

BY-LAW NUMBER _____ OF 2019

OF THE CITY OF SARNIA

**“A By-Law to Provide Rules Governing the Proceedings of
Council and the Conduct of its Members”**

(Re: Procedure By-law)

WHEREAS the Municipal Act, 2001, as amended, requires every municipal Council and local board to adopt a procedural by-law for governing the calling, place and proceedings of Meetings and governing the conduct of their Members;

AND WHEREAS Council may, by by-law, govern the conduct of its members;

AND WHEREAS Council deems it expedient to pass such a by-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF SARNIA ENACTS AS FOLLOWS:

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1. Interpretation

1.1 In this By-law:

- (a) "Acting Mayor" means the Councillor appointed by Council to act in the absence of the Mayor in accordance with this By-Law.
- (b) "Chair" means the person presiding at a Meeting, and includes the Mayor, Acting Mayor, or Committee Chair while presiding at a Meeting or such other person as may be authorized to preside in their absence.
- (c) "City" means The Corporation of the City of Sarnia.
- (d) "City Clerk" means the Clerk of The Corporation of the City of Sarnia.
- (e) "Closed Meeting" means a Meeting or part of a Meeting of Council not open to the public in accordance with the Municipal Act, 2001, as amended.
- (f) "Committee" means any advisory or other committee, subcommittee or similar entity of which at least 50% of the members are also members of Council or a Local Board.
- (g) "Council" means the Municipal Council of The Corporation of the City of Sarnia.
- (h) "Holiday" means any holiday as defined in the Employment Standards Act, or any day proclaimed by the Head of Council as a Civic Holiday.
- (i) "Local Board" means a municipal service board, transportation commission, public library board, board of health, police services board, planning board, 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 and a conservation authority.

- (j) "Mayor" means the head of the Council of The Corporation of the City of Sarnia as well as Chief Executive Officer of the Municipality-
- (k) "Meeting" means any regular, special, or other Meeting of a Council, of a Local Board or of a Committee of either of them, where (a) a quorum of members is present, and (b) 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.
- (l) "Member" means a member of the Municipal Council of The Corporation of the City of Sarnia, including all Councillors and the Mayor.

2. General Provisions

- 2.1 In all proceedings held or taken in Council of the City, including special Meetings and, except as otherwise provided, in any closed Meeting of the Council, the rules set out in this by-law shall be observed and shall be the rules of the order and conduct of business.
- 2.2 If not provided in this by-law, resort shall be had to Robert's Rules of Order (latest edition) for guidance on the question, in the absence of which the decision of the Chair shall be final (subject to an appeal at the time of the ruling by a majority of Council Members present).

- 2.3 No standing rule or order of Council may be suspended except by two-thirds vote of the whole number of Members of Council in attendance.
- 2.4 Unless a contrary intention appears, in this By-Law, words in the singular include the plural and words importing masculine gender include the feminine.
- 2.5 All Members, except the Mayor, are to be addressed as "Councillor". The Mayor shall be addressed as "Mayor _____" or as "Your Worship" or any other title that denotes respect. No titles will appear on the Council nameplates which appear in the Council Chambers with the exception of "Mayor" or "Councillor", as appropriate.
- 2.6 While within a Council Meeting, the Members shall:
- (a) Send or receive electronic communication of a personal nature only in the event of emergencies;
 - (b) Access the internet during a Council Meeting only to access Council agenda package information or any other information that is germane to the agenda package;
 - (c) Refrain from all other forms of electronic communication; and
 - (d) Set all electronic devices to silent.

3. Roles of Chair and Members

- 3.1 It is the Role of the Mayor:
- (a) To act as Chief Executive Officer of the Municipality;
 - (b) To preside over Council Meetings so that its business can be carried out efficiently and effectively;
 - (c) To provide leadership to the Council;
 - (d) To represent the Corporation at official functions;
 - (e) To carry out the duties of the head of Council under any Act.

3.2 As Chief Executive Officer of the Corporation, the head of Council shall:

- (a) Uphold and promote the purposes of the Municipality;
- (b) Promote public involvement in the Municipality's activities;
- (c) Act as the representative of the Municipality both within and outside the City and promote the City locally, nationally and internationally; and
- (d) Participate in and foster activities that enhance the economic, social and environmental well-being of the City and its residents.

3.3 It is the Role of Council:

- (a) To represent the public and consider the well-being and interests of the City;
- (b) To develop and evaluate the policies and programs of the Municipality;
- (c) To determine which services the city provides;
- (d) To ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
- (e) To ensure the accountability and transparency of the operations of the Corporation, including the activities of the senior management of the Corporation
- (f) To maintain the financial integrity of the Corporation; and
- (g) To carry out the duties of Council under any Act.

4. Prolonged Absence

4.1 The office of a Member becomes vacant if the member is absent from the Meetings of Council for three successive months without being authorized to do so by a resolution of Council.

- 4.2 Section 4.1 does not apply to vacate the office of a Member if the absence is a result of the member's pregnancy, the birth of the member's child or the adoption of a child by the member.

5. Direction to Staff

- 5.1 No Member shall direct, request any reports, or interfere with the performance of any work being carried on by an employee of the City. Direction, including reports, may be requested by resolution of Council.

6. Location of Meetings

- 6.1 Regular meetings of Council shall be held in the Council Chambers or other Committee room at Sarnia City Hall, 255 Christina Street North, Sarnia.
- 6.2 Other meetings may be held at any convenient location within the City or within an adjacent municipality at the call of the Chair in accordance with the requirements of this Procedure By-law."

7. Open Meetings

- 7.1 The first Meeting in a new term of Council shall be held no later than 31 days after term commences at such a time as called by the City Clerk in consultation with the Mayor.
- 7.2 Council shall approve an annual Meeting schedule and meet in accordance with the approved Council Meeting schedule for regular Council Meetings.
- 7.3 Corporate Priorities/Strategic Planning Meetings will be scheduled in the yearly schedule of Meetings or may be held at the call of the Chair or of the City Clerk upon receipt of a petition of a majority of Members of Council.

- 7.4 Special Meetings may be called by the Chair at any time and may be open or closed as the Municipal Act, 2001 or this by-law allows.
- 7.5 The City Clerk shall call a special Meeting upon receipt of a petition of a majority of Members of Council setting forth the purpose and time for the Meeting.
- 7.6 The first Meeting of each month shall be opened with a Moment of Silent Reflection following the National Anthem.
- 7.7 If a Monday designated for the holding of a Council Meeting falls on a public holiday or on a day when City Hall is closed for business, Council shall meet at the designated hour on the first day following which is not a public holiday.
- 7.8 Any person directly affected by a report or correspondence on a Council agenda, who may wish to address Council on that topic, may be provided with a copy of the report or correspondence when available. Staff shall provide a copy to Members in advance of circulation to the person.
- 7.9 All regular Meetings shall commence at 4:00 p.m., recess at 6:00 p.m. for up to 30 minutes as determined by a majority of Council, or as close as practicable thereto, and adjourn at no later than 9:00 p.m. These times may be adjusted to accommodate a Public Meeting.
- 7.10 In the event that the business of the Meeting appears to be nearing completion by or shortly after 6:00 p.m., and there are no delegations to be heard after 6:00 p.m., the Meeting may continue without recess and be adjourned at the appropriate time thereafter.

- 7.11 Agendas for Meetings, with written material, if any, will be forwarded to Council on the ~~Thursday~~Wednesday preceding a Meeting.
- 7.12 Agendas for Council Meetings shall be published on the Thursday prior to the Meeting after being delivered to Members.
- 7.13 Public notice of all Meetings shall be provided in accordance with the City of Sarnia Notice Policy. In addition to the approved Meeting schedule, notices of Meeting shall be placed in the Civic Corner in a local newspaper whenever possible, the City website, and the Notice Board at City Hall.
- 7.14 Notwithstanding any other provision of this By-law, an emergency Meeting may be held, without written notice, to deal with an emergency situation, provided that an attempt has been made by the City Clerk to notify the members about the Meeting as soon as possible and in the most expedient manner available. No business except business dealing directly with the emergency situation shall be transacted at an emergency Meeting.
- 7.15 Any regular Meetings of Council may be postponed or cancelled:
- (a) By the Chair through a notice to the City Clerk. The City Clerk shall forward the notice to each Member at least 72 hours prior to the date of the Meeting; or
 - (b) By a special motion of Council passed by the majority of Members.
- 7.16 Meetings shall be open to the public except as allowed under section 239(2) of the Municipal Act, 2001.
- 7.17 No more than one regular Meeting of Council shall be called, unless an emergency arises, of the outgoing Council following the election of a new Council.

7.18 Public Meetings are to take place in the Council Chambers when possible to allow for seating.

8. Closed Meetings

- 8.1 Council may convene in closed session if the subject matter being considered falls within an exception listed in section 239(2) of the *Municipal Act, 2001*, SO 2001, c 25, as amended.
- 8.2 No use of recording functions of devices of any kind are allowed while within a closed session Council Meeting except those operated by the municipality. Any recordings of closed sessions will not form an official record and will only be used if deemed necessary during an official investigation.
- 8.3 Closed Meetings of Council shall commence immediately prior to regular Meetings, except for urgent matters which may be considered during regular or special Meetings.
- 8.4 Prior to moving into a closed session for one of the reasons listed in section 239(2) of the *Municipal Act*, a motion shall be passed in public session stating the fact of the holding of the closed Meeting and the general nature of the matter to be considered at the closed Meeting.
- 8.5 At the beginning of each closed Meeting of Council, the Chair shall ask whether any Member wishes to make a motion to remove any closed Meeting agenda item to a public Meeting.
- 8.6 A Meeting may be closed to the public during the taking of a vote if the vote is for a procedural matter or for giving direction or instruction to officers, employees or agents of the City or Local Board or Committee of either of them or persons retained by or under a contract with the municipality or Local Board. Where a vote is taken for any purpose, and a

Member requests immediately prior or immediately subsequent to the taking of the vote that the vote be recorded, each Member present, except a Member who is disqualified from voting by any Act, shall announce or indicate by hand his vote openly and an abstention shall have the same effect as a "no" vote and the City Clerk shall record it as such.

- 8.7 Upon completion of closed Meetings of the Council, the decisions of the Council with respect to any of the above enumerated items, and directions to City administration in accordance therewith, shall then be reported publicly by Council to the extent that the public interest permits.
- 8.8 The response of Members to enquiries about any matter dealt with by Council at a closed Meeting, prior to it being reported publicly, shall be "no comment", or words to that effect.
- 8.9 The release of any information about matters dealt with by Council at a closed Meeting shall be by the Chair or his delegate only.
- 8.10 Notwithstanding Section 7.9, upon the public reporting of any closed Meeting agenda item, any individual Members may express their own personal position on the item, but shall not refer to or discuss the specific positions or opinions (written or verbal) of other Members or of City Staff.
- 8.11 Agendas or any items thereon for consideration by Council at a closed Meeting shall not be released to the public.
- 8.12 City Council shall not hear delegations or meet with any person or representative of any organization while in closed session. However, any written request or information may be provided to Council for consideration at a closed Meeting. If

Council is acting as an appeal body this section does not apply.

8.13 Notwithstanding Section 7.12, Council may hear from City staff or anyone retained by the City.

8.14 Closed Meetings of Council will commence in advance of the regular Council Meeting at a time that the City Clerk, in consultation with the Chair, determines will best accommodate the closed meeting agenda.

9. Minutes

9.1 The City Clerk shall prepare minutes of all Council Meetings which shall record:

- (a) The place, date and time of Meeting;
- (b) The name of the Chair and the attendance of the members;
- (c) Any pecuniary interest that has been declared;
- (d) The resolutions of Council passed at the Meeting;
- (e) The proceedings of Council without note or comment;
- (f) The time of adjournment.

9.2 The minutes of each Meeting of the Council shall be presented to the Council at the next regular Meeting for approval.

10. Ad Hoc Committees

10.1 Ad Hoc Committees of Council may be appointed by Council at any time, for consideration of special matters, and such committees shall be subject to this By-Law so far as applicable.

- 10.2 The Mayor, or in his absence the Acting Mayor, shall be an ex officio Member of all Ad Hoc Committees of Council.

11. Proceedings

- 11.1 A quorum consists of a majority of the whole number of Members of Council.
- 11.2 The Mayor, or in his absence, the Acting Mayor, shall take the chair and call the Members to order as soon as there is a quorum present at the time appointed to commence the Meeting.
- 11.3 If a quorum is not present within 15 minutes after the time appointed, the City Clerk shall record the names of the Members in attendance and the Meeting shall stand adjourned until the time appointed for the next Meeting.
- 11.4 If neither the Mayor nor the Acting Mayor are present within 15 minutes after the time appointed to commence the Meeting:
- 11.4.1 The City Clerk shall call the Members to order and determine if a quorum is present;
- 11.4.2 The Members present shall appoint one from among them as the Chair, who shall preside over the Meeting and, until the arrival of the Mayor or Acting Mayor, has all the rights and powers of the Mayor; and
- 11.4.3 Upon the arrival of the Mayor or Acting Mayor, the acting Chair shall immediately relinquish the chair.

- 11.5 The Chair, except where he is disqualified from voting by reason of interest or otherwise, may vote with the other Members on all questions.
- 11.6 Any question on which there is a tie vote is deemed to be a negative vote.
- 11.7 The Chair shall:
- (a) Preside at all Meetings
 - (b) Preserve order and decorum;
 - (c) Decide questions of points of order, subject to an appeal to Council at the time of the ruling and, if requested, cite the rule or authority applicable; and
 - (d) Announce the business before Council according to the order of business.
- 11.8 Members of the public attending shall respect the decorum of Council and refrain from public outbursts, shouting, or behavior intended to disrupt the debate, discussion and/or general proceedings of the Council. The Chair may request that a member(s) of the public vacate the Council Chambers or meeting room if their behavior is deemed to be disruptive to the business at hand. The Chair may unilaterally suspend the meeting until order is restored in the Council Chambers.
- 11.9 If the Chair desires to take part in the debate, he shall appoint a Member to act as presiding officer until he resumes the chair, and leave the chair for the purpose of participating in the debate.

12. Acting Mayor

- 12.1 At the Inaugural Meeting, Council shall appoint the Councillor who received the most votes during the most recent municipal election as Acting Mayor for the first year of the term.
- 12.2 Council shall appoint a new "Acting Mayor" on an annual basis, appointing next the Member who received the second highest number of votes in the municipal election, followed by the Member who received the third highest number of votes, and so on for all Members with the interest and willingness to serve in the "Acting Mayor" role.
- 12.3 The Acting Mayor is appointed to act in the place of the Mayor to preside at meetings when the Mayor is absent, refuses to act, or the office is vacant. While so acting the Acting Mayor has all the powers and duties of the Mayor with respect to the role of presiding at meetings.

12.4 If the Acting Mayor does not wish to chair, then the duty shall be assigned to Councillors on a rotating basis in the order of seniority, with a tie in seniority decided by the number of votes received in the previous municipal election.

13. Order of Business

- 13.1 The order of business is as follows:
- (a) 4:00 p.m. Regular Meeting commences;
 - (b) Report from Closed Council Meeting, if any;
 - (c) Disclosures of pecuniary interest (direct or indirect);
 - (d) Award ceremonies, if any;
 - (e) Public Meeting(s) in accordance with the Planning Act;
 - (f) Delegations;

- (g) Reports/Correspondence;
- (h) Notices of Motion;
- (i) Adoption of Minutes;
- (j) Inquiries, Information and Urgent Matters;
- (k) Routine Approvals, Action and Information;
- (l) Civic Reports;
- (m) By-Laws;
- (n) Adjournment

13.2 If Council has scheduled a public Meeting other than a public Meeting as defined by the Planning Act or another statute, then Council shall suspend the Council Meeting at 5:00 p.m. and initiate the public meeting. Council shall formally close the public meeting at its conclusion and reopen the Council Meeting following a nutrition break. In all other cases recess shall proceed in accordance with Section 6.5.

13.3 Matters of Inquiries, Information or Urgent Matters shall be limited to a 5 minute presentation by any member;

13.4 Members disclosing any pecuniary interest under Section 12.1(c) in accordance with the Municipal Conflict of Interest Act, shall:

- (a) do so in writing and file such written disclosure with the Clerk prior to the commencement of a Meeting where the matter in which the conflict of interest that arises is discussed; and
- (b) be excluded from receiving any written reports or other closed Meeting material respecting any matter in which such member has made such a disclosure.

13.5 The City Clerk has the following responsibilities with respect to requests and correspondence to Council:

- (a) Requests from municipalities, municipal associations, other organizations, and interest groups for endorsement of resolutions and policies should be reviewed by the City Clerk and a list prepared for circulation with each Council agenda. If a member of Council so requests, the correspondence will be placed on the Council agenda as a correspondence action item.
 - (b) The incoming correspondence will be kept on file in the City Clerk's Office and upon receipt each correspondence item will receive a response outlining the City's process for considering resolutions.
- 13.6 Staff-led public Meetings are conducted on many issues within the municipality. A summary of the public input at these staff-led public Meetings is to be provided to Council at the time of the report on the issue is presented to Council.

14. Delegations

- 14.1 Delegations will be scheduled by the City Clerk. The City Clerk will attempt, wherever possible and subject to both the length of the business and the order of business, to accommodate any prospective delegate;
- 14.2 Any person desiring to address Council as a delegate shall notify the City Clerk not later than 12:00 noon of the Wednesday prior to the Meeting for the request to be listed on the agenda. The Chair may grant a late request to address Council by providing instructions to the City Clerk.
- 14.3 Any person desiring to address Council shall file with the City Clerk contact information with respect to the presenter together with a letter or brief outlining his

proposal or request. The letter or brief shall be delivered to the City Clerk in time for inclusion in the agenda. The City Clerk or Chair may ask for additional information from the delegate, if it is deemed necessary in order to give Council a clear understanding of the issue to be discussed.

- 14.4 The Clerk shall review the outline or presentation material provided and determine if the subject matter and nature of the delegation's request falls within the jurisdiction of Council.
- 14.5 The Clerk may refuse or postpone a delegation when there has been or will be at least one (1) public Meeting held at which the public was or will be provided the opportunity to make formal presentations on that subject matter.
- 14.6 Where the matter falls outside of the scope of responsibility of Council, the Clerk may notify the person(s) that the presentation should be properly referred to the most appropriate Municipal Committee, Local Board, Commission, Agency or Provincial or Federal Government Ministry for consideration.
- 14.7 The Clerk may refuse a delegation that is not permitted under this by-law if the subject matter has been before or is to be considered by the Committee of Adjustment or other committees of council, or has previously been decided by Council.
- 14.8 In the event that a delegation request is refused, the Clerk's Office shall provide to the person(s) in writing the reasons for the refusal with a copy to Council.

14.9 A delegation that has been refused by the Clerk has the right to make a written appeal to Council, and Council's decision shall be final.

~~13.9~~14.10 No one except a Member or appointed City official shall be allowed to:

- (a) Come within the bar of the Council Chambers during the sittings of Council; or
- (b) Address Council without giving prior notice in accordance with this section;

except with the permission of Council granted on a majority vote of the members present.

~~13.10~~14.11 Where background information is provided to Council by City administration with respect to items for which there is a delegation, such information shall be also furnished to the delegation;

~~13.11~~14.12 Delegations are limited to 10 minutes. Any person or group permitted to address Council shall be limited to a maximum of 10 minutes, not including the time required to respond to questions of Council, except in the case of statutory public hearings where procedural rules or guidelines are otherwise set forth.

~~13.12~~14.13 Any person who wishes to address Council at the Public Input and Grants Session Meeting in regards to the proposed draft budget and who has not previously registered with the Clerk will be given an opportunity to register with staff up to 15 minutes prior to the start of the meeting and will be limited for a maximum of five (5) minutes.

~~13.13~~14.14 Any person seeking to show an electronic presentation for Council at a Meeting shall be required to furnish same to the City Clerk sufficiently in advance of the Meeting to permit the City Clerk to view same in its entirety and make any recommendations to Council the City Clerk deems necessary in consequence thereof, which may include a recommendation that such presentation not be shown publicly, or that the showing of such presentation be postponed either to a time certain, or indefinitely.

~~13.14~~14.15 The following are not permitted to address City Council, nor will a brief respecting such matters be listed on a Council agenda, although a written brief may be distributed for information purposes to Council by the City Clerk:

- (a) Any person requesting to address City Council with respect to a labour management dispute or issue;
- (b) Any affected bidder, or representative of an affected bidder, requesting to address City Council about the awarding of a tender;
- (c) Any person requesting to address City Council with respect to a claim, or potential claim, against the City;
- (d) Any person requesting to address City Council on litigation or potential litigation, including matters which are before and under the jurisdiction of any court or any administrative tribunals affecting the municipality unless the matter is referred to Council by the said administrative tribunal or court; and
- (e) Any person promoting a candidate nominated for an upcoming provincial, federal, local municipal or local school board election.

~~13.15~~14.16 Delegations shall not:

- (a) Speak disrespectfully of or to any person;
- (b) Use offensive words;
- (c) Speak on any subject other than the subject for which they have received approval to address Council;
- (d) Disobey a decision of Council;
- (e) Enter into cross debate with other deputations, City staff, or Council Members.

15. Conduct of Debate

- 15.1 When speaking to any question or motion, Members shall address the Chair;
- 15.2 When more than one Member signifies an intention to speak, the Chair shall designate the order of speaking and the Member who has the floor;
- 15.3 Every Member present when a question is put shall vote thereon, unless precluded from participating in discussion and from voting thereon by The Municipal Conflict of Interest Act;
- 15.5 Any Member may require a question or motion under discussion to be read at any time during debate thereof, but not so as to interrupt a Member;
- 15.6 Questions may be put to the Chair at any time, or through him or by him on any matters connected with Council or the Corporation but no argument or debate is to be made on such question except in so far as is necessary to state and answer same;
- 15.7 No Member shall:
 - (a) Speak disrespectfully of any member of Council or any other person;

- (b) Use indecent, offensive or insulting language;
 - (c) Speak to issues of no importance to the question in debate;
 - (d) Speak more than three times to the same question, except to explain any material portion of his speech which may have been interpreted incorrectly and, in so doing, he shall not introduce any new matter. The mover of a motion may have the final rebuttal. A Member may be permitted to speak more than three times to the same question with leave of Council as granted by a majority vote of Members present after all other Members so desiring have spoken;
 - (e) Resist the rules of Council; or
 - (f) Disobey the decision of the Chair or of Council on questions of order or practice or interpretation of the rules;
- 15.8 A Member who is called to order shall immediately cease to speak. A Member persisting in a breach of this By-Law may be ordered to leave the Council Chamber by the Chair;
- 15.9 No Member will be permitted to retake his seat at any Meeting after being ordered to leave the Council Chambers until he has apologized to Council;
- 15.10 No Member shall speak to any question or in reply in accordance with 14.7(d) above for longer than 5 minutes;
- 15.11 When the Chair is putting the question no Member shall leave his seat, or make any noises or disturbances.

16. Motions

- 16.1 Notices of Motion shall be given by a Member in writing and delivered to the City Clerk prior to noon of the Tuesday preceding the date of the Council Meeting at which the notice is to be placed on the agenda. The request shall contain a formal motion in addition to an explanation in support of the motion. ~~with an indication of the date the item is intended to be discussed;~~
- 16.2 A Member may introduce a motion without notice as granted by a majority of Members present;
- 16.3 All motions shall be moved and seconded before being discussed or debated or put from the Chair;
- 16.4 After a motion is seconded, it may be withdrawn by the mover or seconder at any time before decision with the permission of Council, which permission will be implied unless stated to the contrary by the majority of Members present;
- 16.5 When a question or motion is under consideration, no further motion shall be made unless it be a motion to defer or to amend.
- 16.6 A motion to defer the question is debatable and shall include instructions respecting the terms upon which the question is to be postponed;
- 16.7 A motion to lay a question on the table shall not be debatable. If the motion contains instructions regarding when the question shall be taken from the table, then the Chair shall treat the motion as a motion to defer.
- 16.8 An amendment to a motion may be made, provided it is not contrary to the intention of the main motion;

- 16.9 Only one motion to amend an amendment to the question will be allowed and any further amendment must be to the main question;
- 16.10 No more than two amendments may be outstanding at any one time;
- 16.11 With the approval of the mover and seconder, a substitute motion is sometimes preferable to use in order to save the time of the Meeting;
- 16.12 Where the question under consideration contains separate propositions they shall, at the request of any Member of Council, be put separately;
- 16.13 Amendments shall be put to the vote in the reverse order to that in which they are moved and every amendment shall be decided or withdrawn before the main question or motion is put to the vote;
- 16.14 If the Chair is of the opinion that a question or motion is contrary to these rules, he shall so inform the Member, and shall cite the rule or authority applicable in ruling the matter out of order;
- 16.15 After the question is put, no member shall speak to the motion nor shall any other motion be made until the result of the vote has been declared;
- 16.16 Where a vote is taken for any purpose, and a Member requests immediately prior or immediately subsequent to the taking of the vote that the vote be recorded, each Member present, except a Member who is disqualified from voting by any Act, shall announce his vote openly and any failure to vote by a Member who is not disqualified shall be deemed to be a negative vote and

the City Clerk shall record it as same. A recorded vote may not be requested if the Members have moved to another item on the agenda.

- 16.17 No vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.

17. Reconsideration

- 17.1 No report or motion shall be reconsidered within the term of Council, except with the permission of Council granted upon a majority vote of the Members present;
- 17.2 No report or motion shall be reconsidered at the same Meeting except upon the motion of a Member who voted with the majority upon the original question;
- 17.3 No motion or report shall be reconsidered more than once at any Meeting;
- 17.4 No motion to reconsider is necessary if no position has been adopted;
- 17.5 A motion to reconsider is not debatable, although the mover of the motion may, in writing, express his rationale for the motion to reconsider, without debating the merits of the issue to be reconsidered;
- 17.6 When a motion to reconsider a matter is adopted, the matter will not be discussed until the following regular Meeting of Council unless otherwise directed by Council in accordance with Section 2.3.
- 17.7 The effect of a motion to reconsider is an indication that Council is willing to consider the matter again, and does not eliminate the previous decision, unless a motion to

that effect is adopted by Council. In the event that a motion to reconsider is adopted, City staff shall take no further action on the course set by the original motion until the matter is actually considered again.

18. By-Laws

- 18.1 Every By-law shall be introduced and shall receive three readings before it is finally passed.
- 18.2 A By-Law shall be deemed to have been read upon the title or heading printed in the Agenda being read, or being taken as read.

19. Adjournment

- 19.1 A motion to adjourn the proceedings of Council shall always be in order and shall be decided without debate, but no second motion to adjourn shall be made until after some intermediate proceeding of the Council.

20. Repeal

- 20.1 By-Law No. 23 of 2015 is hereby repealed;
- 20.2 By-Law No. 49 of 2015 is hereby repealed;
- 20.3 The short title of this By-Law shall be "The Procedure By- Law"
- 20.4 This By-Law shall come into force and effect upon being read a third time, except for Section 11 which shall come into force and effect on December 1, 2018.

**By-Law Read a First, Second and Third time this
, 2019**

day of

Mike Bradley
Mayor

Dianne Gould-Brown
City Clerk

Draft