

**Consolidated of By-law 22-051 as amended by By-law 23-025**

By-Law Number 22-051

of

The Regional Municipality of Waterloo

A By-law to Provide Rules for Governing the Proceedings of Council and its Committees, and to repeal By-Law 00-031, as amended

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The Council of The Regional Municipality of Waterloo, pursuant to the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended enacts as follows:

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## Part 1 – Introductory Information

### 1. Definitions

- 1.1. "Abstain" means a member who refuses to vote (abstain) will be recorded as voting in the negative.
- 1.2. "Act" means the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended or re-enacted from time to time.
- 1.3. "Acting Chair" means the member appointed by by-law to act from time to time in the place of the Chair, pursuant to Section 16 and Section 65.2.
- 1.4. "Addendum" means additional item(s) added to the agenda following its initial publication.
- 1.5. "Ad Hoc Committee" means a committee created by Council with a defined ending, to report directly to Council on a specific matter.
- 1.6. "Advisory Committee" means a committee created by Council, to report to Staff or a designated Committee on a specific subject.
- 1.7. "Agenda" means the business to be considered at a regularly scheduled meeting, which has been circulated according to the rules of procedure.
- 1.8. "Board of Health" is composed of all members of the Council of the Regional Municipality of Waterloo and has the powers, rights and duties of a board of health under the *Municipal Act, 2001, S.O. 2001, c. 25 s. 474.21* and the *Health Protection and Promotion Act, 2002, c.17, Sched. A, s. 91*.
- 1.9. "Chair" means the Chair of a meeting.
- 1.10. "Chief Administrative Officer" means the Chief Administrative Officer (CAO) of the Regional Municipality of Waterloo.
- 1.11. "Clerk" means the Regional Clerk of the Regional Municipality of Waterloo.
- 1.12. "Closed Session" means a meeting or part of a meeting of Council or a Committee not open to the public, held in accordance with the *Municipal Act*.
- 1.13. "Committee" means any Standing, Advisory, Ad Hoc or other committee, subcommittee or similar entity established by Regional Council and composed of members.
- 1.14. "Committee of the Whole" means all the members of Council present sitting in Committee of the Whole Council.
- 1.15. "Concurring Vote" means a vote of the majority of members present necessary to carry any resolution or other measure.
- 1.16. "Conflict of Interest" means a direct or indirect pecuniary interest as described in the *Municipal Conflict of Interest Act*.
- 1.17. "Consent Agenda" means the routine, general items that are dealt with by Regional Council or Standing Committee without discussion.
- 1.18. "Council" means the Council of the Regional Municipality of Waterloo.
- 1.19. "Council Bar" is the physical divider in the Council Chamber that separates Council and Council Committees from the public gallery.
- 1.20. "Defer" means that a matter or item before the Council or Committee of Council, is to be dealt with at the next or specified meeting of the same body.
- 1.21. "Delegation" means any person, group of persons, organization, agency, board or service partner who wish to speak to Council or Committee on a matter where a decision by Councillors may be required.
- 1.22. "Electronic Device" means computers, cellphones, smartphones, personal digital assistants, smartwatches, tablets, voice recorders, cameras or any other similar device.
- 1.23. "Electronic Participation" means a Council or Committee Member who participates in a meeting as defined in Section 15 remotely via electronic means (e.g. video or audio teleconference)
- 1.24. "Ex-officio" means by virtue of the office, the Regional Chair is an ex-officio member and may attend all Regional Committees and shall have full voting

- privileges, and shall not be obligated to attend meetings of the Committee or be counted for the purposes of the Committee's quorum.
- 1.25. "Improper Conduct" means behaviour that is disruptive or obstructs in any way the deliberations and/or proper actions of Council, or conduct that negatively affects the observance of order and respect.
  - 1.26. "Lay on the table" means to postpone discussion indefinitely in such a way that discussion may resume at any time, at the same or a future meeting. A majority of votes of members present is required to remove the item from the table.
  - 1.27. "Leave of Council" means a consensus of Council; that no member objects.
  - 1.28. "Library Board" means a board consisting of representatives on the Council of The Regional Municipality of Waterloo from lower tier municipalities that had the status of a Township on December 31, 2002 as per the *Public Libraries Act, 2002, c. 17, Sched. A, s. 91* and as described in the *Municipal Act, 2001, S.O. 2001, c. 25 s. 474.16 (1) and (2)*.
  - 1.29. "Local Board" means a public library board, board of health, or any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities, excluding a school board, police service board and a conservation authority, and other similar entities defined by legislation;
  - 1.30. "Media Advisory" means an electronic or other notice sent to a listing of media outlets, including newspapers, radio and television located within Waterloo Region. This media list is maintained by Corporate Communications.
  - 1.31. "Meeting" means any regular or special Council or committee meeting, including both open and closed session, when a quorum is present as defined in the *Municipal Act* and includes meetings where some or all Members are attending via electronic participation.
  - 1.32. "Member" means a member of the Council, or any of its Committees including the Chair of Council.
  - 1.33. "Motion (Substantive or Main)" means any motion except one of the following (refer to section 45 for more information):
    - 1.33.1. extend the time of the meeting
    - 1.33.2. refer
    - 1.33.3. amend
    - 1.33.4. lay on the table
    - 1.33.5. postpone indefinitely or to have a day certain
    - 1.33.6. adjourn
  - 1.35. "Motion (Subsidiary)" means one which affects the disposition of a substantive or main motion, by bringing it to an immediate vote, by delaying or by deferring a decision thereon.
  - 1.36. "Notice of Motion" means a written notice, given by a member, advising Council that the motion described therein will be brought forward at a subsequent meeting (refer to section 52 for more information).
  - 1.37. "Pecuniary Interest" means a direct, deemed, or indirect financial benefit of a member as defined in the *Municipal Conflict of Interest Act*.
  - 1.38. "Personal Privilege" means the raising of a question which concerns a member of Council, or the Council collectively, when a member believes that their rights, protections or integrity or the rights, protections or integrity of Council as a whole have been challenged or attacked.
  - 1.39. "Point of Information" means a request directed to the Chair, or through the Chair to another member or to the staff, for information

- relevant to the business at hand, but not related to a Point of Procedure.
- 1.40 "Point of Order" means a statement made by a member during a meeting, drawing to the attention of the Chair a breach of the Rules of Procedure.
- 1.41 "Point of Procedure" means a question directed to the Chair to obtain information on a matter of parliamentary law or the rules of Council bearing on the business at hand, in order to assist a member to make an appropriate motion, raise a point of order, understand the parliamentary situation or the effect of a motion.
- 1.42 "Presentation" means an informal presentation or demonstration given by Regional staff or representative(s) associated with an organization, agency, board or service partner concerning Regional projects, initiatives, programs or services.
- 1.43 "Quorum" is
- 1.43.1 in the case of Council, 9 members.
- 1.43.2 in the case of a Committee, a quorum will be a majority of the members of the Committee.
- 1.44 "Recorded Vote" means the recording of the name and vote of every member voting on any matter or question.
- 1.45 "Regional Chair" means the Regional Chair of the Regional Municipality of Waterloo or designate.
- 1.46 "Refer" means that a matter or item before the Council or Committee of Council, is to be directed to a future meeting of a different body.
- 1.47 "Regional Corporation" means the Regional Municipality of Waterloo.
- 1.48 "Resolution" means a formal determination made by Council or a Committee on the basis of a motion, duly placed before a regularly constituted meeting of Council or a Committee for debate and decision, and duly passed.
- 1.49 "Rules of Procedure" means the rules and regulations provided in this By-law.
- 1.50 "Special Enquiry" includes a request for detailed- investigative, statistical or technical information, study or report, where the amount of staff time required to complete the request exceeds 7 hours.
- 1.51 "Special Meeting" means a meeting other than a regularly scheduled meeting, called pursuant to the Act or the provisions of this By-law, which is focused on one or more particular and specific items or subjects.
- 1.52 "Standing Committee" means such Committees of Council as are so designated by the Council by resolution.
- 1.53 "Tie Vote" means an equality of votes and the question being voted on is deemed lost.
- 1.54 "Two-Thirds Vote" means the affirmative vote of at least two-thirds of the members present at a meeting and eligible to vote.

## **2. Purpose and Principles**

- 2.1 Purpose
- 2.1.1 Those proceedings of the Council and its Committees, the conduct of Members and the calling of meetings shall be governed by the provisions of the *Municipal Act, 2001, S.O. 2001, c. 25*, the *Municipal Conflict of Interest Act*, and the rules and procedures contained in this By-law.
- 2.1.2 Those proceedings of the Council and the standing committees thereof not specifically governed by the provisions of this by-law shall be regulated in accordance with generally accepted

parliamentary procedure contained in Robert's Rule or Order.

- 2.1.3 The Committees and the conduct of its members, and wherever possible, with the necessary modifications, Advisory and Ad-Hoc Committees will also be guided by the above procedures unless otherwise provided.

## 2.2 Principles

- 2.2.1 Each member has the right to:

- 2.2.1.1 Vote, subject to the declaration of pecuniary interest;

- 2.2.1.2 Information to help make decisions, unless otherwise prevented by law;

- 2.2.1.3 An efficient meeting; and

- 2.2.1.4 Be treated with respect and courtesy.

- 2.2.2 No item shall be placed on an agenda with respect to a matter which is not within the jurisdiction of Council or Committee. The Chair, in consultation with the Clerk, will determine if a matter is within the jurisdiction of Council or Committee.

- 2.2.3 In the event of conflict between the provisions of this by-law and the Act, or any other legislation, the provisions of the legislation shall prevail.

## 2.3 Suspension of Rules

- 2.3.1 No provision of this by-law shall be suspended except by an affirmative vote of at least two-thirds of the members present for each incidence of suspension of the rules.

- 2.3.2 The suspension shall only apply to the procedure(s) or rule(s) which are stated within the motion to suspend and only during the meeting in which such motion was introduced.

- 2.3.3 The following procedure(s) or rule(s) cannot be suspended:

- 2.3.3.1 Majority of members for quorum.

## Part 2 – Office and Duties of the Chair/Regional Chair

### 3. Role and Duties of The Chair

- 3.1 As designated by the *Municipal Act 2001, c. 25, s. 243*, the Chair shall have one vote on any question. In the event of an equality of votes, the Chair will not have an extra casting vote.
- 3.2 It shall be the duty of the Chair, with respect to any meetings over which the Chair presides, to:
- 3.2.1 open the meeting of Council by taking the chair and calling the members to order;
  - 3.2.2 announce the business before the Council and the order in which it is to be acted upon;
  - 3.2.3 receive and submit, in the proper manner, all motions presented by the members of Council or Committee, as the case may be, which do not contravene the rules and regulations of Council;
  - 3.2.4 put to a vote all motions, which are moved and seconded, or necessarily arise in the course of the proceedings, and to announce the result;
  - 3.2.5 decline to put to a vote, motions which infringe upon the Rules of Procedure, or which are beyond the jurisdiction of Council;
  - 3.2.6 enforce the Rules of Procedure;
  - 3.2.7 restrain the members, when engaged in debate, within the Rules of Procedure;
  - 3.2.8 enforce on all occasions, the observance of order and decorum among the members;
  - 3.2.9 call by name any member persisting in a breach of the Rules of Procedure and order the member to vacate the meeting room;
  - 3.2.10 permit questions to be asked through the Chair of any officer of the Regional Corporation in order to provide information to assist any debate when the Chair deems it proper;
  - 3.2.11 rule on any points of order raised by members;
  - 3.2.12 inform the members of the proper procedure to be followed;
  - 3.2.13 to maintain order and where it is not possible to maintain order, the Chair may without any motion being put, adjourn the meeting to a time to be named by the Chair, and
  - 3.2.14 adjourn the meeting when the business is concluded.

### 4. Role and Duties of The Regional Chair

- 4.1 The Regional Chair shall act as spokesperson and co-ordinate the presentation of the Region's position to the public and other external public bodies, agencies and organizations as outlined in the *Municipal Act 2002, c.25, s.225*
- 4.2 It shall be the duty of the Regional Chair, with respect to any meetings over which the Regional Chair presides to:
- 4.2.1 provide information or advice to members of Council on any matter touching on the business of the Regional Corporation;
  - 4.2.2 select members who are to serve on committees other than Standing Committees, in consultation with Council; and
  - 4.2.3 authenticate by signature all by-laws, resolutions, and minutes of Council.
- 4.3 Chair of the Council as Ex Officio:
- 4.3.1 The Regional Chair of the Council is ex officio a member of all Standing, Advisory, Ad Hoc or other committee, subcommittee or similar entity of Council.
  - 4.3.2 Where a Committee is established by reference to a particular number of members without specifically providing for the membership of the Chair of the Council, such number is automatically increased by one, being the Chair of the Council, as provided under Subsection 4.3.1.



4.3.3 The Regional Chair of the Council may vote and otherwise participate in the business of the Committee without any restriction on the same basis as any other Committee member.

4.4 Seating At Council Table:

4.4.1 Order of seating at the Council Table shall be assigned at the beginning of the Term by the Regional Chair in consultation with Regional Council.

## **5. Participation of the Chair in Debate**

5.1 The Chair may state relevant facts and the Chair's position or advice on any matter before the Council without leaving the chair, but to move a motion or debate a question, the Chair must first leave the chair.

5.2 If the Chair desires to leave the chair to move a motion or to take part in the debate pursuant to Subsection 5.1, or otherwise, the Chair will call on a member to preside until the issue is resolved.

## Part 3 – Council

### 6. Inaugural Meeting

- 6.1 The inaugural meeting of Council, following a regular election, shall be held after the councils of the local municipalities have held their first meetings but not later than December fourteenth (14th) of that year, with the date, time, and place of such Meeting to be fixed by the Clerk.
- 6.2 At the inaugural meeting of Council, following a regular municipal election, the order of procedure will be as follows:
  - 6.2.1 Opening ceremony;
  - 6.2.2 Certification of Qualification of the Regional Chair and Regional Councillors in accordance with the *Municipal Act*;
  - 6.2.3 signing of Declaration of Office and Oath of Office:
    - 6.2.3.1 Regional Chair;
    - 6.2.3.2 Members of Council;
  - 6.2.4 Other ceremonial proceedings as deemed by Council to be necessary or desirable for the meetings;
  - 6.2.5 Matters incidental to any of the above or other business as required, and
  - 6.2.6 Passage of Confirming By-law and other relevant by-laws.
- 6.3 Notwithstanding Section 6.2, an inaugural address by the Regional Chair may be delivered at the inaugural meeting of Council or at a subsequent meeting of the Council.
- 6.4 Each term, as soon after the commencement of its term as reasonably possible, Council shall appoint by by-law, in alphabetical order by last name, each member of Council to serve for one calendar month as Acting Chair for that time in the place of the Regional Chair when absent from the Regional area, absent through illness, or refuses to act and the Acting Chair shall have and may exercise all rights, powers and authority of the Regional Chair in their absence.

### 7. Regular Meetings

- 7.1 All meetings of the Council will be held in the Regional Council Chamber or at such other place within the Regional Area as is specified in the notice calling the meeting.
- 7.2 Regular Council Meetings will be approved through an annual schedule of meetings, unless otherwise provided by resolution.
- 7.3 Notice of a minimum of fourteen (14) days will be given for any amendments to the approved schedule of meetings. If the change of date is less than fourteen (14) days, a media advisory will be sent from Corporate Communications at least three hours prior to the meeting.
- 7.4 When it is deemed to be advisable, the Regional Chair is authorized to change the date and/or time of, or cancel, a regular Council meeting, following the agreement of the majority of the members of Council, having been polled by the Clerk. If the change of date is less than fourteen (14) days, a media advisory will be sent from Corporate Communications at least three hours prior to the meeting.
- 7.5 Notwithstanding Section 7.2, the Chair may, when an emergency or adverse weather situations arise, cancel or postpone a meeting.
- 7.6 Upon cancellation or postponement of a meeting by the Chair in accordance with Section 7.5 of this by-law, the Clerk shall attempt to notify the members of the postponement as soon as possible and in the most expedient manner available.

- 7.7 If a meeting is postponed, the Clerk, in consultation with the Chair, shall determine a new meeting date. The Clerk shall then give notice of a special meeting to deal with the postponed matters in accordance with Section 8.4 of this by-law.
- 7.8 The Clerk shall give public notice of a cancelled or postponed meeting on the Region's website as soon as possible after the meeting is cancelled or postponed. A media advisory will be sent by Corporate Communications and notice provided through regular social media channels as used by Corporate Communications.
- 7.9 The proceedings of Regional Council on any day shall end by 11:00 p.m. If Council is adjourned before the agenda is completed, Council shall set a time and date for considering the balance of the agenda.
- 7.10 Notwithstanding Section 7.9, Council may continue the meeting after 11:00 p.m. by passing a motion to extend the meeting, that must be approved by two-thirds (2/3) of the members present. A motion to extend may not extend the meeting for more than one hour, and another motion must be passed each hour.

## **8. Special Meetings of Council**

- 8.1 A Special Meeting of Council will be convened:
- 8.1.1 upon being called by the Regional Chair, or
  - 8.1.2 upon receipt of the petition of the majority of the members of the Council.
- 8.2 Upon receipt of the petition set out in Section 8.1.2, the Clerk will call a Special Meeting for the purpose(s) and at the place and time stated in the petition.
- 8.3 Once received by the Clerk, no member may remove their name from a petition filed under this section.
- 8.4 All notices or other communications required or permitted to be given under this By-law shall be suitably given as determined by the Clerk in accordance with this By-law. The Clerk shall give notice to members of Council of the time and location of all Special Meetings as soon as possible after the meeting is called and no later than forty-eight (48) hours prior to the meeting. A media advisory will be sent by Corporate Communications and public notice will be provided via the Region's website and through regular social media channels as used by Corporate Communications at least three (3) hours prior to the special meeting.
- 8.5 The lack of receipt of a notice or of an agenda for a Special Meeting by any Member shall not affect the validity of the meeting or any additional action taken at the meeting.
- 8.6 The Council will not consider or decide any matter not set forth in the notice calling the Special Meeting, without suspending the rules as in Section 2.3.
- 8.7 Notwithstanding this section, on urgent and extraordinary occasions, with the consent of two-thirds (2/3) of all the members of the whole Council, recorded in the minutes, an emergency special meeting of the Council may be called by the Regional Chair without notice to consider and deal with such urgent and extraordinary matters.

## **9. Open and Closed Meetings**

- 9.1 The meetings of the Council will be open to the public and no person will be excluded unless they demonstrate improper conduct.
- 9.2 The Chair may expel or exclude from any meeting any person who demonstrates improper conduct at the meeting.

- 9.3 Whenever possible, notice of all regular Council and Committee meetings shall be given by posting the agenda(s) to the website one week prior to the meeting. Addendum agenda(s), where needed, will be posted to the website on the day before the meeting.
- 9.4 A meeting or part of a meeting may be closed to the public if the subject matter being considered is legislated under Section 239 of the *Municipal Act*.
- 9.5 A meeting will be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act* when the Council is acting as head of the institution for the purposes of the Act.
- 9.6 Before holding a meeting or part of a meeting that is to be closed to the public, a Council or Committee of Council shall state by resolution;
  - 9.6.1 the fact of the holding of the closed meeting,
  - 9.6.2 the general nature of the matter to be considered at the closed meeting, and
  - 9.6.3 the date, time and location of the closed meeting.
- 9.7 A meeting shall not be closed to the public during the taking of a vote, subject to 9.8.
- 9.8 A meeting or part of a meeting may be closed to the public during a vote if,
  - 9.8.1 Section 9.4 or 9.5 applies, and
  - 9.8.2 the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality or persons retained by or under contract with the municipality.
- 9.9 The Clerk in making the minutes referred to in Section 9.5 will not record any personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act*.

## **10. Delegations to Council and Committees**

- 10.1 Delegation registration requirements are as follows:
  - 10.1.1 The deadline to register as a delegation to receive the full speaking time is 24 hours before the meeting start time.
  - 10.1.2 Council, Committee, or Public Input meetings delegates that have registered by the deadline shall be given five (5) minutes to speak.
  - 10.1.3 Any citizens, organizations, or their representatives that register after the deadline, shall be limited to a total maximum of three (3) minutes for Council, Committee, and Public Input meetings.
  - 10.1.4 Any extension of the time limit is by permission of the Chair of the meeting.
  - 10.1.5 Any delegation who has appeared at a Council, Committee, or Public Input meeting regarding a particular matter will not be allowed to delegate on that same matter for six (6) months. For further submissions on the same matter, the delegate can submit written comments that will be attached by the Clerk to the subsequent meeting agenda or minutes.
  - 10.1.6 A member of the public must provide the subject for their delegation in order to register for a meeting.
- 10.2 A delegation that registers regarding a matter for which there is no item on the meeting agenda shall be placed on a future meeting agenda to be determined by the Regional Clerk.
- 10.3 The total time for delegations who register to speak at a meeting when the item is not on the agenda will be limited to a combined time of twenty (20) minutes.
- 10.4 The meeting Chair may request that delegates not repeat what previous delegates have previously stated and provide new information only.

- 10.5 Members of the news media or any member of the public appearing as a delegation or are in the audience, in the Council Chamber and Meeting Rooms during a Council or Committee meeting, either in person or electronically, will maintain order, politeness and quiet, and shall not:
- 10.5.1 address the meeting without acknowledgement of the meeting Chair;
  - 10.5.2 interrupt any speech or action of the members of Council or Committee, or any other person addressing the meeting, including applause, vocal expressions or other distracting behaviour;
  - 10.5.3 speak disrespectfully of any person;
  - 10.5.4 use offensive or insulting words, or derogatory language;
  - 10.5.5 engage in hate speech or make defamatory comments
  - 10.5.6 display or have in their possession, picket signs or placards;
  - 10.5.7 speak on any subject other than the subject on which they have registered to speak;
  - 10.5.8 disobey the rules of order or any decision of the meeting Chair;
  - 10.5.9 turn on a camera or microphone at inappropriate times when attending a meeting electronically.
- 10.6 The Chair may limit a delegation if any derogatory comments are made about staff or other individuals, for disorderly conduct, or any other breach of this By-law and, if the Chair rules that the delegation is concluded, the person or persons appearing shall withdraw.
- 10.7 In exceptional circumstances, and in addition to Section 10.5, when the Chair and the Regional Clerk reasonably determine that a person requesting to speak at a meeting is likely to engage in unreasonable or offensive conduct, make unreasonable or offensive statements or demands, repeatedly speak on a subject matter that is not within the Region's jurisdiction, or otherwise misuse the privilege of speaking to Committee or Council, that person will not be allowed to appear as a Delegate at the meeting.

## **11. Presentations to Council and Committees**

All external presentations shall be limited to ten (10) minutes for Council or Committee meetings unless otherwise authorized by the meeting Chair or Regional Clerk.

## **12. Persons Within Council Bar**

- 12.1 No person, except a member of the Council or an authorized employee of the Corporation, will be allowed to come on the Council floor within or outside the Council Bar during the sittings of the Council without permission of the Chair.
- 12.2 No person except a member of the Council or an authorized employee of the Corporation will, before or during a meeting of the Council, place on the desks of members or otherwise distribute any material whatsoever unless such person is so acting with the approval of the Clerk.

## **13. Attendance of Clerk At Meeting**

The Clerk shall be present at the meetings of Council and Committees and act as Secretary of the Committee; however, the Deputy Clerk or the Clerk's designate may act instead at any meetings of Council and Committees. Should the Clerk, Deputy Clerk or the Clerk's designate find the need to be absent during the course of the meeting, some other person shall be appointed in writing by the Clerk or Deputy Clerk to act during the absence as per the *Municipal Act 2001, c. 25, s. 228 (4)*.

## **14. Commencement of Meeting**

As soon as there is a quorum after the time set for meeting, the meeting Chair will take the chair and call the members present to order.

## **15. Electronic Participation**

- 15.1 Electronic participation shall be permitted at Regular and Special meetings of Council, Committees, Advisory Committees, Boards, and Foundations. This includes delegations, external presenters, and authorized Staff.
- 15.2 In-person participation shall be the default for members of Council/Standing Committee Meetings to allow for physical convening and dialogue.
- 15.3 A Member who wishes to participate in a meeting electronically, shall provide the Clerk with reasonable notice.
- 15.4 Electronic participation shall be the default for Advisory Committees and Boards, including the Chair. Individuals wishing to participate in-person must contact Staff a minimum of 72 hours in advance.
- 15.5 The Chair of a meeting shall not be permitted to participate electronically at a meeting, unless for emergency or extenuating circumstances of Council, Standing Committee, Ad hoc Committee or subcommittee composed of Council members. This does not apply to Chairs of Advisory Committees.
- 15.6 Members participating electronically have the same rights and responsibilities as if the member was in physical attendance, including that they shall count towards a quorum of members and shall be permitted to participate in any portion of a meeting which is closed to the public.
- 15.7 Member(s) participating electronically will be deemed to have left the meeting when they are no longer electronically connected to the meeting.
- 15.8 In the case of a loss of connection, or any connection issue that impedes the ability of a Member(s) to participate in the meeting in real time, the meeting will continue in their absence. Any attempts by the Member to reconnect and participate electronically shall not disturb the meeting or affect the validity of the meeting or any additional action taken at the meeting, unless the disconnected member results in the loss of quorum.
- 15.9 The Regional Clerk has the delegated authority to establish policy and procedures for electronic participation in meetings, including but not limited to, the method to be used and electronic participation by staff and the public.
- 15.10 The Regional Clerk, on the advice of Health and Safety staff, is authorized to mandate electronic participation, or establish other health and safety requirements for in person participation.

## **16. Regional Chair Absent**

- 16.1 If the Regional Chair or Acting Chair, pursuant to the rotation list established by By-law does not attend within fifteen (15) minutes after the time appointed for a meeting of the Council, the Clerk will call the members to order and an acting Chair will be appointed from among the members present and will preside until the arrival of the Regional Chair.
- 16.2 While presiding, an Acting Chair will have all of the powers of the Regional Chair and will be so entitled to vote as a member.

## **17. No Quorum at Start of Meeting**

- 17.1 If no quorum is present to enable a meeting to commence thirty (30) minutes after the time appointed for a meeting of the Council, the Clerk will call the roll and record the names of the members present and the members will stand discharged from waiting further.
- 17.2 If a meeting does not take place because of the lack of a quorum under section 17.1, the Council will meet either at the next regularly scheduled meeting of the Council, or at such other time and place as the Regional Chair shall announce.
- 17.3 The Clerk will attempt to give members notice of any meeting so rescheduled by telephone, email or as is otherwise practical within the time available.

## **18. Unfinished Business - Quorum Lost**

- 18.1 If during the course of a meeting a quorum is lost then the meeting will be recessed, not ended, to reconvene at the same time of commencement on the next following day, or at such other time and place as the Regional Chair will then announce.
- 18.2 If, in the Regional Chair's opinion, it is not essential that the balance of the agenda be dealt with before the next regularly scheduled meeting, then the Regional Chair will announce that the unfinished business of the Council will be taken up at its next regularly scheduled meeting.
- 18.3 If during the course of a Special Meeting of the Council a quorum is lost or a quorum is not present when required to enable the Special Meeting to start or resume, then the meeting will stand recessed, not ended, to convene or reconvene at such time and place as the Regional Chair will then announce.
- 18.4 The Clerk will give notice of any meeting so adjourned and to be reconvened by telephone, email or as is otherwise practical within the time available.

## **19. Recording Presence Before Adjournment**

When a quorum is not present as required to permit a meeting of the Council to reconvene or to continue then before the members are discharged, the Clerk will call the roll and record in the minutes the names of those present.

## **Part 3 - Order of Proceedings, Agendas and Minutes**

### **20. Agenda in Council**

20.1 The Clerk will prepare an Agenda under the following headings for the use of the members at the regular meetings of Council:

1. Call to Order
2. Land Acknowledgement
3. Motion to go into Closed Session (if necessary)
4. Motion to Reconvene into Open Session (if necessary)
5. Declarations of Pecuniary Interest under the "Municipal Conflict of Interest Act"
6. Presentations
7. Petitions
8. Delegations
9. Minutes of Previous Meetings
10. Communications
11. Motion to go into Committee of the Whole to Consider Reports
12. Reports
13. Other Matters under Committee of the Whole
14. Motion for Committee of the Whole to Rise and Council Resume
15. Motion to Adopt Proceedings of the Committee of the Whole
16. Motion of which Notice has been previously given
17. Notice of Motion
18. Unfinished Business
19. Other Business
20. First, Second and Third Readings of By-laws including By-law to Confirm the Actions of Council
21. Adjourn

20.2 The business of the Council will be considered in the order set forth on the Agenda, provided however that the Regional Chair, with approval of the Council, may vary the order of business to better deal with matters before the Council.

20.3 The Council will not consider any by-law not listed on the Agenda, nor any report of a Committee or any motion that has not been distributed to the members with the Agenda or the Addendum Agenda, unless with the approval of Council.

### **21. Delivery of Agenda to Members**

21.1 One week in advance of each regular meeting of Standing Committee or Council, the Clerk will produce the following to be delivered to each member:

- 21.1.1 the minutes of the last ordinary meeting and all Special and Standing Committee meetings held more than five (5) days prior to an ordinary meeting, and
- 21.1.2 an Agenda prepared in accordance with Section 20.

21.2 Copies of each by-law to be considered need not be distributed in advance to the members of Council provided such by-laws are available for examination by members of Council upon request.

### **22. Minutes**

22.1 Minutes will record:

- 22.1.1 the place, date and time of meeting;



- 22.1.2 the names of the presiding officer or officers and the record of the attendance of the members;
  - 22.1.3 any disclosure made under the Municipal Conflict of Interest Act;
  - 22.1.4 correction and adoption of the minutes of prior meetings, and
  - 22.1.5 all the other proceedings of the meeting without note or comment.
- 22.2 Minutes of the prior meeting(s) will be circulated to the members of the Council for adoption at the next Regular Council meeting.
- 22.3 After the minutes have been adopted they will be signed by the Regional Chair and by the Regional Clerk.

### **23. Committee of the Whole Procedure**

- 23.1 Council may by resolution go into a Committee of the Whole within Council. When it appears that any matter may be more conveniently considered in Committee of the Whole, Council may on motion resolve into a Committee of the Whole, and the proceedings taken in Committee when adopted by Council are deemed to be proceedings of Council. The Regional Chair may preside in the Committee of the Whole or may designate another member to preside.
- 23.2 While sitting in Committee of the Whole, the rules governing the procedure of the Council and the conduct of the members will be observed.
- 23.3 A motion in Committee of the Whole to rise and report will be put immediately and will be decided without debate.

### **24. Communications and Petitions**

- 24.1 Every communication, including a petition designed to be presented to the Council, will be legibly written or printed, or submitted electronically, and will be signed by at least one person and filed with the Clerk.
- 24.2 The Clerk shall list in the Agenda only those communications and petitions which relate to matters contained in the reports and other communications listed in the Agenda. An information package will be prepared for all other correspondence.
- 24.3 Every communication or petition which does not pertain to matters in the Agenda shall be directed by the Clerk to the appropriate Committee.
- 24.4 A petition must contain the following:
- 24.4.1 the date of when the petition commenced;
  - 24.4.2 the name and civic address, telephone number or email address of the organizer who started the petition for contact purposes;
  - 24.4.3 the name and postal code of each person who signed or electronically submitted their name to the petition, if possible, the civic address of all participants; and
  - 24.4.4 a clear statement which communicates the purpose of the petition.

## Part 4 - Rules of Conduct and Debate

### 25. Conduct of Members in Meetings

- 25.1 Any member desiring to speak, and upon being recognized by the Chair, shall address themselves to the Chair.
- 25.2 When two or more members wish to speak, the Chair shall recognize them in order.
- 25.3 When a member is recognized by the Chair, they shall address themselves to the matter under discussion and shall be limited to speaking for a maximum of five (5) minutes.
- 25.4 No member will:
  - 25.4.1 Speak disrespectfully of the Reigning Sovereign, or of any member of the Royal family, or of the Governor General or the Lieutenant-Governor of any province;
  - 25.4.2 Use offensive words or unparliamentary language during Council or Committee Sessions against the Council or staff;
  - 25.4.3 Speak on any subject other than the subject in debate;
  - 25.4.4 Speak in a manner that is discriminatory in nature based on an individual's race, ancestry, place of origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status, physical appearance or disability;
  - 25.4.5 Interrupt any speech or action of other members of Council, or any other person addressing Council;
  - 25.4.6 Speak or act disrespectfully towards any member of Council or the audience, or
  - 25.4.7 Disobey the Rules of Procedure or a decision of the Chair or of the Council/Committee on questions of order or practice or upon the interpretation of the Rules of Procedure.
- 25.5 Should a member persist in breaching the rules of conduct and debate, having previously been ruled out of order by the Chair, the Chair may order that the member vacate their seat or remain muted and not participate if participating electronically for the remainder of the Meeting. Should the member refuse to vacate their seat or cease participating if attending electronically, the Chair shall recess the meeting without further need for a vote and the member shall be expelled from the meeting.
- 25.6 If the Chair has ordered a member to vacate their seat or leave the electronic meeting, the member shall be provided with an opportunity to offer an apology to Council and commit to abiding by the provisions of this by-law. At this point, the Chair may withdraw their order, or by majority vote of Council, the member may be permitted to resume their seat or remain in the electronic meeting.

### 26. Questions

- 26.1 Each member will be permitted to ask one (1) question, and one (1) follow up, of a delegation or staff, for the purpose of obtaining information relating only to the matter under discussion and such questions must be stated succinctly.
- 26.2 Before any member of Council is given a second opportunity to ask further questions, each member of Council will be given an opportunity to ask their initial question.
- 26.3 When questions are called for no argument or opinion is to be offered, or facts stated, except as may be necessary to explain same. In answering or putting any such question, a member is not to debate the matter to which the question refers.

- 26.4 Any member may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a member while speaking.

## **27. Members Speaking**

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

## **28. Personal Privilege**

- 28.1 Where a member considers that their rights, immunities or integrity or the rights, immunities or integrity of the Council/Committee as a whole has been impugned, the member may, as a matter of personal privilege, rise at any time, with the consent of the Chair, for the purpose of drawing the attention of the Council/Committee to the matter.
- 28.2 A member who desires to call attention to a violation of personal privilege will ask leave of the Chair. A matter of privilege will take precedence over other matters. When a member raises a point of privilege the Chair will use the words "Councillor/Member \_\_\_\_\_ state your point of privilege". The member will state the point personal privilege with a concise explanation. The Chair will then rule on the point of personal privilege.

## **29. Points of Order**

- 29.1 A member who desires to call attention to a violation of the Rules of Procedure will ask leave of the Chair to raise a point of order. When leave is granted, the Chair will use the words "Councillor/Member \_\_\_\_\_ state your point of order". The member will state the point of order with a concise explanation. The Chair will then rule on the point of order.
- 29.2 A member called to order by the Chair will immediately vacate the floor until the point of order is dealt with, and will not speak again without the permission of the Chair unless to appeal the ruling of the Chair.
- 29.3 The speaker in possession of the floor when the point of order or privilege was raised will have the right to the floor when debate resumes.

## **30. Question Put - No Further Debate**

After any question is put by the meeting Chair, no member will speak to the question, nor will any other motion be made until after the result is declared, and the decision of the Chair as to whether the question has been put, is conclusive.

## **31. Appeal/Challenging a Ruling of The Chair**

### **31.1 Appeal**

The following procedures apply when making an appeal:

- 31.1.1 A member addresses the Chair directly, using a form of words such as: "I wish to appeal for..."
- 31.1.2 An appeal does not have to be seconded;
- 31.1.3 When an appeal is made, the current business before the meeting is immediately suspended, while the Chair considers the matter;

31.1.4 The appeal is not open to debate, but the Chair shall ask for a brief explanation from the member making the appeal before making a ruling, and

31.1.5 If the Chair grants the appeal, the requested action is taken and the agenda is then resumed at the point at which it was interrupted.

### 31.2 Challenging a Ruling of The Chair

The following procedures apply when challenging a ruling of the Chair:

31.2.1 The ruling of the Chair may be challenged by making the following appeal: "I wish to appeal the ruling of the Chair".

31.2.2 The challenge is not open to debate, but the Chair shall ask for a brief explanation from the member making the appeal before making a ruling;

31.2.3 The Chair gives a brief rationale for the ruling and then members are asked "Is the ruling of the Chair upheld?"

31.2.4 A positive majority indicates support for the ruling of the Chair, while a majority of negatives indicates that it is overturned, and

31.2.5 If the vote is tied, the ruling is sustained.

## 32. Unprovided Cases

In all unprovided cases in the proceedings of a meeting, the matter is decided by the Chair, subject to an appeal to the Council/Committee by a vote of two-thirds of the members present and eligible to vote.

## Part 5 - Voting In Council/Committee

### 33. Secret Ballot Prohibited

No vote will be taken in Council/Committee by ballot or by any other method of secret voting.

### 34. All Members Vote

Every member present at a meeting of the Council/Committee when a question is put, including the Chair will vote thereon, unless prohibited by statute, in which case it will be recorded.

34.1 As designated by the *Municipal Act 2001, c. 25, s. 243*, each member of the Regional Council shall have one vote on any question;

34.2 Any member who refuses to vote will be recorded as voting in the negative, and

34.3 Any member abstaining from a vote will be recorded as voting in the negative.

### 35. Unrecorded Vote

35.1 The manner of determining the decision on a motion is at the discretion of the Chair and may be by voice, electronic voting, show of hands, standing or otherwise.

35.2 Notwithstanding 35.1, all votes taken at Council or Standing Committee meetings will be recorded when members have access to electronic voting technology.

35.3 Upon the request of a member, immediately after a vote is taken, the Clerk will record the negative vote of such member on any question.

35.4 When a vote is taken, and no opposition is declared, such vote is considered to be unanimously in favour of the question as approved.

### 36. Severability of a Motion

When the matter under consideration contains distinct recommendations or propositions, upon the request of any member, a vote upon each recommendation or proposition will be taken separately.

### 37. Recorded Vote

37.1 The following rules shall apply at all Council and Standing Committee meetings where members have access to electronic voting technology:

37.1.1 All votes shall be recorded;

37.1.2 The Clerk shall call the vote and conduct the vote by electronic means;

37.1.3 Members shall use the electronic voting technology for the purpose of recording their vote or verbally indicate their vote to the Clerk; and

37.1.4 The Clerk will record in the minutes the votes for and opposed.

37.2 The following rules shall apply at meetings other than Council and Standing Committee meetings and at any Council and Standing Committee meetings where there is no electronic voting technology or the electronic voting technology is inoperable:

37.2.1 Any member, before the question is decided, may require that the vote be recorded.

37.2.2 When a recorded vote is requested by a member on any matter or question, the Clerk shall conduct the vote by electronic means or by calling members by name and them responding to the vote in favour or opposed.

37.3 Upon completion of a recorded vote the Chair will announce the results of the vote.

### **38. Disputing Vote**

If a member disagrees with the announcement of the Chair that a question is carried or lost, the member may, but only immediately after the declaration by the Chair, object to the Chair's declaration and require a recorded vote to be taken.

### **39. During a Vote - Members Seated**

When the Chair calls for the vote on a question, each member will be present, either in-person or electronically, until the result of the vote has been declared by the Chair, and during such time no member speak to any other member or make any noise or disturbance. A member not present when the question is called is not entitled to vote.

## Part 6 - Resolutions and Motions

### 40. Reading

Every motion when seconded will be received and read by the meeting Chair, except in the cases provided for by the Rules of Procedure. However, where motions have been distributed in the Agenda or displayed during the meeting, recitals need not be read.

### 41. Withdrawal

After a motion is read or stated by the meeting Chair, it is deemed to be in possession of the Council/Committee and it may only be withdrawn at the leave of Council/Committee or if a member objects, a majority vote of the members present is required.

### 42. No Debate Until Read

No member will speak to any motion until it is been properly moved and the mover is entitled to speak first if the member so elects.

### 43. Motion Ruled Out of Order

Whenever the Chair is of the opinion that a motion or resolution is contrary to the Rules of Procedure, the Chair will rule the motion or resolution out of order.

### 44. Not Within Jurisdiction of Council

A motion or resolution which requires the exercise of a power or powers by Council/Committee which are not within its jurisdiction, will not be in order.

### 45. Motions

- 45.1 The following matters and motions with respect thereto may be introduced orally without notice and without permission, except as otherwise provided by the Rules of Procedure:
  - 45.1.1 a point of order or personal privilege;
  - 45.1.2 presentation of petitions;
  - 45.1.3 to move the question be put, and
  - 45.1.4 to adjourn.
- 45.2 The following motions may be introduced without notice and without permission, except as otherwise provided by the Rules of Procedure:
  - 45.2.1 to refer;
  - 45.2.2 to table, or to postpone, or defer to a day certain;
  - 45.2.3 to amend;
  - 45.2.4 to suspend the Rules of Procedure, and
  - 45.2.5 any other procedural motion.
- 45.3 All motions may be supported or opposed by the mover and seconder.
- 45.4 When a member's motion has been called from the Chair at two successive meetings and not proceeded with, it will be deemed to have been withdrawn and dropped from the Agenda unless Council otherwise decides by a majority vote of the members present and eligible to vote.
- 45.5 The mover and seconder may withdraw a motion or a Notice of Motion at any time prior to the commencement of debate thereon.
- 45.6 A motion may be placed in order to be determined by the Chair as the most logical, practical and expeditious in all of the circumstances.



## **46. Order of Consideration**

- 46.1 When a question is under consideration, no motion will be received except a procedural motion or a motion to amend.
- 46.2 Procedural motions will be considered immediately upon receipt and will have precedence and are subject to debate as follows:
  - 46.2.1 to extend the time of the meeting (not debatable);
  - 46.2.2 to move the question be put (not debatable);
  - 46.2.3 to refer (debatable) (amendable);
  - 46.2.4 to lay on the table (not debatable) (not amendable);
  - 46.2.5 to defer indefinitely or to a day certain (debatable);
  - 46.2.6 to adjourn (not debatable), and
  - 46.2.7 any other procedural motion (debatable).

## **47. Amendment**

- 47.1 A motion to amend:
  - 47.1.1 only one motion to amend an amendment to the question will be allowed at one time and any further amendment must be to the main question;
  - 47.1.2 will be relevant and not contrary to the principle of the report or motion under consideration;
  - 47.1.3 may propose a separate and distinct disposition of a question provided that such altered disposition continues to relate to the same issue which was the subject matter of the question; and
  - 47.1.4 will be put in the reverse order to the order in which it is moved.

## **48. The Question Be Now Put**

- 48.1 A motion to call the question means to close debate and cut off amendments and vote immediately on a motion: is not debatable;
  - 48.1.1 cannot be amended;
  - 48.1.2 cannot be moved when there is an amendment under consideration;
  - 48.1.3 when resolved in the affirmative, the question is to be put forward without debate or amendment;
  - 48.1.4 cannot be moved by a member who has already debated the question unless another member has subsequently debated the question;
  - 48.1.5 can only be moved in the following words, "that the question be now put"; and
  - 48.1.6 will preclude all amendments of the main question.

## **49. Motion to Refer/Commit**

- 49.1 A motion to refer takes precedence over the main motion:
  - 49.1.1 is amendable; and
  - 49.1.2 is debatable.

## **50. Motion to Postpone or Defer**

- 50.1 A motion to postpone or defer to a definite date will have precedence over all other business on such date:
  - 50.1.1 Debate is restricted to the advisability or propriety of postponing/ deferring the question.

## **51. Motion to Lay on the Table**

- 51.1 A motion simply "to lay a matter on the table":
  - 51.1.1 is not debatable and cannot be amended;
  - 51.1.2 with some condition, opinion, or qualification added to the motion to table will be deemed to be a motion to postpone or defer made under Section 50;
  - 51.1.3 will not be considered again by the Council until a motion has been made to take up the tabled matter at the same or a subsequent meeting of the Council;
  - 51.1.4 to take up a tabled matter is not subject to debate or amendment;
  - 51.1.5 a motion that has been tabled at a previous meeting of the Council/Committee cannot be lifted off the table unless notice is given in accordance with Section 52; and
  - 51.1.6 if not taken from the table for six (6) months is deemed to be withdrawn, and cannot be taken from the table.

## **52. Notice of Motion**

- 52.1 Notice of Motion requirements are as follows:
  - 52.1.1 must be in writing;
  - 52.1.2 must include the name of the mover;
  - 52.1.3 must be received by the Clerk no later than 9:00 a.m. of the Wednesday before the next regular meeting of Council;
  - 52.1.4 must be printed in full in the Agenda for that meeting;
  - 52.1.5 when called at two successive meetings and not proceeded with, will be dropped from the agenda unless Council otherwise decides; and
  - 52.1.6 if at the third meeting, such notice of motion is called from the Chair and not proceeded with, it will be deemed to have been withdrawn.

## **53. Waiving Notice**

Any motion may be introduced without notice if the Council, without debate, dispenses with notice on the affirmative vote of at least two-thirds of the members present and voting.

## **54. Reconsideration**

- 54.1 Council may reconsider an entire resolution that was decided during the current term of Council. A reconsideration of a portion of a resolution shall not be permitted. Such reconsideration can either amend the previous decision or rescind it.
  - 54.1.1 No resolution shall be reconsidered more than once during the term of Council.
  - 54.1.2 A motion to reconsider shall not be reconsidered.
- 54.2 A resolution that was decided by Council cannot be reconsidered if action has been taken in implementing the resolution resulting in legally binding commitments that are in place on the date the motion to reconsider is considered by Council.
- 54.3 If Council passes a resolution and adopts the same matter by by-law, only the resolution may be reconsidered. If the decision resulting from the reconsideration warrants, the by-law will be amended or repealed accordingly.
- 54.4 A motion to reconsider shall be introduced by way of a notice of motion to Council.

- 54.5 No delegations shall be permitted to speak on a notice of motion to reconsider.
- 54.6 Only a Member of Council who voted with the majority in respect of a previous decision or who was absent from the vote or was not a Member of Council at the time may move a motion for reconsideration.
- 54.7 A motion to reconsider must be carried in the affirmative by a vote of a majority of the entire Council.
- 54.8 If a motion to reconsider is decided in the affirmative:
  - 54.8.1 The reconsideration effectively returns Council to just prior to the original Council decision. Reconsideration of the original motion shall then be the next order of business unless the motion to reconsider specifies a future date.
- 54.9 These rules do not apply when a motion pertains to a decision of a previous term of Council.

## **55. Motion to Adjourn**

- 55.1 A Motion to Adjourn:
  - 55.1.1 will always be in order except as provided by the Rules of Procedure;
  - 55.1.2 when resolved in the negative, cannot be made again until after some intermediate proceedings have been completed by Council;
  - 55.1.3 is not in order when a member is speaking or during the verification of a vote;
  - 55.1.4 is not in order immediately following the affirmative resolution of a motion for the previous question, and
  - 55.1.5 is not debatable.
- 55.2 A Motion to Adjourn to a specific time, or to reconvene upon the happening of a specified event, suspends the meeting of the Council/Committee to continue at such time.

## Part 7 - By-Laws

### 56. Readings of By-Laws and Related Proceedings

- 56.1 Except as otherwise provided, no by-law, except a By-law to Confirm the Proceedings of Council, will be presented to Council unless the subject matter has been considered and approved by Council.
- 56.2 Every by-law will be in writing and be introduced upon motion by a member. A by-law will be given first reading without amendment or debate and every by-law will have three readings prior to its being passed.
- 56.3 The Clerk will endorse on all by-laws enacted by Council the dates of several readings, if any.
- 56.4 Every by-law which has been enacted by the Council will be numbered, dated and deposited in the office of the Clerk for safekeeping.
- 56.5 The Clerk shall be permitted to make minor clerical, typographical or grammatical corrections to any Committee/Council record or documentation, including but not limited to: by-laws, motions, resolutions, agendas and/or minutes. Said corrections are to be made to ensure correct and complete implementation of the decisions and actions of the Committee/Council.

## Part 8 - Committees (Standing/Advisory/Ad Hoc)

### 57. Procedure

Except as otherwise provided herein, Committees will conform to the rules governing protocol and procedures in Council.

### 58. Quorum

- 58.1 A quorum in any Committee is the majority of the voting members of the Committee as appointed by Regional Council, and the Regional Chair, if present, is a member to be included in determining the quorum.
- 58.2 Notwithstanding Subsection 58.1, in order to complete a quorum for a Committee meeting the Regional Chair may appoint not more than three (3) members of Council to be ad hoc members of the Committee, and the members so appointed will be entitled to sit and vote in the Committee in the meeting and at subsequent meetings for the purpose only of completing matters carried forward from that meeting for which they were appointed ad hoc members.
- 58.3 Members of Council who are not members of a Committee may attend meetings of the Committee and participate in the discussion, but will not be entitled to vote unless appointed as an ad hoc member of the Committee pursuant to Subsection 58.2.
- 58.4 Despite any other general or special Act, a majority of the members of the Council, Committee, Advisory Committee as the case may be shall be deemed to constitute a quorum "for the purpose of voting", but pursuant to Section 7 of the *Municipal Conflict of Interest Act*, such numbers shall not be less than two (2).
- 58.5 If there is no quorum present thirty (30) minutes after the time appointed for the meeting, the meeting will stand adjourned at the call of the Committee Chair.
- 58.6 Notwithstanding Subsection 58.5 and Section 15.8, if there is no quorum present after the time appointed for the meeting, the members may choose to proceed with Committee business, provided that, prior to considering any recommendations of the Committee, Council must first permit the recommendations to be tabled.
- 58.7 Should any member of a Committee fail to attend three successive regular or special meetings without being authorized to do so by a resolution of the Committee, the Committee may certify such failure and the membership of such person on the Committee is terminated and the Council may appoint another member in their place. Receipt of a written notice of regret by the Committee or Council will constitute authorization for the purposes of this subsection.

### 59. Establishment/Appointment

- 59.1 Ad Hoc Committees may be established by Council at any time as is deemed necessary for the consideration of matters within the jurisdiction of the Council.
- 59.2 When an Ad Hoc Committee has completed its work and submitted its final report, it dissolves automatically, unless otherwise directed by Council.
- 59.3 The names of members required to serve on Standing Committees will be determined by Council, upon recommendation of the Regional Chair.
- 59.4 The names of members to be appointed to any Board, Commission or other body to which Council is required or empowered to appoint persons will be determined by Council.

## **60. Composition of Standing Committees**

- 60.1 All members of Council will serve on the following Standing Committees of Council:
  - 60.1.1 Administration and Finance;
  - 60.1.2 Community and Health Services;
  - 60.1.3 Planning and Works; and
  - 60.1.4 Any other committee established as a standing committee constituted by resolution.
- 60.2 The Regional Chair will appoint members to the following Standing Committee, in consultation with the members of Council:
  - 60.2.1 Licensing and Hearings;
  - 60.2.2 Economic Development; and
  - 60.2.3 Jack Young Civic Award.
- 60.3 The following members of Council will serve on the Audit Committee:
  - 60.3.1 Chair, Administration and Finance Committee;
  - 60.3.2 Vice Chair, Administration and Finance Committee;
  - 60.3.3 Chair, Community Services and Health Services Committee; and
  - 60.3.4 Chair, Planning and Works Committee.
- 60.4 The following members of Council will serve on the Library Committee:
  - 60.4.1 Councillor representing North Dumfries;
  - 60.4.2 Councillor representing Wilmot;
  - 60.4.3 Councillor representing Wellesley;
  - 60.4.4 Councillor representing Woolwich; and
  - 60.4.5 Regional Chair.
- 60.5 The number of members appointed to the Standing Committees of Council will be constituted by resolution.
- 60.6 There will be a special Strategic Planning and Budget Committee which to which annual current and capital budgets will be referred. The Chair of the Administration and Finance Committee will be the Chair of the Strategic Planning and Budget Committee.

## **61. Standing Committee Chair**

- 61.1 The Regional Chair shall determine, prior to the first Committee meeting, the method of selecting Committee Chairs and Vice-Chairs.
- 61.2 Regional Council will at its Inaugural Meeting, or at a subsequent meeting appoint the time and place of Committee meetings. Each Committee will have from time to time the authority to alter the time and place of its meetings provided that such meetings will not conflict with meetings of Regional Council. Any permanent change of Committee dates will be approved by Council.
- 61.3 Should the Chair of any Committee neglect or refuse to call meetings of the Committee at such times or with such frequency as the proper dispatch of the Committee's business requires, or do the business of the Committee without the knowledge or consent of its members, or contrary to their wishes or sanction, the Committee may report such neglect, refusal or action to the Council which may remove such member as Chair and appoint another member as Chair.

## **62. Joint Committee Meetings**

- 62.1 A joint meeting of two Committees may be directed by Council or may be called by their Chairs whenever such Chairs consider it necessary for their respective Committees to consider and report jointly on matters within their joint areas of concern.

- 62.2 A quorum for the joint meeting of two Committees will be a majority of the combined number of members of both of the Committees excluding the Regional Chair. The Regional Chair, if present, will be counted as one member in making such quorum and will have one vote.
- 62.3 The members in attendance at a joint meeting called pursuant to this section may appoint the Chair of one of the Committees to chair the joint meeting, but if both such Chairs are absent, another member of one of the two Committees may be so appointed by a majority of the members present and eligible to vote.
- 62.4 When the Chair of the joint meeting calls for the vote on a question, each member of the two Committees will vote in unison, and the question will be decided by a majority of votes, so that only one decision is made thereon and the Chair of the joint meeting may vote on all questions submitted and in the case of an equal division, the question will be deemed to have been decided in the negative.
- 62.5 The provisions of this By-law with respect to the conduct of business in Committees will apply, with necessary changes, to the conduct of business at a special or joint meeting called pursuant to this section.

### **63. Composition of Advisory/Ad Hoc Committees**

- 63.1 The number of Council members appointed to Advisory, or Ad Hoc Committees will be constituted by resolution.
- 63.2 Council may delegate the determination of citizen appointments to the Regional Chair, Committee Chair or to a Standing Committee.
- 63.3 Each Advisory Committee at its first meeting in the new year will elect a Committee Chair and Committee Vice-Chair by a vote of the majority of members present.

### **64. Terms of Reference**

- 64.1 Subject to the provision of any general or special Act, the Council, in establishing any Advisory Committee, will set forth Terms of Reference of the Committee and such other provisions as the Council deems proper.
- 64.2 Council may consider any matter without referring it to a Standing Committee or may refer it to one or more Committees or refer it to the Committee of the Whole Council and may withdraw a matter from a Committee whether or not the Committee has entered into consideration.

### **65. Meetings of Committees**

- 65.1 Committees will meet at such time and place as the Committee Chair or Committee determines, subject to the direction of Council.
- 65.2 The Committee Chair will preside; in the absence of the Committee Chair, the Vice-Chair will preside, or in the absence of both for a period of fifteen (15) minutes after the scheduled meeting time, another member of the Committee may be appointed by majority vote of the members of the Committee present. The appointed member actin as Chair discharge the duties of the Committee Chair during the meeting or until the arrival of the Committee Chair.
- 65.3 A Committee will consider and report on such matters only as have been referred to them by the Council or such matters as come within their continuing Terms of Reference and jurisdiction.
- 65.4 No item shall be placed on a Committee agenda regarding a matter which is not within the jurisdiction of the Committee. The Chair in

consultation with the Clerk will determine if the matter is within the jurisdiction of the Committee.

- 65.5 Should any Committee neglect or refuse to give due attention to any matter before it, the Council may by resolution, discharge such Committee and appoint another in its place.
- 65.6 Meetings will be open or closed to the public pursuant to Section 9.

## **66. Consent Agenda Items – Standing Committees**

- 66.1 Each Standing Committee shall use a Consent Agenda and will include:
  - 66.1.1 Reports for information or with routine recommendations;
  - 66.1.2 Items where no discussion/ debate is anticipated;
  - 66.1.3 Items of Correspondence/ Communication including matters referred by Regional Council for the direction of a Standing Committee where policy decision or approval of the Standing Committee is required, correspondence accompanied by a recommendation from staff, or correspondence for the information of the Standing Committee; and
  - 66.1.4 Annual reports.
- 66.2 Standing Committee Consent Agendas will exclude:
  - 66.2.1 Reports with known pecuniary interests;
  - 66.2.2 Reports with known delegations, presentations or public participation;
  - 66.2.3 Items that are politically sensitive or controversial.
- 66.3 The Standing Committee may adopt the complete Consent Agenda items with one single resolution.
- 66.4 Any member of the Committee may identify a specific item on the Consent Agenda that they would like to address and that item will be removed and dealt with separately; the balance of the Consent Agenda which was not removed shall then be adopted in one resolution.
- 66.5 If an item is removed from the Consent Agenda the Meeting Clerk will record discussions as part of the Regular Meeting Minutes.



## **Part 9 - General Provisions**

### **67. Recording Equipment**

- 67.1 At Council/Committee meetings, the use of cameras, electric lighting equipment, recording equipment, television cameras and any other device of a mechanical, electronic or similar nature used for transcribing or recording proceedings by auditory or visual means by members of the public, including accredited and other representatives of the news media may be limited at the discretion of the Chair in the event it creates disruption, is intimidating or interferes with the conduct of the meeting.
- 67.2 The use of recording equipment is not permitted within the bar of Council.
- 67.3 Media interviews within the Council Chamber are prohibited during the formal part of the meeting.

### **68. Electronic Devices in Council Chamber**

- 68.1 Council, staff and anyone situated in the gallery (including members of the media) shall turn all electronic devices to non-audible, silent, etc. during the entire Committee or Council meeting in Council Chamber;
- 68.2 Members of Council and staff within the bar of Council will limit the use of electronic devices during all delegations and presentations during any meeting;
- 68.3 At any time during any meeting, at the discretion of the Chair of the meeting, use of electronic devices may be prohibited if there is audio or video interference.

### **69. Execution of Documents**

Whenever the execution of any document is required to give effect to any resolution or By-law of the Corporation, the Regional Chair and the Regional Clerk have general authority for and in the name of the Corporation to execute and to affix the seal of the Corporation to such documents, as outlined in By-law 22-018, as amended.

### **70. Amendments or Repeal**

- 70.1 By-law 00-031, is hereby repealed.
- 70.2 This By-law will not be amended or repealed except by:
  - 70.2.1 a two-thirds vote; and
  - 70.2.2 appropriate notice being provided in accordance with the Region of Waterloo Notice Policy.
- 70.3 Notwithstanding Section 70.2.2, Council may waive notice of the Region of Waterloo's Notice Policy by simple majority.

### **71. Effect**

This By-law will come into force and take effect on the 15<sup>th</sup> day of November, 2022.

### **72. Short Title**

This By-law may be referred to as either the "Procedural By-law" or the "Rules of Procedure".

By-law read a first and second time in the Council Chamber in the Regional Municipality of Waterloo this 4<sup>th</sup> day of October, 2022.

By-law read a third time and finally passed in the Council Chamber in the Regional Municipality of Waterloo this 12<sup>th</sup> day of October, 2022.

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Regional Clerk

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Regional Chair

## Appendix "A" – Voting Requirements

Quorum for Council is **nine (9) members** of the Regional Council and the concurring vote of a majority of members present is necessary to carry any resolution or other measure except for the following voting quantities specifically cited:

<b>Majority*</b>	<b>Section</b>
Absence of the Regional Chair	6.4, 17.1
Absence of a Chair/Joint Committee Chair	65.2, 62
Appeal/Challenge	31
Cancellation of Council meeting	7 (4)
Concurring Vote	1.15, 65.2
Joint meeting - those present	62
Lay on the Table	46.2, 51
Leave of Council	1.27
Member allowed to retake seat	25.6
Motion withdrawn to be recalled	41
Petition by members - Special Council meeting	8.1.2
Petition by members - Special/Joint Committee meeting	62
Reconsideration	54

<b>Two-thirds</b>	<b>Section</b>
Amend/Repeal of procedural by-law	70.1 & 70.2
Emergency/Special meeting of Council	8.7
Extend time of meeting past 11:00 p.m. and subsequent motions	7.10
Suspend the rules of procedure	2.3
Unprovided cases	32
Waiving Notice	53

<b>Unanimous</b>	<b>Section</b>
No opposition on vote, deemed unanimous	37.5

<b>Equality of votes (tie vote)</b>	<b>Section</b>
Council/Committee/Committee of the Whole/Special/Joint Committee	1.53, 3.1

\*Sections where there is no specified vote amount means the majority of members present at the meeting.

**Appendix “B” - Members Present To Meet Voting Requirements**

<b>Members Present Votes</b>	<b>Majority Vote</b>
16	9
15	8
14	8
13	7
12	7
11	6
10	6
9	5

<b>Members Present Votes</b>	<b>Two-Thirds Vote</b>
16	11
15	10
14	10
13	9
12	8
11	8
10	7
9	6