



BY-LAW NO. 2015-0060

A By-law to adopt procedures for the calling, place, proceedings and providing public notice of meetings of the Council and its Committees;
to provide rules for the conduct of its Members;
and to repeal By-law No. 2010-0040 and its amending By-law 2011-0015

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

AND WHEREAS Section 238(2.1) of the *Municipal Act*, as amended, requires the procedure by-law to provide for public notice of meetings;

AND WHEREAS the Council for the Town of Halton Hills deems it necessary to update its procedure by-law to improve its content and wording; to develop a procedure as a basis for the efficient operation of the Council and its committees; to ensure expedition of the business of the meetings; to be accountable and transparent; and to ensure that all council matters are accomplished in an orderly manner;

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:

1. DEFINITIONS

In this by-law:

- 1.1 "Advisory Committee" is a committee of Council which by legislation is deemed necessary. (Heritage Committee, Accessibility Committee).
- 1.2 "Accountability" means the principle that the Town of Halton Hills will be responsible to its stakeholders for the decisions made and policies implemented, as well as its actions or inactions.
- 1.3 "Announcements" mean information conveyed to the Presiding Officer by Members to be announced publicly at the beginning of meetings. The information shall relate only to matters on which no official action by Council is required, and those matters which are congratulatory or condolence in nature.
- 1.4 "Approval" means the endorsement or adoption of the recommendations contained within minutes.
- 1.5 "CAO" means the Chief Administrative Officer for the Town of Halton Hills or their designate.
- 1.6 "Chair" means the Mayor, Acting Mayor or person presiding over the meeting and may also be referred to as the Presiding Officer.
- 1.7 "Clerk" means the Clerk of the Corporation or designate.
- 1.8 "Closed Session" means a meeting or a portion thereof, closed to the public in accordance with the *Municipal Act*, as amended.

- 1.9 "Committee" for the purpose of the By-Law means any or other Committee, sub committee, or similar entity appointed by Council.
- 1.10 "Corporation" means the Corporation of the Town of Halton Hills.
- 1.11 "Council" means the Council of the Corporation.
- 1.12 "Division of Question" means a request by a Member to have a motion containing separate questions or suggestions, voted on in sections.
- 1.13 "Emergency" means a situation or the possibility of an impending situation which by its nature and magnitude requires a timely, co-ordinated, and controlled response.
- 1.14 "Emergency Business Matter" means a time sensitive matter which if not dealt with may have serious ramifications, including but not limited to the inability to address or influence the matter at a later date.
- 1.15 "Ex-Officio" means a member of a committee by reason of holding another position, who has the right and privileges of a full Member or as otherwise outlined in this by-law or the Committee's Terms of Reference.
- 1.16 "General Committee" means all Members of Council sitting as a recommending body to Council where Council will move into General Committee for the purposes of Statutory Public Meetings as per the Planning Act, Informal Public Meetings deemed necessary to be heard at Council, and for the purpose of Reports of Municipal Officers (emergency action item reports, deemed necessary to be included on a Council agenda upon the approval of the CAO).
- 1.17 "Local Board: means a municipal service board, transportation commission, public library board, board of health, police services board, planning board, or any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of the Corporation of the Town of Halton Hills.
- 1.18 "Main Motion" means a motion which is a self-contained proposal that expresses a separate and distinct idea or position rather than an amendment to an existing motion. It is also known as a substantive motion.
- 1.19 "Mayor" means the Head of Council of the Corporation.
- 1.20 "Meeting" means any Regular, Special, Workshop or other meeting of Council, of a local board or of a committee of either of them.
- 1.21 "Member" means a Member of Council or a Committee.
- 1.22 "Notice of Motion" means a motion which is introduced at a Council meeting for consideration at the next regular meeting of Council, thereby affording all Members with notice that the subject matter is to be addressed.
- 1.23 "Pecuniary Interest" means a direct or indirect pecuniary (monetary) Interest, within the meaning of the *Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M. 50, as amended*.
- 1.24 "Point of Order" means a matter that a Member considers to be a departure from or contravention of the Rules, procedures or generally accepted practices.

- 1.25 "Point of Personal Privilege" means a statement calling attention to a matter where the integrity, character or reputation of an individual, individuals or the Council is perceived to be in question.
- 1.26 "Presiding Officer" means the Mayor, Acting Mayor or person presiding over the meeting and may also be referred to as the Chair.
- 1.27 "Public Notice" means the method and processes with which the Town shall provide notice to the public, when notice is required for a meeting.
- 1.28 "Quorum" means a majority of all the members who are required to be present at a meeting, in order that business may be conducted.
- 1.29 "Recorded Vote" means the recording of the name and vote of every Member voting on a motion at Council.
- 1.30 "Rules of Procedure" means the applicable procedural rules and rules of conduct contained in this By-law and in the Standard Code of Parliamentary Procedure.
- 1.31 "Special Committee" means a Committee established by the Mayor or Council to deal with a specific matter.
- 1.32 "Staff Direction" means an instruction, which must be voted on and approved by a Standing Committee or Council, for staff to proceed with an action unrelated to recommendations in reports.
- 1.33 "Standing Committee" means a Committee outlined in the procedural by-law and having an on-going mandate or purpose.
- 1.34 "Town" in this By-Law means a reference to the geographical area of Halton Hills or to the Corporation, as the context requires.
- 1.35 "Workshop" means a meeting of Council; or a committee where the purpose is for educating or training the members.

2. APPLICATION

- 2.1 The rules of procedure contained in this by-law shall be observed in all proceedings of Council and Committee and shall be the rules for the order and dispatch of business in Council and Committee.
- 2.2 All committees and local boards under the jurisdiction of the Town shall use this procedure by-law for the dispatch of their business with such changes as may be necessary in the context of the committees' or local boards' business. In the case of the "local boards" the word "Council" in this By-Law shall be taken to mean the "local board". If these committees and local boards have a procedure by-law or establish their own procedural rules and practices, such takes precedence over the Town's procedure by-law provided same is first approved by Council.
- 2.3 All committees appointed by Council, not meeting the definition herein but still under the jurisdiction of the Town, shall use this procedure by-law for dispatch of their business. If these committees have a procedure by-law or establish their own procedure rules and practices, such takes precedence over the Town's procedure by-law provided same is first approved by Council.

- 2.4 All points of order or procedure for which rules have not been provided in this by-law and its appendices shall be decided by the Chair in accordance, as far as is reasonably practicable, with the rules of parliamentary law as contained in the Standard Code of Parliamentary Procedure.
- 2.5 Unless a contrary intention appears, in this by-law, words in the singular include the plural and words importing masculine gender include the feminine.

3. MAYOR

3.1 Voting

The Mayor shall be a Member of Council, General Committee and the Budget Committee. The Mayor is an ex-officio Member of all other Special and Standing Committees, and any other committees of the Council unless deemed to be the Chair. The Mayor shall vote on all questions except where disqualified to vote by reason of Pecuniary Interest as set out in the *Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M.50*, as amended, or a conflict of interest.

3.2 Quorum

In determining the number for a Quorum for any Standing or Special Committee of Council, where the Mayor is an ex-officio Member, the Mayor shall not be included in the calculation.

3.3 Duties

The Mayor shall carry out the duties of the office as prescribed for in the *Municipal Act, S.O. 2001, as amended*.

4. ACTING MAYOR

4.1 Duties

When the office of the Mayor is vacant, or when the Mayor is unable to carry out the duties of that office through illness or otherwise, or when the Mayor is absent from the office in the course of duty, or on vacation or on an approved leave, there shall be an Acting Mayor who shall have all the powers and duties of the Mayor as prescribed in the *Municipal Act, S.O. 2001, as amended*.

4.2 Rotation

- 4.2.1 The position of Acting Mayor shall rotate alphabetically among the Members of Council on a month-to-month basis. At the beginning of each year within a term of office, the Clerk shall prepare and circulate a list assigning each Member of Council the month(s) during which the Member may be called upon to hold the position of Acting Mayor. Should any designated Member be unable to carry out the duties of Acting Mayor, the designation will automatically pass to the next Member available in the alphabetical listing.

5. COUNCIL MEETINGS

5.1 Place

5.1.1 Meetings of Council shall be held in the Council Chambers at such prescribed times, or at such other location and time as Council may approve.

5.1.2 In the case where an Emergency is declared under the Town Emergency Response Plan, Council may hold a meeting at any location within or outside the Town.

5.2 Inaugural Meeting

Following a Municipal Election, the Inaugural Meeting shall be held on the first Monday of December at 7:00 p.m., except when the day is a public or civic holiday in which case the meeting shall be held on the next following day that is not a public or civic holiday.

5.3 Date and Time of Regular Council Meetings

5.3.1 Subject to Section S5.3.2, the Clerk shall prepare an annual schedule for regular Council meetings, based primarily on a three week meeting cycle.

5.3.2 The schedule prepared by the Clerk for Regular Council meetings shall be approved by Council prior to the commencement of the calendar year and posted on the Town's website. When the day for a Council meeting is a public or civic holiday or conflicts with an event to which several members of Council are attending, the Council may meet on the following day which is not a public or civic holiday or the following Monday.

5.3.3 Public Session of Council Meetings shall commence at 6:30 p.m. In the event Council is required to meet at a time earlier than 6:30 p.m., such as to meet as Closed Session of Council, the Clerk, in consultation with the CAO and/or Mayor, may call the Council meeting to commence at an earlier time. When a Halton Hills Achievement Awards ceremony is scheduled for 6 p.m. before a Regular Council meeting, then the Council meeting shall commence at 7 p.m.

5.3.4 The Mayor, or if absent, the Acting Mayor in consultation with the CAO, may postpone a regular or special meeting of Council in the event of inclement weather or for any other justifiable reason.

5.4 Alteration of Schedule

Council may by resolution alter the time, day and place of any meeting previously approved under Section 5.3.2.

5.5 Notice

5.5.1 Notice to Council for Council meetings shall be through delivery of the agenda of the meeting a minimum of 48 hours in advance of the meeting, which will constitute adequate notice.

5.5.2 The agenda for these meetings shall describe the purpose of the meeting, the date, time and location of the meeting, and the order of business.

5.5.3 Public Notice of Council meetings shall be by way of posting on the Town's website the date, time and location, general purpose and agenda for the meeting, a minimum of 48 hours in advance of the meeting.

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

5.6 Special Meetings

5.6.1 The Mayor may at any time summon a special meeting of Council on forty-eight (48) hours written or oral notice to the Members of Council.

5.6.2 The notice shall specify the purpose of the meeting, which shall be the only business on the Agenda and the only business conducted at the meeting.

5.6.3 The Clerk, upon receipt of a petition of the majority of the Members of Council requesting a special meeting for a specific purpose at a set time which is at least forty-eight (48) hours after receipt of the petition, shall summon a special meeting for the purpose and at the time mentioned in the petition. The Members shall be given at least forty-eight (48) hours notice of the special meeting.

5.6.4 Notwithstanding any other provision of this by-law, a special meeting may be held, without notice, to deal with an Emergency provided that attempts have been made to reach the Members.

5.7 Order of Business

5.7.1 Regular Council Meeting

The Clerk shall prepare for the use of the Members of Council at the regular meetings of Council, an agenda with the following headings:

1. **Opening of the meeting**
2. **Closed Session/Confidential Reports from Officials (if required)**
3. **Recess (at the Call of the Chair) (if required)**
4. **Reconvene into Open Session (if required)**
5. **National Anthem**
6. **Announcements**
7. **Emergency Business Matters**
8. **Disclosure of Pecuniary Interest/Conflict of Interest**
9. **Council Delegations/Presentations**
10. **Reports and Recommendations Forwarded from the Previous General Committee Meeting (if required)**
11. **General Committee (if required):**
 - 1) **Public Meetings/Hearings**
 - 2) **Delegations/Presentations regarding items in General Committee**
 - 3) **Municipal Officers Reports to be considered by General Committee**
 - 4) **Adjourn back into Council**
12. **Reports and Recommendations Forwarded from General Committee for approval**
13. **Reports of the Standing Committees**
14. **Receipt of Minutes of Advisory/Special Committees**
15. **Petitions/Communications/Motions**
16. **Advance Notice of Motion**
17. **Motion to Receive and File General Information Package**
18. **Reconvene into Closed Session (if required)**
19. **Consideration of By-laws**
20. **Adjournment**

5.7.2 Call of A Special Meeting of Council

The Clerk shall prepare for the use of the Members of Council at the special meetings of Council an agenda with the following headings. The agenda must also state the reason for the call of a special meeting and that purpose shall be the only item(s) on the agenda.

- 1. Opening of the meeting**
- 2. Disclosure of Pecuniary Interest/Conflict of Interest**
- 3. Council Delegations/Presentations**
- 4. Reports**
- 5. Closed Meeting/Confidential Report for Officials**
- 6. By-Laws**
- 7. Adjournment**

5.8 Presiding Officer

Except as otherwise provided in this by-law, the Mayor shall be the Presiding Officer of all Council meetings.

5.9 Meeting Recess

All meetings may have a break at a time deemed appropriate by the Chair. The Chair is to indicate the time the meeting will reconvene.

5.10 Closed Session of Council

5.10.1 A meeting, or portion thereof may be closed to the public in accordance with the *Municipal Act, S.O. 2001, as amended*. The only matters to be considered in a Closed Meeting are as follows:

- (a) the security of the property of the municipality or local board;
- (b) personal matters about an identifiable individual, including municipal or local board employees;
- (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- (d) labour relations or employee negotiations;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act.

5.10.2 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*.

5.10.3 Prior to moving into Closed Session for one of the reasons listed in this By-law, a motion must be passed stating:

(a) the fact that the Council is convening into closed session, and

(b) the general nature of the matter to be considered at the closed meeting.

5.10.4 A meeting shall not be closed to the public during the taking of a vote except where:

(a) Section 5.10.1 or 5.10.2 of this By-law permits or requires a meeting to be closed to the public; and

(b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under contract with the municipality or local board.

5.10.5 A Member shall not in any way disclose to any person or other body, by any means, any reports or items, or disclose the nature or content of any reports or items or of discussions, regarding any matter that is confidential and or are part of a confidential agenda, without prior approval of such release by Council.

5.10.6 The Clerk shall be responsible to maintain a confidential copy of all original documentation distributed, and shall keep a record of the meeting in accordance with the *Municipal Act*.

5.10.7 Copies of any confidential reports or confidential documents circulated separately from the agenda regarding confidential matters may be returned to the Clerk at the end of the meeting for destruction. Council members and staff are responsible for ensuring confidential documents are stored appropriately and destroyed in a timely manner.

5.10.8 On reconvening in public session, the Presiding Officer shall accept a motion to resolve the matter publicly, or alternatively advise that direction had been given to staff during the closed session in accordance with the *Municipal Act*.

5.11 Petitions/Communications/Motions

5.11.1 All correspondence including petitions, communications and motions which are to be presented to Council or a Committee shall be legibly written or typed, shall not contain any obscene or improper matter or language, and shall be signed by at least one person.

5.11.2 All correspondence and petitions for Council shall be filed with the Clerk, no later than 12 noon on the Tuesday preceding the meeting at which it is to be considered. If in the opinion of the Clerk, it contains any obscene or improper matter or language, the Mayor shall decide whether it should be included on the agenda.

5.11.3 Any correspondence or petition Council deems appropriate may be referred to staff or any Committee for disposition.

5.12 General Information Package

5.12.1 All correspondence of a general nature submitted to the Town by other municipalities, government ministries (ministries), Members of Parliament, Members of the Legislative Assembly government agencies or associations such as the Association of Municipalities of Ontario, Federation of Canadian Municipalities and the Association of Municipal Clerks and Treasurers of Ontario, etc shall be included on the General Information Package.

5.12.2 A Member may make a motion at the same meeting regarding an item listed on the General Information Package.

5.13 Delegations

5.13.1 Delegations will be heard as set out in this by-law.

5.14 Emergency Business Matters

5.14.1 A Member may bring forward a motion regarding an Emergency Business Matter at the same meeting.

6 WORKSHOP

6.1.1 Notice

Notice to Council for Workshops shall be through delivery of the agenda for the workshop a minimum of 48 hours in advance of the workshop which shall constitute adequate notice.

6.1.2 The agenda for the workshop shall describe the purpose of the workshop, the date, time and location of the workshop, and the order of business.

6.1.3 Public Notice of workshops shall be by way of posting on the Town's website the date, time and location, general purpose and agenda for the workshop, a minimum of 48 hours in advance of the workshop.

6.1.4 Lack of receipt of the notice shall not affect the validity of holding the meeting or any action taken at the meeting.

6.2 Order of Business

The Clerk shall prepare for the use of the Members of Council at a workshop, an agenda with the following headings:

1. Opening of the meeting
2. Disclosure of Pecuniary Interest/Conflict of Interest
3. Workshop Delegations/Presentations/Reports
4. Closed Session (for training purposes as per the Municipal Act)
5. Adjournment

6.3 Closed Session of a Workshop

6.3.1 A Workshop may be closed to the public, provided that no Member discusses or otherwise deals with any matter in any way that materially advances the business or decision making of the Council or Committee.

6.3.2 Prior to moving into a Closed Session, a motion must be passed stating:

- (a) that this meeting be closed for the purpose of educating or training the members pursuant to Section 239, subsection 3.1 of the Municipal Act, 2001, as amended, and shall indicate the general nature of the subject matter to be discussed in the closed meeting.

7. DUTIES OF CHAIR AT MEETINGS

7.1 It shall be the duty of the Chair at meetings to:

- (a) open a meeting by assuming the Chair.
- (b) announce any revisions or updates to the agenda for the meeting.
- (c) receive and submit, in the proper manner, all motions presented by the Members.
- (d) put to vote all questions which are properly presented or which necessarily arise in the course of the proceedings, and to announce the result.
- (e) deal with a matter in a different order than presented on an agenda where deemed appropriate and as approved by the Council or Committee.
- (f) decline to put to vote motions which infringe upon the proceedings set out in this by-law.
- (g) ensure that the Members when engaged in debate, do so in a courteous and respectful manner.
- (h) designate the Member having the floor as the one who, in the opinion of the Chair, raised their hand first.
- (i) enforce on all occasions the observance of order and decorum among the Members and attendees at a meeting.
- (j) authenticate by signature, when necessary, all by-laws, resolutions and minutes.
- (k) receive messages and other communications and announce them.
- (l) rule on Points of Personal Privilege and Points of Order raised by Members.
- (m) adjourn the meeting, when the business is concluded, or at the designated time.
- (n) if it is considered necessary because of grave disorder, recess a meeting without question or adjourn the meeting until a time or date to be named by the Chair.
- (o) where, deemed appropriate, expel or exclude from a meeting any person for inappropriate behaviour or who disturbs the meeting..

7.2 The Chair shall vote on all questions except where disqualified to vote by reason of Pecuniary Interest as set out in the *Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M.50*, as amended, or a conflict of interest.

8. DUTIES OF THE CLERK

8.1 It is the duty of the Clerk to prepare the minutes of all Council meetings which include a General Committee component. The minutes shall include:

(a) the place, date and time of the meeting.

(b) the name of the Chair and the Members present.

(c) to record without note or comment, all resolutions, decisions and other proceedings of the Council or General Committee, as the case may be.

(d) the Clerk will record the name and associated organization (if applicable) of all delegations and the general nature of their delegation (ie. was present to speak in support). Delegations may provide a copy of their presentation to the Clerk, which will be received and kept on file.

8.2 It is the duty of the Clerk to ensure that the minutes of the last regular meeting, and all minutes of Standing and Budget Committees, together with the agenda prepared in accordance with this By-law are mailed or delivered to each Member not less than forty-eight (48) hours before the hour appointed for the holding of such regular meeting. The Clerk may also prepare an addendum agenda for Council meetings but the contents thereof shall be limited to:

(a) listing delegations not otherwise listed on the Agenda when originally delivered, regarding items already listed on the agenda.

(b) new correspondence received by the Clerk regarding items already listed on the agenda, since the agenda was originally delivered.

(c) Reports requested by Council or Committee regarding items already listed on the agenda, since the agenda was originally delivered.

8.3 The Clerk shall not place a report from a Committee of Council on a Council agenda unless the Members of the Committee have received and/or adopted the report.

8.4 The Clerk shall keep in a safe place all by-laws duly enacted by the Council for the Town.

8.5 The Clerk or designate shall be in attendance at all Council and Standing Committee meetings and shall take the minutes in accordance with Section 8.1.

8.6 The Clerk shall provide the public with notice of the Council Budget and Standing Committees' schedule by annually posting the dates of the meetings on the Town website and by posting the Agendas on the Town Website not less than forty-eight (48) hours before the hour appointed for holding the meeting concerned. Any amendments or cancellations to such meetings shall be posted as required.

9. **PROCEEDINGS OF MEETINGS**

9.1 **Call to Order and Quorum**

- 9.1.1 As soon after the hour fixed for the holding of a meeting, as a Quorum is present, the Mayor or the Chair, as the case may be shall call the meeting to order.
- 9.1.2 Subject to Section 9.1.3, if a quorum for a meeting is not present one-half (1/2) hour after the time appointed for a meeting, the Clerk or designate shall indicate that no quorum is present and shall record the names of the Members present and the meeting shall stand adjourned until the date of the next regular meeting.
- 9.1.3 If a quorum for a Regular, Special or Standing Committee meeting or Workshop is not present within fifteen (15) minutes of the time fixed for the commencement of the meeting, the Committee may proceed without a quorum, provided that at least two members are present. The report of the Committee meeting shall clearly indicate what parts of the meeting were conducted without a quorum present. The minutes of the meeting would be considered as a report to Council and the recommendations dealt with in the usual manner by Council.
- 9.1.4 In the event the Mayor or the Chair, as the case may be does not attend within fifteen (15) minutes after the time appointed for a meeting, the Acting Mayor or next Chair, as the case may be, shall assume the role of Presiding Officer and call the Members to order. The Acting Mayor or next Chair, as the case may be, shall preside until the arrival of the Mayor or Chair.
- 9.1.5 Notwithstanding the foregoing, if the Mayor or Chair has notified the Clerk in advance that the Mayor or Chair will not be attending the meeting, the Acting Mayor or next Chair shall assume the role of Presiding Officer at the time appointed for the meeting.
- 9.1.6 Where a number of Members, by reason of Pecuniary Interest as set out in the provisions of the *Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M.50*, as amended, or a conflict of interest are unable to participate in a meeting, and as a result the number of remaining Members is not sufficient to constitute a Quorum, then the remaining number of Members shall be deemed to constitute a Quorum, provided such number is not less than two.
- 9.1.7 If during the course of a Council meeting, a Quorum is lost, then the Chair shall declare that the meeting shall stand adjourned, until the date of the next regular meeting or other meeting called in accordance with the provisions of this by-law.
- 9.1.8 If during the course of a Regular, Special, or Standing Committee Meeting, or Workshop a quorum is lost, the Committee may proceed.
- 9.1.9 Where a number of Members, by reason of an Emergency declared under the Emergency Response Plan are unable to participate in a meeting, and as a result the remaining Members are not of a sufficient number to constitute a Quorum, then the remaining number of Members able to attend a meeting shall be determined to constitute a Quorum, provided such number is not less than two.

9.2 Disclosures of Pecuniary Interest or a Conflict of Interest

9.2.1 All Members shall govern themselves at any meeting in accordance with the current legislation respecting any disclosure of Pecuniary Interest. It is the responsibility of the Member to identify and disclose any Pecuniary Interest.

9.2.2 Where a Member, either on the Member's own behalf or while acting for, by, with or through another, has any Pecuniary Interest, direct or indirect, in any matter to be considered at a meeting and the Member is present at such meeting, the Member shall disclose this interest as follows:

- The Chair, shall at the commencement of the meeting, ask Members for any disclosure of Pecuniary Interest. This should be done once Emergency Business Matters have been identified but before any business is conducted;
- The Member shall disclose the interest including the general nature thereof and the item(s) of business on the agenda to which it relates;
- The Member shall not take part in the discussion of the matter;
- The Member shall not vote on any question in respect of the matter;
- The Member shall not attempt in any way, before, during or after the meeting, to influence the voting on any such question;
- The Member may remain in attendance at the meeting during any public discussion of the matter;
- The Member must immediately leave the meeting during a Closed Session discussion on the matter;
- Where a Member is absent from a meeting which includes a matter on which they have a Pecuniary Interest, the Member shall disclose this interest at the next meeting which they attend.

9.2.3 The Clerk shall duly record in the minutes of the meeting every declaration of Pecuniary Interest, the item(s) on the agenda to which each such declaration pertains and, where the meeting was open to the public, the general nature of each such declaration.

9.2.4 Where a Member discloses a Conflict of Interest in any matter to be considered at a meeting, the process outlined for Disclosures of Pecuniary Interest shall apply.

9.3 Conduct at Meetings

9.3.1 Members shall:

- (a) in the case of a Member of Council, act in accordance with their Oath of Allegiance and Oath of Elected/Appointed Office.
- (b) not use offensive words or insulting expressions at any time toward other Members of Council, staff or the public.
- (c) speak only to the subject under debate.

- (d) not disobey the Rules of Procedure or a decision of the Chair, Council or the Committee as the case may be on a question of order, or upon the interpretation of the Rules of Procedure.

9.3.2 If a Member disregards the Rules or a decision of the Chair of Council or the Committee or either of them as the case may be on questions of order, practice or interpretation of the Rules of Procedure, and persists in such conduct, after having been called to order by the Chair, the Chair shall forthwith put the following question with no amendment or debate -

"That such Member be ordered to leave their seat for the duration of the meeting".

If, following such vote, the Member apologizes, they may, by a further vote of those present, be permitted to retake their seat.

9.3.3 If the Member called out of order will not leave their seat, and does not apologize, the Chair shall recess the meeting for a period of up to ten (10) minutes. If upon reconvening, the Member does not apologize, the Chair shall recess the meeting again for another period of up to ten (10) minutes. If upon reconvening for the second time, the Member does not apologize, the Chair shall deal with the Member in accordance with Section 9.3.5(4) and 9.3.5(5).

9.3.4 In the case, where the Chair disregards the Rules of Procedure and a Point of Order is called, the Member next on the rotation schedule as Acting Mayor or Chair, as the case may be, shall be the Chair for the purpose of resolving the Point of Order as outlined in this By-law.

- 9.3.5
- (1) Attendees at a meeting shall maintain order and quiet and shall not display signs or placards, applaud, heckle, or engage in telephone or other conversation, or any behaviour which may be considered disruptive, inconsiderate, disrespectful, or intimidating to others.
 - (2) Any person that disrupts a meeting shall be asked by the Chair to stop the disruptive behaviour, and if the person persists they shall be asked to leave the meeting.
 - (3) All cell phones, and electronic devices, except those in use to facilitate the meeting, shall be turned off or otherwise set so as not to emit any audible sound during a meeting.
 - (4) The Chair may expel or exclude from any meeting any person who disturbs the meeting.
 - (5) If a person refuses to leave the meeting upon being requested to do so by the Chair, the Chair shall recess the meeting and shall direct the Clerk to seek the appropriate assistance from the Halton Regional Police Service.
 - (6) Video, photo, and audio recordings shall not be disruptive to the meeting.
 - (7) No microphones, other than Town microphones, shall be placed within the vicinity of the public speaking podium while delegations and presentations are being made.
 - (8) All Members, staff and the public shall comply with this By-law and related policies and procedures.

9.4 Speaking

- 9.4.1 No person shall speak until they have been recognized by the Chair. In order to be recognized, the Member shall raise their hand and wait to be recognized by the Chair.
- 9.4.2 When a Member has been recognized by the Chair as having the floor, the Member shall direct their question or comment to the Chair.
- 9.4.3 Members shall address each other by title eg. "Councillor" and shall address all other parties by their formal titles or by their position title i.e. Chief Administrative Officer.
- 9.4.4 When a Member is speaking, no other Member shall pass between them and the Chair, or interrupt them except to raise a Point of Personal Privilege or Point of Order.
- 9.4.5 A Member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.
- 9.4.6 No Member shall speak more than once to the same question without leave, except that a reply shall be allowed to be made only by the Member who has presented the motion or amendment.
- 9.4.7 No Member, without leave, shall speak to the same question, or in reply, for longer than five minutes.
- 9.4.8 When a Member has been recognized as the next speaker, such Member, through the Chair, shall first ask questions on the matter under discussion.

9.5 Voting

- 9.5.1 Every Member present at a meeting, when a question is put shall vote thereon unless prohibited by reason of Pecuniary Interest as set out in the *Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M.50, as amended*, or a conflict of interest.
- 9.5.2 When the Chair calls for the vote on a question, each Member shall occupy their seat and shall remain in their place until the result of the vote has been determined by the Chair. During such time no Member shall walk across the room or speak to any other Member or make any noise or disturbance.
- 9.5.3 The manner of determining the decision shall be made by a show of hands.
- 9.5.4 The Chair shall call the vote on a question by asking for all Members in favour and all those opposed to the motion.
- 9.5.5 If any Member present at a meeting when a question is put does not vote, they shall be deemed as voting in the negative except where a Pecuniary Interest or a conflict of interest has been declared.
- 9.5.6 Immediately preceding the taking of a vote, the Chair may state the question in the form introduced or as amended and shall do so if requested by a Member. The Chair shall state the question in the precise form in which it will be recorded in the minutes.

- 9.5.7 After a question is finally put to a vote by the Chair, no Member shall speak to the question nor shall any other motion be made until after the vote has been taken and the result has been declared.
- 9.5.8 A Member may ask for a "division of vote" on any motion. When so requested, the Chair shall ask all those in favour of the motion to indicate so by a show of hands, followed by those opposed. Following the vote, the Chair shall announce the result of the vote by stating the number of votes for and the number opposed to the motion.
- 9.5.9 Unless a recorded vote is requested, the individual Member's vote on any particular item shall not be recorded. However a Member may ask that their opposition to an item be recorded.
- 9.5.10 A Member may request a recorded vote immediately prior to or immediately following a vote being taken.
- 9.5.11 When a Recorded Vote is requested by a Member, or is otherwise required, the Chair will ask all Members in favour of the motion to stand. The Clerk shall announce and record the name(s) of those Members voting in favour and request them to sit. Then the Chair will ask all Members opposed to the motion to stand. The Clerk shall announce and record the name(s) of those Members voting in opposition to the motion and request them to sit. Following the voting, the Chair shall announce that the motion is either carried or lost. The Clerk shall also record the name and vote of every Member in the minutes. Any abstention from voting, other than by reason of pecuniary interest, conflict of interest or absence, shall be recorded in the minutes as a negative vote.
- 9.5.12 If a Member disagrees with the announcement of the result of the vote, they may, but only immediately following the announcement, object to the announcement of the result and request that the vote be retaken.
- 9.5.13 The results of all motions in Council, whether approved or lost, shall be recorded in the minutes.
- 9.6 Adjournment Hour
- 9.6.1 Council meetings shall adjourn by 11:00 p.m. unless otherwise decided by a majority of the Members present to proceed beyond the hour of 11:00 p.m..
- 9.6.2 A motion to proceed beyond the hour of 11:00 p.m. shall not be amended, is not debatable and is always in order except when a Member is speaking or the Members are voting. A motion to proceed beyond the hour of 11:00 p.m. shall outline the specific items on the Agenda that will be dealt with.
- 9.6.3 Items not considered prior to the adjournment of the meeting shall be placed on the next Council agenda. These matters shall be published until disposed of by Council, unless removed from the agenda by leave of Council.

10. **MOTIONS**

10.1.1 **Motion Process**

10.1.2 Except as otherwise provided in this by-law, all motions must be in writing and must be signed by a mover and seconder before the Chair can put the question or motion on the floor for consideration.

10.1.3 Where members of the public are to be heard on a matter, no motion shall be received until they have been heard, and no further public participation shall be allowed after the motion has been duly moved and seconded, at which time the motion shall be deemed as confined to table for debate for the Members only.

10.1.4 When a motion is presented in Council, it shall be read, or if it is a motion which may be presented orally, it shall be stated by the Chair before debate.

10.1.5 A motion related to a matter which is not within the Council's jurisdiction shall be deemed to be ultra vires and out of order.

10.1.6 After a motion is read or stated by the Chair, it shall be deemed to be in the possession of the Council or Committee, but may with the permission of the mover and seconder, be withdrawn at any time before decision or amendment.

10.1.7 A motion properly before the Council or Committee for decision must be disposed of before any other motion can be received.

10.2 **Notice of Motion**

- (1) A notice of Motion may be introduced at Regular Council meetings only. All Notices of Motion shall name the mover.
- (2) Notices of Motion shall be introduced under the Notice of Motion section of the Agenda and shall not be discussed or debated when introduced, and shall be included on the next regular meeting agenda for consideration as Petitions/Communications/Motions.
- (3) A Notice of Motion may be received by the Clerk at any time. When a Notice of Motion is received;
 - a) by 12 Noon on the Tuesday prior to the meeting, the notice shall be included on the agenda as a Petitions/Communications/Motions item; and
 - b) if received after that time, the notice shall be introduced orally under Notice of Motion on the agenda.
- (4) The Clerk, with the consent of the mover and seconder, shall be authorized to make minor revisions to the Notice of Motion as required, without changing the intent of the motion.
- (5) The introduction of a Notice of Motion shall not serve as a request or direction to staff to prepare a report for the return of the Motion.

11. **ENACTMENT OF BY-LAWS**

11.1 **By-law Approval Process**

- 11.1.1 Every by-law shall be listed on the agenda by an identifying number, followed by a brief description of the intent of the by-law.
- 11.1.2 Notwithstanding the provisions of this By-law, if at a regular or Special Council meeting it is deemed expedient to introduce a By-law not listed on the Agenda at the same meeting, a motion must be duly carried by a 2/3rd majority indicating support for the introduction of the By-law.

In the event, the 2/3rd majority vote is not received, the By-law shall be placed before the next regular Council meeting for introduction and consideration.

- 11.1.3 Upon accepting a motion to approve the by-laws listed on the agenda, the Chair shall determine if the Members have questions or proposed amendments, or if discussion is required, prior to calling the vote on the motion.
- 11.1.4 Every by-law may be debated, amended or referred to a named committee or to staff for further consideration.
- 11.1.5 The Clerk shall be authorized to make minor corrections to any by-law resulting from technical or typographical errors prior to the by-law being signed.
- 11.1.6 Every by-law passed by Council shall be signed by the Mayor and the Clerk, sealed with the seal of the Corporation, show the date of approval, and shall be bound in a volume for the year in which it was passed.

11.2 **Confirmatory By-law**

The proceedings at every regular and Special Meeting of Council shall be confirmed by by-law, so that every decision of Council at that meeting and every resolution passed thereat shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.

12. **DELEGATIONS**

12.1 **Requests**

- 12.1.1 Persons wishing to present verbal information on matters of fact, or make a request of Council, General Committee or a Standing Committee, shall give notice to the Clerk as follows:

(a) **Item on Agenda**

Where the item is already listed on the agenda, a written request received prior to 4:30 p.m. on the Friday prior to the meeting will allow the delegation to speak on that particular item on the agenda.

(b) Item not on Agenda

When a request is received for a delegation wishing to be heard on an item which is not listed on the agenda, the person shall submit in writing, the nature of the presentation to the Clerk and the Clerk shall refer it to the appropriate department for review and consideration. Should a report to a future Committee/Council meeting be necessary, the requester and the Clerk will be advised by the applicable department which meeting the report will be forthcoming.

(c) Presentations from Staff, other levels of Government and Agencies

Where staff, another level of government or an agency requests to make a presentation before Council or General Committee such a request shall be made to the Clerk no later than 12 noon on the Monday preceding the meeting. A presentation shall be limited to a maximum of fifteen (15) minutes.

12.2 Delegations - Speaking Rules

- 12.2.1
- (a) A delegation can be either an individual or a representative of either a formal (eg. ratepayer's organization) or informal organization (eg. on behalf of area residents).
 - (b) A delegation shall be permitted a maximum limit of ten (10) minutes for speaking during the General Committee portion of a Council meeting or Standing Committee Meeting, with a maximum PowerPoint presentation of 12 slides and a maximum of five (5) minutes and 7 slides at a Council meeting. Notwithstanding the foregoing, if a delegation is appearing related to a community event, they will be permitted a maximum of five (5) minutes and 7 slides for speaking.
 - (c) If three (3) or more delegations request to speak on the same item, all delegations on the matter will be permitted a maximum of five (5) minutes each for speaking. The Clerk will advise the delegations of this speaking limit in advance.
 - (d) A delegation cannot assume the time which has been allotted to another delegation.
 - (e) A request from a delegation for an extended period of time in which to speak shall only be granted once upon a majority vote of Members, and shall stipulate a maximum limit.
 - (f) Delegations requesting to be heard on the same item, shall be listed and heard in chronological order of request.
 - (g) The Clerk, or the Chair may, if circumstances warrant, revise the order of delegations to ensure a logical order of presentation.
 - (h) A delegation must address all matters, including questions, to the Chair.

- (i) The question and answer period, if any, shall be at the discretion of the Chair.
- (j) A delegation is encouraged not to repeat information presented by an earlier delegation.
- (k) A delegation that is appearing at a subsequent meeting(s) on the same item is encouraged not to present information which was presented at an earlier meeting.
- (l) The delegation shall notify the Clerk in advance of the meeting of the need for any audio-visual equipment. Any PowerPoint presentation shall be forwarded to the Clerk prior to 12 noon on the day of the Council or Standing Committee meeting, for loading on the Towns audio visual equipment.
- (m) A Member may ask a question of the delegation, but not express an opinion or enter into a debate with a delegation.
- (n) When addressing Council or a Committee, a delegation shall not use offensive words or insulting expressions at any time toward a Member, Council, staff or the public.
- (o) Other relevant provisions of this Procedure By-law apply to the handling and conduct of any delegation and is subject to any rulings by the Chair.

13. **GENERAL COMMITTEE & BUDGET COMMITTEE**

General Committee shall be held in the Council Chamber as part of a Council meeting if required for the purposes of Statutory Public Meetings as per the Planning Act, Informal Public Meetings deemed necessary to be heard at Council, and for the purpose of Reports of Municipal Officers (emergency action item reports, deemed necessary to be included on a Council agenda upon the approval of the CAO); and may be held at such other location as may be approved.

13.1 **Chair of the General Committee**

At the beginning of each term, the Clerk shall prepare and circulate a list of the rotation of Chairs for General Committee meetings.

The chairing of General Committee shall rotate amongst Members of Council on a meeting to meeting basis. Should any designated Member be unable to carry out the duties of Chair, the designation will automatically pass to the next Member in the rotational listing of Members, who shall be known as the next Chair.

13.2 **The Budget Committee**, is composed of all Members of Council. The Mayor shall be the chair and the Mayor shall appoint the Vice Chair for the Budget Committee.

Duties of the Budget Committee

The Budget Committee shall meet each year, a sufficient number of times, as determined by the Committee, to review and make recommendations on the proposed annual operating and Capital Budget and Forecast for the upcoming year.

14. **STANDING COMMITTEES**

The Council may establish Standing Committees that have an on-going mandate or purpose.

There shall be three (3) Standing Committees of Council as follows:

- 14.1. The Community Affairs Committee, is composed of the Mayor (ex-officio), four (4) Councillors representing each ward, and two (2) Regional Councillors. Four (4) members must be present at each meeting to meet quorum.

Duties of the Community Affairs Committee

The Community Affairs Committee will meet primarily on a three week cycle, Tuesdays at 3 p.m. or as otherwise scheduled, and shall address and make recommendations on items presented by:

- Planning & Infrastructure
- Recreation & Parks
- Library Service and Culture
- Enforcement Services

- 14.2 The Corporate Affairs Committee, is composed of the Mayor (ex-officio), four (4) Councillors representing each ward, and two (2) Regional Councillors. Four (4) members must be present at each meeting to meet quorum.

Duties of the Corporate Affairs Committee

The Corporate Affairs Committee will meet primarily on a three week cycle, Tuesdays at 3 p.m. or as otherwise scheduled, and shall address and make recommendations on items presented by:

- The Office of the CAO
- Clerks, Human Resources, Economic Development
- Human Resource matters pertaining to the Corporation
- Finance

- 14.3 The Fire Services & Emergency Planning Committee, is composed of the Mayor (ex-officio) and five (5) members of Council appointed by the Mayor. Four (4) members are must be present at each meeting to meet quorum.

Duties of the Fire Service and Emergency Planning Committee

The Fire Services & Emergency Planning Committee will meet primarily on a monthly cycle, Thursdays at 9:30 a.m. or as otherwise scheduled, and shall address and make recommendations on items presented by Fire Services.

- 14.4 Any Standing Committee may be eliminated by a resolution of Council.
- 14.5 The following Committees shall forward their minutes to Council for Council to approve and recommendations contained therein.

The minutes from the following committees will be listed on the Council agenda as "Reports of the Committees":

Budget Committee
Community Affairs Committee
Corporate Affairs Committee
Fire Services & Emergency Planning Committees

- 14.6 Times, dates and location for Standing Committee meetings may be altered or cancelled by the Committee or the Chair after consultation with the Mayor and Committee. Standing Committee and Budget Committee meetings shall be held in the Council Chambers at the prescribed times, or at such other location and time as the Committee may approve.
- 14.7 Standing Committee meetings and Budget Committee meetings shall adjourn within three (3) hours of the time set for the commencement of the meeting, unless a motion to proceed beyond three (3) hours is approved by two-thirds of the Members present. A motion to proceed beyond three (3) hours, shall not be amended, is not debatable and is always in order except when a Member is speaking or the Members are voting. Items not considered prior to the adjournment of the meeting shall be placed on the next agenda.
- 14.8 The office of a member to a Standing Committee becomes vacant if the member is absent from the meetings of the Standing Committee for three (3) successive months without being authorized to do so by recommendation of the Standing Committee.

15. **STANDING COMMITTEE PROCEDURES**

- 15.1 The Rules governing the proceedings of Council, and the conduct of Members shall be observed in Standing Committee meetings, including, delegations, so far as they are applicable, except that:
- (a) motions may be moved orally except where the Chair requests that the motion be in writing.
 - (b) a seconder is not required for motions.
 - (c) the number of times of speaking on any question shall not be limited unless a Member moves that the vote be taken, which motion shall not be accepted by the Chair until such time as every Member wishing to speak has spoken at least once.
 - (d) no Member shall speak more than once, except to give an explanation, until every Member who wishes to speak has spoken once.
 - (e) a recorded vote is not permitted. However, a standing vote may be requested by a Member. A standing vote is not recorded in the minutes.

(f) a Member may, immediately prior to a vote being taken, request a standing vote.

(g) recommendations which are lost shall not be recorded in the minutes.

15.2 Standing Committee Agendas

The Committee Clerk shall prepare for the use of the members of the Committees and agenda with the following headings:

- 1. Call to Order**
- 2. Disclosures of Pecuniary Interest**
- 3. Delegations/Presentations**
- 4. Reports and Memorandums From Officials**
- 5. Closed Session (if required)**
- 6. Reconvene into Open Session**
- 7. Adjournment**

16. SPECIAL COMMITTEES

16.1 The Mayor, or the Council may establish, when deemed expedient, Special Committees and legislated Advisory Committees to address specific business matters discuss matters and such committees shall meet as often as is necessary to deal with the specific business matters assigned to them. The Mayor, shall appoint the Council members of any Special Committees.

16.2 The citizen appointees to a Special Committee or an Advisory Committee shall be interviewed by and recommended to Council by the appropriate Interviewing Committee.

16.3 The term of office for the Members of any Special Committee shall be determined by the Mayor.

16.4 The Chair of a Special Committee and/or Advisory Committee shall be appointed by the Mayor or if not appointed by the Mayor, then elected by the Committee. The Chair shall ensure that Members are notified in advance of all meetings of the Special Committee.

16.5 Special and Advisory Committees shall submit their meeting minutes to Council for receipt, after adoption by the Committee and may submit other reports and recommendations for consideration and adoption by Council as considered necessary.

16.6 Members of Council, who are not members of the Special Committee, may attend any Special Committee meeting but without voting privileges and may only participate in the discussion with the committee's consent.

16.7 Upon receipt of a final report from an Issue Specific Special Committee, the Special Committee shall be automatically dissolved unless otherwise recommended.

16.8 Reports and recommendations from Special Committees may be referred back to the same Committee or a different Committee.

16.9 Meetings of Special and Advisory Committees shall be conducted in accordance with the Rules governing Standing Committees with such modifications as are appropriate in the circumstances.

16.9.1 Terms of Reference for each Special and Advisory Committee shall be completed, which will include a sunset clause in order to review the need/future effectiveness of the committee.

17. **JOINT MEETINGS**

17.1 The Mayor or Council may determine when deemed expedient, that a joint meeting of Council and/or Special Committee, Advisory Committees and/or Standing Committee be held.

17.2 A joint meeting of two or more Committees may be called at the request of the Chairs of the participating Committees.

17.3 The Presiding Officer for joint meetings shall be the Mayor or may be delegated to a Member of Council.

17.4 Written or oral notice of the joint meeting must be provided at least forty-eight (48) hours in advance. The notice shall specify the purposes of the meeting which shall be the only business conducted at the meeting.

17.5 Joint meetings involving a duly constituted Council meeting shall be conducted in accordance with Rules for Council with such modifications as are appropriate in the circumstances.

17.6 Joint meetings involving only Standing and/or Special Committees shall be conducted in accordance with Rules governing General Committee with such modifications as are appropriate in the circumstances. Such a joint meeting would report to Council at their next meeting.

17.7 A Quorum for a Joint Meeting shall be a majority of the total number of the Members of the participating committees, with at least one Member present from each committee. If individuals sit on more than one Committee, they shall only be counted once for the purpose of determining Quorum.

18. **SUSPENSION OF THE RULES**

18.1 Subject to the provisions of (Roberts Rules of Order), any of the provisions of this by-law, with the exception of the statutory requirements and the consideration of by-laws, may be suspended waived or overridden by Council only with a 2/3rd vote.

A motion to suspend waive or override any of the Rules is not debatable and cannot be amended.

19. **PROCEDURAL MOTIONS**

19.1 The Procedural Motions listed in Appendix A shall be applied as set out in the Appendix at Council and committee meetings.

20. **UNPROVIDED PROCEDURES OR RULES**

20.1 In the event a procedural matter arises which is not provided for in this by-law, the Standard Code of Parliamentary Procedure shall be relied upon for guidance.

21. **REPEALS**

21.1 That By-law No. 2010-0040 and its amending By-law No. 2011-0015, is hereby repealed.

BY-LAW read and passed by the Council for the Town of Halton Hills this 14th day of December, 2015.

Rick Bonnette, Mayor

Suzanne Jones, Town Clerk

Appendix “A” PROCEDURAL MOTIONS

POINT OF PERSONAL PRIVILEGE

When a Member rises on a Point of Personal Privilege, the Member shall:

- ask leave of the Chair to raise a Point of Personal Privilege.
- once leave is granted, the Member shall state the Point of Personal Privilege to the Chair and sit down and remain seated until the Chair has decided on the Point of Personal Privilege.
- if not satisfied with the decision of the Chair, the Member shall address the Chair only for the purpose of appealing to the Council or Committee, the decision of the Chair.
- if the Member does not appeal the decision immediately, it shall be final. The Council or Committee, if appealed to, shall decide the appeal without debate by a simple majority vote and its decision shall be final.

POINT OF ORDER

When a Member rises on a Point of Order, the Member shall:

- ask leave of the Chair to raise a Point of Order.
- once leave is granted, the Member shall state the Point of Order to the Chair and sit down and remain seated until the Chair has decided on the Point of Order.
- if not satisfied with the decision of the Chair, the Member shall address the Chair only for the purpose of appealing to the Council or Committee, the decision of the Chair.
- if a Member does not appeal the decision immediately, it shall be final. The Council or Committee, if appealed to, shall decide the appeal without debate by a simple majority vote and its decision shall be final.
- A Point of Order or a Point of Personal Privilege shall receive disposition forthwith upon receipt, and when decided, the matter so interrupted shall be resumed from the point where it was suspended.

MOTIONS

Ranking of Motions

The following list ranks motions in descending order, such that each takes precedence and shall be decided before others ranking below it in the list:

- (1) to adjourn;
- (2) to proceed beyond 11:00 p.m.;
- (3) to close debate (call the question);
- (4) to postpone to a time (defer/table);
- (5) to refer ;
- (6) to postpone indefinitely;
- (7) to amend the main motion;
- (8) the main motion.

Reconsideration of a Motion

- (1) A notice of motion for reconsideration shall not be required for any decision of a previous Council.
- (2) A motion to reconsider a previous decision made during the term of Council shall only be introduced by a Member who voted with the prevailing side on the original motion or who was not in attendance when the vote was called. A motion to reconsider may be seconded by any Member.
- (3) A motion to reconsider shall not be amended, but may be debated and such debate shall be confined to reasons for or against reconsideration.
- (4) The mover of a motion to reconsider shall specify whether the reconsideration will address the entire original motion or part of the original motion.
- (5) When a motion for reconsideration is introduced at the same meeting at which the original motion was decided, a motion to reconsider may be introduced at any point prior to adjournment of the meeting.
- (6) When a motion for reconsideration is introduced at the same meeting at which the original motion was decided, no discussion of the original motion shall be allowed unless the motion for reconsideration is approved by the majority of the Members present.
- (7) When a motion for reconsideration is introduced at a subsequent meeting, the motion to reconsider shall be introduced by a Notice of Motion in accordance with Section 8.2 of this By-law.
- (8) When a motion for reconsideration is introduced at a subsequent meeting, no discussion of the original motion shall be allowed unless the motion for reconsideration is approved by at least two-thirds of the entire Council.
- (9) No motion shall be reconsidered more than once, nor shall a motion to reconsider be reconsidered.
- (10) If a motion to reconsider is decided in the affirmative, the reconsideration of the original motion shall become the next order of business, unless the motion to reconsider calls for a future definite date to consider the original motion.
- (11) As a result of an affirmative motion of reconsideration, the debate on the original motion being considered shall proceed as though it had never previously been voted on.

Voting on Motions

- (1) Voting shall be conducted in the following order:
 - a) amendment to any amending motion;
 - b) upon determination of a) above, any subsequent amendment to the amending motion;
 - c) the amending motion;
 - d) the main motion.

- (2) When the motion under consideration contains distinct Recommendations, a Member may request that the vote be taken separately on each recommendation.
- (3) The Chair shall call the vote immediately after all Members desiring to speak to the motion have spoken.
- (4) Upon the Chair calling a vote, no further speakers shall be permitted.
- (5) Every Member present shall vote on every motion, unless the Member has declared a pecuniary interest.
- (6) Every member present shall be deemed to vote against the motion if he/she declines or abstains from voting, unless disqualified from voting by reason of a declared pecuniary interest.
- (7) The manner of determining the vote on a motion shall be at the discretion of the Chair, and may be by voice, show of hands, standing, electronic tally or otherwise, but shall not be by secret ballot.
- (8) The Chair shall announce the result of every vote.
- (9) If a Member disagrees with the announcement of the result of any vote, he/she may object immediately to the announcement and require that the vote be retaken.
- (10) Any motion upon which there is a tied vote shall be deemed to have been decided in the negative.
- (11) No vote shall be taken at any meeting by any method of secret voting, except where permitted or required by law.

Amendments

- (1) A motion to amend shall be presented in writing, and shall be signed by a mover and seconder.
- (2) When a motion to amend is under debate, no other motion shall be received, except a motion:
 - (a) to postpone
 - (b) to refer
 - (c) to call the previous question
 - (d) to suspend the Rules
 - (e) to raise a Point of Personal Privilege or Point of Order
 - (f) to adjourn
 - (g) to amend the amendment.
- (3) Only one amendment will be permitted at a given time to the main motion. Only one amendment to that amendment will be permitted at a given time.
- (4) An amendment or an amendment to the amendment must have a direct bearing on the subject of the motion.

- (5) An amendment which is ruled to be a Substantive Motion is not an amendment and shall be out of order.
- (6) The order of precedence of motions with respect to amendments is as follows:
 - (a) to postpone
 - (b) to refer
 - (c) amendment to the amendment
 - (d) amendment
 - (e) main motion, or main motion as amended.

Reconsideration

- (1) Except as otherwise provided in this by-law, after any question, matter, resolution or by-law, has been decided:
 - (a) any Member who voted with the majority at the time of the final decision, may at the same or subsequent Council meeting, move for reconsideration.
 - (b) any Member who was not on Council at the time of the original vote, shall be deemed to have voted with the prevailing side.
- (2) A motion for reconsideration may be seconded by any Member.
- (3) No discussion of the main motion shall be allowed unless the motion for reconsideration is approved by a majority vote.
- (4) No motion shall be reconsidered more than once during a period of twelve months following the date on which the question was decided. After which, the subject matter shall become a matter to be brought forward as though it were a new question.
- (5) A motion to reconsider suspends action on the motion to which it applies until it has been decided.
- (6) If the action approved in the main motion cannot be reversed, the motion cannot be reconsidered.
- (7) The following motions cannot be reconsidered:
 - (a) to adjourn
 - (b) to recess
 - (c) to suspend the Rules
 - (d) to reconsider
 - (e) a motion to postpone indefinitely which has been lost.

- (8) Notwithstanding the provisions of this By-law, the following matters and motions with respect thereto may be introduced orally without written notice and without leave:
- (a) a Point of Personal Privilege
 - (b) a Point of Order
 - (c) to adjourn
 - (d) to suspend Rules of Procedure
 - (e) to recess
 - (f) to move into Committee of the Whole or General Committee or back into Council from General Committee
 - (g) to divide the question
 - (h) to divide the vote
 - (i) to withdraw a motion
- (9) Motions to amend, postpone or refer may be introduced without notice, but shall be in writing and signed by the mover and seconder.
- (10) A motion to postpone or refer is debatable only as to the propriety of postponement or referral.

Motion to Refer

- 1) A motion to refer a matter under discussion by Council to any other Committee shall preclude all amendments to the main motion until it is decided.
- 2) A motion to refer, with or without instructions, may be amended only if the amendment is received prior to the disposition of the question.

Motion to Adjourn

- (a) A motion to adjourn shall always be in order except:
- i) when a Member is speaking,
 - ii) when a Member has indicated to the Presiding Officer a desire to speak,
 - iii) during the verification of a vote,
 - iv) when a Recorded Vote has been called,
 - v) while the vote on the previous question is being taken.
- (b) A motion to adjourn that is presented but not carried cannot be made again until after some substantial proceedings have been completed.
- (c) A motion to adjourn is not debatable unless a specified date and/or time are indicated in the motion.

Division of Question

A motion for a Division of Question may be introduced by a Member only where a motion contains separate and distinct proposals.