

OFFICE CONSOLIDATION

This is a consolidation of the Town's by-law to provide for the rules of order of Council and its Committees being By-law Number 2015-108 as amended by By-laws 2016-40, 2016-72, 2017-9, 2018-87, 2020-14, 2020-18, 2020-38, 2020-83, 2021-42, 2022-016, 2022-085 and 2023-045. The following consolidation is an electronic reproduction made available for information purposes only and is not an official version of the by-law. Official versions of all by-laws can be obtained from the Town Clerk by calling (905) 584-2272. If there are any discrepancies between this consolidation and By-laws 2015-108, 2016-40, 2016-72, 2017-9, 2018-87, 2020-14, 2020-18, 2020-38, 2020-83, 2021-42, 2022-016, 2022-085 and 2023-045 the by-laws shall prevail.

THE CORPORATION OF THE TOWN OF CALEDON

BY-LAW NO. BL-2015-108

A by-law to provide for the rules of order of Council and its Committees and to repeal and replace By-law 2009-088, as amended

WHEREAS section 238 of the *Municipal Act, 2001* requires that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings and that the by-law shall provide for public notice of meetings;

AND WHEREAS the Council of Corporation of the Town of Caledon deems it expedient to repeal and replace By-law 2009-088, as amended;

NOW THEREFORE the Council of The Corporation of the Town of Caledon ENACTS AS FOLLOWS:

Short Title

This by-law shall be known as the Town of Caledon Procedural By-law.

Part 1:

Definitions

In this by-law:

- 1.1 "Acting Mayor" means a *member* appointed by Council through By-law for the current term of Council to act in place of the Mayor in his or her absence.
- 1.2 "Advisory Committee" means an *advisory committee* of Council and/or statutory committees established by Town Council.
- 1.3 "Clerk" means the Town *Clerk* of The Corporation of the Town of Caledon or designate.
- 1.4 "Committee" means Committee of the Whole or Standing Committee for the purposes of this by-law. Two committees of the Whole are established and comprised of all *members* of *Council*, namely:

- (1) Planning and Development Committee
- (2) General Committee

The recommendations of the *Committee* do not represent the final decision of *Council* until confirmed by by-law or resolution of *Council*.

- 1.5 “*Confidential Session*” means a *meeting*, or portion thereof, closed to the public in accordance with this by-law and the *Municipal Act, 2001*.
- 1.6 “*Consent Items*” mean items of business which are generally routine in nature and maybe approved collectively by a single *motion*.
- 1.7 “*Council*” means the *Council* of The Corporation of The Town of Caledon.
- 1.8 “*Delegation*” means an opportunity to appear before *Council* or *Committee* concerning an item on the agenda prior to *Committee* or *Council’s* consideration of the matter.

[Definition “Electronic Meeting” deleted, By-law 2022-016 effective March 29/22]

[By-law 2020-14 effective March 24/20]

- 1.9 “*Emergency*” means any period of time during which an *emergency* has been declared to exist in all or part of a municipality by the Head of *Council* or the Province under sections 4 or 7.0.1 of the *Emergency Management Act*.

[By-law 2020-14 effective March 24/20]

- 1.10 “*Emergency Management Act*” means the *Emergency Management and Civil Protection Act*, R.S.O. 1990, Chapter E. 9, as amended.

- 1.11 “*Improper conduct*” means conduct that obstructs in any way the deliberations and/or proper action of *Council* or *Committee*.

- 1.12 “*Local board*” means a municipal service board, or any other board, commission, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of the Town, excluding a school board, a conservation authority, and a public library board.

- 1.13 “*Mayor*” means the *Mayor* elected as the Head of *Council* of the Corporation of the Town of Caledon, or the *Acting Mayor* if the *Mayor* is unable to act.

[Definition “Meeting” replaced, By-law 2022-16 effective March 29/22]

- 1.14 “*Meeting*” means any regular, special or other meeting of *Council* or *Committee* held in person and/or electronic means, or another means as determined by the *Clerk*.

- 1.15 “*Member*” means a *member* of the *Council* of The Corporation of the Town of Caledon and includes the Head of *Council*.

- 1.16 “*Motion*” means a formal proposal put before *members* of *Council* for consideration.

- 1.17 “*Notice of motion*” means an advance notice of a *motion* provided by a Member of *Council* he or she will bring forward to a *Committee* for debate.

- 1.18 “*Point of order*” means a matter that a *member* considers to be a departure from or contravention of the rules, procedures and/or generally accepted practices of *Council*.

- 1.29 “*Point of privilege*” means a matter that a *member* considers to question their integrity and/or the integrity of the *Council*.
- 1.20 “*Presentation*” means an informational presentation given by Town staff or representatives of an organization, agency, *local board*, service partner or *Advisory Committee* including community announcements, status reports concerning projects, initiatives, programs or services.
- 1.21 “*Presiding Officer*” means the person presiding over a *meeting*, who may also be referred to as “Chair”.
- 1.22 “*Quorum*” is a *majority* of the total number of voting *members* currently on *Council* or *Committee* required to be at a *meeting* in order for business to be conducted.
- 1.23 “*Recorded vote*” means documenting in the minutes of a *meeting* the name of each *member* and their vote on a *motion*, in favour, opposed, or absent.

[Definition “Regular Council Meeting (COVID-19 Pandemic)” deleted, By-law 2022-016 effective March 29/22]

- 1.24 “*Rules of procedure*” means the rules and regulations provided in this by-law.

[Definition “Special Council Meeting (COVID-19 Pandemic)” deleted, By-law 2022-016 effective March 29/22]

- 1.25 “*Special meeting*” means an additional or *emergency meeting* not scheduled in accordance with the approved calendar/schedule of *meetings*.
- 1.26 “*Special purpose committee*” means a committee established by *Council* to consider a specific matter which is disbanded once it has reported to *Council*.
- 1.37 “*Unfinished business*” means any matter listed in the *meeting agenda* which has not been dealt with by the adjournment hour.

Part 2

Principles and Application

- 2.1 The following principles reflect the intent of which the provisions of the by-law are based on:
- a) the majority of *members* have the right to decide;
 - b) the minority of *members* have the right to be heard;
 - c) *members* have a right to an efficient meeting;
 - d) all *members* have the right to be treated with respect and courtesy; and
 - e) all *members* have equal rights, privileges and obligations.
- 2.2 Application
- 2.2.1 The *rules of procedure* established in this by-law shall be observed in all proceedings of *Council* and *Committee* and shall be the rules for the order and conduct for the dispatch of business in *Council* and *Committee*.

- 2.2.2 Notwithstanding subsection 2.2.1, the rules and regulations contained in this by-law may be suspended by *Council* or *Committee* on a single occasion by a vote of two-thirds of the entire Council or Committee, provided the suspension does not contravene the requirements of the *Municipal Act* or any other statute.
- 2.2.3 Advisory and special purpose committees of Council shall refer to the provisions outlined in Schedule “B” of this by-law to govern the calling and proceedings of *meetings*.
- 2.2.4 In the absence of adopted customized rules of procedure *local boards* under the jurisdiction of the Town of Caledon may use the rules of order and debate and relevant provisions of this by-law to govern the calling and proceedings of meetings.
- 2.2.5 The *Clerk* shall be responsible to interpret the rules of procedure under this by-law which shall be interpreted in accordance with the Principles.
- 2.2.6 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 *Presiding Officer* in accordance, as far as is reasonably practicable, with the rules of parliamentary procedure as contained in Robert's Rules of Order.
- 2.2.7 No *meeting* of *Council* or *Committee* shall be held in the absence of the *Clerk* or designate.

Part 3

Council and Committee Structure

- 3.1 The *Council* and *Committee* structure for the Town of Caledon shall consist of the following components:
1. *Council*, consisting of all *Members* of Council.
 2. Two (2) Committees of Whole, consisting of all *Members* of Council.
- 3.2 Committee of the Whole
- 3.3 Planning and Development Committee
- 3.3.1 The *Committee's* main role will be to fulfill the requirements of the *Planning Act* by providing an opportunity for the public to express their views on planning related policies and development applications (Public Information Meetings). The committee will also consider planning related policies and conditions under which site specific development can occur.
- 3.3.2 Recommendations made by the Planning and Development Committee will be forwarded to the next *Council meeting* for final consideration.
- 3.3.3 Recommendations made by the applicable *advisory committee* will be considered and a final recommendation will be forwarded to the next *Council meeting* for final consideration.

[Subsections 3.1 (3) and (4) deleted, By-law 2022-016 effective March 29/22]

- 3.3.4 The *Council* may refer back to any *Committee* any report in whole or in part of any question or matter for reconsideration.
- 3.3.5 The *Committee* may direct staff as it relates to a request for further information without *Council* approval.
- 3.3.6 The *Committee* may refer or defer a matter without *Council* approval.

3.4 General Committee

- 3.4.1 The *Committee's* main role is to consider all other items from the administration.
- 3.4.2 Recommendations made by the General Committee will be forwarded to the next *Council meeting* for final consideration.
- 3.4.3 Recommendations made by the applicable *advisory committee* will be considered and a final recommendation will be forwarded to the next *Council meeting* for final consideration.
- 3.4.4 The *Council* may refer back to any *Committee* any report in whole or in part of any question or matter for reconsideration.
- 3.4.5 The *Committee* may direct staff as it relates to a request for further information without *Council* approval.
- 3.4.6 The *Committee* may refer or defer a matter without *Council* approval

3.5 Standing Committee

3.6 Audit Committee

- 3.6.1 The *Committee's* main role is to:
 - a) ensure that the corporate financial reporting and the annual financial statements are credible, objective and meet all legislative requirements;
 - b) ensure the best management practices and controls are developed and implemented by management and staff;
 - c) create better communication between Council and the external auditors by enhancing the external auditor's independence;
 - d) provide advice and recommendations with respect to the financial control framework including financial reporting, accounting policies, information systems integrity, approval processes and the safeguard of assets;
 - e) provide advice and recommendations with respect to the appointment of the External Auditor, the scope and timing of the audit;
 - f) provide advice and recommendations regarding the annual report and management letter of the external auditor; and
 - g) through the Treasurer, prepare an annual report on the previous year's audit to be considered by Council.
- 3.6.2 Recommendations made by the Audit Committee will be forwarded to the next *Council meeting* for final consideration.

- 3.6.3 The *Council* may refer back to the *Committee* any report in whole or in part of any question or matter for reconsideration.
- 3.6.4 The *Committee* may refer or defer a matter without *Council* approval.
- 3.6.5 The Audit *Committee* will be comprised of five (5) *members* of *Council*. The *Committee* shall appoint a Chair and Vice-Chair to serve a minimum of two (2) years.
- 3.7 Golf Tournament Committee
- 3.7.1 The *Committee's* main role is to:
- a) determine the amount to be designated for the purpose of ward councillor constituency grants for the current year;
 - b) determine the amount to be allocated to and from the Golf Tournament Reserve;
 - c) select the date for the tournament for the current year;
 - d) select the primary recipient of the tournament grant; and
 - e) provide advice and recommendations regarding the logistics of the operational model for the tournament.
- 3.7.2 Recommendations made by the Golf Tournament Committee will be forwarded to the next *Council meeting* for final consideration.
- 3.7.3 The *Council* may refer back to the *Committee* any report in whole or in part of any question or matter for final reconsideration.
- 3.7.4 The *Committee* may direct staff as it relates to a request for further information without *Council* approval.
- 3.7.5 The *Committee* may refer or defer a matter without *Council* approval.
- 3.7.6 The Golf Tournament *Committee* will be comprised of nine (9) *members* of *Council*.
- 3.7.7 The Golf Tournament *Committee* shall appoint a Chair and Vice-Chair to serve for duration of one (1) year.

Part 4

Duties and Roles

4.1 Mayor

4.1.1 It is the duty of the *Mayor* to:

- a) carry out the responsibilities of his or her roles as described in the *Municipal Act, 2001*;
- b) represent and support the *Council* and its decisions in all matters; and
- c) preside over all *Council meetings*, unless unavailable, in which case the *Acting Mayor* shall be the *Presiding Officer*;

4.1.2 Only the elected *Mayor* shall wear the Chain of Office save and except if the *Mayor* resigns his office and *Council* appoints a new *Mayor* from its own ranks.

4.2 Members

4.2.1 It is the duty of *members* to:

- a) carry out the responsibilities of the role of *Council* as described in the *Municipal Act, 2001, Conflict of Interest Act* and any other Act;
- b) uphold the by-laws and policies of the Corporation of the Town of Caledon;
- c) deliberate on the business submitted to *Council*;
- d) vote on all *motions* before *Council* unless prohibited from voting by law;
- e) observe the *rules of procedure* at all meetings; and
- f) keep their cameras on during all *Council Meetings* and *Committee Meetings* when participating remotely, unless otherwise turned off by the *Clerk* due to technical issues.

4.2.1 Presiding Officer

4.3.1 Council Meetings

4.3.2 The *Mayor* shall be the *Presiding Officer* at all *Council* meetings, unless unavailable, in which case the *Acting Mayor* shall be the *Presiding Officer at Council*.

4.3.3 Committee Meetings

4.3.4 Council shall appoint the Presiding Officer (Chair) and Vice Chair for the term of Council.

4.3.5 It is the duty of the *Presiding Officer* to:

- a) open the *meeting* by taking the Chair, calling the *members* to order and announcing the business before the assembly;
- b) ensure that all items of business listed on the agenda are addressed and that the *meeting* progresses with due efficiency;
- c) protect all rights of those attending the *meeting*;
- d) receive and put to a vote in the proper manner all motions presented and to announce the result;
- e) decline to put to vote motions which infringe upon the rules of order or are beyond the jurisdiction of the assembly;
- f) preserve and enforce the rules of order;
- g) rule on any points of order raised by *members*;
- h) ensure the *members* abide by the rules of order when engaged in debate;
- i) call by name any *member* persisting in breaching the rules of order, thereby ordering such *member* to vacate the *meeting* place;
- j) expel or exclude from any *meeting* any person who is guilty of *improper conduct* at the *meeting*;
- k) receive all messages and other communications and announce them to *Council* or *Committee* if necessary;
- l) authenticate by signature when necessary resolutions, by-laws and minutes;
- m) represent and support *Council* or *Committee*, declaring its will and implicitly obeying its decisions in all things;

[Section 4.2.1 (f) added, By-law 2022-016 effective March 29/22]

- n) ensure that decisions of *Council* and *Committee* are in conformity with the laws governing the activities of *Council* and *Committee*;
- o) adjourn the *meeting* when business is concluded; and
- p) adjourn the *meeting* without question to a time to be named by the *Presiding Officer* when it is not possible to maintain order.

4.3 Clerk

4.4.1 It shall be the duty of the *Clerk* to:

- a) be the official Secretary for *Council* and *Committee meetings*, responsible for the taking and preserving of *minutes* and documentation relevant to all *meetings*;
- b) be responsible for maintaining a confidential copy of all original documentation distributed, relating to *confidential sessions*, and for keeping confidential *minutes* of all *confidential sessions*;
- c) appoint another staff *member* as official Secretary in his/her absence at *Council* and *Committee* meetings;
- d) assemble and produce *meeting* agendas and manage agenda deadlines;
- e) ensure notice of *meetings* is provided in accordance with the “Town of Caledon Public Notice Policy”;
- f) provide procedural advice to the *Presiding Officer* and to *members* on agenda business and on preparing *motions*; and
- g) authenticate by signature when necessary resolutions, by-laws and minutes of *meetings* and certify copies of such documents when required.

Part 5

Council and Committee Meetings

5.1 Meetings Open to the Public

5.1.1 Except as provided in this by-law, all *meetings* shall be open to the public.

5.1.2 The *Presiding Officer* may expel or exclude from any *meeting* any person who has engaged in improper conduct at the *meeting* as per section 6.5.

5.1.3 Attendance at a *meeting* by members of the public shall be either in person or by electronic means, unless as a result of an *emergency* being declared by the Premier, Cabinet, or the municipal Head of Council under the *Emergency Management and Civil Protection Act*, whereby in person attendance may be restricted to protect the health and safety of all individuals.

5.2 Inaugural Meeting of Council

5.2.1 The inaugural meeting of *Council* shall be scheduled as determined by the *Clerk* following a regular municipal election.

[Section 5.1.3 replaced, By-law 2022-016 effective March 29/22]

[Section 5.2.1 replaced, By-law 2022-016 effective March 29/22]

5.3 Council and Committee Meetings

[Section 5.3.1 deleted and replaced, By-law 2022-085]

5.3.1 In accordance with the annual set schedule, unless otherwise decided by *Council*, *meetings* of *Council* shall be held at an accessible Town facility commencing at 7:00 p.m. *Council Meetings* that contain a *Confidential Session* shall commence at 3:00 p.m. and the public portion of the *meeting* shall commence at 7:00 p.m.

[Section 5.3.2 deleted and replaced, By-law 2022-085]

5.3.2 Unless otherwise decided by *Council*, *Committee meetings* shall be held at an accessible Town facility commencing at 2:30 p.m. for General Committee and Planning and Development Committee *meetings*; and 7:00 p.m. for the Public *Meeting* portion of a Planning and Development Committee *meeting*.

5.3.3 *Meetings* of Standing *Committees* shall be scheduled as needed and in coordination with the availability of the *members*.

[By-law 2017-9 effective March 7/17]

5.3.4 *Committee meetings* concerning the Town Budget are set annually and will commence as set out in the annual schedule.

[Section 5.3.5 and 5.3.6 added, By-law 2022-016 effective March 29/22]

5.3.5 The electronic format or platform used for a *Meeting* shall be determined by the *Clerk* taking into consideration the prevailing circumstances and context for a meeting.

5.3.6 The *Presiding Officer* shall lead the *meeting* and be present from a designated meeting location supported by the *Clerk* (or designate), where possible.

5.3.7 The *Mayor* may, with appropriate notice, postpone or cancel any *Council* or *Committee meeting* if, in consultation with the *Clerk*, it has been determined that there are insufficient agenda items for the *meeting* or if it appears that inclement weather or like occurrence or an *emergency* situation will prevent the *members* from attending.

5.3.8 Where an item of business scheduled for an agenda may require extraordinary time provisions, the *Mayor* may authorize an earlier commencement time for the *meeting* and the *Clerk* shall notify all *members* and provide public notice accordingly.

5.4 Special Meetings

5.4.1 *An additional or emergency meeting* may be established by:

- a) a *Motion* of *Council* or *Committee* at a *meeting*;
- b) at the call of the *Mayor*, with appropriate notice of at least 48 hours prior to the date and time of the *special meeting*; or
- c) at the call of the *Mayor*, with appropriate notice of at least 24 hours prior to the date and time of the *emergency meeting*.

5.5 Confidential Session Meetings

[By-law 2016-40 effective April 26/16]

5.5.1 In accordance with the provisions of the Municipal Act, 2001, a *meeting* or part of a *meeting* may be closed to the public if the subject matter being considered is,

- 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. 2001, c. 25, s. 239 (2);
- h) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the *Council*, board, commission or other body is the head of an institution for the purposes of that Act;
- i) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, and Ombudsman referred to in subsection 223.13 (1) of the *Municipal Act, 2001*, or the investigator referred to in subsection 239.2 (1) of the *Municipal Act, 2001*; or
- j) if the following conditions are both satisfied:
 - i. the *meeting* is held for the purpose of educating or training the *members*; and
 - ii. at the *meeting*, no *member* discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the *council* or *Committee*

5.5.2 Prior to moving into *confidential session* for one of the reasons listed in subsection 5.5.1 *Council* or *Committee* shall state by resolution:

- a) the fact that the *Council* or *Committee* is convening into *confidential session*; and
- b) the general nature and a brief description of the matter(s) to be considered.

5.5.3 *Members* shall be prohibited from discussing any additional matters during a *confidential session* other than those identified by resolution as required under this section.

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

- a) the vote is for a procedural matter or for giving direction or instructions to officers, employees, and/or agents of the municipality and/or *local board* or persons retained by, or under contract to, the municipality or *local board*.

5.5.5 The number of times a *member* may speak in debate on a matter shall not be limited during *confidential sessions* of *Council* and/or *Committee*.

5.5.6 The *Clerk* shall advise the *Presiding Officer*, if in his/her opinion, the issue (or portion thereof) being discussed at a *confidential session* is not procedurally in accordance with the terms of the *Municipal Act, 2001*.

5.6 Call to Order/Quorum

- 5.6.1 As soon as there is a *quorum* after the time set for the start of the *meeting*, the *Presiding Officer* shall call the *members* to order.
- 5.6.2 If a *quorum* for a *meeting* is not present within fifteen (15) minutes of the commencement of the *meeting*, the *Clerk* shall indicate that no *quorum* is present and the *meeting* shall stand adjourned until the next *meeting*. The *Clerk* shall record the names of the *members* present.
- 5.6.3 If a *Member* participating through electronic means experiences connection issues and cannot participate electronically, they shall be deemed to have left the *meeting*.
- 5.6.4 In the case where *quorum* is present and the intended *Presiding Officer* has not attended within fifteen minutes after the time appointed:
- a) the *Acting Mayor* shall take the Chair at *Council*;
 - b) the *Vice-Chair* shall take the Chair at *Committee*;
 - c) and shall call the *meeting* to order, and preside until the arrival of the intended *Presiding Officer*.
- 5.6.5 If during the course of a *meeting* a *quorum* is lost, the *Presiding Officer* shall declare that the *meeting* shall stand recessed temporarily or be adjourned until the date of the next *meeting* or other *meeting* called in accordance with the provisions of this by-law. The *Clerk* shall record the names of the *members* present in the minutes at the time of adjournment.
- 5.6.6 *Members* are encouraged to inform the *Clerk* of all planned absences, late arrivals or early departures from a *meeting*.

5.7 Adjournment Hour

- 5.7.1 All *meetings* shall stand adjourned when the *Council* or *Committee* has completed all business as listed on the *agenda*, or at 11:00 p.m., whichever is earlier.
- 5.7.2 Where the business before *Council* or *Committee* has not been completed by the above hour, *Council* or *Committee* may pass a resolution by a majority vote of the *members* to proceed one additional hour beyond the hour of 11:00 p.m. to continue any *unfinished business*.

5.8 Notice of Meetings

- 5.8.1 Notice of all *meetings* of *Council* and *Committee*, in the form of the agenda, shall be provided to *members* and posted to the Town website.
- 5.8.2 Addendum items identified prior to 12:00 noon on the Monday prior to the *meeting* shall be posted on the Town's website, and the *members* of *Council* shall be made aware of the Addendum Agenda through email notification.

[Section 5.6.3 added, By-law 2022-016 effective March 29/22]

[Sections 5.9 through 5.11 deleted in their entirety, By-law 2022-016 effective March 29/22]

5.9 Meeting Adjustments and Additions

5.9.1 Notwithstanding any other Section of this By-law, the *Clerk*, in consultation with the *Mayor*, may upon providing at least 7 days notice to the public:

- a) adjust the day of an existing *meeting*;
- b) adjust the start time of any *meeting*; and
- c) call and schedule a new *meeting* for the purposes of conducting a workshop.

5.9.2 For the purposes of Section 5.9.1, for greater clarity, posting a change to a *meeting* day or time or adding a new workshop *meeting* on the Town's website shall be considered sufficient notice.

Part 6

Rules of Conduct and Debate

6.1 Conduct/Decorum

6.1.1 *Members of Council* shall:

- (a) act in accordance with their Declaration of Office pursuant to the *Municipal Act, 2001* and the *Council Code of Conduct*;
- (b) act with integrity all responsibilities to *Council*, the Town of Caledon, and the public, in keeping with approved corporate policies;
- (c) not speak disrespectfully of the Reigning Sovereign, any *member* of the Royal Family, the Governor-General, the Lieutenant Governor, the Head of the Government of Canada, or the Province of Ontario;
- (d) not use offensive words or insulting expressions at any time including speaking in a manner that is discriminatory in nature based on an individual's race, ancestry, place of origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status or disability;
- (e) treat the *Presiding Officer*, other *members*, staff, and the delegates from the public with courtesy, respect and good faith;
- (f) not leave his/her seat or make any noise or disturbance while a vote is being taken and until the result is declared;
- (h) not disobey the rules of the *Council* or a decision of the *Presiding Officer* or *Council* on a question of order, practice or interpretation of the rules of the *Council*;
- (i) be encouraged to ask any relevant questions of staff prior to any *meeting* where an issue may be introduced or debated so that staff may be able to have appropriate information at such *meeting* if necessary; and

- (j) are encouraged to put their cell phones on silent, and electronic devices, except those in use to facilitate the *meeting*, or otherwise set them so as not to emit any audible sound during a *meeting*.

6.1.2 Where a *member* has been called to order by the *Presiding Officer* for disregarding the *rules of procedure* and the *member* persists in such conduct, the *Presiding Officer* may order such *member* to vacate the *meeting* place.

6.1.3 Where, the *member* apologizes, the *Presiding Officer* may permit the *member* to resume his/her seat.

6.2 Speaking/Debate

6.2.1 The *Chair* or *Clerk* shall manage the Speaker's List based on the Chair's discretion to ensure all *Members* are able to participate in debate in keeping with this section.

6.2.2 Any *member* desiring to speak to any motion shall signify their intent by either using the request to speak button if participating remotely, or the speaker's button if participating in-person.

6.2.3 *Members* shall refrain from speaking until the *Presiding Officer* has recognized the *member* to speak, the *member* shall direct their questions or comments to the *Presiding Officer* and speak only to the matter under consideration.

6.2.4 The *Presiding Officer* shall work with the *Clerk* to maintain the speakers list based on the *Presiding Officers* discretion to ensure all members are able to participate in debate.

6.2.5 When a *member* is speaking, no other *member* shall interrupt, except to raise a *Point of privilege* or *Point of order*.

6.2.6 A *member* shall be restricted to asking questions related directly to the matter under discussion.

6.2.7 The *Presiding Officer* may answer questions and comment in a general manner but if he/she wishes to speak to the matter under discussion, he/she shall withhold his/her comments until the conclusion of the debate after all other *members* have had an opportunity to speak to the matter

6.3 Council meetings

6.3.1 A *member* shall not speak more than once to the same *motion* until all other *members* have had the opportunity to speak to the matter for the first time, except for the purpose of providing an explanation of a material part of his/her speech which may have been misunderstood and in doing so he/she shall not introduce new matters. No *member* shall speak to the same *motion* more than twice without the leave of *Council*.

6.3.2 A *member* shall not speak to the same *motion*, or in reply, for longer than five minutes, without leave of *Council*.

6.4 Committee meetings

[Section 6.2.1 added, By-law 2022-016 effective March 29/22]

[Section 6.2.2 through 6.2.4 replaced and renumbered, By-law 2022-016 effective March 29/22]

6.4.1 The number of times a *member* may speak in debate on a matter shall not be limited during a *Committee Meeting*.

6.5 Public Conduct at Council and Committee meetings

6.5.1 Public attendees at a *Council* or *Committee meeting* shall maintain order and quiet and shall not address *Council* except with the permission of *Council*.

6.5.2 No person shall display signs or placards, applaud participants in debate or engage in conversation or other behaviour which may disrupt the proceedings of *Council* or *Committee*.

6.5.3 No person shall bring into the *meeting* cellular telephones pagers or other electronic devices which emit a sound unless such devices are turned off or otherwise set to non-audible.

6.5.4 No person shall use indecent, offensive or insulting language or speak disrespectfully of any *member* of Federal, Provincial or Regional *Council*, any *member* of *Council* or any employee of the Town.

6.5.5 Persons addressing *Council* in accordance with section 8.6 of this by-law shall only speak on the subject in debate and shall not speak on any other subject.

6.5.6 Any person who contravenes any provision of this section, may be expelled from the *meeting* by the *Presiding Officer* or by the *Clerk*.

6.6 Point of Privilege

6.6.1 A *member* may at any time raise a *point of privilege* directing attention to a matter that affects the integrity, character or reputation of an individual, individuals or the entire *Council*, or the ability of an individual to participate.

6.6.2 Point of Order

6.6.3 Where a *member* considers that there has been a departure from the rules of procedure, the *member* may raise a *point of order* in accordance with Appendix "A".

Part 7

Council and Committee Agendas

7.1 The *Clerk* shall determine the items to be considered by the Council in accordance with the provisions of this By-law and prepare an agenda for each regular or special *meeting* of Council and Committee, *Meetings*.

7.2 When reasonably possible, agendas for *Council and Committee meetings* shall be made available to the public by noon on Friday prior to a *meeting*.

7.2A When reasonable possible, agendas for Standing *Committee meetings* shall be made available to the public no later than forty-eight (48) hours proceeding the time at which the *meeting* is scheduled to commence, excluding weekends.

[Section 6.5.6 amended, By-law 2022-016 effective March 29/22]

[By-law 2017-9 effective March 7/17]

7.3 The *Clerk* may prepare an addendum to the agenda to deal with supplementary information to items of business listed on the agenda. The addendum shall be provided to the public and *Members* of Council by 12 noon on the Monday prior to the *meeting*.

[By-law 2017-9 effective March 7/17]

7.3A Subsequent to subsection 7.3, an addendum for a Standing *Committee* shall be provided to the public and *members* of the *Committee* by 12 noon on the day prior to the *meeting*.

7.4 An item of business not listed on the agenda is not permitted to be introduced at a *meeting* unless authorized by a two-thirds vote of the *members* present.

[Sections 7.5 through 7.5.1 added by By-law 2016-72 effective August 30/16]

7.5 Correspondence

7.5.1 Correspondence shall be placed on *Council* or *Committee meeting agendas* or distributed in accordance with the Town's Correspondence Policy.

Part 8

Meeting Proceedings

8.1 The business of *Council* or *Committee* shall be taken up in the order in which it stands on the agenda, unless otherwise decided by the *Presiding Officer*, the *Council* or *Committee*.

8.2 Opening Procedure

8.2.1 As soon after the appointed time of the *meeting* that there is a quorum present, the *Presiding Officer* shall take the Chair and call the *members* to order.

8.2.2 Every regular *Council meeting* shall commence with a prayer and the singing of O' Canada.

8.3 Agenda Amendments

8.3.1 The *Presiding Officer* shall announce any amendments to the agenda.

8.4 Disclosure of Pecuniary Interest and General Nature Thereof

8.4.1 It is the responsibility of each *member* to identify and disclose any direct and indirect pecuniary interest on any item or matter before the *Council* or *Committee*, in accordance with the provisions of the of interest legislation currently in effect.

8.4.2 Where a *member* has any *pecuniary interest*, direct or indirect, in any matter and is present at a *meeting* of the *Council* or *Committee* at which the matter is the subject of consideration, the *member* shall:

- a) prior to any consideration of the matter at the *meeting*, disclose the interest and the general nature thereof;

- b) leave Council table for the part of the *meeting* during which the matter is under consideration but may remain in the Council Chamber;
 - c) not take part in the discussion of or vote on any question with respect to the matter; and
 - d) not attempt in any way before, during and/or after the *meeting* to influence the voting on any such question.
- 8.4.3 Where a *meeting* is not open to the public, in addition to complying with the requirements of subsection 8.4.2, the *member* shall leave the *meeting* for the part of the *meeting* during which the matter is under consideration.
- 8.4.4 Where the interest of a *member* has not been disclosed by reason of his/her absence from the particular *meeting*, the *member* shall disclose the interest and otherwise comply at the first *meeting* of *Council* or *Committee*, as the case may be, attended by the *member* after the particular *meeting*.
- 8.4.5 Every declaration of interest and the general nature thereof made in accordance with the *Municipal Conflict of Interest Act* shall, where the *meeting* is open to the public, be recorded in the minutes of the *meeting* by the *Clerk* of the municipality or secretary of the committee or *local board*, as the case may be.
- 8.5 Awards and Recognition
- 8.5.1 A person may appear before the *Council* for the purpose of presenting or receiving a gift or recognition provided that the person or a representative of such person submits a request in writing to the *Clerk* describing the nature and purpose of the presentation.
- 8.5.2 The *Council* may for any reason deemed appropriate refuse to permit a *presentation*.
- 8.6 Consent Items
- 8.6.1 Items of business listed on the *Committee* agenda which are, generally routine in nature and would not require debate, shall be listed as consent items and may be approved collectively by a single *motion*.
- 8.6.2 A *member* may make brief comments to a consent item prior to the consideration of the adoption of the matters listed, however, if a *member* wishes to debate or amend the recommendation of an item; the item shall be removed from the consent list and dealt with as a separate item.
- 8.6.3 Minutes of the previous *meetings* of *Council* and *Committee* shall be listed as *Consent items* for consideration and approval.
- 8.7 Public Meetings
- 8.7.1 The *Committee* is delegated the power to hold a public hearing or *meeting* where legislatively required and any such matter shall be listed on either a *Council* or *Committee* agenda, as deemed appropriate, at which the proceedings shall be conducted in accordance with the applicable legislative requirements.

- 8.7.2 The *Presiding Officer* shall advise of the procedures to be followed at the commencement of the public *meeting*.
- 8.7.3 During a public *meeting*, after all *members* of the public have been provided an opportunity to speak to the matter under consideration, the *Presiding Officer* shall adjourn the public portion of the *meeting* and debate on the matter shall be limited to *members*.
- 8.7.4 The *Committees* shall, as authorized the *Municipal Act, 2001*, as amended, act in place and stead of the Council, unless otherwise decided by the Council to conduct hearings at public *meetings* required by the *Planning Act, 1990*, as amended; the *Development Charges Act, 1990*, as amended, and the *Education Act, 1990*, as amended, and as directed additionally by the Council pursuant to any other Act.

8.8 Presentations

- 8.8.1 A Town staff *member*, Officer or agent of the Corporation may appear before *Council* or *Committee* for the purpose of providing an informational *presentation* concerning corporate projects, initiatives, programs or services and shall be scheduled by the *Clerk*.
- 8.8.2 All other *presentations* shall be specified by resolution of *Council*.
- 8.8.3 Persons or organizations wishing to make a public *presentation* shall submit a request to the *Clerk* for *Council's* consideration, no later than two weeks prior to the proposed *presentation* date.
- 8.8.4 A maximum of three (3) *presentations* will be permitted at each *meeting*.
- 8.8.5 A maximum of ten (10) minutes shall be permitted for each *presentation*, unless otherwise deemed necessary by the Clerk for educational purposes.
- 8.8.6 Following each *presentation*, *Members* of *Council* may ask questions of the presenter.

8.9 Delegations

- 8.9.1 Any person desiring to be heard shall submit a request to the *Clerk*. The request shall state the nature of the business to be discussed concerning an item listed on the agenda. Persons addressing *Committee* or *Council* shall confine their remarks to the stated business.
- 8.9.2 A person wishing to address *Committee* or *Council* may speak in person or through electronic means, with the leave of *Committee* or *Council* for up to ten (10) minutes and successive extensions of ten (10) minutes may be granted.
- 8.9.3 In the case of an *emergency*, a person wishing to address the *Committee* or *Council* concerning an item on the agenda may request an *emergency delegation* through the *Clerk* before the *Committee* or *Council meeting* begins. The *Clerk* will advise the *Presiding Officer* of the request.
- 8.9.4 When a request for an *emergency delegation* has been given to the *Mayor* by the *Clerk*, the Mayor will call for a vote of the *Committee* or *Council* to waive the rules for

[Section 8.9.1 replaced, By-law 2022-016 effective March 29/22]

[Section 8.9.2 replaced, By-law 2022-016 effective March 29/22]

delegations to allow the person to speak and upon a majority vote in the affirmative the person will be permitted to address *Committee* or *Council*.

8.10 Notices of Motion

8.10.1 *Notices of Motion* shall be in writing and delivered to the *Clerk* by the agenda deadline, to be included on the agenda for consideration at the scheduled *Committee Meeting*.

8.10.2 Where it is would be beneficial to obtain a staff report on any *notice of motion* prior to its consideration, *members* may refer such *notice of motion* to staff upon its introduction for report and consideration as an item of business at a future *meeting*.

8.11 Announcements

8.11.1 *Members* shall be permitted a maximum of three (3) minutes each at *Council meetings* in order to provide announcements which are intended for the purpose of sharing information about events, activities, functions and general work of *members* and such updates shall not be reflected in the minutes of the *meeting*.

8.12 By-laws

8.12.1 Every by-law shall be in writing and shall require only one reading prior to being passed by a majority vote of *Council*.

8.12.2 Unless separated at the request of a *member*, all by-laws proposed for adoption shall be passed collectively by a single *motion*.

8.12.3 Every by-law passed by *Council* shall signify the date of passage and be signed by the *Mayor* and the *Clerk* and sealed with the seal of the Corporation.

8.12.4 A by-law shall be passed for each *Council meeting* to confirm the proceedings thereof.

8.12.5 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.

8.13 Adjournment

8.13.1 Upon completion of the agenda, the *Presiding Officer* shall declare a meeting adjourned.

Part 9

Minutes

9.1 Minutes shall record:

- a) the place, date and time of *meeting*;
- b) the name of the *Presiding Officer* and the record of the attendance of the *members*;
- c) declarations of pecuniary interest;

- d) the final recommendations of the *Committee* for *Council*'s consideration;
 - e) the *motions* considered and votes taken by *Council*; and
 - f) except as provided elsewhere in this by-law, all the other decisions or authorized actions without note or comment.
- 9.2 *Confidential Session* minutes shall record:
- a) the place, date and time of *meeting*;
 - b) the names of the *Presiding Officer* and the record of the attendance of the *members* and any other attendees;
 - c) a description of the substantive and procedural matters discussed, including specific reference to any documents considered;
 - d) the *motions* considered and votes taken by *Council* and *Committee*; and
 - e) all directions given.
- 9.3 The minutes, with the exception of minutes resulting from a *Confidential Session* of each *Council* and *Committee meeting* shall be presented to *Council* at the next *meeting* for confirmation.
- 9.4 Reports considered in *confidential session* shall be released to the public upon *Council* direction; in accordance with a legal opinion; or in conformity with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*.

Part 10

Motions

- 10.1 Except as provided elsewhere in this by-law, all *motions* shall be in writing and shall be signed by the mover and seconder.
- 10.2 In *Council* or *Committee*, the following procedural *motions* may be introduced verbally, without notice and without leave, except as otherwise provided by this by-law:
- a) a *point of order* or *privilege*.
 - b) to close debate.
 - c) to adjourn.
- 10.3 In *Council*, the following procedural *motions* may be introduced without notice and without leave, except as otherwise provided by this by-law:
- a) to suspend the *rules of procedure*.
 - b) to table.
 - c) to postpone definitely (*deferral motion* with a specified date/*meeting*).

- d) to refer.
 - e) to amend.
 - f) to postpone indefinitely (deferral *motion* without specifying a date/*meeting*).
 - g) any other procedural *motion*.
- 10.4 The mover and seconder may withdraw a *motion* or a *notice of motion* at any time prior to it being read by the *Presiding Officer*.
- 10.5 After a *motion* has been read or stated by the *Presiding Officer*, it shall be deemed to be in the possession of *Council*, but may be withdrawn by the mover and seconder at any time before being voted on with the concurrence of *Council*.
- 10.6 When a *motion* is under consideration, no other *motion* shall be received except a procedural *motion* or a *motion* to amend.
- 10.7 After a *motion* has been put to vote by the *Presiding Officer*, no *member* shall speak to the *motion* nor shall any other *motion* be made until after the vote is taken and the result has been declared.
- 10.8 A *motion* regarding a matter, which is beyond the jurisdiction of the *Council*, shall not be in order except a matter, which, in the opinion of the *majority of Council*, has to do with the welfare of the citizens generally. The question of the opinion is to be decided without debate.
- 10.9 Appendix "A" forms part of this by-law and shall describe the form and standard descriptive characteristics of *motions* commonly used in *Council* and *Committee*.

Part 11

Reconsideration

- 11.1 Any proposal to reconsider, amend or rescind a previous decision of *Council* made within one year of the current term shall require a *motion* of reconsideration.
- 11.2 A *motion* to reconsider a previous decision of *Council* made earlier in a *meeting*:
- a) may be presented at any time prior to the meetings' adjournment by any *member* who voted in the majority when the decision was made;
 - b) may not be apply to a decision of indefinite postponement; and
 - c) shall require an affirmative vote of the majority of the *members* present.
- 11.3 A *motion* to reconsider a previous decision of *Council* at a subsequent *meeting*:
- a) may only be introduced by a *member* who was present at the *meeting* and who voted in the *majority* when the decision was made or who was not present at the *meeting* when the decision was made;
 - b) shall be introduced as a *notice of motion* in accordance with section 8.10 for consideration; and
 - c) shall require an affirmative vote of two-thirds vote of the *members* present.

- 11.4 The mover of a *motion* to reconsider shall specify whether the reconsideration will address the entire original decision of *Council* or part of the original decision.
- 11.5 Debate on a *motion* for reconsideration shall be confined to reasons for or against reconsideration.
- 11.6 Discussion of the previous decision shall not be in order until the *motion* to reconsider has been adopted.
- 11.7 Where the *motion* to reconsider is decided in the affirmative, reconsideration of the previous decision of *Council* shall become the next order of business unless the *motion* to reconsider included direction to postpone reconsideration to a definitive date.
- 11.8 During the term of Council, a *motion* to reconsider shall not be permitted more than once with regard to a previous decision of *Council* nor shall a vote to reconsider be reconsidered.

Part 12

[Section 12.1, 12.5 and 12.8 Recorded Votes deleted in their entirety, By-law 2022-016 effective March 29/22]

Voting

[Section 12.1, 12.2 and 12.3 added, By-law 2022-016 effective March 29/22]

- 12.1 All votes shall be a recorded and the *Clerk* shall call out the name of each *Member* to record their vote.
- 12.2 Every *member* present at a meeting shall vote on every motion, unless prohibited by legislation. If a *Member* is present in-person or remotely, and their name is called and no response is given to indicate the vote, the *Clerk* shall ask one more time, and if no indication of vote, and the *Member* is present in-person or remotely, the vote shall be deemed to be a negative vote.
- 12.3 The *Clerk* shall announce the results and record the votes in the minutes.
- 12.4 Except as provided in the *Municipal Act, 2001*, no vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.
- 12.5 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*.
- 12.6 When the matter under consideration contains distinct recommendations or propositions, any *member* may request that the vote be taken separately on each recommendation or proposition and no vote shall be required to be taken on the matter as a whole.
- 12.7 Every *member* present at a *meeting* shall vote on every *motion*, unless prohibited by legislation. Failure to vote for any other reason shall be deemed to be a negative vote.

- 12.8 Except as provided elsewhere in this by-law, a *motion* shall be deemed to have been carried when a *majority* of the *members* present and voting have voted in favour of the *motion*. Any *motion* upon which there is a tied vote shall be deemed to have been defeated.
- 12.9 If a *member* disagrees with the announcement of the result of any vote, the *member* may object immediately to the announcement and require that the vote be retaken.

Part 13

General

- 13.1 By-law 2009-088 and all amendments thereto are hereby repealed.
- 13.2 Should any section, subsection, clause, paragraph or provision of this by-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this by-law as a whole or any part thereof, other than the provision so declared to be invalid.
- 13.3 This by-law shall take full force and effect on January 1, 2016.

**READ THREE TIMES AND FINALLY
PASSED IN OPEN COUNCIL
THIS 22nd DAY OF DECEMBER, 2015.**

“Allan Thompson”

Allan Thompson, Mayor

“Carey deGorter”

Carey deGorter, Clerk

Appendix A to By-law 2015-108

Procedural *Motions*

1. MOTION TO ADJOURN

1.1 A *Motion* to adjourn:

- a) is always in order except as provided by this by-law.
- b) is not debatable.
- c) is not amendable.
- d) is not in order when a *member* is speaking or during the verification of the vote.
- e) is not in order immediately following the affirmative resolution of a *motion* to close debate; and
- f) when resulting in the negative, cannot be made again until after some proceedings have been completed by *Council*.

1.2 A *motion* to adjourn, if carried without qualification, brings a *meeting* or a session of *Council* to an end.

1.3 A *motion* to adjourn to a specific time, or to reconvene upon the happening of a specified event, suspends a *meeting* of *Council* to continue at such time.

2. POINT OF PRIVILEGE

2.1 A *member* may at any time raise a *point of privilege* directing attention to a matter that affects the integrity, character or reputation of an individual, individuals or the entire *Council*, or the ability of an individual to participate.

2.2 A *point of privilege* shall take precedence over any other matter.

2.3 A *member* shall not be permitted to enter into any debate or introduce any *motion* not related to the *point of privilege*.

2.4 The *Presiding Officer* shall decide upon the point of privilege and advise the *members* of the decision.

2.5 Unless a *member* immediately appeals the *Presiding Officers'* decision, the decision of the *Presiding Officer* shall be final.

2.6 If the decision of the *Presiding Officer* is appealed, the question "Shall the ruling of the Chair be upheld?" shall be called without debate, and its results shall be final, based on a *majority* vote.

2.7 When the matter has been determined to be a *point of privilege*, the *member* shall be afforded an opportunity to propose a *motion* in relation to that *point of privilege*.

3. MOTION TO TABLE

3.1 A *motion* to table:

- a) is not debatable.
- b) is not amendable.

3.2 A *motion* to table a matter with some condition, opinion or qualification added to the *motion* shall be deemed to be a *motion* to postpone.

3.3 The matter tabled shall not be considered again by *Council* until a *motion* has been made to take up the tabled matter at the same or subsequent *meeting* of *Council*.

3.4 A *motion* to take up a tabled matter is not subject to debate or amendment.

3.5 A *motion* that has been tabled at a previous *meeting* of *Council* cannot be lifted off the table unless notice thereof is given in accordance with section this by-law.

3.6 A *motion* that has been tabled and not taken from the table for six (6) months shall be deemed to be withdrawn and cannot be taken from the table.

4. MOTION TO CLOSE DEBATE (PREVIOUS QUESTION)

4.1 A *motion* to close debate:

- a) is not debatable.
- b) is not amendable.
- c) cannot be moved with respect to the main *motion* when there is an amendment under consideration.
- e) requires a two-thirds (2/3) *majority* vote of *members* present for passage; and
- (f) when resolved in the affirmative, the question is to be put forward without debate or amendment.

5. MOTION TO POSTPONE DEFER

5.1 A *motion* to postpone defer (to a fixed time or date):

- a) is debatable, but only as to whether a matter should be postponed and to what time.
- b) is amendable as to time and/or date.
- a) requires a *majority* vote of *members* present to pass.
- d) shall have precedence over the *motions* to refer, to amend, and to postpone indefinitely.

6. MOTION TO REFER (TO COMMITTEE OR STAFF)

6.1 A *motion* to refer:

- a) is debatable.
- b) is amendable.

7. MOTION TO AMEND

7.1 A *motion* to amend:

- a) is debatable.
- b) is amendable.
- c) shall be relevant and not contrary to the principle of the report or *motion* under consideration.
- d) may propose a separate and distinct disposition of a question provided that such altered disposition continues to relate to the same issue, which was the subject matter of the question.

7.2 Only one *motion* to amend an amendment to the main *motion* shall be allowed at one time.

8. MOTION TO POSTPONE INDEFINITELY

8.1 A *motion* to postpone indefinitely:

- a) is debatable, and debate may go into the merits of the main question, which effectively stops a *motion* and avoids a direct vote on the question.
- b) is not amendable.
- c) requires a *majority* vote.

9. POINT OF ORDER

9.1 The *Presiding Officer* shall decide all points of order. When a *member* wishes to raise a *point of order*, the *member* shall ask leave of the *Presiding Officer* and after leave is granted, the *member* shall state the *point of order* to the *Presiding Officer*, after which the *Presiding Officer* shall decide on the *point of order*. Thereafter, the *member* shall only address the *Presiding Officer* for the purpose of appealing the decision to *Council* or *Committee*, as the case may be. If the *member* does not appeal, the decision of the *Presiding Officer* shall be final. If the *member* appeals to *Council* or *Committee* as the case may be, *Council* or *Committee* shall decide the question without debate and the decision shall be final.

10. MOTION TO SUSPEND THE RULES (WAIVE THE RULES)

10.1 A *motion* to suspend the rules:

- a) is not debatable.
- b) is not amendable.
- c) requires a two-thirds *majority* vote to carry.
- d) takes precedence over any *motion* if it is for a purpose connected with that *motion* and yields to a *motion* to table.

Appendix B to By-law 2015-108

Advisory Committee and Special Purpose Committee Procedures

1. Definitions

In this Section:

- 1.1 "*Clerk*" means the Town *Clerk* of The Corporation of the Town of Caledon or designate.
- 1.2 "*Committee*" means advisory and/or statutory committees established by Town Council.
- 1.3 "*Member*" means an individual appointed by Council.
- 1.4 "*Motion*" means a proposal by a member to resolve and effect a decision.

2. General

- 2.1 The provisions in this Section shall be observed in all *committee meetings* and shall be the rules for the order and dispatch of *committee* business.

3. Role and Conduct of *Committees*

- 3.1 The Terms of Reference established for each *committee* sets out the mandate and role of the *committee*.
- 3.2 The Terms of Reference of each *committee* shall be reviewed by Council on an ongoing basis to ensure the role and need of the *committee* is relevant and appropriate.
- 3.3 *Committees* provide recommendations, advice and information to Council on matters which relate to the mandate of the *committee*.
- 3.4 *Committees* shall not give direction to Staff without the approval of Council.
- 3.5 *Committees* can request information from Staff and Staff may provide the data if Staff are of the opinion that such requests can be reasonably accommodated within existing workloads and resources.
- 3.6 Where a *committee member* believes he or she has a conflict of interest in a particular matter, they shall disclose their conflict of interest and the general nature thereof prior to the item or matter being considered.
- 3.7 As a result of disclosure, the *member* shall remove themselves from the table for the duration of the time that the matter is being considered and during in-closed session, remove themselves from the room and not take part in the discussion or the vote on any recommendation in respect of the matter. They shall not attempt in any way to influence the voting on any such question or recommendation.
- 3.8 *Committees*, when carrying out its responsibilities, are expected to abide by the provisions of the Ontario Human Rights Code, Town of Caledon Policies and Procedures and any other applicable related statutes and in doing so, shall treat every person, including other committee members, corporate employees with dignity, understanding and respect for the right to equality and the right to an environment that is safe and free from harassment and discrimination.
- 3.9 In the performance of their duties, a *committee member* shall not:
 - (a) place him or herself in a position where a member is under obligation to any person who might benefit from special consideration or favour or who might seek preferential treatment in any way;

- (b) accord preferential treatment to relatives or to organizations in which the *member*, their family *member*, have an interest, financial or otherwise;
- (c) deal with an application to the Town for a benefit or interest from any matter which they can influence decisions; and
- (d) benefit from the use of information acquired during the course of their official duties which is not generally available to the public.

4. Qualification for Appointment

- 4.1 Council *members* appointed to committees shall act in a liaison capacity without any voting privileges.
- 4.2 Specific qualifications for appointment are outlined within the Terms of Reference of each committee.
- 4.3 *Committee members* shall only serve on the same *committee* no more than three (3) consecutive full terms plus, if applicable, one proceeding partial term in those cases where committee *members* are initially appointed mid-term to fill a vacancy, unless otherwise approved by Council.
- 4.4 The Mayor shall be ex-officio for all committees, but their attendance shall not impact quorum.

5. Term of Appointment

- 5.1 Appointments to advisory committees shall be a four (4) year term, aligned with the term of Council, unless otherwise specified within the Terms of Reference of a *committee*.

6. Orientation Session

- 6.1 Following the appointment process of each committee, appointed *members* shall participate in an orientation session at the beginning of each term conducted by the Town's Legislative Services Section.
- 6.2 Orientation Sessions will include legislative training requirements and committee procedures for the conduct of *meetings*.
- 6.3 Orientation Sessions will be conducted for new appointments taking place throughout the term of the *committee*, as needed.

7. Remuneration

- 7.1 *Committee members* shall serve without remuneration, unless otherwise specified within the Terms of Reference.

8. Resignations and Filling Vacancies

Resignation from a *Committee*

- 8.1 Should any *member* of a *Committee* wish to resign, the *member* shall advise in writing to the *Clerk* of their resignation.
- 8.2 Upon receipt of the resignation, Staff within the Legislative Services Section shall ensure that the resignation is noted on the subsequent *Committee* agenda for information.

Filling the Vacancy

- 8.3 When the resignation is received by the *Clerk* or a vacancy occurs, the *Clerk* will work with Staff to commence the standard practice of recruitment for committees. Notice will be provided to individuals who were unsuccessful in being appointed to the *committee* at the beginning of the term with an opportunity to re-apply for the vacancy.

- 8.4 Where the resigning *member* is representing a specific organization, staff shall send a letter to the organization to request that the name of a new representative be forwarded.

9. Support Staff

- 9.1 *Committee meetings* shall be attended by staff representatives of the appropriate departments to provide resource, support and general liaison, as applicable. The affected Department Director shall determine the representative from the Department who shall attend *the committee meetings*.
- 9.2 The day to day support of *committees* (such as coordination of *meeting* schedules, the preparation of *committee* agendas and minutes, and the communication of *committee* actions) shall be provided by Staff in the Legislative Services Section.

10. Expenditures

- 10.1 Any annual budget allocation to a *committee* shall be at the sole discretion of Council and subject to the annual budget process and shall be aligned with the mandate of the *committee*.
- 10.2 All *committee* expense information is considered to be public information and shall be made available upon request.
- 10.3 Expenses associated with communication and/or promotional efforts being undertaken by a *committee* within its mandate, are to be approved by Corporate Communications for consistency in messaging and proper branding, prior to those expenses being incurred.

11. Chair & Vice Chair

- 11.1 The presiding officer of all *committees* shall be referred to as "Chair". The committee shall recommend the appointment of a Chair and Vice Chair at their first *meeting* of the term.

12. Committee Meeting Administration

Schedule and Location of Meetings

- 12.1 *Committees* shall meet at a frequency outlined within the Terms of Reference for the *committee*.
- 12.2 The Chair may, at any time, call a special *meeting*. Staff shall coordinate a special *meeting* as directed by the Chair, based on the *Committee members* availability and notifying the *Committee* of the item for discussion.
- 12.3 *Committee meetings* shall be held at Town Hall and shall be open to the public, except during closed session. *Committee meetings* may be held away from Town Hall for a specified purpose; however, the location shall be accessible to persons with disabilities and shall be deemed so by the Town's Accessibility Program Staff prior to formal recommendation of the use.

Notice

- 12.4 Notice shall be provided of *meetings* by posting the date and time of the *meeting* on the Town's website.

Agendas

12.5 *Committee* agendas shall be compiled of items aligned with the *committee's* mandate. In consultation with the Chair and Staff Liaison for the committee, Staff within the Legislative Services Section will prepare the Agenda. The following headings shall be on the Agenda:

- Call to Order;
- Declaration of Pecuniary Interest;
- Receipt of Minutes;
- Regular Business;
- Adjournment

The following headings may be added, as required:

- Presentations;
- Delegations;
- Administration (Training/Education);
- Correspondence;
- Confidential Session.

12.6 Agendas shall be distributed electronically, unless otherwise requested and posted on the Town's website no later than forty-eight (48) hours proceeding the time at which the *meeting* is scheduled to commence, excluding weekends.

12.7 *Committee meetings* shall not consider matters that are not listed on the agenda, unless such a matter is deemed to be time sensitive.

12.8 All unfinished business on the Agenda shall be carried forward to the next *committee meeting*.

Minutes

12.9 Support Staff from the Legislative Services Section shall record, without note or comment the minutes of each *meeting*, including the following information:

- (a) the place, date and time of *meeting*,
- (a) the name of the presiding officer(s) and record of attendance of the *members*,
- (b) the receipt of minutes of prior *meetings*, and
- (c) all recommendations made at the *meeting*.

12.10 *Meeting* minutes will be provided at the next *Council Meeting* following standard Council Agenda circulation timeframes.

Confidential Session

12.11 Refer to section 5.5 regarding Confidential Session.

Attendance

12.12 *Committee members* are deemed to have resigned their appointment if they are absent from the *meetings* of the committee for three (3) successive *meetings* without the authorization to do so by recommendation from the committee.

12.13 The Town Clerk or designate shall be required to give written notice to any *member* who has exceeded the absentee threshold advising that their appointment to the committee is vacant.

Quorum

- 12.14 A majority of *members* of the Committee is necessary to form a quorum at a *meeting*.
- 12.15 If no quorum is present fifteen (15) minutes after the time appointed for a *meeting* of the Committee, the support staff shall record the names of the *members* present and the *meeting* will stand adjourned until the next appointed time.
- 12.16 Where the Chair does not attend within fifteen (15) minutes after the time appointed for the *meeting*, and if quorum is present, the Vice-Chair shall call the *members* to order.
- 12.17 If during the course of a Committee *meeting* a quorum is lost, then the *meeting* shall stand adjourned, to reconvene when quorum is regained. If a quorum is not present within fifteen (15) minutes, the support staff will record the names of the *members* present and the *meeting* shall be adjourned to the next appointed time.
- 12.18 If a *meeting* of a Committee cannot be convened or does not continue because of a lack of quorum, the remaining business on the Agenda for that *meeting* shall be placed on the Agenda for the next scheduled *meeting*.

13. Working Groups

- 13.1 Committees may form working groups as needed. Working group meetings may proceed at any time and are not subject to the standard requirements (notice, agendas, minutes, etc.) of committee *meetings*. Support staff from the Legislative Services Section are not required to attend working group *meetings*.

14. Reporting Recommendations

- 14.1 Recommendations to Council by a committee will be placed on the next applicable Committee of the Whole *Meeting* Agenda, as deemed appropriate for consideration.

15. Committee *Meetings* – Rules of Order and Debate

- 15.1 The Chair shall:
- (a) maintain order and preserve the decorum of the *meeting*;
 - (b) rule whether a *Motion* or proposed amendment is in order;
 - (c) rule upon all other procedural matters and debate;
 - (d) maintain a speaker's list of those *members* who have signaled the Chair that they wish to speak or ask questions, and recognize such *members* in the order in which they appear;
 - (e) call a *Member* to order where appropriate.
- 15.2 No *Member* shall:
- (a) speak disrespectfully, use indecent, offensive or insulting language;
 - (b) speak on any subject other than the subject in debate;
 - (c) where a matter has been discussed in a *meeting* or part of a *meeting* closed to the public (in-camera) and where the matter remains confidential, disclose the content of the matter or the substance of deliberations of the in-camera *meeting*;
 - (d) disobey a decision of the Chair on questions of order or practice or the interpretation of the Rules.

- 15.3 Where a *Member* persists in any such conduct contrary to the provisions of this section, after having been called to order by the Chair:
- (a) the Chair shall forthwith put the question that the *Member* be ordered to leave his/her seat for the duration of the *Meeting*, and adjournments, amendments or debates shall not be allowed upon such question;
 - (b) if the question carries, the Chair will order the *Member* to leave for the remainder of the *Meeting*, unless the *Member* wishes to apologize to the rest of the Committee, at which time the Chair may permit the *Member* to return to their seat.
- 15.4 The following matters and *motions* may be introduced orally without written notice and without leave, and to be decided without debate:
- (a) a point of order;
 - (b) a point of privilege;
 - (c) a *motion* to adjourn;
 - (d) a *motion* to refer;
 - (e) a *motion* to defer/postpone;
 - (f) a *motion* to table the question;
 - (g) a *motion* to vote on the question.
- 15.5 Except as provided in clause 15.4, a *motion* regarding an item on the Agenda shall be presented by the mover, and voted on. A tie vote is a lost vote.

16. Public at Committee Meetings

- 16.1 *Members* of the public present at *Committee meetings* shall maintain order and quiet and shall not address the Committee except with the permission of the *Committee* through a written request to the *Clerk* to delegate the *Committee* concerning an item on the Agenda.
- 16.2 No person shall display signs or placards, applaud participants in debate or engage in conversation or other behavior which may disrupt the proceedings of the Committee.
- 16.3 When invited to address the *Committee*, no person shall use indecent, offensive or insulting language or speak disrespectfully.
- 16.4 Any person who contravenes any provisions of this section may be expelled from the *Meeting* by the Chair.

**Appendix C to By-law 2015-108
Deleted by By-law 2022-016 Effective March 29, 2022**