

# PROCEDURE BY-LAW 7-2011 (CONSOLIDATED)



## CITY OF VAUGHAN

Amended by

By-law 166-2017 (January 1<sup>st</sup>, 2018)  
and By-law 111-2019 (June 12<sup>th</sup>, 2019)



# PROCEDURE BY-LAW

## TABLE OF CONTENTS

<b>1.0</b>	<b>INTRODUCTION.....</b>	<b>1</b>
1.1	PURPOSE STATEMENT.....	1
1.2	PRINCIPLES.....	1
1.3	COUNCIL COMMITTEE STRUCTURE.....	2
1.4	STATUTORY, AD HOC AND SUB- COMMITTEES.....	4
1.5	INTERPRETATION AND DEFINITIONS.....	7
<b>2.0</b>	<b>PUBLIC PARTICIPATION.....</b>	<b>10</b>
2.1	NOTICE.....	10
2.2	DEPUTATIONS AND PRESENTATIONS.....	13
2.3	DEPUTATIONS AT COUNCIL.....	15
2.4	CEREMONIAL PRESENTATIONS.....	15
<b>3.0</b>	<b>ROLES AND CONDUCT.....</b>	<b>16</b>
3.1	DUTIES OF THE CHAIR.....	16
3.2	DUTIES OF THE MAYOR.....	16
3.3	CLERK'S RESPONSIBILITIES.....	17
3.4	CITY MANAGER'S RESPONSIBILITIES.....	17
3.5	CONDUCT OF MEMBERS.....	17
3.6	EXPULSION FOR MISCONDUCT.....	18
3.7	PUBLIC ATTENDANCE AND CONDUCT.....	18
3.8	VIDEO OR AUDIO RECORDING EQUIPMENT.....	18
3.9	ELECTRONIC DEVICES.....	18
<b>4.0</b>	<b>GENERAL – COUNCIL AND COMMITTEE MEETINGS.....</b>	<b>19</b>
4.1	DECLARATION OF INTEREST.....	19
4.2	LENGTH OF MEETINGS.....	19
4.3	MOTIONS.....	20
4.4	RULES OF DEBATE.....	20
4.5	VOTING ON MOTIONS.....	21
4.6	ABORIGINAL TERRITORIAL ACKNOWLEDGEMENT.....	23
<b>5.0</b>	<b>COMMITTEES - CONDUCT OF BUSINESS.....</b>	<b>24</b>
5.1	CONDUCT OF BUSINESS – STANDING COMMITTEES.....	24
5.2	SPECIAL STANDING COMMITTEE MEETINGS.....	26
5.3	QUORUM.....	26
5.4	ABSENCE OF CHAIR.....	27
5.5	NEW BUSINESS.....	27
5.6	MEMBER'S RESOLUTION.....	27
5.7	CONDUCT OF BUSINESS IN COMMITTEES OTHER THAN STANDING COMMITTEES.....	27

<b>6.0</b>	<b>COUNCIL - CONDUCT OF BUSINESS .....</b>	<b>29</b>
6.1	COUNCIL MEETING TIME .....	29
6.2	SPECIAL COUNCIL MEETINGS .....	29
6.3	PREPARATION OF AGENDA .....	29
6.4	ADDENDUM ITEMS.....	30
6.5	CONDUCT OF BUSINESS .....	30
6.6	CALLING A MEETING TO ORDER AND QUORUM .....	31
6.7	DEPUTATIONS.....	31
6.8	BY-LAWS – READINGS .....	31
<b>7.0</b>	<b>GENERAL .....</b>	<b>32</b>
7.1	WAIVING THE RULES OF PROCEDURE .....	32
7.2	RECONSIDERATION OF A MATTER .....	32
7.3	POINTS OF ORDER OR POINTS OF PRIVILEGE .....	32
7.4	RECORDING EQUIPMENT .....	33
7.5	PROCEDURAL MATTERS NOT COVERED.....	33
<b>8.0</b>	<b>ATTACHMENTS .....</b>	<b>34</b>

# *THE CITY OF VAUGHAN*

# *BY-LAW*

## **BY-LAW NUMBER 7-2011**

**A By-law to govern the proceedings of Council and Committees of Council.**

The Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

### **1.0 INTRODUCTION**

#### **1.1 PURPOSE STATEMENT**

This procedural by-law establishes the principles and rules to be used for meetings of the Council of the City of Vaughan, for the Committees that report to it directly or indirectly, and for its local boards which have not adopted separate rules of procedure.

#### **1.2 PRINCIPLES**

- (1) The rules set out in this Procedural By-law are to be interpreted in accordance with these principles and all applicable law.
- (2) City Council is the decision making body and the decisions of Council are paramount in all matters within its authority. It is the role of Council's Committees to make recommendations to Council, but not to decide any matter unless specifically delegated to that Committee, so that the primacy of Council is preserved.
- (3) These principles and rules facilitate the decision making of City Council and are to be liberally interpreted so as to administer meetings in a manner which,
  - a. Is respectful of all participants.
  - b. Balances debate with the need to make recommendations and decisions in a timely manner.
  - c. Establishes clear outcomes.

- d. Provides for the hearing/consideration of input from interested parties in a pragmatic way.
  - e. Respects the statutory regime in which the City of Vaughan operates.
- (4) Council conducts the business of the municipality at its Committee and Council meetings.
- (5) The business of Council is to be conducted by all parties with respect and courtesy, even where there is vigorous debate or disagreement.

### 1.3 COUNCIL COMMITTEE STRUCTURE

#### (1) Inaugural Meeting

The first meeting of a newly elected Council after a regular election shall be held on the first Tuesday following November 15.

#### (2) Council/Committee Structure

The Council/Committee structure for the City of Vaughan shall consist of the following components.

- a. Council, consisting of all Members of Council.
- b. Standing Committees, consisting of all Members of Council, as follows:
  - i. Committee of the Whole

*Mandate:* Committee of the Whole shall have jurisdiction over all matters within City Council's authority which do not fall within the jurisdiction of another Standing Committee.

*Reporting:* Committee of the Whole reports directly to Council.

*Chair:* In months where there are meetings, Members of Council other than the Mayor will rotate each month as Chair of Committee of the Whole in alphabetical order.

*Meetings:* The Committee of the Whole shall generally be held twice a month in months where there are meetings, with the meetings being referred to as "Committee of the Whole 1" and

“Committee of the Whole 2”.

*Agenda:* The main Committee of the Whole agenda shall be available in print form on the Friday at least 7 working days prior to the meeting and posted on the Tuesday at least 5 working days prior to the meeting.

*Agenda Composition (Committee of the Whole 1):* All matters within City Council's authority which do not fall within the jurisdiction of another Standing Committee.

*Agenda Composition (Committee of the Whole 2):* All matters within City Council's authority which do not fall within the jurisdiction of another Standing Committee. There shall be a focus on matters that pertain to:

- (1) The City's finances, budget, audit function, and corporate administrative matters such as corporate policies.
  - a. These items will be identified in the agenda as “Finance, Administration and Audit” items.
- (2) The key strategic priorities and initiatives of the City as they are established from time to time.
  - a. These items will be identified in the agenda as “Priorities and Key Initiatives” items.
- (3) Which meet at least one of the following criteria:
  - a. Involve items which are considered by staff to be complex, preliminary, or exploratory, and for which a further report to a standing committee is anticipated at a later date; or
  - b. Involve a detailed presentation from staff or a third party,

c. These items will be identified in the agenda as  
“Working Session” items.

ii. Committee of the Whole (Closed Session)

*Mandate:* Matters which require consideration in the absence of the public, so long as such matters are in keeping with the closed meeting provisions of the Municipal Act.

*Reporting:* Committee of the Whole (Closed Session) reports directly to Council.

*Chair:* Chair of the Month for Committee of the Whole.

*Agenda:* The main Committee of the Whole (Closed Session) agenda shall be posted on the Friday prior to the meeting.

iii. Committee of the Whole (Public Hearing)

*Mandate:* To provide an evening forum to hear from interested parties on planning matters such as official plan and zoning amendments, so that staff may consider public comment prior to preparing a final report on the matter to Committee of the Whole.

*Reporting:* Committee of the Whole (Public Hearing) reports directly to Council.

*Chair:* Chair of the Month for Committee of the Whole

*Agenda:* The main Committee of the Whole (Public Hearing) agenda shall be posted on the Thursday prior to the meeting.

c. Such statutory committees as Council is obliged to establish.

d. Such Sub-Committees and Ad Hoc Committees that are established under this By-law.

#### 1.4 STATUTORY, AD HOC AND SUB- COMMITTEES

(1) Council shall at the beginning of each term of Council make appointments to such advisory committees or other bodies that it is obliged by law to make.



- (2) Council may at the beginning of each term of Council or at such times as it considers advisable make appointments to Ad Hoc Committees it considers are desirable for the effective governance of the City where:
- a. there is an absence of staff capacity or expertise on the subject, or there is a particular community of interest with a unique perspective on the proposed mandate;
  - b. there is a need for information gathering and analysis in order to inform subsequent deliberations at a Standing Committee; and
  - c. it is feasible to define a specific mandate and time frame for the Ad Hoc Committee to conduct its work.
- (3) Every Ad Hoc Committee shall:
- a. have a specific mandate;
  - b. be established for a specific term, which cannot exceed the term of Council and in no event for a term greater than the period anticipated to achieve its specific mandate;
  - c. be chaired by a person who is either a Member of Council or a member of the public as is identified in the Terms of Reference as being more appropriate;
  - d. report to a specified Standing Committee after every meeting;
  - e. not exercise decision-making powers, or commit expenditures save for those specifically delegated by Council;
  - f. not direct staff to undertake activities not already specified in the Committee's mandate, without authority from Council;
  - g. have defined Terms of Reference (Attachment 1); and
  - h. be supported by those staff specified by Council.
- (4) Council may establish such Sub-Committees it considers are desirable for the effective governance of the City and each such Sub-Committee shall:

- a. have a specific mandate;
  - b. be established for a specific term, which cannot exceed the term of Council and in no event for a term greater than the period anticipated to achieve its specific mandate;
  - c. be comprised of less than a majority of Council;
  - d. report to its Standing Committee after every meeting;
  - e. not exercise decision-making powers, or commit expenditures save for those specifically delegated by Council;
  - f. not direct staff to undertake activities not already specified in the Committee's mandate, without authority from Council;
  - g. have defined Terms of Reference (Attachment 1); and
  - h. be supported by those staff specified by Council.
- (5) The Notices, Agendas, Reports and other forms and documents used in respect of Standing Committees shall be used for other Committees, subject to the necessary changes being made.
- (6) Every Committee Agenda shall include one or more reports or presentation items.
- (7) Every Ad Hoc Committee (with the exception of Sub-Committees) shall submit a Findings Report at the conclusion of its mandate.
- (8) This by-law does not apply to:
- a. Committees established by other governments and bodies at which Members of Council are invited participants or appointed to sit on such body by Council, and which are governed by rules of procedure established by those bodies.
  - b. Meetings held by Council or a Committee for the purpose of holding a hearing as required by any statute, where the provisions of the statute and the Statutory Powers Procedure Act, as applicable, shall govern the proceedings.

- (9) All Ad Hoc Committees and Sub-Committees will terminate at the conclusion of their mandate or at the end of the Council term in which they were appointed, whichever is earlier.

## **1.5 INTERPRETATION AND DEFINITIONS**

In this By-law:

AD HOC COMMITTEE – a Committee appointed pursuant to 1.4 of this By-law.

CEREMONIAL PRESENTATION – The giving of an award, prize or other form of recognition, at a Committee of the Whole or Council meeting.

CITY - The Corporation of the City of Vaughan.

CITY CLERK – The City Clerk of the City of Vaughan or the Deputy City Clerk, or designate.

COMMITTEE - Committee of the Whole, Committee of the Whole (Closed Session), Committee of the Whole (Public Hearing), a Statutory Committee, an Ad Hoc Committee, or a Sub-Committee.

COUNCIL – The Council of the City of Vaughan.

COUNCIL MEMBER – An elected or appointed Member of Council.

DEPUTATION – An oral submission made by and at the request of a member of the public which may be supported by written material.

DEPUTY MAYOR – The Local and Regional Councillor with the most votes in the last general municipal election.

MAYOR – The head of Council.

MEETING - Any regular, special or other meeting of a Council, of a local board, or of a committee of either of them, where:

1. A quorum of Members is present; and,
2. Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, local board or committee:

*(amended by By-law 166-2017)*

MEMBER - A Member of Council or a Member of a Committee.

MEMBER'S RESOLUTION – A Member's report that makes recommendations to a Committee or to

Council.

MOTION – A Member’s formal proposal that Council or a Committee take certain action.

MOTION TO DEFER – To postpone action on a matter under discussion by the Council or Committee.

MOTION TO REFER – To direct a matter under discussion by the Council or Committee to a specific meeting of Council or a Committee, the City Manager or City staff, or to any Board of Council, the purpose for which is stated in the motion.

POINT OF ORDER – Bringing to the attention of the Chair that a person has broken a rule or made an error in procedures and asking that the Council or Committee meeting follow the rules or that the error in procedure be corrected.

POINT OF PRIVILEGE – A request to the Chair to immediately consider and take action to remedy a situation negatively affecting the rights or privileges of Council members or of Council as a whole, despite other pending business currently before Council.

PRESENTATION – the oral and/or visual provision of information that is not otherwise an item on the agenda for a meeting to which this By-law applies.

QUORUM – A majority of Members of Council or Members of a Committee.

RECESS – A temporary break in a meeting.

RECORDED VOTE – A vote for which the City Clerk records all members present and how they voted.

RULING – The Chair’s interpretation of the Procedural By-law to settle a procedural matter.

SPECIAL MEETING – A Council or Committee meeting other than a regular meeting, called in accordance with the rules of this Procedural By-law.

STAFF COMMUNICATION - Shall be a communication from City of Vaughan staff intended only for information purposes.

STAFF REPORT – A City official’s report that makes recommendations to a Committee or to Council.

STATUTORY COMMITTEE – A Committee or other body to which Council is obliged to make appointments.

STATUTORY HEARING – A public meeting on a matter for which a statute requires that a public hearing be held.

SUB-COMMITTEE – A committee comprised exclusively of Members of Council appointed pursuant to 1.4 of this By-law.

## **2.0 PUBLIC PARTICIPATION**

In addition to the other mechanisms and opportunities for the public to provide input to the municipality, in keeping with the principles of the procedural by-law, City Council will facilitate input from the public in the following ways:

### **2.1 NOTICE**

#### **(1) Schedule of Meetings**

The schedule of dates and times of regular Council and Committee meetings will be adopted by Council prior to the commencement of the new calendar year.

#### **(2) Public Notice of Meetings**

Public notice shall be given for all meetings of Committees and Council.

- a. Posting of the Schedule of Meetings on the City's website or the posting of a Notice of a special meeting, or the posting of a Notice of the cancellation or re-scheduling of a meeting shall be considered effective public notice.
- b. 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.
- c. Any meeting may be cancelled or rescheduled to a day, time and place set out in a notice from the City Clerk sent to each Member at least 24 hours in advance and posted to the City's web site.
- d. 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.

#### **(3) Open Meetings**

All meetings must be open to the public.

#### **(4) Closed Meetings**

- a. Notwithstanding Section 2.1(3), a meeting may be closed to the public if the subject matter being considered relates to those

subject matters identified in Sections 239(2), (2.1) and (3) of the *Municipal Act, 2001. (amended by By-law 166-2017)*

- b. Before all or part of a meeting is closed to the public, a resolution shall be passed by Council, the body proposing to hold the meeting, or the Standing Committee in session immediately prior to the commencement of the closed meeting, which shall state:
  - i) The fact of the holding of the closed meeting; and
  - ii) The general nature of the matter to be considered at the closed meeting.
- c. A meeting shall not be closed to the public during the taking of a vote.
- d. Notwithstanding subsection 2.1(4)c., a meeting may be closed to the public during a vote if:
  - i) Subsection 2.1(4) permits, or a meeting is required to be closed to the public; and
  - ii) The vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the City or local board, or persons retained by or under contract with the City or local board.

**(5) Location of Meetings**

All meetings of Council and Committee of the Whole shall be held in the Council Chambers or at any other place authorized by the Council in the case of a Council meeting, and by the City Manager in the case of a Committee of the Whole meeting. All meetings of other Standing Committees and Ad Hoc Committees shall take place in the room so noted on the Agenda for the meeting.

**(6) Special Meetings**

Except in cases of an emergency, notice of Special Meetings shall be posted on the City's web site 24 hours prior to the meeting.

**(7) Agenda Availability**

Council and Committee regular meeting agendas shall be available in the City Clerk's office and posted on the City's website.

**(8) Addendum Agendas**

Council and Committee addendum agendas shall be prepared, where possible, and may be introduced without notice. Addendum agendas shall be available in the City Clerk's office and posted on the City's website as soon as practicable.

**(9) Communications / Written Submissions (Agenda Item)**

- a. all Communications received by the City Clerk prior to the printing of the Committee agenda, that pertain to an item on that agenda, shall be listed under the heading 'Communications' on the agenda.
- b. all Communications received by the City Clerk after the printing of the Committee agenda, that pertain to an item on that agenda, shall be brought to the attention of the Committee by the City Clerk.
- c. all Communications received prior to noon on the last business day prior to the commencement of the meeting, that pertain to an item on the agenda, shall be circulated to Members of Council for their information and posted to the City's website as soon as practicable.
- d. Communications received for a Standing Committee after noon on the last business day prior to the commencement of the meeting may be referred directly to Council.
- e. Communications to be posted to the City's web site may be abridged as determined by the City Clerk to facilitate posting.
- f. Coloured renderings of building elevations circulated to a Committee as a Communication on an item may be appended to the item by the City Clerk without a formal motion to do so.
- g. Communications received for Council after noon on the last business day



prior to the commencement of the meeting may be referred to staff for consideration.

**(10) Staff Communications**

- a. Staff Communications are not required to be related to an item on the agenda.
- b. Staff Communications shall be listed under the heading 'Staff Communications' on the Committee or Council agenda.
- c. Staff Communications may be called for discussion; however no decisions shall be made by Committee or Council other than a request for further information, or that Committee or Council directs that a staff report be prepared for a future Committee meeting.
- d. The deadline for submitting a Staff Communication to the Office of the City Clerk for inclusion on an agenda shall be noon on the Friday prior to the meeting. Staff Communications are not permitted as addendums after this deadline.

**2.2 DEPUTATIONS AND PRESENTATIONS**

- (1) The public may address a Committee, with the exception of Committee of the Whole (Closed Session), on any item listed on the agenda without any prior notice.
- (2) The following provisions apply to deputations on an item not listed on a Standing Committee agenda:
  - a. A detailed written request shall be submitted to the City Clerk's Office by 12:00 noon on the Tuesday, of the third week prior to the meeting.
  - b. Deputations shall deal with municipal issues that are within the Committee's jurisdiction.
  - c. The City Clerk shall review the deputation request and if it meets the provisions of this by-law, shall place it on the next appropriate Standing

Committee agenda, provided that no deputations to Committee of the Whole (Closed Session) shall be permitted.

- d. For matters which are more properly within the responsibility of City staff, the City Clerk shall notify the proposed Deputant that the deputation shall not be listed on an agenda, and shall direct the proposed Deputant to the appropriate City department; the Deputant shall not be listed on an agenda for deputation until staff have had the opportunity to address the matter.
  - e. For matters which are more properly addressed by a specific Standing Committee, the Deputation shall be listed on the appropriate agenda of the next Standing Committee meeting.
  - f. A Deputant may be listed to appear in deputation regarding only one subject matter per meeting.
  - g. Where a person cannot be listed to provide a deputation at a given meeting, the City Clerk may schedule the Deputant to appear at the next meeting.
  - h. If a deputation is with respect to a recently considered matter, it shall not be heard within the next four of the Committee's regular meetings after the meeting at which it was originally considered, unless a reconsideration motion is passed.
  - i. Deputants wishing to provide any written material for consideration must provide it to the City Clerk's Office no later than 12:00 noon on the Friday prior to the meeting.
- (3) Deputants, other than deputations with respect to a statutory hearing, shall be given five (5) minutes to speak.
- (4) A deputation on behalf of an organization, corporation, association, or group, shall be made by a single representative.

- (5) No further deputations may be made in respect of a deputation placed on an agenda in accordance with this section.
- (6) The provisions of this section apply to Presentations made at Committee, with the exception that the Presentation may be up to ten (10) minutes in length.
- (7) The approximate time for the hearing of deputations and presentations shall be set out on the Committee's agenda.
- (8) Presentations expected to have a duration of longer than 10 (ten) minutes may be made to the appropriate Committee, if so directed by the City Clerk, in consultation with the City Manager.

### **2.3 DEPUTATIONS AT COUNCIL**

Deputations are not permitted at Council except with respect to a matter that requires a statutory hearing.

### **2.4 CEREMONIAL PRESENTATIONS**

- (1) A person or group wishing to make a Ceremonial Presentation shall submit a request to the City Clerk no later than 4:30 p.m. on the Friday prior to the meeting.
- (2) Ceremonial Presentations shall only be made with respect to matters within Council's purview and jurisdiction.
- (3) Ceremonial Presentations shall be heard at or near the commencement of the meeting.

### **3.0 ROLES AND CONDUCT**

#### **3.1 DUTIES OF THE CHAIR**

The Chair is responsible for:

- (1) Presiding over the meeting impartially in accordance with the Procedural By-law's rules and principles.
- (2) Accept motions which are moved and seconded and rule on whether they are in order.
- (3) Ensure that all Members have been given an opportunity to speak or ask questions on a motion that has been ruled in order.
- (4) Decline to put to vote motions which infringe on the principles and rules set out in this by-law.
- (5) Put all motions to a vote and announce the results.
- (6) Contain the Members within the rules of order, when engaged in debate.
- (7) Acknowledge when in order, and rule on any points of order or points of privilege declared by a Member.
- (8) Enforce the observance of order and decorum among the Members and any other person at the meeting.
- (9) Adjourn the meeting when all matters have been considered.

#### **3.2 DUTIES OF THE MAYOR**

- (1) In the absence of the Mayor, the Deputy Mayor acts as the Chair at Council. In the absence of the Mayor and Deputy Mayor at Council, the meeting shall be chaired by the Regional Councillor present who received the next most votes in the general election, and in their absence, the remaining Councillors shall appoint a Chair from amongst themselves.
- (2) In the absence of the Chair at Standing Committee meetings, the Mayor or his/her substitute determined in accordance with subsection (1), shall act as Chair.

### **3.3 CLERK'S RESPONSIBILITIES**

The City Clerk is responsible for the following:

- (1) Preparing and distributing the agendas, minutes, and any other related material for each meeting, enforcing deadlines, and providing appropriate notice.
- (2) Providing advice regarding meeting procedures and advising on effective governance in accordance with the principles set out in the By-law.
- (3) Preparing the appropriate records for all Committee and Council meetings and maintaining a record of the documents that can be available to the public on request.

### **3.4 CITY MANAGER'S RESPONSIBILITIES**

The City Manager is responsible for the following:

- (1) Approving the items and deputations to be placed on agendas and supplementary agendas except for Ad Hoc Committees;
- (2) Answering, or directing other staff to answer, such questions as may be put to him/her through the Chair.

### **3.5 CONDUCT OF MEMBERS**

No Member shall:

- a. Use offensive words or un-parliamentary language in or against the Council or against any Member;
- b. Speak on any subject other than the subject in debate;
- c. Criticize any decision of the Council or continue to debate the matter after it has been decided, except for the purpose of moving that the question be reconsidered;
- d. Disobey the rules of the Council or a decision of the Chair or of the Council on questions of order or practice or upon the interpretation of the rules of the Council; and where a Member persists in any such disobedience after having been called to order by the Chair, the Chair shall forthwith put the

question, no amendment, adjournment or debate being allowed, "that such Member be ordered to leave their seat for the duration of the meeting of the Council", but if the Member apologizes, they may be permitted to retake their seat; and

- e. Disclose any information that is identified or deemed to be confidential information.

### **3.6 EXPULSION FOR MISCONDUCT**

The Chair may expel or exclude from the meeting, any person, who, in the opinion of the Chair, has behaved improperly under the principles and rules of this by-law.

### **3.7 PUBLIC ATTENDANCE AND CONDUCT**

No one may display signs or placards, applaud debating participants, intimidate anyone in attendance, or engage in conversation or other behaviour that disrupts a meeting.

### **3.8 VIDEO OR AUDIO RECORDING EQUIPMENT**

The use of video or audio recording equipment or devices by members of the public or media during a meeting is permitted within the areas designated for that purpose by the City Clerk.

### **3.9 ELECTRONIC DEVICES**

All electronic devices including cellular telephones shall be placed in silent mode in the Council Chambers and Committee rooms during the course of meetings held under this By-law.

## **4.0 GENERAL – COUNCIL AND COMMITTEE MEETINGS**

### **4.1 DECLARATION OF INTEREST**

- (1) Members having declared an interest on any matter may not move, second or vote on the "adoption of items not requiring separate discussion", if the matter they have declared an interest is contained therein.
- (2) Members may not participate in the discussion, move, second or vote on a matter if they have declared an interest in the item being considered.
- (3) A declaration of interest does not prohibit a Member from moving, seconding, or voting on a matter of general procedure, including:
  - a. Confirmation of the Agenda.
  - b. Approval of the Minutes of a previous meeting.
  - c. An omnibus motion to adopt all by-laws presented for adoption at the meeting.
  - d. Confirming By-law.
- (4) A Member who has declared an interest in an item being discussed shall file with the City Clerk a written statement of the interest declared and its general nature, when the interest is declared or as soon as possible afterwards.
- (5) The City Clerk shall maintain a registry of declarations of interest filed by the Members and that registry shall be available for public inspection during normal business hours, and a summary of the declarations shall be posted on the City's website.

### **4.2 LENGTH OF MEETINGS**

- (1) Meetings scheduled to commence at either 11:00 am or 1:00 pm and which are in session at 6:01 pm will be adjourned unless otherwise determined by a vote of two thirds of the Members.
- (2) Meetings which are scheduled to commence at 7:00 p.m. and which are in session at 12:01 a.m. the following day will be adjourned unless otherwise determined by a

vote of two thirds of the Members present.

#### **4.3 MOTIONS**

- (1) Every motion, shall be read aloud, and when moved and seconded, shall be open for discussion.
- (2) A motion or an amendment thereto may not be withdrawn without the consent of the mover and seconder.
- (3) The Chair may not move or second any motion, but may vote on a motion.
- (4) The Chair may appoint a member to preside in their place and vacate the chair in order to move or second a motion. The Chair shall resume the chair following the vote on the matter.
- (5) An amendment which, in effect, is nothing more than a rejection of the main motion is not in order.
- (6) A Member may request the City Clerk to provide advance circulation of a motion he or she intends to move in respect to an item on the agenda for a meeting.

#### **4.4 RULES OF DEBATE**

- (1) The Chair shall maintain a list of Members who have requested to speak or to ask questions. The Chair shall designate Members to speak or to ask questions in the order in which they appear on the list.
- (2) No Member shall speak more than once, except if requested to give an explanation, until every Member on the Chair's speakers' list has spoken.
- (3) When a Member is speaking, no other Member shall pass between that Member and the Chair, or interrupt them, except to raise a point of order or a point of privilege.
- (4) A Member may speak to the same question for a maximum of five minutes, and, with leave of the Members, may be granted a five minute extension.
- (5) When an item is being discussed and one Member has the floor, another Member may ask a question only for the purpose of obtaining information necessary for a clear understanding of the matter under debate. If an interruption occurs, the



Member who had the floor does not lose it; as soon as the interruption has been disposed of, the Chair shall direct the member to proceed.

- (6) All questions shall be stated succinctly and questions shall not be used as a means of making statements or assertions.
- (7) Questions may be asked only of:
  - a. Staff;
  - b. The Chair;
  - c. The previous speaker; and
  - d. A Deputant.
- (8) When a member of staff or a Deputant is on the floor to answer questions, the Chair shall enquire of the other Members whether they have questions of that person, in which case the Chair shall permit such Members to ask questions, after which the Member who had the floor may resume speaking for the duration of his or her allotted time.
- (9) A Member may not ask a question if the Chair rules that such question, in substantially similar form and content, has already been asked and answered.
- (10) When a motion to refer or to defer the question is on the floor, no Member shall address any other topic other than the motion to defer or refer.

#### **4.5 VOTING ON MOTIONS**

- (1) Every Member present at a meeting when a question is put shall vote thereon unless prohibited by statute, in which case it shall be so recorded.
- (2) A request by a Member for a recorded vote shall be made immediately prior to the commencement of the vote being taken, or immediately thereafter.

- (3) Members present and voting shall each indicate in turn their vote upon the motion openly and no vote shall be taken by ballot, or any other method of secret voting.
- (4) If there is an equality of votes on any question, the vote shall be deemed to have not carried.
- (5) If a Member does not vote on the question, they shall be deemed as voting in the negative except where prohibited from voting by statute.
- (6) When a recorded vote is requested by a Member, or is otherwise required, the City Clerk shall call the vote in random order following the name of the Member who requested the recorded vote. The City Clerk shall record the name and vote of every Member on the question.
- (7) A recorded vote shall not be conducted at meetings other than Council.
- (8) When the Chair calls for a vote on a question, each Member shall occupy their seat and shall remain in their seat until the result of the vote has been declared by the Chair, and during such time no Member shall speak to any other Member or make any noise or disturbance.
- (9) After a question is put by the Chair, no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.
- (10) Upon the request of any Member, and when the Chair is satisfied that a question under consideration contains distinct proposals, the vote upon each proposal shall be taken separately.
- (11) When a vote is taken, unless otherwise decided by the Council, the order of the vote shall be as follows:
  - a. Upon a motion to receive the matter;
  - b. Upon any motion to refer, including a motion to defer the question;

- c. Upon the amendments in the reverse order of presentation, dealing with an amendment to an amendment immediately before the amendment it proposes to amend; and
  - d. Upon the motion to adopt or upon the motion to adopt as amended, if any amendments have been carried.
- (12) One or more report items on a meeting agenda other than a Committee of the Whole (Public Hearing) or a meeting required by Statute may be adopted in a single motion.

#### **4.6 ABORIGINAL TERRITORIAL ACKNOWLEDGEMENT**

The aboriginal territorial acknowledgement shall be read prior to the commencement of every regular or special Council, Committee and Statutory Committee meetings.

## **5.0 COMMITTEES - CONDUCT OF BUSINESS**

### **5.1 CONDUCT OF BUSINESS – STANDING COMMITTEES**

- (1) No Committee may make a decision on any matter unless that power has been delegated to the Committee by Council.
- (2) Every Committee meeting is to have an Agenda on which are listed one or more Staff Reports or Presentations.
- (3) An item that is not on the agenda as printed shall require a two-thirds majority vote of the members present to be added as an Addendum to a Standing Committee agenda.  
  
Addendum Items are not permitted at Committee of the Whole (Public Hearing) and at special Committee meetings.
- (4) The City Clerk shall prepare a Committee Report following every meeting of a Standing Committee or an Ad Hoc Committee.
- (5) Ad Hoc Committee Reports shall be placed on the agenda for their respective designated Standing Committees, and once considered by the Standing Committee, the Standing Committee's consideration shall be noted in the Standing Committee's report to Council under "Other Items Considered by the Committee".
- (6) The City Clerk shall submit Ad Hoc Committee recommendations to the Ad Hoc Committee's designated Standing Committee so that such recommendations may be considered as an item on its agenda.
- (7) Every Committee agenda shall have listed on it the Communications addressed to the Committee which pertain to an item on the agenda and which were received prior to the printing of the agenda or an Addendum agenda, as the case may be.
- (8) There shall be no recorded vote in Standing Committee meetings.
- (9) Standing Committees shall report to Council on all matters connected with

their duties or referred to them by the Council and shall recommend such action as they deem necessary, unless the matter has been deferred or referred in accordance with this By-law.

- (10) The deferral or referral of an item by a Standing Committee may be done without the matter being considered by the Council, so long as the deferral or referral is stated in the Standing Committee Report under the section titled "Other Items Considered by the Committee".
- (11) Unless deferred or referred in accordance with this by-law, all Staff Reports containing a recommendation that action be taken must be submitted to Council as an item in the Committee Report. A recommendation of a Committee to receive a report which contains substantive recommendations from a City official is deemed an action taken by the Committee and shall be reported to the Council as an item for consideration.
- (12) The record of the proceedings of Standing Committees will be in the form of a Committee Report, which shall contain:
  - a. The beginning and ending time of meeting.
  - b. The Members present.
  - c. Any declaration of interest declared by any Member.
  - d. A record of each item or Communication before the Standing Committee for consideration.
  - e. Recommendations to Council on each item before the Standing Committee for consideration and where no recommendation has been reached the item will be forwarded to Council without recommendation.
  - f. The names of all deputants appearing before the Standing Committee.
  - g. A section titled "Other Items Considered by the Committee" in which

are listed any deferrals, referrals, the disposition of Communications, and any other procedural matters of significance.

## **5.2 SPECIAL STANDING COMMITTEE MEETINGS**

### **(1) Convening a Special Standing Committee Meeting**

- a. In addition to its regular meetings, a meeting of the Committee of the Whole shall be constituted whenever a majority of members present decide that Council shall convene a Committee of the Whole to consider a matter or matters during a regular or special meeting of Council.
- b. The Mayor or the City Manager may at any time summon a special meeting of a Standing Committee on 24 hours notice to the Members.
- c. When so requested in writing or by e-mail by a majority of the Members, the Mayor or City Clerk shall summon a special meeting of a Standing Committee on 24 hours notice to the Members.
- d. In circumstances of an emergency, the Mayor or the City Manager may direct that the City Clerk summon a special meeting of Committee on less than 24 hour notice, and all Members shall be notified of the special meeting of Committee either personally or by electronic mail, or by any other means necessary, and the meeting shall proceed if a majority of Committee members agree to the Committee Meeting by giving written consent to the City Clerk personally before the beginning of the Committee Meeting.
- e. Only the matter for which the special meeting has been called may be considered at a special meeting, and no addendum items shall be permitted.

## **5.3 QUORUM**

Quorum of a Standing Committee shall be five (5).

If no quorum is present thirty (30) minutes after the time scheduled for a meeting, the City Clerk shall call the roll and record the names of the Standing Committee Members present, and the meeting shall stand adjourned until the next day of the regular meeting.

#### **5.4 ABSENCE OF CHAIR**

If the Standing Committee Chair is not present for a period of fifteen minutes after the time scheduled for the meeting to commence, then the Chair for that meeting shall be determined in accordance with section 3.2.

#### **5.5 NEW BUSINESS**

Matters that may be introduced as “New Business” include matters of a general nature and requests for staff to attend public and/or neighbourhood meetings held after normal working hours.

Requests for staff reports for matters raised under “New Business” shall be put over to a future Committee Meeting, allowing adequate time for the preparation and consideration of these reports.

“New Business” is not permitted at Committee of the Whole (Public Hearing) and at special meetings of a Committee.

#### **5.6 MEMBER’S RESOLUTION**

- (1) Members of Council may submit recommendations on matters within the jurisdiction of a Standing Committee by submitting a Member’s Resolution in a format satisfactory to the City Clerk.
- (2) Member’s Resolutions that are received by the City Clerk after the printing of the agenda for a Committee may be added to the agenda as an addendum.

#### **5.7 CONDUCT OF BUSINESS IN COMMITTEES OTHER THAN STANDING COMMITTEES**

- (1) The principles and rules respecting the conduct of business of Standing Committees shall apply to the business of other Committees unless such a provision is inconsistent with the provisions of this Section 5.7 in which case the latter shall govern.
- (2) The record of the proceedings of Committees other than Standing Committees will be in the form of a Committee Report, which shall contain:

- a. The beginning and ending time of meeting.
  - b. The Members present.
  - c. Any declaration of interest declared by any Member.
  - d. A record of each item or Communication before the Committee for consideration.
  - e. Any recommendations to the Committee's designated Standing Committee on each item before the Standing Committee.
  - f. The names of all deputants appearing before the Standing Committee.
- (3) Every recommendation made by a Committee other than a Standing Committee that requires Council's decision to implement shall be reported by the City Clerk as an item on the next agenda of the appropriate Standing Committee.



## **6.0 COUNCIL - CONDUCT OF BUSINESS**

### **6.1 COUNCIL MEETING TIME**

Unless otherwise provided by a Resolution of Council, a meeting of Council shall be held at 1:00 p.m. on the dates established and adopted by Council.

### **6.2 SPECIAL COUNCIL MEETINGS**

#### **(1) Convening a Special Council Meeting**

- a. The Mayor, may at any time, summon a special meeting of Council on 24 hours notice to the Members, or upon receipt of the petition of the majority of the Members, the City Clerk shall summon a special meeting on 24 hours written notice to the Members for the purpose and at the time mentioned in the petition.
- b. The only business to be dealt with at a special meeting is that which is listed in the notice of the meeting.
- c. In circumstances of an emergency, the Mayor, or in the absence of the Mayor, the Deputy Mayor may direct that the City Clerk summon a special meeting of Council on less than 24 hour notice, and all Members shall be notified of the special meeting of Council either personally or by electronic mail, or by any other means necessary, and the meeting shall proceed if a majority of Council members agree to the Council meeting by giving written consent to the City Clerk personally before the beginning of the Council Meeting.
- d. The City Clerk shall as soon as practicable cause Notice of the special meeting to be posted to the City's web site.

### **6.3 PREPARATION OF AGENDA**

Prior to each regular meeting, the City Clerk shall prepare an agenda of all the business to be brought before the meeting. No matter shall be placed on the Council agenda unless it has

already been considered by a Standing Committee, is a Communication in respect of an item, is an Addendum item, is a by-law whose authority has been previously passed or is anticipated to be passed at the meeting, or is a Ceremonial Presentation authorized by the City Manager.

#### **6.4 ADDENDUM ITEMS**

An item that is not on the agenda for Council as printed shall require a unanimous vote of the members present to be added to the agenda.

#### **6.5 CONDUCT OF BUSINESS**

- (1) The principles and rules respecting the conduct of business of Standing Committees shall apply to the business of Council unless such a provision is inconsistent with the provisions of this Section 6.5 in which case the latter shall govern.
- (2) In meetings of Council, recorded votes are permitted.
- (3) Standing Committees shall report to Council on all matters connected with their duties or referred to them by Council and shall recommend such action as they deem necessary.
- (4) No item set out under 'Other Items Considered by the Committee' in a Committee Report may be debated by Council without the assent of 2/3 of the Members voting.
- (5) The record of the proceedings of Council will be in the form of Minutes which shall contain:
  - a. The beginning and ending time of meeting.
  - b. The Members present.
  - c. Any declaration of interest declared by any Member.
  - d. A record of each item adopted and/or amended by Council.
- (6) The City Clerk shall prepare the minutes of the last regular meeting of Council and all subsequent Council meetings held more than five working days before the regular Council meeting. The minutes shall be delivered to Members of Council not less than 48 hours prior to a regular Council meeting.

- (7) Minutes of previous Council meetings shall be considered at the next regular meeting of Council. Council shall pass a motion to adopt the minutes as prepared or amend the minutes for any corrections or changes. The Mayor and City Clerk shall sign the minutes after they have been adopted.

#### **6.6 CALLING A MEETING TO ORDER AND QUORUM**

The Mayor or Chair shall take the chair and call the meeting to order as soon as quorum is present after the hour fixed for holding the meeting.

#### **6.7 DEPUTATIONS**

Deputations are not permitted at Council except with respect to a matter that is identified as requiring a statutory hearing.

#### **6.8 BY-LAWS – READINGS**

- (1) The City Clerk may place on a Council agenda by-laws that have been authorized by Council or regarding which the authority for adoption is contained within an item on the agenda for that meeting.
- (2) All by-laws may be enacted with a single motion but the motion may be divided on the request of a member who has declared an interest in the matter.
- (3) The City Clerk is hereby authorized to make minor deletions, additions or other administrative changes to any by-law before it is signed and sealed, to insure that the correct and complete implementation of the actions of Council form the subject matter of the by-law. Members of Council shall be advised by the City Clerk of such changes by written notice.

## **7.0 GENERAL**

### **7.1 WAIVING THE RULES OF PROCEDURE**

Two-thirds vote is required to waive the rules of procedure for the Procedural by-law unless prescribed by statute.

The following Rules cannot be waived:

- a. Rules pertaining to quorum.
- b. Rules pertaining to the introduction of “New Business” at special meetings and at Committee of the Whole (Public Hearing).
- c. Rules respecting the introduction of an Addendum at Council.

### **7.2 RECONSIDERATION OF A MATTER**

- (1) If a matter has been previously considered, it shall not be reconsidered by such body within the next four (4) of its regular meetings after the meeting at which it was originally considered, without the consent by at least a two-thirds vote of the Members present.
- (2) “Considered” shall mean those matters for which the Members at the meeting have decided upon, and shall not include the receipt of information where no action has been sought or taken.

### **7.3 POINTS OF ORDER OR POINTS OF PRIVILEGE**

#### **(1) Points of Order**

A Member may interrupt the person who has the floor to raise a point of order when such Member feels that there has been a deviation or departure from the rules of procedure and upon hearing such point of order, the ruling of the Chair shall be final unless the Member appeals the ruling to Council which shall then decide upon the question without debate.

#### **(2) Points of Privilege**

A Member may rise at any time on a point of personal privilege where such Member feels that his or her integrity or the integrity of the Council has been impugned by

another Member and upon hearing such point, the ruling of the Chair shall be final unless the Member appeals the ruling to Council which shall then decide upon the question without debate.

**(3) Breach of Privilege**

Where the Chair recognizes that a breach of privilege has taken place, the Chair shall demand that the offending Member apologize, and failing such apology shall require such Member to vacate the Council Chamber for the duration of the meeting.

**(4) Dispute with Respect to a Matter of Procedure or Privilege**

Where there is a dispute with respect to a matter of procedure or privilege in the course of a meeting, the Chair shall give consideration to all applicable rules and principles and render a ruling, and, subject to the ruling of the Chair being challenged and overturned, that ruling shall stand for the purpose of administering the meeting at which it is made.

**(5) Appeal of a Decision**

Any Member may appeal the decision of the Chair to the Council which shall decide the question "that the decision of the Chair be sustained" without debate upon a majority vote of the Members present.

**7.4 RECORDING EQUIPMENT**

Recordings of the proceedings of Council and Committee of the Whole meetings shall be carried out by the City Clerk or designate, and shall be retained in the City Clerk 's Department for 90 days following the meeting.

**7.5 PROCEDURAL MATTERS NOT COVERED**

Where any matter relating to proceedings arises which is not covered by a provision of this By-law, the procedure to be followed shall be decided by reference to the principles set out in Section 1.2 of this By-law and if necessary to Roberts Rules of Order.

**8.0 ATTACHMENTS**

Where provided, documents referenced in the Procedure By-law shall be in a form satisfactory to the City Clerk.

Enacted by City of Vaughan Council this 25<sup>th</sup> day of January, 2011.

\_\_\_\_\_  
Hon. Maurizio Bevilacqua, Mayor

\_\_\_\_\_  
Jeffrey A. Abrams, City Clerk

Authorized by Item No. 7 of Report No. 43  
of the Committee of the Whole  
Adopted by Vaughan City Council on  
December 14, 2010

