

## **THE CORPORATION OF THE CITY OF PICKERING**

### **BY-LAW 6746/07**

Being a by-law to govern the proceedings of Council, any of its committees, the conduct of its Members, and the calling of meetings.

Whereas, Subsection 238(2) of the *Municipal Act, 2001, S.O. 2001, c.25*, provides that every municipality shall pass a procedure by-law for governing the calling, place and proceedings of meetings.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF PICKERING HEREBY ENACTS AS FOLLOWS:

### **DEFINITIONS**

1. In this By-law;
  - a) "Act" means the *Municipal Act, S.O. 2001, c.25*, as amended or re-enacted from time to time;
  - b) "Chair" means such Councillor as may be delegated for the purpose of a Standing Committee and in the case of Advisory Committee, means the Chair of the Advisory Committee appointed in accordance with the terms of reference for the Advisory Committee;
  - c) "Chief Administrative Officer" means the Chief Administrative Officer of the City of Pickering;
  - d) "Clerk" means the Clerk of the City of Pickering;
  - e) "Committee" means Committees including Standing Committees, Ad-Hoc Committees and Advisory Committees, which may be appointed by Council from time to time;
  - f) "Council" means the Council of the City of Pickering;
  - g) "Mayor" means the Mayor of the City of Pickering'
  - h) "Meeting" means any regular, special, committee or other meeting of Council and advisory committee;
  - i) "Member" means a member of the Council or Committee.

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- j) "Recorded Vote" means the making of a written record of the name and the vote of each Member who votes on a question;
  - k) "Rule of Procedure: means the rules and regulations which are set forth in this by-law;
  - l) "Substantive Motion" means any motion except one of the following:
    - i) to refer;
    - ii) to defer/postpone;
    - iii) to amend;
    - iv) to table the question;
    - v) to recess;
    - vi) to put the question;
    - vii) to reconsider;
    - viii) to adjourn;
    - ix) to divide.

### **APPLICATION**

- 2. The Rules of Procedure contained in this By-law shall be observed in all proceedings of Council and shall be the rules of order and dispatch of business in Council and, where applicable in a Committee. In the case for which provision is not made in this By-law, the procedure to be followed shall be determined by a majority vote of the Members present and voting.

### **MEETING OF COUNCIL**

#### 3. First Meeting

- a) The first meeting of Council shall be held on the first Monday after Council takes office pursuant to the *Municipal Elections Act*;
- b) The order of business for the first meeting of Council shall be as follows:
  - i) Call to Order
  - ii) Invocation
  - iii) Swearing in ceremony
  - iv) Inaugural address
  - v) Adjournment.

#### 4. Regular Meetings

All regular meetings of the Council shall be held on the third Monday of each month at the hour of 7:30 p.m. unless otherwise provided by resolution of the Council or unless such a day shall be a public or civic holiday in which case the Council shall meet at the same hour on the next following day, which is not a public or civic holiday, unless otherwise provided by resolution of the Council.

## 5. Special Meetings

- a) In addition to regular meetings, the Mayor may at any time summon a special meeting of Council by giving written direction to the Clerk stating the date, time and purpose of the special meeting;
- b) Upon receipt of a petition of the majority of the Members of Council, the Clerk shall call a special meeting for the purpose and at the time and date mentioned in the petition;
- c) The Clerk shall give all Members notice of a special meeting of Council twenty-four hours before the time appointed for such meeting. Notice will deem to have been given on the day that the Notice was delivered by electronic mail address provided by the Member of Council to the Clerk for delivery of Notices, and in default of provision of such address, to the member's City Hall office;
- d) The notice to be given under clause c) shall indicate the nature of the business to be considered at the special meeting, date, time and place of the meeting;
- e) No business other than that indicated in the notice shall be considered at the special meeting.

## 6. Place of Meetings

All regular meetings of the Council shall be held in the Council Chambers at the City of Pickering Civic Complex, One The Esplanade, Pickering, Ontario, unless otherwise decided by Council.

## 7. Meeting Called To Order

The Mayor, as soon after the hour is fixed for the holding of the meeting of the Council and if a quorum is present, shall take the Chair and call the meeting to order.

## 8. Absence of Mayor:

- a) If the Mayor does not attend within fifteen minutes after hour is fixed for the holding of the meeting of the Council and if a quorum is present, an Acting Mayor who has been appointed to this position by by-law shall preside over the meeting and have the same authority as the Mayor would have had if present.
- b) When the Mayor and Acting Mayor are absent or refuse to act, the Council may by resolution appoint one of its members to act in the place and stead

of the Mayor and Acting Mayor, and such Member shall have the same authority as the Mayor.

9. Quorum

If a quorum is not present one-half hour after the time appointed for a meeting of the Council and/or Committee, the Clerk shall record the names of the Members present and the meeting shall stand adjourned until the next meeting.

**COMMITTEES**

10. a) There shall be a Planning & Development Committee and an Executive Committee, to be considered as Standing Committees for the purposes of this By-law, to be organized as follows:
- i) The Planning & Development Committee and the Executive Committee shall be comprised of all Members of Council.
  - ii) The Planning & Development Committee shall meet on the first Monday of each month at 7:30 p.m. in the Council Chambers.
  - iii) The Executive Committee shall meet on the second Monday of each month at 7:30 p.m. in the Council Chambers.
  - iv) The Chair of the Committee shall be rotated each meeting amongst the Members of Council, excluding the Mayor, in alphabetical order.
  - v) The Planning & Development Committee and the Executive Committee shall enquire into and report to Council on any matter within the jurisdiction of the City of Pickering any other matter referred to it by Council.
11. Notwithstanding Section 10 of this By-law,
- (a) Council may consider any matter without referring it to a Committee or may refer it to two or more Committees and may withdraw a matter from a Committee at any time.
  - (b) Council may at any time appoint a special or ad hoc Committee to enquire into and report on any matter.
12. The rules of procedure set out in this By-law shall be observed in meetings of the Committees insofar as they are applicable, provided that,
- (a) a recorded vote shall not be taken on a question before a Committee;

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- (b) the rules in respect to the introduction of new business in Council and the hearing of delegations shall apply to Committees unless otherwise decided by the Committee;
  - (c) persons that are present at a Standing Committee meeting to speak to a matter that is a statutory public meeting are not required to register as a delegation. All other members of public who wish to address the Committee are to register with the Clerk by no later than 4:00 p.m. on the day of the subject meeting.
  - (d) the agendas, minutes and any written notices pertaining to any Standing Committee shall be sent to all Members of Council.
  - (e) a report, setting out the recommendations of the Committees, shall be forwarded to the first regular Council Meeting following the meeting of the Committee.
  - (f) Special Meetings of the Standing Committees,
    - (i) May be called by the Mayor on condition that the Committee does not meet while Council is meeting.
    - (ii) May be called by the Mayor when requested to do so by a majority of Members of Council.
    - (iii) Written notice of a Special Meeting of a Committee must be given to all Members of Council at least twenty-four hours before the time appointed for such meeting. Notice will deem to have been given on the day that the Notice was delivered by electronic mail address provided by the Member of Council to the Clerk for delivery of Notices, and in default of provision of such address, to the member's City Hall office;
    - (iv) The written notice to be given under clause (iii) shall indicate the nature of the business to be considered at the Special Meeting and the date, time and place of the Meeting.
    - (v) No business other than that indicated in the written notice shall be considered at the Special Meeting .
  - g) All Advisory Committees of Council are required to adhere to the general terms of reference for all advisory committees and at the first meeting following a general municipal election, are required to adopt and approve the specific terms of reference for the committee and forward to Council for approval by no later than March following a municipal election.

- h) All advisory committees are required to present a yearly work plan and annual report on the status of the work plan to Council.

### **ORDER OF BUSINESS**

13. a) The order of business for the regular meetings of Council shall be as follows:
- i) Meeting Called To Order
  - ii) Invocation
  - iii) Minutes of Previous Meetings
  - iv) Presentations
  - v) Delegations
  - vi) Correspondence
  - vii) Committee Reports
  - viii) New and Unfinished Business
  - ix) Motions and Notices of Motion
  - x) By-laws
  - xi) Confidential Council
  - xii) Confirmation By-law
  - xiii) Adjournment
- b) All business shall be taken up in the order in which it appears on the agenda unless otherwise decided by a vote of the majority of the Members present and voting.
- c) A meeting or part of a meeting may be closed to the public if the subject matter being considered is:
- i) the security of the property of the City;
  - ii) personal matters about an identifiable individual, including employees of the City;
  - iii) a proposed or pending acquisition or disposition of land for City purposes;
  - iv) labour relations or employee negotiations;
  - v) litigation or potential litigation, including matters before administrative tribunals, affecting the City;
  - vi) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
  - vii) a matter in respect of which Council may hold a closed meeting under another Act.

14. Duties of the Mayor:

It shall be the duty of the Mayor to,

- a) expel or exclude from any meeting any person who has been guilty of improper conduct at the meeting,
- b) announce the business before the Council in the order of which it is to be acted upon,
- c) put to vote all questions, which are regularly moved and seconded, or necessarily arise in the course of the proceedings, and to announce the result,
- d) decline to put to vote motions which infringe the rules of procedures,
- e) restrain the members, when engaged in debate, within the rules of order,
- f) to open the meeting of Council by taking the Chair and calling the Members to order,
- g) to enforce on all occasions, the observance of order and decorum among the Members,
- h) to call by name, any Member persisting in breach of the rules and regulations of the Council, thereby ordering the Member to vacate the Council Chamber,
- i) to authenticate by signature, when necessary, all by-laws, resolutions and minutes of Council,
- j) to inform the Members of Council on any point of order,
- k) to perform other duties when directed to do so by a resolution of Council,
- l) to represent and support Council, declaring its will and implicitly obeying its decisions,
- m) to adjourn the meeting when the business is concluded, and
- n) to adjourn the sitting without the question being put or to suspend or recess the sitting for a time to be named if considered necessary because of grave disorder.
- o) to make presentations to any charity, organization, government, or person, on behalf of Council, at a proceeding of Council or its committees. Where

a presentation is made to an organization or charity on which a Member of Council has been appointed to sit, the presentation shall be jointly made with the Mayor and the appointed Member of Council. Where otherwise appropriate, presentations may be made jointly with another member or members of Council.

- p) to accept presentations to the City of Pickering, carried out at a proceeding of Council or its committees. Where a presentation is accepted from an organization or charity on which a Member of Council has been appointed to sit, the presentation shall be jointly accepted with the appointed Member of Council. Where otherwise appropriate, presentations may be accepted jointly with another member or members of Council.
- q) to recite the Invocation.

### **RULES OF DEBATE IN COUNCIL AND COMMITTEES OF COUNCIL**

15. Decorum During Debate:

During debate, and while the Chair is speaking, or the Council is engaged in voting, no Member is permitted to disturb the Council by whispering, or walking across the floor, or in any other way.

16. Recognition of Member

Every Member shall raise their hand and be recognized by the Chair prior to speaking to any matter or motion.

17. Order of Speakers

When two or more Members raise their hands to speak, the Chair shall designate the Member who has the floor who shall be the Member who, in the opinion of the Chair, raised their hand first.

18. Requirement to Vote

When a motion is put, every Member present at a meeting shall vote unless they have a conflict of interest. If a Member refuses to vote, the Member shall be deemed to have voted in the negative.

19. Decorum While Calling Vote

When the Chair calls for the vote on a motion, each Member shall occupy their seat and shall remain in their seat until the result of the vote has been declared by the Chair, and during such time no Member shall cross the floor or speak to any other Member or make any noise or disturbance.

20. Interruptions

When a Member is speaking, no other Member shall pass between the Member and the Chair or interrupt except to raise a point of order.

21. Requirement to Read Motion

Any Member may require a motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.

22. Speaking to a Motion

- a) No Member shall speak more than once to the same motion except,
  - i) with leave of the Chair, in explanation of a material part of their speech which may have been interpreted incorrectly,
  - ii) with leave of the Chair, after all other Members so desiring have spoken,
  - iii) a reply may be allowed by leave of the Chair to the Member who presented the motion, in which case the Member shall speak for no longer than a five minute period.
- b) Except with the leave of the Chair, no Member shall speak longer than ten minutes to the motion before Council.

23. Questioning the Motion

- a) A Member may ask a question during the course of debate only for the purpose of obtaining information relating to the motion under discussion and such question must be stated concisely and asked only through the Chair.
- b) Notwithstanding paragraph (a) above, when a Member has been recognized as the next speaker, such Member may immediately before speaking ask a question through the Chair on the motion under discussion but only for the purpose of obtaining information, following which the Member shall speak.

24. Proceedings Decided by Chair

In all other proceedings of Council, the matter shall be decided by the Chair, subject to an appeal to Council on a point of order.

**POINTS OF ORDER AND PRIVILEGES**

25. Questions of Order

The Chair shall preserve order and decide questions of order.

26. Rules For Rising on Points of Order and Privilege

- a) When a Member rises on a point of order, the Member shall ask leave of the Chair to raise a point of order and after leave is granted, the Member shall state the point of order to the Chair and await the decision of the Chair on the point of order.
- b) Thereafter, a Member shall only address the Chair for the purpose of appealing the Chair's decision to Council.
- c) If the Member does not appeal, the decision of the Chair shall be final.
- d) If the Member appeals to Council, it shall be done by a duly moved and seconded motion and Council shall decide the question without debate and the decision shall be final.
- e) When a Member has a question of privilege or considers that their integrity or the integrity of the Council as a whole has been impugned, the Member may as a matter of privilege, and with the leave of the Chair, rise for the purpose of drawing the attention of Council to the matter.

**CONDUCT OF MEMBERS OF COUNCIL**

27. Respectful Language

No Member shall speak disrespectfully of the Reigning Sovereign, or of any of member of the Royal Family, or of the governor-general, the Lieutenant-Governor of any Province, of any Member of the Senate, the House of Commons of Canada or the Legislative Assembly of the Province of Ontario.

28. Unparliamentary Language

No Member shall use offensive words or unparliamentary language in or against Council or against any Member.

29. Speaking in Council

No member shall speak on any subject other than the motion being debated.

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30. Criticism of Council Decisions

No Member shall criticize any decision of Council except for the purpose of moving a motion to be reconsidered.

**AGENDA IN COUNCIL**

31. Minutes

- a) The Clerk shall cause minutes to be taken of each meeting of Council, which shall include:
  - i) the place, date and time of the meeting;
  - ii) the names of the presiding officer or officers and the record of the attendance of the members;
  - iii) the reading, if requested by a majority of members present and voting, the correction, if necessary and the adoption of the minutes of the previous meeting;
  - iv) all other proceedings of Council without note or comment.
- b) It shall be the duty of the Clerk to ensure that the minutes of the last regular meeting and all special and standing committee meetings held prior to a regular meeting are included with the agenda and delivered to each member no later than the Friday preceding the holding of such regular meeting.

32. Presentations

- a) Charities, organizations or individuals wishing to address Council to inform members of special events or achievements, and to seek Council's recognition of the event or achievement, shall request the opportunity to be granted presentation status.
- b) The request for presentation status shall be submitted to the Clerk, in writing, no later than fourteen days preceding the meeting at which the presentation is to be made.
- c) Persons desiring to verbally present information of an urgent nature to the Council may be heard upon a two-thirds majority vote of the members present.

33. Delegations

- a) With respect to Meetings of Council, persons desiring to verbally present information on matters of fact or to make a request before Council may be heard on leave of Council but shall be limited in speaking not more than

ten minutes and shall notify the Clerk in writing no later than noon of the preceding Thursday of appearing before Council and state the nature of the issues they wish to address. For matters related to the Standing Committee that are being presented to Council, delegations may be heard provided they have first appeared before the appropriate Standing Committee and a majority of the Members present vote to hear the delegation. A delegation consisting of more than five persons shall be entitled to two speakers with each limited to speak not more than ten minutes.

- b) With respect to Meetings of Committees, persons desiring to verbally present information on matters of fact may be heard on leave of the Committee but shall be limited in speaking to not more than ten minutes and shall notify the Clerk no later than 4:00 pm on the day of appearing before Committee and state the nature of the issues they wish to address.
- c) The priority in which delegations shall be considered by council shall be in accordance with the following:
  - i) known and listed delegations arranged with the Clerk prior to the distribution of the agenda. Delegations shall be listed in the agenda in the order in which requests are received by the Clerk, it being understood that where more than one person wishes to make a presentation on a particular matter the proponent or his or her authorized representative will be listed last in order to afford the proponent the opportunity of making presentation after all other interested persons have done so;
  - ii) persons who, subsequent to the preparation of the agenda and prior to the commencement of the meeting, apply in writing to the Clerk to be heard.

#### 34. Correspondence

- a) Correspondence intended to be presented to the Council shall be legibly written or printed and shall not contain any impertinent or improper matter or language and shall be signed by at least one person and filed with the Clerk.
- b) Any correspondence received shall include electronic mail provided it includes the computer address and full name of the sender and is received by the Clerk not later than Thursday noon before the meeting of the Council.
- c) The Clerk shall prepare a summary of the substance of all correspondence for inclusion in the agenda.

- d) All correspondence on any subject within the cognizance of a standing committee shall, on presentation, unless otherwise disposed of by the Council, be referred to the standing committee.

35. Committee Reports

Standing committee reports which are to be adopted by the Council shall be listed under the Committee Reports section of the agenda.

36. New and Unfinished Business

- a) Departmental reports which are deemed by the Chief Administrative Officer to be of an urgent nature, which have not been considered by a standing committee, shall be listed under the New and Unfinished Business section of the agenda for Council's consideration.
- b) A member may, with the consent of two-thirds of the members present, introduce a motion under New and Unfinished Business which due to its urgent nature cannot be properly presented at a meeting of a standing committee.

37. Notices of Motion

- a) A member desiring to introduce a main motion at a meeting regarding a matter that would not otherwise be considered by the Council at such meeting, shall deliver a written copy of the motion, signed by the mover and seconder, to the Clerk not later than Thursday noon before the regular meeting of Council at which notice of the motion is to be given.
- b) The Clerk, upon receipt of a notice of motion, shall print the motion in full in the agenda for the next regular meeting of the Council.
- c) A notice of motion shall not be considered or otherwise disposed of by Council at the regular meeting at which it is first introduced but may be considered or otherwise disposed of at any subsequent meeting of the Council provided the mover of the motion is in attendance at the meeting.
- d) Any member of the Council may agree to second a notice of motion if the seconder is absent from the meeting.
- e) A notice of motion that is called for by the Mayor at two (2) meetings of the Council and has not been proceeded with shall be removed from the agenda unless otherwise directed by Council.

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38. By-laws

- a) The Mayor shall introduce the reading of the by-laws, and shall request a motion for the first and second reading of the by-law(s) under consideration.
- b) The first reading of a by-law shall be decided without amendment or debate.
- c) Every by-law shall have three readings prior to being passed by Council.
- d) Every by-law when introduced, shall be in typewritten form and shall contain no blanks except such as may be required to conform to accepted procedure or to comply with the provisions of any Act which shall be complete with the exception of the number and date of the by-law.
- e) Every by-law which has been passed by the Council shall be numbered, dated and shall be sealed with the seal of the Corporation and signed by the Mayor and the Clerk and shall be deposited by the Clerk in his/her office for safekeeping.

39. Confirmatory By-law

At the conclusion of all regular and special meetings of the Council, and prior to the adjournment, a by-law shall be brought forward to confirm the actions of the Council in respect of each motion, resolution and other action taken subsequent to the last regular Council meeting. A confirmatory by-law, when introduced, shall be taken as having been read and shall be voted on without debate.

40. Adjournment

The Council may adjourn upon a motion, which is non-debatable, approved by the majority of members present, the meeting shall adjourn.

**MOTIONS**

41. Seconding

A motion must be formally seconded before the Chair can put the question or for it to be recorded in the minutes.

42. Withdrawal

After a motion is read or stated by the Chair, it shall be deemed to be in possession of Council, but may, with the permission of Council, be withdrawn at any time before decision or amendment.

**43. Priority of Disposition**

A motion properly before Council for decision must be disposed of before any other motion or matter can be introduced with the exception of any one of the following:

- a) a point of order or personal privilege
- b) to table
- c) to divide
- d) that the question be now put
- e) to refer
- f) to defer
- g) to amend
- h) to suspend any section of the Rules of Procedure
- i) to recess
- j) to adjourn

**44. Deferral Motions**

A motion to defer to a certain day or for a particular reason shall be in order after a motion is read or stated by the Chair and debate shall be confined to the propriety of the deferral.

**45. Amendments**

A motion to amend,

- a) shall be presented in writing if requested by the Chair,
- b) shall be relevant to the original motion,
- c) a motion to amend an amending motion shall be disposed of by Council before the motion to amend the original motion,
- d) only one motion to amend an amendment to the original motion shall be allowed and any further amendment must be to the original motion,
- e) shall be disposed of by Council before the original motion,
- f) shall not be received if it proposes a direct negative to the original motion.

**46. Vote on the Question**

A motion that a vote on the question be now taken;

- a) cannot be amended or debated,

- b) cannot be proposed when there is an amending motion under consideration except for the purpose of moving that the amending motion be put,
- c) when resolved in the affirmative, the original motion is to be put forward without debate or amendment,
- d) can only be moved in the following words: "That the question be now put" or "Call the question".
- e) a motion 'that the question be now put' requires a two-thirds vote of the Members present.

#### 47. Adjournment

A motion to adjourn,

- a) shall always be in order except as provided in this section and shall be put immediately without debate,
- b) when resolved in the negative, cannot be made again until after some intermediate proceedings shall have been completed by Council,
- c) is not in order when a Member is speaking nor during the verification of a vote,
- d) cannot be amended,
- e) is not in order immediately following the affirmative resolution for the previous question.

#### 48. Privilege

A motion on a matter of privilege shall receive disposition of Council upon receipt and, when settled, the question so interrupted shall be resumed at the point where it was suspended.

#### 49. Reconsideration:

- a) After a substantive motion has been decided, any Members who voted or are deemed to have voted thereon in the majority, may at any time prior to adjournment of the meeting at which such substantive motion was decided, give notice in writing that they will move, at the first meeting held thereafter, a reconsideration motion.
- b) The Council shall immediately upon receipt of such notice, vote as to whether or not the notice will be considered at the first meeting held

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thereafter, and should the ensuing division result in the minority vote being less than one-third of those present and voting, such notice for reconsideration shall be declared lost.

- c) After such notice has been given and accepted, no action shall be taken to carry into effect the original motion until after the motion to reconsider has been disposed of at the next regular meeting or a special meeting called consider the accepted notice.
- d) Every motion for reconsideration considered at a subsequent meeting shall be declared lost, unless passed with the majority of the Members of Council present and voting.
- e) No discussion of the original motion shall be allowed upon presentation of a notice for reconsideration or upon an accepted notice for reconsideration or upon the motion to reconsider until the Council has voted to reconsider the same, but the Member giving such notice may have the privilege of stating the reasons for doing so.
- f) No motion upon which a notice for reconsideration has been accepted shall be considered more than once, nor shall a vote to reconsider be reconsidered.
- g) The words "the first meeting held thereafter" in paragraphs (a) and (b) hereof shall mean the first regular meeting of Council or a special meeting called to consider an accepted motion for reconsideration.

50. Referral Motions

A motion to refer or to refer back a motion or matter to a Committee or a member of staff with instructions may be amended but shall be disposed of by Council before the original motion or any other motion pertaining to the original motion.

51. Motion to Divide

A motion containing distinct proposals may be divided and a separate vote shall be taken upon each proposal contained in a motion if decided upon by a majority vote of the Members present and voting.

52. Motion to Rescind

A motion to rescind a previous resolution of Council requires a majority vote of the Council provided that notice has been given at the previous meeting or in the call of the meeting and if notice has not been given, a motion to rescind requires a two-thirds vote of the Members present and voting.

53. Motion to Table

A Member shall not be allowed to speak to a motion and immediately move a tabling motion.

54. Negative Motion

A motion to rescind a defeated motion of Council is not required, and the subject matter may not be reintroduced or debated in any form without leave of Council upon a majority vote of the Members present and voting.

### **VOTING ON MOTIONS**

55. Question State

Immediately preceding a vote, the Chair may state the motion in the form introduced and shall do so if requested by a Member. The Motion shall be stated in the precise form in which it will be recorded in the minutes.

56. No Interruption After Question

After the Chair has called the vote on a motion, no Member shall speak to the motion or shall any other motion be presented until, after the vote and the result has been declared.

57. Vote Not Allowed

A Member shall not be entitled to vote on any part of a divided motion, if the Member did not vote on the motion to divide.

58. Unrecorded Vote

The manner of determining the decision of Council on a motion shall be by the prominent show of hands.

59. Disagreement With Result of Vote

If a Member disagrees with the announcement of the Mayor that a motion is carried or defeated, the Member may, but only immediately after the declaration by the Chair, object to the declaration and a recorded vote shall be taken.

60. Recorded Vote of Council

Where a vote of Council is taken for any purpose and a Member requests immediately prior or immediately subsequent to the taking of the vote that the vote be recorded, each Member present, beginning with the requester of the recorded vote and alphabetically thereafter, except a Member who is disqualified

from voting by any Act, shall announce their vote openly and the Clerk shall record each vote. The Mayor shall be called upon to vote following all other Members. If a Member refuses to vote, the Member shall be deemed to have voted in the negative.

61. Vote of Head of Council or Presiding Officer

The Head of the Council, or the Presiding Officer, except when disqualified to vote by reason of interest or otherwise, may vote with the other Members on all questions, and, except where otherwise expressly provided by the *Municipal Act*, any question on which there is an equality of votes shall be deemed to be negative.

62. Two-Thirds Vote

A two-thirds vote shall be deemed to have been accomplished with the following voting in the affirmative:

five of seven Members  
four of six Members  
three of five Members  
three of four Members

63. Vote Not Allowed

A member not in their seat when the question is called by the Chair is not entitled to vote on that question.

**GENERAL**

64. Recording of Minutes

- a) The Clerk shall record without note or comment all resolutions, decisions and other proceedings at a meeting of the body, whether it be closed to the public or not;

The record required in accordance with the Municipal Act shall be made by:

- i) the Clerk, in the case of a meeting of council; or  
ii) the appropriate officer, in the case of a meeting of a committee.

65. Public Notification

Public notification shall be deemed to have been given by the posting of the Council or Committee agenda on the City website and available for public review

in the office of the City Clerk by no later than 2 p.m. on the Friday preceding the regularly scheduled meeting. For special meetings, notice of the special meeting shall be posted on the website at least twenty-four hours preceding the meeting.

66. Contingencies

In all contingencies not provided for in this section, the question shall be decided by the Chair and in making such a ruling; the decision shall be based on Roberts Rules of Order.

67. Suspension of Rules

Any procedure required by this section may be suspended with consent of not less than two-thirds of the Members present.

68. Commencement and Administration

- a) This by-law shall be administered by the Clerk.
- b) By-laws 3665/91, 4565/95, 5874/01, 5933/01, 6251/04, 6321/04, 6334/01 and 3665/91 are hereby repealed.
- c) The short title of this by-law is the "Procedural By-law".

By-law read a first, second and third time and finally passed this 19th day of March, 2007.

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David Ryan, Mayor

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Debi A. Bentley, City Clerk