



By-Law No. 74-2012

(as amended by By-laws 62-15, 86-16, 120-18 35-19, 54-19, 151-19, 162-19, 40-20, and 102-20)

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

Effective: October 1, 2012

Office Consolidation Copy

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	13
2.1 Purpose	13
2.2 Principles	13
Article 3 - Application	14
3.1 Observance of Rules	14
3.2 Robert’s Rules of Order	14
3.3 Waiver of Rules	14
3.4 Rules That Cannot Be Waived	14
Article 4 - Responsibilities	15
4.1 Mayor – Responsibilities	15
4.2 Deputy Mayor	15
4.3 (Deleted by By-law 120-18)	16
4.4 Council – Responsibilities	16
4.5 Individual Members – Responsibilities	16
4.6 Chair – Responsibilities	16
4.7 Clerk – Responsibilities - Meetings	17
4.8 City Manager – Responsibilities - Meetings	17
4.9 Signing Authority	18
Article 5 - Regular Meetings of Council	19
5.1 General Requirements	19
5.1.1 Council Procedures	19
5.1.2 Chair	19
5.1.3 Inaugural Meeting	19
5.1.4 Time of Meetings	19
5.1.5 Location of Meetings	19
5.1.6 Adjournment – 11:00 p.m.	20
5.1.7 Exception to Regular Meeting Schedule	20
5.1.8 Public Notice	20
5.1.9 Public Notice – Saving	20

5.1.10	Recording of Meetings	20
5.1.11	Live Broadcast of Meetings	20
5.2	Quorum	21
5.2.1	Majority of Members	21
5.2.2	Call to Order	21
5.2.3	Unable to Reach Quorum – Time Restriction.....	21
5.2.4	Mayor Absent – One Deputy Mayor Appointed.....	21
5.2.5	Mayor Absent – Two Appointed Deputy Mayors.....	21
5.2.6	<i>(Deleted by By-law 120-18)</i>	22
5.2.7	Loss of Quorum	22
5.3	Closed Session Meetings	22
5.3.1	Reasons.....	22
5.3.2	Resolution	23
5.3.3	Electronic Devices Prohibited	23
5.3.4	Conflict of Interest Declared - Member to Leave.....	23
5.3.5	Voting.....	23
5.3.6	Confidentiality.....	23
5.3.7	Reporting In Open Session.....	23
5.4	Order of Business	24
5.4.1	Agenda.....	24
5.4.2	Adoption of Items Not Requiring Separate Discussion.....	24
5.4.3	Announcements.....	25
5.4.4	Addition of Business	26
5.5	Public Participation.....	26
5.5.1	Petitions or Written and Oral Submissions	26
5.5.2	Conduct by Public at Meetings.....	27
5.5.3	Public Forum.....	28
5.5.4	Delegations	28
5.5.5	Staff Address to Council.....	29
5.5.6	No Public Participation after Motion	29
5.6	Motion	30
5.6.1	Moved and Seconded	30
5.6.2	Withdrawal of a Motion.....	30
5.6.3	Public Participation	30
5.6.4	Debate and Amendment.....	30
5.6.5	Permitted Motions – Order.....	30
5.6.6	Motion to Adjourn – Requirements	31

5.6.7	Motion to Proceed Beyond 11:00 – Requirements.....	31
5.6.8	Motion to Close the Debate.....	31
5.6.9	Motion to Defer	31
5.6.10	Motion to Refer	32
5.6.11	Motion to Amend	32
5.6.12	Motion to Amend – Limitation	33
5.6.13	Motion for Reconsideration During the Term of Council	33
5.7	Rules of Debate	33
5.7.1	Preserve Order.....	33
5.7.2	Address to Chair	33
5.7.3	Order of Speakers.....	33
5.7.4	Number of Times to Speak – Length of Time for Speaking	33
5.7.5	Request to Read a Motion Aloud.....	34
5.7.6	Right of Reply	34
5.7.7	While Member Is Speaking.....	34
5.7.8	Point of Order.....	34
5.7.9	Point of Information.....	34
5.7.10	Integrity of City Staff.....	35
5.7.11	Chair Participation In Debate/Moving Motion.....	35
5.8	Voting.....	35
5.8.1	Call for the Vote	35
5.8.2	All Members Vote.....	36
5.8.3	Majority Vote	36
5.8.4	Tie Vote.....	36
5.8.5	Show Of Hands	36
5.8.6	Recorded Vote	36
5.8.7	Division of Motion.....	37
5.8.8	Member Not Seated	37
5.8.9	Stating the Motion.....	37
5.8.10	Announcing Result.....	37
5.9	Minutes.....	37
5.9.1	Contents - recorded - by Clerk	37
5.9.2	Included in Agenda.....	37
5.9.3	Minutes - confirmation - signing	37
5.9.4	Minutes – Closed Session Meeting.....	38
5.10	By-laws.....	38
5.10.1	Description - listed on Agenda	38
5.10.2	Introduction - upon Motion	38

5.10.3	Purpose - effect - explained upon request	38
5.10.4	Debate - amendment.....	38
5.10.5	One Reading.....	38
5.10.6	Passed - numbered - dated - signed - seal affixed.....	39
5.10.7	Confirmation - conclusion - of Meeting	39
5.10.8	No other by-law presented.....	39
Article 6	- Special Meeting of Council	40
6.1.1	Special Meetings – Resolution	40
6.1.2	Special Meetings – Mayor	40
6.1.3	Special Meetings – Members of Council.....	40
6.1.4	Workshops	40
6.1.5	Proceedings of Council at a Special Meeting.....	40
6.1.6	Notice of Special Meeting	41
6.1.7	Public Notice of Special Meeting.....	41
6.1.8	Public Notice – Saving	41
6.1.9	Agenda.....	41
6.1.10	No Other Business in Special Meetings	42
Article 7	- Meetings of Committee of the Whole	43
7.1	General Requirements.....	43
7.1.1	Procedures – Same as for Proceedings of Council – With Necessary Changes	43
7.1.2	Inaugural Meeting	43
7.1.3	Determination of Chair and Vice-Chair	43
7.1.4	Time of Meetings	43
7.2	Quorum	43
7.2.1	Chair - absent.....	43
7.2.2	Vice Chair Absent	44
7.3	Agenda.....	44
7.4	Public Participation.....	45
7.4.1	Public Forum.....	45
7.4.2	Delegations	45
7.5	Motions	45
7.6	Rules of Debate	45
7.7	Report to Council – All Matters and Recommendations.....	45
Article 8	- Council Public Meetings for Planning Matters	46

8.1 Purpose	46
8.2 Proceedings of Council at a Council Public Meeting	46
8.3 Schedule of Council Public Meetings	46
8.4 Closed Session Meeting	46
8.5 Order of Business	46
8.5.1 Council Public Meeting Agenda	46
8.5.2 Announcements	47
8.6 Public Participation	47
8.7 Motions	47
Article 9 - Budget Committee of the Whole	48
9.1 Establishment and Purpose	48
9.2 General Requirements	48
9.2.1 Business – Procedure	48
9.2.2 Determination of Chair and Vice-Chair	48
9.2.3 Time of Meetings	48
9.3 Closed Session Meeting	48
9.4 Order of Business	48
9.4.1 Budget Committee of the Whole Agenda	48
9.4.2 Announcements	49
9.5 Report to Council – All Matters and Recommendations	49
Article 10 - Audit Committee	50
10.1 Establishment and Purpose	50
10.2 General Requirements	50
10.2.1 Business – Procedure	50
10.2.2 Determination of Chair and Vice-Chair	50
10.2.3 Time of Meetings	50
10.3 Closed Session Meeting	50
10.4 Order of Business	50
10.4.1 Audit Committee Agenda	50
10.4.2 Announcements	50
10.5 Report to Council – All Matters and Recommendations	51
Article 11 - Special Committee	52
11.1 Appointment – by Council	52

11.2 General Requirements	52
11.2.1 Business – Procedure	52
11.2.2 Chair and Vice-Chair	52
11.3 Committee Dissolved	52
Article 12 - Electronic Meeting Procedures	53
12.1 Definitions:	53
12.2 General Rules for an Electronic Meeting	53
12.2.1 Application	53
12.2.2 Procedures – Same as Proceeding for Council or Committee – With Necessary Changes	54
12.2.3 Type of Electronic Participation	54
12.2.4 Public Notice	54
12.3 Members Participation in an Electronic Meeting	54
12.4 Open to the Public – Section 238(3.1) of the Act	55
12.4.1 Public In-person Restrictions	55
12.4.2 Manner in Which Meetings are Open to the Public when in-person attendance is restricted	55
12.4.3 Delegations during an Electronic Meeting when in-person attendance is restricted	55
12.4.4 Public Forum during an Electronic Meeting when in-person attendance is restricted	56
12.4.5 Posting Un-adopted Minutes	57
12.5 Electronic Meetings - Quorum & Absences	57
12.5.1 Electronic Meetings – Quorum	57
12.5.2 Absences During an Electronic Meeting	57
12.6 Electronic Meetings - Closed Sessions	57
12.6.1 Closed Session Meeting - Electronic Participation Permitted	57
12.6.2 Closed Session Electronic Meetings - Confidentiality	57
12.7 Audio-only Electronic Meetings - Additional Rules - Roll Call and Absences...	58
12.7.1 Audio-only Electronic Meetings - Roll Call	58
12.7.2 Audio-only Electronic Meetings - Members not present during Roll Call 58	
12.7.3 Audio-only Electronic Meetings - Call to Order	58
12.7.4 Audio-only Electronic Meetings - Absences During a Meeting	58
12.8 Audio-only Electronic Meetings - Additional Rules of Debate - Speaking Order 58	

12.8.1	Audio-only Electronic Meetings - Speaking Order – Regular meeting, Special Council Meeting and Council Public Meeting	58
12.8.2	Audio-only Electronic Meetings - Speaking Order - Committees of the Whole	59
12.8.3	Speaking Order – All other Committee	59
12.8.4	Observance of other rules	59
12.9	Electronic Meeting - Voting	60
12.9.1	Electronic Meeting - Voice Votes and Show of Hands	60
12.9.2	Electronic Meeting - Voice Votes – How Conducted	60
12.9.3	Recorded Vote	60
12.10	Transition rules – COVID-19.....	60

The Corporation of the City of Richmond Hill

By--Law 74-2012

A By-law to Govern the Proceedings of the Council of the Corporation of the City of Richmond Hill

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 for 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. *(Deleted by By-law 120-18)*
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 Manager”** means the individual appointed as City Manager of the City pursuant to the Act.
7. **“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.
8. **“Clerk”** means the individual appointed of the City pursuant to the Act.
9. **“Closed Session Meeting”** means a Meeting or a portion of a Meeting that is closed to the public pursuant the relevant provisions of the Act.

10. **“Committee”** means any advisory committee, subcommittee or similar entity of which at least 50 per cent of the members are also Council Members.
11. **“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.
12. **“Conflict of Interest”** means a conflict of interest of a Member as set in the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50 and any other Applicable Law.
13. **“Council”** means the Council of the City.
14. **“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.
15. **“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.
16. **“Delegation”** means an oral submission made by and at the request of a member of the public which may be supported by written material.
17. **“Deputy Mayor”** means the Member(s) appointed to act in place of the Mayor pursuant to section 4.2 of these Rules of Procedure. (*Amended by By-law 120-18*)
18. **“Emergency”** means a situation or an impending situation where there is a threat to public health, life, property or the environment.
19. **“Majority Vote”** means an affirmative vote by the majority of the Members who are both present at a Meeting and are qualified to vote.
20. **“Mayor”** means the head of Council elected by general vote in accordance with the *Municipal Elections Act, 1996*.
21. **“Meeting”** means a regular, special, or other meeting convened pursuant to this By-law.
22. **“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*.
23. **“Motion”** means a formal proposal for consideration by Council or a Committee.

24. **“Motion to Close the Debate”** means a motion to close debate on a main Motion and to put that main Motion to a vote.
25. **“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.
26. **“Motion to Refer”** means a Motion to refer a main Motion before Council or a Committee in order to seek consideration by, and if deemed desirable, one or more reports from any other Committee, the City Manager or other City staff.
27. **“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.
28. **“Person”** means any individual, association, proprietorship, partnership, company, firm or business, excluding any Member and City Staff.
29. **“Planning Act”** means the *Planning Act, R.S.O. 1990, c. P.13*, as amended, superseded or re-enacted from time to time.
30. **“Point of Information”** means the procedural mechanism by which a Member may present or receive information in relation to a Motion under consideration.
31. **“Point of Order”** means the procedural mechanism by which a Member may interrupt during a Meeting to question the Chair as to whether:
 - (a) a breach of any of the procedures provided for in this By-law has occurred; and/or
 - (b) the personal or professional integrity of a Member has been impugned or put into question;for the purpose of having the Chair enforce the procedures.
32. **“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.
33. **“Robert’s Rules of Order”** means the most current edition of “Robert’s Rules of Order”.
34. **“Recorded Vote”** means a written record of the name and vote of every Member present voting on a Motion.
35. **“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.

36. **“Resolution”** means the decision of Council on any Motion.
37. **“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
38. **“City”** means The Corporation of the City of Richmond Hill.
39. **“City Staff”** means any person employed by the City, and includes persons employed on a full-time, part-time, temporary, seasonal or contract basis.
40. **“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.
41. **“Workshop”** means a special Meeting of the Members of Council convened for the purpose of education or training the Members or for providing the Members with information and/or advice on a topic(s) of interest to the Members.

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 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 6.1.10 - No Other Business in Special Meetings;
- (c) Subsection 5.2.1 - Majority of Members for Quorum;
- (d) Subsection 5.7.4 – Number of Times to Speak – Length of Time for Speaking; and
- (e) Subsection 5.6.13 – Motion for Reconsideration During the Term of Council.

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 appoint not more than two Members, both of whom shall normally be a Regional and Local Councillor, to act as Deputy Mayor for a duration at the discretion of Council.
- (b) If Council has appointed only one Deputy Mayor, in the absence or inability of the Mayor to act, such Deputy Mayor shall exercise all the Mayor's rights and duties as set out in this by-law or Applicable Law.
- (c) If Council has appointed more than one Deputy Mayor, in the absence or inability of the Mayor to act:
 - (i) during the months of January to June, the Deputy Mayor whose name is listed first on the appointment by-law shall exercise all the Mayor's rights and duties as set out in this by-law or Applicable Law;
 - (ii) during the months of July to December, the Deputy Mayor whose name is listed second on the appointment by-law shall exercise all the Mayor's rights and duties as set out in this by-law or Applicable Law; or
 - (iii) if the Deputy Mayor who would normally act in the place of the Mayor pursuant to either sections 4.2(c)(i) or 4.2(c)(ii) is absent or unable to Act, the other appointed Deputy Mayor shall exercise all the Mayor's rights and duties as set out in this by-law or Applicable Law."

(Amended by By-law 120-18)

4.3 *(Deleted by By-law 120-18)*

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 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; and
- (i) enforce on all occasions the rules and the observance of order and decorum amongst the Members, City Staff and Persons in attendance at a Meeting.

4.7 Clerk – Responsibilities - Meetings

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) 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;
- (b) prepare Agendas for Meetings;
- (c) take minutes of Meeting in accordance with this by-law and the Act;
- (d) maintain all materials received by Council in accordance with any record retention by-laws of the City;
- (e) authenticate by signature, when necessary, all applicable by-laws, resolutions, minutes; and
- (f) carry out any of the other duties of the Clerk as set out in this by-law and any Applicable Law.

4.8 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 of Council.

4.9 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

Following a 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, S.O. 1996 C.32*, which date shall in any event, be no later than 31 days after the commencement of the term of the newly elected Council.

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.

(Amended by By-law 151-19)

- (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 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), 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 such other 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 no Meeting shall extend beyond 12:00 a.m. the following day.

5.1.7 Exception to Regular Meeting Schedule

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 and York Catholic 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.

(Amended by By-law 151-19)

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 – One Deputy Mayor Appointed

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 for which there is Quorum, if only one Member has been appointed as Deputy Mayor then, provided the Deputy Mayor is not scheduled to be absent;

- (a) the Deputy Mayor shall take the Chair, call the Members to order and preside until the Mayor arrives; or
- (b) If the Deputy Mayor also does not attend within fifteen (15) minutes after the scheduled start time of the Meeting of Council along with the Mayor, then the Clerk shall call the Members to order and a Chair shall be chosen from among the Members present, who will preside over the Meeting until the arrival of the Mayor or Deputy Mayor.”

(Amended by By-law 120-18)

5.2.5 Mayor Absent – Two Appointed Deputy Mayors

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 for which there is Quorum, if two Members have been appointed as Deputy Mayors then, provided that neither Deputy Mayor is scheduled to be absent;

- (a) During a meeting held in the months of January to June, if the Deputy Mayor whose name is listed first on the appointment by-law is present, that Deputy Mayor shall take the Chair, call the Members to order and preside until the Mayor arrives;

- (b) During a meeting held in the months of July to December, if the Deputy Mayor whose name is listed second on the appointment by-law is present, that Deputy Mayor shall take the Chair, call the Members to order and preside until the Mayor arrives;
- (c) if the Deputy Mayor who would normally preside pursuant to Sections 5.2.5(a) or 5.2.5(b) does not attend within fifteen (15) minutes after the scheduled start time of the Meeting of Council, the other Deputy Mayor shall take the Chair, call the Members to order and preside until the Mayor arrives;
- (d) If both Deputy Mayor's do not attend within fifteen (15) minutes after the scheduled start time of the Meeting of Council along with the Mayor, then the Clerk shall call the Members to order and a Chair shall be chosen from among the Members present, who will preside over the Meeting until the arrival of the Mayor or a Deputy Mayor.

(Amended by By-law 120-18)

5.2.6 *(Deleted by By-law 120-18)*

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 Section 239(2) of the Act, or any other discretionary reason permitted in other Applicable Law.
(Amended by By-law 162-19)
- (c) A Meeting or part of a Meeting shall be closed to the public for any of the mandatory reasons set out in Section 239(3) of the Act, or any other mandatory reason permitted in other Applicable Law
(Amended by By-law 162-19)
- (d) In accordance with the provisions 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

Members shall not in any way, notify, distribute or make available to any Person, 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.

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.

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/National Anthem
 - (ii) Public Forum (not exceeding fifteen minutes);
 - (iii) Council Announcements;
 - (iv) Introduction of Emergency/Time Sensitive Matters;
 - (v) Adoption of Agenda;
 - (vi) Disclosures of pecuniary interest and general nature thereof;
 - (vii) Adoption of previous Council minutes;
 - (viii) Identification of Items Requiring Separate Discussion;
 - (ix) Adoption of the remainder of Agenda items;
 - (x) Public Hearings;
 - (xi) Presentations;
 - (xii) Delegation(s);
 - (xiii) Committee and Staff Reports;
 - (xiv) Other Business;
 - (xv) Emergency/Time Sensitive Matters;
 - (xvi) By-laws;
 - (xvii) Closed Session;
 - (xviii) Adjournment.
(Amended by by-law 151-19)
- (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; or
- (iii) 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, or
 - (iv) are to be addressed by a Delegation,

all items remaining on the Agenda may be adopted in one Motion.

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 and discussed by the Members 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.

5.4.4 Addition of Business

- (a) Subject to paragraph (c), 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 a minimum of two (2) weeks prior to the Meeting.
- (b) Except as provided in paragraphs (c) and (d), a Member may only request that an item of business, which may or may not be in the form of a motion, be included on an Agenda upon providing the Clerk with a 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 report.

(Amended by By-law 35-19)

- (c) Subject to paragraph (e), where the CAO has determined that a matter constitutes an Emergency or is 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.
- (d) Subject to paragraph (e), only the CAO 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.
- (e) 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.

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.

- (b) If the items submitted referred to in 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.
- (Amended by By-law 151-19)*
- (c) Subject to paragraph (f) 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 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 (c) will be included on the Agenda of the next regular Meeting.
- (e) 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) 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.

5.5.2 Conduct by Public at Meetings

- (a) Persons in attendance at a Meeting, including those that will be making Delegations:
- (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 and the Clerk has been notified at least one day before 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 such Person, the Chair may require the security personnel for the City or such other persons as are present to take such reasonable measures as are necessary to exclude or expel the Person whose conduct has been improper and such 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) Each Person shall be limited to addressing Council for a maximum of five (5) minutes.
- (c) The length of time of the public forum shall not exceed fifteen (15) minutes unless extended by a Majority Vote.

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) 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 but, in the opinion of the Clerk, the Person will be providing Council with new information not previously provided to Committee of the Whole; and

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

- (c) 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.
- (d) A Person making a Delegation shall:
 - (i) be provided five (5) minutes, without interruption or questions, 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 to Members during a Meeting, which 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.
- (e) After Members hear all Delegations related to a matter, Members shall be provided five (5) minutes each to ask the Person and City Staff any relevant questions or to comment until such time as a Motion is made, at which time the rules of debate set out in Section 5.7 (Rules of Debate) apply.

(Amended by By-law 151-19)

5.5.5 Staff Address to Council

Notwithstanding any of the provisions of subsection 5.5.4 (Delegations) 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

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.

5.6.3 Public Participation

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; and
 - (ii) have precedence and be decided in the order in which they are listed.

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.
- (b) An amendment that has been decided in the negative cannot be proposed again.

5.6.13 Motion for Reconsideration During the Term of Council

- (a) After a Resolution or By-law has been passed, the Resolution or By-law may only be reconsidered during the term of Council either:
 - (i) at any time after six (6) months from the passing of the Resolution or the By-law, without the need for a Resolution to reconsider the matter; or
 - (ii) within six (6) months after the passing of the Resolution or the By-law, upon a Resolution passed by Majority Vote to reconsider the matter.
- (b) Any Resolution passed or by-law passed by a previous Council in a previous term may be reconsidered by Council at any time after that term has ended, without the need for a Resolution to reconsider.

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 they indicate their desire to speak.

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

Any Member of Council may only speak:

- (a) twice on any Motion other than a Motion referred to in paragraph (b), 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

- (b) once on any amendment to a Motion, and for no more than three (3) minutes each time.

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, a Point of Information, 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) 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.
- (c) The ruling of the Chair shall be final unless a Member appeals the ruling to Council.
- (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.

5.7.9 Point of Information

- (a) If a Member has questions regarding a Motion being discussed, the Member may ask the Chair for clarification or ask a question through the Chair only for the purpose of obtaining information relating to the Motion.

- (b) If the Chair is unsure of the answer, he or she may direct the question to another Member or to City Staff present at the 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 Acting 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; and
- (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.

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 vote shall announce first, and the remaining Members shall announce in random order called by the Clerk.

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

The Chair shall announce the result of every 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) Minutes of each Closed Session Meeting shall only be presented to Council for approval and adoption upon determination of the Clerk.
- (b) The Clerk shall sign Closed Session Meeting minutes, notwithstanding that they have not been adopted by Council.
- (c) The failure to adopt Closed Session Meeting minutes does not affect the validity of such minutes.

5.10 By-laws

5.10.1 Description - listed on Agenda

All by-laws to be considered by Council, save and except a confirmatory by-law described in subsection 5.10.7 (Confirmation – conclusion – of Meeting), must:

- (a) have a concise title;
- (b) be numbered;
- (c) refer to the discussion on the by-law's subject matter; and
- (d) include the date of the Meeting at which the by-law is to be introduced,

provided that the failure to meet the foregoing requirements shall not affect the validity of the by-law.

5.10.2 Introduction - upon Motion

Every by-law or group of by-laws shall be read by stating the number of the by-law.

5.10.3 Purpose - effect - explained upon request

Any Member may request that the purpose and effect of any particular by-law be explained, and the Clerk or any other City Staff having knowledge thereof may provide such explanation.

5.10.4 Debate - amendment

A by-law may be debated or amended at any time prior to being passed.

5.10.5 One Reading

Notwithstanding any custom or convention, a by-law is effective upon being moved, seconded and passed by Majority Vote only once.

5.10.6 Passed - numbered - dated - signed - seal affixed

- (a) The Clerk shall be authorized to make minor corrections to any by-law resulting from technical or typographical errors prior to the by-law being signed.
- (b) 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.

5.10.7 Confirmation - conclusion - of Meeting

- (a) Decisions on behalf of the City are made by Council in passing Resolutions and By-laws.
- (b) At the conclusion of all regular and special Meetings of Council, save and except Council Public Meetings and Workshops, 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.
- (c) The by-law referred to in paragraph (b), when introduced, shall be voted on without debate.

5.10.8 No other by-law presented

Save and except the confirmatory by-law referred to in subsection 5.10.7, no by-law shall be presented to Council unless its subject matter has been considered and approved by Council.

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 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 6.1.7 (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 Workshop may be conducted as a Closed Session Meeting provided that:
 - (i) the two conditions set out in paragraph (d) of subsection 5.3.1 (Reasons) are both satisfied; and
 - (ii) the resolution provided for in subsection 5.3.2 (Resolution) is passed.
- (b) All the other requirements set out in subsections 5.3.3 to 5.3.7 of Section 5.3 (Closed Session Meetings) shall apply to a Workshop that is not open to the public.

6.1.5 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.

6.1.6 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 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 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.

6.1.7 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.

6.1.8 Public Notice – Saving

If by oversight or otherwise notice of a special Meeting is not provided in the manner prescribed in subsection 6.1.7 (Public Notice of Special Meeting), 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.

6.1.9 Agenda

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) Adoption of Agenda;
- (b) Disclosures of pecuniary interest and general nature thereof;
- (c) Resolution to move into a Closed Session Meeting and general nature thereof;
- (d) Resolution to reconvene in open session;

- (e) Adoption of recommendations arising from Closed Session Meeting (if any);
- (f) By-law to confirm the proceedings of council at special Meeting;
- (g) Adjournment.

6.1.10 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.

Article 7 - Meetings of Committee of the Whole

7.1 General Requirements

7.1.1 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.

7.1.2 Inaugural Meeting

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

7.1.3 Determination of Chair and Vice-Chair

- (a) 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) The Vice-Chair of the Committee of the Whole shall be the Member having just completed a term as Chair.
- (c) 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.

7.1.4 Time of Meetings

There shall be no meetings of Committee of the Whole unless otherwise provided by Resolution of Council.

(Amended by By-law 151-19)

7.2 Quorum

7.2.1 Chair - absent

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 Vice Chair Absent

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 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) Closed Session;
 - (o) Adjournment.
- (Amended by By-law 151-19)*

7.4 Public Participation

7.4.1 Public Forum

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

7.4.2 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 noon. on the day of 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.

7.5 Motions

Without limiting the generality of paragraph (b) of subsection 7.1.1 (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; and
- (b) a Motion to Close the Debate is not permitted.

7.6 Rules of Debate

Without limiting the generality of paragraph (b) of subsection 7.1.1 (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.

7.7 Report to Council – All Matters and Recommendations

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

Article 8 - Council Public Meetings for Planning Matters

8.1 Purpose

- (a) 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 future Council Meeting.
- (b) 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.

8.2 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.

8.3 Schedule of Council Public Meetings

Council Public Meetings shall generally take place on the first and third Wednesday of each month, commencing at 7:30 p.m., but there shall be no Council Public Meetings held during the last two weeks of December or between June 30th and Labour Day of any calendar year unless otherwise provided by Resolution of Council.

8.4 Closed Session Meeting

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

8.5 Order of Business

8.5.1 Council Public Meeting Agenda

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

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

8.5.2 Announcements

Announcements are not permitted during a Council Public Meeting.

8.6 Public Participation

Without limiting the generality of Section 8.2 (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 Delegation.

8.7 Motions

Without limiting the generality of Section 8.2 (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;
 - (iii) a Motion to amend; and
 - (iv) a Motion to reconsider.

Article 9 - Budget Committee of the Whole

9.1 Establishment and Purpose

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.

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

The Chair and Vice-Chair of the Budget Committee of the Whole shall be determined by 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 1:00 p.m.

9.3 Closed Session Meeting

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

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

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

Article 10 - Audit Committee

10.1 Establishment and Purpose

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.

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

The Chair and Vice-Chair of the Audit Committee shall be determined by Council at the beginning of each new term of 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) Adoption of Agenda;
- (b) Disclosures of pecuniary interest and general nature thereof;
- (c) Scheduled business;
- (d) 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

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.

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

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.

11.3 Committee Dissolved

A special Committee shall:

- (a) report to Council 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 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 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 considerations of permitting some or any in-person attendance at a Meeting as a result of a health or safety factors, including but not limited to:
 - (i) consideration of any directive or advice of any appropriate authority (for example, a medical officer of health); and
 - (ii) whether or not the in-person attendance of any person could pose a threat to the health and safety of any other person.

12.2 General Rules for an Electronic Meeting

12.2.1 Application

- (a) These procedures may apply to any Meeting held in accordance with Article 5 to Article 11 of the By-law.
- (b) These procedures apply to a meeting that is conducted wholly or partially as an Electronic Meeting.
- (c) Council may, by resolution, determine that this Article shall or shall not apply to any Meeting held in accordance with Article 5 to Article 11 of the By-law.
- (d) 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 that committee.

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.

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) Wherever possible, the technology used for an Electronic Meeting will permit the City to live-broadcast, or create an audio-only or audiovisual record of the Open Session portion of a Meeting.
- (c) Where the only matter on an Agenda is a Closed Session matter under Section 5.3 of the By-law, the live-broadcast or the creation of an audio-only or audiovisual record of the meeting is not required.

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 an Electronic Meeting will, wherever possible, include sufficient information as to provide the public with a means to electronically access the Open Session of such meeting.
- (c) Notwithstanding Section 6.1.7(b) of the By-law, 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 paragraph (a).
- (d) The saving provisions in Section 5.1.9 and 6.1.8 of the By-law shall apply to any public notice of any Electronic Meeting, with all the necessary changes in points of detail understood.

12.3 Members Participation in an Electronic Meeting

- (a) Unless otherwise directed by an appropriate authority (e.g. a Medical Officer of Health), Members may choose to participate in an Electronic Meeting either in-person or electronically, and shall notify the Clerk and Chair of their choice by noon on the day prior to a meeting.
- (b) Council may by resolution, provide that all, some or most Members will participate electronically in a meeting for the period of time as set out in the resolution as a result of an Emergency or Health and Safety Implications.

12.4 Open to the Public – Section 238(3.1) of the Act

12.4.1 Public In-person Restrictions

- (a) 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 during an Emergency, or as a result of the Health and Safety Implications of any in-person attendance.
- (b) Council may by resolution decide to limit or restrict any public in-person attendance at a Meeting during an Emergency, or as a result of the Health and Safety Implications of any in-person attendance.

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 section 12.4.1, the manner in which an Electronic Meeting is open to the public is by:
 - (i) permitting delegations pursuant to section 12.4.3;
 - (ii) the live-broadcast of a Meeting wherever possible, in accordance with section 12.2.3(b).
 - (iii) the posting of the records of the Open Session portion of the Meeting to the City's website in a timely manner following the meeting; and
 - (iv) making the records of the Open Session portion available for inspection by the public.
- (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 when in-person attendance is restricted

- (a) Where, in the opinion of the Clerk, a system is in place that will permit Delegations at an Electronic Meeting to be made by audio or audiovisual means that are consistent with the By-law, Delegations may be made either in writing or by any audio or audiovisual means.
- (b) Where an Electronic Meeting permits both in-person and electronic participation by the Public and the conditions on paragraph 12.4.3(a) are satisfied, Delegations can be both in-person and electronically.
- (c) The following rules will be observed for audio or audiovisual Delegations notwithstanding anything in the By-law to the contrary:
 - (i) The Clerk may establish and amend any procedure or process deemed necessary to implement audio-only or audiovisual delegations, including but not limited to, any time limit by which a potential Delegate

will be required to register, and any such procedures or process shall be deemed to be part of this Article;

- (ii) Delegations will be required to comply with any process or procedure established by the Clerk who will provide appropriate instructions to any such delegate.
- (d) Where, in the opinion of the Clerk, a system is not in place that will permit Delegations at an Electronic Meeting to be made by audio or audiovisual means that are consistent with the By-law, Delegations shall be in writing only.
- (e) Sections 12.4.3(b) to 12.4.3(d) shall not apply to:
 - (i) any Special Council Meeting, conducted as an Electronic Meeting, called to deal with an Emergency or Time-Sensitive Matter on less than 48 hours' notice.
 - (ii) Any Special Council Meeting conducted as an Electronic Meeting called for the sole purpose of considering matters in Closed Session.
 - (iii) Any meeting where there is no restriction on public in-person access to the meeting.

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

- (a) Notwithstanding anything in Section 5.5.3 to the contrary, Public Forum during a regular meeting of Council conducted wholly or partially as an Electronic Meeting shall be subject to the following rules:
 - (i) 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 noon on the day prior to the meeting.
 - (ii) Public Forum submissions can be made electronically or in-person, unless in-person public access is restricted under section 12.4.1.
 - (iii) The maximum of number of such registrations shall be five persons, on a first come first serve basis.
 - (iv) If there is three or less registrations, each registrant shall be provided no more than five minutes to address Council.
 - (v) If there are four registrants, each registrant shall be provided no more than four minutes to address Council.
 - (vi) If there are five registrants, each registrant shall be provided no more than three minutes to address Council.
 - (vii) The Clerk may establish and amend any procedure or process deemed necessary to implement this section.

- (b) Section 12.4.4 shall not apply to any meeting where there is no restriction on public in-person access to the meeting

12.4.5 Posting Un-adopted Minutes

- (a) The Clerk shall post the minutes of any Electronic Meeting to the City's website as soon as possible following the meeting, regardless of whether or not those minutes have been adopted.
- (b) The Clerk will remove the un-adopted Minutes from the City's website and post the minutes that have been formally adopted.

12.5 Electronic Meetings - Quorum & Absences

12.5.1 Electronic Meetings – Quorum

Members attending electronically or in-person during an Electronic 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 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 section 12.5.1 and for greater certainty, a Member may participate in-person or electronically in any Closed Session portion of any Meeting conducted wholly or partially as an Electronic 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

In an audio-only Electronic Meeting, 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 in a Meeting and confirm that a quorum is present.

12.7.2 Audio-only Electronic Meetings - Members not present during Roll Call

In an audio-only Electronic Meeting, a Member who is not present during the roll call, and who subsequently joins the Meeting 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.

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 who is participating electronically in a Meeting 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 Audio-only Electronic Meetings - Additional Rules of Debate - Speaking Order

12.8.1 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 and a seconder of any motion.
- (b) All other Members in the following order:
 - (i) The Regional and Local Councillor who is named first in any Deputy Mayor By-law enacted under Section 4.2 of the By-law;
 - (ii) The Regional and Local Councillor who is named second in any Deputy Mayor By-law enacted under Section 4.2 of the By-law;
 - (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.

12.8.2 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 who is named second in any Deputy Mayor By-law enacted under Section 4.2 of the By-law;
 - (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.

12.8.3 Speaking Order – All other Committee

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.

12.8.4 Observance of other rules

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

12.9 Electronic Meeting - Voting

12.9.1 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 is permitted; or,
- (b) A recorded vote has been requested by any member.

12.9.2 Electronic Meeting - Voice Votes – How Conducted

A voice vote shall be conducted as follows:

- (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.

12.9.3 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 voted, including the first member to vote, may be randomly determined by the Clerk.

12.10 Transition rules – COVID-19

Notwithstanding anything in this Article to the contrary, during the period of time ending on January 31, 2021, the Mayor, in consultation with the Clerk and City Manager, may direct that any Meeting held in accordance with Article 5 to Article 11, shall be conducted wholly or partially as an Electronic Meeting.