



## BY-LAW NO. 2023-0026

A By-law to govern the calling, place, proceedings and providing public notice of meetings of the Council and its Committees; to provide rules for the conduct of its Members; and to repeal and replace By-law No. 2021-0020 and 2021-0054.

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

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

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

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

### 1. **DEFINITIONS**

In this by-law:

**“Accountability”** means the principle that the Town of Halton Hills will be responsible to its stakeholders for the decisions made and policies implemented, as well as its actions or inactions.

**“Act”** means the *Municipal Act, 2001, c.25* as amended or replaced from time to time.

**“Acting Mayor”** means the Councillor who is appointed to serve one month each, to act in place and stead of the Mayor as required.

**“Advisory Committee”** is a committee of Council which by legislation is deemed necessary (Heritage Committee, Accessibility Committee) and any committee Council deems necessary to implement in order to fulfil the mandate of the Town during a Term of Council. (ex. Active Transportation Advisory Committee)

**“Announcements”** mean information conveyed to the Presiding Officer by Members to be announced publicly at the beginning of meetings. The information shall relate only to matters on which no official action by Council is required, and those matters which are congratulatory or condolence in nature.

**“Approval”** means the endorsement or adoption of the recommendations contained within minutes.

**“CAO”** means the Chief Administrative Officer for the Town of Halton Hills or their designate.

**"Chair"** means the Mayor, Acting Mayor, Councillor or person presiding over the meeting and may also be referred to as the Presiding Officer.

**"Clerk"** means the Clerk of the Corporation or designate.

**"Closed Session"** means a meeting or a portion thereof, closed to the public in accordance with the *Municipal Act*, as amended.

**"Committee"** for the purpose of the By-Law means any or other Advisory Committee, working group, or similar entity appointed by Council.

**"Confirmatory By-law"** means a by-law passed at the conclusion of Council meetings, confirming the actions of Council taken at that meeting and any previous meetings which did not have a confirmatory by-law, in respect of each resolution and other actions taken.

**"Consent Item"** means information only reports and memorandums that are presented for approval without debate and with no delegation or presentation. Consent items are grouped together on an agenda and can be approved through one motion.

**"Corporation"** means the Corporation of the Town of Halton Hills.

**"Council"** means the Council of the Corporation.

**"Councillor"** means a member of Council, other than the Mayor.

**"Declared Emergency"** means any period of time during which an emergency has been declared in all or part of the Town of Halton Hills under Section 4 or 7.0/1 of the Emergency Management and Civil Protection Act.

**"Delegation"** means any person, group of persons, firm or organization, who is neither a Member of the General Committee, Council, or an appointed official of the Town and who is speaking to Committee or Council

**"Division of Question"** means a request by a Member to have a motion containing separate questions or suggestions, voted on in sections.

**"Electronic Participation"** means participation in a meeting from a remote location by such electronic means or service as determined and provided by the Clerk. The term "by electronic means", as set out in this by-law has a corresponding meaning.

**"Emergency"** means a situation or the possibility of an impending situation which by its nature and magnitude requires a timely, co-ordinated, and controlled response.

**"Emergency Business Matter"** means a time sensitive matter which if not dealt with may have serious ramifications, including but not limited to the inability to address or influence the matter at a later date.

**"Ex-Officio"** means a member of a committee by reason of holding another position, who has the right and privileges of a full Member or as otherwise outlined in this by-law or the Committee's Terms of Reference.

**"General Committee"** means all Members of Council sitting as a recommending body to Council where Council will move into General Committee during Council, for the purpose of discussion and approval of Reports of Municipal Officers and any subsequent delegations/presentations, (emergency action item reports, deemed necessary to be included on a Council agenda upon the approval of the CAO).

**“Immediate Action Item”** means a staff report that is a time sensitive matter which requires immediate disposition at the meeting it is presented at.

**“Local Board”** means a municipal service board, transportation commission, public library board, board of health, police services board, planning board, or any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of the Corporation of the Town of Halton Hills.

**“Main Motion”** means a motion which is a self-contained proposal that expresses a separate and distinct idea or position rather than an amendment to an existing motion. It is also known as a substantive motion.

**“Mayor”** means the Head of Council of the Corporation.

**“Meeting”** means any Regular, Special, Workshop or other meeting of Council, of a local board or of a committee of either of them.

**“Member”** means a Member of Council or a Committee.

**“Notice of Motion”** means a motion which is introduced at a regular Council meeting for consideration at the next regular meeting of Council, thereby affording all members with notice that the subject matter is to be addressed.

**“Pecuniary Interest”** means a direct or indirect pecuniary Interest, within the meaning of the *Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M. 50, as amended*.

**“Point of Order”** means a matter that a Member considers to be a departure from or contravention of the Rules, procedures or generally accepted practices.

**“Point of Personal Privilege”** means a statement calling attention to a matter where the integrity, character or reputation of an individual, individuals or the Council is perceived to be in question.

**“Presiding Officer”** means the Mayor, Acting Mayor or person presiding over the meeting and may also be referred to as the Chair.

**“Public Notice”** means the method and processes with which the Town shall provide notice to the public when notice is required for a meeting.

**“Quorum”** means a majority of all the members who are required to be present at a meeting, in order that business may be conducted.

**“Recorded Vote”** means the recording of the name and vote of every Member voting on a motion at a meeting Council.

**“Rules of Procedure”** means the applicable procedural rules and rules of conduct contained in this By-law and in the Standard Code of Parliamentary Procedure.

**“Special Committee”** means a Committee established by the Mayor or Council to deal with a specific matter on a short-term basis, and which will be disbanded upon completion of the Committee’s mandate.

**“Staff Direction”** means an instruction, which must be voted on and approved by a or Council, for staff to proceed with an action unrelated to recommendations in reports.

**“Town”** in this By-Law means a reference to the geographical area of Halton Hills or to the Corporation, as the context requires.

“**Workshop**” means a meeting of Council; or a committee where the purpose is for educating or training the members.

## 2. **APPLICATION & PRINCIPLES**

- (1) The rules of procedure contained in this by-law shall be observed in all proceedings of Council and Committee and shall be the rules for the order and dispatch of business in Council and Committee.
- (2) All committees and local boards under the jurisdiction of the Town shall use this procedure by-law for the dispatch of their business with such changes as may be necessary in the context of the committees’ or local boards’ business. In the case of the “local boards” the word “Council” in this By-Law shall be taken to mean the “local board”. If these committees and local boards have a procedure by-law or establish their own procedural rules and practices, such takes precedence over the Town’s procedure by-law provided same is first approved by Council.
- (3) All committees appointed by Council, not meeting the definition herein but still under the jurisdiction of the Town, shall use this procedure by-law for dispatch of their business. If these committees have a procedure by-law or establish their own procedure rules and practices, such takes precedence over the Town’s procedure by-law provided same is first approved by Council.
- (4) All points of order or procedure for which rules have not been provided in this by-law and its appendices shall be decided by the Chair in accordance, as far as is reasonably practicable, with the rules of parliamentary law as contained in the Standard Code of Parliamentary Procedure.
- (5) Unless a contrary intention appears, in this by-law, words in the singular include the plural and words importing masculine gender include the feminine.
- (6) Each member has the right to:
  - a) one vote, subject to the declaration of pecuniary interest;
  - b) information to help make decisions, unless otherwise prevented by law;
  - c) an efficient meeting; and
  - d) be treated with respect and courtesy
- (7) 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.
- (8) Suspension of Rules

No provision of this by-law shall be suspended except by an affirmative vote for at least two-thirds of the entire Council (eight members) for each incidence of suspension of the rules.

- a) The suspension shall only apply to the procedure(s) or rule(s) which are stated within the motion to suspend and only during the meeting in which such motion was introduced.
- b) The following procedure(s) or rule(s) cannot be suspended:
  - i. no other business in special meetings or workshops other than what is included on the agenda; and
  - ii. the majority of members which make up a quorum.

(9) Applicable Policies

The following policies as adopted by Council shall apply to all Council members;

- a) Council Code of Conduct
- b) Council-Employee Relations Policy
- c) Pregnancy/Parental Leave Policy
- d) Any other policy applying to Members of Council as required by legislation, or enacted by Council

(10) Guiding Principle

That Members of Council will endeavour to contact report authors (staff) through written correspondence, prior to the respective meeting where a report is listed on the agenda, should the Member need to seek clarification or have questions on the report topic.

**3. MAYOR**

(1) Voting

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

(2) Quorum

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

(3) Duties

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

**4. ACTING MAYOR**

(1) Duties

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

(2) Rotation

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

to the next Member available in the listing.

## 5. **COUNCIL MEETINGS**

### (1) Place

- a) Meetings of Council shall be held in the Council Chambers at such prescribed times, or at such other location and time as Council may approve.
- b) In the case where an Emergency is declared under the Town Emergency Response Plan, Council may hold a meeting at any location within or outside the Town.
- c) Notwithstanding, any other provision of this by-law, a regular or special meeting of Council, or Advisory Committee meetings may be conducted by electronic means, where it has been determined by the Mayor and Chief Administrative Officer (or designates(s)) that electronic participation will be required by all or some members attending the meeting. In person attendance at such meetings for Council/Committee members and Town staff may be restricted by the Mayor and Chief Administrative Officer subject to the meeting being open to the public through electronic means.

### (2) Electronic Participation - Members

When it has been determined by the Mayor and CAO that electronic participation will be required as set out in Section 5.1.c, the following will apply;

- Any member who is not physically present in the location where a Meeting takes place is permitted to participate electronically in both Open and Closed Session and shall have the same rights to speak and vote as if the Member was physically present.
- All Members who participate electronically shall be counted in determining whether or not a Quorum of Members is present.
- The Clerk shall be required to be physically present in the location where any Meeting with Electronic Participation takes place unless the meeting is Closed to the public and therefore the Clerk may also participate through electronic means.
- Members are to notify the Mayor and the Clerk twenty-four (24) hours in advance of any Meeting at which they intend to participate electronically.

### (3) Electronic Participation – Delegations

Delegates may be permitted to participate electronically in a Meeting of Council or Committee following procedures and requirements set out by Clerk and subject to the following;

- Electronic means of participating must be available for the meeting
- Electronic participation must be clear and uninterrupted and allow for two-way communication, and if any unreasonable delay or interference is caused to the Meeting as a result of the Electronic

Participation the connection will be terminated; and

- Notwithstanding Section 12.1, a request to appear as a Delegation through Electronic Participation must be received by the Clerk at least three (3) Business Days prior to the date of the meeting.

(4) Inaugural Meeting

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

(5) Date and Time of Council Meetings

- a) The Clerk shall prepare an annual schedule for regular Council, based primarily on a three-week meeting cycle.
- b) The schedule prepared by the Clerk for Regular Council, and Workshops shall be approved by Council prior to the commencement of the calendar year and posted on the Town's website. When the day for a Council meeting is a public or civic holiday or conflicts with an event to which several members of Council are attending, the Council may meet on the following day which is not a public or civic holiday or the following Monday.
- c) Public Session of Council Meetings shall commence at 3:00 p.m. In the event Council is required to meet at a time earlier than 3:00 p.m., such as to meet as Closed Session of Council, the Clerk, in consultation with the CAO and/or Mayor, may call the Council meeting to commence at an earlier time. Statutory Public planning matters shall be heard at 6:00 p.m. as part of the Council meeting.
- d) The Mayor, or if absent, the Acting Mayor in consultation with the CAO, may postpone a regular or special meeting of Council in the event of inclement weather, a declared state of emergency, or for any other justifiable reason.

(6) Alteration of Schedule

The Mayor, in consultation with the CAO, may alter the time, day and place of any meeting previously approved under Section 5.

(7) Notice

- a) Notice to Council for Council meetings shall be through delivery of the agenda of the meeting a minimum of 48 hours in advance of the meeting, which will constitute adequate notice.
- b) The agenda for these meetings shall describe the purpose of the meeting, the date, time and location of the meeting, and the order of business.
- c) Public Notice of Council meetings shall be by way of posting on the Town's website the date, time and location, general purpose and agenda for the meeting, a minimum of 48 hours in advance of the meeting.
- d) Lack of receipt of the notice, due to an emergency and/or timely business manner, shall not affect the validity of holding the meeting nor any action taken at the meeting.

(8) Special Meetings

- a) The Mayor, in consultation with the CAO, may at any time summon a special meeting of Council on 48 hours written or oral notice to the Members of Council. Should a special meeting of Council be required due to a timely emergency matter, 24 hours notice may be warranted
- b) The notice shall specify the purpose of the meeting, which shall be the only business on the Agenda and the only business conducted at the meeting.
- c) The Clerk, upon receipt of availability of a quorum of Council to attend a special meeting of council, shall prepare a special council agenda and provide notice on the Town's website.
- d) Notwithstanding any other provision of this by-law, a special meeting may be held, without notice, to deal with an Emergency provided that attempts have been made to reach the Members.

(9) Order of Business

- a) The Clerk shall prepare for the use of the Members of Council at the regular meetings of Council, an agenda with the following headings:
  1. **Call to Order – 1:00 p.m.**
  2. **Move Into Closed Session**
    - 2.1 **Disclosure of pecuniary/conflict of interest**
  3. **Open Meeting – 3:00 p.m.**
    - 3.1 **O Canada**
    - 3.2 **Land Acknowledgement**
    - 3.3 **Disclosures of Pecuniary/Conflict of Interest**
  4. **Other Business (Announcements, Emergency Matters)**
  5. **Confirmation of Minutes of previous Council Meetings**
  6. **Resolution to Adopt General Committee Items from the previous Council Meeting.**
  7. **Resolution to Adopt Closed Session Items**
  8. **Public Presentation/Delegation (item not listed on the current agenda)**
  9. **Consent Items**
  10. **General Committee**
    - 9.1 **Presentations/Delegations**
    - 9.2 **Consideration of Reports**
  - 93 **Adjourn back into Council**
  11. **Resolution to Adopt Immediate Action Items from General Committee**
  12. **Motions/Petitions/Communications**
  13. **Notice of Motion**
  14. **Receive and File General Information Package**
  15. **Consideration of By-laws**
  16. **Adjournment**

(10) Call of A Special Meeting of Council

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



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

(11) Presiding Officer

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

(12) Meeting Recess

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

(13) Closed Session of Council

- a) A meeting, or portion thereof may be closed to the public in accordance with the *Municipal Act, S.O. 2001*, as amended. The following matters may be considered in Closed Session:
  - i. The security of the property of the Town;
  - ii. Personal matters about an identifiable individual, including Town employees;
  - iii. A proposed or pending acquisition or disposition of land by the Town;
  - iv. Labour relations or employee negotiations;
  - v. Litigation or potential litigation including matters before administrative tribunals, affecting the Town;
  - vi. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
  - vii. A matter in respect of which the Committee or Council may hold a closed meeting under another act;
  - viii. Information explicitly supplied in confidence to the Town by the federal government, a province or territory or a Crown agency of any of them;
  - ix. A trade secret or scientific, technical commercial, financial or labour relations information, supplied in confidence to the Town, which, if disclosed could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
  - x. A trade secret or scientific, technical, commercial or financial information that belongs to the Town and has monetary value or potential monetary value; and
  - xi. A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the Town.

- b) A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act*.
- c) Prior to moving into Closed Session for one of the reasons listed in this By-law, a motion must be passed stating:
  - i. the fact that the Council is convening into closed session, and
  - ii. the general nature of the matter to be considered at the closed meeting.
- d) A meeting shall not be closed to the public during the taking of a vote except where:
  - i. Section 5.13.a or 5.13.b of this By-law permits or requires a meeting to be closed to the public; and
  - ii. the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under contract with the municipality or local board.
- e) A Member shall not in any way disclose to any person or other body, by any means, any reports or items, or disclose the nature or content of any reports or items or of discussions, regarding any matter that is confidential and or are part of a confidential agenda, without prior approval of such release by Council.
- f) The Clerk shall be responsible to maintain a confidential copy of all original documentation distributed and shall keep a record of the meeting in accordance with the *Municipal Act*.
- g) Copies of any confidential reports or confidential documents circulated separately from the agenda regarding confidential matters may be returned to the Clerk at the end of the meeting for destruction. Council members and staff are responsible for ensuring confidential documents are stored appropriately and destroyed in a timely manner.
- h) Upon reconvening in public session, the Presiding Officer shall accept a motion to resolve the matter publicly, or alternatively advise that direction had been given to staff during the closed session in accordance with the *Municipal Act*.

(14) Recording of Confidential Minutes

- a) The Clerk or his/her designate shall attend all closed meetings and record the proceedings, including procedural motions and direction given to staff, without note or comment.
- b) The Clerk, or his/her designate, may delegate the Clerk's duties with respect to recording minutes in a closed meeting of Council or committee to a staff person, primarily to the CAO, through a simple motion (motion to appoint the staff person as acting clerk during the specific closed session).

(15) Motions/Petitions/Communications

- a) All correspondence from the public, including petitions, communications and motions which are to be presented to Council or a Committee shall be legibly written or typed, shall not contain any improper matter or language, and shall be signed by at least one person.
- b) All correspondence and petitions for Council shall be filed with the Clerk (in person or through electronic means), no later than 12 noon on the Friday preceding the meeting at which it is to be considered. If in the opinion of the Clerk, it contains any improper matter or language, the CAO, in consultation with the Mayor shall decide whether it should be included on the agenda.
- c) Any correspondence or petition Council deems appropriate may be referred to staff or any Committee for disposition.
- d) Petitions received by the Clerk MUST include a disclaimer noting that personal information contained in the petition may be made public, therefore, it is the responsibility of those signing the petition to understand that any or all personal information is not subject to confidentiality.
- e) Petitions received by the Clerk that do not relate to any item on the agenda will be included in the General Information Package.

(16) General Information Package

- a) All correspondence, including resolutions, of a general nature submitted to the Town by other municipalities, government ministries (ministries), Members of Parliament, Members of the Legislative Assembly government agencies or associations such as the Association of Municipalities of Ontario, Federation of Canadian Municipalities and the Association of Municipal Clerks and Treasurers of Ontario, etc shall be included on the General Information Package.
- b) The General Information Package will include a section to include minutes of the Town's Advisory Committees and Local Boards to be received, through resolution, as part of the overall General Information Package.
- c) A member of Council may speak to any item included in the General Information Package and, may make a motion or a staff direction at the same meeting regarding any item listed.

(17) Delegations

- a) Delegations will be heard as set out in this by-law (Section 12).

(18) Emergency Business Matters

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

## 6. WORKSHOP

### (1) Notice

- a) Notice to Council for Workshops shall be through delivery of the agenda for the workshop a minimum of 48 hours in advance of the workshop which shall constitute adequate notice.
- b) The agenda for the workshop shall describe the purpose of the workshop, the date, time and location of the workshop, and the order of business.
- c) Public Notice of workshops shall be by way of posting on the Town's website the date, time and location, general purpose and agenda for the workshop, a minimum of 48 hours in advance of the workshop.
- d) Lack of receipt of the notice shall not affect the validity of holding the meeting or any action taken at the meeting.

### (2) Order of Business

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

- 1. Opening of the meeting**
- 2. Land Acknowledgement**
- 3. Disclosure of Pecuniary Interest/Conflict of Interest**
- 4. Workshop Delegations/Presentations/Reports**
- 5. Closed Session (for training purposes as per the Municipal Act)**
- 6. Reconvene into Open Session**
- 7. Adjournment**

### (3) Closed Session of a Workshop

- a) A Workshop may be closed to the public, provided that no Member discusses or otherwise deals with any matter in any way that materially advances the business or decision making of the Council or Committee.
- b) Prior to moving into a Closed Session, a motion must be passed stating:

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

## 7. DUTIES OF CHAIR AT MEETINGS

### (1) It shall be the duty of the Chair at meetings to:

- (a) open a meeting by assuming the Chair
- (b) announce any revisions or updates to the agenda for the meeting
- (c) receive and submit, in the proper manner, all motions presented by the Members
- (d) put to vote all questions which are properly presented or which necessarily arise during the proceedings, and to announce the result

- (e) deal with a matter in a different order than presented on an agenda where deemed appropriate and as approved by the Council or Committee
  - (f) decline to put to vote motions which infringe upon the proceedings set out in this by-law
  - (g) ensure that the Members when engaged in debate, do so in a courteous and respectful manner
  - (h) designate the Member having the floor as the one who, in the opinion of the Chair, raised their hand first
  - (i) enforce on all occasions the observance of order and decorum among the Members and attendees at a meeting
  - (j) authenticate by signature, when necessary, all by-laws, resolutions and minutes
  - (k) receive messages and other communications and announce them
  - (l) rule on Points of Personal Privilege and Points of Order raised by Members
  - (m) adjourn the meeting, when the business is concluded, or at the designated time
  - (n) if it is considered necessary because of grave disorder, recess a meeting without question or adjourn the meeting until a time or date to be named by the Chair
  - (o) where, deemed appropriate, expel or exclude from a meeting any person for inappropriate behaviour or who disturbs the meeting
- (2) The Chair shall vote on all questions except where disqualified to vote by reason of Pecuniary Interest as set out in the *Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M.50*, as amended, or a conflict of interest.

## **8. DUTIES OF THE CLERK**

- (1) It is the duty of the Clerk to prepare the minutes of all Council meetings which include a General Committee component. The minutes shall include:
  - (a) the place, date and time of the meeting.
  - (b) the name of the Chair and the Members present.
  - (c) to record without note or comment, all resolutions, decisions and other proceedings of the Council or General Committee, as the case may be.
  - (d) the Clerk will record the name and associated organization (if applicable) of all delegations and the general nature of their delegation (ie. was present to speak in support). Delegations may provide a copy of their presentation to the Clerk, which will be received and kept on file.
- (2) It is the duty of the Clerk to ensure that the minutes of the last regular meeting, and all minutes of ~~Standing~~ and Budget Committees, together with the agenda prepared in accordance with this By-law are prepared and delivered, via electronic means, to each Member not less than forty-eight

(48) hours before the hour appointed for the holding of such regular meeting. The Clerk may also prepare an addendum agenda for Council meetings, but the contents thereof shall be limited to:

- (a) listing delegations not otherwise listed on the Agenda when originally delivered, regarding items already listed on the agenda.
  - (b) new correspondence received by the Clerk regarding items already listed on the agenda, since the agenda was originally delivered.
  - (c) Reports requested by Council or Committee regarding items already listed on the agenda, since the agenda was originally delivered.
  - (d) An Emergency Business Matter that without being heard in a timely manner may cause consequences to the Town.
- (3) The Clerk shall keep in a safe place all by-laws duly enacted by the Council for the Town.
  - (4) The Clerk or designate shall be in attendance at all Council meetings and shall take the minutes in accordance with Section 8.1.
  - (5) The Clerk shall provide the public with notice of the Council, Budget and schedule by annually posting the dates of the meetings on the Town website and by posting the Agendas on the Town Website not less than forty-eight (48) hours before the hour appointed for holding the meeting concerned. Any amendments or cancellations to such meetings shall be posted as required.

## **9. PROCEEDINGS OF COUNCIL MEETINGS AND WORKSHOPS**

- (1) Call to Order and Quorum
  - a) As soon after the hour fixed for the holding of a meeting, as a Quorum is present, through in-person or electronic means, the Mayor or the Chair, as the case may be shall call the meeting to order.
  - b) Subject to Section 9.1.c, if a quorum for a meeting is not present one-half (1/2) hour after the time appointed for a meeting, the Clerk or designate shall indicate that no quorum is present and shall record the names of the Members present and the meeting shall stand adjourned until the date of the next regular meeting.
  - c) If a quorum for a Regular, Special or Workshop is not present within fifteen (15) minutes of the time fixed for the commencement of the meeting, the Committee may proceed without a quorum, provided that at least two members are present. The report of the Committee meeting shall clearly indicate what parts of the meeting were conducted without a quorum present. The minutes of the meeting would be considered as a report to Council and the recommendations dealt with in the usual manner by Council.
  - d) In the event the Mayor or the Chair, as the case may be, does not attend within fifteen (15) minutes after the time appointed for a meeting, the Acting Mayor or next Chair, as the case may be, shall assume the role of Presiding Officer and call the Members to order. The Acting Mayor or next Chair, as the case may be, shall preside until the arrival of the Mayor or Chair.
  - e) Notwithstanding the foregoing, if the Mayor or Chair has notified the

Clerk in advance that the Mayor or Chair will not be attending the meeting, the Acting Mayor or next Chair shall assume the role of Presiding Officer at the time appointed for the meeting.

- f) Where a number of Members, by reason of Pecuniary Interest as set out in the provisions of the *Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M.50*, as amended, or a conflict of interest are unable to participate in a meeting, and as a result the number of remaining Members is not sufficient to constitute a Quorum, then the remaining number of Members shall be deemed to constitute a Quorum, provided such number is not less than two.
- g) If during the course of a Council meeting, a Quorum is lost, then the Chair shall declare that the meeting shall stand adjourned, until the date of the next regular meeting or other meeting called in accordance with the provisions of this by-law.
- h) If during the course of a Regular, Special, or Standing Committee Meeting, or Workshop a quorum is lost, the Committee may proceed.
- i) Where a number of Members, by reason of an Emergency declared under the Emergency Response Plan are unable to participate in a meeting, and as a result the remaining Members are not of a sufficient number to constitute a Quorum, then the remaining number of Members able to attend a meeting shall be determined to constitute a Quorum, provided such number is not less than two.

(2) Declaration of Pecuniary Interest or a Conflict of Interest

- a) In accordance with the Municipal Conflict of Interest Act, it is the responsibility of each Council Member to, prior to any consideration of a matter at a meeting, disclose a Pecuniary Interest in the matters and the general nature thereof, and the Council Member shall:
  - i. Not take part in the discussion of, or vote on, any Motion in respect of the matter; and
  - ii. Not attempt to, in any way whether before, during or after the meeting, to influence the voting on any such Motion.
  - iii. If the interest under Section 9.2 is with respect to an item dealt with at a Closed Session, in addition to complying with the requirements of Section 9.2, the Council Member shall forthwith leave the Closed Session or that part of the Closed Session during which the matter is under consideration.
  - iv. The Council Member may remain in attendance at the meeting during any public discussion of the matter.
  - v. Where the interest of a Council Member has not been disclosed as required by Section 9.2 by reason of their absence from the meeting, the Council Member shall disclose their interest and otherwise comply with Section 9.2 at the first meeting of the Committee or Council attended by them after the meeting referred to in Section 9.2.
  - vi. The Council Member, in addition to their verbal disclosure of the Pecuniary Interest, shall file a written statement of the interest with the Clerk, at the meeting or as soon as possible afterwards. The particulars of all verbal disclosures shall

appear in the minutes of the meeting at which they were made.

vii. In the case of a Council Member who has declared a Pecuniary Interest on a Motion, the minutes shall reflect that the Council Member abstained from the vote.

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

c) A registry containing hard copies of each filed statement and recorded disclosure shall be maintained by the Clerk for public inspection upon request during regular business hours.

### (3) Conduct at Meetings

a) Members shall:

i. in the case of a Member of Council, act in accordance with their Oath of Allegiance and Oath of Elected/Appointed Office.

ii. not use offensive words or insulting expressions at any time toward other Members of Council, staff or the public.

iii. speak only to the subject under debate.

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

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

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

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

c) If the Member called out of order will not leave their seat, and does not apologize, the Chair shall recess the meeting for a period of up to ten (10) minutes. If upon reconvening, the Member does not apologize, the Chair shall recess the meeting again for another period of up to ten (10) minutes. If upon reconvening for the second time, the Member does not apologize, the Chair shall deal with the Member in accordance with Section 9.3.e(iv) and 9.3.e(v).

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

e) Attendees at a Meeting, through in-person or electronic means

i. Attendees at a meeting must maintain order and quiet and shall not display signs or placards, applaud, heckle, or engage in telephone or other conversation, or any behaviour which may be



considered disruptive, inconsiderate, disrespectful, or intimidating to others.

- ii. Any person that disrupts a meeting shall be asked by the Chair to stop the disruptive behaviour, and if the person persists, they shall be asked to leave the meeting.
- iii. All cell phones, and electronic devices, except those in use to facilitate the meeting, shall be turned off or otherwise set so as not to emit any audible sound during a meeting.
- iv. The Chair may expel or exclude from any meeting any person who disturbs the meeting.
- v. If a person refuses to leave the meeting upon being requested to do so by the Chair, the Chair shall recess the meeting and shall direct the Clerk to seek the appropriate assistance from the Halton Regional Police Service.
- vi. Video, photo, and audio recordings shall not be permitted without consent by the Chair of the meeting.
- vii. No microphones, other than Town microphones, shall be placed within the vicinity of the public speaking podium while delegations and presentations are being made.
- viii. All Members, staff and the public shall comply with this By-law and related policies and procedures.

(4) Speaking - Members and Staff

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

under discussion.

(5) Voting

- a) Every Member present at a meeting, in-person or through electronic means, when a question is put to a vote, shall vote thereon unless prohibited by reason of Pecuniary Interest as set out in the *Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M.50, as amended*, or a conflict of interest.
- b) When the Chair calls for the vote on a question, each Member shall occupy their seat and shall remain in their place until the result of the vote has been determined by the Chair. During such time no Member shall walk across the room or speak to any other Member or make any noise or disturbance.
- c) The manner of determining the decision shall be made by a show of hands or through stating, verbally, an objection.
- d) The Chair shall call the vote on a question by asking for all Members in favour and all those opposed to the motion.
- e) If any Member present at a meeting when a question is put to a vote does not vote, they shall be deemed as voting in the negative except where a Pecuniary Interest or a conflict of interest has been declared.
- f) Immediately preceding the taking of a vote, the Chair may state the question in the form introduced or as amended and shall do so if requested by a Member. The Chair shall state the question in the precise form in which it will be recorded in the minutes.
- g) After a question is finally put to a vote by the Chair, no Member shall speak to the question nor shall any other motion be made until after the vote has been taken and the result has been declared.
- h) A Member may ask for a "division of vote" on any motion. When so requested, the Chair shall ask all those in favour of the motion to indicate so by a show of hands, followed by those opposed. Following the vote, the Chair shall announce the result of the vote by stating the number of votes for and the number opposed to the motion.
- i) Unless a recorded vote is requested, the individual Member's vote on any item shall not be recorded. However, a Member may ask that their opposition to an item be recorded.
- j) A Member may request a recorded vote immediately prior to or immediately following a vote being taken.
- k) When a Recorded Vote is requested by a Member, or is otherwise required, the Chair will ask all Members in favour of the motion to stand. The Clerk shall announce and record the name(s) of those Members voting in favour and request them to sit. Then the Chair will ask all Members opposed to the motion to stand. The Clerk shall announce and record the name(s) of those Members voting in opposition to the motion and request them to sit. Following the voting, the Clerk shall announce that the motion is either carried or lost. The Clerk shall also record the name and vote of every Member in the minutes. Any abstention from voting, other than by reason of pecuniary interest, conflict of interest or absence, shall be recorded in the minutes as a negative vote.

- l) If a Member disagrees with the announcement of the result of the vote, they may, but only immediately following the announcement, object to the announcement of the result and request that the vote be retaken.
- m) The results of all motions in Council, whether approved or lost, shall be recorded in the minutes.
- n) Consent Items, a list of one or more items on the agenda being presented to Council for approval, shall be passed by motion without debate, delegation or presentation. Should a Member wish to debate a Consent Item, the member must state their wish to have the item extracted from the Consent Items and will be dealt with under Municipal Officers Reports to be considered by General Committee. Consent Items include:
  - i. For Information Reports/Memorandums
  - ii. Report/Memorandum/Correspondence from an organization or local board which provides an update to Council or Committee

Notwithstanding Section 9.5.n, a Member who wishes to extract an item from the List of Consent Items should provide notice to the Report Author and the Clerk, in writing, at least 24 hours in advance of the meeting.

(6) Adjournment Hour

- a) Council meetings shall adjourn by 11:00 p.m. unless otherwise decided by a majority of the Members present to proceed beyond the hour of 11:00 p.m.
- b) A motion to proceed beyond the hour of 11:00 p.m. shall not be amended, is not debatable and is always in order except when a Member is speaking, or the Members are voting. A motion to proceed beyond the hour of 11:00 p.m. shall outline the specific items on the Agenda that will be dealt with.
- c) Items not considered prior to the adjournment of the meeting shall be placed on the next Council agenda. These matters shall be published until disposed of by Council, unless removed from the agenda by leave of Council.

**10. MOTIONS**

(1) Motion Process

- a) Except as otherwise provided in this by-law, all motions must be in writing and must be signed by the mover and seconder before the Chair can put the question or motion on the floor for consideration.
- b) Notwithstanding Section 10.1.a, during a Meeting where the majority of members are participating through electronic means, motions will not need to be signed. The motions may be read by the Chair or Clerk and movers and seconders will be obtained by verbal consent. The Mayor, Chair or Clerk will then ask members participating if they have any questions/comments on the motion introduced. Upon completion of questions/comments, if there are no objections by Members, the Mayor or Chair will call the vote as

carried.

- c) Where members of the public are to be heard on a matter, no motion shall be received until they have been heard, and no further public participation shall be allowed after the motion has been duly moved and seconded, at which time the motion shall be deemed as confined to table for debate for the Members only.
- d) When a motion is presented in Council, it shall be read, or if it is a motion which may be presented orally, it shall be stated by the Chair before debate.
- e) A motion related to a matter which is not within the Council's jurisdiction shall be deemed to be ultra vires and out of order.
- f) After a motion is read or stated by the Chair, it shall be deemed to be in the possession of the Council or Committee but may with the permission of the mover and seconder, be withdrawn at any time before decision or amendment.
- g) A motion properly before the Council or Committee for decision must be disposed of before any other motion can be received.

(2) Notice of Motion

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

**11. ENACTMENT OF BY-LAWS**

(1) By-law Approval Process

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

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

- c) Upon accepting a motion to approve the by-laws listed on the agenda, the Chair shall determine if the Members have questions or proposed amendments, or if discussion is required, prior to calling the vote on the Motion.
- d) Every by-law may be debated, amended or referred to a named committee or to staff for further consideration.
- e) 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.
- f) Every by-law passed by Council shall be signed by the Mayor and the Clerk, sealed with the seal of the Corporation, show the date of approval, and shall be bound in a volume for the year in which it was passed.

(2) Confirmatory By-law

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

## 12. **DELEGATIONS**

(1) Requests

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

(a) Item on Agenda

Where the item is already listed on the agenda, a written request received prior to 12 noon on the Friday prior to the meeting will allow the delegation to speak on that particular item on the agenda.

(b) Item not on the Agenda

Delegates wishing to speak on a matter not on the agenda:

- i) Shall provide the Clerk in writing a request outlining the subject matter of the delegation and the action being requested to be taken by Council.
- ii) The Clerk will advise the Mayor and CAO of the request.
- iii) The Clerk will advise the requestor that the Chair and CAO has been made aware of the request.
- iv) The requester will be advised of the actions taken, either to

allow or not allow the delegation, or when the item is coming forward to Council or Committee.

- v) The requester may submit delegation notes to the Clerk who will forward to the appropriate department for any action deemed appropriate.

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

- i) Where staff, another level of government, local board or an agency requests to make a presentation before Council or General Committee such a request shall be made to the Clerk no later than 12 noon on the Tuesday preceding the meeting.
- ii) A presentation shall be limited to a maximum of fifteen (15) minutes. Any PowerPoint presentation must be submitted to the Clerk by 12 noon on the Friday preceding the meeting.

(d) Presentations from Staff

- i) Presentation by Town staff at meetings shall endeavour to be a maximum of 10 minutes.

Presentations by staff providing information with no accompanying report shall be heard at the beginning of a Council meeting under the Council Presentations portion of the agenda.

- ii) Where a staff or third party presentation accompanies an item on an agenda, the item shall be brought forward for consideration immediately after the presentation has been made AND any subsequent delegations to the item have been heard.

(2) Delegations - Speaking Rules

- (a) A delegation can be either an individual or a representative of either a formal (eg. ratepayer's organization) or informal organization (eg. on behalf of area residents).
- (b) A delegation shall be permitted a maximum limit of five (5) minutes for speaking during the General Committee or Council portion of a Council meeting with a maximum PowerPoint presentation of 12 slides.
- (c) If three (3) or more delegations request to speak on the same item, all delegations on the matter will be permitted a maximum of five (5) minutes each for speaking. The Clerk will advise the delegations of this speaking limit in advance.
- (d) A delegation cannot assume the time which has been allotted to another delegation.
- (e) A request from a delegation for an extended period of time in which to speak shall only be granted at the discretion of the Chair. The Chair may state the maximum limit of time provided.
- (f) Delegations requesting to be heard on the same item, shall be

listed and heard in chronological order of request.

- (g) The Clerk, or the Chair may, if circumstances warrant, revise the order of delegations to ensure a logical order of presentation.
- (h) A delegation must address all matters, including questions, to the Chair.
- (i) The question-and-answer period, if any, shall be at the discretion of the Chair.
- (j) A delegation is encouraged not to repeat information presented by an earlier delegation.
- (k) A delegation that is appearing at a subsequent meeting(s) on the same item is encouraged not to present information which was presented at an earlier meeting. A delegate appearing at a subsequent meeting has a maximum of 5 minutes for their delegation.
- (l) The delegation shall notify the Clerk in advance of the meeting of the need for any audio-visual equipment. Any PowerPoint presentation shall be forwarded to the Clerk prior to 10 a.m. on the day of the Council or meeting.
- (m) A Member may ask a question of the delegation, but not express an opinion or enter into a debate with a delegation.
- (n) When addressing Council or a Committee, a delegation shall not use offensive words or insulting expressions at any time toward a Member, Council, staff or the public.
- (o) Other relevant provisions of this Procedure By-law apply to the handling and conduct of any delegation and is subject to any rulings by the Chair.

### **13. GENERAL COMMITTEE & BUDGET COMMITTEE**

General Committee shall be held in the Council Chamber, or through electronic means as set out in this by-law, as part of a Council meeting if required, for the purpose of Reports of Municipal Officers (emergency action item reports, deemed necessary to be included on a Council agenda upon the approval of the CAO) and may be held at such other location as may be approved.

#### **(1) Chair of the General Committee**

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

The chairing of General Committee shall rotate amongst Members of Council on a meeting-to-meeting basis. Should any designated Member be unable to carry out the duties of Chair, the designation will automatically pass to the next Member in the rotational listing of Members, who shall be known as the next Chair. Notwithstanding, should the majority of members be participating through electronic means then the Mayor will preside over General Committee.

- (2) The Budget Committee, is composed of all Members of Council. The Mayor shall be the chair. Council may move into Budget Committee during a meeting of Council, or the Budget Committee may meet as a separate meeting. Recommendations of the Budget Committee will be forwarded to Council for final adoption.

a) Duties of the Budget Committee

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

**14. SPECIAL COMMITTEES**

- (1) The Mayor, or the Council may establish, when deemed expedient, Special Committees and legislated Advisory Committees to address specific business matters discuss matters and such committees shall meet as often as is necessary to deal with the specific business matters assigned to them. The Mayor shall appoint the Council members of any Special Committees.
- (2) The citizen appointees to a Special Committee or an Advisory Committee shall be interviewed by and recommended to Council by the appropriate Interviewing Committee.
- (3) The term of office for the Members of any Special Committee shall be determined by the Mayor.
- (4) The Chair of a Special Committee and/or Advisory Committee shall be appointed by the Mayor or if not appointed by the Mayor, then elected by the Committee. The Chair shall ensure that Members are notified in advance of all meetings of the Special Committee.
- (5) Special and Advisory Committees shall submit their meeting minutes and/or annual report dependent on the nature of the Committee, to Council for receipt, and may submit other reports and recommendations for consideration and adoption by Council as considered necessary.
- (6) Notwithstanding 16.5, any working group ~~sub-committees~~ formed by a Special or Advisory Committee must report their recommendations up to the committee for approval and inclusion in the Committee's minutes and/or reports.
- (7) Members of Council, who are not members of the Special Committee, may attend any Special Committee meeting but without voting privileges and may only participate in the discussion with the committee's consent.
- (8) Upon receipt of a final report from an Issue Specific Special Committee, the Special Committee shall be automatically dissolved unless otherwise recommended.
- (9) Reports and recommendations from Special Committees may be referred back to the same Committee or a different Committee.
- (10) Meetings of Special and Advisory Committees shall be conducted in accordance with the Rules governing Standing Committees with such modifications as are appropriate in the circumstances.
- (11) Terms of Reference for each Special and Advisory Committee shall be completed, which will include a sunset clause in order to review the need/future effectiveness of the committee



## **17. JOINT MEETINGS**

- (1) The Mayor or Council may determine when deemed expedient, that a joint meeting of Council and/or Special Committee, Advisory Committees and/or Standing Committee be held.
- (2) A joint meeting of two or more Committees may be called at the request of the Chairs of the participating Committees.
- (3) The Presiding Officer for joint meetings shall be the Mayor or may be delegated to a Member of Council.
- (4) Written or oral notice of the joint meeting must be provided at least forty-eight (48) hours in advance. The notice shall specify the purposes of the meeting which shall be the only business conducted at the meeting.
- (5) Joint meetings involving a duly constituted Council meeting shall be conducted in accordance with Rules for Council with such modifications as are appropriate in the circumstances.
- (6) Joint meetings involving only Standing and/or Special Committees shall be conducted in accordance with Rules governing General Committee with such modifications as are appropriate in the circumstances. Such a joint meeting would report to Council at their next meeting.
- (7) A Quorum for a Joint Meeting shall be a majority of the total number of the Members of the participating committees, with at least one Member present from each committee. If individuals sit on more than one Committee, they shall only be counted once for the purpose of determining Quorum.

## **18. SUSPENSION OF THE RULES**

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

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

## **19. PROCEDURAL MOTIONS**

- (1) The Procedural Motions listed in Appendix A shall be applied, as set out in the Appendix, at Council and committee meetings.

## **20. UNPROVIDED PROCEDURES OR RULES**

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

**21. REPEALS**

- (1) That By-law No. 2021-0020 and its amending By-law 2021-0054 is hereby repealed.

**BY-LAW** read and passed by the Council for the Town of Halton Hills, this 17<sup>th</sup> day of April, 2023.

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MAYOR – ANN LAWLOR

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TOWN CLERK – VALERIE PETRYNIAK

## **Appendix “A” PROCEDURAL & COMMON MOTIONS**

### **POINT OF PERSONAL PRIVILEGE**

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

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

### **POINT OF ORDER**

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

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

## MOTIONS

### Ranking Motions

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

1. To adjourn
2. To proceed beyond 11:00 p.m.
3. To close debate (call the question)
4. To “defer” (to postpone to a certain time)
5. To “refer” (refer back to staff or a committee)
6. To “Table” (postpone without a specific time to be heard)
7. To amend the main motion
8. The main motion

### COMMON MOTIONS

#### 1. Motion to Adjourn

A Motion to Adjourn bring a meeting to an end. Unfinished business is carried over to the next meeting.

A Motion to Adjourn is:

- a) Always in order except:
  - i) when a Member is speaking or when Members are voting or are about to vote or during the verification of the vote;
  - ii) immediately following the carriage of a Motion to Close Debate;
- b) is not debatable;
- c) Is not amendable; and
- d) When resolved in the negative, cannot be presented again prior to further business being conducted.

A Motion to Adjourn to a specific time, or to reconvene upon the happening of a specified event, suspends a meeting to continue at such time.

#### 2. Motion to Recess

A Motion to Recess temporarily suspends business for a short term. Business is resumed at the same point of the agenda at the end of the recess. The Motion to Recess shall specify the length of time of the recess and:

- (a) is amendable only with respect to the length of the recess;
- (b) is not debatable; and
- (c) requires a Majority vote.

#### 3. Motion to Limit or Extend Debate

A Motion to Limit or Extend Debate permits a Committee/Council to control the discussion of a Motion by setting limits on a time available for discussion before voting on a pending Motion. A Motion to Limit or Extend

Debate:

- (a) is not debatable;
- (b) is amendable as to the time limits involved; and
- (c) requires a two-thirds vote.

4. Motion to Close Debate (Call the Question)

When decided in the affirmative, a Motion to Close Debate brings Members to an immediate vote on the pending Motion, without further debate or comment. A Motion to Close Debate:

- (a) is not debatable;
- (b) is not amendable;
- (c) cannot be moved with respect to the Main Motion when there is an amendment under consideration;
- (d) should be moved by a Member who has not already debated the Motion; and
- (e) requires a two-thirds (2/3) vote.

NOTE: Debate may not be closed by a single member announcing "Call the Question". The Motion must be moved and seconded and affirmed by a two-thirds (2/3) vote; otherwise, debate continues.

5. Motion to Table (postpone without a specific time to be heard)

A Motion to Table allows a pending main Motion to be put aside temporarily when something else of an urgent nature has arisen or where there are further considerations needed to be made. A Motion to Table:

- (a) is not debatable; and
- (b) is not amendable.

A Motion to Table a matter with some condition, opinion or qualification added to the Motion (such as a time for the Motion to be heard) shall be deemed to be a Motion to Defer.

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

A Motion to take up a tabled matter is not subject to debate or amendment.

Notice, as outlined in this by-law, shall be provided when the tabled item is to be heard.

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

6. Motion to Defer (postpone to a certain time)

A Motion to Defer puts off action on a pending Motion to a definite day,

time, Meeting or until after a certain event. A Motion to Defer:

- (a) is debatable, but only as to whether a matter should be deferred and to what time;
- (b) is amendable at to time; and
- (c) has precedence over the Motion to Refer, To Amend, and to Table (postpone indefinitely).

7. Motion to Refer (back to staff or a Committee)

A Motion to Refer sends a motion to Town staff or a committee (ie. Advisory or Special Committee) so that it can be investigated and/or updated further and then brought back to Council. A Motion to Refer should state what committee or staff the motion is being referred to, and when staff/the committee should report back to Council. A Motion to Refer:

- (a) is debatable, but only as to whether the Motion should be referred to a specific committee or to specific staff, but not to debate the main motion;
- (b) is amendable; and
- (c) has precedence over all amendments of the main motion and any motion to defer/table.

8. Motion to Amend

- a) A Motion to Amend changes the wording of a motion before it is voted on.
- b) A Motion to Amend must relate to the pending Motion. No new business may be introduced by moving an amendment to a motion.
- c) An amendment which, in effect, is nothing more than a rejection of the main motion (ie. a contrary motion) is not in order.
- d) When an amendment is introduced, the Members may only debate the merits of the amendment, not the merits of the Main Motion the amendment proposed to amend.
- e) When a motion to amend is under debate, no other motion shall be received, except a motion:
  - i. to postpone
  - ii. to refer
  - iii. to call the previous question
  - iv. to suspend the rules
  - v. to raise a Point of Order or Point of Personal Privilege
  - vi. to adjourn
  - vii. to amend the amendment.
- f) An amendment may only be amended once, and the amendments must relate to each other.
- g) Voting on a Motion to Amend shall be in the following order:
  - i. first vote – Amendment to the Amendment;
  - ii. next vote - Original Amendment;
  - iii. final vote – Main Motion as Amended (if amendment is adopted)

9. Motion to Suspend the rules (Waive the Rules)

A Motion to Suspend the Rules is used when a Committee or council wishes to do something during a Meeting that would violate the rules of procedure. A Motion to Suspend the Rules:

- (a) is not debatable;
- (b) is not amendable;
- (c) requires a two-thirds (2/3) vote; and
- (d) takes precedence over any Motion if it is for a purpose connected with the Motion.

10. Motion to Reconsider

A Motion to Reconsider allows Members, at a Council Meeting, to reconsider the vote on a Motion. A Motion to Reconsider:

- (a) is debatable;
- (b) is not amendable;
- (c) requires a two-thirds (2/3) vote, regardless of the vote necessary to adopt the Motion to be reconsidered; and
- (d) requires the motion to be reconsidered within one (1) year of the date on which the Motion to Reconsider was adopted.

A Notice of Motion for reconsideration shall not be required for any decision of a previous Council.

A Motion to Reconsider a previous decision made during the current Term of Council shall only be introduced by a member who voted with the prevailing side on the original motion or who was not in attendance when the vote was called. Any member who was not on Council at the time of the original vote, shall be deemed to have voted with the prevailing side.

A Motion to Reconsider may be seconded by any Member.

A Motion to Reconsider shall not be amended but may be debated and such debate shall be confined to reasons for or against reconsideration.

The mover of a Motion to Reconsider shall specify whether the reconsideration will address the entire original motion or part of the original motion.

When a Motion to Reconsider is introduced at the same meeting at which the original motion was decided, the Motion to Reconsider may be introduced at any point prior to adjournment of the meeting,

When a Motion to Reconsider is introduced at the same meeting at which the original motion was decided, no discussion of the original motion shall be allowed unless the Motion to Reconsider is approved by the majority of Members present.

When a Motion to Reconsider is introduced at a subsequent meeting, the motion to reconsider shall be introduced by a Notice of Motion in accordance with this by-law - providing the Clerk with 48 hours' notice prior to the meeting.

When a Motion to Reconsider is introduced at a subsequent meeting, no discussion of the original motion shall be allowed unless the Motion to Reconsider is approved by at least two-thirds of the entire Council.

No Motion shall be reconsidered more than once, nor shall a Motion to Reconsider be reconsidered.

If a Motion to Reconsider is decided in the affirmative, the reconsideration of the original motion shall become the next order of business, unless the Motion to Reconsider calls for a future definite date to reconsider the original motion.

As a result of an affirmative Motion to Reconsider, the debate on the original motion being considered shall proceed as though it had never previously been voted on.

Motion to Reconsider shall be addressed and voted on as follows:

- (a) A Motion to Reconsider shall be moved and seconded;
- (b) The mover of the Motion to Reconsider shall note whether the consideration will address the entire original motion or part of the motion;
- (c) No discussion or debate of the original motion shall be allowed until the Motion to Reconsider is approved by at least two-thirds of the entire Council;
- (d) Upon an affirmative vote for the Motion to Reconsider, debate on the original motion being considered shall proceed;
- (e) Following debate, a final vote to adopt the reconsideration shall require a two-thirds (2/3) vote in the affirmative.

#### 11. Division of Question

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



**APPENDIX “B”  
MOTIONS TABLE**

Motion	Debatable	Non-Debatable	Amendable	Non-amendable	Majority or Other Vote
To Adjourn		x		x	Majority
To Amend	x		x		Majority
Point of privilege		x		x	Chair Rules
Point of Order		x		x	Chair Rules
Call the Question		x		x	2/3 vote
Division of Question		x	x		Majority
To Defer	x		x		Majority
To Refer	x		x		Majority
To Table		x		x	Majority
To Extend council meeting beyond 11 p.m.	x			x	Majority
To Recess		x	x (length of time)		Majority
To Reconsider	x			x	2/3 vote
To Suspend (waive) the Rules		x		x	2/3 vote