

BY-LAW NO. 77 - 03

OF THE

CORPORATION OF THE CITY OF CAMBRIDGE

Being a by-law of The Corporation of the City of Cambridge to govern the **calling, place and proceedings of meetings** of the Council and its Committees and to repeal **By-law 83-95**

WHEREAS pursuant to, the Municipal Act, 2001, S.O.2001, c.25, Section 238, authorizes every municipality and local board to pass a procedural by-law for governing the calling, place and proceedings of meetings;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF CAMBRIDGE ENACTS AS FOLLOWS:

DEFINITIONS:

In this by-law:

- a) Committee: means any advisory or other committee subcommittee or similar lower case entity composed of one or more members of council,
- b) Meeting: means any regular, Special, Committee or other meeting of a Council.
- c) Member: shall mean a Member of the Municipal Council.

1. COUNCIL MEETINGS

- 1.01 The Inaugural meeting of the Council shall be held on the first Monday in December at 7:00 o'clock in the afternoon except when the day is a public holiday in which case the meeting shall be held on the next following day that is not a public holiday.
- 1.02 Except as provided for in section 17.00 of this By-law all meetings of Council shall be open to the public.
- 1.03 Regular meetings of Council shall be held in the Council Chambers at 7:00 o'clock in the afternoon.
- 1.04 In the event that the regular meeting of Council is scheduled on a public holiday it shall be held on the next following day that is not a public holiday at 7:00 o'clock in the afternoon.
- 1.05 Council may, by resolution, alter the time and place of any meeting.
- 1.06 Notwithstanding all other provisions of this By-law the Chief Administrative Officer and the Mayor, may change the commencement time of a regularly scheduled meeting between 4:30 PM and 7:00 P.M.
- 1.07 The head of the Council may at any time summon a Special Meeting, or upon receipt of the petition of the majority of the Members of the Council, the Clerk shall summon a Special Meeting for the purpose and at the time mentioned in the petition.
- 1.08 Upon receipt of a petition by the Clerk as noted in section 1.07 of this By-law no member may remove his or her name.
- 1.09 At meetings of Council the use of cameras, electric lighting equipment flash bulbs, recording equipment, television cameras and any other device of a mechanical electronic or similar nature used for transcribing or recording proceedings by auditory or visual means by accredited and other representatives of any news media is permitted.
- 1.10 At meetings of Council the use of cameras, electric lighting equipment, flash bulbs, recording equipment, television cameras and any other device of a mechanical, electronic or similar nature used for transcribing or recording proceedings by auditory or visual means by members of the public may be permitted and are subject to the approval and/or direction of the Chair unless otherwise decided by the Council.
- 1.11 All persons attending a Council meeting shall observe the rules of Council with respect to decorum and conduct.

2. SEATING OF MEMBERS

- 2.01 For the duration of the term of office of the Council seating at the Council Table shall be in alphabetical order of the Council Member's surname commencing at the right of the Mayor.
- 2.02 When a vacancy occurs in the Council the person elected or appointed to fill such vacancy shall be seated alphabetically by surname commencing at the right of the Mayor.
- 2.03 Council may establish alternate seating arrangement by motion passed by a majority vote.

3. NOTICE OF MEETINGS

- 3.01 The Clerk shall send notice of each regular and special meeting of Council to every Council Member which notice shall be accompanied by the agenda.
- 3.02 The Clerk shall send notices of all meetings of Council to the residence or place of business of each Council Member so as to be received not later than forty-eight hours prior to the time of the meeting.
- 3.03 Notice requirements of Special Meetings may be waived if approved by a minimum two-thirds vote of all members.
- 3.04 The lack of receipt of the notice of a meeting by any Member of Council shall not invalidate the meeting.

4. QUORUM

- 4.01 A majority of the whole number of Members is necessary to form a quorum.
- 4.02 If no quorum is present within twenty minutes after the hour appointed for any meeting, the Clerk shall record the names of the Council Members present and the Council shall stand adjourned until the date and time of the next regular or special meeting.
- 4.03 If a quorum is lost during a meeting it shall stand adjourned and the Clerk shall record the names of the remaining members.
- 4.04 The unfinished business of an agenda of a meeting adjourned due to a lack of a quorum shall be placed before Council at the next regular meeting, unless a special meeting is called for that purpose before the next regular meeting.

5. ACTING MAYOR/PRESIDING OFFICER

- 5.01 Subject to Section 5.03 the Mayor shall act as Chair at all meetings of Council.
- 5.02 After the hour fixed for a meeting and as soon as a quorum is present, the Mayor shall take the Chair and call the meeting to order.
- 5.03 Council may by resolution, appoint a Member of Council to be Acting Mayor in accordance with Section **242**, the Municipal Act, **2001**, **S.O. 2001**, **S.O.2001,c.25**.
- 5.04 When both the Mayor and Acting Mayor are absent, then the Member of Council present who has most recently presided as Acting Mayor shall assume the office.
- 5.05 The appointment of the Office of Acting Mayor shall be in alphabetical order of the Council Members surname, and shall be for a period of six months. The order or the appointment of Acting Mayor may be changed by resolution of Council.
- 5.06 In the event that the Mayor, Acting Mayor or a Member of Council who has presided as Acting Mayor is not present fifteen minutes after the hour appointed for the meeting, the Council Members present may appoint amongst themselves a Chair.

6. ADJOURNMENT

- 6.01 The proceedings of the Council on any day shall be terminated as soon after the hour of 11:00 o'clock in the afternoon as the matter under immediate consideration is finalized and Council has established a time and date for the consideration of the balance of the agenda.
- 6.02 Notwithstanding Section 6.01, Council by resolution passed by an affirmative vote of two-thirds of the Members present may continue with the business on hand past 11:00 o'clock in the afternoon.
- 6.03 A motion to adjourn, may be made by a Member who has the floor, requires no seconder and need not be in writing. However, no motion to adjourn may be made during the taking of a vote on any motion.
- 6.04 A motion to adjourn may not be amended.
- 6.05 Where a motion to adjourn is duly moved and carried and any item of business or any by-law then before Council is left undisposed of, such item of business or by-law may be considered at the appropriate place in the order of procedure at the next meeting.
- 6.06 Where a motion to adjourn is lost no second motion to the same effect may be made until the matter under consideration has been disposed of.
- 6.07 On a motion to adjourn no Member shall leave their seat until the Chair has declared the meeting adjourned.

7. ORDER OF PROCEDURE

- 7.01 Immediately after the Chair has called the meeting to order, the order of procedure shall be:
 - i) Declaration of Pecuniary Interest;
 - ii) Delegations;
 - iii) Confirmation of Council Minutes;
 - iv) Motions for Which Previous Notice Was Given;
 - v) Report of Standing Committees;
 - vi) Recommendations From Standing Committee Reports To Be Dealt With Separately;
 - vii) Items Referred Directly To Council;
 - viii) Communications;
 - ix) Unfinished Business;
 - x) Committee of the Whole;
 - xi) New Business;
 - xii) Enactment of By-Laws;
 - xiii) Adjournment.

8. DELEGATIONS

- 8.01 No person, except Members of Council and City Officials, are allowed to come within the bar during the sitting of the Council without the permission of the Chair.
- 8.02 No person shall be allowed to address Council unless he/she has first registered with the Clerk's Department up to 4:00 o'clock in the afternoon on the day of the meeting or at the place of the meeting just prior to its' commencement giving their name, address, the item number and subject.
- 8.03 Unless the Council otherwise declares, no delegate shall be permitted to address Council for more than FIVE minutes.
- 8.04 Upon the completion of the presentation made by a delegate, Members of Council may address questions to the delegate with respect to the subject matter and which the delegation is not under any obligation to answer.
- 8.05 A person representing three or more persons present and registered with the Clerk's Department may address Council for a maximum of TEN minutes.
- 8.06 Council may deal with the matter immediately by a majority vote.

- 8.07 The Chair shall keep account of the time expended on all presentations and at the completion of the allotted time shall advise the delegation to cease, subject to a motion of Council allowing the presentation to continue.
- 8.08 Representatives of Advisory Committees, staff, other government agencies, recognized organizations such as registered charity or non-profit groups, will be allowed to address Council for TEN minutes unless otherwise noted on the agenda.
- 8.09 No person shall appear before Council on an item not on the agenda.
- 8.10 Any person requesting to appear before Council on a matter not on an agenda shall:
- i) submit their request in writing, signed by at least one person, to the City Clerk.
 - ii) advise of the subject matter, the recommended course of action and the reasons therefor.
 - iii) all such requests to appear shall first be referred to the appropriate Standing Committee of Council.
 - iv) the Clerk shall acknowledge receipt of the request and place the matter on the next appropriate Standing Committee Agenda.
 - v) Under the "Communication" section of the Council agenda the Clerk shall advise Council of the request and the actions taken.
 - vi) the items listed in accordance with sub-section (v) are not to be considered part of the Council agenda and the items listed are non debatable with the exception of Council giving alternate or additional directions to staff.
- 8.11 Members of the public who constitute the audience in the Council Chamber during a Council Meeting will maintain order and quiet and may not:
- a) address Council without the permission of the Council;
 - b) interrupt any speech or action of the Members of Council or any other person addressing Council;
 - c) display or have in their possession picket signs or placards in the Council Chambers or Meeting Rooms.
- 8.12 Council may limit or extend the time allowed for a delegation by a majority vote.
- 8.13 Members of the Public where Council or Committee meetings are scheduled may not display or have in their possession picket signs, or placards within any municipally owned building used for such purposes.
9. NON-JURISDICTIONAL ITEMS
- 9.01 For the purpose of this by-law, "non-jurisdictional items" shall be defined as any subject outside the legislative jurisdiction of the City of Cambridge or the Regional Municipality of Waterloo.
- 9.02 All non-jurisdictional items shall be referred directly to a Standing Committee without debate and are not considered part of the Council agenda with respect to delegations.
- 9.03 Any motion that pertains to a non-jurisdictional matter shall be referred to a Standing Committee without debate.
- 9.04 Council may directly address a non-jurisdictional matter if there is a specific time limitation and a procedural motion to that effect is approved by a majority vote of Council.

10. MINUTES

10.01 The Clerk shall provide secretarial service to the Council and Standing Committees and shall keep minutes of the proceedings by recording:

- i) the place, date and time of meeting;
- ii) the names of Members present;
- iii) the names of Members absent;
- iv) the place in the Agenda at which a Member arrives and leaves during the proceedings of the meeting shall be noted;
- v) the correction of the minutes of prior meetings;
- vi) all other proceedings without note or comment;
- vii) all directions to staff;
- viii) pursuant to Section **228(2)** of the Municipal Act, **2001, S.O. 2001, c.25** Council may appoint by resolution the Chief Administrative Officer as Clerk pro tempore.

10.02 A copy of the Minutes of each Meeting of Council shall be mailed or delivered to each member of Council prior to the next regular meeting.

10.03 When the Minutes have been considered for errors and omissions, they shall be signed by the Chair and the Clerk.

10.04 A Report will be prepared for each Standing Committee containing all of the recommendations of the Committee for Council's consideration.

11. CONFIRMATION OF PROCEEDINGS OF COMMITTEES

11.01 A copy of the Minutes of the Meetings of Standing Committees shall be mailed or delivered to each Member of Council prior to the next regular meeting of Council.

11.02 Before adopting Reports of Standing Committees any Member of Council may address questions to the Chair of the Committee who may request assistance of members or staff in reply.

11.03 The proceedings of the Standing Committees may be adopted and confirmed by a single motion and the passage of such motion shall be taken to adopt and ratify all recommendations and or motions passed therein except for those matters dealt with separately.

11.04 Before adopting a Standing Committee Report, any Member of Council may request that a matter contained within the Committee Report be dealt with separately by Council.

11.05 Any recommendation referred to Council for separate consideration shall be considered immediately after the adoption of the remaining recommendations within the Standing Committee report.

11.06 Any recommendations from Standing Committees referred to Council for separate consideration shall be deemed to be automatically in the possession of the Chair for immediate consideration by Council.

The mover and seconder of any such recommendation shall be deemed to be the mover and seconder of the Committee report.

12. COMMUNICATION

12.01 Every letter, petition, or other communication intended for presentation to Council or to its Committees shall be legibly written or printed and shall be signed by at least one person giving his address.

12.02 Upon receipt of any letter, petition or other communication addressed to Council or its Standing Committee the Clerk shall deal with it as follows:

- (i) where in the opinion of the Clerk the subject matter falls within the jurisdiction of a Standing Committee it shall be referred to the appropriate Department.
- (ii) the Clerk shall place the matter on the next available Committee agenda.
- (iii) under the communication section of the Council agenda the Clerk shall advise of the receipt of the letter, petition or other communication and the actions taken to date.
- (iv) the items listed in accordance with sub-section (iii) are not to be considered part of the Council agenda and the items listed are non-debatable with the exception of Council giving additional direction to staff.

13. UNFINISHED BUSINESS

13.01 Any item of business which has been discussed by the Council at a prior meeting, but not disposed of, may be raised again at any subsequent regular meeting of the Council when "Unfinished Business" is called for under the order of procedure.

14. COMMITTEE OF THE WHOLE

14.01 On a motion to refer to Committee of the Whole, there shall be no discussion and the motion shall take precedence over any other motion.

14.02 Whenever it is moved and carried that Council convene in Committee of the Whole, the Presiding Officer shall leave the Chair, but he/she shall first appoint a Member of the Council as Chair of the Committee of the Whole.

14.03 The Chair of the Committee of the Whole shall be the Acting Mayor as set out in Sections 5.03 to 5.06.

14.04 Notwithstanding section 14.03, when the Acting Mayor is serving as Chair, the preceding available Member of Council who has presided as Acting Mayor, shall be appointed Chair of the Committee of the Whole.

14.05 The procedure as set out for Council shall be observed in Committee of the Whole except for the following:

- i) motions may be moved orally unless the Chair requires a written motion;
- ii) motions do not require a seconder;
- iii) a Member of Council may not speak more than once to a motion until every Member of Council who desires to speak has spoken;
- iv) a motion for adjournment is not in order.

14.06 Procedure to be used for items from Committee Reports referred to Committee of the Whole shall be:

- i) any Motion or Motions from the Committee Reports pertaining to an item shall be dealt with in the order they were referred;
- ii) if the action taken by the Committee is not confirmed then alternative motions may be considered.

14.07 Any by-law on the Agenda may be considered in Committee of the Whole.

14.08 The Committee of the Whole shall be responsible for the budget process and make recommendations to Council on the adoption of the Corporation yearly estimates.

14.09 Notwithstanding paragraph 14.03 the Chair, of the Committee of the Whole shall be the Chair of the **General Committee**.

14.10 With regards to Section 14.09 in the absence of the Chair the Vice Chair of the Budget Task Force shall assume the chair of the Committee of the Whole.

14:11 In the event the Chair and Vice Chair are absent the provisions of Section 14.04 shall apply.

14:12 At the conclusion of business, a motion that the Committee of the Whole rise and Council resume shall be made.

14:13 When Council resumes the Mayor shall take the Chair.

14:14 The first item of business of Council when resumed shall be a Motion to adopt the proceedings of the Committee of the Whole.

15. NEW BUSINESS

15.01 The following items of business may be introduced when "New Business" is called for under the order of procedure:

- i) Staff Reports;
- ii) Notices of Motion;
- iii) Other Business.

15.02 Members of Council may submit to the City Clerk any item under Other Business up to noon of the day of the meeting.

15.03 The City Clerk shall place the item on the "Other Business Memo" for distribution at the meeting.

15.04 All items raised under Other Business that require Council action shall be considered as a Notice of Motion for consideration at the next meeting pursuant to section 22.00.

15.05 Notwithstanding section 15.04 any member may request that the matter be dealt with immediately and unless any member objects it shall be deemed that Council concurs with the request.

15.06 Should a member of council object to dealing with a matter immediately Council may consider a motion to waive the notice requirements by a 2/3 majority vote of the members present.

15.07 Council shall consider directly tenders, quotes, contracts, proclamations, endorsements, and By-laws. All other matters shall first be considered by the appropriate Standing Committee.

15.08 Notwithstanding section 15.07 and subject to the concurrence of Council any matter under the jurisdiction of a Standing Committee may be considered directly by Council due to time restraints and placed under the heading "Items Referred Directly to Council".

16. INTRODUCTION AND ENACTMENT OF BY-LAWS

16.01 By-laws may be introduced for first, second and third readings by a single motion unless separate readings are required to accommodate legislative requirements.

16.02 Each motion shall contain the title and purpose of the by-law.

16.03 When by-laws are to be considered by Council, any Member of Council may request that the purpose and effect of any particular by-law be explained.

16.04 Every by-law debated in Council is subject to amendment and may be tabled or referred back to a named Committee of the Council or Committee of the Whole for further consideration.

17. CLOSED MEETINGS

17.01 Whenever it shall be moved and carried that the Council or Standing Committee convene in Closed Meeting, the Chair shall preside over the meeting.

- 17.02 A meeting or a part of a meeting may be closed to the public if the subject matter being considered is:
- i) the security of the property of the municipality or local board;
 - ii) personal matters about an identifiable individual including municipal or local board employees;
 - iii) a proposed or pending acquisition of land **or disposition** for the municipal or local board;
 - iv) labour relations or employee negotiations;
 - v) litigation or potential litigation including matters before administrative tribunals affecting the municipality or local board;
 - vi) the receiving of advise that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - vii) a matter in respect of which a Council may hold a closed meeting under another Act.**
- 17.03 A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act.
- 17.04 Before holding a meeting or part of a meeting that is to be closed to the public, Council shall state by resolution;
- i) the fact of holding of the closed meeting and;
 - ii) the general nature of the matter to be considered at the closed meeting.
- 17.05 Subject to section 17.06 a meeting shall not be closed to the public during the taking of a vote.
- 17.06 A meeting may be closed to the public during the taking of a vote if;
- i) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality or persons retained by or under contract with the municipality.
- 17.07 Subject to the provisions of this section Council may hear delegations in closed session.
- 17.08 The rules of procedure of Council shall apply in Closed Meetings of Council.
- 17.09 If any disorder should arise in the Closed Meeting, the Chair shall immediately terminate or recess the meeting and any business not completed may be further considered in a Closed Meeting of Council duly called.
18. POINT OF ORDER
- 18.01 A point of order may be raised at any time by a Member who considers that there is a breach of the rules of order pursuant to this by-law.
- 18.02 When a point of order is raised, or when a Member is called to order by the Chair, the Member speaking shall immediately cease to speak until the Chair has stated and decided the point of order, and may further address the Council only for the purpose of appealing from such decision.
- 18.03 The Chair, in giving his/her decision, should cite the rule or the law governing the case. He/She may ask for the assistance of the Clerk or Members in deciding the matter, but his/her decision shall be final if there is no appeal.
- 18.04 If the decision of the Chair is appealed, he/she shall restate the point at issue and his/her ruling thereon and, without further debate, shall put the question, "shall the ruling of the Chair be sustained?". The Chair may vote on this question and in the event of an equality of vote, the Chair shall be deemed to be sustained, notwithstanding that the challenge be to the interpretation of this by-law.
- 18.05 That in all respects when a proceeding of Council is in contravention of any provision of this By-law, and no member objects, it shall be deemed that Council concur with the proceedings and a motion pursuant to section 20.06 is not necessary.

19. PRIVILEGE

- 19.01 Where a member considers that their rights, immunities or integrity or the rights immunities or integrity of the Council as a whole or of the Corporation has been impugned, a Member may, as a matter of personal privilege rise at any time, and once recognized by the Chair, may draw the attention of the Council to the matter.
- 19.02 Privilege will include such matters as improper conduct of municipal officers, employees, members of the audience, violations to this by-law, disorderly conduct or other offence. Privilege will also include comfort of Members with respect to heating, lighting and ventilation.
- 19.03 The procedure for decision on matters of privilege shall be the same as for a Point of Order in Section 18 herein.
- 19.04 No Member shall speak disrespectfully of the reigning sovereign or of any member of the Royal Family, or of the Governor-General, Lieutenant-Governor, or person administering the Government of Canada or of this Province, nor shall he/she use offensive words in, or against this Council, or any member thereof; nor shall he/she speak beside the motion in debate. No Member of Council shall reflect upon any vote of the Council except for the purpose of moving that such vote be rescinded or reconsidered, pursuant to the provisions of section 23.00.
- 19.05 No Member of Council shall resist the rules of the Council, nor disobey the decision of the Mayor, the Council, Chair on motions of order or practice or upon the interpretation of the rules of the Council. In case any Member shall so resist or disobey he/she may be ordered by the Council (declared by resolution) to leave his/her seat for that meeting, and in case of his/her refusing to do so, he/she may, on the order of the Chair be removed therefrom by the police; but in the case of ample apology being made by the offender, he/she may, by vote of the Council, be permitted forthwith to retake his/her seat.
- 19.06 No charge shall be made which involves the character, conduct or language of a Member of this Council unless such Member of Council is present to make reply or unless due notice has been given him/her to be present and defend himself/herself.
- 19.07 A question put to a Member of Council or delegation may not contain imputations, epithets, or ironical expressions. A question may not be put which contains statements not strictly necessary to render the motion intelligible, nor contains charges which the Member of Council who asks the question is not prepared to substantiate. The solution of any abstract legal case may not be sought by a question. A question cannot be made a pretext for a debate, and when a question has been fully answered to the satisfaction of the Chair, it cannot be renewed.
- 19.08 When the Chair is calling a vote, no Member of Council shall walk across or out of the Chamber, or make any noise or disturbance, nor when a Member of Council is speaking shall any other Member of Council interrupt.

20. RULES OF CONDUCT AND DEBATE

- 20.01 Any Member desiring to speak, and upon being recognized by the Chair, shall address himself/herself to the Chair.
- 20.02 When two or more Members wish to speak, the Chair shall recognize them in order.
- 20.03 When a Member is recognized by the Chair, he/she shall address himself/herself to the matter under discussion and shall be limited to speaking for a maximum of five (5) minutes.
- 20.04 The Chair may state his/her position on any matter prior to the vote being called without leaving the Chair, but shall not debate the motion without first leaving the Chair after appointing a Member to preside in his/she place and shall not resume the Chair until the matter under discussion has been voted upon.
- 20.05 Any Member may require the motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.
- 20.06 A standing rule of Council may only be suspended by two-thirds majority vote of the Members present.
- 20.07 Any Member is permitted to ask questions of staff through the Chair.

20.08 The Chair, may expel or exclude from any meeting any person who is guilty of improper conduct at the meeting.

21. MOTIONS

21.01 A Member of Council is permitted to speak only once to a motion except for the Mover who may speak a second time prior to the vote being called, which will then close debate.

21.02 The Mover of every motion, when seconded, shall identify the motion by the corresponding number on the printed agenda and by giving a synopsis of the subject.

21.03 After a motion is received by the Chair, it shall be deemed to be in possession of the Council, but may be withdrawn at any time before decision or amendment with the permission of the Council.

21.04 No Member of Council other than the introducer shall speak to any motion until it is in the possession of the Chair.

21.05 Motions may contain more than one proposition only in the event that:

- i) the second and each subsequent proposition is a qualification of the main proposition;
- ii) in the opinion of the mover and seconder, the proposition cannot be separated without destroying the intent of the motion.

21.06 In the event that Council considers that a motion has one or more propositions embodied in one motion or in an amendment which does not meet the aforementioned criteria, the Chair may put the proposition separately restricting debate to each proposition in its turn.

21.07 Notwithstanding the provisions of Section 23.00, "Reconsideration", that when a motion to "refuse" or "not approve" is lost, a subsequent motion to approve the item will be in order. If the "approval" motion is lost or is not brought forward, it will be deemed that Council has taken no action on the subject matter.

22. NOTICE OF MOTION

22.01 A written copy of the motion must be presented to the Clerk who will place it on the appropriate Council or Standing Committee Agenda for the next meeting.

22.02 The Member who hands a written Notice of Motion to the Clerk to be read at any regular meeting need not be in his seat during the reading of the notice.

22.03 A motion of which Council has received notice shall be placed on the agenda for which it is scheduled for debate. If not moved at the meeting for which it is scheduled by the person who gave notice, it shall be deemed to be withdrawn unless an alternative time for the motion to be debated is given.

22.04 Notices of Motion must be received without comment or debate by any Member.

22.05 Notice requirements may be waived if a written copy is presented to the Clerk at least twenty-four hours prior to the printing of the agenda and is included therein.

22.06 Subject to Section 15.00 - Before any motion that falls within the jurisdiction of a Standing Committee can be dealt directly by Council a Procedural motion to that effect must be approved by a majority vote of the members present.

22.07 All motions except purely procedural motions, shall be made in writing and must be seconded.

22.08 Discussions must be relevant to the subject under consideration.

23. RECONSIDERATION

- 23.01 Any Member who voted in the majority may at a subsequent meeting move for a reconsideration thereof under "New Business".
- 23.02 A motion for reconsideration may be seconded by a Member who voted on the original motion either for or against.
- 23.03 A motion for reconsideration must be made in writing and no discussion of the main motion shall be allowed unless the motion for reconsideration is approved by a vote of two-thirds of the Members present.
- 23.04 No motion shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.
- 23.05 For the purpose of calculating a vote of two-thirds of the Members present, any fraction shall be rounded to the next highest whole number -- eg. two-thirds of eleven Members of Council present shall be eight.
- 23.06 A motion to reconsider an amendment to the main motion may not be submitted, however, the main motion as amended may be submitted for reconsideration subject to 23.07.
- 23.07 If a motion to reconsider is decided in the affirmative, such reconsideration of the original motion shall become the next order of business, unless the motion calls for a future definite date, and debate on the motion to be reconsidered may proceed as though it had never previously been voted on.
- 23.08 Debate on a motion for reconsideration must be confined to reasons for or against the reconsideration.
- 23.09 A Member who is absent at the time a vote is taken on a motion which subsequently becomes the subject of a motion for reconsideration, shall be deemed for the purpose of reconsideration to have voted with the majority.
- 23.10 When a by-law has been defeated at any stage of the order of procedure it shall be subject to a motion to reconsider and the foregoing rules shall apply thereto:
- i) except that when a motion to reconsider a by-law is carried by the required two-thirds vote, a motion that leave be given to introduce the said by-law shall become the next order of business;
 - ii) if this motion is carried, the by-law shall be dealt with in accordance with the usual order of procedure as if it had been first introduced at the meeting during which the motion to reconsider was voted upon.

24. DEFERRAL/REFERRAL

- 24.01 A motion to refer or postpone must be disposed of before a motion to amend may be made.
- 24.02 A motion postponed to a definite date shall have precedence over all other business under the order of Unfinished Business on the agenda for that date.
- 24.03 If a motion to table indefinitely is decided in the affirmative, the original motion, together with amendments, is thereby removed.

25. PREVIOUS QUESTION (Motion to Close Debate)

- 25.01 A motion for the previous question, being a motion to close debate, applies only to the motion or amendment under consideration at the time the motion to close debate is moved. A motion to close debate is not in order until every member has been given the opportunity to speak at least once to the matter under consideration. Upon a motion to close debate being made, debate shall cease and no amendment may be made to the main motion, until the motion to close debate has been voted on. The motion to close debate shall be put in the following words:

"Shall the question be called?"

- 25.02 If a motion to close debate carries, the main motion or amendment under consideration shall be put immediately without further debate. If the motion to close debate is lost, debate may proceed.

26. AMENDMENTS TO MOTIONS

- 26.01 Only one amendment can be presented to the main motion at one time and only one amendment can be presented to an amendment at one time but, when a sub-amendment has been disposed of, another may be introduced, and when an amendment has been decided, another may be introduced.
- 26.02 The sub-amendment, if any, shall be voted on first, then if no other sub-amendment is presented, the amendment shall be voted on next, then if no other amendment is introduced, the motion or motions as amended shall be put to a vote.
- 26.03 In the case of an amendment to an amendment, the amendment to the main motion cannot be withdrawn until the amendment to the amendment has been withdrawn or dealt with.
- 26.04 An amendment must be similar in import to the motion which it is proposed to amend and cannot negate the intent of the original motion.
- 26.05 An amendment embodying a matter which has been referred to a Committee, or the consideration of which has been deferred is not permissible.
- 26.06 It shall be the duty of the Chair to determine what amendments are not in order.

27. AMENDMENTS TO BY-LAWS

- 27.01 No by-law may be amended until such time as Council has under consideration a motion for the final passing thereof.
- 27.02 An amendment to a by-law must strictly relate to the subject matter of the by-law.
- 27.03 It is permissible on a motion for the passing of a by-law to move that the by-law be referred back to a named Committee or staff for further consideration, or that the by-law be deferred indefinitely, or be postponed to a definite time.

28. VOTING IN COUNCIL AND COMMITTEE

- 28.01 Every member present at a meeting when a motion is put shall vote thereon unless the Member indicated a pecuniary interest pursuant to the Municipal Conflict of Interest Act. If any Member present declines to vote he shall be deemed to be voting in the negative.
- (i) That all votes taken at Council shall record in the minutes those members who voted in the negative. Recording of negative votes will only apply to Council and not include procedural motions.
- 28.02 If a poll vote is taken pursuant to The Municipal Act, every Member who is present when the motion is put shall, except where he/she is disqualified to vote by reason of interest pursuant to the Municipal Conflict of Interest Act, be in his chair and announce his vote openly and individually, and the Clerk shall record it.
- 28.03 After any motion is finally put by the Chair, no Member shall speak to the motion nor shall any other motion be made until after the result of the vote has been declared.
- 28.04 Any Member who disagrees with the announcement of the Chair that a motion is carried or lost may, but only immediately after the declaration by the Chair, appeal the declaration and request that a recorded vote be taken, subject to the next order of business not being introduced.
- 28.05 For the purpose of calculating a vote of two-thirds of the Members present, any fraction shall be rounded to the next highest whole number.

29. STANDING COMMITTEE OF COUNCIL

- 29.01 There shall be **one** Standing Committee of Council, being:
- i) **General Committee** which shall be composed of all Members of Council.
- 29.02 The rules of Council shall be observed in Committee unless otherwise stated herein.
- 29.03 **All** members of Council shall be **members of the General Committee.**

29.04 Members of Standing Committees shall appoint a Chair and Vice Chair at their first meeting in January of each year.

29.05 The order of procedure for standing committees shall be as follows:

- i) Declaration of Pecuniary Interest;
- ii) Staff Presentation;
- iii) Delegations;
- iv) Confirmation of Minutes;
- v) Motions for which Previous Notice Was Given;
- vi) Communications;
- vii) Unfinished Business;
- viii) New Business;
- ix) Adjournment.

29.06 A Member of the Committee may not speak more than once to a motion until every member who desires to speak has spoken.

30. SEATING

30.01 The Chair of the Standing Committees shall sit at the head of the Committee table with all members sitting at their regularly assigned seat, with the Mayor occupying the seat normally occupied by the Chair.

31. MEETINGS

31.01 The meetings of Standing Committees will follow a three week cycle.

31.02 The three week meeting cycle may be altered by a resolution of Council.

31.03 Notwithstanding clauses 31:01 and 31:02 the Council will approve a yearly schedule of meetings based on but not confined to a three week cycle.

31.04 Committees shall determine the time and location of their meetings by resolution.

31.05 Special meetings of Standing Committees may be called by the Chair, by the Mayor, as directed by Council or upon petition by a majority of the Members of the Committee. The Clerk shall summon a Special meeting for the purpose and at the time and place mentioned in the petition subject to notice requirements being complied with.

31.06 That when a time and date for the consideration of items not disposed of has not been established due to a meeting being adjourned, the meeting shall reconvene prior to the next regular meeting to consider the remaining items of the agenda.

31.07 Committee may by motion alter the time and date for regular scheduled Standing Committee meetings.

32. NON MEMBERS

32.01 All Members of Council may attend any Standing Committee meeting.

32.02 Members of Council who are not members of the Standing Committee may address the Committee on any matter under consideration.

32.03 Non-Members of the Committee may only speak once to an item and are not allowed to debate any matter at the Committee level.

32.04 All members of Council shall receive notice of meetings, agendas and minutes of all Standing Committees.

33. DELEGATIONS

33.01 Unless the Committee otherwise declares an individual delegation shall be permitted to address Committee for five minutes.

33.02 A person representing three or more persons present may address Committee for a maximum of TWENTY minutes.

33.03 Representatives of Advisory Committees, staff, other government agencies registered charitable and non-profit organizations may address Committee for TEN minutes.

- 33.04 Notwithstanding clause 29.05 presentations by staff may be made at the time the subject matter is under consideration by committee.
- 33.05 Any member of Council may request that the Department Head arrange for a staff presentation on any matter scheduled for a future committee meeting subject to the request being received prior to the preparation of the agenda in which the matter is scheduled for consideration.
- 33.06 Notwithstanding the provisions of clause 8.02 any person wishing to address Committee on an item on the agenda is not required to register prior to the commencement of the meeting.
34. NEW BUSINESS
- 34.01 Standing Committees may appoint from amongst themselves sub-committees to report on specific matters under the jurisdiction of the Committee.
- 34.02 Council may consider any matter directly.
- 34.03 Each Standing Committee shall report to Council by presenting a single report containing all of recommendations of the committee.
- 34.04 The Chair of each Standing Committee shall present the report to Council and answer questions with committee members and staff support when required.
35. AD HOC, ADVISORY AND SPECIAL COMMITTEES OF COUNCIL
- 35.01 Standing Committees may meet in closed session subject to the provisions and authority provided for closed council meetings, in section 17.00 is adhered to.
- 35.02 A Committee of the Council to consider and report on a specific subject, project or undertaking may be appointed by resolution of the Council. Where such resolution does not name the members of the Committee, the Mayor shall name them.
- 35.03 Committees may consider and report only on such matters as have been referred to them by the Council, Mayor or Standing Committee.
- 35.04 When a Committee has completed its work and made its report, it dissolves automatically.
- 35.05 Should the Chair of any Committee neglect or refuse to call Special Meetings of his/her Committee at such time or with such frequency as the proper dispatch of the Committee's business requires; or do the business of the Committee without the knowledge or consent of its members, or contrary to their wishes or sanction, the Committee may report such neglect, refusal or action to the Standing Committee who may remove such Chair from office and appoint another member of the Committee in his/her place.
- 35.06 Should any Committee neglect or refuse to give due attention to any matter before it, the Standing Committee may recommend and the Council may, by resolution, discharge such Committee and appoint another in its place.
- 35.07 Copies of reports or minutes of Special, Ad Hoc and Advisory Committees of Council shall be forwarded to Council.
- 35.08 The report of every Committee shall be in writing and shall be signed by the Chair or Acting Chair of the Committee.
- 35.09 A Member of the appropriate Standing Committee, having a question on the minutes, shall address the question to the Chair of the Committee, his/her designate, Council liaison, the Chief Administrative Officer, or appropriate member of staff.
- 35.10 All Ad Hoc, Advisory Committee and Special Committees shall follow the rules of Council unless otherwise stated in their terms of reference.
- 35.11 Notwithstanding section 35.10 all ad hoc, advisory and special committees shall observe the rules of Council for closed meetings (section 17.00).

36. UNPROVIDED CASES

36.01 In all unprovided cases in the proceedings of the Council or of Committee, resort shall be made to the Robert's Rules of Order as a rule for guidance on the question, and in such cases the decision of the Chair shall be final and acquiesced in without debate.

36.02 Whenever the singular is used herein, it shall be construed as including the plural and whenever the masculine is used herein, it shall be construed as including the feminine.

36.03 That this by-law applies with necessary modifications to delegates.

37. BY-LAWS REPEALED

37.01 By-Law No. **83-95** is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME,
ENACTED AND PASSED, THIS 14TH DAY OF APRIL, A.D. 2003.

"Doug Craig"
MAYOR

"James Anderson"
CLERK