

# THE REGIONAL MUNICIPALITY OF YORK

Bill No. 53

BY-LAW NO. 2009-53

A by-law to govern the proceedings  
of Council and its Committees.

WHEREAS Section 238 (2) of the *Municipal Act, 2001* provides that a Council shall pass a procedure by-law for governing the calling, place and proceedings of meetings:

NOW THEREFORE, the Council of The Regional Municipality of York hereby enacts as follows:

## 1. INTERPRETATION

### Definitions

#### 1.1 In this By-law,

- (a) “Act” means the *Municipal Act, 2001* as amended or re-enacted from time to time;
- (b) “Acting Chair” means the Member appointed to act from time to time in the place and stead of the Regional Chair, pursuant to Section 242 of the Act;
- (c) “Chair” means the person presiding at a meeting;
- (d) “Chief Administrative Officer” means the Chief Administrative Officer of the Region;
- (e) “Clerk” means the Regional Clerk or his or her designate;
- (f) “Committee” means any advisory or other committee, subcommittee or similar entity of which at least 50 per cent of the members are also Members of Regional Council, and includes the Committee of the Whole, a Standing Committee, a Special Committee, or a Task Force of Council;
- (g) “Committee of the Whole” means all of the Members present at Council sitting in committee;
- (h) “Committee Chair” means the Chair of a Committee;
- (i) “Committee Vice-Chair” means the Vice-Chair of a Committee;

- (j) “Confirmatory By-law” means a by-law passed for the purpose of giving general effect to a previous decision or proceedings of Council;
- (k) “Council” means the Council of the Regional Municipality of York;
- (l) “deputation” means an address to Council or a Committee at the request of a person wishing to speak;
- (m) “inaugural meeting” means the first meeting of Regional Council after a regular election as set out in section 230 of the Act;
- (n) “majority vote” means an affirmative vote of more than one half of the Members present and voting;
- (o) “meeting” means a meeting of Council or a Committee;
- (p) “Member” means a Member of Council;
- (q) “motion” means a proposal moved by a Member and, if moved in Council, seconded by another Member, to adopt, amend or otherwise deal with a matter before Committee or Council;
- (r) “motion to defer” means a motion to delay consideration of a matter until later in the same meeting or to a future meeting of Council or a Committee;
- (s) “motion to receive” means a motion to acknowledge an item, report or recommendation under consideration and to have it placed in the records of Council with no additional action being taken;
- (t) “motion to refer” means a motion to dispose of a question under consideration, with or without any proposed amendment, in order to seek consideration by, and, if deemed desirable, one or more reports from any Committee, body or official;
- (u) “motion to table” means a motion to postpone without setting a definite date as to when the matter will be considered again;
- (v) “notice of motion” means a written notice of a motion respecting a substantive matter not on the agenda for a meeting of Council which is received by the Clerk, moved by a Member, and seconded by another Member, for inclusion on the agenda for a future meeting of Council, unless notice thereof is waived pursuant to section 24.1 of this by-law;
- (w) “point of order” means a question by a Member with a view to calling attention to any issue relating to this by-law or the conduct of Council’s business or in order to assist the Member in understanding Council’s procedures, making an appropriate motion, or understanding the effect of a motion;
- (x) “point of privilege or personal privilege” means a question by a Member who believes that another Member has spoken

disrespectfully towards that Member or another Member or who considers that his or her integrity or that of a Member or Regional official has been impugned or questioned by a Member;

- (y) “presentation” means an address to Council or Committee at the request of Council, a Committee or staff;
- (z) “presiding officer” means any person who is presiding at a meeting;
- (aa) “recorded vote” means a written record of the name and vote of every Member voting on any matter or question;
- (bb) “private session” means a meeting that is closed to the public;
- (cc) “Region” means The Regional Municipality of York;
- (dd) “Regional Chair” means the Chair of Council;
- (ee) “report” means a report of a Committee, or a Joint Committee, or a report of the Regional Chair, the Chief Administrative Officer, one or more Commissioners or their designates, the Regional Solicitor or the Auditor.
- (ff) “resolution” means the decision of Council on any motion; and
- (gg) “two-thirds majority vote” means an affirmative vote of at least two-thirds of the Members present at a meeting.

## **2. APPLICATION**

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| General                | 2.1 | The rules of procedure set out in this by-law shall govern all proceedings of Council and its Committees.                                                                                                                                                                  |
| Statutory Requirements | 2.2 | Notwithstanding anything in this by-law, where Council or a Committee convenes for the purpose of holding a hearing as required by any statute, the provisions of the statute and the <i>Statutory Powers Procedure Act</i> , as applicable, shall govern the proceedings. |

## **3. INAUGURAL MEETING OF COUNCIL**

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| Date of Inaugural Meeting | 3.1 | The inaugural meeting of Council for each term of Council shall be held on the Thursday following the first Monday in December after a regular election at a time and place to be fixed by the Clerk.                                                                                                             |
| Order of Business         | 3.2 | <p>The order of proceedings at an inaugural meeting shall include:</p> <ul style="list-style-type: none"><li>(a) filing of certificates of election in accordance with Section 232(3) of the Act;</li><li>(b) filing of Members’ declarations of office;</li><li>(c) appointment of the Regional Chair;</li></ul> |

- (d) signing of the Regional Chair's declaration of office;
- (e) passage of a confirming by-law and any other relevant by-laws;  
and
- (f) other ceremonial proceedings as deemed appropriate by the Regional Chair, the Chief Administrative Officer or the Clerk.

#### **4. APPOINTMENT OF THE REGIONAL CHAIR**

|                       |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| Regional Chair's Role | 4.1 | The Regional Chair shall be the Chief Executive Officer of the Regional Corporation and shall hold office for the term of Council and until the Regional Chair's successor is appointed in accordance with the Act.                                                                                                                                                                                                                                                                                             |
| Inaugural Meeting     | 4.2 | The appointment of the Regional Chair shall be conducted at the inaugural meeting of Council.                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Nominations           | 4.3 | The Clerk shall act as presiding officer until the Regional Chair is appointed and shall call for nominations.                                                                                                                                                                                                                                                                                                                                                                                                  |
| Form of Nomination    | 4.4 | Each nomination shall be in writing and shall be signed by the nominator and a seconder to the nomination and shall have the written consent of the nominee.                                                                                                                                                                                                                                                                                                                                                    |
| Eligibility           | 4.5 | <p>A nominee is a person whose candidacy for the position of Regional Chair has been moved and seconded by Members present at the inaugural meeting of Council and who is:</p> <ul style="list-style-type: none"><li>(a) A resident of the Region or the owner or tenant of land in the Region or the spouse or same-sex partner of such owner or tenant;</li><li>(b) at least 18 years of age;</li><li>(c) a Canadian citizen; and</li><li>(d) not prohibited from voting in the municipal election.</li></ul> |
| Nominations Closed    | 4.6 | Where it appears to the Clerk, by asking for further nominations and receiving no response, that there are no further nominations, the Clerk shall call for a motion declaring nominations closed.                                                                                                                                                                                                                                                                                                              |
| Idem                  | 4.7 | After nominations have been closed, no motion shall be in order except a motion to recess for a specified time period.                                                                                                                                                                                                                                                                                                                                                                                          |
| Speakers              | 4.8 | After nominations have been closed, each mover and seconder of a nomination and each nominee shall, prior to the vote being taken, be permitted to speak to the nomination for not more than five (5) minutes.                                                                                                                                                                                                                                                                                                  |
| Order of Speakers     | 4.9 | The speakers shall be called upon to address Council in alphabetical order of the nominees' surnames.                                                                                                                                                                                                                                                                                                                                                                                                           |

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| Idem                             | 4.10 | <p>The speakers shall address Council in the following order with respect to each nominee:</p> <ul style="list-style-type: none"><li>(a) the mover;</li><li>(b) the seconder; and</li><li>(c) the nominee.</li></ul>                                                                                                                                                                                                                                                                                                                                                            |
| Withdrawal                       | 4.11 | <p>A nominee may withdraw his or her name at any time prior to a vote being called.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Vote                             | 4.12 | <p>A vote shall be taken regardless of the number of nominations. Where there is only one nominee, the vote may be to close nominations and to recognize the acclamation of the one nominee to the position of Regional Chair. The Regional Chair shall be appointed by open vote, however, if there is more than one nominee the appointment may be by secret ballot or open vote, as determined by Council.</p>                                                                                                                                                               |
| Method of Voting                 | 4.13 | <p>If there are two or more nominees, each Member shall vote. The order of calling the Members to announce their vote shall be randomly by lot drawn by the Clerk on each vote not conducted by secret ballot.</p>                                                                                                                                                                                                                                                                                                                                                              |
| Majority Vote                    | 4.14 | <p>To be appointed as Regional Chair, a nominee shall obtain the vote of a majority of the Members present. The Regional Chair may vote to break a tie.</p>                                                                                                                                                                                                                                                                                                                                                                                                                     |
| No Majority Obtained             | 4.15 | <p>If there are more than two nominees who wish to stand and, if upon the first vote no nominee receives the majority required for appointment, the name of the nominee receiving the least number of votes shall be dropped and Council shall proceed to vote again and continue until either:</p> <ul style="list-style-type: none"><li>(a) a nominee receives the majority required for appointment at which time such nominee shall be declared appointed; or</li><li>(b) it becomes apparent by reason of an equality of votes that no nominee can be appointed.</li></ul> |
| No Majority—Tie for Least Number | 4.16 | <p>In the case of a vote where no nominee receives the majority required for appointment and where two or more nominees are tied with the least number of votes, a vote shall be taken to decide which one of the tied nominees' names shall be dropped from the list of names to be voted on in the next vote.</p>                                                                                                                                                                                                                                                             |
| Tie—Two Nominees Remaining       | 4.17 | <p>If only two nominees remain, and if on the first vote the nominees are tied, a ten-minute recess shall be held, followed by a second vote. If on the second vote the nominees remain tied, a further ten minute recess shall be held followed by a third vote. If the nominees remain tied after the third vote, the Clerk shall adjourn the meeting until the following day(s) at which a further vote shall be taken until a nominee is appointed.</p>                                                                                                                     |

- Recorded Vote      4.18      Where there are two or more nominees, the Clerk shall record the votes of each Member on each vote that is not conducted by secret ballot.

## **5. MEETINGS OF COUNCIL**

- Regular Meetings      5.1      The regular meetings of Council shall be held at 9:30 a.m. in the York Region Administrative Centre, 17250 Yonge Street, Newmarket, Ontario, in accordance with the schedule adopted annually by Council, except:
- (a) when otherwise directed by resolution of Council; or
  - (b) when the Regional Chair advises otherwise upon a minimum of 48 hours' notice, provided that this notice shall not be required in an emergency.
- Special Meeting      5.2      The Regional Chair may at any time call a Special Meeting of Council by providing written direction to the Clerk to issue a Notice of Special Meeting.
- 5.3      Upon the receipt of a petition of the majority of Members, the Clerk shall call a Special Meeting for the purpose and at the time noted in the petition.
- Matters Decided at Special Meeting      5.4      At a Special Meeting of Council, Council shall not decide upon any matter unless the matter has been specified in the Notice calling the meeting. This provision may be waived with a two-thirds majority vote.
- Taping, Televising, Recording      5.5      Meetings which are not closed to the public may be taped, televised or otherwise electronically or mechanically recorded so long as the taping, televising or recording is carried out in a manner that does not interfere with proceedings at the meeting, and provided that the recording has been authorized by the Regional Chair.

## **6. NOTICE**

- Notice to Members      6.1      Notice to Members of all meetings of Council or Committee, agendas, agenda items, cancellations and re-schedulings shall be provided by the Clerk to each Member's residence or place of business, as directed by the Member, not less than 48 hours prior to the time set for the meeting. Notice may be sent by first-class mail, courier, facsimile or electronic mail. Notice may also be provided by telephone or personal contact in case of an emergency.
- Notice to Members of Special Meeting      6.2      Written notice of all Special Meetings of Council or Committee, detailing the matters to be considered at the meeting, shall be delivered to all Members not less than 48 hours before the time set for the meeting.

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| Notice to Media and Public                    | 6.3 | <p>The Clerk shall provide notice to the public and the media of all meetings of Council or Committee, agendas, agenda items, cancellations and re-schedulings by:</p> <ul style="list-style-type: none"><li>(a) publishing the annual schedule of meetings once adopted by Council by posting on the Region's official Web site and by distributing copies upon request;</li><li>(b) updating the annual schedule of meetings posted on the Region's official Web site within 24 hours of any changes made to the schedule;</li><li>(c) not less than 24 hours in advance, posting a copy of meeting notices, main agendas, and main agenda items for review at the Kiosk located in the Great Hall of the York Region Administrative Centre; and</li><li>(d) not less than 24 hours in advance, posting meeting notices, agendas and agenda items on the Region's official Web site.</li></ul> |
| Contents of Notice                            | 6.4 | <p>Every notice of a meeting of Council or Committee shall indicate the day, date, time and place of commencement of the meeting, and the contact information for the Clerk's Office.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Minimum Requirements                          | 6.5 | <p>The notice requirements set out in this by-law are minimum requirements only, and the Clerk may give notice in an extended manner if in the opinion of the Clerk and relevant appropriate Commissioner, the extended manner is reasonable and necessary in the circumstances.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Subordinate to other required forms of notice | 6.6 | <p>The notice requirements set out in this by-law shall be subject to any specific requirements for the fixing of notice as prescribed by legislation or as directed by Council.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Cancellation/Postponement                     | 6.7 | <p>Any Meeting may be cancelled or rescheduled to a day, time and place set out in a written notice from the Clerk, sent to each Member at the address provided to the Clerk at least 48 hours before the scheduled date of the meeting.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Failure to Meet Notice Provisions             | 6.8 | <p>Notice which is substantively given but which is irregular or not otherwise in strict compliance with this by-law will not invalidate the holding of a meeting or any proceeding taken at a meeting.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

## **7. COUNCIL AGENDAS**

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| Agenda | 7.1 | <p>The Clerk, subject to such changes as may be appropriate in the circumstances, shall prepare for distribution a Council Agenda with the routine order of business for regular meetings of Council to be as follows:</p> <ul style="list-style-type: none"><li>(a) Disclosures of Interest by Members</li><li>(b) Presentations</li><li>(c) Minutes of the previous Meeting</li></ul> |
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- (d) Communications
- (e) Deputations
- (f) Presentation and Consideration of Reports
- (g) Adoption of the Proceedings of the Committee of the Whole
- (h) Unfinished Business
- (i) Introduction and Consideration of By-laws
- (j) Motion(s)
- (k) Notice of Motion(s)
- (l) Other Business
- (m) Consideration of Matters in Private Session
- (n) Council to Rise from Private Session
- (o) Confirmatory By-law
- (p) Close of Meeting

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| Revised Agenda                | 7.2 | After delivery of the Council Agenda, the Clerk may amend the Agenda by way of a Revised Agenda by adding or deleting matters from the prepared Agenda in consultation with the Regional Chair or the Chief Administrative Officer. In this case, the Clerk shall endeavour to forward additional Agenda material to the Members prior to the meeting. The Revised Agenda may be presented at the Council meeting, and is not subject to the Notice requirements set out in Part 6 of this By-law. |
| Order of Business             | 7.3 | The business of Council shall, in all cases, be taken up in the order in which it appears on the Agenda, unless otherwise directed by Council. Any matter on the Agenda not disposed of by Council shall be placed on the Agenda of the next regular meeting of Council as Unfinished Business.                                                                                                                                                                                                    |
| Circulation to Public         | 7.4 | As soon as Agenda information is published and distributed by the Clerk to Members and, subject to the current policy of Council respecting reproduction charges, the information may be made available to the public except for information relating to matters to be considered in private session.                                                                                                                                                                                              |
| Communications                | 7.5 | Every communication intended to be presented to Council or Committee must be legibly written and must contain the signature, contact address and telephone number of at least one person and preferably the addresses of all signatories. For all communications submitted there shall be designated a contact person to whom the Clerk can communicate on behalf of Council or a Committee.                                                                                                       |
| Referral to Committee         | 7.6 | Any communication within the jurisdiction of a Committee shall first be referred by the Clerk to the appropriate Committee unless the communication relates to a subject or report scheduled to be considered by Council.                                                                                                                                                                                                                                                                          |
| Disposition of Communications | 7.7 | Communications listed on the Agenda, which contain a request for action on the part of Council, shall not be acted upon without Council first receiving a report from staff or the appropriate Committee unless the action is of a routine or congratulatory nature.                                                                                                                                                                                                                               |

Resolutions from  
Municipalities  
outside of York  
Region 7.8 All communications received from municipalities outside the Greater Toronto Area that are not regional or large urban single-tier municipalities requesting endorsement or consideration of their resolution shall be forwarded to the Regional Chair, Chief Administrative Officer and the relevant Commissioner for consideration, and may be added to the appropriate Council Agenda by the Regional Chair, or to a Committee Agenda by the Regional Chair, the Chief Administrative Officer, or the relevant Commissioner.

Consent Procedure 7.9 More than one item on the agenda for Council or Committee meetings containing recommendations may be adopted in a single motion. At the request of any Member, any specific items of business shall be subject to individual consideration.

## **8. QUORUM**

Quorum—Council 8.1 A quorum of Council is eleven (11) Members, including the Regional Chair, representing at least five (5) area municipalities.

No Quorum at  
Beginning 8.2 If a quorum is not present at a scheduled meeting of Council thirty (30) minutes after the scheduled commencement time, the meeting shall stand adjourned until the next regular meeting of Council and the Clerk shall record the names of the Members present. If the Members who are present at the time remain until a quorum is present, then the meeting shall proceed.

Loss of Quorum  
During Meeting 8.3 If a quorum is lost during a meeting of Council then the Regional Chair shall, upon determining that a quorum is not present, request the Clerk to call for a quorum for a period of fifteen minutes, or until a quorum is present, whichever is sooner.

Idem 8.4 If there is still no quorum of Council after fifteen minutes, the meeting shall stand adjourned and the Clerk shall record the names of the Members present. In this case, all unfinished business shall be carried forward to the next meeting of Council.

*Municipal Conflict  
of Interest Act* 8.5 Where the number of Members who, by reason of the provisions of the *Municipal Conflict of Interest Act*, are prohibited from participating in a meeting is such that, at that meeting, the remaining Members are not of sufficient number to constitute a quorum, then the remaining number of Members shall be deemed to constitute a quorum, provided this number is not fewer than two (2).

## **9. DUTIES OF THE REGIONAL CHAIR**

Call Meeting to  
Order 9.1 As soon as there is a quorum after the time set for the meeting, the Regional Chair shall take the chair and call the Members to order.

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|                                    | 9.2 | The Regional Chair shall preside over the meetings of Council so that its business can be carried out efficiently and effectively, and shall: <ul style="list-style-type: none"><li>(a) maintain order and preserve the decorum of the meeting;</li><li>(b) rule on all procedural matters, without debate or comment;</li><li>(c) receive and submit to a vote all motions presented by the Members that do not contravene the rules of procedure;</li><li>(d) decline to put to a vote motions which do not comply with the rules of procedure, or which are not within the jurisdiction of Council;</li><li>(e) announce the results of the vote on any motions presented for a vote;</li><li>(f) expel or exclude from any meeting any person whom the Regional Chair feels has exhibited improper conduct at the meeting;</li><li>(g) adjourn or suspend the meeting if he or she considers it necessary because of grave disorder; and</li><li>(h) close the meeting when business is concluded or recess the meeting as required.</li></ul> |
| Regional Chair's Duties            |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Order to Vacate                    | 9.3 | The Regional Chair, after three warnings, shall call by name any Member persisting in breach of the rules of procedure and, subject to a majority vote of Members present, order him or her to vacate his or her seat and leave the meeting.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Matters not Covered in this By-law | 9.4 | All matters not covered by this by-law shall be decided by the Regional Chair. The Regional Chair may call upon the Clerk to provide advice regarding procedure. The Clerk shall provide this advice following which the Regional Chair shall announce his or her ruling.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Appeal of Regional Chair's Ruling  | 9.5 | If a Member disagrees with the ruling of the Regional Chair, he or she may appeal the ruling of the Regional Chair. The Regional Chair, in response, shall call a vote on the question of sustaining the ruling of the Chair. The Regional Chair may provide further explanation of the ruling prior to calling the vote.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Voting                             | 9.6 | In a meeting of Council, the Regional Chair may vote only in the event of a tie.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

## **10. PRESIDING OFFICER**

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| Appointment of Presiding Officer | 10.1 | In case the Regional Chair does not attend within fifteen minutes of the time a quorum is present after the scheduled commencement time for a meeting of Council, or after resumption of the meeting after an adjournment, the Clerk shall call upon the Acting Chair for the month in question and he or she shall preside until the arrival of the Regional Chair. |
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Regional Chair's  
Designation

- 10.2 The Regional Chair may designate another Member as presiding officer during any part of a Council meeting when he or she leaves the chair for any reason.
- 10.3 The presiding officer shall have and may exercise all the rights, power and authority and obligations of the Regional Chair under this by-law.

## **11. DUTIES OF MEMBERS**

General

- 11.1 No Member shall:
- (a) speak disrespectfully of any member of the Royal Family, the Governor General, the Lieutenant Governor of any Province, Council, any member municipality, any Member or any official or employee of the Region;
  - (b) use offensive words or unparliamentary language;
  - (c) engage in private conversation while in the Council meeting or use electronic devices including cellular phones, pagers and computers, in a manner which interrupts the proceedings of the Council;
  - (d) leave his or her seat or make any noise or disturbance while a vote is being taken and until the result of the vote is announced;
  - (e) speak on any subject other than the subject under debate;
  - (f) where a matter has been discussed in private session, and where the matter remains confidential, disclose the confidential matter or the substance of deliberations at a closed meeting, except to the extent that Council has previously released or disclosed the matter in public;
  - (g) criticize any decision of Council except for the purpose of moving that the question be reconsidered; or
  - (h) disobey the rules of Council or a decision of the Chair or of Council on questions of order or practice or upon the interpretation of the rules of Council. In case a Member persists in any such disobedience, after having been called to order by the Chair, the Chair shall not recognize that Member, except for the purpose of receiving an apology from the Member tendered at that meeting or any subsequent meeting.

## **12. DISCLOSURES OF PECUNIARY INTEREST**

Method of  
Disclosure

- 12.1 Where a Member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting at which the matter is the subject of consideration, the Member shall, in accordance with the *Municipal Conflict of Interest Act*:

- (a) prior to any consideration of the matter at the meeting, disclose the Member's interest and the general nature thereof; and
- (b) not take part in the discussion of, or vote on any question in respect of the matter; and
- (c) not attempt in any way whether before, during or after the meeting to influence the voting on the matter.

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| Closed Meetings                           | 12.2 | Where a meeting is not open to the public, in addition to complying with the requirements of the <i>Municipal Conflict of Interest Act</i> , the Member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration.                                           |
| Absence—<br>Disclosure at Next<br>Meeting | 12.3 | Where the interest of a Member has not been disclosed by reason of the Member's absence from a particular meeting, the Member shall disclose the Member's interest and otherwise comply at the first meeting of Council or Committee, as the case may be, attended by the Member after the particular meeting. |
| Record of<br>Disclosure                   | 12.4 | The Clerk shall record in reasonable detail the particulars of any disclosure of pecuniary interest made by a Member, and this record shall appear in the Minutes or Report of that meeting.                                                                                                                   |

### **13. PUBLIC ACCESS TO MEETINGS**

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| Meetings Open to<br>the Public | 13.1 | All meetings shall be open to the public except as provided for in Section 13.2 and no person shall be excluded from a meeting open to the public except for improper conduct or for breach of this by-law.                                                                                                                                                                                                                                                                                                                                                     |
| Closed Meetings                | 13.2 | <p>A meeting may be conducted in private session if the subject matter being considered relates to:</p> <ul style="list-style-type: none"><li>(a) the security of Regional property;</li><li>(b) personal matters about an identifiable individual, including a Regional employee;</li><li>(c) a proposed or pending acquisition or disposition of land by the Region;</li><li>(d) labour relations or employee negotiations;</li><li>(e) litigation or potential litigation including matters before administrative tribunals, affecting the Region;</li></ul> |

- (f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (g) the education and training of Members, provided that no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of Council:  
or
- (h) a matter in respect of which Council has authorized a meeting to be in private session under statutory authority.

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| Prior Resolution         | 13.3 | <p>Prior to Council resolving into private session for one of the reasons noted in Section 13.2, Council shall state by resolution:</p> <ul style="list-style-type: none"><li>(a) the fact of holding the private session;</li><li>(b) the general nature of the matter to be considered;</li><li>(c) the specific provision under the Act under which each item is permitted to be considered in private session;</li><li>(d) where the purpose is for education or training, that the meeting is to be held in private session pursuant to section 239(3.1) of the Act.</li></ul> |
| Open Votes               | 13.4 | <p>A meeting shall not be closed to the public during the taking of a vote.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Closed Votes             | 13.5 | <p>Despite section 13.4, a meeting may be closed to the public during a vote if:</p> <ul style="list-style-type: none"><li>(a) section 239(2) of the Act permits or requires a meeting to be closed to the public; and</li><li>(b) the vote is for a procedural matter or for giving directions or instructions to officials, employees or agents of the Region, or persons retained by or under contract with the Region.</li></ul>                                                                                                                                                |
| Record of Closed Meeting | 13.6 | <p>The Clerk shall prepare a record of each private session held in Council or Committee, indicating:</p> <ul style="list-style-type: none"><li>(a) the matter discussed;</li><li>(b) the specific provision under the Act under which meeting in private session is permitted;</li><li>(c) the Members in attendance;</li><li>(d) the disposition of the matter;</li><li>(e) the starting and concluding times for the private session; and</li><li>(f) any other proceedings.</li></ul>                                                                                           |
|                          | 13.7 | <p>Section 21 does not apply to the record created under section 13.6.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

## **14. DEPUTATIONS**

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| Deputations<br>Generally Before<br>Committees | 14.1 | Deputants shall be directed by the Clerk to the appropriate Committee except where the deputant wishes to address Council with respect to a matter which will be before Council or where the Chair, Chief Administrative Officer and/or the Clerk determines that the matter is of such an urgent nature that there is insufficient time to direct the deputant to a Committee. Where a deputant has made a deputation to a Committee, a further deputation request shall not be listed on the Council Agenda or the Revised Agenda. |
| Written Request                               | 14.2 | Every individual, organization or group wishing to address a Committee or Council shall notify the Clerk in writing providing an outline of the nature of the deputation at least 24 hours in advance of the meeting. The notice shall be signed, shall indicate the mailing address and telephone number at which the individual or the organization or group may be contacted during normal business hours and shall contain an outline of the nature of the deputation to be made.                                                |
|                                               | 14.3 | All deputants at Council shall be heard only upon the consent of Council, except where there is a statutory right to be heard.                                                                                                                                                                                                                                                                                                                                                                                                       |
| Address Presiding<br>Officer                  | 14.4 | All deputants shall address the Chair from the lectern in the Council Chamber or from the presenter's table in the Committee Room, as the case may be and shall state their name and whom they represent.                                                                                                                                                                                                                                                                                                                            |
| Time—5 Minutes                                | 14.5 | Unless otherwise permitted by a majority vote, deputants shall be limited to five (5) minutes for speaking at Council and at Committee or such other time period approved by Council or Committee at the meeting. If there is a group of people wishing to address Council or Committee with respect to a particular position on a particular issue, then Council or Committee may determine that the group shall be represented by one person or that the time limit shall be other than as stated above.                           |
| Questions                                     | 14.6 | Notwithstanding section 14.5, the time involved in receiving and answering questions from Committee members shall not be deducted from the time limited for the deputation.                                                                                                                                                                                                                                                                                                                                                          |
| Right to Appear                               | 14.7 | Any person may, either on his or her own behalf, or as a representative of an organization or group, appear at any public meeting of a Committee and address the Committee with respect to any matter on the Agenda for that meeting.                                                                                                                                                                                                                                                                                                |

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| No Notice Where<br>Matter on Agenda | 14.8  | For matters on the Agenda, notwithstanding section 14.2, the Committee may decide, by majority vote: <ul style="list-style-type: none"><li>(a) to hear the deputations, notwithstanding non-compliance with the requirements of those subsections;</li><li>(b) to defer hearing deputations; or</li><li>(c) to require, as a condition of hearing a deputation, the filing of a written outline with the Clerk.</li></ul>                                          |
| Matter Not on<br>Agenda             | 14.9  | Where a matter to which an individual, organization or group wishes to speak before a Committee is not on the Agenda of a meeting, the matter may be placed on the Agenda of the next meeting or the Agenda of the meeting at which the item will be considered.                                                                                                                                                                                                   |
| Behaviour                           | 14.10 | No deputant shall: <ul style="list-style-type: none"><li>(a) speak disrespectfully of any person;</li><li>(b) use offensive words or unparliamentary language;</li><li>(c) speak on any subject other than the subject for which he or she has received approval to address Council or Committee; or</li><li>(d) disobey the rules of procedure or a decision of the Chair or Council.</li></ul>                                                                   |
| Curtailment of<br>Time              | 14.11 | The Chair may curtail any deputation, any questions of a deputant or debate during a deputation for disorder or any other breach of this by-law, and, if the Chair rules that the deputation is concluded, the person or persons appearing shall withdraw.                                                                                                                                                                                                         |
| Location                            | 14.12 | No person, except Members and authorized Regional staff shall be allowed to come within the Members' area during a Council meeting without permission of the Regional Chair or Council, or a Committee meeting without permission of the Committee Chair or the Committee.                                                                                                                                                                                         |
| Conduct                             | 14.13 | Members of the public who constitute the audience at a meeting, shall not: <ul style="list-style-type: none"><li>(a) address Council or Committee without permission;</li><li>(b) bring food or beverages into the Council Chamber or meeting room unless so authorized;</li><li>(c) bring signage, placards or banners into such meetings; or</li><li>(d) engage in any activity or behaviour that would affect the Council or Committee deliberations.</li></ul> |

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| Expulsion | 14.14 | The Chair or the Committee Chair may cause to be expelled and excluded any member of the public who creates any disturbance or acts improperly during a meeting of Council or Committee. If necessary, the Chair or Committee Chair may call upon the appropriate assistance from security or police officers. |
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## **15. RULES OF DEBATE**

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| Recognition of Member           | 15.1  | To address Council, a Member shall request to speak and be recognized by the Chair.                                                                                                                                                                                                                                                                                 |
| Microphone                      | 15.2  | Prior to speaking to any question or motion, each Member shall engage his or her microphone.                                                                                                                                                                                                                                                                        |
| Order of Speakers               | 15.3  | When two or more Members indicate their desire to speak at the same time, the Chair shall designate the order of speakers.                                                                                                                                                                                                                                          |
| Interruptions                   | 15.4  | When a Member is speaking, no other Member shall interrupt the Member speaking except to raise a point of order, privilege or personal privilege.                                                                                                                                                                                                                   |
| Read Motion                     | 15.5  | Any Member may require a motion or question under discussion to be read at any time during the debate but not so as to interrupt the Member speaking.                                                                                                                                                                                                               |
| 5 Minutes                       | 15.6  | No Member shall speak for longer than five (5) minutes on a question without Council's permission.                                                                                                                                                                                                                                                                  |
| Speak Once                      | 15.7  | No Member shall speak more than once to the same question without Council's permission, except that a reply shall be permitted only from a Member who has presented the main motion.                                                                                                                                                                                |
| Questions                       | 15.8  | A Member may ask a question only for the purpose of obtaining information relating to the matter under discussion and the question shall be stated succinctly and asked only of the Regional Chair, the previous speaker, the Chief Administrative Officer or Commissioners, the Regional Solicitor, the Clerk, the Medical Officer of Health and their designates. |
| Points of Order, Privilege      | 15.9  | When a Member rises on a point of order, point of privilege or point of personal privilege, the Member shall ask leave of the Chair to raise the point. After leave is granted, the Member shall state the point to the Chair and then remain silent until the Chair has ruled upon the point.                                                                      |
| Regional Chair to Rule on Point | 15.10 | Subject to being overruled by Council on a vote which shall be taken immediately and without debate, the Chair shall rule on the point.                                                                                                                                                                                                                             |
| Challenge                       | 15.11 | Any Member may challenge the ruling of the Chair immediately following the ruling.                                                                                                                                                                                                                                                                                  |

- Decision Final 15.12 The Chair's ruling is final unless it is challenged.
- Idem 15.13 Council's decision is final if the Chair is challenged.

## **16. MOTIONS**

- 16.1 A motion in respect of a matter which is not within the jurisdiction of the Council shall not be in order and shall not be considered by the Council.
- Introduction of Additional Items 16.2 No Member shall introduce any item to the Council for its consideration unless:
- (a) the item relates to a matter on the Agenda for that meeting; or
  - (b) the matter is of an urgent nature and leave is granted on a two-thirds majority vote.
- Oral Motions 16.3 The following may be introduced orally without written notice and without leave of Council:
- (a) a point of order, privilege or personal privilege;
  - (b) presentation of petitions;
  - (c) a motion to waive or suspend the rules of procedure;
  - (d) a procedural motion;
  - (e) a simple amendment; or
  - (f) a motion to adopt a recommendation.
- Written Motions 16.4 Except as provided in Section 16.3, all motions shall be in writing. The Chair may require that any amendment be in writing signed by the mover and the seconder.
- Must be Seconded 16.5 A motion shall be moved and seconded before the Chair shall put the question and the motion is recorded in the minutes of the meeting.
- Mover May Vote in Opposition 16.6 A Member may move a motion in order to initiate discussion and debate and that Member may vote in opposition to the motion. A seconder of a motion may vote against the motion.
- Withdrawal 16.7 After a motion is moved at the Council meeting it shall be deemed to be in the possession of Council and may not be withdrawn without the consent of the mover and seconder and a majority vote.

## **17. SPECIFIC MOTIONS**

- Recess 17.1 A motion to recess is not debatable, shall specify the length of the recess, and may only be amended with respect to the length of the recess.

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| Adjourn            | 17.2  | A motion to adjourn the Council meeting is not debatable and shall always be in order except: <ul style="list-style-type: none"><li>(a) when another Member is in possession of the floor;</li><li>(b) when a vote has been called;</li><li>(c) when the Members are voting; or</li><li>(d) when a Member has indicated to the Chair his or her desire to speak on the matter before Council.</li></ul> |
|                    | 17.3  | A motion to adjourn and amendments thereto shall take precedence over any other motion and shall be put immediately without debate.                                                                                                                                                                                                                                                                     |
| Call the Question  | 17.4  | A motion to call the question is not debatable.                                                                                                                                                                                                                                                                                                                                                         |
|                    | 17.5  | A Member who moved a motion to call the question shall not be allowed to speak to the question again if the motion is decided in the negative.                                                                                                                                                                                                                                                          |
|                    | 17.6  | A motion to call the question shall be put immediately without debate.                                                                                                                                                                                                                                                                                                                                  |
| Motion to Table    | 17.7  | A motion to table shall not be amended or debated and shall apply to the motion and any amendments under debate when the motion to table is made.                                                                                                                                                                                                                                                       |
|                    | 17.8  | If the motion to table carries, in the absence of any direction from Council, the matter may not be discussed until the Chief Administrative Officer, or a Member through a Notice of Motion, brings it forward to a subsequent meeting.                                                                                                                                                                |
| Refer              | 17.9  | A motion to refer and any amendment to it is debatable and shall include: <ul style="list-style-type: none"><li>(a) the name of the Committee or official to whom the motion or amendment is to be referred;</li><li>(b) the terms upon which it is to be referred and the time or period, if any, on or within which the matter is to be returned.</li></ul>                                           |
| Defer              | 17.10 | A motion to defer and any amendment to it is debatable and shall include: <ul style="list-style-type: none"><li>(a) the time to or period within which, consideration of the matter is to be deferred; and</li><li>(b) whatever explanation is necessary to demonstrate the purpose of the motion to defer.</li></ul>                                                                                   |
| Amendment          | 17.11 | A motion to amend is debatable.                                                                                                                                                                                                                                                                                                                                                                         |
|                    | 17.12 | Only one motion to amend a motion shall be on the floor at any one time.                                                                                                                                                                                                                                                                                                                                |
| Receive            | 17.13 | A motion to receive, moved after the main motion, is debatable and shall be treated as an amendment to the main motion.                                                                                                                                                                                                                                                                                 |
| Substantive Motion | 17.14 | An amendment shall be out of order if it is ruled by the Chair to be a substantive motion and not an amendment.                                                                                                                                                                                                                                                                                         |

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| Cannot be<br>Contrary                     | 17.15 | An amendment which, in effect, is nothing more than a rejection of the main motion is not in order.                                                                                                                                                                                                          |
| Consider Matter<br>Previously<br>Deferred | 17.16 | A motion that Council consider a matter previously deferred indefinitely or to a time or eventuality which has not yet been reached or occurred, is debatable and shall be presented only if the Council so decides, by a two-thirds majority vote.                                                          |
| Reconsideration                           | 17.17 | Subject to sections 17.18 and 17.19, no question, after it has been decided, shall be reconsidered within one year following the decision of the Council unless Council decides to do so by a two-thirds majority vote. Any reconsideration that occurs after this one-year period requires a majority vote. |
| Must Have Voted<br>with the Majority      | 17.18 | After any question has been decided, any Member who voted thereon with the majority or, where a two-thirds-majority vote is required, voted with the two-thirds majority, may make a motion to reconsider the question.                                                                                      |
| Requires Two-<br>Thirds                   | 17.19 | A motion to reconsider may not be introduced without notice, unless the Council, without debate, dispenses with notice on a two-thirds majority vote.                                                                                                                                                        |
| Reconsiderations-<br>Idem                 | 17.20 | A motion to reconsider is debatable.                                                                                                                                                                                                                                                                         |
|                                           | 17.21 | No discussion of the main question shall be allowed until the motion for reconsideration is carried.                                                                                                                                                                                                         |
|                                           | 17.22 | Once the question is reopened, it is reopened in its entirety unless the reopening motion specifies otherwise.                                                                                                                                                                                               |
|                                           | 17.23 | If the question is reopened, all previous decisions of the Council remain in force unless the Council decides otherwise.                                                                                                                                                                                     |
|                                           | 17.24 | No motion to reconsider may, itself, be the subject of a motion to reconsider.                                                                                                                                                                                                                               |

## **18. NOTICES OF MOTION**

|                  |      |                                                                                                                                                                                                                                                                                                                                                                                        |
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| Jurisdiction     | 18.1 | A notice of motion in respect of a matter which is not within the jurisdiction of the Council shall not be in order and shall not be considered by the Council.                                                                                                                                                                                                                        |
| Timing of Notice | 18.2 | A notice of motion shall be in writing and shall include the name of the mover and seconder. It shall be received by the Clerk prior to 2:00 p.m. on the fifth business day preceding a regular meeting for inclusion in the Agenda for that meeting of the Council and, subject to section 18.5, for each succeeding meeting until the Motion is considered or otherwise disposed of. |

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| Agenda Materials   | 18.3 | The Clerk shall include in the Agenda materials any reports from Regional staff relating to a notice of motion submitted in accordance with section 18.2.                                                                                                                                                 |
| Committees         | 18.4 | Any notice of motion, the subject matter of which falls within the mandate of a Committee, shall be referred directly to that Committee by the Council unless the Council determines that it should not be first considered by the Committee, for reasons of emergency, health, safety or legal deadline. |
|                    | 18.5 | After a notice of motion is moved at the Council meeting or placed on the Council Agenda it shall be deemed to be in the possession of Council and may not be withdrawn without the consent of the mover and seconder and a majority vote.                                                                |
| Future Agendas     | 18.6 | All notices of motion on the Agenda and not disposed of shall be placed on the Agenda for the next regular meeting of Council.                                                                                                                                                                            |
| Not Proceeded With | 18.7 | When a notice of motion has been on the Agenda for two consecutive meetings after notice has been given, and not proceeded with, it shall be dropped from the Agenda and deemed withdrawn unless Council decides otherwise.                                                                               |

## **19. VOTING**

|                   |      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| Order of Votes    | 19.1 | Motions relating to an item under consideration shall be voted on in the following order: <ul style="list-style-type: none"><li>(a) a motion to waive or suspend the rules of procedure;</li><li>(b) a motion to recess;</li><li>(c) a motion to adjourn;</li><li>(d) a motion to call the question;</li><li>(e) a motion to receive an item;</li><li>(f) a motion to table an item;</li><li>(g) a motion to refer;</li><li>(h) a motion to defer;</li><li>(i) a motion to amend; and</li><li>(j) the main motion.</li></ul> |
| Members Must Vote | 19.2 | Every Member present at a meeting of Council where a question is put shall vote on the question, unless prohibited by statute, in which case the Clerk shall so record.                                                                                                                                                                                                                                                                                                                                                      |

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| Method of Voting        | 19.3  | A Member shall vote by raising a hand or otherwise indicating the Member's vote, except where a recorded vote is requested. The Chair shall announce the result of all votes taken.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Actions During Vote     | 19.4  | When the Chair calls for the vote on a question, a) each Member shall occupy his or her seat and shall remain in place until the result of the vote has been declared by the Chair, and b) during this time no Member shall walk across the room or make any other motion or speak to the question or any other Member or make any noise or disturbance.                                                                                                                                                                                                                                                                                                                                                 |
| Split Votes             | 19.5  | Upon the request of any Member, and when the Chair is satisfied that a matter under consideration contains distinct proposals, the vote upon each proposal shall be taken separately.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|                         | 19.6  | A vote on the main motion, as amended, may be split only for the purpose of complying with the <i>Municipal Conflict of Interest Act</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| No Vote Deemed Negative | 19.7  | If any Member present does not vote at a meeting of the Council where a question is put and a recorded vote taken, he or she shall be deemed to vote in the negative except where the Member is prohibited from voting by statute.                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Regional Chair          | 19.8  | The Regional Chair may vote at Council only for the purpose of breaking a tie.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Acting Chair            | 19.9  | Section 19.8 does not apply to a presiding officer acting in the Regional Chair's absence.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Majority Vote           | 19.10 | All decisions of Council shall require a majority vote except as otherwise set out in this by-law.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Equality of Votes       | 19.11 | Subject to section 19.8, any motion that receives a tie vote shall be deemed to have been decided in the negative.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Two-Thirds              | 19.12 | <p>The following decisions of Council require a two-thirds majority vote:</p> <ul style="list-style-type: none"><li>(a) a motion to consider a matter previously deferred indefinitely or to a time or eventuality that has not been reached or occurred under section 17.16 of this by-law;</li><li>(b) a motion to reconsider a question decided within the previous year under section 17.17 of this by-law;</li><li>(c) a motion to waive notice in respect of a notice of motion;</li><li>(d) a motion to consider a substantive matter not appearing on the Agenda for the meeting; and</li><li>(e) a motion to suspend the provisions of this by-law under section 24.1 of this By-law.</li></ul> |

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| Recorded Vote                     | 19.13 | A request by a Member for a recorded vote shall be made prior to the commencement of the vote being taken or immediately thereafter.                                            |
|                                   | 19.14 | When a recorded vote is requested by a Member, the Clerk shall record the name and vote of every Member on any question.                                                        |
|                                   | 19.15 | The Clerk shall call and Members shall indicate or announce their vote in order of their surnames, beginning with the Member who requested the recorded vote.                   |
| Chair to Announce Results of Vote | 19.16 | The Chair shall announce the result of the vote.                                                                                                                                |
| Request for Further Vote          | 19.17 | If a Member doubts the results of a vote as announced by the Chair, the Member may call for the vote to be taken again and the Chair shall request that the Members vote again. |

## **20. BY-LAWS**

|                           |      |                                                                                                                                                                                                                                                                                                         |
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| One Motion                | 20.1 | The adoption of every by-law presented to Council, with the exception of the Confirmatory By-law, may be the subject of one motion.                                                                                                                                                                     |
| Separate Vote             | 20.2 | By request of any Member, any by-law(s) may be discussed or voted on individually.                                                                                                                                                                                                                      |
| Form                      | 20.3 | Every by-law, when introduced shall be in typewritten form and shall comply with the provisions of any relevant legislation.                                                                                                                                                                            |
| Previous Council Approval | 20.4 | No by-law, except a by-law to confirm the proceedings of Council, shall be presented to Council unless its subject matter has been approved by Council.                                                                                                                                                 |
| Confirmatory              | 20.5 | The proceedings at every meeting of Council shall be confirmed by by-law so that every decision of Council at that meeting of Council and every resolution thereof shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted. |
| Amendments                | 20.6 | All amendments to any by-laws approved by Council shall be deemed to be incorporated into the by-law and if the by-law is enacted by Council, the amendments shall be inserted by the Clerk.                                                                                                            |
| Authentication            | 20.7 | Every by-law enacted by Council shall be signed by the Regional Chair or by the Presiding Officer in the Regional Chair's absence, and by the Clerk. The corporate seal shall be affixed to the by-law and the by-law shall be numbered, dated and deposited in the Clerk's Office.                     |

## **21. MINUTES OF COUNCIL**

|           |      |                                                                                                                                                                                                                                                                                                                                                             |
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| Content   | 21.1 | The Minutes of Council meetings shall record: <ul style="list-style-type: none"><li>(a) the place, date and time of meeting;</li><li>(b) the name of the Chair or Presiding Officer and the attendance of the Members and senior staff; and</li><li>(c) each item considered by Council and the decisions of the meeting without note or comment.</li></ul> |
| Approval  | 21.2 | The Minutes of each Council meeting shall be presented to Council for approval at the next regular meeting.                                                                                                                                                                                                                                                 |
| Signature | 21.3 | After the Council Minutes have been approved by Council, they shall be signed by the Regional Chair and Clerk.                                                                                                                                                                                                                                              |

## **22. COMMITTEE OF THE WHOLE**

|                                           |      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-------------------------------------------|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| At Council                                | 22.1 | The Committee of the Whole may convene at each meeting of Council and shall report to Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Chair                                     | 22.2 | The Regional Chair shall preside over Committee of the Whole and may vote only in the event of a tie vote.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Acting Chair                              | 22.3 | The Regional Chair may appoint another Member to act as Chair of Committee of the Whole while he or she is speaking to a question or is temporarily absent from the meeting.                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Duties of Chair                           | 22.4 | The Chair of the Committee of the Whole shall maintain order in Committee and report the proceedings to Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Procedure                                 | 22.5 | <p>The rules governing the procedure of Council and the conduct of Members shall be observed in Committee of the Whole so far as they are applicable, provided that:</p> <ul style="list-style-type: none"><li>(a) a motion shall not be required to be seconded;</li><li>(b) no vote shall be recorded;</li><li>(c) the number of times of speaking shall not be limited unless a Member moves to call the question.</li><li>(d) no Member shall speak more than once until every Member who desires to speak has spoken; and</li><li>(e) no motion to conclude the meeting shall be permitted.</li></ul> |
| Reports / Communications to be Considered | 22.6 | The Committee of the Whole shall consider reports or communications from the Regional Chair, Committee Chairs as required, Committees, the Chief                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

Administrative Officer, Commissioners and their designates, the Regional Solicitor, Auditor and Clerk. The Chair of each Committee shall move the adoption of the respective Committee Report as presented to Committee of the Whole.

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| Recommendations to Council | 22.7 | The Committee of the Whole shall make its recommendations to Council with regard to each report that it considers. |
| Council Approval           | 22.8 | Council may consider the adoption of the Committee of the Whole recommendations in one motion.                     |

## **23. COMMITTEES**

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| Council's Role             | 23.1 | Council shall determine the appropriate number of Committees, their membership, mandates and reporting practices.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| General Role of Committees | 23.2 | <p>The role of Committees shall generally be to:</p> <ul style="list-style-type: none"><li>(a) make recommendations to Council on matters which are in their jurisdiction;</li><li>(b) guide and request staff through the Chief Administrative Officer, to provide reports on the direction and nature of policy development, fact findings, analysis and generation of possible alternatives required; and</li><li>(c) receive public deputations and establish mechanisms to receive further public input on vital public policy matters.</li></ul>                                                                                                                                                                                                                                                                                                                             |
| Committee Procedures       | 23.3 | <p>The rules governing the procedure of Council and the conduct of Members at Council shall be observed in all Committees so far as they are applicable, and, subject to the specific rules for Committees set out in this section, including:</p> <ul style="list-style-type: none"><li>(a) a motion shall not be required to be seconded;</li><li>(b) no recorded vote shall be taken;</li><li>(c) the number of times of speaking on any question shall not be limited;</li><li>(d) no Member shall speak more than once until every Member who desires to speak has spoken;</li><li>(e) a majority vote shall be required to decide any matter before the Committee;</li><li>(f) the Committee Chair or Acting Chair may vote on all motions; and</li><li>(g) the rules relating to the introduction of new business shall be as set out in section 23.18 and 23.19.</li></ul> |

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| Regional Chair's Vote                      | 23.4  | The Regional Chair shall be an ex-officio member of each Committee and shall be counted for quorum purposes and entitled to vote at such meetings.                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Regional Chair-Idem                        | 23.5  | The Regional Chair shall not be eligible to be the Chair or Vice-Chair of a Standing Committee.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Term of Office                             | 23.6  | In the absence of a decision by the Council to the contrary or to terminate an appointment, Members shall be appointed to Committees by Council for the term of the Council or for the term set out in such appointment, and, until their successors are appointed, unless otherwise provided by law.                                                                                                                                                                                                                                                                                          |
| Regular meetings                           | 23.7  | <p>The regular meetings of Regional Committees shall be held in the York Region Administrative Centre, 17250 Yonge Street, Newmarket, Ontario, in accordance with the schedule adopted annually by Council, except:</p> <ul style="list-style-type: none"><li>(a) when otherwise directed by resolution of Council; or</li><li>(b) when the Regional Chair advises otherwise upon a minimum of 48 hours' notice, provided that this notice shall not be required in an emergency.</li></ul>                                                                                                    |
| Members' Rights                            | 23.8  | Members who are not members of a specific committee may attend meetings of that committee and may, with consent of the Chair of that Committee, take part in the discussion, but shall not be counted in the quorum or entitled to make motions or to vote at these meetings.                                                                                                                                                                                                                                                                                                                  |
| Election of Committee Chair                | 23.9  | The Clerk or his or her designate shall preside at the first meeting of each Committee in each calendar year for the purpose of electing a Chair of that Committee. This shall be done on a calendar year basis.                                                                                                                                                                                                                                                                                                                                                                               |
| Chair and Vice-Chair of Standing Committee | 23.10 | Each Committee shall, at the first meeting of the Committee in the first year of the term of Council, choose from its Members a Committee Chair and a Vice-Chair to serve in those positions for the calendar year or until their successors are appointed.                                                                                                                                                                                                                                                                                                                                    |
| Second, Third and Fourth Years             | 23.11 | In the second, third and fourth year of the term of Council, each Standing Committee shall choose from its number a Committee Chair and a Committee Vice-Chair to serve in those positions for that calendar year or until their successors are appointed. A Member of the Committee, who has served as Committee Chair or Committee Vice-Chair in the first, second and/or third annual term of the Committee during the term of the Council, is not prohibited from serving in the same position during the annual term in the second, third and/or fourth years of the term of the Council. |
| Absence of Chair and Vice-Chair            | 23.12 | In the event of the Chair of a Committee not attending the Committee at which he/she is to preside within fifteen (15) minutes after the time appointed for the commencement of the meeting, the Committee Vice-Chair shall call the meeting to order and preside until the arrival of the Committee Chair. Should the Committee Vice-Chair not be in attendance at the                                                                                                                                                                                                                        |

meeting, then, those Members in attendance shall appoint one of the Members to act in the place and stead of the Committee Chair and Committee Vice-Chair for that meeting. Such Member shall then call the Members to order and shall preside until the arrival of the Committee Chair or the Committee Vice-Chair.

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| Meetings                       | 23.13 | No Committees shall meet while Council is in session.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Cancellation/Rescheduling      | 23.14 | The Clerk may cancel or reschedule a meeting in consultation with the Chair of a Committee or the Regional Chair or the Chief Administrative Officer in the Regional Chair's absence.                                                                                                                                                                                                                                                                                                                                                                                                           |
| Special Meetings               | 23.15 | A Committee Chair after consultation with the Regional Chair may, at any time, summon a Special Meeting of Committee by providing written direction to the Clerk to issue a Notice of Special Meeting. Upon the receipt of a petition of the majority of the Members of a Committee, the Clerk shall summon a Special Meeting for the purpose and at the time noted in the petition.                                                                                                                                                                                                            |
| Agendas                        | 23.16 | <p>The Clerk, subject to such changes as may be appropriate in the circumstances, shall prepare for distribution Committee agendas with the order of business for regular meetings of Committees to be as follows:</p> <ul style="list-style-type: none"><li>(a) Declarations of Interest by Members;</li><li>(b) Presentations;</li><li>(c) Communications;</li><li>(d) Deputations;</li><li>(e) Reports;</li><li>(f) Other Business;</li><li>(g) Consideration of Matters in Private Session;</li><li>(h) Committee to Rise from Private Session; and</li><li>(i) Close of Meeting.</li></ul> |
| Notices and Agendas to Members | 23.17 | All Members shall receive all Notices and corresponding agendas for all Committees.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Additional Items               | 23.18 | Any matter which is within the Committee's terms of reference and which is not on the Committee Agenda or does not relate to a matter on the Agenda may be considered by the Committee if it agrees to consider it by a majority vote.                                                                                                                                                                                                                                                                                                                                                          |

Late  
Communications

- 23.19 Any communication to a Committee, received prior to a meeting of the Committee but not in sufficient time for inclusion with its Agenda, shall be reviewed by the Committee Chair or Clerk, and
- (a) if the communication is deemed by the Committee Chair or Clerk to pertain to a matter listed on the Agenda, it shall be submitted as a supplementary item for that meeting;
  - (b) if the communication is deemed by the Committee Chair or Clerk not to pertain to a matter listed on the Agenda, it shall be included on the Agenda for a subsequent meeting, unless the Committee Chair directs that it be submitted as an additional item at the meeting for which it was submitted, in which case the Committee shall determine whether or not it will consider it at that meeting or defer its consideration to a subsequent meeting; and
  - (c) if the communication is deemed by the Committee Chair or Clerk to require special study by the Committee, or one or more reports thereon from any Region official, it shall be placed on the Agenda for a subsequent regular meeting of the Committee, unless the Committee Chair is of the opinion that urgency requires that the communication be dealt with at the meeting for which it was submitted as an additional item.
- 23.20 If the communication is, in the opinion of the Committee Chair or Clerk, of a nature which may require advance consideration by a Council official or any other official or body, a copy of it shall be forwarded to the official or body concerned, and the official or body is authorized to submit a report which may be considered by the Committee whether or not it is included with a regular Agenda.

Closed Meetings

- 23.21 No meeting of a Committee shall be held in private session except in accordance with section 13.2.

Quorum

- 23.22 Subject to section 23.23, a quorum of a Committee of Council shall be calculated on the basis of a majority of the Members of Committee unless the Committee is comprised of an equal number, in which case, the quorum is one-half of the Members of the Committee. For this purpose the number of Members of the Committee shall include all of its Members with the exception of the Regional Chair within his or her ex officio capacity.
- 23.23 The Regional Chair, when present, shall be counted in making the quorum but not in determining the number of Members of a Committee.
- 23.24 If no quorum is present thirty minutes after the time appointed for a meeting, the Clerk shall record the names of the Members present, the meeting shall stand adjourned until the next meeting and all business will be deferred until that meeting. If the Members who are present at the time remain until a quorum is present, then the meeting shall proceed.

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|                                            | 23.25 | If no quorum is present during a Committee meeting for a period of fifteen minutes, the Clerk shall record the names of those Members present and the meeting shall stand adjourned until the next meeting and all business shall be deferred until that meeting.                                                                                                                                                                                                                                                                                                          |
|                                            | 23.26 | Notwithstanding any of the above provisions, a Committee may receive submissions or information from the public or staff on a matter when a quorum is not present so long as they are not with regard to a public hearing or meeting required by statute.                                                                                                                                                                                                                                                                                                                  |
| Informal<br>Information and<br>Submissions | 23.27 | Should a meeting be adjourned for lack of quorum and if there are matters of business that are deemed by the Chair or Chief Administrative Officer to be urgent or critical to be presented to the next meeting of Council, these matters may be placed on the Council Agenda as a report by the Commissioner or by the Committee acting without a quorum. A report of a Committee acting without quorum shall not contain any recommendations by the Committee. Otherwise, the items of business will be scheduled to be considered at the next meeting of the Committee. |
| Right to Expel                             | 23.28 | The Chair or Presiding Officer at a Committee has the right to expel or exclude any person from any meeting for improper conduct.                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Reconsideration                            | 23.29 | No Committee shall reconsider any question decided by the Council within a year after the Council decision nor consider any other matter which could involve a decision inconsistent with a Council decision.                                                                                                                                                                                                                                                                                                                                                              |
| Committee<br>Reports                       | 23.30 | All items considered by a Committee shall be forwarded to the Council in the form of a Committee Report, and only motions that carry shall be reported in the Committee recommendations.                                                                                                                                                                                                                                                                                                                                                                                   |
| Items Received                             | 23.31 | Unless otherwise directed by the Committee, items that are received by the Committee shall be reported to the Council under a Clause in the Committee report entitled "Update-Committee Proceedings". These items shall not be debated at the next Council meeting but may be referred to a subsequent meeting of the Council.                                                                                                                                                                                                                                             |
| Items Referred or<br>Deferred              | 23.32 | Items that are referred or deferred by a Committee shall be reported to the Council under a Clause in the Committee report.                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Receive and Take<br>No Action              | 23.33 | A recommendation of a Committee to receive a report which contains recommendations from a Region official, is deemed an action taken by the Committee and shall be reported to the Council as a Clause for consideration.                                                                                                                                                                                                                                                                                                                                                  |
| Receipt by<br>Council                      | 23.34 | Any item referred to in sections 23.31 and 23.32 shall be received by Council, unless Council decides, without debate, to refer the item back to the Committee for further consideration.                                                                                                                                                                                                                                                                                                                                                                                  |

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| Joint Committee Meetings  | 23.35 | A joint meeting of two Committees may be called by Council or by the Committee Chairs whenever it is considered necessary for the Committees to consider and report jointly on matters within their areas of responsibility.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Calling of Joint Meetings | 23.36 | Upon the receipt of a written request for a joint Committee meeting by a majority of Members of each of two Standing Committees, the respective Committee Chairs, or in the case of the illness or absence of one or both of them, the Clerk, shall summon a joint meeting of the Committees pursuant to section 23.35.                                                                                                                                                                                                                                                                                                                                                                                           |
| Chair                     | 23.37 | Where two or more Committees meet jointly, the Regional Chair shall chair the joint meeting.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Quorum                    | 23.38 | A quorum for the purpose of a joint meeting of Committees shall be the majority of the total Members of the participating Committees, with at least one Member present from each Committee. The Regional Chair and Members who sit on both committees are to be counted only once.                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Votes                     | 23.39 | Votes or questions put to a joint meeting of Committees shall be conducted as if both Committees involved were a single Committee and the results of each vote shall be treated as emanating from both of the Committees.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Special Committees        | 23.40 | Council may constitute a Special Committee, which, at the option of Council, may be termed a Task Force, to consider and report on a specific subject, project or undertaking. When a Special Committee has been appointed by Council, Council shall, by resolution, name the Member of that Special Committee who is to act as Committee Chair for the duration of the term of Council or until the Special Committee's final report. When a Special Committee has completed its work and made its final report to Council, the Special Committee shall be deemed to be discharged. The Regional Chair shall be ex-officio a Member of all Special Committees and shall have a vote at these Special Committees. |
| Motion to Discharge       | 23.41 | Where a question has been referred or a task has been assigned to a Special Committee and the Special Committee has not as yet made its final report to Council and a Member desires to take the matter out of the Committee's hands, either to permit Council itself to consider or act on the matter or so that the matter may be dropped, such action may be proposed by means of a notice of motion in Council to discharge the Committee.                                                                                                                                                                                                                                                                    |
| Deemed Discharge          | 23.42 | Special Committees, which have been established but do not convene and report to a Standing Committee or Council for a period of ten (10) consecutive months, shall be deemed to have been discharged.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Sub-Committees            | 23.43 | A sub-committee of a Standing Committee, consisting of members of the Committee only, may be established by Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

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| Terms of Reference of Special Committees and Sub-Committees | 23.44 | Any recommendation to establish a Special Committee or sub-committee shall include its terms of reference outlining:<br>(a) its membership;<br>(b) the matters to be dealt with; and<br>(c) when the matters will be reported on.                                                                         |
| Sub-Groups                                                  | 23.45 | No sub-groups of Special Committees or sub-committees shall be established without approval by Council.                                                                                                                                                                                                   |
| Delegated Hearing or Meeting                                | 23.46 | Where any statute confers a right to be heard by Council before the passing of a by-law, or where Council by statute is required to hold a public meeting before the passing of a by-law, such meeting or hearing may be held at the Committee having jurisdiction over the subject matter of the by-law. |

## **24. SUSPENSION OF BY-LAW PROVISIONS**

|            |      |                                                                                                                                             |
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| Two-Thirds | 24.1 | A motion to suspend or not to follow a rule of procedure established by this by-law shall not be passed without a two-thirds majority vote. |
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## **25. AMENDMENTS TO BY-LAW**

|               |      |                                                                                                                                                                                                  |
|---------------|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Majority Vote | 25.1 | This By-law shall not be amended or repealed except by a majority vote of Council.                                                                                                               |
|               | 25.2 | No amendment or repeal of this by-law shall be considered at any meeting of the Council unless notice or a report pertaining to the proposed amendment or repeal was listed on Council's Agenda. |

## **26. CONFLICT**

|                       |      |                                                                                                      |
|-----------------------|------|------------------------------------------------------------------------------------------------------|
| Conflict with Statute | 26.1 | If there is any conflict between this By-law and any statute, the provisions of the statute prevail. |
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## **27. ENACTMENT**

|                |      |                                                                   |
|----------------|------|-------------------------------------------------------------------|
| Repeal         | 27.1 | By-law No. A-0392-2007-089 and all amendments to it are repealed. |
| Effective Date | 27.2 | This By-law shall come into force on the date of its enactment.   |

ENACTED AND PASSED this 19th day of November, 2009

Denis Kelly  
\_\_\_\_\_  
Regional Clerk

Bill Fisch  
\_\_\_\_\_  
Regional Chair