

# The Corporation of the City of Guelph

## By-law Number (2024) – 20900

A By-law to provide rules for governing the order and procedures of the Council of the City of Guelph and to repeal By-law Number –(2023) - 20791.

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## 1. Definitions

In this by-law,

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

**"Acting Mayor"** means the Councillor who is appointed, in alphabetical order by last name, to serve one month each, to act in the place and stead of the Mayor as required. The Acting Mayor is not considered the Head of Council for the purposes of and as referenced in the Act.

**"Ad Hoc Committee"** means a committee created by Council with a defined ending, to report directly to Council on a specific matter and is comprised entirely of members of City Council.

**"Ad Hoc Advisory Committee"** means an advisory committee created by Council with a defined ending, to report directly to Council on a specific matter and is comprised entirely of members of the public.

**"Advisory Committee"** means a committee created by Council, to report to the Committee of the Whole on a specific subject and is comprised entirely of members of the public.

**"By-law"** means an enactment, in the form approved by Council, passed for the purpose of giving effect to decisions or proceedings of Council.

**"CAO"** means the Chief Administrative Officer of the City.

**"Chair"** means the Mayor or Acting Mayor of any meeting of Council or the chair or acting chair of any meeting of a committee.

**"City"** means The Corporation of the City of Guelph.

**"Clerk"** means the Clerk, or their designate.

**"Closed Meeting"** means a meeting, or part of a meeting of Council or a Committee, which is closed to the public as permitted by the Municipal Act.

**"Committee"** means Committee of the Whole, or other committee, sub-committee or similar entity, appointed by City Council and is comprised entirely of members of City Council.

**"Committee of the Whole"** means a committee comprised of all Members of Council that directly reports to Council.

**"Committee of the Whole Consent Report"** means a report from Committee of the Whole outlining items approved by the committee and forwarded to Council for consideration.

**"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, 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 separately enacted by-law.

**"Consent Agenda"** means a listing of consent items being presented to Council and Committee of the Whole for its consideration.

**"Consent Item"** means a report that is presented for approval without debate and with no delegation or presentation.

**"Council"** means the City's elected representatives, comprised of the Mayor and Councillors.

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

**"Defamatory"** means an unjustified falsehood which is derogatory towards an identifiable person or group.

**"Delegate"** means any person, group of persons, firm or organization, who is neither a Member of the Committee of the Whole, Council or an appointed official of the City and who is speaking to committee or Council.

**"Deputy CAO"** means staff who report to the CAO and are responsible for multijurisdictional service areas.

**"Electronic Device"** means computers, cell phones, smartphones, personal digital

assistants, smartwatches, tablets, voice recorders, cameras or any other similar device.

**“Electronic Participation”** means a member of City Council who participates remotely in any open or closed Council or committee meeting via electronic means and has the same rights and responsibilities as if they were in physical attendance, including the right to vote, and shall count towards a quorum of members.

**“Items for Discussion”** means agenda material that is presented for approval which has an associated presentation or delegation(s).

**“Local Board”** means a local board of the City as defined in the Municipal Act.

**“Majority”** means, for the purpose of voting, unless otherwise specified, more than half of the Members of Council or committee present at the vote and not prohibited by statute from voting.

**“Mayor”** means the head of Council.

**“Mayoral Decision”** means a decision issued by the Mayor in writing as prescribed in the Act.

**“Mayoral Direction”** means a direction given by the Mayor to staff in writing as prescribed in the Act.

**“Meeting”** means any regular or special Council or committee meeting when a quorum is present as defined in the Municipal Act and includes meetings where some or all Members are attending via electronic participation.

**“Member”** means, according to the circumstances, a Member of Council, including the Mayor, or a member of the committee including the chair.

**“Motion”** means a proposal, moved by a member and seconded by another member, for the consideration of Council or a committee.

**“Notice of Motion”** means a written notice, given by a member, advising Council that the motion described therein will be brought forward at a meeting.

**“Obscene”** means language, gestures or images which are, or which are likely to be received as being, degrading or dehumanizing of an individual or group, particularly but not limited to on the basis of grounds protected under the Human Rights Code (Ontario).

**“Open Meeting”** means a meeting which is open to the public.

**“Orientation and Education Workshop”** means a meeting convened for the purpose of educating or training the members, for providing the members with information and/or advice, or to solicit input from the members.

**“Presentation”** means information presented to Council or committee in person by an individual or group on an issue which typically does not require any action to be taken by Council or committee.

**“Quorum”** means a majority of the members.

**“Recording Device”** means any device used for the purpose of recording whether it be analogue, digital or other means of recording, including but not limited to computers, cell phones, smartphones, tablets, voice recorders, cameras or any other similar device.

**“Registered Delegate”** means an individual who has submitted a request for delegation to the Clerk within the prescribed timelines to address Council or committee in relation to a matter appearing on the agenda.

**“Resolution”** means a motion that has carried and is confirmed by Mayoral decision or where a Mayoral veto has been overridden by City Council.

**“Rules of Procedure”** means the rules and procedures set out in this by-law.

**“Regular Meeting”** means a meeting of Council or committee held at the times and dates specific in this by-law and approved by Council or committee as part of an annual calendar.

**“Special Meeting”** means a separate meeting of Council or committee held at a time different than a regular meeting as approved by Council or committee and which is focused on one or more particular and specific items or subjects.

**“Staff”** means employees of the City of Guelph.

**“Vice-chair”** means a member of Council who shall have all the power and duties of a chair in their absence; and consequently the words “vice- chair” are interchangeable with the word “chair” in all sections of this by-law.

## **2. Purpose and Principles**

### **2.1 Purpose**

- a) Council and Committee of the Whole shall observe the rules of procedure contained in this by-law in all proceedings of the Council and committee. This by-law shall be used to guide the order and dispatch of business of the Council and committee and wherever possible, with the necessary modifications, for all advisory committees and ad hoc committees unless otherwise provided.
- b) This by-law sets out processes that are open and transparent.

### **2.2 Principles**

- a) Each member has the right to:
  - i. One vote, subject to the declaration of pecuniary interest;
  - ii. Information to help make decisions, unless otherwise prevented by law;
  - iii. An efficient meeting; and
  - iv. Be treated with respect and courtesy.
- b) No item shall be placed on an agenda with respect to a matter which is not within the jurisdiction of Council or committee. The Mayor and/or chair, in consultation with the Clerk, will determine if a matter is within the jurisdiction of Council or committee.
- c) 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.

### **2.3 Suspension of Rules**

- a) No provision of this by-law shall be suspended except by an affirmative vote of at least two-thirds of the entire Council (9 members) for each incidence of suspension of the rules.
- b) 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.
- c) The following procedure(s) or rule(s) cannot be suspended:
  - i. No other business in special meetings;
  - ii. Majority of members for quorum; and

Any item within the Procedure Bylaw that is prescribed by the Act or any other legislation.

## **3. Conduct at Meetings**

### **3.1 Council and Committee Members**

- a) Council Members shall govern themselves according to Council’s Code of Conduct and Council-Staff Relations Policy.
- b) The Mayor or chair shall preserve order and rule on points of order and privilege.
- c) Every member desiring to speak shall indicate so in order to be recognized by the Mayor or chair.

- d) Every member, on being recognized, shall remain seated in their place and address themselves to the Mayor or chair.
- e) A member called to order by the Mayor or chair shall immediately cease further comment and may appeal the call to order to the Council or committee. The Council or committee, if appealed to, shall decide on the case without debate and by way of a majority vote of the members present. If there is no appeal, the decision of the Mayor or chair shall be final.
- f) No member shall, without leave of the Council or committee:
  - i. Speak to an issue for more than five (5) minutes (cumulative);
  - ii. Use offensive words or speak disrespectfully of the Mayor, members of Council, committee, staff or the public;
  - iii. Speak on any subject other than the subject under debate;
  - iv. Speak in contempt of any resolution of the Council or committee;
  - v. Leave their seat or make any noise or disturbance while a vote is being taken or until the result is declared; or
  - vi. Disobey the rules or resolutions of Council or a decision of the Mayor or chair on points of order or privilege, or upon the interpretation of the Rules of Procedure. If a member persists in such disobedience after having been called to order by the Mayor or chair, the member may be ordered by Council or committee to leave their seat for the meeting. In the event that a member refuses to vacate their seat, the Mayor or chair may request that the member be removed by the Clerk and/or staff as required. In case of adequate apology being made by the member they may, by way of majority vote of the members present, be permitted to take their seat.

### **3.2 Member Absent from Council**

The office of a Member of Council becomes vacant if the member has been absent from meetings of the Council for 3 successive months without being authorized to do so by a resolution of Council unless otherwise permitted by S. 259 (1.1) of the Act.

### **3.3 Electronic Devices**

- a) Each member shall place any electronic devices on an inaudible setting during any open or closed meeting.
- b) No member shall use an electronic device to broadcast, record or otherwise publish or distribute audio or video of any open or closed meeting, nor photographs of any closed meeting.

### **3.4 Hearing Delegations**

- a) Except for points of order or privilege, members of Council shall not interrupt a delegate while he or she is addressing Council or committee.
- b) Members may address a delegate only to ask questions of clarification and not to express opinions or enter into debate or discussion.
- c) All registered delegates for any particular agenda item shall be heard before Council or committee enters into discussion or debate on that item.
- d) After all delegations have been heard, the related item shall immediately be brought forward for the consideration of Council or committee.

### **3.5 Conduct of Public and Delegations**

- a) Members of the public and delegations in attendance at a meeting, shall not:

- i. Address Council or committee without permission;
  - ii. Bring food or beverage, with the exception of water, into the Council Chamber or meeting room unless so authorized;
  - iii. Engage in any activity or behaviour or make any audible noise that could affect the Council or committee deliberations, including clapping, shouting, jeering or any other form of disorderly conduct; or
  - iv. Bring any signs or placards into, or hand out any brochures, pamphlets, buttons or literature in the Council Chambers.
- b) No person, except Members of Council and appointed officials of the City of Guelph, shall be permitted to come within or behind the horseshoe during a meeting of the Council or committee without the permission of Council or committee.
  - c) No person shall make detrimental comments, or speak ill of, or malign the integrity of staff, the public, Mayor, members of Council or committee.

## **4. Rules and Procedures for Council and Committee Meetings**

### **4.1 Public Notice of Meetings**

- a) The Clerk shall give public notice of all regular open and closed Council and committee meetings by inclusion on the City's website at least 72 hours prior to the meeting.
- b) The Clerk may, at their discretion, publish notice of Council and committee meetings in a local newspaper or other local media source.
- c) Public notice shall include:
  - i. Date;
  - ii. Time;
  - iii. Location of meeting; and
  - iv. Method of participation for Council, the public and staff (in-person, electronic or a combination of both).
- d) The Clerk shall give public notice of all special open and closed meetings of Council and committee by inclusion on the City's website as soon as possible after the meeting is called and no later than 48 hours prior to the meeting.
- e) Section 4.1 (d) shall not apply to meetings called under Section 8.1 (d). The Clerk shall give public notice for meetings called under Section 8.1 (d) by inclusion on the City's website as soon as possible after the meeting is called.
- f) City Council may approve a meeting calendar outlining all meetings of Council and committee to be held within a specific timeframe.
- g) The Clerk, in consultation with the Mayor or chair, has the authority to make adjustments to the meeting calendar outlined in section 4.1 (f) as it relates to:
  - i. Conflicts with statutory or public holidays;
  - ii. Participation in advocacy organizations such as, but not limited to, the Association of Municipalities of Ontario and the Federation of Canadian Municipalities;
  - iii. Religious or other culturally significant dates.

### **4.2 Location, Date and Time of Meetings**



Committee of the Whole, regular Council and Council Planning shall meet in the Council Chambers of City Hall, 1 Carden Street, unless with adequate public notice, as required in Section 4.1, the Council selects an alternate meeting location, date, or time. In the event the regular meeting date falls on a public holiday, the Council or committee shall meet on a day following as identified by the Clerk in consultation with the Mayor or chair.

#### **4.3 Revised Agenda**

- a) The Clerk shall prepare a Revised Agenda advising Council or committee of the names of registered delegates and written submissions relating to matters on the agenda.
- b) Items or matters will not be added to the agenda after distribution to Council or committee unless directed by the Mayor or chair, CAO and/or Deputy CAO(s) and if the urgent nature of the matter requires a decision prior to the next Council or committee meeting.

#### **4.4 Quorum and Commencement of Meetings**

- a) Unless there is a quorum present within fifteen minutes after the time appointed for the meeting of the Council or committee, the Council or committee shall stand adjourned until the next meeting date.
- b) As soon as there is a quorum present, the Mayor or chair shall call the members to order. In the absence of the Mayor or chair, the Clerk shall call the members to order and the Council shall choose a chair from the members present and that person shall preside over the meeting or until the arrival of the Mayor or chair.
- c) If at any time during a meeting quorum is lost, the meeting shall automatically be recessed until a quorum is re-established. If the loss of a quorum continues for thirty minutes, the meeting shall stand adjourned either until the next regular meeting or until a special meeting is called to deal with the matters remaining from the adjourned meeting. This clause shall also apply if quorum is lost during an electronic meeting because of technology issues.

#### **4.5 Disclosure of Pecuniary Interest**

Prior to a particular matter being addressed, members shall declare any pecuniary interests they may have, and the general nature thereof, in connection with that matter pursuant to the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50, as amended. Such members shall then be precluded from participating in any way regarding the matter in question.

#### **4.6 Closed Meetings**

##### **4.6.1 General Principles**

- a) Meetings shall be open to the public.
- b) Notwithstanding Section 4.6.1(a), a meeting or part of a meeting may be closed to the public in accordance with Section 239 (2), (3) and (3.1) of the Act.
- c) Council shall approve and maintain a closed meeting protocol.

##### **4.6.2 Date and time of Meetings**

Further to Section 4.2:

- a) Where possible, when a closed meeting of Council is required, it shall be held no earlier than 2 hours in advance of the open meeting on the day of an existing regular Council or Council Planning meeting.
- b) Where possible, when a closed meeting of Committee of the Whole is required, it shall be held no earlier than 2 hours in advance of the open meeting on the day of an existing Committee of the Whole meeting.

##### **4.6.3 Resolution**

- a) Prior to holding a closed meeting, Council or committee shall state by resolution in an open meeting, that Council or committee will be holding a closed meeting, the subject matter and the permitted closed meeting exemption under the Municipal Act.

#### **4.6.4 Recording of Minutes**

- a) The Clerk and/or their 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 may delegate the Clerk's duties with respect to recording minutes in a closed meeting of Council or committee to a staff person. For closed meetings of committee or Council where the CAO's performance or contract is addressed, the Clerk may delegate the Clerk's duties with instructions to a third party.

#### **4.6.5 Reporting in Open Session**

- a) The Mayor or chair shall report out in an open meeting immediately following the closed meeting and summarize the actions taken in the closed meeting.
- b) Matters discussed in a closed meeting which require a resolution will be brought forward to an open meeting of Council or committee.

#### **4.6.6 Closed Meeting Voting**

- a) In relation to a matter considered in a closed meeting pursuant to Section 4.6.1(b), Council or committee may vote:
  - i. On procedural motions;
  - ii. On motions to rise, report and introduce a proposed recommendation on an open meeting agenda; or
  - iii. To give direction to staff or a third party of the City.
- b) Notwithstanding Section 4.11(g), votes held in closed meetings shall be by a show of hands unless a recorded vote is requested by a member in accordance with the regulations contained in the Act.

### **4.7 Presentations**

#### **4.7.1 Public Presentations**

- a) A request from an outside organization or individual to make a presentation to Council or committee shall only appear on an agenda upon approval of the Mayor, chair and Deputy CAO for the appropriate Service Area.
- b) Public presentations are for information only.
- c) Public presentations at a meeting shall be limited to a maximum of 10 minutes and shall be heard at the beginning of a Council or committee meeting.
- d) Presentations by outside organizations or individuals shall not be permitted for the sole purpose of generating publicity or promotion.
- e) Outside organizations or individuals shall provide the Clerk with written material for inclusion on the agenda by the agenda production deadline.
- f) Presentations by outside organizations or individuals shall not be added on the revised agenda.

#### **4.7.2 City Presentations**

- a) Presentations by City staff at meetings should be a maximum of 10 minutes.
- b) Presentations by staff providing information with no accompanying report shall be heard at the beginning of a regular Council or Council Planning meeting.

- c) Presentations recognizing achievements shall be heard at the beginning of a Committee of the Whole and Council meetings.
- d) Where a staff or third party presentation accompanies an item on an agenda, the item shall be placed under items for discussion with the report and shall be brought forward for consideration immediately after the presentation has been made. If delegates wish to speak on an item with a presentation, the item shall not be considered until all delegates on the item have been heard.

#### **4.8 Delegations**

- a) A delegate may address Council or committee for a period of time not exceeding five minutes. Council or committee may extend the five minute time period by a majority vote of the members present. Such a motion shall be decided without debate.
- b) For Council and committee meeting agendas, delegates have until 10:00 a.m. on the last business day of the week prior to the meeting to notify the Clerk that they wish to delegate or to submit written submissions on items on the agenda.
- c) Notwithstanding Section 4.8 (a), designated representatives of senior levels of government or the County of Wellington appearing before Council or committee shall have no time limitations placed on their delegation.
- d) A delegate may only address Council or committee with respect to an item on the agenda.
- e) Delegates shall only be permitted at Council budget meetings designated for the explicit purpose of receiving budget delegations.
- f) No delegation shall be made to Council or committee on matters relating to litigation or potential litigation, including those matters which are before and under the jurisdiction of any court or administrative tribunals unless such matter is referred to Council by the said administrative tribunal or court.
- g) No delegate shall speak on a matter that is not within the jurisdiction of the Council or committee. The Mayor and committee chairs in consultation with the Clerk will determine if a matter is within the jurisdiction of the Council or committee.
- h) No delegations shall be made to notices of motion on a Council or committee agenda. Delegates will have an opportunity to speak at a subsequent Council or committee meeting when that item will be discussed.
- i) No delegations shall be permitted to speak on a reconsideration.
- j) No delegations shall be permitted at orientation and education workshops.
- k) No delegations shall be permitted with respect to a by-law on the agenda.
- l) Delegates shall not be permitted to appear before Council or committee for the sole purpose of generating publicity for an event.
- m) No delegations shall be permitted to speak to presentations at Council or Committee of the Whole meetings.
- n) No delegations shall be permitted to closed agenda items.
- o) Where required by provincial legislation, members of the public wishing to delegate without having registered in advanced will be called upon by the chair to speak following the completion of all registered delegates.
- p) A delegate shall only register themselves to speak and may not register other delegates.

- q) If a delegate is unable to attend the meeting for which they are registered they may provide their written submission to the Clerk.
- r) 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 appropriate chair and Deputy CAO of the request.
  - iii. The Clerk will advise the requestor that the chair and Deputy CAO has been made aware of the request.
  - iv. The requestor will be advised of the actions taken or when the item is coming forward to Council or committee.
- s) For Special Council meetings called under Section 8.1 (d), delegations may be permitted at the discretion of the Mayor or Chair in consultation with the City Clerk. If delegations are not permitted, a note to that affect will be posted on the City's website and/or included on the meeting agenda.
- t) For delegations permitted under Section 4.8 (s), the deadline to register as a delegate and/or to submit written correspondence will be posted on the City's website and/or included on the meeting agenda.
- u) Notwithstanding Section 4.8 (a), the time limitation for delegations speaking at a public meeting to hear applications under the Planning Act, shall not exceed ten minutes. Council may extend the ten minute time period by a majority vote of the Council Members present without debate.

#### **4.9 Written Submissions and Petitions**

- a) Individuals may submit written correspondence on matters listed on the agenda in accordance with the rules applied to delegations in Section 4.8.
- b) Petitions may be submitted in written or electronic format and shall meet the requirements set out in a petition policy approved by City Council.
- c) Written submissions and petitions shall not contain any obscene or defamatory content or language.
- d) The individual or group initiating the petition, or submitting the petition to the Clerk, must provide a key contact name, mailing address, and telephone contact information.
- e) Personal information will be redacted from the information published in the agenda.
- f) Petitions that relate to a matter listed on the agenda should be submitted in accordance with the timelines specified in Section 4.8 for inclusion on the agenda and revised agenda.
- g) Petitions not relating to a matter listed on the agenda will be included on the subsequent Information Items in accordance with a petition policy approved by the City Clerk.

#### **4.10 Motions and Order of Voting**

- a) After a motion has been moved and seconded, it shall be deemed to be in the possession of Council or committee. Council or committee may consent to the withdrawal of the motion at any time before amendment or decision.
- b) Council or committee shall not debate any motion until it has been moved and seconded. When a motion has been seconded, it may upon request, be

read or stated by the Mayor, chair or Clerk at any time during the debate.

- c) When a Councillor moves a motion or an amendment to a motion that is not included as part of the agenda package, that Councillor shall provide a copy of the motion to the Mayor or chair, and that it be read aloud, prior to the vote being taken.
- d) Whenever the Mayor or chair is of the opinion that an amending motion is contrary to the main motion, the Mayor or chair shall apprise the members thereof immediately. A Member of Council or committee may appeal the ruling of the Mayor or chair to Council or committee. If there is no appeal, the decision of the Mayor or chair shall be final. The Council or committee, if appealed to, shall vote on the motion without debate and its decision shall be final.
- e) A motion in respect of a matter which is not within the jurisdiction of the Council or committee shall not be in order. The Mayor or chair in consultation with the Clerk will determine if the matter is within the jurisdiction of Council or committee.
- f) When a motion is under consideration no other motion shall be received unless it is a motion:
  - i. To refer the motion to committee, Council, staff or any other person or body. Such a motion to refer:
    - a. is open to debate;
    - b. is amendable; and
    - c. shall preclude amendment or debate of the preceding motion.
  - ii. To amend the motion. Such a motion to amend:
    - a. is open to debate;
    - b. shall not propose a direct negative to the main motion;
    - c. shall be relevant to the main motion;
    - d. is subject to only one further amendment, and any amendment more than one must be to the main motion; and
    - e. if more than one, shall be put in the reverse order to that in which they were moved, and shall be decided or withdrawn before the main motion is put to the vote.
  - iii. To defer the motion to another time. Such a motion to defer:
    - a. is not open to debate;
    - b. is not subject to amendment; and
    - c. applies to the main motion and any amendments thereto under debate at the time the motion to defer is made.
  - iv. To adjourn the meeting notwithstanding Section 4.13(d). Such a motion to adjourn:
    - a. is not open to debate;
    - b. is not subject to amendment; and
    - c. shall always be in order.
  - v. To call a vote on the motion. Such a motion to call a vote on the

motion:

- a. cannot be amended;
  - b. cannot be proposed when there is an amendment under consideration;
  - c. when resolved in the affirmative, shall be forwarded by voting on the motion, without debate or amendment;
  - d. when resolved in the negative, shall be followed by resumption of debate; and
  - e. shall always be in order.
- g) A motion may be voted against by the mover and seconder.
- h) As a best practice, Council may choose to move and second staff recommendation(s) prior to any motions from members of City Council.
- i) The Clerk, at their discretion, may suggest administrative edits to motions and amendments. Edits:
- i. Will not change the intention of the motion;
  - ii. May include grammatical and typographical corrections;
  - iii. Will maintain or clarify the original intent of the motion;
  - iv. Can occur prior to, during or following adjournment of a meeting; and
  - v. Council will confirm any edits by way of approving the minutes at a subsequent Council meeting.

#### **4.11 Voting at Open Meetings**

- a) Unless otherwise described within this Procedure By-law, the Act or other legislation, a motion of Council is approved when the majority of the members present at a meeting vote in the affirmative.
- b) When one or more motions as set out in Section 4.10 have been made, the order of the vote shall be as follows:
  - i. To defer the motion;
  - ii. To refer the motion;
  - iii. Upon the amendments in the reverse order to that in which they were moved, dealing with an amendment to an amendment immediately before the amendment it proposes to amend; and
  - iv. Then, upon the main motion or upon the main motion as amended. If any amendments have been carried.
- c) Except as otherwise provided, every Member of Council or committee shall have one vote.
- d) Any motion on which there is a tie vote shall be deemed to be defeated, except where otherwise provided by any act.
- e) A failure to vote by a member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.
- f) When the motion under consideration contains distinct clauses, and a member has requested to vote on each distinct clause, then a vote shall be taken separately on each clause; including each clause added by way of an amendment.

- g) After a vote has been called by the Mayor or chair, no member shall be recognized to speak to the motion or make any other motion after the result of the vote has been declared.
- h) Members shall distinguish their vote by voting either in favour or opposed using an electronic voting system.
  - i. If an electronic voting system is not available, or should the electronic voting system be inoperable, the Mayor/chair may ask if there are any members voting against the motion, if no members indicate a vote against, the Mayor/chair can declare the vote carried unanimously.
  - ii. If a member does indicate a vote against the Mayor/chair may request a vote by show of hands, if a member of Council is unable to distinguish their vote by a show of hands the Mayor may request that they provide their vote verbally.
  - iii. The Mayor may also request a recorded vote conducted by the Clerk.
- i) Unless otherwise requested by a member, no detailed vote count will be taken by the Clerk and only the outcome of the vote will be minuted for the following privileged and incidental motions:
  - i. Adjournment;
  - ii. Recess;
  - iii. Council consent agenda; and/or
  - iv. Committee of the Whole consent agenda
- j) The Mayor or chair shall vote on any motion while in possession of the chair, however, if the Mayor or chair wishes to propose a motion he or she shall step down and shall not resume the chair until the vote is taken.

#### **4.12 Points of Order or Privilege**

##### **4.12.1 Point of Order**

- a) A member may raise a point of order at any time, whereupon the Mayor or chair shall:
  - i. Interrupt the matter under consideration;
  - ii. Ask the member raising the point of order to state the substance of and the basis for the point of order; and
  - iii. Rule on the point of order immediately without debate by Council or committee.
- b) A Member of Council or committee may appeal the ruling of the Mayor or chair to Council or committee which will then decide on the appeal, without debate, by way of a majority vote of the members present. If there is no appeal, the decision of the Mayor or chair shall be final.

##### **4.12.2 Point of Privilege**

- a) A member may raise a point of privilege at any time if they consider that their integrity, the integrity of Council or the committee as a Whole or staff has been impugned, whereupon the Mayor or chair shall:
  - a. Interrupt the matter under consideration;

- b. Ask the member raising the point of privilege to state the substance of and the basis for the point of privilege; and
  - c. Rule on the point of privilege immediately without debate by Council or committee.
- b) A Member of Council or committee may appeal the ruling of the Mayor or chair to Council or committee.
- c) If there is no appeal, the decision of the Mayor or chair shall be final. The Council or committee, if appealed to, shall vote on the motion without debate by way of a majority vote of the members present and its decision shall be final.
- d) Where the Mayor or chair considers that the integrity of any city employee has been impugned or questioned, the Mayor or chair may permit staff to make a statement to Council or committee.

#### **4.13 Adjournment of Council and Special Council Meetings**

- a) Council shall adjourn at 11:00 p.m. unless otherwise decided before that hour by a majority vote of the members present. If Council is adjourned before the agenda is completed, Council shall establish a time and date for consideration of the balance of the agenda.
- b) Only one motion to extend the automatic adjournment beyond 11:00 p.m. shall be permitted per meeting, and the maximum allowable extension shall be to 11:59 p.m.
- c) A motion to adjourn may be made by any member who has been recognized by the Mayor or chair. The motion must be moved and seconded. A motion to adjourn shall not be made during a vote on any other motion.
- d) Notwithstanding Section 4.13(a), if a motion to extend the automatic adjournment time is required prior to the hearing of all delegates on a matter being considered at the time such motion to adjourn is made, Council shall not adjourn the meeting until all listed delegates on the matter have been heard. Once the listed delegates have been heard, Council shall deal with the matter being considered at the time the motion to adjourn was made, as well as any other time sensitive issues on the agenda identified by the Clerk.

#### **4.14 Adjournment of Committee of the Whole Meetings**

- a) The Committee of the Whole shall adjourn at 8:00 p.m. unless otherwise decided before that hour by a majority vote of the members present. If the Committee of the Whole meeting is adjourned before the agenda is completed, the committee shall establish a time and date for consideration of the balance of the agenda.
- b) Only one motion to extend the automatic adjournment beyond 8:00 p.m. shall be permitted per meeting, and the maximum allowable extension shall be to 9:00 p.m.
- c) A motion to adjourn may be made by any member who has been recognized by the chair. The motion must be moved and seconded. A motion to adjourn shall not be made during a vote on any other motion.
- d) Notwithstanding Section 4.14(a), if a motion to extend the automatic adjournment time is required prior to the hearing of all delegates on a matter being considered at the time such motion to adjourn is made, Committee of the Whole shall not adjourn the meeting until all listed delegates on the matter have been heard. Once the listed delegates have been heard, the committee shall deal with the matter being considered at the time the motion to adjourn was made, as well as any other time sensitive issues on the agenda identified by the Clerk.

### **5. Regular Meetings of Council**



The rules and procedures contained in Sections 3 and 4 shall apply with necessary changes.

## **5.1 Location, Date and Time of Meetings**

Notwithstanding Section 4.2:

### **5.1.1 Time of Regular Meetings**

Regular Council meetings shall start between the hours of 10am and 6:30pm. Meeting times will be posted in accordance with section 4.1.

### **5.1.2 Closed Council Meetings**

When a closed meeting of Council is required, where possible, it shall be held no earlier than 2 hours in advance of the open meeting on the day of an existing regular Council meeting.

## **5.2 Order of Business**

The Clerk, in consultation with the Mayor and staff, shall have discretion to prepare for the use of members, an agenda containing the following:

- Call to Order
- Authority to Move into Closed Meeting
- Closed Meeting Summary
- Open Meeting
- Singing of O Canada
- Silent Reflection
- First Nations Acknowledgement
- Disclosure of Pecuniary Interest and General Nature Thereof
- Confirmation of Minutes
- Presentations
- Consent Agenda
- Items for Discussion
- Special Resolutions
- Notice of Motions
- By-laws
- Announcements
- Adjournment

## **5.3 Closed Meeting Summary**

Following a closed meeting of Council or committee, the Mayor or chair shall disclose, in a general manner, how the agenda items were dealt with in the closed meeting.

## **5.4 Confirmation of Council and Committee of the Whole Minutes**

- a) The Clerk shall present the minutes, without note or comment, of any previous open and closed Council or committee meetings to Council for adoption.
- b) When the minutes of Committee of the Whole, or any Council meeting, have been adopted, the Mayor and Clerk shall sign them.

## **5.5 Committee of the Whole Consent Report**

- a) The report from Committee of the Whole to Council, for items which do not have presentations or delegations, shall be submitted to Council in the form of a consent report, and shall be dealt with by Council as follows:
  - i. The Committee of the Whole consent report shall be presented by the Mayor or service area chair.
  - ii. Council Members shall identify any items contained on the Committee of the Whole consent report which they wish to speak to and the matter shall be extracted from the consent report to be dealt with separately under items for discussion.
  - iii. The balance of items on the Committee of the Whole consent report,

which have not been extracted, shall be voted on in one motion.

- b) In the event that Council adopts a motion to be referred back to staff, staff shall report back to a regular Council meeting and not back to a Committee of the Whole meeting.
- c) Reports from local boards and advisory committees submitted in writing shall be signed by the chair. When such reports are requesting Council action, they shall include appropriate resolutions for consideration.

## **5.6 Council Consent Agenda**

- a) The Council consent agenda shall consist of the following items that do not have presentations or delegations:
  - i. Reports from staff;
  - ii. Correspondence for the direction of Council, which may include:
    - correspondence for which a policy decision or approval of Council is required;
    - correspondence accompanied by a recommendation from staff; and
  - iii. Items of a timely nature.
- b) Council Members shall identify any items contained on the consent agenda which they wish to speak to and the matter shall be extracted from the consent agenda to be dealt with separately under items for discussion.
- c) The balance of items on the consent agenda, which have not been extracted, shall be voted on in one motion.

## **5.7 Items for Discussion**

- a) Items for discussion shall consist of the following items that have presentations and/or delegations:
  - i. Reports from staff;
  - ii. Correspondence for the direction of Council; and
  - iii. Correspondence extracted from the weekly Items for Information.
- b) In the event that Council adopts a motion to be referred back to staff, staff shall report back to a regular Council meeting and not back to a Committee of the Whole meeting.

## **5.8 Reconsideration of a Council Resolution**

- a) Council may reconsider an entire resolution that was decided during any term of Council. A reconsideration of a portion of a resolution shall not be permitted. Such reconsideration can either amend the previous resolution or rescind it.
  - i. No resolution shall be reconsidered more than once during the term of Council.
  - ii. A motion to reconsider shall not be reconsidered.
- b) A resolution cannot be reconsidered if action has been taken in implementing the resolution resulting in legally binding commitments that are in place on the date the motion to reconsider is considered by Council.
- c) Council may only reconsider resolutions.
- d) If the resolution resulting from a reconsideration warrants, a related by-law may be amended or repealed accordingly.
- e) Prior to initiating the reconsideration process, a member shall first submit the request on the required form to the Clerk before the regular agenda deadline. The Clerk will provide notification to the Mayor/chair and include the reconsideration on an upcoming Council agenda.

- f) Only a Member of Council who voted in favour of a previous resolution, or who was absent from the vote, or was not a member of Council at the time may move or second a motion for reconsideration.
- g) A motion to reconsider must be carried in the affirmative by a vote of two-thirds of the entire Council.
- h) Any revision to the budget in budget confirmation years, as defined in the Budget Policy, shall not be deemed a reconsideration.
- i) If a motion to reconsider is decided in the affirmative:
  - i. The reconsideration effectively returns Council to just prior to the original Council resolution.
  - ii. Reconsideration of the original motion shall then be the next order of business unless the motion specifies a future date.
- j) Council may reconsider any motion at the same meeting in which the original motion was considered. Such a reconsideration does not require a submission request to the Clerk as outlined in Section 5.8 (d) or a two-thirds vote as outlined in Section 5.8 (g).

## **5.9 By-laws**

- a) The Clerk shall submit to Council a summary of all by-laws proposed by staff for adoption that includes the by-law numbers and titles.
- b) A complete copy of every staff proposed by-law shall be attached in electronic format to the revised agenda.
- c) Unless otherwise requested, all by-laws proposed for adoption shall be passed in one single motion.
- d) The Clerk shall be responsible for their correctness should they be amended at a Council meeting.
- e) Every by-law passed by Council shall be:
  - i. Approved by Council resolution;
  - ii. Approved by Mayoral decision;
  - iii. Signed by the Mayor, or the presiding officer;
  - iv. Signed by the Clerk or designate;
  - v. Sealed with the City seal;
  - vi. Indicate the date of passage; and
  - vii. Indicate the dates of Council and Mayoral approval.
- f) Council shall approve a by-law to confirm all actions taken by Council.
- g) As required by the Act, a by-law will come into effect once it has been:
  - i. Approved by Council resolution; and
  - ii. Approved by Mayoral decision.

or

- iii. Approved by Council resolution; and
- iv. Two days have passed following the date of the Council resolution without any Mayoral decision issued to the contrary.

or

- v. Approved by Council resolution;
- vi. Vetoed by Mayoral decision; and
- vii. Overridden by a two-thirds (9 members) vote by Council.

h) As required by the Act, the following timelines will be in effect for a Council approved by-law:

- i. The Mayor has two days to issue a Mayoral decision approving the by-law.

or

- ii. The Mayor has two days to issue a Mayoral decision noting their intention to veto the by-law. If so, then:

- The Mayor has 14 days from the date in which Council originally approved the by-law to issue a Mayoral decision to approve or veto the by-law. If no decision is provided within 14 days, the by-law is deemed to be approved.

or

- iii. The Mayor has two days to issue a Mayoral decision to veto the by-law. If so, then:

- The Clerk must provide notice of the Mayoral decision to veto the by-law to Council by the next business day.
- Council has 21 days after the day the Clerk provides notice to override a Mayoral decision to veto. This override vote requires two-thirds (9 members) of Council to be approved .

- i) As required by the Act, the Mayor may propose by-law(s) for adoption that could potentially advance a prescribed provincial priority. Such by-laws must be voted on by City Council and are approved by a one-third (5 members) vote.

- i. The Mayor solely determines if a by-law potentially advances a prescribed provincial priority.

## **5.10 Announcements**

Council meeting announcements shall be provided to the Mayor in writing prior to the Council meeting, and the Mayor shall read or call upon a member of Council or City Staff to make the announcements at the end of the Council meeting.

## **5.11 Notices of Motion**

- a) Prior to initiating the notice of motion process, a member shall first submit the proposed motion in writing to the relevant Committee of the Whole Service Area chair for approval to place the matter on a Committee of the Whole agenda. If approved, the motion shall be submitted in writing to the Clerk prior to the regular agenda deadline for inclusion on a committee meeting agenda.
- b) If approval is not obtained as per Section 5.11 (a), a notice of motion shall be submitted in writing, on the prescribed form, to the Clerk and shall be placed on a regular Council agenda, as a referral to a future Committee of Whole meeting as an item for discussion, or if no future Committee of the Whole meeting has been scheduled, to regular Council.
- c) The notice of motion may not be submitted as part of a revised agenda.
- d) No delegations shall be permitted to speak on a notice of motion when it appears on an agenda as a referral to the Committee of the Whole.

### **5.11.1 Notice of Motion for the Mayor**

- a) As required by the Act, the Mayor may bring forward a motion at any time if they determine it potentially advances a prescribed provincial priority.
  - i. The Mayor solely determines if such a motion potentially advances a prescribed provincial priority.
  - ii. Any motion brought forward in this manner, at the discretion of the Mayor, shall be considered by Council at a meeting.

- b) All other motions brought forward by the Mayor that do not potentially advance a prescribed provincial priority shall follow the process described in Section 5.11.

### **5.12 Resolutions Arising from Closed Meetings**

- a) Where Council has passed a procedural resolution at a closed meeting to report out at an open meeting, such resolution shall be introduced under the special resolution, closed meeting summary, or other corresponding open meeting section.
- b) Council or staff may provide contextual information prior to Council's consideration of the resolution.

## **6. Council Planning Meetings**

The rules and procedures contained in Sections 3, 4 and 5 shall apply with necessary changes.

Council Planning shall consider matters where a public meeting is required to hear applications under the Planning Act.

### **6.1 Public Notice of Meetings**

Notwithstanding Section 4.1, staff shall give legislated notice of items on any agenda in accordance with the applicable legislation.

### **6.2 Location, Date and Time of Meetings**

Notwithstanding Section 4.2:

#### **6.2.1 Time of Meetings**

Council Planning meetings shall start between the hours of 10am and 6:30pm. Meeting times will be posted in accordance with section 4.1.

#### **6.2.2 Closed Council Meetings**

When a closed meeting of Council is required, where possible, it shall be held no earlier than 2 hours in advance of the open meeting on the day of an existing Council Planning meeting.

### **6.3 Order of Business**

The Clerk, in consultation with the Mayor and staff, shall have discretion to prepare for the use of members, an agenda containing the following:

- Call to Order
- Authority to Move into Closed Meeting
- Closed Meeting Summary
- Open Meeting
- Singing of O Canada
- Silent Reflection
- First Nations Acknowledgement
- Presentations
- Disclosure of Pecuniary Interest and General Nature Thereof
- Setting of the Consent Agenda
- Public Meetings Pursuant to The Planning Act
- Items for Discussion
- Special Resolutions
- Notice of motions
- By-laws
- Announcements
- Adjournment

### **6.4 Council Planning Consent Agenda**

The rules and procedures contained in Section 5.6 shall apply to the Council Planning consent agenda.

## **7. Committee of the Whole Meetings**

Notwithstanding Section 4.2, the rules and procedures contained in Sections 3, 4 and 5 shall apply with necessary changes.

### **7.1 Location, Date and Time of Meetings**

#### **7.1.1 Time of Meetings**

Committee of the Whole meetings shall start between the hours of 10am and 6:30pm. Meeting times will be posted in accordance with section 4.1.

#### **7.1.2 Closed Meetings**

When a closed meeting of committee is required, it shall be held no earlier than 2 hours in advance of the open meeting on the day of an existing scheduled Committee of the Whole meeting.

### **7.2 Chairing**

- a) Chairs will chair the portion of the committee meeting where business is forwarded from their respective Service Areas or portfolios.
- b) Chairs will assume the head of Council seat when chairing their portion of the meeting. In the event that a chair participates in a meeting remotely, the head of Council seat will be vacant.

### **7.3 Service Area Reporting**

Service Areas will report to committee on their designated month.

### **7.4 Order of Business**

The Clerk, in consultation with the chairs, Mayor and staff, shall have discretion to prepare for the use of members, an agenda containing the following:

- Call to Order
- Authority to Move into Closed Meeting
- Closed Meeting Summary
- Open Meeting
- Disclosure of Pecuniary Interest and General Nature Thereof
- Presentations
- Consent Agenda (rotating based on Service Area reporting)
- Items for Discussion (rotating based on Service Area reporting)
- Special Resolutions
- Notice of motions
- Chairs and Staff Announcements
- Adjournment

### **7.5 Committee of the Whole Consent Agenda**

- a) Committee of the Whole shall use a consent agenda which shall consist of items that do not have presentations or delegations.
- b) Reports from local boards and advisory committees submitted in writing shall be signed by the chair or secretary. When such reports are requesting Council action, they shall include appropriate motions for consideration.
- c) Those matters which are time sensitive may be included on the consent agenda as approved by the CAO and appropriate Deputy CAO.
- d) Council Members shall identify any items contained on the Committee of the Whole consent agenda which they wish to speak to, and the matter shall be extracted from the consent agenda to be dealt with separately under items for discussion.
- e) The balance of items on the Committee of the Whole consent agenda, which have not been extracted, shall be voted on in one motion.

## **7.6 Announcements**

Service Area updates may be made by the Mayor, chair, CAO, Deputy CAO's or their designates. Service Area announcements provided to the chairs prior to the meeting shall be read by the Mayor, chair, CAO, Deputy CAO's or their designates at the end of the relevant Service Area portion of the meeting.

## **8. Special Council Meetings**

The rules and procedures contained in Sections 4 and 5 shall apply with necessary changes.

### **8.1 Calling of Special Council Meetings**

- a) The Mayor may at any time summon a special meeting of Council within 48 hours. The Mayor shall also summon a special meeting of Council when so requested in writing by a majority of Members of Council.
- b) Upon receipt of a written petition of the majority of the members of Council, the Clerk shall summon a special meeting for the purpose mentioned in the petition.
  - i. As required by the Act, any member of Council wishing to override a Mayor's Decision to veto, may request a meeting using the process outlined in section 8.1 (b).
- c) Upon the calling of a special meeting, the Clerk shall give notice to all members, not less than 48 hours prior to the time fixed for the meeting of the:
  - time;
  - place; and
  - business to be considered.
- d) On emergency or extraordinary occasions, the Mayor may call a special Council meeting without the notice provided in Section 8.1 (a).
- e) City Council shall have the discretion to consider any items previously considered by any committee of City Council, but not yet confirmed by City Council, as part of a meeting called under Section 8.1 (d).

### **8.2 Council Orientation and Education Workshops**

#### **8.2.1 Location, Date and Time of Meeting**

Council orientation and education workshops shall start between the hours of 10am and 6:30pm. Meeting times will be posted in accordance with section 4.1.

#### **8.2.2 Closed Meetings**

When a closed meeting of Council is required, it shall be held no earlier than 2 hours in advance of the open meeting on the day of an existing scheduled Council meeting.

### **8.3 Budget**

- a. As required by the Act, the Mayor shall prepare and propose a budget for Council to consider. This budget will be presented to Council at a designated Special Council – Budget meeting. The budget must be proposed on or before February 1 of each year.
  - i. If the Mayor does not propose a budget to Council by February 1, in accordance with that Act, Council shall prepare and adopt a budget.
- b. After receiving the Mayor's proposed budget, City Council may, within 30-days, pass motion(s) to amend the proposed budget.
  - i. Council may reduce the 30-day amendment period.
  - ii. If Council does not approve amendments within the 30-day amendment period, the budget is deemed to be adopted.

- c. Within 10-days of the expiry of the Council amendment period, the Mayor may veto any amendments by way of Mayoral decision.
  - i. The Mayor may shorten the 10-day veto period.
- d. Within 15-days of the expiry of the Mayor's veto period, City Council may vote to override the Mayor's veto. Such a vote requires a two-thirds (9 members) vote to be approved.
  - i. If multiple amendments have been vetoed, a vote of two-thirds (9 members) is required to override each veto.
  - ii. Council may reduce the 15-day veto override period.
  - iii. An approved override cannot be vetoed by the Mayor.
- e. Once all processes outlined in section 8.3 have been satisfied, the budget is deemed to have been adopted.

## **9. Electronic Participation in Meetings**

- a) Any member of City Council may participate in any open or closed City Council, Special Council or committee meeting electronically and be counted for the purpose of establishing quorum.
- b) A member who is participating electronically in a meeting who, for any reason, will no longer be attending the meeting prior to adjournment, shall advise the Chair and Clerk of their absence and fully disconnect from the electronic meeting software.
- c) In accordance with Section 4.5 and pursuant to the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50, as amended, members who have declared a pecuniary interest regarding a matter being discussed, and are participating electronically, shall disconnect and leave the electronic meeting and not participate in any way with respect to the matter in question.
- d) Delegations may participate in an electronic meeting via telephone, videoconferencing software and/or other technology methods deemed appropriate by the City Clerk's Office, and in accordance with the rules set out in Section 4.8.
- e) Any member of an advisory committee, local board, agency, commission and association may participate in meetings electronically and be counted for the purpose of establishing quorum.

## **10. Inaugural Council Meeting**

- a) The first meeting of Council following a regular election shall be held on November 15 at 6:30 p.m. in the Council Chambers of City Hall or at such alternate location as determined by the Clerk.
- b) If November 15 in an election year falls on a Saturday or Sunday, then the inaugural meeting of Council shall take place on the following Monday.
- c) At the inaugural meeting, each member present shall make their declaration of office and sign Council's Code of Conduct. The Clerk may provide additional policies or procedures to Council as appropriate. Council shall not proceed with any regular business at the inaugural meeting.

## **11. Council Meeting as Shareholder**

- a) Council meets as the shareholder of the following Corporations:
  - i. Guelph Municipal Holdings Incorporated; and
  - ii. Guelph Junction Railway Company.
- b) Shareholder meetings shall be held as special meetings on separate dates, unless otherwise directed by the Mayor and/or CAO.

## **12. Committees**



As required by the Act, the Mayor has the power to establish, dissolve, assign functions and appoint chairs and vice-chairs to Committees. This power may be delegated to City Council through a Mayoral Decision.

### **12.1 Appointments to Committees**

- a) As required by the Act, if the powers listed in section 12 are delegated to Council through Mayoral decision, Council shall:
  - i. Appoint chairs for Committee of the Whole. Council shall consider rotating the chairs' position every two years. In appointing chairs, consideration shall be given to workload balance, individual interests and Councillor development.
  - ii. Appoint vice-chairs for Committee of the Whole. Council shall consider rotating the vice-chairs' position every two years. In appointing a vice-chair, consideration shall be given to workload balance, individual interests and Councillor development.
- b) Council shall make public and member appointments to committees at regular Council meetings.

### **12.2 Committees Reporting Directly to Council**

The following committees are appointed by and report directly to Council:

- a) Ad Hoc Standing Committees
  - i. Emergency Governance
- b) Quasi-judicial committees
  - i. Business Licence Appeals Committee
- c) Chief Administrative Officer Recruitment, Selection and Performance Sub-committee

### **12.3 Committee Composition**

The Mayor is ex-officio on all committees and:

- i. May attend meetings;
- ii. Attendance does not count towards quorum; and
- iii. May participate in meetings.

#### **12.3.1 Emergency Governance Committee**

- a) The Emergency Governance Committee shall be comprised of a minimum of four (4) and a maximum of six (6) Members of Council and quorum shall be four (4) members.
- b) The Emergency Governance Committee's scope of responsibilities includes the exercise of Council's legislative, quasi-judicial and administrative powers, subject to the limitations of the Municipal Act, with such delegated authority to be exercised only:
  - i. At such time when at least seven members of Council are incapacitated through death, illness or injury, and are not able to attend a properly scheduled Meeting of Council; and
  - ii. For Council's normal decision-making process and not for the management or coordination of emergency response activities.

#### **12.3.2 Committee of Management for The Elliott**

The Committee of Management for The Elliott shall be composed of the service area vice-chairs for Corporate Services, Public Services, Infrastructure, Development and Enterprise Services, Governance and Audit, the service area chair of Public Services, and the Council appointee to the Board of Trustees of the Elliott.

#### **12.3.3 Business Licence Appeals Committee**

The Business Licence Appeals Committee shall be composed of five (5) Members of Council appointed for the term of Council to hear appeals under the Business Licence By-law.

#### **12.3.4 Chief Administrative Officer Recruitment, Selection and**

### **Performance Sub-committee**

The Chief Administrative Officer Recruitment, Selection and Performance Sub-committee shall be composed of the Committee of the Whole service area chairs for Corporate Services, Public Services, Infrastructure, Development and Enterprise Services, Audit and Governance.

#### **12.3.5 Ad Hoc Committees**

- a) As required by the Act, if the powers listed in section 12 are delegated to Council through Mayoral decision:
  - i. Council may appoint ad hoc committees, with a defined ending, to consider a specific matter and report to Council. These ad hoc Committees must be made up of members of City Council
  - ii. Only the members of an ad hoc committee shall participate in debate or ask questions at ad hoc committee meetings.

### **13. Advisory Committees**

#### **13.1 Ad Hoc Advisory Committees**

- a) Council may appoint ad hoc advisory committees, with a defined ending, to consider a specific matter and report to Council.
- b) No Members of Council shall be appointed to ad hoc advisory committees.
- c) Only the members of an ad hoc advisory committee shall participate in debate or ask questions at ad hoc committee meetings.

#### **13.2 Advisory Committees**

- a) Advisory committees are created by Council with no defined ending, to report through the appropriate Service Area on a specific subject matter.
- b) No Members of Council shall be appointed to advisory committees.
- c) The appointment of a member of the public to an Advisory committee may be forfeited if the member is absent from meetings of the committee for three (3) consecutive months without being authorized to do so by a resolution of the committee.
- d) City Council shall make public and member appointments to all advisory committees at regular Council meetings.

### **14. Report Deadlines and Information Items**

#### **14.1 Report Deadlines**

Staff reports, presentations and other agenda materials are due to the Clerk's office on the dates and times set out in the Council and Committee Report Deadlines schedule prepared following the adoption of the Council and committee meeting dates.

#### **14.2 Information Items**

- a) Information Items may consist of the following items:
  - i. Information Reports;
  - ii. Correspondence received that may be of interest to Members of Council;
  - iii. Boards' and committees' minutes and information; and
  - iv. Intergovernmental Information.
- b) Information Items will be published on the last business day of each week.
- c) Members of Council may request an item from the Information Items be placed on the appropriate Committee of the Whole or Council agenda for discussion. The request must be submitted to the chair and Clerk within four-months of the date the information item was published. The requestor must receive

approval from the relevant chair prior to an item being placed on an upcoming Committee of the Whole or City Council Agenda. A chair may also approve the addition of an information item beyond the four-month time frame.

- d) Items pulled from the Information items are not permitted to be added to a revised agenda.

## **15. General Rules**

### **15.1 Robert's Rules of Order**

In relation to the proceedings of Council and committees and for which Rules of Procedure have not been provided in this by-law, Robert's Rules of Order 12<sup>th</sup> Edition may be referenced where practicable.

### **15.2 Other General Information**

**15.2.1** This by-law comes into force on June 28, 2023.

**15.2.2** The short title of this by-law is the Procedure Bylaw.

**15.2.3** Appendix 1, the "Motions Table", forms part of this by-law and shall be used as a reference.

## **16. Procedural By-laws for Other Boards, Committees or Commissions**

Where a board, committee or commission of the City has not adopted a procedural by-law, such board, committee or commission shall be deemed to have adopted this procedural by-law with necessary modifications including the requirement that all meetings be open to the public, subject to the same exceptions applicable to Council meetings as set out herein.

## **17. Repeal of Previous By-law**

By-law Number –(2023) - 20791 is hereby repealed.

**Passed this sixteenth day of January, 2024.**

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**Cam Guthrie, Mayor**

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**Stephen O'Brien, City Clerk**

18. Appendix 1

Table 1 Motions Table

Motion	Debatable	Amendable	Special Majority
Adjourn	No	No	No
Point of privilege	No	No	Chair Rules*
Point of order	No	No	Chair Rules*
Call a vote on the motion	No	No	No
Motion to amend	Yes	Yes	No
Defer	No	No	No
Refer	Yes	Yes	No
Extend Council meeting beyond 11:00 p.m.	Yes	No	No
Extend Committee of the Whole meeting beyond 8:00 p.m.	Yes	No	No
Reconsideration	Yes	No	Two-thirds of entire Members of Council (9)
Appeal the chair’s ruling	No	No	
Suspend the Rules of Procedure	No	No	Two-thirds of entire Members of Council (9)
Extend delegation speaking time beyond the allotted time	No	No	No
By-law proposed by the Mayor	Yes	No	One-third of entire Members of City Council (5)

Motion	Debatable	Amendable	Special Majority
Matter proposed by the Mayor (other than a by-law)	Yes	Yes	No
Override of Mayoral by-law veto	Yes	No	Two-thirds of entire Members of Council (9)
Override of Mayoral budget amendment veto	Yes	No	Two-thirds of entire Members of Council (9)

\*A point of order/privilege is ruled on by the Mayor/chair. Any member may appeal the chair’s ruling which must then be decided by a majority vote of the members present without debate.