



By-Law No. 125-23

A By-law to Govern the Proceedings of Council of The Corporation of the City of Richmond Hill (Procedure By-law)

Effective: January 1, 2024

Office of the Clerk
225 East Beaver Creek Road
Ground Floor
Richmond Hill, Ontario
L4B 3P4

Phone: (905)771-8800
Email: clerks@richmondhill.ca

Table of Contents

Article 1 - Interpretation 9

1.1 Definitions 9

Article 2 - Purpose and Principles 14

2.1 Purpose 14

2.2 Principles 14

Article 3 - Application..... 15

3.1 Observance of Rules 15

3.2 Robert’s Rules of Order 15

3.3 Waiver of Rules..... 15

3.4 Rules That Cannot Be Waived..... 15

Article 4 - Responsibilities..... 16

4.1 Mayor – Responsibilities..... 16

4.2 Deputy Mayor..... 16

4.3 Alternate Deputy Mayor 16

4.4 Council – Responsibilities..... 17

4.5 Individual Members – Responsibilities..... 18

4.6 Individual Members – Responsibilities – Conflict of Interest 18

4.7 Chair – Responsibilities..... 19

4.8 Clerk – Responsibilities 19

4.9 City Manager – Responsibilities – Meetings 21

4.10 Signing Authority 21

Article 5 - Regular Meetings of Council..... 22

5.1 General Requirements 22

5.1.1 Council Procedures 22

5.1.2 Chair 22

5.1.3 Inaugural Meeting 22

5.1.4 Time of Meetings..... 22

5.1.5 Location of Meetings 22

5.1.6 Adjournment – 11:00 p.m. 23

5.1.7 Exception to Regular Meeting Schedule..... 23

5.1.8 Public Notice 23

5.1.9 Public Notice – Saving..... 23

5.1.10	Recording of Meetings	23
5.1.11	Live Broadcast of Meetings.....	24
5.2	Quorum	24
5.2.1	Majority of Members	24
5.2.2	Call to Order	24
5.2.3	Unable to Reach Quorum – Time Restriction	24
5.2.4	Mayor Absent – Council	24
5.2.5	Mayor and Deputy Mayor Absent	24
5.2.6	Mayor, Deputy Mayor and Alternate Deputy Mayor Absent	24
5.2.7	Loss of Quorum	25
5.3	Closed Session Meetings	25
5.3.1	Reasons	25
5.3.2	Resolution.....	25
5.3.3	Electronic Devices Prohibited.....	25
5.3.4	Conflict of Interest Declared – Member to Leave	26
5.3.5	Voting.....	26
5.3.6	Confidentiality	26
5.3.7	Reporting In Open Session	26
5.4	Order of Business	26
5.4.1	Agenda.....	26
5.4.2	Adoption of Items Not Requiring Separate Discussion.....	27
5.4.3	Announcements	28
5.4.4	Addition of Business	28
5.5	Public Participation	29
5.5.1	Petitions or Written and Oral Submissions	29
5.5.2	Conduct by Public at Meetings	30
5.5.3	Public Forum	31
5.5.4	Delegations.....	32
5.5.5	Staff Address to Council	33
5.5.6	No Public Participation after Motion	33
5.6	Motion.....	33
5.6.1	Moved and Seconded	33
5.6.2	Withdrawal of a Motion.....	33
5.6.3	No Motion Until Public Participation Concluded.....	34
5.6.4	Debate and Amendment	34
5.6.5	Permitted Motions – Order	34
5.6.6	Motion to Adjourn – Requirements	34
5.6.7	Motion to Proceed Beyond 11:00 – Requirements.....	34

By-law No. 125-23 – Procedure By-Law

5.6.8	Motion to Close the Debate	35
5.6.9	Motion to Defer	35
5.6.10	Motion to Refer	35
5.6.11	Motion to Amend	36
5.6.12	Motion to Amend – Limitation	36
5.6.13	Motion to Reconsider	36
5.7	Rules of Debate	37
5.7.1	Preserve Order	37
5.7.2	Address to Chair	37
5.7.3	Order of Speakers	37
5.7.4	Number of Times to Speak – Length of Time for Speaking.....	37
5.7.5	Request to Read a Motion Aloud	38
5.7.6	Right of Reply	38
5.7.7	While Member Is Speaking	38
5.7.8	Point of Order	38
5.7.9	Point of Information	38
5.7.10	Integrity of City Staff	39
5.7.11	Chair Participation In Debate/Moving Motion	39
5.8	Voting	39
5.8.1	Call for the Vote.....	39
5.8.2	All Members Vote	39
5.8.3	Majority Vote.....	40
5.8.4	Tie Vote	40
5.8.5	Show Of Hands.....	40
5.8.6	Recorded Vote.....	40
5.8.7	Division of Motion	41
5.8.8	Member Not Seated.....	41
5.8.9	Stating the Motion.....	41
5.8.10	Announcing Result	41
5.9	Minutes	41
5.9.1	Contents – recorded – by Clerk	41
5.9.2	Included in Agenda	42
5.9.3	Minutes – confirmation – signing	42
5.9.4	Minutes – Closed Session Meeting	42
5.10	By-laws	42
5.10.1	Introduction and Passage	42
5.10.2	By-laws – Routine	42
5.10.3	Confirmation By-law – conclusion of Meeting.....	43

5.10.4	Passed – numbered – dated – signed – seal affixed.....	43
5.11	Strong Mayor Powers.....	44
5.11.1	Strong Mayor Powers – Addition of Business.....	44
5.11.2	Strong Mayor Powers – By-laws Introduction	44
5.11.3	Strong Mayor Powers – By-laws Approval and Veto	45
5.11.4	Strong Mayor Powers – Budget – Introduction	46
5.11.5	Strong Mayor Powers – Budget – Consideration, Amendment and Veto.....	46
5.11.6	Strong Mayor Powers – In-year Budget Amendments.....	47
Article 6 - Special Meeting of Council.....		48
6.1.1	Special Meetings – Resolution.....	48
6.1.2	Special Meetings – Mayor.....	48
6.1.3	Special Meetings – Members of Council	48
6.1.4	Workshops.....	48
6.1.5	Education and Training Sessions.....	49
6.1.6	Proceedings of Council at a Special Meeting	49
6.1.7	Notice of Special Meeting.....	49
6.1.8	Public Notice of Special Meeting	50
6.1.9	Public Notice – Saving.....	50
6.1.10	Agenda.....	50
6.1.11	No Other Business in Special Meetings.....	50
Article 7 - Meetings of Committee of the Whole		51
7.1	General Requirements	51
7.1.1	Strong Mayor Powers – Committee of the Whole – Establishment	51
7.1.2	Procedures – Same as for Proceedings of Council – With Necessary Changes.....	51
7.1.3	Inaugural Meeting	51
7.1.4	Determination of Chair and Vice-Chair	51
7.1.5	Time of Committee of the Whole Meetings	51
7.1.6	Exception to Regular Meeting Schedule	52
7.2	Quorum	52
7.2.1	Chair Absent.....	52
7.2.2	Chair and Vice-Chair Absent.....	52
7.3	Closed Session Meeting	52
7.4	Agenda	52
7.5	Public Participation	53
7.5.1	Public Forum	53

7.5.2	Delegations.....	53
7.6	Motions.....	53
7.7	Rules of Debate	53
7.8	Report to Council – All Matters and Recommendations.....	54
Article 8 - Council Public Meetings for Planning Matters		55
8.1	Purpose.....	55
8.2	No Decision at a Council Public Meeting	55
8.3	Proceedings of Council at a Council Public Meeting.....	55
8.4	Time of Council Public Meetings	55
8.5	Exception to Regular Meeting Schedule	55
8.6	Closed Session Meeting	55
8.7	Order of Business	56
8.7.1	Council Public Meeting Agenda.....	56
8.7.2	Announcements	56
8.8	Public Participation.....	56
8.9	Motions.....	56
Article 9 - Budget Committee of the Whole.....		58
9.1	Establishment and Purpose	58
9.2	General Requirements	58
9.2.1	Business – Procedure	58
9.2.2	Determination of Chair and Vice-Chair	58
9.2.3	Time of Meetings.....	58
9.3	Closed Session Meeting	59
9.4	Order of Business	59
9.4.1	Budget Committee of the Whole Agenda.....	59
9.4.2	Announcements	59
9.5	Report to Council – All Matters and Recommendations.....	59
Article 10 - Audit Committee		60
10.1	Establishment and Purpose	60
10.2	General Requirements	60
10.2.1	Business – Procedure	60
10.2.2	Determination of Chair and Vice-Chair	60
10.2.3	Time of Meetings.....	60
10.3	Closed Session Meeting	60

10.4	Order of Business	60
10.4.1	Audit Committee Agenda	60
10.4.2	Announcements	61
10.5	Report to Council – All Matters and Recommendations	61
Article 11	- Special Committee	62
11.1	Appointment – by Council	62
11.2	General Requirements	62
11.2.1	Business – Procedure	62
11.2.2	Chair and Vice-Chair	62
11.3	Closed Session Meeting	62
11.4	Order of Business	62
11.4.1	Special Committee Agenda	62
11.4.2	Announcements	63
11.5	Committee Dissolved	63
Article 12	- Electronic Meeting Procedures.....	64
12.1	Definitions	64
12.2	General Rules for an Electronic Meeting.....	64
12.2.1	Application.....	64
12.2.2	Procedures – Same as Proceeding for Council or Committee – With Necessary Changes	65
12.2.3	Type of Electronic Participation	65
12.2.4	Public Notice	65
12.3	Members – Method of Participation in an Electronic or Hybrid Meeting	66
12.4	Public Participation in an Electronic Meeting	66
12.4.1	Public In-person Restrictions	66
12.4.2	Manner in Which Meetings are Open to the Public when in-person attendance is restricted.....	66
12.4.3	Delegations during an Electronic Meeting.....	66
12.4.4	Public Forum during an Electronic Meeting when in-person attendance is restricted.....	68
12.5	Electronic Meetings – Quorum & Absences	69
12.5.1	Electronic Meetings – Quorum	69
12.5.2	Absences During an Electronic Meeting.....	69
12.6	Electronic Meetings – Closed Sessions	69
12.6.1	Closed Session Meeting – Electronic Participation Permitted.....	69
12.6.2	Closed Session Electronic Meetings – Confidentiality.....	69

12.7	Audio-only Electronic Meetings – Additional Rules – Roll Call and Absences	70
12.7.1	Audio-only Electronic Meetings – Roll Call	70
12.7.2	Audio-only Electronic Participation – Members not present during Roll Call	70
12.7.3	Audio-only Electronic Meetings – Call to Order	70
12.7.4	Audio-only Electronic Meetings – Absences During a Meeting.....	70
12.8	Participating in an Audio-visual Electronic Meeting	70
12.9	Audio-only Electronic Meetings – Additional Rules of Debate – Speaking Order ..	71
12.9.1	Audio-only Electronic Meetings – Speaking Order – Regular meeting, Special Council Meeting and Council Public Meeting	71
12.9.2	Audio-only Electronic Meetings – Speaking Order – Committees of the Whole	71
12.9.3	Speaking Order – All other Committees	72
12.9.4	Observance of other rules.....	72
12.10	Electronic Meeting – Voting.....	72
12.10.1	Electronic Meeting – Voice Votes and Show of Hands.....	72
12.10.2	Electronic Meeting – Voice Votes – How Conducted.....	72
12.10.3	Recorded Vote.....	73
12.11	Interruptions in Livestream	73
12.11.1	Interruptions in Livestream – General.....	73
12.11.2	Delay of the Start of a Meeting due to Inability to Livestream	73
12.11.3	Recess of Meetings when Livestream Interrupted.....	74

The Corporation of the City of Richmond Hill

By--Law 125-23

A By-law to Govern the Calling, Place and Proceedings of the Council of the Corporation of the City of Richmond Hill (Procedure By-law)

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

Now Therefore the Council of the Corporation of the City of Richmond Hill enacts as follows:

Article 1 - Interpretation

1.1 Definitions

In this By-law:

1. “**Act**” means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, superseded or re-enacted from time to time.
2. “**Alternate Deputy Mayor**” means the Member(s) appointed pursuant to section 4.3 of these Rules of Procedure to act as Mayor in the absence or inability of both the Mayor and Deputy Mayor to act.
3. “**Agenda**” means the written ordered sequence of items to be discussed at a Meeting of Council or a Committee including any matter(s) added pursuant to paragraph (c) of subsection 5.4.4 (Addition of Business).
4. “**Applicable Law**” means all statutes, laws, by-laws, regulations, ordinances, orders and requirements of governmental or other public authorities having jurisdiction, and all amendments thereto, at any time and from time to time in force.
5. “**Chair**” means the Member responsible for presiding at a Meeting.
6. “**City**” means The Corporation of the City of Richmond Hill.
7. “**City Manager**” means the individual appointed as chief administrative officer of the City pursuant to the Act.
8. “**City Staff**” means any person employed by the City, and includes persons employed on a full-time, part-time, temporary, seasonal or contract basis.

By-law No. 125-23 – Procedure By-Law

9. **“Clear Days”** means that where there is a reference in any notice provision of this by-law to a number of days, they shall be counted by excluding the day on which notice is given and the day of the Meeting.
10. **“Clerk”** means the individual appointed clerk of the City pursuant to subsection 228(1) of the Act.
11. **“Closed Session Meeting”** means a Meeting or a portion of a Meeting that is closed to the public pursuant to the relevant provisions of the Act or other Applicable Law.
12. **“Committee”** means any advisory committee, subcommittee or similar entity of which at least 50 per cent of the members are also Members of Council.
13. **“Committee of the Whole”** means a Committee appointed by Council comprised of all of the Members that is convened for the purpose of considering Delegations, correspondence, staff reports and matters for discussion and making recommendations of action to be taken by Council at a subsequent Meeting of Council.
14. **“Conflict of Interest”** means a direct or indirect pecuniary (pertaining to or about money) interest of a Member as set out in the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, and any other conflict of interest in any other Applicable Law.
15. **“Council”** means the Council of the City.
16. **“Council Chambers”** means the room located on the 1st floor at the City of Richmond Hill Municipal Office at 225 East Beaver Creek in the City of Richmond Hill designated for Meetings of Council and its Committees.
17. **“Council Public Meeting”** means a Meeting held to satisfy the requirements of the Planning Act as set out in Article 8 of this by-law.
18. **“Delegation”** means an oral submission made by and at the request of a member of the public which may be supported by written material, save and except for a request made by any supplier of the City, or its representative, for the purpose of lobbying Council as is prohibited by the City’s Procurement By-law 113-2016, as amended or superseded.
19. **“Deputy Mayor”** means the Member appointed pursuant to section 4.2 of these Rules of Procedure to act as Mayor in the absence or inability of the Mayor to act, or during a vacancy in the Office of Mayor.
20. **“Education and Training Session”** means a special Meeting called for the purpose of educating and training Members, at which nothing may be discussed that would materially advance the business of the City.

By-law No. 125-23 – Procedure By-Law

21. **“Emergency”** means a situation or an impending situation where there is a threat to public health, life, property or the environment.
22. **“Land Acknowledgement”** means the Indigenous Land Acknowledgement statement approved by Council.
23. **“Majority Vote”** means an affirmative vote by the majority of the Members who are both present at a Meeting and are qualified to vote.
24. **“Mayor”** means the head of Council elected by general vote in accordance with the *Municipal Elections Act, 1996*.
25. **“Mayoral Direction”** means a written direction of the Mayor pursuant to the Strong Mayor Powers.
26. **“Mayoral Veto”** means those veto powers included in the Strong Mayor Powers and described in section 284.11 of the Act.
27. **“Meeting”** means a regular, special, or other meeting convened pursuant to this By-law.
28. **“Member”** means a member of Council elected by general vote or wards, or by any combination thereof, in accordance with the *Municipal Elections Act, 1996*.
29. **“Members Motion”** means a procedural mechanism for a Member to place Other Business on an Agenda for consideration at a Meeting.
30. **“Motion”** means a formal proposal for consideration by Council or a Committee.
31. **“Motion to Close the Debate”** means a motion, also known as “Call the Question”, to close debate on a Motion and to put that main Motion to a vote.
32. **“Motion to Defer”** means a Motion to delay action on a main Motion under consideration by Council or a Committee until later in the same Meeting or to a future Meeting of that same body.
33. **“Motion to Reconsider”** means a motion that may need to be passed before Council can discuss or otherwise deal with a matter that has already been decided or considered by Council during the current Term of Council.
34. **“Motion to Refer”** means a Motion to send a main Motion or Item of Business, that is before Council or a Committee, to any other Committee or City staff for further consideration or to obtain more information.
35. **“Municipal Elections Act, 1996”** means the *Municipal Elections Act, 1996, S.O. 1996 C.32*.

By-law No. 125-23 – Procedure By-Law

36. **“Notice By-law”** means the City’s by-law relating to the form, manner and times of the giving of notice to the public in effect from time to time.
37. **“Person”** means any individual, association, proprietorship, partnership, company, firm or business, excluding any Member and City Staff.
38. **“Planning Act”** means the *Planning Act, R.S.O. 1990, c. P.13*, as amended, superseded or re-enacted from time to time.
39. **“Point of Information”**, also known as a “Request for Information”, means the procedural mechanism by which a Member may present or receive information in relation to a Motion under consideration.
40. **“Point of Order”** means the procedural mechanism by which a Member may interrupt a Meeting to question the Chair as to whether:
 - (a) a breach of any of the principles, procedures or rules provided for in this By-law has occurred; and/or
 - (b) the personal or professional integrity of a Member of City Staff has been impugned or put into question;for the purpose of having the Chair enforce the procedures.
41. **“Quorum”** means the number of members that must be present at a Meeting of Council or a Committee in order for business to be transacted.
42. **“Robert’s Rules of Order”** means the most current edition of “Robert’s Rules of Order”.
43. **“Recorded Vote”** means a written record of the name and vote of every Member present voting on a Motion.
44. **“Regional and Local Councillor”** means a Member of Council other than the Mayor who has also been elected as a member of the Regional Municipality of York.
45. **“Resolution”** means the decision of Council on any Motion.
46. **“Strong Mayor Powers”** means those powers, duties and responsibilities set out in Part VI.1 of the Act, titled “Special Powers and Duties of the Head of Council”, and any regulation made thereunder, applying solely to the person who has been elected as Mayor (head of council) under the provisions of the Municipal Elections Act, 1996.
47. **“Time Sensitive Matter”** means a matter that relates to a significant financial, legal, or contractual deadline that may require a decision of or direction from Council before the next regular Meeting of Council.

By-law No. 125-23 – Procedure By-Law

48. **“Two-thirds Vote”** means an affirmative vote of at least two-thirds of the Members who are both present at the Meeting and are qualified to vote.
49. **“Workshop”** means a special Council Meeting convened for the purpose of considering matters of business that will eventually be brought to Council for further action or a final decision.

Article 2 - Purpose and Principles

2.1 Purpose

This By-law establishes the rules of procedure for all Council and Committee Meetings.

2.2 Principles

Each Member has the right to:

- (a) one vote, subject to the declaration of a Conflict of Interest;
- (b) information to help make decisions, unless otherwise prevented by law;
- (c) an efficient Meeting; and
- (d) be treated with respect and courtesy.

This By-law is to be interpreted in accordance with the principles set out above.

Article 3 - Application

3.1 Observance of Rules

- (a) The rules and procedures in this By-law shall be observed for all proceedings of Council and its Committees.
- (b) In the event of conflict between the provisions of this By-law and the Act or any other legislation, the provisions of the legislation shall prevail.

3.2 Robert's Rules of Order

Where inconsistencies exist in this By-law that cannot be resolved by reference to the Act or other legislation, Robert's Rules of Order shall apply.

3.3 Waiver of Rules

- (a) Save and except for those procedures or rules referred to in section 3.4 below (Rules That Cannot Be Waived), a Member may make a Motion to waive any procedure or rule of this By-law.
- (b) A Motion to waive any procedure or rule of this By-law requires a Two-thirds Vote.
- (c) The waiver shall only apply to the waiver of the procedure(s) or rule(s) for the stated purpose and only during the Meeting in which such Motion was introduced.

3.4 Rules That Cannot Be Waived

Council cannot waive any procedures or rules that are imposed due to Applicable Law or by any of the following sections:

- (a) Section 3.3 – Waiver of Rules;
- (b) Subsection 5.2.1 – – Majority of Members for Quorum;
- (c) Subsection 5.6.13 – Motion for Reconsideration During the Term of Council.
- (d) Subsection 5.7.4 – Number of Times to Speak – Length of Time for Speaking;
- (e) Subsection 6.1.11 – – No Other Business in Special Meetings; and
- (f) Section 8.2 – No Decision at a Council Public Meeting.

Article 4 - Responsibilities

4.1 Mayor – Responsibilities

The Mayor shall:

- (a) preside as Chair over Meetings of Council, unless absent or unable to act;
- (b) provide leadership to Council;
- (c) act as chief executive officer of the City;
- (d) carry out the duties of head of Council under any Applicable Law;
- (e) represent the City at official functions;
- (f) provide information and recommendations to Council with respect to the role of Council;
- (g) authenticate by signature, when necessary, all applicable by-laws, resolutions, minutes; and
- (h) act as representative of the City both within and outside the municipality and promote the City locally, nationally and internationally.

4.2 Deputy Mayor

- (a) Council shall by By-law or resolution appoint a Deputy Mayor for the City who shall normally be the Regional and Local Councillor who received the highest number of votes for that office in the last election as certified by the Clerk.
- (b) If the Office of the Member who is Deputy Mayor in accordance with paragraph (a) becomes vacant, Council may by By-law or resolution appoint another Member to be Deputy Mayor for the remainder of the Term of Council.
- (c) In the absence or inability of the Mayor to act, or if a vacancy in the Office of the Mayor occurs, the Deputy Mayor shall be the Acting Mayor for the City and may exercise all the Mayor's rights and duties as set out in this by-law, the Act, or Applicable Law, save and except for the Strong Mayor Powers.

4.3 Alternate Deputy Mayor

- (a) Council may by By-law or Resolution appoint one or more Members to be Alternate Deputy Mayor for the Term of Council, to act during the absence or inability of both the Mayor and the Deputy Mayor to act.
- (b) Notwithstanding the generality of paragraph (a), if Council appoints more than one member to be Alternate Deputy Mayor, it shall do so by adopting a roster of

By-law No. 125-23 – Procedure By-Law

Members to be Alternate Deputy Mayor for the Term of Council, and the roster shall include the dates or periods of time in which the named Member shall be Acting Mayor in the absence or inability of both the Mayor and Deputy Mayor to act.

- (c) If Council has appointed more than one Alternate Deputy Mayor, and the Alternate Deputy Mayor named in the roster is unable to act in the absence or inability of both the Mayor and Deputy Mayor to act, the next named Member on the roster shall be Acting Mayor until the earlier of:
 - (i) the Mayor or Deputy Mayor is able to resume the duties of Mayor;
 - (ii) the Member who would have otherwise been Alternate Deputy Mayor is able to assume the duties of the Mayor; or
 - (iii) the dates and periods of time for which the Member was originally appointed Alternate Deputy Mayor has expired.
- (d) If Council has not appointed an Alternate Deputy Mayor as provided for in paragraph (a), and if the Mayor and Deputy Mayor are both absent or unavailable to act, the Clerk shall, notwithstanding anything in Article 6 to the contrary, call a special Meeting for the sole purpose of appointing an Acting Mayor, and the appointment of an Acting Mayor at that Meeting shall be deemed a Time Sensitive Matter for the purpose of the notice provisions in paragraph 6.1.7(a) of these Rules of Procedure.
- (e) In the absence or inability of the Mayor to act, or if a vacancy in the Office of the Mayor occurs, and in the absence or inability of the Deputy Mayor to Act, the Member who is Alternate Deputy Mayor pursuant to this section, may exercise all the Mayor's rights and duties as set out in this By-law, the Act, or Applicable Law, save and except for the Strong Mayor Powers.

4.4 Council – Responsibilities

Council shall:

- (a) represent the public and consider the well-being and interests of the City;
- (b) develop and evaluate the policies and programs of the City;
- (c) determine which services the City shall provide;
- (d) ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
- (e) ensure the accountability and transparency of the operations of the City, including the activities of the senior management of the City;
- (f) maintain the financial integrity of the City; and

- (g) comply with this By-law and any Applicable Law.

4.5 Individual Members – Responsibilities

Each Member shall:

- (a) inform the Clerk of all planned absences, late arrivals and early departures from a Meeting to assist in achieving and maintaining Quorum;
- (b) during a Meeting, avoid engaging in behaviour which may disrupt the Meeting and ensure that all electronic devices, including cellular telephones, are placed in silent mode; and
- (c) adhere to all City policies governing the conduct of Members.

4.6 Individual Members – Responsibilities – Conflict of Interest

- (a) Each Member who has a Conflict of Interest in any matter shall comply with their duties under Sections 5 and 5.1 of *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, including, but not limited to:
 - (i) disclosing the interest and general nature thereof at the Meeting, or at the next meeting if the Member is absent when the matter is discussed; and
 - (ii) submitting to the Clerk a written statement of the interest, in the form established by the Clerk, at the meeting or as soon as possible thereafter.
- (b) A Member shall disclose the Conflict of Interest under the Order of Business titled “Disclosures of pecuniary interest and general nature thereof”, or thereafter during the consideration of the matter only if the interest becomes known during such consideration.
- (c) A Member who has a Conflict of Interest shall not take part in the discussion of, or attempt to influence or vote on any question with respect to that matter, unless specifically permitted by Applicable Law.
- (d) A disclosure of a Conflict of Interest does not prohibit a Member from moving, seconding, or voting on a matter of general procedure including:
 - (i) Adoption of the Agenda;
 - (ii) Approval of the Minutes;
 - (iii) A By-law to confirm the Proceedings of Council at this Meeting.

4.7 Chair – Responsibilities

The Chair shall:

- (a) open a Meeting by calling the Meeting to order;
- (b) ensure that Quorum is established and maintained throughout the course of a Meeting;
- (c) announce the business in accordance with the Agenda prepared by the Clerk;
- (d) direct discussion such that all comments shall be through the Chair;
- (e) receive and submit, in the proper manner, all Motions presented by Members;
- (f) put to vote all Motions which are moved, and seconded when necessary, or all Motions that arise in the course of proceedings, and announce the results of votes;
- (g) decline to put to vote Motions that infringe upon the rules under this By-law;
- (h) respond to Members regarding Points of Order;
- (i) enforce on all occasions the principles, procedures, rules and the observance of order and decorum amongst the Members, City Staff and Persons in attendance at a Meeting;
- (j) recess the Meeting, without Motion, for a specified time if there is a threat or imminent threat to the health or safety of any person, or if there is a possibility of public disorder;
- (k) ensure that Members take a health break by announcing a minimum ten (10) minute recess, without Motion, after approximately two and one-half (2.5) hours have passed since the start of the meeting or the last break; and
- (l) expel a Member who has engaged in improper or repetitive disruptive conduct at a Meeting, and may take reasonable measures to expel a Member, including those measures referred to in paragraph (f) of subsection 5.5.2.

4.8 Clerk – Responsibilities

The Clerk shall oversee the Office of the Clerk and either directly, or by delegation of the Clerk's powers and duties to another individual, shall:

- (a) prepare for Council's consideration, an annual schedule of Meetings that generally includes:
 - (i) The dates and times of Meetings generally referred to in subsections 5.1.4 and 7.1.5, and section 8.4; and

By-law No. 125-23 – Procedure By-Law

- (ii) Up to three additional Meeting hold dates and times per month when regular Council meetings are held for additional Meetings held pursuant to Articles 6, 9, 10 and 11 of this By-law.
- (b) amend and correct the annual schedule of Meetings as necessary, consistent with this By-law.
- (c) provide notice of Meetings to Members, City staff and the public in accordance with the provisions of this By-law and the Notice By-law;
- (d) prepare Agendas for Meetings;
- (e) take minutes of Meeting in accordance with this By-law and the Act;
- (f) maintain all written statements of Conflict of Interest provided in accordance with paragraph 4.6(a)(ii)
- (g) maintain all materials received by Council in accordance with any record retention policies of the City;
- (h) authenticate by signature, when necessary, all applicable by-laws, resolutions and minutes;
- (i) correct by-laws, minutes and other Council and Committee documentation for technical, typographical or other administrative errors and omissions for the purpose of ensuring an accurate and complete record of proceedings and decisions of Council;
- (j) annotate, as deemed necessary by the Clerk in his or her sole discretion, any by-laws of the City;
- (k) publish and authenticate, as deemed necessary by the Clerk in his or her sole discretion, consolidated by-laws; and
- (l) circulate to Members of Council, by email only, copies of correspondence received from:
 - (i) the Government of Canada, including a Minister of the Crown;
 - (ii) a Senator or a Member of the House of Commons;
 - (iii) the Government of Ontario; including a member of the Executive Council;
 - (iv) a Member of Provincial Parliament;
 - (v) the Regional Municipality of York ("York Region"), or any one of the lower-tier municipalities located in York Region, including the Head of Council of any one of these;
 - (vi) the Federation of Canadian Municipalities;

- (vii) the Association of Ontario Municipalities; or,
- (viii) a resolution of another governmental or public institution that, in the opinion of the Clerk, has direct relationship or relevance with City;

which may only be added to an Agenda by a Member under the provisions of paragraph 5.4.4(c) (Addition of Business); and

- (m) carry out any of the other duties of the Clerk as set out in this By-law and any Applicable Law.

4.9 City Manager – Responsibilities – Meetings

The City Manager shall:

- (a) approve matters that are to be included by City Staff on Agendas for Meetings of Council or a Committee; and
- (b) ensure that Emergencies and Time Sensitive Matters are brought to the attention of Council in a timely manner for discussion at a regular Meeting or to the attention of the Mayor for the purpose of calling a special Meeting.

4.10 Signing Authority

Unless otherwise authorized by Council, if Council has approved the entry into an agreement, the Mayor and Clerk shall execute that agreement.

Article 5 - Regular Meetings of Council

5.1 General Requirements

5.1.1 Council Procedures

This Article 5 outlines those procedures that apply to regular Meetings of Council.

5.1.2 Chair

The Mayor shall act as Chair and preside over the Meetings of Council.

5.1.3 Inaugural Meeting

- (a) Following a regular municipal election, the inaugural Meeting of the newly elected Council shall be held on a date and time and at a place to be fixed by the Clerk after the Members take office pursuant to the Municipal Elections Act, 1996, of which the date shall in any event, be no later than 31 days after the commencement of the term of the newly elected Council.
- (b) The Clerk shall Chair the Inaugural Meeting of Council until all Members present have taken the Declaration of Office required by the Act.

5.1.4 Time of Meetings

- (a) The regular Meetings of Council shall be held in accordance with the schedule of Meetings adopted annually by Council.
- (b) Subject to subsection 5.1.7 (Exception to Regular Meeting Schedule), the schedule shall provide for Meetings to generally take place on the second and fourth Wednesdays of each month commencing at 9:30 a.m., except that where a statutory or civic holiday, or another event in which Member(s) regularly participate, falls on the second or fourth Wednesday of any month, the Meeting shall be set for an alternate day and/or time, as determined by the Clerk.
- (c) Once the schedule of Meetings has been adopted by Council, upon consultation with the Clerk and provided that sufficient public notice is provided in accordance with subsection 5.1.8 (Public Notice), the Mayor may cancel any regular Meeting, or reschedule any regular Meeting to an alternate day and/or time.

5.1.5 Location of Meetings

- (a) Subject to the exception in paragraph (b), and any other resolution adopted by Council, all Meetings of Council shall be held in Council Chambers, with the exception of the inaugural Meeting.
- (b) If either the Clerk or Council have determined that the space in Council Chambers will not accommodate all of the members of the public expected to

be in attendance, the Clerk shall determine an appropriate alternative location and provide notice of same as soon as practicable.

5.1.6 Adjournment – 11:00 p.m.

- (a) The regular Meetings of Council shall adjourn at the hour of 11:00 p.m. if still in session at that time and shall reconvene at any other such day and time as Council may direct, unless Council resolves to extend the Meeting as set out in paragraph (b).
- (b) Council may, by passing a Resolution by 10:55 p.m., extend the Meeting beyond 11:00 p.m., provided that no Meeting shall extend beyond 12:00 a.m. the following day.

5.1.7 Exception to Regular Meeting Schedule

- (a) There shall be no regular Meetings of Council held during the first two weeks of January, the March Break scheduled by the York Region District School Board, the last two weeks of July and December, and the full month of August in a calendar year unless otherwise provided by Resolution of Council.
- (b) In the year of a regular municipal election held pursuant to the Municipal Elections Act, there shall be no regular Meetings of Council held beginning at the start of the third week of September and ending on the day prior to the Inaugural Meeting.

5.1.8 Public Notice

Public notice of the schedule of Meetings adopted pursuant to subsection 5.1.4 (Time of Meetings) shall be given by posting the schedule of Meetings on the City's website as soon as practicable after it is adopted and after any amendment to it is made.

5.1.9 Public Notice – Saving

If by oversight or otherwise notice of a regular Meeting is not provided in the manner prescribed in subsection 5.1.8 (Public Notice), the Meeting of Council shall not be void or voidable by reason of such failure to give notice or the insufficiency of any notice and no proceeding at that Meeting shall be void or voidable by reason of such failure to give notice or the insufficiency of any notice.

5.1.10 Recording of Meetings

All Meetings of Council, save and except Closed Session Meetings, may be electronically recorded by the Clerk for the purpose of preparing the minutes of the Meeting.

5.1.11 Live Broadcast of Meetings

All Meetings of Council, save and except Closed Session Meetings, may be broadcast live to the public by live audio or video streaming.

5.2 Quorum

5.2.1 Majority of Members

Subject to subsection 5.2.7 (Loss of Quorum due to Conflict of Interest), Quorum requires the presence of, at minimum, a majority of the Members of Council.

5.2.2 Call to Order

As soon as Quorum is present after the scheduled start time for a Meeting of Council, the Mayor shall call the Meeting to order.

5.2.3 Unable to Reach Quorum – Time Restriction

If Quorum is not present within thirty (30) minutes after the scheduled start time for the Meeting, the Clerk shall record the names of the Members present and the Meeting shall not proceed.

5.2.4 Mayor Absent – Council

Unless the Mayor is scheduled to be absent for a Meeting, in the case of the Mayor not attending within fifteen (15) minutes after the scheduled start time of the Meeting of Council, and provided there is Quorum, the Deputy Mayor shall take the Chair, call the Members to order and preside until the Mayor arrives.

5.2.5 Mayor and Deputy Mayor Absent

Unless both the Mayor and Deputy Mayor are scheduled to be absent for a Meeting, in the case of the Mayor and Deputy Mayor not attending within fifteen (15) minutes after the scheduled start time of the Meeting, and provided there is Quorum, the Alternate Deputy Mayor shall take the Chair, call the Members to order and preside until the Mayor or Deputy Mayor arrives.

5.2.6 Mayor, Deputy Mayor and Alternate Deputy Mayor Absent

Unless the Mayor, Deputy Mayor and Alternate Deputy Mayor are all scheduled to be absent for a Meeting, in the case of the Mayor, Deputy Mayor and Alternate Deputy Mayor not attending within fifteen (15) minutes after the scheduled start time of the Meeting, and provided there is Quorum, the Clerk shall call the meeting to Order and facilitate the selection of a Chair from among the Members present, who will preside over the Meeting until the arrival of the Mayor, Deputy Mayor or Alternate Deputy Mayor.

5.2.7 Loss of Quorum

- (a) In the event that Quorum is lost due to any reason other than as set out in paragraph (b), the Meeting shall stand adjourned.
- (b) In the event that Quorum is lost due to Members declaring a Conflict of Interest, the remaining Members shall be deemed to constitute Quorum provided there are not less than two Members.

5.3 Closed Session Meetings

5.3.1 Reasons

- (a) All Meetings of Council are open to the public unless closed for consideration of a matter which is permitted by the Act or Applicable Law to be considered in a Closed Session Meeting.
- (b) A Meeting or part of a Meeting may be closed to the public for any of the discretionary reasons set out in subsection 239(2) of the Act, or any other discretionary reason permitted in other Applicable Law.
- (c) A Meeting or part of a Meeting shall be closed to the public for any of the mandatory reasons set out in subsection 239(3) of the Act, or any other mandatory reason permitted in other Applicable Law
- (d) In accordance with the provisions of the subsection 239(3.1) of the Act, a Meeting may be closed to the public 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 Council.

5.3.2 Resolution

Prior to holding a Closed Session Meeting, Council shall pass a Resolution in open session, advising of the Closed Session Meeting and the general nature of the matter(s) to be considered at the Closed Session Meeting.

5.3.3 Electronic Devices Prohibited

No Member, City Staff or Person in attendance shall use electronic devices during a Closed Session Meeting, save and except the Clerk and any solicitor representing the City, who shall be permitted to use electronic devices only for the purpose of discharging their duties.

5.3.4 Conflict of Interest Declared – Member to Leave

A Member who has declared a Conflict of Interest shall forthwith leave the Closed Session Meeting.

5.3.5 Voting

The taking of a vote is not permitted in a Closed Session Meeting unless the vote is for a procedural matter or for giving directions or instructions to the City Manager, other City Staff or persons retained by or under contract with the City.

5.3.6 Confidentiality

- (a) Members shall not in any way, notify, distribute or make available to any Person, including another Member who has declared a Conflict of Interest, by any means, any reports or items, or disclose the nature or content of any reports or items or of discussions regarding any matters that have been or will be addressed in a Closed Session Meeting.
- (b) Members who have declared a Conflict of Interest in any matter considered in Closed Session shall not be provided access to any reports, items, agendas or minutes, or any other records of discussions regarding those matters.

5.3.7 Reporting In Open Session

Only matters discussed in a Closed Session Meeting and directed to be brought forward for voting in public by a Resolution of Council will be brought forward by the Clerk. Such matters will be voted on in public immediately following the Closed Session Meeting normally without any further debate or discussion

5.4 Order of Business

5.4.1 Agenda

- (a) The Clerk shall prepare an Agenda for all regular Meetings of Council setting out the items for consideration and the order of the business for the Meeting in the following format:
 - (i) Call to Order
 - (i) Land Acknowledgement
 - (ii) National Anthem
 - (iii) Public Forum (not exceeding fifteen minutes);
 - (iv) Council Announcements;
 - (v) Introduction of Emergency/Time Sensitive Matters;
 - (vi) Adoption of Agenda;
 - (vii) Disclosures of pecuniary interest and general nature thereof;

By-law No. 125-23 – Procedure By-Law

- (viii) Adoption of previous Council minutes;
 - (ix) Identification of Items Requiring Separate Discussion;
 - (x) Adoption of the remainder of Agenda items;
 - (xi) Public Hearings;
 - (xii) Presentations;
 - (xiii) Delegation(s);
 - (xiv) Committee and Staff Reports;
 - (xv) Other Business;
 - (xvi) Emergency/Time Sensitive Matters;
 - (xvii) By-laws;
 - (xviii) Closed Session;
 - (xix) By-law to Confirm the Proceedings of Council at this Meeting
 - (xx) Adjournment.
- (b) Provided that no Member objects, when the same or related matters are in more than one place on the Agenda, Council may address all related matters together or in the order in which they are set out in the Agenda.

5.4.2 Adoption of Items Not Requiring Separate Discussion

- (a) Every item identified by the Clerk as:
- (i) requiring Council direction;
 - (ii) requiring a public hearing pursuant to any legislation or by-law of the City;
 - (iii) being the subject of a presentation; or
 - (iv) a matter to be addressed by a Delegation,
- shall be separated for consideration and debate unless otherwise directed by Council.
- (b) In addition to those items identified by the Clerk as set out in paragraph (a) above, at the request of a Member, any item of business may be separated for consideration and debate.
- (c) No Motion is required for a request by a Member to separate an item.
- (d) The Member who requests an item to be separated will be provided the first opportunity to speak to that item.

- (e) With the exception of those items which:
 - (i) have been separated by a Member;
 - (ii) require Council direction;
 - (iii) require a public hearing pursuant to any legislation or by-law of the City,
 - (iv) being the subject of a presentation; or
 - (v) are to be addressed by a Delegation,all items remaining on the Agenda shall be adopted in one Motion without any discussion or debate.

5.4.3 Announcements

- (a) An announcement related to a matter not on the Agenda may only be made by a Member or by the City Manager at a regular Council Meeting and only if it is:
 - (i) of a, congratulatory or condolence nature; or
 - (ii) for the purpose of providing other Members or Staff with an update in relation to a cultural, recreational or similar event within the City or of a proceeding of an organization of which the City is a member.
- (b) All announcements shall be made orally in accordance with the order of business on the Agenda, and shall normally be brief and succinct.

5.4.4 Addition of Business

- (a) Subject to paragraph (f), written reports prepared by staff relating to items of business may be added to the Agenda upon providing the Clerk with a copy of the report in accordance with the timelines and processes established by the Clerk for that purpose.
- (b) Except as provided in paragraphs (d) and (e), and subject to paragraph (c), a Member may only request that an item of business, which shall normally be in the form of a Members Motion, be included on an Agenda upon providing the Clerk with notice, in a form approved by the Clerk, on or before 12:00 p.m. seven (7) calendar days prior to the Meeting, provided however that the inclusion of that item on the Agenda shall not serve as a request or direction to staff to prepare a written staff report for the same meeting at which the added business is discussed.
- (c) A Member may only request that an item of business to be discussed in a Closed Session Meeting be added to the Agenda where the Member provides the Clerk, on or before 12:00 p.m. seven (7) calendar days prior to the Meeting, with the following:

By-law No. 125-23 – Procedure By-Law

- (i) A public open session Members Motion with a resolution recommending the consideration of the business in Closed Session Meeting, the applicable reason for closing the meeting to the public under the Act, and the general nature of the matter(s) to be considered at the Closed Session Meeting; and
 - (ii) A confidential closed session Members Motion, for distribution to other Members prior to a Meeting, that includes the specific matter and resolution to be considered in a Closed Session Meeting.
- (d) Subject to paragraph (f), where the City Manager has determined that a matter constitutes an Emergency or a Time Sensitive Matter, the Clerk may add that matter as an item of business to a consolidated Agenda for distribution prior to the Meeting.
- (e) Subject to paragraph (f), only the City Manager or a Member may orally introduce an item of business that is believed to be an Emergency or a Time Sensitive Matter without providing any prior notice and without the matter having been included on the Agenda and Council shall determine by Majority Vote whether the matter introduced is an Emergency or a Time Sensitive Matter that should be considered at the Meeting. Where a Member is orally introducing an item of business that is believed to be an Emergency or a Time Sensitive Matter, that Member shall provide the Clerk and other Members those things required by paragraph (b) and (c) as soon as possible prior to the start of the Meeting.
- (f) Any matter for which Council must provide public notice prior to making a decision pursuant to Applicable Law may only be considered by Council for the purpose of making such decision if the required public notice has been provided.
- (g) The provisions of section 5.4.4 shall not apply to business added under section 5.11 (Strong Mayor Powers)

5.5 Public Participation

5.5.1 Petitions or Written and Oral Submissions

- (a) A Person may submit:
- (i) a petition;
 - (ii) other written material; or
 - (iii) a summary of a matter regarding which they intend to make an oral submission;

by delivering these items by regular mail, facsimile or e-mail to the Office of the Clerk for inclusion on an Agenda. The item submitted must be accompanied by contact information of the Person making the submission,

By-law No. 125-23 – Procedure By-Law

including a contact name and a mailing address, as well as a facsimile or e-mail address, to be included on an Agenda.

- (b) If the items submitted referred to in this paragraph (a) relate to a matter already on the Agenda, then they will be distributed where practicable in a manner deemed reasonable by the Clerk, provided that no such material shall be included on an Agenda if it is received after 12:00 p.m. (noon) on the day prior to the meeting.
- (c) Subject to paragraph (g) below, if the items submitted referred to in paragraph (a) do not relate to a matter already on the Agenda, then in order for the items to be included on an Agenda for an upcoming Meeting, the items must be:
 - (i) received by the Office of the Clerk no later than 12:00 p.m. (noon) two (2) weeks prior to the Meeting; and
 - (ii) accompanied by contact information of the Person making the submission, including a contact name and a mailing, facsimile or e-mail address.
- (d) Items received after the deadline referred to in paragraph (b) will be included on the Agenda of the next regular Meeting.
- (e) Subject to paragraph (g), personal information and comments contained in items that are submitted to the Clerk and included on an Agenda shall form part of the public record related to that Meeting.
- (f) Subject to paragraph (g), a petition or other written material will be included by the Clerk on the Agenda so that Council may receive the written material, provided that it is;
 - (i) is in legible handwriting, in printed form, or in printable form;
 - (ii) contains a statement of the Person's cause or position; and
 - (iii) is, in the opinion of the Clerk, appropriate, respectful and temperate in its language.
- (g) A petition shall only be included on an Agenda if the petition is provided in a format that can be published on the Agenda, as determined by the Clerk
- (h) The Clerk shall not publish the names and addresses of the petitioners unless they have consented to the disclosure of their name and address as part of the petition.

5.5.2 Conduct by Public at Meetings

- (a) Persons in attendance at a Meeting, including those that will be making Delegations:

By-law No. 125-23 – Procedure By-Law

- (i) may not display signs or placards or engage in conversation or other behaviour which may disrupt a Meeting; and
 - (ii) shall ensure that all electronic devices, including cellular telephones are placed in silent mode during a Meeting.
- (b) Subject to paragraphs (c) and (d) below, the use of video or audio recording equipment or devices by members of the public or media during a Meeting is permitted provided that such equipment or devices do not interfere with the proceedings of the Meeting.
 - (c) Video recording equipment may only be used within the areas designated for that purpose by the Clerk.
 - (d) The use of video or audio recording equipment or devices is prohibited during Closed Session Meetings.
 - (e) Where a Person has, in the opinion of the Chair, engaged in improper conduct at a Meeting contrary to this subsection, the Chair may expel or exclude any such Person from the Meeting.
 - (f) In order to expel or exclude any such Person from the Meeting, the Chair may require the security personnel for the City or any other persons as are present to take reasonable measures as are necessary to exclude or expel the Person whose conduct has been improper of which measures may include requesting the assistance of a police officer.

5.5.3 Public Forum

- (a) Every Meeting shall commence with a public forum for the purpose of providing members of the public an opportunity to voice opinions and raise issues on matters of concern to them that have not been included on the Agenda.
- (b) Any member of the public who wishes to voice opinions and raise issues on matters of concern to them that have not been included on the Agenda shall be required to register with the Clerk by 12:00 p.m. (noon) on the day prior to the Meeting.
- (c) A member of the public registering for Public Forum shall be required to provide their name and address for inclusion in the Meetings public records.
- (d) A pre-recorded audio or video Public Forum Delegation shall not be permitted.
- (e) The length of time of the public forum shall not exceed fifteen (15) minutes and the speaking times referred to in paragraphs (g) to (i), shall not be varied except by a Majority Vote.

By-law No. 125-23 – Procedure By-Law

- (f) The maximum of number of such registrations shall be five persons, on a first come first serve basis.
- (g) If there are three or less registrants, each registrant shall be provided no more than five minutes to address Council.
- (h) If there are four registrants, each registrant shall be provided no more than four minutes to address Council.
- (i) If there are five registrants, each registrant shall be provided no more than three minutes to address Council.
- (j) A Person making a Public Forum presentation shall not speak disrespectfully about anyone or use offensive language, and shall respect any ruling made by the Chair.

5.5.4 Delegations

- (a) A Person may address Council in relation to a matter that is listed on the Agenda, provided that the Person has registered in advance with the Office of the Clerk no later than 12:00 p.m. (noon) on the day prior to the Meeting.
- (b) A Person registering to address Council shall be required to provide their name and address for inclusion on the Meeting's agenda and form part of the public record.
- (c) A pre-recorded audio or video Delegation shall not be permitted,
- (d) Where a matter on the Agenda is a recommendation from Committee of the Whole, a Person may only address Council as a Delegation on that matter if that Person:
 - (i) has not already addressed Committee of the Whole at the Meeting in which the recommendation was made; or
 - (ii) has already addressed Committee of the Whole at the Meeting in which the recommendation was made and has notified the Clerk that the Person will be providing Council with new information not previously provided to Committee of the Whole; and
 - (iii) provided that the Person has registered in advance with the Office of the Clerk no later than 12:00 p.m. (noon) on the day prior to the Meeting.
- (e) Notwithstanding that a Person must register with the Office of the Clerk to address Council as a Delegation, a Person that has not registered may address Council if a Resolution is passed by Majority Vote to allow the Person to do so.

- (f) A Person making a Delegation shall:
 - (i) be provided five (5) minutes to address Council unless Council passes a Resolution by Majority Vote extending the Person's time for speaking;
 - (ii) prior to addressing Council, provide to the Clerk any material related to the Delegation that is intended to be distributed or presented to Members during a Meeting, of which the material shall form part of the public record;
 - (iii) only speak once and only to the matter identified upon registration and shall not introduce any other matter; and
 - (iv) not speak disrespectfully about anyone or use offensive language, and shall respect any ruling made by the Chair.
- (g) Council shall hear all Delegations at the same time, in the order listed on the Agenda and prior to considering any matters not adopted as Items Not Requiring Separate Discussion, any Other Business or any other the matters held for presentations.

5.5.5 Staff Address to Council

Notwithstanding any of the provisions of subsections 5.5.4 (Delegations) and 5.5.6 (No Public Participation after Motion) to the contrary, the City Manager or any other City Staff in attendance at a Meeting may, with leave of the Chair, address Council with regards to any item of business on the Agenda.

5.5.6 No Public Participation after Motion

Once a Motion has been moved and seconded, there shall be no further public participation without leave of Council.

5.6 Motion

5.6.1 Moved and Seconded

A Motion shall be moved and seconded before being debated or put to a vote.

5.6.2 Withdrawal of a Motion

- (a) After a Motion has been moved and seconded, it is in the possession of Council for consideration but may be withdrawn by the mover at any time before it has been voted on.
- (b) A Member who has seconded a Motion shall not be permitted to withdraw their second.

5.6.3 No Motion Until Public Participation Concluded

No Motion shall be received until all Delegations on that matter have been heard.

5.6.4 Debate and Amendment

Save and except as provided in subsection 5.6.7 (Motion to Proceed Beyond 11:00) and 5.6.8 (Motion to Close the Debate), all Motions which are properly before Council for consideration are open to debate and may be amended.

5.6.5 Permitted Motions – Order

- (a) When a Motion has been moved and seconded and is being considered by Council, no Motion shall be received except the following Motions to:
 - (i) Adjourn the Meeting;
 - (ii) Proceed beyond the hour of 11:00 p.m.;
 - (iii) Close the debate (Call the Question);
 - (iv) Defer (postpone to a future Meeting of Committee or Council);
 - (v) Refer (to a Committee or City Staff); or
 - (vi) Amend the main Motion.
- (b) The Motions listed in paragraph (a) above shall:
 - (i) only be made when no Members are speaking or voting;
 - (ii) have precedence and be decided in the order in which they are listed; and
 - (iii) normally be made without significant preamble.

5.6.6 Motion to Adjourn – Requirements

A Motion to adjourn the Meeting:

- (a) is brought for the purpose of closing the Meeting;
- (b) must include a date and time at which the Meeting will be reconvened if there are matters still remaining on the Agenda;
- (c) may only be amended or debated as to the date and time at which the Meeting will be reconvened; and
- (d) requires a Majority Vote to be passed.

5.6.7 Motion to Proceed Beyond 11:00 – Requirements

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

- (a) must be made by 10:55 p.m.;

- (b) may not be amended or debated; and
- (c) requires a Two-thirds Vote to be passed.

5.6.8 Motion to Close the Debate

A Motion to Close the Debate:

- (a) shall only be voted on after all Members have had an opportunity to speak once to the main Motion;
- (b) may not be amended or debated;
- (c) requires a Two-thirds Vote to be passed; and
- (d) if decided in the affirmative, shall result in an immediate vote being taken on the main Motion.

5.6.9 Motion to Defer

A Motion to Defer:

- (a) must include the date and time to which the matter is to be deferred;
- (b) may be debated as to the advisability of the postponement or the date and time to which the matter is proposed to be deferred;
- (c) may be amended only as to the time or date to which the matter is deferred;
- (d) requires a Majority Vote to be passed; and
- (e) if decided in the affirmative, precludes any amendment, debate or vote in relation to the preceding main Motion.

5.6.10 Motion to Refer

A Motion to Refer:

- (a) may be debated and amended;
- (b) must indicate the Committee or City Staff to which the matter is being referred;
- (c) may include:
 - (i) the terms on which the Motion is being referred;
 - (ii) the time at which the matter is to be returned; and
 - (iii) whatever explanation may be necessary as to the purpose of the Motion to Refer;

- (d) requires a Majority Vote to be passed; and
- (e) if decided in the affirmative, precludes any amendment, debate or vote in relation to the preceding main Motion.

5.6.11 Motion to Amend

A Motion to Amend shall:

- (a) requires a Majority Vote to be passed;
- (b) propose removing, substituting for, or adding to the words of a main Motion;
- (c) be decided or withdrawn before the main Motion being considered is put to vote;
- (d) be open to debate;
- (e) not be directly contrary to the main Motion; and
- (f) relate to the subject matter of the main Motion.

5.6.12 Motion to Amend – Limitation

- (a) Only one amendment at a time shall be presented to the main Motion; and
- (b) An amendment that has been decided in the negative cannot be proposed again.

5.6.13 Motion to Reconsider

- (a) Decisions which contractually bind the City shall not be reconsidered unless the City Manager, City Solicitor or other City Staff have been provided the opportunity to advise Council on the implications of such reconsideration.
- (b) Subject to paragraph (c), (d) and (e), there shall be no further discussion on a Resolution, By-law, or any matter previously considered and/or decided by Council during the current Term of Council unless a Motion to Reconsider is passed;
- (c) A Motion to Reconsider is required when Council wants to reconsider a matter where a decision on the matter was considered within one (1) year of the meeting that is taking place.
- (d) A Motion to Reconsider is not required when Council wants to reconsider a matter where a decision on the matter was considered more than one (1) year of the meeting that is taking place, where the decision on the matter was taken during a previous Term of Council and/or where the matter that was being considered failed to carry on a tie vote.

- (e) A Motion to Reconsider:
 - (i) May only be debated as to the advisability of reconsidering the matter;
 - (ii) May not be amended; and
 - (iii) Requires a Two-thirds vote to pass.

5.7 Rules of Debate

5.7.1 Preserve Order

The Chair shall preserve order and decorum and, subject to an appeal to Council by any Member, shall decide questions of procedure and order and all matters related to this By-law.

5.7.2 Address to Chair

Any Member, prior to speaking on any question or Motion, shall indicate his desire to speak by a raised hand and shall not speak until recognized by the Chair.

5.7.3 Order of Speakers

The order of speakers shall be determined by the Chair by recognizing the Members in the order that they have indicated their desire to speak.

5.7.4 Number of Times to Speak – Length of Time for Speaking

- (a) Any Member of Council may only speak:
 - (i) twice on any Motion other than a Motion referred to in clause (ii), and for no more than five (5) minutes each time, except that a Member shall not speak more than once to a Motion until every Member who wishes to speak on that item has spoken; and
 - (ii) once on any Motion to Amend, Motion to Defer or Motion to Refer, and for no more than five (5) minutes.
- (b) Where a Motion has been amended by the adoption of a Motion to Amend, any Member who has already spoken to the Motion twice, may be permitted to speak to the amended Motion no more than one (1) additional time, and for not more than five (5) additional minutes, provided that if the Motion is further amended no additional speaking time shall be provided to any such Member who has already spoken to the motion a third time.
- (c) Where a Member is speaking to a Motion, and during such speaking time moves a Motion referred to in paragraph 5.6.5(a), the Member is deemed to have spoken both on the Motion, and, if the Member continues speaking after making a Motion in paragraph 5.6.5(a) to that Motion as well.

5.7.5 Request to Read a Motion Aloud

Any Member may request a Motion that is under discussion to be read at any time during the debate, but shall not do so while another Member is speaking.

5.7.6 Right of Reply

In addition to the speaking rights set out in subsection 5.7.4 (Number of Times to Speak – Length of Time for Speaking), after all Members who wish to speak on a Motion have done so, the Member who has made the Motion may have an additional three (3) minutes to reply to comments made by the other Members.

5.7.7 While Member Is Speaking

When a Member is speaking, no Member shall interrupt except to raise a Point of Order, or to appeal a decision of the Chair.

5.7.8 Point of Order

- (a) A Member may interrupt the Person who has the floor to raise a Point of Order.
- (b) A Point of Order shall be raised without preamble, comment, or debate, save and except for identifying the rule alleged to have been not observed and briefly identifying why the Member believes the rule has not been observed.
- (c) The Chair shall consider the matter immediately and render a ruling that may, if the Chair has determined that the personal or professional integrity of a Member has been impugned or put into question, include a requirement that any offending Member(s) render an apology.
- (d) Members shall not engage in debate on a Point of Order, nor interrupt the Chair when deciding a Point or Order.
- (e) The ruling of the Chair shall be final unless a Member appeals the ruling to Council.
- (f) If the ruling is appealed, the Members shall decide, without debate, on the question “Should the ruling of the Chair be upheld?”, and the decision of the majority of Members on this question shall be final.
- (g) In the event of a tie on the question referred to in (f), the decision of the Chair shall be upheld.

5.7.9 Point of Information

A Point of Information shall not be in order in any Meeting.

5.7.10 Integrity of City Staff

- (a) Neither the Chair, nor a Member, while asking a question(s) through the Chair, shall impugn or put into question the personal or professional integrity of City Staff except in a Closed Session Meeting.
- (b) At any time during a Meeting and with the leave of the Chair, the City Manager may make a statement to Council when the integrity of the City Manager or any other City staff has been impugned or questioned.
- (c) The Chair shall consider the matter immediately and render a ruling that may, if there is a finding that there has been a breach of the rule set out in paragraph (a) above, include a requirement that any offending Member(s) render an apology.
- (d) If the ruling is appealed, the Members shall decide, without debate, on the question “Should the ruling of the Chair be upheld?”, and the decision of the majority of Members on this question shall be final.
- (e) In the event of a tie on the question referred to in (d), the decision of the Chair shall be upheld.

5.7.11 Chair Participation In Debate/Moving Motion

- (a) The Chair may answer questions and comment on any Motion put forward by another Member while continuing to preside over the Meeting.
- (b) If the Chair desires to make a Motion, then the Chair shall first designate the duties of the Chair to the Deputy Mayor or, in the Deputy Mayor’s absence or inability to act, the Alternate Deputy Mayor.

5.8 Voting

5.8.1 Call for the Vote

When the Chair calls for the vote on a Motion:

- (a) each Member shall be seated and shall remain seated until the result of the vote has been declared by the Chair; and
- (b) no Member shall walk across the room to speak to any other Member or make any noise or disturbance.

5.8.2 All Members Vote

- (a) Every Member present at a Meeting shall vote on any Motion unless the Member has declared a Conflict of Interest.

- (b) A failure by a Member entitled to vote in relation to any Motion shall be deemed to be a negative vote.

5.8.3 Majority Vote

A Majority Vote is required to pass a Motion or By-law, with the following exceptions:

- (a) a Motion to waive the rules as described in section 3.3 (Waiver of Rules), which requires a Two-thirds Vote to be passed;
- (b) a Motion to Proceed Beyond 11:00 as described in subsection 5.6.7 (Motion to Proceed Beyond 11:00 – Requirements), which requires a Two-thirds Vote to be passed;
- (c) a Motion to Close the Debate as described in subsection 5.6.8 (Motion to Close the Debate), which requires a Two-thirds Vote to be passed;
- (d) an appeal of a ruling of the Chair on a Point of Order as described in subsection 5.7.8 (Point of Order), which is upheld in the event of a tie;
- (e) an appeal of a ruling of the Chair on a question of the personal or professional integrity of City Staff as described in subsection 5.7.10 (Integrity of City Staff), which is upheld in the event of a tie;
- (f) a Motion to Reconsider referred to in paragraph 5.6.13(e), which requires a Two-thirds Vote to be passed;
- (g) Where the Mayor uses their Mayoral Veto, pursuant to the Strong Mayor Powers, a Two-thirds vote is required to override a Mayoral Veto;
- (h) Where a by-law is brought forward pursuant to the Strong Mayor Powers, only a One-third (1/3) vote is required to pass the by-law.

5.8.4 Tie Vote

Except as expressly set out in subsections 5.7.8 (Point of Order) and 5.7.10 (Integrity of City Staff), in the case of an equal division of votes on a Motion, the Motion shall be deemed to have been decided in the negative.

5.8.5 Show Of Hands

Members shall vote by raising their hand, with the exception of a Recorded Vote.

5.8.6 Recorded Vote

- (a) Immediately before or after the taking of any vote a Member may request that the vote be recorded.

- (b) Each Member present, except any Member who has declared a Conflict of Interest, shall announce his or her vote as set out in paragraph (c) below, and the Clerk shall record each vote.
- (c) The Member who requested the Recorded Vote shall announce first, and the remaining Members shall announce in random order as called by the Clerk.
- (d) A Member who fails to vote when called upon by the Clerk, and having been called upon no more than three (3) times in total, shall be deemed as having abstained from the vote, and pursuant to paragraph 5.8.2(b) shall be deemed to have voted in the negative.

5.8.7 Division of Motion

At the request of a Member, a Motion containing distinct proposals may be divided by the Chair, and a separate vote shall be taken for each proposal.

5.8.8 Member Not Seated

A Member not in the vicinity of the Council seating area when the vote is called by the Chair is not entitled to vote on that Motion and in the case of a Recorded Vote, shall be recorded as absent.

5.8.9 Stating the Motion

If requested by a Member, the Chair shall state the Motion in the form it was introduced immediately prior to calling the vote.

5.8.10 Announcing Result

- (a) Subject to paragraph (b), the Chair shall announce the result of every vote.
- (b) The Clerk shall announce the results of any Recorded Vote.

5.9 Minutes

5.9.1 Contents – recorded – by Clerk

The Clerk shall take the minutes of each Meeting without note or comment, which shall include:

- (a) The place, date and time of the Meeting;
- (b) The City Staff in attendance;
- (c) The name of the Chair and attendance of the Members; and
- (d) Each item considered by Council and the Resolutions, decisions and other proceedings of Council.

5.9.2 Included in Agenda

Minutes of each Council Meeting that was open to the public shall be presented to Council for approval at the next regular Meeting, and may be adopted by Council without having been read at the Meeting at which their adoption is considered.

5.9.3 Minutes – confirmation – signing

When the minutes have been adopted by Council, they shall be signed by the Chair and the Clerk.

5.9.4 Minutes – Closed Session Meeting

- (a) The Clerk shall prepare, and the Clerk and Mayor shall sign all Closed Session Meeting minutes.
- (b) Minutes of each Closed Session Meeting shall be deemed adopted by Council once signed by the Clerk and Mayor.
- (c) For greater certainty, the failure to adopt Closed Session Meeting minutes at a Meeting does not affect the validity of such minutes.

5.10 By-laws

5.10.1 Introduction and Passage

- (a) The Clerk may place on an Agenda, by-laws that have been authorized by Council or regarding which the authority for adoption is contained within an item on the Agenda for the Meeting.
- (b) All by-laws may be enacted with a single Motion but the Motion may be divided on the request of a Member who has declared a Conflict of Interest in the matter.
- (c) For greater certainty, notwithstanding any custom or convention, and subject to subsection 5.11.2 (By-laws – Strong Mayor Powers) a by-law is effective upon being moved, seconded and passed by Majority Vote only once.

5.10.2 By-laws – Routine

For the purpose of paragraph 5.10.1(a), the following types of by-laws are authorized to be included on the Agenda without any prior consideration:

- (a) those directed to be presented directly to Council by Council, or Committee of the Whole;
- (b) the appointment of Deputy Clerks;
- (c) the appointment of Deputy Treasurers;

By-law No. 125-23 – Procedure By-Law

- (d) by-laws to levy interim property taxes;
- (e) by-laws to designate lands as not subject to part lot control pursuant to Section 50(7) of the Planning Act;
- (f) by-laws to assume above ground or below ground services, the authority for which has not already been delegated to City Staff.
- (g) by-laws to establish land as a public highway;
- (h) by-laws to give effect to orders and decisions of the Ontario Land Tribunal, or any successor tribunal;
- (i) the appointment of by-law inspection, municipal law enforcement, provincial offences administration, and municipal inspectors pursuant to the *Building Code Act*, the authority for which has not already been delegated to City Staff;
- (j) general by-laws where the purpose and intent of the by-law has been clearly authorized by a previous Council resolution;
- (k) consolidation of by-laws or housekeeping amendments;
- (l) minor amendments resulting from changes to enabling provincial legislation;
- (m) by-laws to effect revisions to existing by-laws to align delegated authorities with any organizational changes made by Council, the Mayor under authority of the Strong Mayor Powers, or the City Manager pursuant to the City Manager's delegated authority pertaining to reorganizations; and
- (n) other administrative by-laws deemed appropriate by the City Manager.

5.10.3 Confirmation By-law – conclusion of Meeting

- (a) At the conclusion of all regular and special Meetings of Council, save and except Council Public Meetings and Education and Training Sessions and prior to adjournment, a by-law shall be brought forward to confirm the actions of Council at that Meeting in respect of each Motion, Resolution and other actions taken, so that every decision of Council at that Meeting shall have the same force and effect as if each and every one of them had been the subject-matter of a separate by-law duly enacted.
- (b) The by-law referred to in paragraph (a), when introduced, shall be voted on without debate.

5.10.4 Passed – numbered – dated – signed – seal affixed

- (a) Every by-law passed by Council shall be numbered and dated, sealed with the seal of the City and signed by the Mayor and the Clerk and shall be placed in the City's official records.
- (b) The Clerk is authorized to make the following changes to by-laws after enactment by Council:
 - (i) Correct spelling, punctuation or grammatical errors, or other administrative errors and omissions errors that are of a clerical, typographical or similar nature.
 - (ii) Alter the style or presentation of text or graphics to improve electronic or print presentation or to comply with legislated accessibility requirements.
 - (iii) Correct errors in the numbering of provisions or other portions of a by-law and make any changes in cross-reference that are required as a result.

5.11 Strong Mayor Powers

5.11.1 Strong Mayor Powers – Addition of Business

- (a) Pursuant to the Strong Mayor Powers, the Mayor may introduce any matter for consideration by Council, and require Council to discuss and vote on any such matter.
- (b) Any such matter introduced by the Mayor pursuant to the Strong Mayor Powers will normally be in the form of a Mayoral Direction included on the Agenda prepared by the Clerk, but may be, at the Mayor's discretion, introduced under Adoption of the Agenda, except that no Motion or vote of Council is required for the matter to be included on the agenda.
- (c) For greater certainty, and to ensure that the public records (Agendas and minutes) reflect the exercise of the Strong Mayor Powers, the Clerk is authorized to include the addition of business pursuant to the Strong Mayor Powers in the Agenda and minutes.
- (d) Any matter introduced by the Mayor under this section shall normally be considered with Other Business unless the Mayor directs otherwise.

5.11.2 Strong Mayor Powers – By-laws Introduction

- (a) Pursuant to the Strong Mayor Powers, the Mayor may introduce a by-law for consideration by Council, and require Council to vote on any such by-law.
- (b) Any by-law introduced by the Mayor pursuant to the Strong Mayor Powers will normally be included on the Agenda prepared by the Clerk, but may be, at the Mayor's discretion, introduced under Adoption of the Agenda, except

that no Motion or vote of Council is required to include any such by-law on the Agenda.

- (c) Notwithstanding any thing else in this Procedure By-law, a By-law introduced by the Mayor pursuant to the Strong Mayor Powers to advance a provincial priority shall, in accordance with Subsection 284.11.1(4) of the Act, be passed if more than one-third (1/3) of the total Members of Council who have not declared a conflict vote to pass that by-law.

5.11.3 Strong Mayor Powers – By-laws Approval and Veto

- (a) In accordance with Strong Mayor Powers, and subject to the timelines set out in Part VI.1 of the Act and the associated regulations, the Mayor shall communicate to the Clerk:
 - (i) Written approval of By-laws enacted by Council; or
 - (ii) Written notice of any By-laws that the Mayor intends to Veto pursuant to Strong Mayor Powers, and a written veto document as prescribed by the Act.
- (b) Upon receipt of written notice from the Mayor as set out in paragraph (a), and in accordance with the timelines prescribed in the Regulations, the Clerk shall advise Council and the public by:
 - (i) Posting notice of the Mayor’s approval of the By-laws on the City’s website; or
 - (ii) Posting notice of Mayoral Veto of a By-law or By-laws on the City’s website and advising all Members by e-mail, including providing a copy of the veto document.
- (c) In accordance with Strong Mayor Powers, and subject to the timelines set out in Part VI.1 of the Act and the associated regulations, Council may override a Mayoral Veto with a Two-Thirds Vote. The override may be introduced by Motion:
 - (i) Without prior notice at any regular Council meeting under Adoption of Agenda; or
 - (ii) At a Special meeting called for this purpose in accordance with subsection 6.1.3 (Special Meetings – Members of Council)
- (d) Notwithstanding the definition of “Two-Thirds Vote” in Article 1, for the purpose of paragraph (c), a Two-thirds Vote means two-thirds (2/3) of the total number of Members of Council who have not declared a Conflict of Interest.

5.11.4 Strong Mayor Powers – Budget – Introduction

- (a) The Mayor will introduce the City’s budget by directing staff to include the proposed budget on a Council Agenda, or an Agenda for a Special Council Meeting called for that purpose.
- (b) Before presenting a proposed budget for Council’s consideration, the Mayor will normally seek comments on a draft budget from the Budget Committee of the Whole.

5.11.5 Strong Mayor Powers – Budget – Consideration, Amendment and Veto

- (a) Council shall consider the Budget at the Meeting and shall normally:
 - (i) Express support for the Budget by resolution that will normally include a resolution shortening the time in which Council can make amendments to the Budget; or
 - (ii) Pass resolutions amending the Budget.
- (b) In accordance with Strong Mayor Powers, and subject to any prescribed timelines in the regulations, the Mayor may veto a budget amendment passed by Council. This veto shall be communicated within the timelines prescribed in the Act and associated regulations, and may be communicated to Council:
 - (i) At the Council meeting at which the amendment was adopted or at a subsequent Council meeting, without notice, and with written notice of the veto to be subsequently provided to the Clerk to be recorded and publicly published in the draft and final minutes;
 - (ii) by e-mail to Members of Council directly or through the Clerk, and shall be recorded and publicly published by the Clerk in the draft and final minutes.
- (c) In accordance with Strong Mayor Powers, and subject to any associated prescribed timelines in the regulations, prescribed in the associated regulations, Council may override the Mayoral Veto with a Two-Thirds Vote. The override may be introduced by Motion:
 - (i) Without notice at any regular Council meeting under Adoption of Agenda; or
 - (ii) At a Special meeting called for this purpose in accordance with subsection 6.1.3 (Special Meetings – Members of Council).
- (d) Notwithstanding the definition of “Two-Thirds Vote” in Article 1, for the purpose of paragraph (c), a Two-thirds Vote means two-thirds (2/3) of the

total number of Members of Council who have not declared a Conflict of Interest.

5.11.6 Strong Mayor Powers – In-year Budget Amendments

- (a) If there are any in-year budget amendments, the introduction and veto process shall be in accordance with sections 5.11.4 and 5.11.5, with all the necessary changes in points of detail understood, subject to any additional timelines and provisions set out in the associated regulations.

Article 6 - Special Meeting of Council

6.1.1 Special Meetings – Resolution

Notwithstanding any other provision of this by-law, Council may by Resolution, passed by a Majority Vote, authorize the holding of a Special Meeting of Council at any time and for any reason.

6.1.2 Special Meetings – Mayor

- (a) The Mayor may at any time call a Special Meeting of Council for any reason, by giving direction to the Clerk stating the date, time, location and purpose of the Special Meeting.
- (b) Save and except for a Special Meeting called by the Clerk pursuant to a petition of the majority of the Members of Council as described in subsection 6.1.3 (Special Meetings – Members of Council), upon consultation with the Clerk and provided that sufficient public notice is provided in accordance with the requirements set out in subsection 6.1.8 (Public Notice of Special Meeting), the Mayor may reschedule any Special Meeting to an alternate day and/or time.

6.1.3 Special Meetings – Members of Council

The majority of the Members of Council may, by petition, require the Clerk to call a Special Meeting for any purpose, and the Clerk shall call a Special Meeting for the date, time, location and purpose of the special Meeting referred to in the petition.

6.1.4 Workshops

- (a) A Special Council Meeting may be conducted as a Workshop, provided that the matter to be discussed meets the following criteria:
 - (i) It pertains generally to matters that will be brought to Council for a final decision at a later date;
 - (ii) It is a complicated or highly technical matter requiring additional discussion time.
- (b) A workshop may be closed to the public if permitted under Section 239(2) of the Act, and provided that the resolution referred to in subsection 5.3.2 (Resolution) is passed.
- (c) Subject to paragraph (d), during a Workshop, the Chair may permit a freer discussion between Members and Staff then in a regular Council Meeting.
- (d) During a Workshop, the following speaking rules shall generally apply:
 - (i) Members shall be permitted to speak, ask questions and seek clarification without a Motion;

- (ii) The Chair shall ensure to the extent possible, that speaking time is evenly distributed between all Members; and
- (iii) Without leave of the Chair, no Member shall speak, ask questions and seek clarification for more than five (5) minutes at a time while other Members wish to speak, or staff have additional information to provide.

6.1.5 Education and Training Sessions

- (a) A Special Council Meeting may be conducted as an Education and Training Session, provided that it meets the following criteria:
 - (i) the two conditions set out in paragraph (d) of subsection 5.3.1 (Reasons) are both satisfied; and
 - (ii) it pertains to a matter that will not be subject to a future decision of Council.
- (b) An Education and Training Session may be closed to the Public provided that the resolution referred to in subsection 5.3.2 (Resolution) is passed
- (c) Subject to paragraph (d), during an Education and Training Session, the Chair may permit a freer discussion between Members and City Staff than in a regular Council Meeting.
- (d) During an Education and Training Session, the following speaking rules shall generally apply:
 - (i) Members shall be permitted to speak, ask questions and seek clarification without a Motion;
 - (ii) The Chair shall ensure to the extent possible, that speaking time is evenly distributed between all Members; and
 - (iii) Without leave of the Chair, no Member shall speak, ask questions and seek clarification for more than five (5) minutes at a time while other Members wish to speak, or City Staff have additional information to provide.

6.1.6 Proceedings of Council at a Special Meeting

Except as otherwise expressly stated in this Article 6, the procedures relating to Special Council Meetings shall be the same as those for regular Council Meetings.

6.1.7 Notice of Special Meeting

- (a) Subject to paragraph (b), the Clerk shall provide Members with at least forty-eight (48) hours written notice before the time appointed for such a Meeting except if the Meeting is summoned to deal with an Emergency or Time Sensitive Matter, in which case the Clerk shall make best efforts to, at a

minimum, provide each Member with verbal notice as far in advance of the Meeting as practicable.

- (b) Any matter for which Council must provide public notice prior to making a decision pursuant to Applicable Law may only be considered by Council for the purpose of making such decision if the required public notice has been provided.

6.1.8 Public Notice of Special Meeting

The Clerk shall provide notice to the public of a Special Meeting called for:

- (a) any purpose other than an Emergency or Time Sensitive Matter by posting to the schedule of Meetings on the City's website not less than one (1) Clear Day in advance of the date of the Meeting; and
- (b) an Emergency or Time Sensitive Matter, by posting a notice on the door of Council Chambers, and/or on the City's website.

6.1.9 Public Notice – Saving

If, by oversight or otherwise, notice of a Special Council Meeting is not provided in the manner prescribed in subsection 6.1.8 (Public Notice of Special Meeting), the Meeting shall not be void or voidable by reason of such failure to give notice or the insufficiency of any notice and no proceeding at that Meeting shall be void or voidable by reason of such failure to give notice or the insufficiency of any notice.

6.1.10 Agenda

Subject to paragraph 5.10.3(a), the Clerk shall prepare an Agenda for all special Meetings of Council setting out the items for consideration and the order of the business for the Meeting In the following format:

- (a) Call to Order
- (b) Adoption of Agenda;
- (c) Disclosures of pecuniary interest and general nature thereof;
- (d) Delegations
- (e) Scheduled Business
- (f) By-law to confirm the proceedings of council at special Meeting;
- (g) Adjournment.

6.1.11 No Other Business in Special Meetings

Council shall only consider the item or items on the Agenda, and no other business at a Special Meeting of Council with the exception of items introduced under section 5.11 (Strong Mayor Powers).

Article 7 - Meetings of Committee of the Whole

7.1 General Requirements

7.1.1 Strong Mayor Powers – Committee of the Whole – Establishment

Pursuant to the Strong Mayor Powers, the Mayor shall decide to establish or dissolve the Committee of the Whole unless such authority has been delegated to Council.

7.1.2 Procedures – Same as for Proceedings of Council – With Necessary Changes

- (a) This Article 7 outlines only those procedures that are different for regular Committee of the Whole from those that apply to regular Meetings of Council.
- (b) Except as specifically set out in this Article 7, the procedures relating to regular Meetings of Committee of the Whole shall be the same as those outlined in Article 5 (Regular Meetings of Council), with all the necessary changes in points of detail understood.

7.1.3 Inaugural Meeting

There shall be no special inaugural Meeting of Committee of the Whole.

7.1.4 Determination of Chair and Vice-Chair

- (a) Subject to paragraph (d), the Chair of the Committee of the Whole shall be rotated every six (6) months alphabetically among the Members of Council, excluding the Mayor.
- (b) Subject to paragraph (d), the Vice-Chair of the Committee of the Whole shall be the Member having just completed a term as Chair.
- (c) Subject to paragraph (d), the Vice-Chair at the first Meeting of Committee of the Whole shall be the last Member scheduled to preside over the last Meeting of the Committee of the Whole during the present term of Council.
- (d) Pursuant to the Strong Mayor Powers, the Mayor shall appoint the Chair and Vice-Chair(s) of the Committee of the Whole save and except where the Mayor has delegated such authority to Council.

7.1.5 Time of Committee of the Whole Meetings

Subject to subsection 7.1.5 (Exception to Regular Meeting Schedule) the Meetings of Committee of the Whole shall generally be held on the first and third Wednesday of each month commencing at 9:30 a.m.

7.1.6 Exception to Regular Meeting Schedule

- (a) There shall be no Meetings of the Committee of the Whole held during the first two weeks of January, the March Break scheduled by the York Region District School Board, the last two weeks of July and December, and the full month of August in a calendar year unless otherwise provided by Resolution of Council.
- (b) In the year of a regular municipal election held pursuant to the Municipal Elections Act, 1996, there shall be no regular Meetings of the Committee of the Whole held during the period beginning at the start of the third week of September and ending on the day prior to the Inaugural Meeting.

7.2 Quorum

7.2.1 Chair Absent

Unless the Chair is scheduled to be absent for a Meeting, in the case of the Chair not attending within fifteen (15) minutes after the scheduled start time of the Meeting of Committee of the Whole, and provided there is Quorum, the Vice-Chair shall call the Members to order and preside until the Chair arrives.

7.2.2 Chair and Vice-Chair Absent

Unless both the Chair and Vice-Chair are scheduled to be absent for a Meeting, in the case of the Chair and Vice-Chair not attending within fifteen (15) minutes after the scheduled start time of the Meeting of Committee of the Whole, and provided there is Quorum, the Clerk shall call the Members to order. A Chair shall be chosen among the Members present, who will preside over the Meeting until the arrival of the Chair or Vice-Chair.

7.3 Closed Session Meeting

A Closed Session Meeting is not permitted during a Committee of the Whole Meeting.

7.4 Agenda

The Clerk shall prepare an Agenda for all regular Committee of the Whole Meetings setting out the items for consideration and the order of the business for the Meeting In the following format:

- (a) Call to Order;
- (b) Council Announcements;
- (c) Introduction of Emergency/Time Sensitive Matters;
- (d) Adoption of Agenda;
- (e) Disclosures of pecuniary interest and general nature thereof;

- (f) Identification of Item Requiring Separate Discussion;
- (g) Adoption of the Remainder of Agenda items;
- (h) Public hearing(s);
- (i) Presentation(s);
- (j) Delegation(s);
- (k) Committee and Staff Reports
- (l) Other Business;
- (m) Emergency/Time Sensitive Matters;
- (n) Adjournment.

7.5 Public Participation

7.5.1 Public Forum

There shall be no public forum at Meetings of Committee of the Whole.

7.5.2 Delegations

- (a) A Person may address Committee of the Whole in relation to a matter that is listed on the Agenda, provided that the Person has registered in advance with the Office of the Clerk no later than 12:00 p.m. (noon) on the day prior to the Meeting.
- (b) Notwithstanding that a Person must register with the Office of the Clerk to address Committee of the Whole, a Person that has not registered may address Committee of the Whole if a Resolution is passed by Majority Vote to allow the Person to do so.

7.6 Motions

Without limiting the generality of paragraph (b) of subsection 7.1.2 (Procedures – Same as for Proceedings of Council – With Necessary Changes), and for greater particularity, the procedures set out in section 5.6 (Motion) for Motions at Council Meetings shall apply to Motions at Committee of the Whole Meetings, except that:

- (a) a Motion is not required to be seconded before being debated or put to a vote;
- (b) a Motion to Close the Debate is not permitted; and
- (c) a Motion to Reconsider a decision made at a Council or Special Council Meeting is not permitted.

7.7 Rules of Debate

Without limiting the generality of paragraph (b) of subsection 7.1.2 (Procedures – Same as for Proceedings of Council – With Necessary Changes), and for greater particularity, the procedures set out in Section 5.7 (Rules of Debate) for the Rules of Debate at Council Meetings shall apply to Committee of the Whole Meetings, except that if the Chair desires to make a Motion, then the Chair shall first designate the duties of the Chair to the Vice-Chair or, in the Vice-Chair's absence or inability to act, to a Member elected by Majority Vote for this purpose.

7.8 Report to Council – All Matters and Recommendations

Committee of the Whole shall report to Council on all matters brought before it and shall recommend any such action as it deems appropriate.

Article 8 - Council Public Meetings for Planning Matters

8.1 Purpose

In addition to its regular Meetings, Council shall hold separate regular Meetings pursuant to the requirements of the Planning Act, known as Council Public Meetings, solely for the purpose of providing the public an opportunity to make representations to Council in relation to decisions to be made by Council at a future Council Meeting.

8.2 No Decision at a Council Public Meeting

Council may receive written reports from staff in relation to the future decisions, but save and except for providing directions to staff, no decisions shall be made by Council at Council Public Meetings.

8.3 Proceedings of Council at a Council Public Meeting

Except as specifically set out in this Article 8, the procedures relating to Council Public Meetings shall be the same as those for regular Council Meetings outlined in Article 5, with all the necessary changes in points of detail understood.

8.4 Time of Council Public Meetings

Subject to subsection 8.5, Council Public Meetings shall generally take place on the second and fourth Tuesday of each month, commencing at 7:00 p.m.

8.5 Exception to Regular Meeting Schedule

- (a) There shall be no Council Public Meetings held during the first two weeks of January, the March Break scheduled by the York Region District School, the last two weeks of July and December, and the full month of August in a calendar year unless otherwise provided by Resolution of Council.
- (b) In the year of a regular municipal election held pursuant to the Municipal Elections Act, 1996, there shall be no regular no Council Public Meetings held beginning at the start of the third week of September and ending on the day prior to the Inaugural Meeting.
- (c) Once the schedule of Meetings has been adopted by Council, provided that sufficient public notice is provided in accordance with subsection 5.1.8 (Public Notice), the Commissioner of Planning and Building Services may cancel any scheduled Council Public Meeting.

8.6 Closed Session Meeting

A Closed Session Meeting is not permitted during a Council Public Meeting.

8.7 Order of Business

8.7.1 Council Public Meeting Agenda

The format of the Agenda for regular Council Public Meetings shall be as follows:

- (a) Call to Order
- (b) Adoption of Agenda;
- (c) Disclosures of pecuniary interest and general nature thereof;
- (d) Scheduled business;
- (e) Adjournment.

8.7.2 Announcements

Announcements are not permitted during a Council Public Meeting.

8.8 Public Participation

Without limiting the generality of section 8.3 (Proceedings of Council at a Council Public Meeting), and for greater particularity, the procedures set out in section 5.5 (Public Participation) for Public Participation at regular Council Meetings shall apply to public participation at Council Public Meetings, except that:

- (a) there shall be no public forum at a Council Public Hearing; and
- (b) no prior registration is required to make a in-person Delegation;
- (c) prior registration is required to make an electronic Delegation in accordance with section 12.4.3; and
- (d) electronic delegations and any other pre-registered Delegations shall be heard prior to any non-registered in-person Delegations.

8.9 Motions

Without limiting the generality of section 8.3 (Proceedings of Council at a Council Public Meeting), and for greater particularity, the procedures set out in Section 5.6 (Motion) for Motions at Council Meetings shall apply to Motions at Council Public Meetings, except that:

- (a) only a Motion consistent with the purpose of the Council Public Meeting as set out in section 8.1 (Purpose) may be made; and
- (b) the following Motions are prohibited:
 - (i) a Motion to Close the debate;
 - (ii) a Motion to Defer;

By-law No. 125-23 – Procedure By-Law

- (iii) a Motion to Amend; and
- (iv) a Motion to Reconsider.

Article 9 - Budget Committee of the Whole

9.1 Establishment and Purpose

- (a) Subject to paragraph (c), there shall be a Budget Committee of the Whole comprised of all Members which shall address matters and issues relating to the preparation, administration and monitoring of the budget of the City and other current and long-range fiscal planning for the City.
- (b) Notwithstanding paragraph (a), where the Strong Mayor Powers apply, the purpose of the Budget Committee of the Whole in respect to the preparation and administration of the budget of the City, is to make recommendations to the Mayor on:
 - (i) directions the Mayor should consider giving City Staff in respect to the preparation of a draft budget; and
 - (ii) changes to any draft budget prior to the Mayor submitting the budget to Council in accordance with the Strong Mayor Powers.
- (c) Pursuant to the Strong Mayor Powers, the Mayor shall decide to establish or dissolve the Budget Committee of the Whole unless such authority has been delegated to Council.

9.2 General Requirements

9.2.1 Business – Procedure

Except as specifically set out in this Article 9, the procedures relating to Budget Committee of the Whole shall be the same as those for Committee of the Whole outlined in Article 7 (Meetings of Committee of the Whole), with all the necessary changes in points of detail understood.

9.2.2 Determination of Chair and Vice-Chair

- (a) Subject to paragraph (b), the Chair and Vice-Chair of the Budget Committee of the Whole shall be determined by Council.
- (b) Pursuant to the Strong Mayor Powers, the Mayor shall appoint the Chair and Vice-Chair(s) of the Budget Committee of the Whole save and except where the Mayor has delegated such authority to Council

9.2.3 Time of Meetings

The Meetings of Budget Committee of the Whole shall be held as determined by the Clerk and generally commencing at 1:30 p.m.

9.3 Closed Session Meeting

- (a) A Closed Session Meeting shall be permitted during a Budget Committee of the Whole meeting for the sole purpose of receiving information, or considering recommendations for which Council is permitted to meet in the absence of the Public, that pertain to the purpose of the Committee as set out in section 9.1.
- (b) When meeting in Closed Session, Budget Committee of the Whole shall comply with the provisions of section 5.3 (Closed Session Meetings) with all the necessary changes in points of detail understood.

9.4 Order of Business

9.4.1 Budget Committee of the Whole Agenda

The format of the Agenda for Budget Committee of the Whole shall be as follows:

- (a) Call to Order
- (b) Adoption of Agenda;
- (c) Disclosures of pecuniary interest and general nature thereof;
- (d) Adoption of previous minutes;
- (e) Delegations
- (f) Scheduled business;
- (g) Adjournment.

9.4.2 Announcements

Announcements are not permitted during a Meeting of Budget Committee of the Whole.

9.5 Report to Council – All Matters and Recommendations

- (a) Subject to paragraph (b), Budget Committee of the Whole shall report to Council on all matters within its mandate and shall recommend such action as it deems appropriate.
- (b) Budget Committee of the Whole shall not report to Council on matters which are subject to the Strong Mayor Powers.

Article 10 - Audit Committee

10.1 Establishment and Purpose

- (a) Subject to paragraph (b), there shall be an Audit Committee which shall address matters and issues relating to the preparation, administration and implementation of the audit of the City.
- (b) Pursuant to the Strong Mayor Powers, the Mayor shall decide to establish or dissolve the Audit Committee unless such authority has been delegated to Council.

10.2 General Requirements

10.2.1 Business – Procedure

Except as specifically set out in this Article 10, the procedures relating to Audit Committee shall be the same as those for Committee of the Whole outlined in Article 7 (Meetings of Committee of the Whole), with all the necessary changes in points of detail understood.

10.2.2 Determination of Chair and Vice-Chair

- (a) Subject to paragraph (b), the Chair and Vice-Chair of the Audit Committee of the Whole shall be determined by Council.
- (b) Pursuant to the Strong Mayor Powers, the Mayor shall appoint the Chair and Vice-Chair(s) of the Audit Committee save and except where the Mayor has delegated such authority to Council.

10.2.3 Time of Meetings

The Meetings of Audit Committee shall be held as determined by the Clerk.

10.3 Closed Session Meeting

A Closed Session Meeting is not permitted during a Meeting of Audit Committee.

10.4 Order of Business

10.4.1 Audit Committee Agenda

The format of the Agenda for Audit Committee Meetings shall be as follows:

- (a) Call to Order
- (b) Adoption of Agenda;
- (c) Disclosures of pecuniary interest and general nature thereof;
- (d) Delegations

- (e) Scheduled business;
- (f) Adjournment.

10.4.2 Announcements

Announcements are not permitted during a Meeting of Audit Committee.

10.5 Report to Council – All Matters and Recommendations

Audit Committee shall report to Council on all matters within its mandate it and shall recommend such action as it deems appropriate.

Article 11 - Special Committee

11.1 Appointment – by Council

- (a) Subject to paragraph (b), any special Committee may be appointed by Council from time to time to consider and report on a specific subject, project and undertaking, in accordance with any terms of reference developed for such Committee.
- (b) Pursuant to the Strong Mayor Powers, and subject to any limitations in the regulations thereunder, the Mayor may from time to time establish or dissolve any special Committee to consider and report on a specific subject, project and undertaking, in accordance with any terms of reference developed for such Committee and as approved by the Mayor, unless such authority has been delegated to Council.

11.2 General Requirements

11.2.1 Business – Procedure

Except as specifically set out in this Article 11, the procedures relating to the special Committee shall be the same as those for Committee of the Whole outlined in Article 7 (Meetings of Committee of the Whole), with all the necessary changes in points of detail understood, unless otherwise specified in the terms of reference of the special Committee or another of by-law of the City.

11.2.2 Chair and Vice-Chair

- (a) Subject to paragraph (b), the Chair and Vice-Chair to preside over Meetings of the special Committee shall be determined at the time that the special Committee is established.
- (b) Pursuant to the Strong Mayor Powers, and subject to any limitations in the regulations thereunder, the Mayor shall appoint the Chair and Vice-Chair(s) of any special Committee unless such authority has been delegated such authority to Council.

11.3 Closed Session Meeting

A Closed Session Meeting is not permitted during a Meeting of a Special Committee.

11.4 Order of Business

11.4.1 Special Committee Agenda

Unless otherwise specified in the terms of reference of the special Committee, the format of the Agenda for a special Committee Meeting shall be as follows:

- (a) Call to Order

- (b) Adoption of Agenda;
- (c) Disclosures of pecuniary interest and general nature thereof;
- (d) Adoption of previous minutes;
- (e) Delegations
- (f) Scheduled business;
- (g) Adjournment.

11.4.2 Announcements

Announcements are not permitted during a special Committee Meeting

11.5 Committee Dissolved

A special Committee shall:

- (a) report to Council, unless the terms of reference specifies that the Committee shall report to Council through Committee of the Whole or Budget Committee of the Whole, on all matters referred to it and shall recommend such action as it deems appropriate; and
- (b) be dissolved following completion of its mandate and work and a final report to Council.

Article 12 - Electronic Meeting Procedures

12.1 Definitions

In addition to those definitions in Article 1, in this Article the following definitions have the following meanings:

- (a) **“Article”** means this Article 12 to the By-law.
- (b) **“Electronic Meeting”** means a Meeting, including a Hybrid Meeting, where a Member of a council, a Member of a local board or a Member of a committee of either of them, who is participating electronically in a Meeting may be counted in determining whether or not a quorum of Members is present at any point in time and can participate electronically in a meeting that is open or closed to the public.
- (c) **“Emergency”** means a situation or an impending situation where there is a threat to public health, life, property or the environment, and includes any period where an emergency has been declared to exist in all or part of the City under either Section 4 or Section 7.0.1 of the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9, as amended.
- (d) **“Health & Safety Implications”** means the consideration of permitting some or any in-person attendance at a Meeting as a result of health or safety factors, including but not limited to:
 - (i) Any law, regulation or directive, enacted by any competent authority, restricting in-person attendance or capacities;
 - (ii) consideration of any directive or advice of any appropriate authority (for example, a medical officer of health); and
 - (iii) whether or not the in-person attendance of any person could pose a threat to the health and safety of any other person.
- (e) **“Hybrid Meeting”** means a meeting that is conducted as both an in-person meeting and Electronic Meeting where at least one (1) member other than the Chair is participating in-person, or at least one (1) member is participating electronically.
- (f) **“Livestream”** means the transmission of an audio-only or audiovisual record of a Meeting, via the internet, while the Meeting is occurring with no more than a nominal delay.

12.2 General Rules for an Electronic Meeting

12.2.1 Application

- (a) Subject to the requirements of paragraphs (c) and (d), these procedures may apply to any Meeting held in accordance with Article 5 to Article 11 of the By-law.

- (b) In addition to those procedures in Article 5 to Article 11, these procedures apply to a meeting that is conducted wholly as an Electronic Meeting or a Hybrid Meeting.
- (c) This Article may apply to any Meeting of any Committee whose members include persons who are not Members of Council if the Committee so chooses, provided that the Committee shall not be permitted to hold Hybrid Meetings.
- (d) Notwithstanding paragraph (c), this Article applies to all meetings of the Accessibility Advisory Committee, or any successor committee established under the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c.11, as determined by the Chair of that Committee in consultation with the Clerk and Committee, provided that the Committee shall not be permitted to hold Hybrid Meetings.

12.2.2 Procedures – Same as Proceeding for Council or Committee – With Necessary Changes

Except as specifically set out in this Article, the procedures relating to Council and Committee Meetings set out in any Article of the By-law shall apply to any Electronic Meeting or Hybrid Meeting.

12.2.3 Type of Electronic Participation

- (a) Electronic Meetings may be held using any audio-only, audiovisual, or other electronic means that are available to all Members, as determined by the Clerk.
- (b) The technology used for an Electronic Meeting will permit the City to Livestream the open session portion of a Meeting.

12.2.4 Public Notice

- (a) In this section, a public notice can include any form of notice as determined by the Clerk, and may include the posting of an agenda for a meeting.
- (b) A public notice of a meeting that is conducted as an Electronic Meeting, including a Hybrid Meeting, will include sufficient information as to provide the public with a means to electronically access the Livestream of the open session of such meeting.
- (c) Notwithstanding subsection 6.1.7, notice of an Electronic Meeting called to address an Emergency or Time Sensitive Matter shall be given by posting notice of the meeting on the City's website with the information referred to in paragraphs (a) and (b).

- (d) The saving provisions in subsections 5.1.9 and 6.1.9 shall apply to any public notice of any Electronic Meeting, with all the necessary changes in points of detail understood.

12.3 Members – Method of Participation in an Electronic or Hybrid Meeting

- (a) Subject to the requirements in paragraphs (b) to (c), unless otherwise directed by an appropriate authority (e.g. Emergency Order, Ontario regulation, a Medical Officer of Health), Members may choose to participate in an Electronic Meeting or Hybrid Meeting either in-person or electronically, and shall notify the Clerk and Chair of their choice a minimum of three (3) Clear Days prior to a meeting unless required earlier by the Clerk due to a holiday or office closure.
- (b) The Chair of a Hybrid Meeting shall be required to participate in the Meeting in-person.
- (c) If the Chair of a Meeting that is conducted as a Hybrid Meeting is not able to participate in that Meeting in-person, the Chair has the authority to designate an alternative Chair for that Meeting who is required to comply with the provisions of paragraph (b).

12.4 Public Participation in an Electronic Meeting

12.4.1 Public In-person Restrictions

The Mayor or Chair, in consultation with the City Manager and Clerk, may decide to limit or restrict any public in-person attendance at a Meeting as a result of any Emergency or Health and Safety Implications.

12.4.2 Manner in Which Meetings are Open to the Public when in-person attendance is restricted

- (a) Where in-person public attendance is restricted under subsection 12.4.1, the manner in which an Electronic Meeting is open to the public is by:
 - (i) permitting delegations pursuant to subsection 12.4.4; and
 - (ii) the Livestreaming of a Meeting in accordance with paragraph 12.2.3(b).
- (b) For the purpose of this section, the records of the Meeting include any agenda, audio-only or audiovisual recording of the Meeting, and any minutes of the Meeting, including minutes that have not yet been adopted.

12.4.3 Delegations during an Electronic Meeting

- (a) Where, in the opinion of the Clerk, a system is in place that will permit Delegations at an Electronic Meeting, which is not a Hybrid Meeting, to be made by audio-only or audiovisual means that are consistent with the By-law, Delegations may be made either in writing or by any audio-only or

By-law No. 125-23 – Procedure By-Law

audiovisual means.

- (b) Where, in the opinion of the Clerk, a system is in place that will permit Delegations at a Hybrid Meeting to be made by audio-only or audiovisual means that are consistent with the By-law, Delegations may be made either in writing, in-person or by any audio-only or audiovisual means.
- (c) Where, in the opinion of the Clerk, a system is not in place that will permit Delegations at an Electronic Meeting, which is not Hybrid Meeting, to be made by audio-only or audiovisual means that are consistent with the By-law, Delegations shall be in writing only.
- (d) Notwithstanding paragraph (b), where there are restrictions on in-person participation in accordance with subsection 12.4.1, Delegations in a Hybrid Meeting shall only be in writing or by any audio-only or audiovisual means.
- (e) Where a Committee whose members include persons who are not Members of Council has chosen, in accordance with paragraph 12.2.1(c), to conduct Meetings wholly as Electronic Meeting, Delegations at Meetings shall only be in writing or by any audio-only or audiovisual means.
- (f) Where a Committee whose members include persons who are not Members of Council has chosen, in accordance with paragraph 12.2.1(c), to conduct there meeting wholly as in-person Meetings, Delegations at meetings shall only be in writing or in-person.
- (g) The following rules will be observed for audio-only or audiovisual Delegations notwithstanding anything in the By-law to the contrary:
 - (i) The Clerk may order Delegations on the Agenda by Agenda Item and type of participation (in-person or electronic) notwithstanding the order in which requests for Delegations were received;
 - (ii) Where there are any Health & Safety Implications, or there are capacity limits for in-person attendance at any meeting due to any Health & Safety Implications, the Clerk may direct that any or all in-person Delegations be made from a committee room that is configured to provide live audio-only or audiovisual links to the Council Chambers;
 - (iii) Where there are capacity limits for in-person attendance at any meeting due to any Health & Safety Implications, the Clerk may direct that Delegations be given by electronic means only when in-person capacity limits have been reached;
 - (iv) The Clerk may establish and amend any procedure or process deemed necessary to effectively implement and administer audio-only, audiovisual, or hybrid in-person and electronic delegations, and any procedures or processes so established or amended shall

be deemed to be part of this Article;

- (v) Delegations will be required to comply with any process or procedure established by the Clerk in accordance with paragraph (iv), who will provide appropriate instructions to any such delegate;
 - (vi) A pre-recorded audio or video delegation shall not be permitted;
 - (vii) Delegations appearing electronically who have presentations or other material as part of their Delegation shall be required to provide that presentation or material to the Clerk prior to Meeting for display by the Clerk. For greater certainty, no delegate appearing electronically will be permitted to control the display of any presentation or material.
- (h) Paragraphs (b) and (c) shall not apply to any special Council Meeting, conducted as an Electronic Meeting or Hybrid Meeting, called to deal with an Emergency or Time-Sensitive Matter on less than 48 hours' notice.

12.4.4 Public Forum during an Electronic Meeting when in-person attendance is restricted

- (a) Notwithstanding anything in subsection 5.5.3 to the contrary, Public Forum during a regular Meeting of Council conducted as an Electronic Meeting or Hybrid Meeting shall be subject to the following additional rules:
- (i) Public Forum submissions can be made electronically or in-person, unless in-person public access is restricted under subsection 12.4.1;
 - (ii) Where there is an Emergency or there are capacity limits for in-person attendance at any meeting due to any Health & Safety Implications, the Clerk may direct that any or all in-person Public Forum submissions be made from a committee room that is configured to provide live audio-only or audiovisual links to the Council Chambers;
 - (iii) Where there are capacity limits for in-person attendance at any meeting due to any Health & Safety Implications, the Clerk may direct that any or all Public Forum submissions be given by electronic means only when those capacity limits have been reached;
 - (iv) Where there are any capacity limits in place, an individual registered for in-person Delegation as provided for in subsection 12.4.3 shall take precedence over an individual requesting in-person Public Forum submission under this section;

- (v) The Clerk may establish and amend any procedure or process deemed necessary to implement this section, and any procedures or processes so established or amended shall be deemed to be part of this Article;
- (vi) Public Forum participants will be required to comply with any process or procedure established by the Clerk who will provide appropriate instructions to any such delegate;
- (vii) A pre-recorded audio or video delegation for Public Forum shall not be permitted;
- (viii) Public Forum participants appearing electronically who have presentations or other material shall be required to provide that presentation or material to the Clerk prior to meeting for display by the Clerk. For greater certainty, no Public Forum participant appearing electronically will be permitted to control the display of any presentation or material.

12.5 Electronic Meetings – Quorum & Absences

12.5.1 Electronic Meetings – Quorum

Members attending electronically or in-person during an Electronic Meeting or Hybrid Meeting shall be counted for purposes of Quorum at the commencement and at any point in time during the Meeting, and shall be entitled to vote as if they were attending the Meeting in-person unless otherwise prevented from voting by law.

12.5.2 Absences During an Electronic Meeting

A Member who is participating electronically in a Meeting by audio-only means who, for any reason or duration will no longer be electronically participating prior to adjournment shall by means of a Point of Order, without interrupting a Member when speaking, advise the Chair and Clerk of his or her absence from the Meeting.

12.6 Electronic Meetings – Closed Sessions

12.6.1 Closed Session Meeting – Electronic Participation Permitted

Notwithstanding the generality of subsection 12.5.1 and for greater certainty, a Member may participate in-person or electronically in any Closed Session portion of any Electronic Meeting or Hybrid Meeting, unless otherwise prevented by law from such participation.

12.6.2 Closed Session Electronic Meetings – Confidentiality

Without limiting the confidentiality requirements set out in subsection 5.3.6 or any other law or code of conduct, Members shall at all times maintain confidentiality while electronically participating in a Closed Session Meeting, including ensuring that no person who is not otherwise permitted to be in attendance in a Closed Session Meeting is in the location from which that Member is electronically participating in a Closed Session.

12.7 Audio-only Electronic Meetings – Additional Rules – Roll Call and Absences

12.7.1 Audio-only Electronic Meetings – Roll Call

When the Chair believes that a sufficient number of Members are present to constitute a Quorum, the Chair shall direct the Clerk to conduct a roll call to identify the Members participating audio-only in a Meeting and confirm that a Quorum is present.

12.7.2 Audio-only Electronic Participation – Members not present during Roll Call

Subject to section 12.8, a Member participating audio-only who is not present during the roll call, and/or subsequently joins the Meeting audio-only, will wait until the current Member speaking has finished speaking and then by means of a Point of Order advise the Chair and Clerk of his or her attendance at the Meeting audio-only.

A Member participating by audio-only who, for any reason or duration will no longer be electronically participating prior to adjournment shall by means of a Point of Order, without interrupting a Member when speaking, advise the Chair and Clerk of his or her absence from the Meeting.

12.7.3 Audio-only Electronic Meetings – Call to Order

In an audio-only Electronic Meeting, the Chair will call a Meeting to order once satisfied that a sufficient number of Members are electronically participating in a Meeting to constitute a Quorum.

12.7.4 Audio-only Electronic Meetings – Absences During a Meeting

A Member participating by audio-only who, for any reason or duration will no longer be electronically participating prior to adjournment shall by means of a Point of Order, without interrupting a Member when speaking, advise the Chair and Clerk of his or her absence from the Meeting.

12.8 Participating in an Audio-visual Electronic Meeting

- (a) Where an Electronic Meeting is conducted as an audio-visual meeting, a Member is only participating in that meeting and only forms part of Quorum for any part of

that Meeting if they are visible on the screen after the chair has called the meeting to order and prior to adjournment.

- (b) Where an Electronic Meeting is conducted as an audio-visual meeting, if a Member is not able, for any reason, to be visible on the screen in accordance with paragraph (a), the Member is only participating in that meeting and only forms part of Quorum for any part of that Meeting if they comply with the provisions of section 12.7.2.

12.9 Audio-only Electronic Meetings – Additional Rules of Debate – Speaking Order

12.9.1 Audio-only Electronic Meetings – Speaking Order – Regular meeting, Special Council Meeting and Council Public Meeting

In any regular Council meeting, special Council Meeting or Council Public Meeting, using audio-only technology, the speaking order for any matter shall normally be:

- (a) The mover of any Motion;
- (b) The seconder of any Motion;
- (c) All other Members in the following order:
 - (i) The Regional and Local Councillor who is named Deputy Mayor By-law enacted under section 4.2 of the By-law;
 - (ii) The Regional and Local Councillor not named in paragraph (i);
 - (iii) Ward 1 Councillor;
 - (iv) Ward 2 Councillor;
 - (v) Ward 3 Councillor;
 - (vi) Ward 4 Councillor;
 - (vii) Ward 5 Councillor;
 - (viii) Ward 6 Councillor; and
 - (ix) The Mayor.

12.9.2 Audio-only Electronic Meetings – Speaking Order – Committees of the Whole

In any Committee of the Whole Meeting conducted as an Electronic Meeting using audio-only technology, the speaking order for any matter shall normally be:

- (a) The mover of a Motion;

- (b) The remaining Members in the following order:
- (i) The Mayor;
 - (ii) the Regional and Local Councillor who is named first in any Deputy Mayor By-law enacted under section 4.2 of the By-law;
 - (iii) The Regional and Local Councillor not named in paragraph (i);
 - (iv) Ward 1 Councillor;
 - (v) Ward 2 Councillor;
 - (vi) Ward 3 Councillor;
 - (vii) Ward 4 Councillor;
 - (viii) Ward 5 Councillor;
 - (ix) Ward 6 Councillor; and
 - (x) The Chair.

12.9.3 Speaking Order – All other Committees

In any other Committee Meeting conducted as an Electronic Meeting using audio-only technology, the speaking order for any matter shall normally be:

- (a) The mover of a Motion;
- (b) The remaining Members in the order determined by the Chair.

12.9.4 Observance of other rules

All other rules of debate in the By-law, including speaking times, shall be observed for any Electronic Meeting.

12.10 Electronic Meeting – Voting

12.10.1 Electronic Meeting – Voice Votes and Show of Hands

During an Electronic Meeting, all votes shall be a voice vote, unless:

- (a) The Meeting is being conducted using audiovisual technology and all Members are visible to the Chair, in which case a vote by show of hands or, if provided by the Clerk, the use of “Yes” and “No” voting cards; or,
- (b) A Recorded Vote has been requested by any Member.

12.10.2 Electronic Meeting – Voice Votes – How Conducted

A voice vote shall be conducted as follows:

By-law No. 125-23 – Procedure By-Law

- (a) The Chair shall ask all Members who are opposed to the Motion to say “No”
- (b) If no Member states “No”, the Motion shall be declared carried.
- (c) If one or more Members states “No”, the Chair will ask all Members in support of the Motion to say “Yes”, and will determine if in his or her opinion the Motion has carried or failed to carry.

12.10.3 Recorded Vote

- (a) Following any voice vote, a Member may request that the vote be conducted as a Recorded Vote.
- (b) During an Electronic Meeting, the order in which the Members vote during a Recorded Vote, including the first member to vote, may be randomly determined by the Clerk.

12.11 Interruptions in Livestream

This section 12.11 shall only apply to the open session portion of an Electronic Meeting where the Public are not permitted to attend any part of that meeting in-person as a result of any restrictions in accordance with section 12.4.1.

12.11.1 Interruptions in Livestream – General

Nothing in this Article or section 12.11 shall be construed as requiring the City to be responsible for providing or ensuring that a person who wants to view the Livestream of a Meeting has the necessary technology or internet connection, or that such technology or internet connection is fully operational during a Meeting.

12.11.2 Delay of the Start of a Meeting due to Inability to Livestream

Notwithstanding anything in this By-law to the contrary:

- (a) Where the City is not able to Livestream an Electronic Meeting that is not otherwise open to the public for any reason, the start of a Meeting shall be delayed until such time as the City is able to Livestream the Meeting.
- (b) If the City is unable to start the Livestream of a Meeting within thirty (30) minutes of the start time of that meeting, the Chair, in consultation with the Clerk, may reschedule the start time of the Meeting to a later time on the same day provided that:
 - (i) a Quorum of Members are able to attend the revised start time; and,
 - (ii) the rescheduled start time is not less than two (2) hours after the original start time so that the Clerk may provide notice to the Public on the City’s website a minimum of thirty (30) minutes prior to the revised start time.

- (c) If the Meeting referred to in paragraph (a) is not able to be rescheduled to a later time on the same day in accordance with paragraph (b), the Chair, in consultation with the Clerk, may reschedule a meeting to a different day and time, provided that:
 - (i) a Quorum of Members are able to attend the revised day and time;
 - (ii) the revised day and time shall occur no later than the day immediately prior to the next regularity scheduled meeting; and
 - (iii) notice shall be given to the public a minimum of one (1) Clear Day prior to the revised day and time.

12.11.3 Recess of Meetings when Livestream Interrupted

Notwithstanding anything in this By-law to the contrary,

- (a) If the Clerk or Chair becomes aware that the Livestream of the open session portion of a Meeting has stopped functioning during a Meeting already in progress, the Meeting shall be deemed to be in recess, without need to move a Motion to that effect, until such time as the Livestream is re-started or restored.
- (b) A recess referred to in paragraph (a) may extend to any time or day, provided that:
 - (i) It shall not extend later than the day immediately prior to the next regularity scheduled meeting;
 - (ii) If the recess is greater than thirty (30) minutes, it shall not expire for a minimum of two (2) hours so that the Clerk may provide notice to the Public on the City's Website at least thirty (30) minutes prior to the recess ending.
- (c) Where a Meeting is recessed in accordance with paragraph (a):
 - (i) Any business completed prior to the recess shall not be reconsidered except in accordance with the provisions of Article 5 to 11 of this By-law;
 - (ii) The Minutes shall record the dates on which the meeting was held if the recess extends beyond the day on which it was first called to order; and
 - (iii) The Minutes shall record time and length of the recess, and the fact that the Meeting was recessed in accordance with paragraph 12.10.2(a).