed with the Agenda, to the Clerk as soon as possible. Once a pecuniary interest has been declared by a member of Council, the Clerk shall redact the matter from future copies of the Agenda and Minutes for that Member of Council. Notwithstanding the above, the member of Council shall continue to be required by law, to declare a pecuniary interest under the *Municipal Conflict of Interest Act* each time the matter is scheduled on an Agenda.

Part 24 - REPEAL - ENACTMENT

24.1 By-law - previous

By-law 216-2002 and all amendments thereto, are repealed upon this By-law coming into effect.

24.2 Effective date

This by-law comes into force upon final passage.

READ a FIRST, SECOND and THIRD Time

AND FINALLY PASSED this 10th day of September, 2007.

"Daniel B. Mathieson"

MAYOR – Daniel B. Mathieson

"Joan Thomson"

CLERK – Joan Thomson