

## **COMMITTEE OF THE WHOLE - DECEMBER 7, 2010**

### **NEW PROCEDURAL BY-LAW**

#### **Recommendation**

The Commissioner of Legal and Administrative Services & City Solicitor and the City Clerk recommend:

- 1) That a new Procedural By-law substantially in the form set out at Attachment 1 be adopted, and that By-law No. 400-2002, as amended, be repealed.

#### **Contribution to Sustainability**

The new procedural by-law implements a rationalization of the roles and responsibilities of Council's previous committees as they existed at the conclusion of the last term. The new configuration enhances stakeholder participation, community involvement and opportunities for valuable input from the public, other stakeholders and relevant experts on matters that come before Council.

#### **Economic Impact**

The reconfiguration of committees rationalizes the demand on resources required to attend and/or support Council's committees.

#### **Communications Plan**

On October 28, 2010 a notice advising that deputations would be heard on December 7, 2010 on a proposed procedural by-law, and requesting written submissions, was posted on the notice page of the City's website.

Members of Council will receive training on the new by-law as part of their orientation to the new term of Council. The City Clerk will prepare an office consolidation of the By-law and add instructions and commentary to assist readers in understanding the principles and purposes of the by-law.

#### **Purpose**

At its meeting of September 7, 2010, Council adopted the staff recommendation "*that notice be given pursuant to By-law No. 394-2001 of a proposed new Procedural By-law; and that the new by-law be brought forward for adoption at the beginning of the new term of Council*". The purpose of this report is to facilitate the adoption of the new by-law.

#### **Background - Analysis and Options**

At its meeting of June 29, 2010, Council adopted a new Standing Committee structure and established new parameters for the creation of other committees that might advise or make recommendations to Council [Committee of the Whole (Working Session) Report No. 29, Item 3]. The City Clerk was directed to submit a report on changes to the Procedural By-law required to implement these governance modifications which report was considered at the September 7, 2010 Council meeting [Committee of the Whole Report No. 40, Item 28] at which time the City Clerk was directed to provide the appropriate notice for adoption of the new Procedural By-law for Council's consideration at the beginning of the new term of Council.

Below is a summary of the significant changes proposed in the by-law:

#### Standing Committee Structure

Committee of the Whole, Committee of the Whole (Working Session), Committee of the Whole (Closed Session) and Committee of the Whole (Public Hearing) will remain as they are. The Chair for these meetings will continue to be rotated monthly, though on an alphabetical basis.

Five Special Purpose Committees have been replaced with two Standing Committees named the Priorities and Key Initiatives Committee and the Finance and Administration Committee. The Chair of these Committees would be rotated every year, with Members being able to serve as Chair of the same committee only once per term.

The reduction in the number of Committees has provided some opportunity to advance the web posting of committee agendas to provide earlier information to members of the public and other interested parties.

#### Communications / Written Submissions

The agendas for each Committee will contain a new feature through which Committees will consider Communications (currently referred to as 'Additional Information') near the commencement of their meetings. This feature will enable committees to append communications to respective items listed on their agendas and dispose of those matters quickly when the only action required is receipt of the submission. It still provides for the particular item to be called should a Member wish the matter to be debated.

#### Committees other than Standing Committees

Certain committees will be established by Council at the beginning of its term because there is a statutory requirement to appoint them (such as the Accessibility Advisory Committee). Other committees and bodies may be created where Council determines that it is in its best governance interest to do so. This group, now referred to in the by-law as 'Ad Hoc Committees', can only be created through the adoption of terms of reference complying with the form set out as an attachment to the by-law. These ad hoc committees would require formal re-establishment by Council at the beginning of each term of Council (or subsequently). Ad Hoc Committees will be chaired by either a Member of Council or a member of the public as is identified in the Terms of Reference as being more appropriate.

#### *Ad Hoc Committee Notices and Reports*

In keeping with Council's commitment to full transparency and an informative public record, each Ad Hoc Committee will be required to give notice and to report on a similar basis to a Standing Committee. Each such committee would submit to its designated Standing Committee a report after each of its meetings, which will be noted in the Standing Committee's report to Council under the section titled 'Other Items Considered by the Committee'. This mechanism is being put in place so that the activity of Ad Hoc Committees can be monitored by Council and by the public. Should a decision of Council be required on any matter given consideration by the Ad Hoc Committee, the Clerk will prepare a report which would be placed as an item on the Standing Committee agenda.

The final report of the Ad Hoc Committee at the conclusion of its mandate will be a Findings Report, the format for which has not been set in order to allow for flexibility. The requirement to submit a Findings Report does not apply to Sub-Committees in recognition of their regular reporting relationship to a Standing Committee.

## Procedural and Administrative Changes

The following changes have also been incorporated into the proposed new Procedure By-law:

- a) The inclusion of a Purpose Statement (Section 1.1):

*"This procedural by-law establishes the principles and rules to be used for meetings of the Council of the City of Vaughan, for the Committees that report to it directly or indirectly, and for its local boards which have not adopted separate rules of procedure."*
- b) The inclusion of Principles (Section 1.2) that sets out rules by which the Procedural By-law is to be interpreted:
  - (1) *The rules set out in this Procedural By-law are to be interpreted in accordance with these principles and all applicable law.*
  - (2) *City Council is the decision making body and the decisions of Council are paramount in all matters within its authority. It is the role of Council's Committees to make recommendations to Council, but not to decide any matter unless specifically delegated to that Committee, so that the primacy of Council is preserved.*
  - (3) *These principles and rules facilitate the decision making of City Council and are to be liberally interpreted so as to administer meetings in a manner which,*
    - a. *Is respectful of all participants.*
    - b. *Balances debate with the need to make recommendations and decisions in a timely manner.*
    - c. *Establishes clear outcomes.*
    - d. *Provides for the hearing/consideration of input from interested parties in a pragmatic way.*
    - e. *Respects the statutory regime in which the City of Vaughan operates.*
  - (4) *Council conducts the business of the municipality at its Council and Committee meetings*
  - (5) *The business of Council is to be conducted by all parties with respect and courtesy, even where there is vigorous debate or disagreement.*
- c) The inclusion of a "Councillors' Resolution" as the vehicle through which Councillors may make recommendations to Council, providing to Members a distinctive form, separate from the Staff Report format.
- d) Standing Committees may refer or defer matters without waiting for Council to consider the matter.
- e) Committees may not exercise decision-making powers or expend funds without explicit authority from Council.
- f) Resolution of issues of interpretation will be made with reference to the principles and rules of the by-law, and supplemented with reference to Roberts Rules of Order.

**Relationship to Vaughan Vision 2020/Strategic Plan**

This report is consistent with the priorities previously set by Council, particularly “demonstrate leadership and promote effective governance”.

**Regional Implications**

N/A

**Conclusion**

A summary of the significant features/modifications in the proposed procedural by-law is attached as Attachment 1. The proposed by-law enhances Council's governance processes by providing clarity and efficiency throughout the deliberative process.

It is recommended that Procedure By-law 400-2002 be repealed and a new Procedure By-law be enacted substantially in the form attached.

**Attachments**

Attachment 1: By-law Summary  
Attachment 2: Proposed Procedural By-law

**Report prepared by:**

Jeffrey. A. Abrams, City Clerk

Respectfully submitted,

Jeffrey. A. Abrams  
City Clerk

Janice Atwood-Petkovski  
Commissioner of Legal and Administrative Services &  
City Solicitor

**Summary of Significant Features and Modifications**

- The By-law now includes a purpose statement in section 1.1:

"This procedural by-law establishes the principles and rules to be used for meetings of the Council of the City of Vaughan, for the Committees that report to it directly or indirectly, and for its local boards which have not adopted separate rules of procedure."
- Section 1.2 sets out a set of principles by which the rules of the by-law are to be interpreted:
  - (1) The rules set out in this Procedural By-law are to be interpreted in accordance with these principles and all applicable law.
  - (2) City Council is the decision making body and the decisions of Council are paramount in all matters within its authority. It is the role of Council's Committees to make recommendations to Council, but not to decide any matter unless specifically delegated to that Committee, so that the primacy of Council is preserved.
  - (3) These principles and rules facilitate the decision making of City Council and are to be liberally interpreted so as to administer meetings in a manner which,
    - a. Is respectful of all participants.
    - b. Balances debate with the need to make recommendations and decisions in a timely manner.
    - c. Establishes clear outcomes.
    - d. Provides for the hearing/consideration of input from interested parties in a pragmatic way.
    - e. Respects the statutory regime in which the City of Vaughan operates.
  - (4) Council conducts the business of the municipality at its Committee and Council meetings.
  - (5) The business of Council is to be conducted by all parties with respect and courtesy, even where there is vigorous debate or disagreement.
- Section 1.3 sets out the Council and Committee structure, the mandates of the committees, their reporting relationship to Council, their chairs, and their web posting deadlines. Of note is the change to the rotation of Committee of the Whole chairs in alphabetical order, and the advancement of some committee deadlines to provide more time for Members and the public to consider reports. The establishment of the Priorities and Key Initiatives Committee and the Finance and Administration Committee is noted here, as is the term 'Ad Hoc Committee' to encompass what formerly were referred to as advisory committees or task forces, etc.
- Section 1.4 sets out criteria and rules relating to the establishment of Ad-Hoc Committees and Sub-committees. For accountability, transparency and to keep all members of Council informed, a new requirement that such committees report to a designated Standing Committee after every

meeting is established. Other provisions of the by-law ensure that public notice of the agendas for meetings is provided.

- Every Ad-Hoc Committee (with the exception of Sub-Committees) is to provide a Findings Report at the conclusion of its mandate. The format for Findings Reports has not been set to allow for flexibility.
- The form through which Members of Council can place items on an agenda in order to make recommendations to Committee on a topic they have identified is now referred to as a Member's Resolution, and is visually distinct from the format of Staff Reports.
- Section 2.1 includes a provision that allows the City Clerk to provide notice of meetings which have been cancelled or rescheduled with 24 hours notice and posting to the City's web site.
- The time period for calling special meetings has been abridged to 24 hours from 48 hours.
- What was formerly called 'Additional Information' is referred to as 'Communications', and agendas will be structured so that Communications can be considered at the outset of the meeting in order to refer them to (or append) the related item on the agenda. Should it be Committee's desire to do so, the Communication can be received and the item disposed of without the matter being stood down for consideration later in the meeting.
- The draft by-law clarifies that deputations may be made to all Committees with the exception of Committee of the Whole (Closed Session). [Section 2.2 (2) c.]
- In order to better inform Members about Ceremonial Presentations at Committee of the Whole and Council, a new provision requiring that requests be presented to the City Clerk no later than the Friday prior to the meeting has been introduced. [Section 2.4]
- The chair of meetings retains the responsibility for managing meetings and ruling on points of procedure, etc. In doing so, the chair is to have regard to both the rules and principles of the by-law; upon making a ruling, a challenge may be made and the matter is disposed of by general vote of the Members. Use of the external procedural authority Robert's Rules of Order may be referred to where necessary.
- At section 4.1, the by-law clarifies that a declaration of interest on an item does not prohibit a Member from moving, seconding or voting on a matter of general procedure such as confirming a meeting agenda, approving minutes of a previous meeting, an omnibus motion to adopt all by-laws presented for adoption, or the vote on the confirming by-law.
- The practice of requesting the City Clerk to provide advance circulation of a motion intended to be moved by a member has been clarified [4.3 (6)].
- When a staff member is on the floor for questions, the chair of a meeting is required to ask other members if they too have questions for that person [4.4(8)]
- Standing Committees may defer or refer items without having to wait for Council to approve that action.
- Committee Reports are to include a section 'Other Items Considered by Committee' under which is to be listed the deferrals, referrals and other procedural steps taken by a Committee. Council cannot consider items listed in this section without a 2/3rds vote.
- By-laws no longer technically require three readings for adoption [6.8(2)]

- Certain common documents are now set out in an attachment to the by-law:
  - Sample terms of reference for Ad Hoc Committees and Sub-Committees;
  - Members' Resolution format;
  - The Staff Report template;
  - Sample Committee Agenda, with headings inserted for 'Communications' and for the closed session resolution passed at Committee of the Whole meetings;
  - The current Committee of the Whole (Public Hearing) and Council agenda formats;
  - The format for a typical Committee Report (the second item being an example of how a deferred/referred item would be recorded)

PROCEDURE BY-LAW

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CITY OF VAUGHAN  
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**1.0 INTRODUCTION**

**1.1 PURPOSE STATEMENT**

This procedural by-law establishes the principles and rules to be used for meetings of the Council of the City of Vaughan, for the Committees that report to it directly or indirectly, and for its local boards which have not adopted separate rules of procedure.

**1.2 PRINCIPLES**

- (1) The rules set out in this Procedural By-law are to be interpreted in accordance with these principles and all applicable law.
- (2) City Council is the decision making body and the decisions of Council are paramount in all matters within its authority. It is the role of Council's Committees to make recommendations to Council, but not to decide any matter unless specifically delegated to that Committee, so that the primacy of Council is preserved.
- (3) These principles and rules facilitate the decision making of City Council and are to be liberally interpreted so as to administer meetings in a manner which,
  - a. Is respectful of all participants.
  - b. Balances debate with the need to make recommendations and decisions in a timely manner.
  - c. Establishes clear outcomes.
  - d. Provides for the hearing/consideration of input from interested parties in a pragmatic way.
  - e. Respects the statutory regime in which the City of Vaughan operates.
- (4) Council conducts the business of the municipality at its Committee and Council meetings.
- (5) The business of Council is to be conducted by all parties with respect and courtesy, even where there is vigorous debate or disagreement.

**1.3 COUNCIL COMMITTEE STRUCTURE**

**(1) Inaugural Meeting**

The first meeting of a newly elected Council after a regular election shall be held on the first Tuesday in December.



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**(2) Council/Committee Structure**

The Council/Committee structure for the City of Vaughan shall consist of the following components.

- a. Council, consisting of all Members of Council.
- b. Standing Committees, consisting of all Members of Council, as follows:

- i. Committee of the Whole

- Mandate:* Committee of the Whole shall have jurisdiction over all matters within City Council's authority which do not fall within the jurisdiction of another Standing Committee.

- Reporting:* Committee of the Whole reports directly to Council.

- Chair:* In months where there are meetings, Members of Council other than the Mayor will rotate each month as Chair of Committee of the Whole in alphabetical order.

- Agenda:* The Committee of the Whole agenda shall be available in print form on the Friday at least 7 working days prior to the meeting and posted on the Tuesday at least 5 working days prior to the meeting.

- ii. Committee of the Whole (Working Session)

- Mandate:* Committee of the Whole (Working Session) shall consider matters not within the mandate of the Priorities and Key Initiatives Committee or the Finance and Administration Committee which meet at least one of the following criteria:

- a) involve items which are considered by staff to be complex, preliminary, or exploratory, and for which a further report to a standing committee is anticipated at a later date; or
      - b) involve a detailed presentation from staff or a third party.

- Reporting:* Committee of the Whole(Working Session) reports directly to Council.

- Chair:* Chair of the Month for Committee of the Whole.

- Agenda:* The main Committee of the Whole (Working Session) agenda shall be available in print form on the Friday at least 7 working days prior to the meeting and posted on the Tuesday at least 5 working days prior to the meeting.

- iii. Committee of the Whole (Closed Session)

- Mandate:* Matters which require consideration in the absence of the public, so long as such matters are in keeping with the closed meeting provisions of the Municipal Act.

**PROCEDURE BY-LAW**

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1 *Reporting:* Committee of the Whole (Closed Session) reports  
2 directly to Council.

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4 *Chair:* Chair of the Month for Committee of the Whole.

5 *Agenda:* The main Committee of the Whole (Closed Session)  
6 agenda shall be posted on the Friday prior to the meeting.

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8 **iv. Committee of the Whole (Public Hearing)**

9 *Mandate:* To provide an evening forum to hear from interested  
10 parties on planning matters such as official plan and zoning  
11 amendments, so that staff may consider public comment prior to  
12 preparing a final report on the matter to Committee of the Whole.

13  
14 *Reporting:* Committee of the Whole (Public Hearing) reports  
15 directly to Council.

16  
17 *Chair:* Chair of the Month for Committee of the Whole

18 *Agenda:* The main Committee of the Whole (Public Hearing)  
19 agenda shall be posted on the Thursday prior to the meeting.

20  
21 **v. Priorities and Key Initiatives Committee**

22 *Mandate:* the Priorities and Key Initiatives Committee shall  
23 consider matters relating to the key strategic priorities and  
24 initiatives of the City as they are established from time to time.

25  
26 *Reporting:* The Priorities and Key Initiatives Committee reports  
27 directly to Council.

28  
29 *Chair:* The Committee will appoint a different Chair from amongst  
30 its members at least once every year.

31  
32 *Agenda:* The agenda shall be available in print form on the  
33 Thursday at least 7 working days prior to the meeting and posted  
34 on the Monday at least 5 working days prior to the meeting.

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36 **vi. Finance and Administration Committee**

37 *Mandate:* The Finance and Administration Committee will consider  
38 matters pertaining to the City's finances, budget, audit function, and  
39 corporate administrative matters such as corporate policies.

40  
41 *Reporting:* The Finance and Administration Committee reports  
42 directly to Council.

43  
44 *Chair:* The Committee will appoint a different Chair from amongst  
45 its members at least once every year.

46 *Agenda:* The agenda shall be available in print form on the  
47 Thursday at least 7 working days prior to the meeting and posted  
48 on the Monday at least 5 working days prior to the meeting.

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**PROCEDURE BY-LAW**

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- 1                                   c.    Such statutory committees as Council is obliged to establish.
- 2                                   d.    Such Sub-Committees and Ad Hoc Committees that are established under
- 3    this By-law.
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**1.4 STATUTORY, AD HOC AND SUB- COMMITTEES**

- (1) Council shall at the beginning of each term of Council make appointments to such advisory committees or other bodies that it is obliged by law to make.
- (2) Council may at the beginning of each term of Council or at such times as it considers advisable make appointments to Ad Hoc Committees it considers are desirable for the effective governance of the City where:
  - a. there is an absence of staff capacity or expertise on the subject, or there is a particular community of interest with a unique perspective on the proposed mandate;
  - b. there is a need for information gathering and analysis in order to inform subsequent deliberations at a Standing Committee; and
  - c. it is feasible to define specific mandate and time frame for the Ad Hoc Committee to conduct its work.
- (3) Every Ad Hoc Committee shall:
  - a. have a specific mandate;
  - b. be established for a specific term, which cannot exceed the term of Council and in no event for a term greater than the period anticipated to achieve its specific mandate;
  - c. be chaired by a person who is either a Member of Council or a member of the public as is identified in the Terms of Reference as being more appropriate.
  - d. report to a specified Standing Committee after every meeting;
  - e. not exercise decision-making powers, or commit expenditures save for those specifically delegated by Council;
  - f. not direct staff to undertake activities not already specified in the Committee's mandate, without authority from Council;
  - g. have defined Terms of Reference (Attachment 1); and
  - h. be supported by those staff specified by Council.
- (4) Council may establish such Sub-Committees it considers are desirable for the effective governance of the City and each such Sub-Committee shall:
  - a. have a specific mandate;

**PROCEDURE BY-LAW**

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- 1                    b.    be established for a specific term, which cannot exceed the term of Council  
2                           and in no event for a term greater than the period anticipated to achieve its  
3                           specific mandate;
- 4
- 5                    c.    be comprised of less than a majority of Council;
- 6
- 7                    d.    report to its Standing Committee after every meeting;
- 8                    e.    not exercise decision-making powers, or commit expenditures save for  
9                           those specifically delegated by Council;
- 10
- 11                   f.    not direct staff to undertake activities not already specified in the  
12                          Committee's mandate, without authority from Council;
- 13
- 14                   g.    have defined Terms of Reference (Attachment 2); and
- 15
- 16                   h.    be supported by those staff specified by Council.

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18                   (5)    The Notices, Agendas, Reports and other forms and documents used in respect  
19                          of Standing Committees shall be used for other Committees, subject to the  
20                          necessary changes being made.

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22                   (6)    Every Committee Agenda shall include one or more reports or presentation items.

23

24                   (7)    Every Ad Hoc Committee (with the exception of Sub-Committees) shall submit a  
25                          Findings Report at the conclusion of its mandate.

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27                   (8)    This by-law does not apply to:

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29                          a.    Committees established by other governments and bodies at which  
30                          Members of Council are invited participants or appointed to sit on such body  
31                          by Council, and which are governed by rules of procedure established by  
32                          those bodies.

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34                          b.    Meetings held by Council or a Committee for the purpose of holding a  
35                          hearing as required by any statute, where the provisions of the statute and  
36                          the Statutory Powers Procedure Act, as applicable, shall govern the  
37                          proceedings.

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40                   (9)    All Ad Hoc Committees and Sub-Committees will terminate at the conclusion of  
41                          their mandate or at the end of the Council term in which they were appointed,  
42                          whichever is earlier.

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47                   **1.5    INTERPRETATION AND DEFINITIONS**

48                   In this By-law:

## PROCEDURE BY-LAW

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- 1 AD HOC COMMITTEE – a Committee appointed pursuant to 1.4 of this By-law  
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3 CEREMONIAL PRESENTATION – The giving of an award, prize or other form of recognition, at  
4 a Committee of the Whole or Council meeting.  
5  
6 CITY - The Corporation of the City of Vaughan.
- 7 CITY CLERK – The City Clerk of the City of Vaughan or the Deputy City Clerk, or designate.  
8  
9 COMMITTEE - Committee of the Whole, Committee of the Whole (Closed Session), Committee  
10 of the Whole (Public Hearing), Committee of the Whole (Working Session), Priorities and Key  
11 Initiatives Committee, Finance and Administrative Committee, a Statutory Committee, an Ad Hoc  
12 Committee, or a Sub-Committee.
- 13  
14 COUNCIL – The Council of the City of Vaughan.
- 15  
16 COUNCIL MEMBER – An elected or appointed Member of Council.
- 17  
18 DEPUTATION – An oral submission made by and at the request of a member of the public which  
19 may be supported by written material.
- 20  
21 DEPUTY MAYOR – The Local and Regional Councillor with the most votes in the last general  
22 municipal election.
- 23  
24 MAYOR – The head of Council.
- 25  
26 MEMBER - A Member of Council or a Member of a Committee.
- 27 MEMBER'S RESOLUTION – A Member's report that makes recommendations to a Committee  
28 or to Council.
- 29  
30 MOTION – A Member's formal proposal that Council or a Committee take certain action.
- 31  
32 MOTION TO DEFER – To postpone action on a matter under discussion by the Council or  
33 Committee.
- 34  
35 MOTION TO REFER – To direct a matter under discussion by the Council or Committee to a  
36 specific meeting of Council or a Committee, the City Manager or City staff, or to any Board of  
37 Council, the purpose for which is stated in the motion.
- 38  
39 POINT OF ORDER – Bringing to the attention of the Chair that a person has broken a rule or  
40 made an error in procedures and asking that the Council or Committee meeting follow the rules  
41 or that the error in procedure be corrected.
- 42  
43 POINT OF PRIVILEGE – A request to the Chair to immediately consider and take action to  
44 remedy a situation negatively affecting the rights or privileges of Council members or of Council  
45 as a whole, despite other pending business currently before Council.
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47 PRESENTATION – the oral and/or visual provision of information that is not otherwise on the  
48 agenda for a meeting to which this By-law applies.  
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## PROCEDURE BY-LAW

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- 1 QUORUM – A majority of Members of Council or Members of a Committee.  
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3 RECESS – A temporary break in a meeting.  
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5 RECORDED VOTE – A vote for which the City Clerk records all members present and how they  
6 voted.  
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8 RULING – The Chair's interpretation of the Procedural By-law to settle a procedural matter.  
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10 SPECIAL MEETING – A Council or Committee meeting other than a regular meeting, called in  
11 accordance with the rules of this Procedural By-law.  
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13 STAFF REPORT – A City official's report that makes recommendations to a Committee or to  
14 Council.  
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16 STATUTORY COMMITTEE – A Committee or other body to which Council is obliged to make  
17 appointments.  
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19 STATUTORY HEARING – A public meeting on a matter for which a statute requires that a public  
20 hearing be held.  
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22 SUB-COMMITTEE – The term sub-committee shall refer to a committee comprised exclusively of  
23 Members of Council appointed pursuant to 1.4 of this By-law.  
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# PROCEDURE BY-LAW

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## **2.0 PUBLIC PARTICIPATION**

In addition to the other mechanisms and opportunities for the public to provide input to the municipality, in keeping with the principles of the procedural by-law, City Council will facilitate input from the public in the following ways:

### **2.1 NOTICE**

#### **(1) Schedule of Meetings**

The schedule of dates and times of regular Council and Committee meetings will be adopted by Council prior to the commencement of the new calendar year.

#### **(2) Public Notice of Meetings**

Public notice shall be given for all meetings of Committees and Council.

- a. Posting of the Schedule of Meetings on the City's website or the posting of a Notice of a special meeting, or the posting of a Notice of the cancellation or re-scheduling of a meeting shall be considered effective public notice.
- b. The notice requirements set out in this by-law shall be subject to any specific requirements for the fixing of notice as prescribed by legislation or as directed by Council.
- c. Any meeting may be cancelled or rescheduled to a day, time and place set out in a notice from the City Clerk sent to each Member at least 24 hours in advance and posted to the City's web site.
- d. Notice which is substantively given but which is irregular or not otherwise in strict compliance with this by-law will not invalidate the holding of a meeting or any proceeding taken at a meeting.

#### **(3) Open Meetings**

All meetings must be open to the public.

#### **(4) Closed Meetings**

- a. i) Notwithstanding Section 2.1(3), a meeting may be closed to the public if the subject matter being considered relates to:
  - i. the security of the property of the City or local board;
  - ii. personal matters about an identifiable individual including municipal or local board employees;
  - iii. a proposed or pending acquisition or disposition of land by the municipality or local board;
  - iv. labour relations or employee negotiations;
  - v. litigation or potential litigation, including matters before administrative tribunals, affecting the City or local board;
  - vi. the receiving of advice that is subject to solicitor - client privilege, including communications necessary for that purpose;



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- 1   vii. a matter in respect of which Council, a board, Committee or other
- 2   body has authorized a meeting to be closed under an Act of the
- 3   Legislature or an Act of Parliament;
- 4   ii) Notwithstanding Section 2.1(3), a meeting may be closed to the
- 5   public if the meeting is held for the purpose of educating or training
- 6   the members, and, at the meeting, no member discusses or
- 7   otherwise deals with any matter in a way that materially advances
- 8   the business or decision-making of Council.
  
- 9
- 10    b. Before all or part of a meeting is closed to the public, a resolution shall be
- 11    passed by Council, the body proposing to hold the meeting, or the
- 12    Standing Committee in session immediately prior to the commencement of
- 13    the closed meeting, which shall state:
- 14
- 15    i) The fact of the holding of the closed meeting; and
- 16    ii) The general nature of the matter to be considered at the closed
- 17    meeting.
- 18
- 19    c. A meeting shall not be closed to the public during the taking of a vote.
- 20
- 21    d. Notwithstanding subsection 2.1(4)c., a meeting may be closed to the
- 22    public during a vote if:
- 23
- 24    i) Subsection 2.1(4) permits, or a meeting is required to be closed to
- 25    the public; and
- 26    ii) The vote is for a procedural matter or for giving directions or
- 27    instructions to officers, employees or agents of the City or local
- 28    board, or persons retained by or under contract with the City or
- 29    local board.

30

31         **(5) Location of Meetings**

All meetings of Council and Committee of the Whole shall be held in the Council Chambers or at any other place authorized by the Council in the case of a Council meeting, and by the City Manager in the case of a Committee of the Whole meeting. All meetings of other Standing Committees and Ad Hoc Committees shall take place in the room so noted on the Agenda for the meeting.

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38         **(6) Special Meetings**

Except in cases of an emergency, notice of Special Meetings shall be posted on the City’s web site 24 hours prior to the meeting.

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42         **(7) Agenda Availability**

Council and Committee regular meeting agendas shall be available in the City Clerk ’s office and posted on the City’s website.

## PROCEDURE BY-LAW

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1                   **(8) Addendum Agendas**

2                   Council and Committee addendum agendas shall be prepared, where possible,  
3                   and may be introduced without notice. Addendum agendas shall be available in  
4                   the City Clerk 's office and posted on the City's website as soon as practicable.

5  
6                   **(9) Communications / Written Submissions (Agenda Item)**

7                   a.       all Communications received by the City Clerk prior to the printing of the  
8                   Committee agenda, that pertain to an item on that agenda, shall be listed  
9                   under the heading 'Communications' on the agenda.

10  
11                  b.       all Communications received by the City Clerk after the printing of the  
12                  Committee agenda, that pertain to an item on that agenda, shall be brought  
13                  to the attention of the Committee by the City Clerk.

14  
15                  c.       all Communications received by the City Clerk by more than two (2) hours  
16                  prior to the meeting, that pertain to an item on the agenda, shall be  
17                  circulated to Members of Council for their information and posted to the  
18                  City's website as soon as practicable.

19  
20                  d.       Communications received for a Standing Committee less than two (2)  
21                  hours of the commencement of the meeting may be referred directly to  
22                  Council.

23  
24                  e.       Communications to be posted to the City's web site may be abridged as  
25                  determined by the City Clerk to facilitate posting.

26  
27                  f.       Coloured renderings of building elevations circulated to a Committee as a  
28                  Communication on an item may be appended to the item by the City Clerk  
29                  without a formal motion to do so.

30  
31                  **2.2 DEPUTATIONS AND PRESENTATIONS**

32                  (1)       The public may address a Committee, with the exception of Committee of the  
33                  Whole (Closed Session), on any item listed on the agenda without any prior  
34                  notice.

35                  (2)       The following provisions apply to deputations on an item not listed on a Standing  
36                  Committee agenda:

37                  a.       A detailed written request in the form set out in Attachment 3, shall be  
38                  provided to the City Clerk's Office by 12:00 noon on the Tuesday, of the  
39                  second week prior to the meeting.

40                  b.       Deputations shall deal with municipal issues that are within the  
41                  Committee's jurisdiction.

42                  c.       The City Clerk shall review the deputation request and if it meets the  
43                  provisions of this by-law, shall place it on the next appropriate Standing  
44                  Committee agenda, provided that no deputations to Committee of the  
45                  Whole (Closed Session) shall be permitted.

46                  d.       For matters which are more properly within the responsibility of City staff,  
47                  the City Clerk shall notify the proposed Deputant that the deputation shall

## PROCEDURE BY-LAW

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- 1 not be listed on an agenda, and shall direct the proposed Deputant to the  
2 appropriate City department; the Deputant shall not be listed on an  
3 agenda for deputation until staff have had the opportunity to address the  
4 matter.
- 5 e. For matters which are more properly addressed by a specific Standing  
6 Committee, the Deputation shall be listed on the appropriate agenda of the  
7 next Standing Committee meeting.
- 8 f. A Deputant may be listed to appear in deputation regarding only one  
9 subject matter per meeting.
- 10 g. Where a person cannot be listed to provide a deputation at a given  
11 meeting, the City Clerk may schedule the Deputant to appear at the next  
12 meeting.
- 13 h. If a deputation is with respect to a recently considered matter, it shall not  
14 be heard within the next four of the Committee's regular meetings after the  
15 meeting at which it was originally considered, unless a reconsideration  
16 motion is passed.
- 17 i. Deputants wishing to provide any written material for consideration must  
18 provide it to the City Clerk 's Office no later than 12:00 noon on the Friday  
19 prior to the meeting.
- 20 (3) Deputants, other than deputations with respect to a statutory hearing, shall be  
21 given five (5) minutes to speak.
- 22 (4) A deputation on behalf of an organization, corporation, association, or group, shall  
23 be made by a single representative.
- 24 (5) No further deputations may be made in respect of a deputation placed on an  
25 agenda in accordance with this section.
- 26
- 27 (6) The provisions of this section apply to Presentations made at Committee, with the  
28 exception that the Presentation may be up to ten (10) minutes in length.
- 29 (7) The approximate time for the hearing of deputations and presentations shall be set  
30 out on the Committee's agenda.
- 31
- 32 (8) Presentations expected to have a duration of longer that 10 (ten) minutes may be  
33 made to the appropriate Committee, if so directed by the City Clerk, in  
34 consultation with the City Manager.

### 2.3 DEPUTATIONS AT COUNCIL

35  
36  
37 Deputations are not permitted at Council except with respect to a matter that requires a  
38 statutory hearing.  
39  
40

### 2.4 CEREMONIAL PRESENTATIONS

- 41  
42 (1) A person or group wishing to make a Ceremonial Presentation shall submit a  
43 request to the City Clerk no later than 4:30 p.m. on the Friday prior to the meeting.

**PROCEDURE BY-LAW**

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(2) Ceremonial Presentations shall only be made with respect to matters within Council's purview and jurisdiction.

(3) Ceremonial Presentations shall be heard at or near the commencement of the meeting.

**PROCEDURE BY-LAW**

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1 **3.0 ROLES AND CONDUCT**

2 **3.1 DUTIES OF THE CHAIR**

3 The Chair is responsible for:

- 4 (1) Presiding over the meeting impartially in accordance with the Procedural  
5 By-law's rules and principles.
- 6
- 7 (2) Accept motions which are moved and seconded and rule on whether they  
8 are in order.
- 9
- 10 (3) Ensure that all Members have been given an opportunity to speak or ask  
11 questions on a motion that has been ruled in order.
- 12
- 13 (4) Decline to put to vote motions which infringe on the principles and rules  
14 set out in this by-law.
- 15
- 16 (5) Put all motions to a vote and announce the results.
- 17
- 18 (6) Contain the Members within the rules of order, when engaged in debate.
- 19
- 20 (7) Acknowledge when in order, and rule on any points of order or points of  
21 privilege declared by a Member.
- 22
- 23 (8) Enforce the observance of order and decorum among the Members and  
24 any other person at the meeting.
- 25
- 26 (9) Adjourn the meeting when all matters have been considered.
- 27

28 **3.2 DUTIES OF THE MAYOR**

- 30 (1) In the absence of the Mayor, the Deputy Mayor acts as the Chair at  
31 Council. In the absence of the Mayor and Deputy Mayor at Council, the  
32 meeting shall be chaired by the Regional Councillor present who received  
33 the next most votes in the general election, and in their absence, the  
34 remaining Councillors shall appoint a Chair from amongst themselves.
- 35
- 36 (2) In the absence of the Chair at Standing Committee meetings, the Mayor  
37 or his/her substitute determined in accordance with subsection (1), shall  
38 act as Chair.
- 39

40 **3.3 CLERK'S RESPONSIBILITIES**

41 The City Clerk is responsible for the following:

- 42 (1) Preparing and distributing the agendas, minutes, and any other related  
43 material for each meeting, enforcing deadlines, and providing appropriate  
44 notice.
- 45
- 46 (2) Providing advice regarding meeting procedures and advising on effective  
47 governance in accordance with the principles set out in the By-law.

**PROCEDURE BY-LAW**

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- (3) Preparing the appropriate records for all Committee and Council meeting minutes and maintaining a record of the documents that can be available to the public on request.

**3.4 CITY MANAGER'S RESPONSIBILITIES**

The City Manager is responsible for the following:

- (1) Approving the items and deputations to be placed on agendas and supplementary agendas except for Ad Hoc Committees;
- (2) Answering, or directing other staff to answer, such questions as may be put to him/her through the Chair.

**3.5 CONDUCT OF MEMBERS**

No Member shall:

- a. Use offensive words or un-parliamentary language in or against the Council or against any Member;
- b. Speak on any subject other than the subject in debate;
- c. Criticize any decision of the Council or continue to debate the matter after it has been decided, except for the purpose of moving that the question be reconsidered;
- d. Disobey the rules of the Council or a decision of the Chair or of the Council on questions of order or practice or upon the interpretation of the rules of the Council; and where a Member persists in any such disobedience after having been called to order by the Chair, the Chair shall forthwith put the question, no amendment, adjournment or debate being allowed, "that such Member be ordered to leave their seat for the duration of the meeting of the Council", but if the Member apologizes, they may be permitted to retake their seat; and
- e. Disclose any information that is identified or deemed to be confidential information.

**3.6 EXPULSION FOR MISCONDUCT**

The Chair may expel or exclude from the meeting, any person, who, in the opinion of the Chair, has behaved improperly under the principles and rules of this by-law.

**3.7 PUBLIC ATTENDANCE AND CONDUCT**

No one may display signs or placards, applaud debating participants, intimidate anyone in attendance, or engage in conversation or other behaviour that disrupts a meeting.

**PROCEDURE BY-LAW**

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**3.8 VIDEO OR AUDIO RECORDING EQUIPMENT**

The use of video or audio recording equipment or devices by members of the public or media during a meeting is permitted within the areas designated for that purpose by the City Clerk .

**3.9 ELECTRONIC DEVICES**

All electronic devices including cellular telephones shall be placed in silent mode in the Council Chambers and Committee rooms during the course of meetings held under this By-law.

## PROCEDURE BY-LAW

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### **4.0 GENERAL – COUNCIL AND COMMITTEE MEETINGS**

#### **4.1 DECLARATION OF INTEREST**

- (1) Members having declared an interest on any matter may not move, second or vote on the "adoption of items not requiring separate discussion", if the matter they have declared an interest is contained therein.
- (2) Members may not participate in the discussion, move, second or vote on a matter if they have declared an interest in the item being considered.
- (3) A declaration of interest does not prohibit a Member from moving, seconding, or voting on a matter of general procedure, including:
  - a. Confirmation of the Agenda.
  - b. Approval of the Minutes of a previous meeting.
  - c. An omnibus motion to adopt all by-laws presented for adoption at the meeting.
  - d. Confirming By-law.

#### **4.2 LENGTH OF MEETINGS**

- (1) Meetings scheduled to commence at either 11:00 am or 1:00 pm and which are in session at 6:01 pm will be adjourned unless otherwise determined by a vote of two thirds of the Members present waiving the rules of procedure.
- (2) Meetings which are scheduled to commence at 7:00 p.m. and which are in session at 12:01 a.m. the following day will be adjourned unless otherwise determined by a vote of two thirds of the Members present waiving the rules of procedure.

#### **4.3 MOTIONS**

- (1) Every motion, shall be read aloud, and when moved and seconded, shall be open for discussion.
- (2) A motion or amendment thereto, may not be withdrawn without the consent of the mover and seconder.
- (3) The Chair may not move or second any motion, but may vote on a motion.
- (4) The Chair may appoint a member to preside in their place and vacate the chair in order to move or second a motion. The Chair shall resume the chair following the vote on the matter.



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- 1 (5) An amendment which, in effect, is nothing more than a rejection of the  
2 main motion is not in order.  
3  
4 (6) A Member may request the City Clerk to provide advance circulation of a  
5 motion he or she intends to move in respect to an item on the agenda for  
6 a meeting.  
7

### 8 4.4 RULES OF DEBATE

- 9 (1) The Chair shall maintain a list of Members who have requested to speak  
10 or to ask questions. The Chair shall designate Members to speak or to  
11 ask questions in the order in which they appear on the list.  
12  
13 (2) No Member shall speak more than once, except if requested to give an  
14 explanation, until every Member on the Chair's speakers' list has spoken.  
15  
16 (3) When a Member is speaking, no other Member shall pass between that  
17 Member and the Chair, or interrupt them, except to raise a point of order  
18 or a point of privilege.  
19  
20 (4) A Member may speak to the same question for a maximum of five  
21 minutes, and, with leave of the Members, may be granted a five minute  
22 extension.  
23  
24 (5) When an item is being discussed and one Member has the floor, another  
25 Member may ask a question only for the purpose of obtaining information  
26 necessary for a clear understanding of the matter under debate. If an  
27 interruption occurs, the Member who had the floor does not lose it,  
28 although he takes his seat while the interrupting matter is being attended  
29 to. As soon as the interruption has been disposed of, the Chair directs  
30 him to proceed.  
31  
32 (6) All questions shall be stated succinctly and questions shall not be used as  
33 a means of making statements or assertions.  
34  
35 (7) Questions may be asked only of:  
36 a. Staff;  
37 b. The Chair;  
38 c. The previous speaker; and  
39 d. A Deputant.  
40  
41 (8) When a member of staff or a Deputant is on the floor to answer  
42 questions, the Chair shall enquire of the other Members whether they  
43 have questions of that person, in which case the Chair shall permit such  
44 Members to ask questions, after which the Member who had the floor  
45 may resume speaking for the duration of his or her allotted time.  
46  
47 (9) A Member may not ask a question if the Chair rules that such question, in  
48 substantially similar form and content, has already been asked and  
49 answered.  
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## PROCEDURE BY-LAW

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- 1 (10) When a motion to refer or to defer the question is on the floor, no Member  
2 shall address any other topic other than the motion to defer or refer.  
3

### 4 4.5 VOTING ON MOTIONS

- 5 (1) Every Member present at a meeting when a question is put shall vote  
6 thereon unless prohibited by statute, in which case it shall be so  
7 recorded.  
8
- 9 (2) A request by a Member for a recorded vote shall be made immediately  
10 prior to the commencement of the vote being taken, or immediately  
11 thereafter.  
12
- 13 (3) Members present and voting shall each indicate in turn their vote upon  
14 the motion openly and no vote shall be taken by ballot, or any other  
15 method of secret voting.  
16
- 17 (4) If there is an equality of votes on any question, the vote shall be deemed  
18 to have not carried.  
19
- 20 (5) If a Member does not vote on the question, they shall be deemed as  
21 voting in the negative except where prohibited from voting by statute.  
22
- 23 (6) When a recorded vote is requested by a Member, or is otherwise  
24 required, the City Clerk shall call the vote in random order following the  
25 name of the Member who requested the recorded vote having cast their  
26 vote first. The City Clerk shall record the name and vote of every  
27 Member on the question.  
28
- 29 (7) A recorded vote shall not be conducted at meetings other than Council.  
30
- 31 (8) When the Chair calls for a vote on a question, each Member shall occupy  
32 their seat and shall remain in their seat until the result of the vote has  
33 been declared by the Chair, and during such time no Member shall speak  
34 to any other Member or make any noise or disturbance.  
35
- 36 (9) After a question is put by the Chair, no Member shall speak to the  
37 question nor shall any other motion be made until after the vote is taken  
38 and the result has been declared.  
39
- 40 (10) Upon the request of any Member, and when the Chair is satisfied that a  
41 question under consideration contains distinct proposals, the vote upon  
42 each proposal shall be taken separately.  
43
- 44 (11) When a vote is taken, unless otherwise decided by the Council, the order  
45 of the vote shall be as follows:  
46 a. Upon a motion to receive the matter;  
47 b. Upon any motion to refer, including a motion to defer the question;

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- 1                                   c.     Upon the amendments in the reverse order of presentation,
- 2   dealing with an amendment to an amendment immediately before
- 3   the amendment it proposes to amend; and
- 4
- 5                                   d.     Upon the motion to adopt or upon the motion to adopt as
- 6   amended, if any amendments have been carried.
- 7
- 8                                   (12)  One or more report items on a meeting agenda other than a Committee of
- 9   the Whole (Public Hearing) or a meeting required by Statute may be
- 10    adopted in a single motion.
- 11

**PROCEDURE BY-LAW**

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1 **5.0 COMMITTEES**  
2 **CONDUCT OF BUSINESS**  
3

4 **5.1 CONDUCT OF BUSINESS – STANDING COMMITTEES**

- 5 (1) No Committee may make a decision on any matter unless that power has  
6 been delegated to the Committee by Council.  
7
- 8 (2) Every Committee meeting is to have an Agenda on which are listed one  
9 or more Staff Reports or Presentations.  
10
- 11 (3) An item that is not on the agenda as printed shall require a two-thirds  
12 majority vote of the members present to be added as an Addendum to a  
13 Standing Committee agenda.  
14
- 15 Addendum Items are not permitted at Committee of the Whole (Public  
16 Hearing) and at special Committee meetings.  
17
- 18 (4) The City Clerk shall prepare a Committee Report following every meeting  
19 of a Standing Committee or an Ad Hoc Committee.  
20
- 21 (5) Ad Hoc Committee Reports shall be placed on the agenda for their  
22 respective designated Standing Committees, and once considered by the  
23 Standing Committee, the Standing Committee’s consideration shall be  
24 noted in the Standing Committee’s report to Council under “Other Items  
25 Considered by the Committee”.  
26
- 27 (6) The City Clerk shall submit Ad Hoc Committee recommendations to the  
28 Ad Hoc Committee’s designated Standing Committee so that such  
29 recommendations may be considered as an item on its agenda.  
30
- 31 (7) Every Committee agenda shall have listed on it the Communications  
32 addressed to the Committee which pertain to an item on the agenda and  
33 which were received prior to the printing of the agenda or an Addendum  
34 agenda, as the case may be.  
35
- 36 (8) There shall be no recorded vote in Standing Committee meetings.  
37
- 38 (9) Standing Committees shall report to Council on all matters connected  
39 with their duties or referred to them by the Council and shall recommend  
40 such action as they deem necessary, unless the matter has been  
41 deferred or referred in accordance with this By-law.  
42
- 43 (10) The deferral or referral of an item by a Standing Committee may be done  
44 without the matter being considered by the Council, so long as the  
45 deferral or referral is stated in the Standing Committee Report under the  
46 section titled “Other Items Considered by the Committee”.  
47
- 48 (11) Unless deferred or referred in accordance with this by-law, all Staff  
49 Reports containing a recommendation that action be taken must be  
50 submitted to Council as an item in the Committee Report. A

## PROCEDURE BY-LAW

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1 recommendation of a Committee to receive a report which contains  
2 recommendations from a City official is deemed an action taken by the  
3 Committee and shall be reported to the Council as an item for  
4 consideration.  
5

6 (12) The record of the proceedings of Standing Committees will be in the form  
7 of a Committee Report, which shall contain:  
8

- 9 a. The beginning and ending time of meeting.
- 10 b. The Members present.
- 11 c. Any declaration of interest declared by any Member.
- 12 d. A record of each item or Communication before the  
13 Standing Committee for consideration.
- 14 e. Recommendations to Council on each item before the  
15 Standing Committee for consideration and where no  
16 recommendation has been reached the item will be  
17 forwarded to Council without recommendation.
- 18 f. The names of all deputants appearing before the Standing  
19 Committee.
- 20 g. A section titled "Other Items Considered by the Committee"  
21 in which are listed any deferrals, referrals, the disposition  
22 of Communications, and any other procedural matters of  
23 significance.  
24  
25  
26

### 5.2 SPECIAL STANDING COMMITTEE MEETINGS

#### (1) Convening a Special Standing Committee Meeting

- 27 a. In addition to its regular meeting, a meeting of the Committee of  
28 the Whole shall be constituted whenever a majority of members  
29 present decide that Council shall convene a Committee of the  
30 Whole to consider a matter or matters during a regular or special  
31 meeting of Council.  
32
- 33 b. The Mayor or the City Manager may at any time summon a special  
34 meeting of a Standing Committee on 24 hours notice to the  
35 Members.  
36
- 37 c. When so requested in writing or by e-mail by a majority of the  
38 Members, the Mayor or City Clerk shall summon a special meeting  
39 of a Standing Committee on 24 hours notice to the Members.  
40
- 41 d. In circumstances of an emergency, the Mayor or the City Manager  
42 may direct that the City Clerk summon a special meeting of  
43 Committee on less than 24 hour notice, and all Members shall be  
44 notified of the special meeting of Committee either personally or by  
45 electronic mail, or by any other means necessary, and the meeting  
46 shall proceed if a majority of Committee members agree to the  
47 Committee Meeting by giving written consent to the City Clerk  
48 personally before the beginning of the Committee Meeting.  
49  
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## PROCEDURE BY-LAW

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- 1 e. Only the matter for which the special meeting has been called may  
2 be considered at a special meeting, and no addendum items shall  
3 be permitted.  
4

### 5 **5.3 QUORUM**

6 Quorum of a Standing Committee shall be five (5).  
7

8 If no quorum is present thirty (30) minutes after the time scheduled for a meeting,  
9 the City Clerk shall call the roll and record the names of the Standing Committee  
10 Members present, and the meeting shall stand adjourned until the next day of the  
11 regular meeting.  
12

### 13 **5.4 ABSENCE OF CHAIR**

14 If the Standing Committee Chair is not present for a period of fifteen minutes after  
15 the time scheduled for the meeting to commence, then the Chair for that meeting  
16 shall be determined in accordance with section 3.2.  
17

### 18 **5.5 NEW BUSINESS**

19 Matters that may be introduced as "New Business" include matters of a general  
20 nature and requests for staff to attend public and/or neighbourhood meetings  
21 held after normal working hours.  
22

23 Requests for staff reports for matters raised under "New Business" shall be put  
24 over to a future Committee Meeting, allowing adequate time for the preparation  
25 and consideration of these reports.  
26

27 "New Business" is not permitted at Committee of the Whole (Public Hearing) and  
28 at special meetings of a Committee.  
29

### 30 **5.6 MEMBER'S RESOLUTION**

31 (1) Members of Council may submit recommendations on matters within the  
32 jurisdiction of a Standing Committee by submitting a Member's Resolution  
33 in the form set out in Attachment 4.  
34

35 (2) Member's Resolutions that are received by the City Clerk after the  
36 printing of the agenda for a Committee may be added to the agenda as  
37 an addendum.  
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### 40 **5.7 CONDUCT OF BUSINESS IN COMMITTEES OTHER THAN STANDING 41 COMMITTEES**

42  
43 (1) The principles and rules respecting the conduct of business of Standing  
44 Committees shall apply to the business of other Committees unless such  
45 a provision is inconsistent with the provisions of this Section 5.7 in which  
46 case the latter shall govern.  
47

**PROCEDURE BY-LAW**

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- 1                   (2)    The record of the proceedings of Committees other than Standing
- 2                                    Committees will be in the form of a Committee Report, which shall
- 3                                    contain:
- 4
- 5                                    a.     The beginning and ending time of meeting.
- 6                                    b.     The Members present.
- 7                                    c.     Any declaration of interest declared by any Member.
- 8                                    d.     A record of each item or Communication before the
- 9    Committee for consideration.
- 10                                  e.     Any recommendations to the Committee's designated
- 11    Standing Committee on each item before the Standing
- 12    Committee for .
- 13                                  f.     The names of all deputants appearing before the Standing
- 14    Committee.
- 15
- 16                   (3)    Every recommendation made by a Committee that requires Council's
- 17                                    decision to implement shall be reported by the City Clerk as an item on
- 18                                    the next agenda of the appropriate Standing Committee.
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**PROCEDURE BY-LAW**

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**6.0 COUNCIL  
CONDUCT OF BUSINESS**

**6.1 COUNCIL MEETING TIME**

Unless otherwise provided by a Resolution of Council, a meeting of Council shall be held at 1:00 p.m. on the dates established and adopted by Council.

**6.2 SPECIAL COUNCIL MEETINGS**

**(1) Convening a Special Council Meeting**

- a. The Mayor, may at any time, summon a special meeting of Council on 24 hours notice to the Members, or upon receipt of the petition of the majority of the Members, the City Clerk shall summon a special meeting on 24 hours written notice to the Members for the purpose and at the time mentioned in the petition.
- b. The only business to be dealt with at a special meeting is that which is listed in the notice of the meeting.
- c. In circumstances of an emergency, the Mayor or the Deputy Mayor may direct that the City Clerk summon a special meeting of Council on less than 24 hour notice, and all Members shall be notified of the special meeting of Council either personally or by electronic mail, or by any other means necessary, and the meeting shall proceed if a majority of Council members agree to the Council meeting by giving written consent to the City Clerk personally before the beginning of the Council Meeting.
- d. The City Clerk shall as soon as practicable cause Notice of special meeting to be posted to the City's web site.

**6.3 PREPARATION OF AGENDA**

Prior to each regular meeting, the City Clerk shall prepare an agenda of all the business to be brought before the meeting. No matter shall be placed on the Council agenda unless it has already been considered by a Standing Committee, is a Communication in respect of an item, is an Addendum item, is a by-law whose authority has been previously passed or is anticipated to be passed at the meeting, or is a Ceremonial Presentation authorized by the City Manager.

**6.4 ADDENDUM ITEMS**

An item that is not on the agenda for Council as printed shall require a unanimous vote of the members present to be added to the agenda.



## PROCEDURE BY-LAW

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### 6.5 CONDUCT OF BUSINESS

- (1) The principles and rules respecting the conduct of business of Standing Committees shall apply to the business of Council unless such a provision is inconsistent with the provisions of this Section 6.5 in which case the latter shall govern.
- (2) In meetings of Council, recorded votes are permitted.
- (3) Standing Committees shall report to Council on all matters connected with their duties or referred to them by Council and shall recommend such action as they deem necessary.
- (4) No item set out under 'Other Items Considered by the Committee' in a Committee Report may be debated by Council without the assent of 2/3 of the Members voting.
- (5) The record of the proceedings of Council will be in the form of Minutes which shall contain:
  - a. The beginning and ending time of meeting.
  - b. The Members present.
  - c. Any declaration of interest declared by any Member.
  - d. A record of each item adopted and/or amended by Council.
- (6) The City Clerk shall prepare the minutes of the last regular meeting of Council and all subsequent Council meetings held more than five working days before the regular Council meeting. The minutes shall be delivered to Members of Council not less than 48 hours prior to a regular Council meeting.
- (7) Minutes of previous Council meetings shall be considered at the next regular meeting of Council. Council shall pass a motion to adopt the minutes as prepared or amend the minutes for any corrections or changes. The Mayor and City Clerk shall sign the minutes after they have been adopted.

### 6.6 CALLING A MEETING TO ORDER AND QUORUM

The Mayor or Chair shall take the chair and call the meeting to order as soon as quorum is present after the hour fixed for holding the meeting.

### 6.7 DEPUTATIONS

Deputations are not permitted at Council except with respect to a matter that is identified as requiring a statutory hearing.

### 6.8 BY-LAWS – READINGS

## PROCEDURE BY-LAW

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- 1 (1) The City Clerk may place on a Council agenda by-laws that have been  
2 authorized by Council or regarding which the authority for adoption is  
3 contained within an item on the agenda for that meeting.  
4
- 5 (2) All by-laws may be enacted with a single motion but the motion may be  
6 divided on the request of a member who has declared an interest in the  
7 matter.  
8
- 9 (3) The City Clerk is hereby authorized to make minor deletions, additions or  
10 other administrative changes to any by-law before it is signed and sealed,  
11 to insure that the correct and complete implementation of the actions of  
12 Council form the subject matter of the by-law. Members of Council shall  
13 be advised by the City Clerk of such changes by written notice.

## PROCEDURE BY-LAW

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### 7.0 GENERAL

#### 7.1 **WAIVING THE RULES OF PROCEDURE**

Two-thirds vote is required to waive the rules of procedure for the Procedural by-law unless prescribed by statute.

The following Rules cannot be waived:

- a. Rules pertaining to quorum.
- b. Rules pertaining to the introduction of "New Business" at special meetings and at Committee of the Whole (Public Hearing).
- c. Rules respecting the introduction of an Addendum at Council.

#### 7.2 **RECONSIDERATION OF A MATTER**

- (1) If a matter has been previously considered, it shall not be reconsidered by such body within the next four (4) of its regular meetings after the meeting at which it was originally considered, without the consent by at least a two-thirds vote of the Members present.
- (2) "Considered" shall mean those matters for which the Members at the meeting have decided upon, and shall not include the receipt of information where no action has been sought or taken.

#### 7.3 **POINTS OF ORDER OR POINTS OF PRIVILEGE**

##### (1) **Points of Order**

A Member may interrupt the person who has the floor to raise a point of order when such Member feels that there has been a deviation or departure from the rules of procedure and upon hearing such point of order, the ruling of the Chair shall be final unless the Member appeals the ruling to Council which shall then decide upon the question without debate.

##### (2) **Points of Privilege**

A Member may rise at any time on a point of personal privilege where such Member feels that his integrity or the integrity of the Council has been impugned by another Member and upon hearing such point, the ruling of the Chair shall be final unless the Member appeals the ruling to Council which shall then decide upon the question without debate.

##### (3) **Breach of Privilege**

Where the Chair recognizes that a breach of privilege has taken place, the Chair shall demand that the offending Member apologize, and failing such apology shall require such Member to vacate the Council Chamber for the duration of the meeting.

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**(4) Dispute with Respect to a Matter of Procedure or Privilege**

Where there is a dispute with respect to a matter of procedure or privilege in the course of a meeting, the Chair shall give consideration to all applicable rules and principles and render a ruling, and, subject to the ruling of the Chair being challenged and overturned, that ruling shall stand for the purpose of administering the meeting at which it is made.

**(5) Appeal of a Decision**

Any Member may appeal the decision of the Chair to the Council which shall decide the question "that the decision of the Chair be sustained" without debate upon a majority vote of the Members present.

**7.4 RECORDING EQUIPMENT**

Recordings of the proceedings of Council and Committee of the Whole meetings shall be carried out by the City Clerk or designate, and shall be retained in the City Clerk 's Department for 90 days following the meeting.

**7.5 PROCEDURAL MATTERS NOT COVERED**

Where any matter relating to proceedings arises which is not covered by a provision of this By-law, the procedure to be followed shall be decided by reference to the principles set out in Section 1.2 of this By-law and if necessary to Roberts Rules of Order.

**PROCEDURE BY-LAW**

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1 **8.0 ATTACHMENTS**

2

3 Where provided, documents referenced in the Procedural By-law shall be substantially in  
4 the form attached to this By-law:

5

<b>Attachment No.</b>	<b>Name</b>	<b>Section</b>
1	Sample Terms of Reference	1.4 (3) g
2	Member's Resolution Format	5.6
3	Staff Report Template	<i>various</i>
4	Committee Agenda Format	<i>various</i>
5	Committee of the Whole (Public Hearing) Agenda Format	<i>various</i>
6	Council Agenda	<i>various</i>
7	Committee Report to Council	5.1 (12)

6

**SAMPLE**  
**TERMS OF REFERENCE**  
**For Ad Hoc Committees and Sub-Committees**

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**Mandate / Term**

[The mandate and term of the committee must be specified. The term cannot exceed the term of Council and in no event may be a term greater than the period anticipated to achieve its specific mandate.]

**Objectives**

[The objectives of the committee must be clearly identified.]

**Membership**

[Members are to be appointed by Council. Any changes to the membership will require Council approval.]

**Meeting Procedures**

[The proceedings of the committee are to be governed by the City's Procedural By-law.]

**Agendas and Reporting**

[Agendas of meetings shall be filed and maintained in the Office of the City Clerk. After each meeting, the committee shall submit to its designated Standing Committee a report which will be noted in the Standing Committee's report to Council under the section titled "Other Items Considered by the Committee".]

[At the conclusion of its mandate, the committee shall submit a Findings Report.]

**Meetings**

[Meeting dates will be determined at the first meeting of the committee. The committee may meet on the schedule determined, or at the call of the Chair.]

All meetings are to be open to the public.

**Notice of Meetings**

Meetings will be noted on the Schedule of Meetings calendar posted on the City's website.

**Quorum**

The majority of members, including the Chair, shall constitute quorum.

## **Staff Resources**

[Staff support must be specifically assigned for the purposes of agenda compilation and distribution and recording the proceedings of the committee. Departmental staff resources may be assigned to act as advisors to the committee or in some other specified capacity.]

## **Authority**

The committee may not exercise decision-making powers, or commit expenditures save for those specifically delegated by Council. The committee may not direct staff to undertake activities without authority from Council.

## **Amendment / Expansion of Terms of Reference**

[Only Council can initiate any amendment and/or expansion of the Terms of Reference.]



**MEMBER'S RESOLUTION FORMAT**

<b>Date:</b>
<b>Subject / Title:</b>
<b>Submitted by:</b>

<b>Whereas</b> <i>(describe issue)</i>
<b>Whereas</b>
<b>Whereas</b>

<b>It is recommended that</b>

MOVED by \_\_\_\_\_

seconded by \_\_\_\_\_

CARRIED



COMMITTEE NAME [DATE GOES HERE]

[TITLE GOES HERE]

[State authorized staff making recommendation] that:

**Recommendation**

1. *[A recommendation should be provided including a recommendation that the report be received for information only. Any recommendation seeking direction from Council requires approval from the City Manager.]*

**Contribution to Sustainability**

**Economic Impact**

**Communications Plan**

**Purpose**

[Purpose goes here]

**Background - Analysis and Options**

[Background goes here] - Add sub headings as necessary

**Relationship to Vaughan Vision 2020/Strategic Plan**

Reference the specific goals and objectives the report relates to:

[Service Excellence (reference the specific objective) or  
Management Excellence (reference the specific objective) or  
Staff Excellence (reference the specific objective)]

**Regional Implications**

**Conclusion**

[Conclusion goes here]

**Attachments**

[Attachments go here]  
[List the attachments]

**Report prepared by:**

[Report prepared by goes here]  
[insert contact information of person preparing report]

Respectfully submitted,

[Names goes here]



**CITY OF VAUGHAN**

**COMMITTEE**

**AGENDA**

Council Chambers  
Vaughan Civic Centre  
2141 Major Mackenzie Drive  
Vaughan, Ontario

DATE

TIME

- 
1. CONFIRMATION OF AGENDA
  2. DISCLOSURE OF INTEREST
  3. CEREMONIAL PRESENTATIONS
  4. COMMUNICATIONS
  5. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION INCLUDING MEMBER'S RESOLUTION
  6. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION
  7. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION
  8. PRESENTATIONS AND DEPUTATIONS
  9. CONSIDERATION OF AD HOC COMMITTEE REPORTS
  10. OTHER ITEMS CONSIDERED BY THE COMMITTEE
  11. NEW BUSINESS
  12. CLOSED SESSION RESOLUTION FOR COMMITTEE OF THE WHOLE (CLOSED SESSION)
  13. ADJOURNMENT

ALL APPENDICES ARE AVAILABLE FROM THE CITY CLERK'S DEPARTMENT  
PLEASE NOTE THAT THIS MEETING WILL BE AUDIO RECORDED

[www.vaughan.ca](http://www.vaughan.ca) (agendas and minutes)  
[www.vaughan.ca/radio](http://www.vaughan.ca/radio) (audio broadcast on the internet)



**CITY OF VAUGHAN**

**COMMITTEE OF THE WHOLE (PUBLIC HEARING)**

**AGENDA**

Council Chambers  
Vaughan Civic Centre  
2141 Major Mackenzie Drive  
Vaughan, Ontario

DATE

TIME

- 
1. DISCLOSURE OF INTEREST
  2. COMMUNICATIONS
  3. CONSIDERATION OF PUBLIC HEARING ITEMS
    - a) Presentation of Proposals - Applicant(s)
    - b) Deputations from the Public
  4. ADJOURNMENT

**ALL APPENDICES ARE AVAILABLE FROM THE CITY CLERK'S DEPARTMENT  
PLEASE NOTE THAT THIS MEETING WILL BE AUDIO RECORDED**

[www.vaughan.ca](http://www.vaughan.ca) (agendas and minutes)  
[www.vaughan.ca/radio](http://www.vaughan.ca/radio) (audio broadcast on the internet)



**CITY OF VAUGHAN**  
**COUNCIL MEETING**  
**AGENDA**

**Council Chambers**  
**Vaughan Civic Centre**  
**2141 Major Mackenzie Drive**  
**Vaughan, Ontario**

**DATE**

**TIME**

- 
1. CONFIRMATION OF AGENDA
  2. DISCLOSURE OF INTEREST
  3. CEREMONIAL PRESENTATIONS
  4. ADOPTION OF MINUTES  
Minutes of the Council meeting of , 2010.
  5. COMMUNICATIONS
  6. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION  
Corporate Priorities and Key Initiatives Committee Report No.  
Finance and Administration Committee Report No.  
Committee of the Whole (Working Session) Report No.  
Committee of the Whole Report No.  
Committee of the Whole (Closed Session) Report No.  
Committee of the Whole (Public Hearing) Report No.
  7. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION
  8. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION
  9. BY-LAWS / FORMAL RESOLUTIONS
  10. CONFIRMING BY-LAW
  11. MOTION TO ADJOURN

**ALL APPENDICES ARE AVAILABLE FROM THE CITY CLERK'S DEPARTMENT**  
**PLEASE NOTE THAT THIS MEETING WILL BE AUDIO RECORDED**

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CITY OF VAUGHAN

REPORT NO.

COMMITTEE NAME

For consideration by the Council of the City of Vaughan on \_\_\_\_ (date)

The \_\_\_\_\_ (name of Committee) met at \_\_\_\_ (time) on \_\_\_\_\_ (date)

Present: \_\_\_\_\_ names of Members present

The following items were dealt with:

1 TITLE OF ITEM

Committee recommendation:

- [1. Recommendation of the Committee
2. Communication(s) – record of action taken
3. Deputation(s) – record of action taken]

Staff recommendation:

- 1. Recommendation contained in the Staff Report

[Any declaration of interest declared by a Member.]

2 TITLE OF ITEM

Committee disposition:

- [1. Action of the Committee to defer or refer (see Item 4.b)
2. Communication(s) – record of action taken
3. Deputation(s) – record of action taken]

3 TITLE OF ITEM

Committee recommendation:

- [1. Recommendation of the Committee
2. Communication(s) – record of action taken
3. Deputation(s) – record of action taken]

Staff recommendation:

- 1. Recommendation contained in the Staff Report

[Any declaration of interest declared by a Member.]

REPORT NO. \_\_\_\_ OF THE (COMMITTEE NAME)  
FOR CONSIDERATION BY COUNCIL, (DATE)

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4. OTHER ITEMS CONSIDERED BY THE COMMITTEE

- a) Disposition of presentations and deputations not pertaining to an item listed on an agenda.
- b) Disposition of Item(s) deferred or referred
- c) Other procedural matters.

\_\_\_\_\_

The meeting adjourned at \_\_\_\_\_ (time)

Respectfully submitted,

{Name of Member}  
Committee Chair