

**Proposed amendments to the *Procedure By-law***

*Proposed amendments have been **bolded and underlined**. Formatting changes including re-numbering or re-ordering of subsections may not be tracked.*

BY-LAW 2022 – XXX

A by-law of the City of Ottawa to govern the proceedings of the Council and its Committees and to repeal By-law No. **2021-24**.

The Council of The City of Ottawa, pursuant to Section 238 of the *Municipal Act, 2001*, as amended, enacts as follows:

1. **RULES OF PROCEDURE ADOPTED/SUSPENDED**

- (1) The proceedings of the Council and the Committees / Commissions thereof, the conduct of the Members and the calling of meetings shall be governed by the provisions of the *Municipal Act, 2001* and the rules and regulations contained in this By-law, and, except as provided herein, the rules of parliamentary procedure as contained in Robert's Rules of Order, shall be followed for governing the proceedings of Council and the Committees/Commissions thereof and the conduct of its Members.
- (2) Despite Subsection 1(1), the rules and regulations contained in this by-law may be suspended by a vote of three-quarters of the Members present and voting.
- (3) A motion pursuant to Subsection 1(2) or a motion pursuant to Subsection 89(3) shall identify the rationale for the basis for the request for the suspension of the rules or the late introduction of the item, as the case may be.
- (4) Subsection 1(3) may only be suspended with the consent of all Members of Council present and voting.
- (5) Despite Section 28, Members may vote and participate electronically in all meetings of City Council and its Committees, while such remote participation

is permitted under the *Municipal Act, 2001*, as amended, or other provincial statute and in accordance with the following parameters:

- (a) While a quorum of 13 Members may be physically present at the meeting, any Member participating electronically, including those Members currently excused by a Council motion to attend at meetings, can be counted in determining whether or not a quorum is present, as permitted by statute;
    - (i) **Any Member may at any time call for the Chair to do a quorum check if quorum cannot be determined due to electronic participants not being visible to other meeting participants**
  - (b) A Member shall be permitted to participate electronically in a meeting which is closed to the public, as permitted by statute;
  - (c) Electronic participation may be conducted by way of telephone, **video conferencing software** or other electronic means, following instructions provided by the City Clerk in order to ensure that the meeting may proceed in the most transparent and successful manner under the circumstances.
  - (d) Subject to the above-noted parameters, a Member who participates electronically shall have the same rights and responsibilities as if they were in physical attendance, including the right to vote.
- (6) The means of electronic participation for meetings of Council and Committee/Commission **shall** be communicated to Members and the Public in advance of the Meeting, including the process for Members of the Public to participate electronically Committee/Commission meetings by means of written or oral submission.
- ~~(7) **Despite Subsection 81(1)(f), more than two regular meetings of Standing Committee/Commission may be cancelled if in the Chair's opinion such meetings are not necessary for the proper conduct of the business of the Committee/Commission. (Moved to Section 81)**~~

## 2. DEFINITIONS

In this By-law,

- (1) “Bulk Consent Agenda” means those items carried unanimously on consent, including those with minor technical amendments (meaning minor corrections that do not change the substance of the approval(s) required), at a Standing Committee or the Transit Commission in accordance with Section 84, that may be approved by Council without debate;
- (2) “Chair” means the chair of a committee or commission;
- (3) “City” means the City of Ottawa;
- (4) “City Manager” means the chief administrative officer referred to in Section 229 of the *Municipal Act, 2001*;
- (5) “Clerk” means the position appointed pursuant to Section 228 of the *Municipal Act, 2001*;
- (6) “Committee/Commission” means a committee of Council and includes Standing Committees, Transit Commission, special committees and sub-committees;
- (7) “Committee of the Whole” means all the Members of Council sitting in committee;
- (8) “Consent Agenda” means the portion of the agenda that may be approved by Council without debate;
- (9) “Council” means the Council of the City of Ottawa;
- (10) “Councillor” means a person elected or appointed as a Member of Council but does not include the Mayor;
- (11) “Day” does not include Saturday, Sunday or a holiday;
- (12) “Deputy Mayor” means the designated Member(s) of Council appointed to this position pursuant to Section 5;

- (13) “Direction to Staff” means a request submitted by a Member in accordance with Section 33, and with the will of Council/Committee/Commission where staff has agreed to undertake additional actions, within existing resources and within the scope of an item of business already on the Agenda;
- (14) “Emergency Period” means any period where the City of Ottawa has entered a State of Emergency under the *Emergency Management and Civil Protection Act*;
- (15) “General Manager” means the official responsible for a department within the City;
- (16) “Holiday” means a holiday as defined by the *Legislation Act, 2006*, as amended;
- (17) “Inquiry” means a written question filed by a Member at a Council or Committee meeting, in accordance with Section 33, where staff has been asked to provide additional information in writing about an existing by-law, program, policy, service, legislation or operational matter within the jurisdiction of Council or the respective committee. An Inquiry may be defined as either:
- (a) a standard inquiry, where staff can respond using existing resources and information within a reasonable amount of time; or
  - (b) a significant inquiry, where staff has identified that, due to the subject matter or scope of the inquiry, staff cannot respond using existing resources and information within a reasonable amount of time.
- (18) “Mayor” means the Mayor as the Head of Council, or in the absence of the Mayor, the Deputy Mayor or, in the absence of both, another Member of Council appointed in accordance with Section 17 (1);
- (19) “Notice” in Sections 36, 81 and 82 means notice that includes the time and place of a meeting of Council, a Standing Committee or Transit Commission and, in the instance of a Special Meeting, shall include the

purpose of the meeting and whether the meeting was called by the Mayor, Chair or upon petition;

- (20) “Notice of Motion” means a written notice, including the names of the mover and seconder, advising Council that the motion described therein will be brought at a subsequent meeting;
- (21) “Declaration of Interest” means a declaration **of pecuniary interest (relating to or connected with money)** pursuant to the relevant conflict of interest legislation;
- (22) “Point of Order” means a statement made by a Member of Council during a meeting thereof drawing to the attention of the Mayor a breach of the Rules of Procedure;
- (23) “Presiding Officer” means the Mayor at a regular or special meeting of Council or the Member of Council appointed as the Chair of a Committee/ Commission or, in the absence of either, another Member of Council appointed in accordance with the provisions of this by-law;
- (24) “Privilege” means the raising of a question which concerns a Member of Council, or the Council collectively, when a Member believes that their rights, immunities or integrity or the rights, immunities or integrity of Council as a whole have been impugned;
- (25) “Procedural Motion” means any motion concerning the manner or time of consideration of any matter before the Council as opposed to the substance thereof, and includes, without limitation, the following:
  - (a) to extend the time of the meeting;
  - (b) to refer;
  - (c) to lay on the table;
  - (d) to defer indefinitely or to a certain day;
  - (e) to adjourn;
  - (f) to move the question be put; or
  - (g) to suspend the Rules of Procedure;

- (26) “Public Service Announcement” means an electronic notice sent in both official languages to the listing of daily newspapers, local and community newspapers and broadcast outlets located within the City of Ottawa maintained by Public Information and Media Relations;
- (27) “Rules of Procedure” means the rules and regulations provided in this By-law;
- (28) “Standing Committee” means a Committee of Council comprised solely of Members of Council who are appointed by Council, but includes the Transit Commission and Debenture Committee;
- (29) “Committee Coordinator” means the person whose duties include the recording of the proceedings of Standing Committee/Commission meetings;
- (30) “Substantive Motion” means any motion other than a Procedural Motion;
- (31) “Transit Commission” means the body composed of eight Members of Council and four citizen Members responsible for overseeing transit operations;
- (32) “Treasurer” means the position appointed pursuant to Section 286 of the *Municipal Act, 2001*; and
- (33) “Vice-Chair” means the vice-chair of a committee or commission.

## PART I DUTIES OF THE MAYOR – COUNCILLORS

### 3. DUTIES OF THE MAYOR

It shall be the duty of the Mayor to carry out the responsibilities set forth in the *Municipal Act, 2001*, Sections 225 and 226.1 and:

- (1) to open the meeting of Council by taking the chair and calling the Members to order;
- (2) to announce the business before the Council and the order in which it is to be acted upon;

- (3) to receive and submit, in the proper manner, all motions presented by the Members of Council;
- (4) to 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;
- (5) to vote on all matters, which are moved and seconded, or necessarily arise in the course of the proceedings;
- (6) to decline to put to a vote, motions which infringe upon the Rules of Procedure;
- (7) to enforce the Rules of Procedure;
- (8) to restrain the Members, when engaged in debate, within the Rules of Procedure;
- (9) to enforce on all occasions, the observance of order and decorum among the Members;
- (10) to call by name any Member persisting in a breach of the Rules of Procedure and order the Member to vacate the Council Chamber;
- (11) to permit questions to be asked through the Mayor of any officer of the City in order to provide information to assist any debate when the Mayor deems it proper;
- (12) to provide information to Members of Council on any matter touching on the business of the City;
- (13) to receive all petitions and communications and announce them to the Council;
- (14) to authenticate, by signature, all by-laws, and Minutes of Council;
- (15) to rule on any points of order raised by Members of Council;

- (16) to inform the Members of Council of the proper procedure to be followed;
- (17) to represent and support the Council, declaring its will and implicitly obeying its decisions in all matters;
- (18) where it is not possible to maintain order, the Mayor may, without any motion being put, adjourn the meeting to a time to be named by the Mayor;
- (19) to adjourn the meeting when the business is concluded; and
- (20) to communicate the requests and positions of Council to other levels of Government as appropriate.

#### 4. PARTICIPATION OF MAYOR IN DEBATE

- (1) The Mayor may state relevant facts and the Mayor's position on any matter before the Council without leaving the chair, which may take place immediately prior to the vote, but it shall not be permissible **without the will of Council** for the Mayor to move a motion or debate a question without first leaving the chair.
- (2) If the Mayor desires to leave the chair to move a motion or to take part in the debate pursuant to Subsection (1), or otherwise, the Mayor shall call on the Member designated as Deputy Mayor pursuant to Section 5, to preside until the Mayor resumes the chair and the Mayor shall assume a seat reserved for a Councillor.

#### 5. DEPUTY MAYOR

- (1) **At the beginning of each Term of Council**, a by-law shall be placed on the Agenda to **designate a rotation list of** Members of Council to serve as Deputy Mayors.
- (2) **The rotation list shall be comprised of all the members of Council to each serve a limited term as Deputy Mayor in the event that the Mayor is absent or unable to perform some or all of the duties of the office.**



- (3) **The order for the rotation list shall be recommended by the Mayor and approved by Council.**
- (4) **The time period to be served as Deputy Mayor may be exchanged between Councillors upon notice to the Clerk and agreement of the Mayor and Councillors concerned.**
- (5) **Subject to Subsection (5), the City Clerk shall place an amending By-law directly on a Council Agenda to adjust the rotation list and the change shall take effect until upon approval by Council**
- (6) The responsibilities and scheduling of each Deputy Mayors during their rotation shall be at the discretion of the Mayor and the Deputy Mayors.
- (7) Section 75 shall not apply to the Deputy Mayors.

6. **DUTIES OF A MEMBER OF COUNCIL**

It shall be the duty of a Member of Council to carry out the responsibilities set forth in the *Municipal Act, 2001*, Section 224 and:

- (a) To deliberate on the business submitted to Council;
- (b) To vote when a motion is put to a vote; and
- (c) To respect the Rules of Procedure.

7. **CITY MANAGER - ADDRESS COUNCIL AND STANDING COMMITTEES**

The City Manager, or **their** designate, shall have the right to address the Council, any Standing Committee or Transit Commission on any matter relevant to the function or administration of the City.

PART II COUNCIL

8. **REGULAR MEETINGS**

- (1) (a) Subject to this section, the regular meetings of the Council shall be held at 10:00 a.m. on the second and fourth Wednesday in each month in each year unless otherwise changed by Council.
- (b) A meeting shall adjourn by 7:00 p.m. If the City Council meeting is not finished by 7:00 p.m., it will automatically reconvene the following Friday morning, in the same week, at 10:00 a.m.

- (c) Despite Clause (b), Council can extend the meeting time beyond 7:00 p.m. by simple majority vote.
  - (d) Despite Subsection 8(1)(a), the time and date of individual regular meetings may be varied by the Mayor.
- (2) Subject to Subsection 3, during the months of March, July, August and December; and of October in a regular election year, at least one regular meeting of Council shall be held at 10:00 a.m. on a Wednesday of the month determined by the Mayor.
- (3) The Mayor may cancel one or more regular meetings of the Council if, in the Mayor's opinion, such meetings are not necessary for the proper conduct of the business of the City and provided that not more than two successive regular meetings are cancelled under this subsection.

9. REGULAR MEETING DAY A HOLIDAY

If the day provided herein for a regular meeting of Council is a holiday, or a day of religious observance that precludes the participation of any Members of Council, the meeting shall be held on the next following business day, unless otherwise provided by resolution of the Council.

10. PLACE OF MEETING

All meetings of the Council shall be held in the Council Chambers at the Ottawa City Hall or at such other place as is specified in the ~~Draft~~ Agenda.

11. SEATING AT COUNCIL

Councillors shall be assigned seats at Council by the Clerk based upon their Ward Number in a clockwise fashion commencing from the Mayor's right.

12. MEETINGS OPEN TO PUBLIC

- (1) Subject to Section 13, the meetings of the Council shall be open to the public and no person shall be excluded therefrom except for improper conduct.

- (2) The Mayor may expel or exclude from any meeting any person who has engaged in improper conduct at the meeting if the Mayor is satisfied that evidence exists to support expulsion or exclusion and states the reason for the expulsion or exclusion.
- (3) For the purposes of Subsections (1) and (2), “improper conduct” means conduct that obstructs in any way the deliberations and/or proper action of Council, and includes but is not limited to conduct that negatively affects the observance of order and decorum among Members and the attending public, as well as examples of unreasonable behaviour/incidents set out in the Public Conduct Policy and/or Corporate Trespass to Property – Procedures.
- (4) The exercise of authority and stated reason under Subsection (2) shall be recorded in the meeting minutes.

13. CLOSED MEETINGS

- (1) Council may, by resolution, close a meeting or part of a meeting to members of the public if the subject matter to be considered is,
  - (a) the security of the property of the City;
  - (b) personal matters about an identifiable individual, including staff;
  - (c) a proposed or pending acquisition or disposition of land for the purposes of the City;
  - (d) labour relations or employee negotiations;
  - (e) litigation or potential litigation, affecting the City, including matters before administrative tribunals;
  - (f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
  - (g) a matter in respect of which the Council is authorized by statute to hold a closed meeting;
  - (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
  - (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
  - (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
  - (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.
  
- (2) Council shall, by resolution, close a meeting or part of a meeting to members of the public where the subject matter to be considered is,
  - (a) a request under the *Municipal Freedom of Information and Protection of Privacy Act*; or

- (b) an ongoing investigation respecting the City, a local board or a municipally-controlled corporation by the Ombudsman and/or Meetings Investigator.
- (3) A meeting of Council may be closed to members of the public if the following conditions are both satisfied:
  - (a) The meeting is held for the purpose of educating or training the Members; and
  - (b) At the meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of Council.
- (4) A motion to close a meeting or part of a meeting to the public shall state:
  - (a) the fact of the holding of the closed meeting; and
  - (b) the general nature of the matter to be considered at the closed meeting by reference to the specific issue to be considered at the closed meeting.
- (5) Where a meeting or part of a meeting is closed to the public, all persons not specifically invited to remain by the Mayor shall leave the Chambers.
- (6) A vote shall not be taken during a meeting or part of a meeting that is closed to the public where to do so would be in contravention of any Act.
- (7) All reports intended to be considered in a closed meeting shall indicate either the reporting out date being a date the report can be made public or a legal opinion indicating why the report cannot be made public:
  - (a) The reporting out date or the legal opinion, as the case may be, shall be listed in the disposition of the report and listed in the Minutes of the relevant Standing Committee or Council; and
  - (b) Upon the passing of the reporting out date, the report shall be made accessible to the public through disclosure with the minutes of the relevant meeting on the City of Ottawa website.
- (8) Upon resuming in open session, the Mayor shall state:
  - (a) The matters which were considered; and

- (b) Confirmation that no motions were carried *in camera* other than procedural motions or directions to staff.
- (9) Where the City Clerk, in the course of preparing an Agenda for Council or any Committee thereof, is of the opinion that all, or part of, the meeting may occur in closed session, the Clerk shall provide a written notice of same to the City's Meetings Investigator prior to the Agenda's publication or as soon as possible thereafter if the item is to be added at the meeting by way of Motion.
- (10) **Any Member of Council is entitled to be present at a meeting of a Committee of the Council from which the public has been excluded, unless such Member of Council has an interest which the Member is obligated to disclose pursuant to the relevant declaration of interest legislation. (moved from Subsection 52)**

#### 14. SPECIAL MEETINGS OF COUNCIL

- (1) A Special Meeting of Council shall be convened:
  - (a) upon being summoned by the Mayor; or,
  - (b) upon receipt of a petition of the majority of the Members of the Council.
- (2) Upon receipt of the petition set out in Subsection 14(1)(b), the Clerk shall summon a Special Meeting for the purpose(s) and at the time mentioned in the petition.
- (3) Once received by the Clerk, no Member may add or remove **their** name from a petition filed under this section.
- (4) Notice of all Special Meetings of the Council setting forth the matters to be considered at such Special Meeting shall be given to all Members of the Council either:
  - (a) by delivery to the City office, residence or place of business of the Member, including by electronic mail, not less than six hours in advance of the time fixed for the meeting, and the Clerk shall attempt

- to give such other notice of the meeting to the Member by telephone or as is otherwise practical within the circumstances; and/or
- (b) by personal service to the Members, not less than six hours in advance of the fixed time for the meeting.
  - (c) by prepaid, special delivery mail deposited in a Canada Post Corporation Post Office not less than ninety-six hours in advance of the time fixed for the meeting;
- (5) The Council shall not consider or decide any matter not set forth in the notice calling the Special Meeting, without the consent, recorded in the Minutes, of all of the Members of the Council (with the exception of those on a leave of absence authorized by Council).
- (6) Despite this section, on urgent and extraordinary occasions, with the consent of two-thirds of all the Members of Council, recorded in the Minutes, an emergency special meeting of the Council may be called by the Mayor without notice to consider and deal with such urgent and extraordinary matters.
- (7) During an Emergency Period:
- (a) Council and Committee meetings may be convened as Special Meetings in accordance with Sections 14 and 87, and subject to the following special provisions:
  - (b) Agendas may be limited to items that, in the opinion of the Chair, informed by operational staff and the Clerk's Office, are of a time sensitive nature such that they must be considered during the Emergency Period.
  - (c) Subject to the minimum notice provisions for Special Meetings in this By-law, the Mayor or Chair and the City Clerk's Office shall endeavour to publish agendas in accordance with the timelines for a regular meeting, and where not possible, with as much notice as possible under the circumstances.
  - (d) When a Special Meeting is called under this Section, and notwithstanding Subsections 14(5) and 87(3), additional items may

be added to such Special Meeting agendas, with less than six hours notice, with the approvals of  $\frac{3}{4}$  of Members present and voting.

- (e) **Despite Subsection 81(1)(f), more than two regular meetings of Standing Committee/Commission may be cancelled during an Emergency Period if in the Chair's opinion such meetings are not necessary for the proper conduct of the business of the Committee/Commission. (Moved from Section 1)**

15. SHAREHOLDER MEETINGS

Council, at a regular meeting, may consider reports from the Ottawa Community Housing Corporation, Hydro Ottawa Holding Inc., ~~Manotick Mill Quarter Community Development Corporation~~ and Ottawa Community Lands Development Corporation and the Mayor and Clerk are authorized, upon approval by Council, to sign any necessary resolutions.

16. COMMENCEMENT OF MEETING

- (1) As soon as there is a quorum after the hour set for the meeting, the Mayor shall take the chair and call the Members present to order.
- (2) The Clerk shall call the roll and record in the Minutes the Members present.

17. MAYOR ABSENT

- (1) If the Mayor or one of the Deputy Mayors does not attend within fifteen Minutes after the time appointed for a meeting of the Council, the Clerk shall call the Members to order and another Member of Council may be appointed Presiding Officer for the duration of the meeting or until the arrival of the Mayor or a Deputy Mayor.
- (2) While presiding, a Deputy Mayor or Presiding Officer shall have all of the powers of the Mayor and shall be so addressed, and shall be entitled to vote as a Member.



18. NO QUORUM AT START OF MEETING

- (1) (a) The quorum for a Council meeting is thirteen Members of Council.
- (b) If no quorum is present to enable a meeting to commence one-half hour after the time appointed for a meeting of the Council, the Clerk shall call the roll and record the names of the Members present and the Members shall stand discharged from waiting further.
- (2) If a meeting does not take place because of the lack of a quorum under Subsection (1), the Council shall meet either at the next regularly scheduled meeting of the Council, or at such other time and place as the Mayor shall announce.
- (3) The Clerk shall attempt to give notice of any meeting so rescheduled by telephone, electronic mail or as is otherwise practical within the time available.

19. UNFINISHED BUSINESS – QUORUM LOST

- (1) If during the course of a meeting a quorum is lost, then the meeting shall stand adjourned/**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 Mayor shall then announce.
- (2) If, in the Mayor's opinion, it is not essential that the balance of the Agenda be dealt with before the next regularly scheduled meeting, then the Mayor shall announce that the unfinished business of the Council will be taken up at its next regularly scheduled meeting.
- (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 shall stand adjourned/**recessed**, not ended, to convene or reconvene at such time and place as the Mayor shall then announce.

- (4) The Clerk shall give notice of any meeting so adjourned and to be reconvened by telephone, electronic mail or as is otherwise practical within the time available.
- (5) Prior to adjourning a meeting under this section, the Mayor may recess the meeting to determine if a quorum can be found.

20. 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 shall call the roll and record in the Minutes the names of those persons present.

21. PERSONS WITHIN COUNCIL RING

- (1) Only Members of Council and their staff or an officer of the City shall be allowed to come on the Council floor within or outside the Council ring during the sittings of Council without the permission of the Mayor.
- (2) No person, other than a Member of Council or an officer of the City, shall, 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 Mayor.

22. LEAVING CHAMBERS PRIOR TO ADJOURNMENT

Members of Council leaving their places prior to adjournment shall endeavour to do so in a manner so as not to disrupt the proceedings of Council.

PART III VOTING IN COUNCIL

23. SECRET BALLOT PROHIBITED

No vote shall be taken in Council by ballot or by any other method of secret voting, unless the Council is in closed session and such vote is permitted to be taken in closed session pursuant to the relevant legislation.

24. RECORDED VOTE

- (1) Any Member, before the question is decided, may require that the vote be recorded.
- (2) When a vote is taken, and no dissent is declared, such vote shall be deemed to be unanimously in favour of the question approved.
- (3) If a vote is to be recorded as herein provided, the Clerk shall call the vote, announce the division, and shall record them in the Minutes.

25. SEVERABILITY OF QUESTION

- (1) When the matter under consideration contains distinct recommendations or propositions, upon the request of any Member, a vote upon each recommendation or proposition shall be taken separately and no vote shall be required to be taken on the matter as a whole.
- (2) Notwithstanding Subsection 25(1), a member may dissent on one or more recommendations within a matter containing multiple distinct recommendations, without requiring said recommendation to be voted on separately.

26. ALL MEMBERS VOTE

- (1) Every Member present at a meeting of the Council when a question is put shall vote thereon, unless prohibited by statute, in which case it shall be recorded.
- (2) Any Member who is seated in a seat reserved for Council **or whom the Clerk can confirm is** present through electronic means and does not vote shall be recorded as voting in the negative.
- (3) Prior to participating in a recorded vote, the Member shall ensure the Member's microphone is activated.

27. DISPUTING VOTE

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

28. PUTTING QUESTION – MEMBERS SEATED

When the Mayor calls for the vote on a question, each Member shall occupy their seat until the result of the vote has been declared by the Mayor, and during such time no Member shall walk across the room, or speak to any other Member or make any noise or disturbance. Subject to Subsection 1(5), a Member not in a seat reserved for Council at the time that Member's name is called shall not be entitled to vote.

PART IV ORDER OF PROCEEDINGS – AGENDAS AND MINUTES

29. AGENDA IN COUNCIL

- (1) The Clerk shall, under the direction of the Mayor, prepare for the use of the Members at the regular meetings of Council an agenda under the following headings:
  - (a) Moment of Reflection;
  - (b) Announcements/Ceremonial Activities;
  - (c) Roll Call;
  - (d) Minutes of the previous meeting;
  - (e) **Declarations of interest** including those originally arising from prior meetings;
  - (f) Communications;
  - (g) Regrets;
  - (h) Introduction of Reports;
  - (i) Reports from the Auditor General, Integrity Commissioner, Hydro Ottawa , Ottawa Community Housing Corporation, Ottawa Public Library Board, Ottawa Board of Health, and/or the Ottawa Police Services Board, and other entities reporting directly to Council;
  - (j) Postponements and deferrals;
  - (k) Unfinished business;
  - (l) Reconsiderations;

- (m) Committee Reports;
  - (n) Bulk Consent Agenda;
  - (o) **In camera items**
  - (p) Listing of items approved by Committees under Delegated Authority;
  - (q) Adoption of Reports;
  - (r) Motions of which notice has been given previously;
  - (s) Motions requiring suspension of the Rules of Procedure;
  - (t) Notices of Motion (for consideration at subsequent meeting);
  - (u) Introduction and consideration of by-laws;
  - (v) Confirmation by-law;
  - (w) Inquiries; and
  - (x) Adjournment.
- (2) The business of the Council shall be considered in the order set forth on the Agenda, provided however that the Mayor, with approval of the Council, may vary the order of business to better deal with matters before the Council.
- (3) The Council shall 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.
- (4) Communications received after the day prior to a meeting of Council may, with the approval of the Mayor, be distributed at said meeting. Any communications so distributed shall be recorded in the Minutes.
- (5) Notice of regrets from Members unable to attend a Council meeting shall be in writing to the Clerk and may be by electronic mail.
- (6) Reports, submitted pursuant to Clause (1)(i) shall be dealt with as follows:
- (a) Notice of an annual report from the Auditor-General shall be given at the meeting of Council prior to the meeting of the Audit Committee where the report is to be tabled. ~~The annual report will be referred to various Standing Committees as directed by Audit~~

~~Committee and will subsequently rise to Council for final approval;~~

- (b) **Notice of an annual report from the Light Rail Regulatory Monitor and Compliance Officer shall be given at the meeting of Council prior to the meeting of the Transit Commission where the report is to be tabled.**
- (c) Notice of a report from the Integrity Commissioner shall be given at the meeting of Council prior to the meeting where the report is to be considered by Council and shall be released with the Agenda five calendar days in advance of the Council meeting at which it is to be considered;
- (c) Notice of Annual Reports to the Shareholder for Hydro Ottawa Holding Inc., Ottawa Community Housing Corporation and Ottawa Community Lands Development Corporation, as well as Annual Meeting of the Member of the Ottawa Markets Municipal Services Corporation, shall be given at the meeting of Council prior to the meeting where the report is to be considered by Council and shall be released with the agenda five calendar days in advance of the Council meeting at which it is to be considered; and
- (d) All other reports submitted pursuant to Clause 1(i) may be submitted directly to Council provided that they have been distributed in accordance with Subsection (3).

30. **BULK CONSENT AGENDA**

- (1) For each Agenda of Council, the Clerk shall prepare a Bulk Consent Agenda of those items carried unanimously on consent, including those with minor technical amendments (meaning minor corrections that do not change the substance of the approval(s) required), at a Standing Committee or the Transit Commission in accordance with Section 84, that may be approved by Council without debate.

- (2) The Bulk Consent Agenda shall be separately identified within the Draft Agenda and Final Agenda for Council.
- (3) An item can be removed from the Bulk Consent Agenda, so as to be considered individually, by any Member of Council prior to a meeting of Council by written request to the Clerk before noon on the working day prior to the meeting of Council.
- (4) An item can be removed from the Bulk Consent Agenda, so as to be considered individually, by any Member of Council at the Council meeting where it is to be considered, prior to the approval of the items within the Bulk Consent Agenda.
- (5) An item removed from the Bulk Consent Agenda pursuant to Subsection (4) shall be considered at the end of the reports from committee, ~~immediately~~ prior to the motion to adopt reports.
- (6) No item for which suspension of the Rules has been received may be included as part of the Bulk Consent Agenda.
- (7) Following the Consent Agenda (Section 31), the Bulk Consent Agenda will then be put to Council for approval.

31. CONSENT AGENDA

- (1) Upon the adoption of a motion to permit the introduction of the reports of the Standing Committees/Commission, and other matters rising directly to Council, the Mayor will proceed through the recommendations in the reports to determine if it is the will of the Council that the recommendations be adopted without debate or questions.
- (2) During the progression through the agenda in accordance with Subsection (1), no debate questions or recorded votes shall be permitted but declarations of interest and dissents may be recorded.
- (3) Any Member may require that a recommendation be debated or subject to questions.

- (4) The Mayor shall declare whether each recommendation is carried or will be subject to debate.
- (5) Upon completion of the progression through the Agenda in accordance with Subsection (1), Council shall then proceed to consider, in accordance with the Agenda, the recommendations that have not yet been adopted.

32. EMERGENCY BRIEFING

- (1) When the Emergency Operations Centre has been activated while Council is in session, senior staff is authorized to provide an immediate briefing to Council. This briefing takes precedence over all other agenda items and, despite Subsection 1(2), does not require suspension of the rules.
- (2) In the event of a public health emergency, enhanced response and/or communicable disease outbreak, particularly where City resources are required as part of the response, and with the consent of the Mayor or the Chair, the Board of Health is authorized to brief Council or the relevant Standing Committee/Transit Commission, without requiring waiver of the Rules of Procedure. Such briefings may take precedence over regular business on the Agenda, with the consent of the Mayor or the Chair.

33. DIRECTIONS, INQUIRIES AND ANSWERS

- (1) Any inquiry made at a meeting of Council, a Standing Committee or the Transit Commission, shall be submitted in writing and should be submitted at least 24 hours in advance of the meeting, and referred to the City Manager, appropriate General Manager, City Clerk or City Treasurer for response.
- (2) The City Manager, the appropriate General Manager the City Clerk or City Treasurer shall respond in writing to the inquiry and the response shall be distributed to all Members of Council **and** the Committee or the Transit Commission at which the inquiry was made **and will be listed pursuant to Subsection 5.**



- (3) Where staff has identified that an inquiry is a “significant inquiry” as defined in Subsection 2(17)(b), staff shall communicate this to Committee and Council and, should the Member wish their inquiry to proceed, a motion approved by Council is required.
- (4) The Clerk shall communicate to Council on a bi-monthly basis the status of outstanding inquiries, including the name of the Councillor originating the inquiry and the department responsible for an answer.
- (5) The response to an inquiry made at Council shall be listed at the relevant Standing Committee or Transit Commission prior to the response being listed for Council.
- (6) Should the Councillor who submitted an inquiry at a Committee, Commission or Council meeting, wish to subsequently withdraw said inquiry before staff provides a response, they must provide a written request to the City Clerk.
- (7) All directions to staff shall be in writing and identify the requested timeframe for completion. Such timeframe may be amended by Council either at the meeting at which the direction is introduced, or without notice, at any subsequent meeting.
- (8) All formal directions to staff, submitted in writing pursuant to Subsection 33(7), as noted by the Chair at the Committee/Commission meeting at which they were raised, shall be noted ~~on the covering page of the report when rising to Council, below the recommendations,~~ for the information of Council **in the extract of Draft Minutes in the report rising to Council.**
- (9) Where a direction to staff or Inquiry would result in the development of new policy or program recommendations or changes to policies or programs already approved by Council, or where staff has identified that a direction or Inquiry cannot be completed with existing resources or without impacting workplans or priorities previously approved by Council, a motion approved by Council is required.

- (10) The Chair or any Member may call for a recorded vote on a direction to staff or inquiry, at which point it would then be treated as a Motion and, if submitted at Council, would require a seconder.
- (11) In each new term of Council, immediately following Council's approval of its Term of Council Priorities, the City Clerk shall review each outstanding motion, **and** direction from previous terms of Council and recommend closure, if one of the following reasons applies:
  - (a) Staff believe the intent of the motion, **or** direction ~~or inquiry~~ has been completed through alternate action; or
  - (b) The intent of the motion, **or** direction ~~or inquiry~~ is no longer in keeping with Council's strategic priorities.
- (12) All outstanding inquiries shall be deemed closed at the end of a Term of Council and, at the beginning of each new Term of Council, the Office of the City Clerk shall provide the new Council with a list of inquiries that have been closed under this provision.

#### 34. DELIVERY OF AGENDA TO MEMBERS

- (1) Subject to Section 35, not less than five calendar days in advance of each regular meeting of the Council, the Clerk shall cause the following to be delivered to each Member:
  - (a) Draft Agenda (including the Bulk Consent Agenda);
  - (b) Copy of each report to be considered; and
  - (c) Copy of each Motion for Which Notice was Previously Given to be considered.
- (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 in advance of the meeting.
- (3) Delivery pursuant to Subsection (1) shall be to the office of the Member at City Hall, via electronic mail or by way of a Council shared drive **or shared site.**

35. PLANNING REFERRALS AND APPEALS - DELIVERY OF REPORTS

Despite Subsection 34(1), reports from the Planning Committee, Agriculture and Rural Affairs Committee, **or Built Heritage Sub-Committee** that contain recommendations with respect to:

- (1) Conditions for draft approval of a plan of subdivision;
- (2) Draft approval of a plan of subdivision;
- (3) Conditions for draft approval of a plan of condominium;
- (4) Draft approval of a plan of condominium;
- (5) Zoning By-law;
- (6) Official Plan Amendments; or
- (7) Heritage Applications that are subject to the statutory 90-day timeline for consideration under the *Ontario Heritage Act*;

may be considered by Council provided that the staff report to the Standing Committee was distributed to all Members of Council at least five calendar days in advance of the meeting of Council.

36. PUBLIC NOTICE OF REGULAR AND SPECIAL COUNCIL MEETINGS

- (1) Notice of a regular meeting of Council shall be given by means of posting a notice on the City's website.
- (2) Notice of a special meeting of Council will be given, where time permits, by posting a notice on the City's website no later than the Friday immediately prior to the meeting.
- (3) Notice of a special meeting of Council shall be given at least three hours prior to the meeting by a public service announcement.
- (4) Prior notice of a special meeting held pursuant to Subsection 14(6) is not required but notice that the meeting occurred shall be posted on the City's website as soon as possible thereafter.

37. MINUTES

- (1) Minutes shall record:
  - (a) the place, date and time of meeting;
  - (b) the names of the presiding officer or officers and the record of the attendance of the Members;
  - (c) the reading, if requested, correction and confirmation of the Minutes of prior meetings;
  - (d) declarations of interest;
  - (e) the motions considered and votes taken by Council; and
  - (f) all the other proceedings of the meeting without note or comment.
- (2) If the Minutes have been delivered to the Members of the Council prior to the meeting at which they are to be confirmed, then the Minutes shall not be read, and a resolution that the Minutes be confirmed shall be in order.
- (3) After the Minutes have been confirmed they shall be signed by the Mayor and by the Clerk **or Deputy Clerk.**

38. IN CAMERA MINUTES

*In Camera* Minutes shall record:

- (1) Where the meeting took place;
- (2) When the meeting started and adjourned;
- (3) Who chaired the meeting;
- (4) Who was in attendance, including the identity of the Clerk or other designated official responsible for recording the meeting;
- (5) Whether any participants left or arrived while the meeting was in progress and if so, at what time this occurred;
- (6) A detailed description of the substantive and procedural matters discussed, including specific reference to any documents considered;
- (7) Any motions, including who introduced the motion and seconders; and
- (8) All votes taken, and all directions given.

39. COMMUNICATIONS AND PETITIONS

- (1) Every communication, including a petition designed to be presented to the Council, shall be legibly written or printed, shall not contain any impertinent or improper matter or language and shall be signed by at least one person and filed with the Clerk.
- (2) The Clerk shall list on the agenda every communication delivered to the Clerk not later than **five business days prior to the meeting the meeting, and may include on the final agenda those communications delivered to the Clerk no later than the day prior to the meeting**
- (3) **Subject to Subsections 1(2) and 89(3), Communications are not subject to debate or discussion.**
- (4) ~~All~~ Communications (except petitions) on any subject within the jurisdiction of a Committee/Commission of Council shall be referred to the appropriate Committee without any motion or debate unless otherwise ordered by Council or unless the subject matter of the communication has been considered by Council or will be considered at the meeting where the communication is submitted.
- (5) All petitions must be in compliance with the Council-approved Petition Policy and, subject to Subsection (5), shall only be formally accepted by City Council.
- (6) Petitions within the mandate of the Transit Commission will be listed as a communication on a Transit Commission Agenda.

## PART V RULES OF CONDUCT AND DEBATE

### 40. ADDRESS THE MAYOR

Any Member desiring to speak shall signify their desire to speak in such a manner as the Mayor may direct, and upon being recognized by the Mayor, shall address the Mayor.

41. ORDER OF SPEAKING

- (1) Subject to Subsection (2), when two or more Members signify a desire to speak, the Mayor shall recognize the Member who, in the opinion of the Mayor, so signified first and next recognize in order the other Members.
- (2) Where an electronic means of signifying a desire to speak is in place, recognition of Members to speak shall, subject to the other provisions of this by-law, be in accordance with such electronic means.

42. CONDUCT OF MEMBERS IN COUNCIL

- (1) **Members of Council shall conduct themselves in Council and Committee meetings in a professional manner that is respectful of fellow Members, staff and the attending public.**
- (2) No Member shall:
  - (a) 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, or of a fellow Member of Council or staff;
  - (b) use offensive words or unparliamentary language;
  - (c) speak on any subject other than the subject in debate;
  - (d) where a matter has been discussed *in camera*, and where the matter remains confidential, disclose the content of the matter or the substance of the deliberations of the *in camera* meeting; or
  - (e) disobey the Rules of Procedure, or a decision of the Mayor or of the Council on questions of order or practice or upon the interpretation of the Rules of Procedure.
- (2) Where a Member has been called to order by the Mayor for failing to observe the provisions of Subsection (1) and the Member persists in any such conduct, the Mayor may forthwith put the question, no amendment, adjournment or debate being allowed, "that Councillor [Name of Member] be ordered to leave their seat for the duration of the meeting of the Council", but if the Member apologizes, the Member may, by vote of Council, be permitted to retake their seat.

43. PRIVILEGE

- (1) Where a Member considers that the Member's rights, immunities or integrity or the rights, immunities or integrity of the Council as a whole has been impugned, the Member may, as a matter of privilege, rise at any time, with the consent of the Mayor, for the purpose of drawing the attention of the Council to the matter.
- (2) Upon being recognized by the Mayor, the Member shall state the question of privilege.
- (3) The Mayor shall:
  - (a) determine the question; or
  - (b) require that the question be seconded and permit a debate and a vote to be held on the question.

44. POINTS OF ORDER AND APPEAL/ CHALLENGE

- (1) The Mayor shall preserve order and decide points of order.
- (2)
  - (a) When a Member desires to address a point of order, the Member shall ask leave of the Mayor to raise a point of order and, after leave is granted, the Member shall state the point of order to the Mayor and the point of order shall be forthwith decided by the Mayor.
  - (b) Thereafter, a Member shall only address the Mayor for the purpose of appealing/ **challenging** the Mayor's decision to the Council.
  - (c) If no Member appeals, the decision of the Mayor shall be final.
  - (d) The Council, if appealed to shall call a vote, without debate on the following question; "Shall the Mayor be sustained?", the Mayor shall be sustained on a tie vote and the decision of Council shall be final.

45. MEMBER SPEAKING

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

46. QUESTION READ

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.

47. SPEAK ONCE – REPLY

No Member shall speak more than once to the same question without leave of the Council, except that a Member who has presented a substantive motion, ~~rather than an amendment~~, may reply.

48. TIME LIMITED

No Member shall be permitted to ask questions and / or speak to a motion, for more than five minutes, excluding staff response time.

49. QUESTION PUT – NO FURTHER DEBATE

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

50. QUESTIONS

- (1) A Member may ask a question of the Mayor for the purpose of obtaining information relating only to the matter under discussion and such questions must be stated succinctly.
- (2) When questions are called for on the agenda or a specific item is under discussion, inquiries may be made of the Mayor, or through the Mayor to any Member of Council, the City Manager, or any General Manager, concerning any matter connected with the business of the City, but no argument or opinion is to be offered, or facts to be stated, except so far as may be necessary to explain the same. In answering or putting any such question a Member is not to debate the matter to which the question refers.



51. UNPROVIDED CASES

In all unprovided cases in the proceedings of Council or in the Committee of the Whole, the matter shall be decided by the Mayor, subject to an appeal to the Council.

PART VI COMMITTEE OF THE WHOLE

52. PROCEDURE

- (1) Council may, by resolution, go into a Committee of the Whole.
- (2) The Committee of the Whole may, by resolution of which prior notice has been given at a regular meeting of Council, or when notice is given in the Draft agenda for the meeting, receive oral submissions from the public.
- (3) While sitting in Committee of the Whole, the rules governing the procedure of the Council and the conduct of the Members thereof shall not be limited, provided that no Member of Council shall speak for more than five minutes at one time until all other Members wishing to speak have spoken.
- (4) A motion in Committee of the Whole to rise and report shall be put immediately and shall be decided without debate.
- ~~(5) Any Member of Council is entitled to be present at a meeting of a Committee of the Council from which the public has been excluded, unless such Member of Council has an interest which the Member is obligated to disclose pursuant to the relevant declaration of interest legislation. (Moved to Section 13)~~
- (6) A mover and seconder is required in Committee of the Whole.

53. BUDGET

- (1) Council may sit as Committee of the Whole to consider the budget, including any budget reports rising from its Standing Committees, Transit Commission and Boards.

- (2) A quorum shall be maintained throughout the Committee of the Whole sessions.
- (3) No Member of Council shall speak for more than five minutes at one time until all other Members wishing to speak have spoken.
- (4) A Notice of Reconsideration shall be in order during the consideration of the budget by the Committee of the Whole but where Notice of Reconsideration is accepted, the Motion for Reconsideration shall be dealt with at the time referred to in Subsection (8).
- (5) A motion to defer or refer any of the estimates within the budget **or any budgeted amendments** to after its consideration by the Committee of the Whole shall only be carried upon the affirmative vote of the majority of the whole Council, **and shall be subject to any statutory timelines for budget adoption;**
- (6) Following completion of the consideration of the budget and **any budget amendments in Committee of the Whole**, subject to any deferrals and referrals of estimates within the budget, a motion to rise and report to Council shall be in order.
- (7) Upon adoption of the motion to rise and report, a motion in Council to adopt **any budget amendments** as reported by the Committee of the Whole shall be in order.
- (8) Following adoption of the motion to rise and report, the Committee of the Whole shall forthwith, and prior to reporting to Council, proceed to consider any motions of reconsideration of which notice was given during its consideration of the budget and the outcome of such reconsideration shall be included within the Committee's report to Council.
- (9) A motion in Council to adopt the budget **amendments** shall not be severed, amended or be subject to a motion for reconsideration without the concurring votes of three-quarters of the Members of Council present and voting.

- (10) Deferrals or referrals of **budget amendments** which are not substantively considered prior to the adoption of the motion to rise and report, may be considered by Council, Committee **of** the Whole, a Standing Committee or the Transit Commission as the motion of deferral or referral directs and where no direction is made in the motion, it shall be brought forward to either Council, Committee of the Whole, a Standing Committee or the Transit Commission as the Mayor determines is appropriate, **and shall be subject to any statutory provisions or timelines for budget amendments.**
- (11) The Minutes for the Committee of the Whole shall be in accordance with Section 37.
- (12) This section does not apply to amendments to the budget which occur following the adoption of the annual budget..
- (13) Subject to the provisions of this section, Section 52 shall apply.

#### **54. PRIORITY BUDGET ITEMS**

~~Where a matter has been specifically identified as a “Council Priority” during the consideration of the Operating or Capital Budget, that item shall not subsequently in the same term of Council be amended or repealed except by a majority vote of all Members of the whole Council.~~

#### **54. MAYORAL VETO – BUDGET**

**This Section applies in any instance where the Mayor elects to use their power of veto budget amendments under Subsection 284.16 of the *Municipal Act, 2001*. The procedures for Mayoral veto of By-laws under Subsection 284.11 are governed by Section 70.**

- (1) **In accordance with Subsection 284.16 of the *Act* and subject to any associated regulations, the Mayor may veto a budget amendment passed by Council during the annual budget adoption process. This veto shall be communicated within the timelines prescribed in the legislation and associated regulations, and may be communicated to Council:**

- (a) **At the Council meeting at which the amendment was adopted or at a subsequent Council meeting, without notice, and with written Notice of Veto to be subsequently provided to the Clerk to be recorded and publicly published in the Draft and Final Minutes;**
  - (b) **by e-mail to Members of Council directly or through the City Clerk, and shall be recorded and publicly published by the Clerk in the Draft and Final Minutes.**
- (2) **In accordance with Subsection 284.11(9) of the Act, and within the timelines prescribed in the associated regulations, Council may override the veto with the approval of 2/3 of Members of Council. The override may be introduced by Motion, moved and seconded:**
- (a) **Without Notice at any regular Council meeting; or**
  - (b) **At a Special meeting called for this purpose in accordance with Section 14.**
- (3) **The veto process for in-year budget amendments shall be as described in Subsections 1 and 2, subject to any additional timelines and provisions set out in the associated regulations.**

## PART VII MOTIONS

### 55. READING

Every motion when seconded shall be received and read by the Mayor **or the mover**, except in the cases provided for by the Rules of Procedure. However, where motions have been distributed or printed in the agenda, or are visible by means of an electronic viewing screen, recitals need not be read.

### 56. NO DEBATE UNTIL READ

- (1) No Member shall speak to any motion until it is first read ~~by the Mayor~~, and the mover is entitled to speak first thereon if the Member so elects. If debated, the question or motion shall be read again before being put, unless such motion is visible by means of an electronic viewing screen.

- (2) Subject to Subsection 4(1), where an item concerns specific wards, the Ward Councillor(s) shall have the right to open and close debate on such item.
- (3) The Mayor may determine the order of speaking that provides for the orderly application of Section 47, Subsection 56(1) and Subsection 56(2).

57. MOTIONS RULED OUT OF ORDER

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

58. NOT WITHIN JURISDICTION OF COUNCIL

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

59. NOTICE OF MOTION

- (1) Notices of Motion shall:
  - (a) be in writing; and
  - (b) include the name of the mover and seconder.
- (2) All Notices of Motion received by the Clerk prior to or at the Notices of Motion segment of the Agenda may be read out by the mover or the Mayor during that segment.
- (3) Copies of the Notices of Motion that have been read out shall be distributed to Members at the first available opportunity.
- (4) Consideration of a motion, of which notice was given pursuant to this section, shall be in order at the next regular meeting or at a special meeting of Council called for that purpose.

- (5) Prior to Council's consideration of a motion of which notice has been given previously, a revised motion on the same subject, approved by both the mover and seconder, may be substituted for the original one contained in the Notice of Motion.

## 60. MOTIONS

- (1) The following matters and motions may be introduced orally without notice and without leave, except as otherwise provided by the Rules of Procedure:
  - (a) a point of order or privilege;
  - (b) **a motion** to move the question be put; and
  - (c) **a motion** to adjourn.
- (2) The following motions may be introduced without notice and without leave, except as otherwise provided by the Rules of Procedure:
  - (a) to refer;
  - (b) to table, or to postpone, or defer to a certain day;
  - (c) to amend;
  - (d) to suspend the Rules of Procedure; and
  - (e) any other procedural motion.
- (3) Except as provided in Subsection (1), all motions shall be in writing, shall commence with the words "Be It Resolved that", and shall be moved and seconded.
- (4) All motions may be supported or opposed by the mover and seconder.
- (5) When a Member's motion has been called from the Mayor at two successive meetings and not proceeded with, it shall be deemed to have been withdrawn and be dropped from the Agenda unless Council then otherwise decides.
- (6) The mover and seconder may withdraw a motion or a Notice of Motion at any time prior to the commencement of debate thereon.
- (7) a) Where consideration of a procedurally complex, sensitive or significant report is scheduled for a particular meeting, Members may

be requested to submit motions in writing to the Clerk's Office at least 48 hours in advance of the meeting to allow time for review and processing.

- b) Despite Subsection 60(7)(a), any request for Members to submit motions in advance of a meeting does not preclude a Member from moving a motion at the meeting.

## 61. ORDER OF CONSIDERATION

- (1) When a question is under consideration, no motion shall be received except a procedural motion or a motion to amend.
- (2) Procedural motions shall be considered immediately upon receipt and shall have precedence and may be subject to debate as follows:
  - (a) to extend the time of the meeting (not debatable);
  - (b) to move the question be put (not debatable);
  - (c) to refer (debatable);
  - (d) to lay on the table (debatable);
  - (e) to defer indefinitely or to a certain day (debatable);
  - (f) to adjourn (not debatable); and
  - (g) any other procedural motion (debatable).

## 62. AMENDMENT

A Motion to Amend:

- (1) shall be presented in writing;
- (2) only one Motion to Amend an amendment to the question shall be allowed at one time and any further amendment must be to the main question;
- (3) shall be relevant and not contrary to the principle of the report or motion under consideration;
- (4) 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;

- (5) notwithstanding the standard Rules of Procedure concerning negative resolutions, a motion to replace one or more recommendations in a Committee report, with the original report recommendations or the recommendations of another Committee contained in the same report to Council, may be treated as an amendment;
- (6) shall be put in the reverse order to the order in which it is moved;
- (7) despite Subsection (6), any amendment(s) to a motion may be placed in order to be determined by the Mayor as the most logical, practical and expeditious in all of the circumstances; and,
- (8) despite Subsection (6) but subject to Subsection (7), an amendment that is a substantial substitution for a motion and is antithetical to the intent of the motion shall be considered after the original motion, and only if that motion is lost.

63. THE QUESTION BE NOW PUT

- (1) A motion that the question be now put:
  - (a) is not debatable;
  - (b) cannot be amended;
  - (c) shall preclude all further amendments of the question;
  - (d) when resolved in the affirmative, the question and all amendments thereto are to be put forward without debate or further amendment;
  - (e) cannot be moved by a Member who has already debated the question unless another Member has subsequently debated the question; and
  - (f) can only be moved in the following words, “that the question be now put on Motion/Item/Recommendation (as the case may be)” and cannot preclude a Member from completing the introduction of an amendment that he/she has moved but has not addressed.

64. MOTION TO ADJOURN

- (1) A Motion to Adjourn:



- (a) shall always be in order except as provided by the Rules of Procedure;
  - (b) when resolved in the negative, cannot be made again until after some intermediate proceedings have been completed by Council;
  - (c) is not in order when a Member is speaking or during the verification of a vote;
  - (d) is not in order immediately following the affirmative resolution of a motion "That the question be now put"; and
  - (e) is not debatable.
- (2) A Motion to Adjourn without qualification, if carried, brings a meeting or session of the Council to an end.
- (3) A Motion to Adjourn/ **recess** to a specific time, or to reconvene upon the happening of a specified event, suspends the meeting of the Council to continue at such time.

65. MOTION TO REFER

- (1) A motion simply "to refer", without specifying the Committee or other body or official to whom the matter is referred, is a referral to the Finance and Economic Development Committee.
- (2) A motion for referral to a Committee, Board, Official or Commission until it is decided, shall preclude all amendments of the main question and any motion to postpone or defer, or to lay on the table.
- (3) A motion to refer is debatable.

66. MOTION TO LAY ON THE TABLE

- (1) A motion simply "to lay a matter on the table" is debatable but cannot be amended.
- (2) A motion "to lay on the table" with some condition, opinion, or qualification added to the motion to table shall be deemed to be a motion to postpone or defer made under Section 67.

- (3) The matter tabled shall 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.
- (4) A motion to take up a tabled matter is not subject to debate or amendment.
- (5) A motion that has been tabled at a previous meeting of the Council cannot be lifted off the table unless notice thereof is given in accordance with Section 59 hereof.
- (6) A motion that has been tabled and not taken from the table for six months shall be deemed to be withdrawn, and cannot be taken from the table.

67. MOTION TO POSTPONE OR DEFER

- (1) A matter postponed or deferred to a definite date shall have precedence over all other business on such date.
- (2) A motion to postpone or defer indefinitely shall be treated as if it was a motion to lay on the table.

68. RECONSIDERATION

- (1)
  - (a) Reconsideration shall only take place at Council and not at Committees/Commission.
  - (b) Only a substantive motion may be reconsidered; and then only if upon the putting of the substantive motion, the minority vote comprised not less than one-third of the Members present and voting.
- (2) After a substantive motion has been decided, any Member who voted thereon may, at any time prior to the end of the meeting at which such substantive motion was decided, give notice in writing that a motion will be moved at the first meeting held thereafter for a reconsideration thereof. **A seconder is required for a Notice of Reconsideration.**

- (3) The Council shall, immediately when such notice has been given, vote as to whether or not such notice of motion for reconsideration shall be accepted.
- (4) The Notice of Reconsideration shall only be accepted if the vote in favour of acceptance of the notice is one-third or greater of those present and voting.
- (5) If such notice has been given and accepted, no action shall be taken to carry into effect the main motion until after the motion to reconsider has been disposed of.
- (6) Every motion for reconsideration considered at a subsequent meeting shall be declared lost, unless the majority of the whole Council votes therefore and must be moved by a Member who voted with the majority in the original decision, **and may be moved or seconded by a different Member than the Notice of Reconsideration.**
- (7) Debate on a motion for reconsideration must be confined to reasons for or against reconsideration.
- (8) No discussion of the main question shall be allowed upon an accepted notice of motion for reconsideration or upon the motion to reconsider, unless and until the Council shall have voted to reconsider the same.
- (9) No question upon which a notice of motion for reconsideration has been accepted shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.
- (10) In the case of Notice given under Subsection (2) at a special meeting of Council “the first meeting held thereafter” shall mean the next special meeting called to deal with the general subject matter under reconsideration or the next regular meeting of the Council, whichever shall occur first.
- (11) If a Notice of Motion for reconsideration is accepted by the Council then, subject to Section 61, the consideration of the motion to reconsider shall be the first item of business at the next regular meeting of the Council, unless the Council decides to deal with the motion at some earlier time.

- (12) Where an amendment has been reconsidered and the reconsideration has resulted in a modification, any Councillor may require that Council shall immediately proceed to a vote, by simple majority and without debate, as to whether the motion, by-law or other matter, as amended, shall be subject to further amendment.
- (13) If a motion to reconsider is decided in the affirmative, such reconsideration shall become the next order of business, and, subject to Subsection (12) debate on the question to be reconsidered shall proceed as though it has never previously been considered.
- (14) **Subject to subsections (1) to (13), Where Council has decided a substantive question, Council shall not revisit the same question at a subsequent meeting during the same Term of Council absent new information that, in the opinion of the Mayor, might have led to a different result if it had been known by Council at the time of the original vote.**

69. MOTION ADOPTING REPORTS

A motion of the Council to formally adopt the Reports of the Committees of the Council and other matters rising directly to Council, as those Reports have been adopted, amended or otherwise dealt with by the Council and a by-law to confirm and adopt the same shall:

- (1) not be the subject of amendment or debate;
- (2) not be divided under Section 25;
- (3) not be subject to reconsideration directly or indirectly under Section 64; and
- (4) not be subject to any procedural motion.

PART VIII BY-LAWS

70. READINGS OF BY-LAWS AND RELATED PROCEEDINGS

- (1) Subject to the Delegation of Authority By-law, no by-law, except a by-law to confirm the proceedings of Council, shall be presented to Council unless the subject matter thereof has been considered and approved by Council.
- (2) When introduced, every by-law shall be in typewritten form and shall be complete with the exception of the number and date thereof.
- (3) The Clerk shall endorse on all by-laws enacted by Council the dates of the several readings, if any, thereof.
- (4) Every by-law which has been enacted by the Council shall be numbered, dated, sealed and shall be deposited in the office of the Clerk for safekeeping.
- (5) Other than the confirmation by-law, all by-laws shall be carried in bulk unless upon a request by a Member of Council for the severance of a by-law, the Mayor is of the opinion that the subject matter of the by-law has not previously been adopted in a report to Council, or a Member of Council has advised the desire to declare a conflict of interest on the by-law, and in such instance, only that portion of the by-law not previously adopted by report or to which is subject to a declared conflict of interest, shall be subject to a separate vote.
- (6) All original by-laws enacted by the Council shall be kept by the City Clerk, and shall be available for inspection by any person in accordance with the *Municipal Act, 2001*.
- (7) Draft By-laws that have been listed on the published Council Agenda are available for inspection by Members of Council and any person in advance of and at the Council meeting.

- (8) For each City Council meeting the Office of the City Clerk shall prepare for the Mayor a list and copy of each By-law enacted by Council at the meeting;
- (9) In accordance with Subsection 284.11(3) of the *Municipal Act*, 2001, and subject to the timelines set out therein and in the associated regulations, the Mayor shall communicate to the Clerk:
- a. Written approval of the By-laws enacted by Council; or
  - b. Written notice of any By-laws that the Mayor intends to Veto pursuant to Subsection 284.11 of the *Municipal Act*, and a written veto document as prescribed by the *Act*.
- (10) Upon receipt of written notice from the Mayor as set out in Subsection 9, and in accordance with the timelines prescribed in the Regulations, the Clerk shall advise Council and the public by:
- a. Posting notice of the Mayor's approval of the By-laws in the Council Draft Minutes posted to Ottawa.ca following the meeting;
  - b. Posting notice of Mayoral Veto of a By-law or By-laws in the Council Draft Minutes and advising all Members of Council by e-mail, including providing a copy of the veto document.
- (11) In accordance with Subsection 284.11(9) of the *Act*, and subject to the timelines prescribed by the associated regulations, Council may override the veto with the approval of 2/3 of Members of Council. The override may be introduced by Motion, moved and seconded:
- a. Without Notice at any regular Council meeting; or
  - b. At a Special meeting called for this purpose in accordance with Section 14.

## PART IX COMMITTEES

### 71. PUBLIC PRESENTATION AT COMMITTEE

Oral submissions by the public shall be made to Committees and Commission and not to Council.

### 72. PROCEDURE

Except as otherwise provided herein, all Committees/Commission shall conform to the rules governing procedure in the Council.

### 73. PREPARATION OF AGENDA

- (1) The agenda for a meeting of a Committee/Commission shall be prepared under the direction of the Chair for that Committee/Commission.
- (2) Despite Subsection (1), the City Manager, the Auditor General, the City Treasurer or the City Clerk, have the right to place items on the Finance and Economic Development Committee agenda.
- (3) Items submitted pursuant to Subsection (2) shall contain the following statement: "This report is submitted to the Finance and Economic Development Committee pursuant to the provisions of Subsection 73(2) of the Procedure By-law".
- (4) Notwithstanding Subsections 29(3), 34(1), 81(**13**) and 89(3) the City Treasurer and the City Manager shall jointly have the right to add debenture by-laws for approval, to a Debenture Committee Agenda provided that notice **of the meeting** to all Members of Council and the public is provided at least 48 hours prior to the meeting. In the event **an additional** by-law is to be listed on a Debenture Committee agenda, and notice is given subsequent to the issuance of the meeting agenda, a revised agenda will be issued and a public service announcement will be made.

74. ESTABLISHMENT

Committees/Commission may be established by the Council at any time as is deemed necessary for the consideration of matters within the jurisdiction of the Council.

75. MAYOR – EX OFFICIO

- (1) The Mayor of the Council is an *ex officio* member of every Committee, Sub-Committee and Commission.
- (2) Where a Committee/Commission is established by reference to a particular number of members without specifically providing for the membership of the Mayor of the Council, such number is automatically increased by one, being the Mayor of the Council, as provided under Subsection (1).
- (3) The Mayor of the Council may vote and otherwise participate in the business of the Committee/Commission without any restriction on the same basis as any other Committee/Commission member.

76. TERMS OF REFERENCE

Subject to the provision of any general or special Act, the Council, in establishing any Committee, shall set forth Terms of Reference of the Committee or Commission and such other provisions as the Council shall deem proper.

77. COMMITTEE CHAIR

- (1) The Council in establishing or making appointments to a Committee/Commission, ~~other than a Standing Committee/Commission~~ may direct who shall be the Chair of the Committee/Commission.
- (2) The Mayor of Council shall be the Chair of the Finance and Economic Development Committee.
- (3) The Chairs and the Vice-Chairs of the Standing Committees, Transit Commission and Sub-Committees shall be recommended to Council by the Nominating Committee pursuant to Subsection 94(9).



- (4) The Chair of the Planning Committee is an ex officio member of the Agriculture and Rural Affairs Committee and the Chair of the Agriculture and Rural Affairs Committee is an ex officio member of the Planning Committee.

78. DUTIES OF THE COMMITTEE/COMMISSION CHAIR

It shall be the duty of the Committee/Commission Chair:

- (1) to open the meeting of the Committee/Commission by taking the chair and calling the Members to order;
- (2) to announce the business before the Committee/Commission and the order in which it is to be acted upon, subject to Subsection 89(2);
- (3) to receive and submit, in the proper manner, all motions presented by the Members of the Committee/Commission;
- (4) to put to a vote all motions, which are moved, or necessarily arise in the course of the proceedings, and to announce the result;
- (5) to vote on all matters, which are moved, or necessarily arise in the course of the proceedings;
- (6) to decline to put to a vote, motions which infringe upon the Rules of Procedure;
- (7) to enforce the Rules of Procedure;
- (8) to restrain the Members, when engaged in debate, within the Rules of Procedure;
- (9) to enforce on all occasions, the observance of order and decorum among the Members and the attending public;
- (10) to call by name any Member persisting in a breach of the Rules of Procedure and order the Member to vacate the meeting room;

- (11) to permit questions to be asked through the Chair of any officer of the City in order to provide information to assist any debate when the Chair deems it proper;
- (12) to provide information to Members of the Committee/Commission on any matter touching on the business of the Committee/Commission;
- (13) to receive all communications and announce them to the Committee/Commission, subject to Subsections 39(4) and (5);
- (14) to authenticate, by signature, all Minutes of the Committee/Commission;
- (15) to rule on any points of order raised by Members of the Committee/Commission;
- (16) to inform the Members of the Committee/Commission of the proper procedure to be followed;
- (17) 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,
- (18) to adjourn the meeting when the business is concluded.
- (19) **Except as otherwise provided herein, the Chair of a Committees/Commission shall have the same duties with respect to Committee meetings as the Mayor at Council.**

79. **PARTICIPATION OF CHAIR IN DEBATE**

- (1) The Chair may state relevant facts and the Chair's position on any matter before the Committee/Commission without leaving the chair, which may take place immediately prior to the vote, but it shall not be permissible **without the will of the Committee** for the Chair to move a motion, debate a question, or speak to an item placed on the Agenda by the Chair without first leaving the Chair.

- (2) If the Chair is absent, or desires to leave the chair to move a motion or to take part in the debate pursuant to Subsection (1), or otherwise, the Chair shall call on the Vice-Chair elected pursuant to Subsection 77(3) to preside until the Chair resumes the chair.

80. QUORUM AND SIZE OF COMMITTEES/COMMISSION

- (1) A Committee/Commission shall not consider any business if a quorum is not present.
- (2) A quorum for a Committee/Commission **shall be the majority of the members thereof.**
- (3) Only Members of the Council shall be appointed to the Standing Committees, Commissions and Sub-Committees of Council save and except the Transit Commission which shall consist of eight Members of Council and four Citizen Members, the Built Heritage Sub-Committee which shall consist of five Members of Council and four Citizen Members, and the Debenture Committee which shall consist of the Mayor, the Vice-Chair, Finance and Economic Development Committee, the City Manager and the Chief Financial Officer/Treasurer.
- (4) The presence of the Mayor or ex officio member at a meeting of a Committee/Commission shall always be considered in the determination of whether a quorum is present.
- (5) The determination of the quorum requirements pursuant to Subsection (2) for Finance and Economic Development Committee shall take into account that the Mayor is an *ex officio* member of the Committee, but otherwise the ex officio membership of the Mayor or other *ex officio* member shall not be included in determining the quorum requirement.
- (6) Despite Subsection (2), the quorum for the Debenture Committee shall be one half of all members with at least one of those members being a Member of Council.

81. MEETINGS OF COMMITTEES

- (1) (a) The regular meetings of Committees/Commissions shall be on the day(s) of the week determined by Council but at such time and at such place as shall be determined by Committee/Commission **Chair.**
- (b) Individual regular meetings of a Committee/Commission may be varied by the Chair from the day of the week determined by Council and the time and place determined by Committee/Commission subject to the notice provisions of 81(10), provided that the date or time do not conflict with the date and time assigned to another Standing Committee/Commission by Council or the regular meeting times of the Ottawa Board of Health, the Ottawa Public Library Board or the Ottawa Police Services Board.
- (c) Subject to subsection (f), **regular meetings of Standing Committees shall be held monthly or at the frequency determined by Council. Agriculture and Rural Affairs Committee, Finance and Economic Development Committee, Transportation Committee, and Built Heritage Sub-Committee shall be held once every month. Regular meetings of the Community and Protective Services Committee shall be held once every month, ten times per calendar year, and regular meetings of both the Environment and Climate Change Committee and the Transit Commission shall be held once every month, eight times per calendar year.** All Committees and the Commission retain the ability to hold special meetings as required, pursuant to Subsections 82(3), (4), and (5).
- (d) Subject to subsection (f), regular meetings of Planning Committee shall be held **at least** twice a month except during the months of March, July, August, December, and October in an election year, when **at least** one regular meeting of Planning Committee shall be held.

- (e) The Audit Committee ~~the IT Sub-Committee~~ and the Debenture Committee shall meet on an as-needed basis at the call of the Chair.
  - (f) The Chair may cancel one or more regular meetings of the Committee/Commission if in the Chair's opinion such meetings are not necessary for the proper conduct of the business of the Committee/Commission and provided that not more than two successive regular meetings are cancelled under this Subsection.
  - (g) Despite Subsection (f), more than two regular meetings of Standing Committee/Commission may be cancelled during an Emergency Period if in the Chair's opinion such meetings are not necessary for the proper conduct of the business of the Committee/Commission (Moved from Section 1)**
- (2) No Committee/Commission or the Ottawa Public Library Board, the Ottawa Police Services Board or the Ottawa Board of Health shall meet while the Council is in session.
  - (3) Members may speak more than once on the same question.
  - (4) Notwithstanding Subsection (3), no Member, without leave of the Committee/Commission, shall speak to the same question, at one time, or in reply, for longer than five minutes.
  - (5) A Member of Council who is not a Member of a Committee/Commission is entitled to attend at all meetings of the Committee/Commission and to participate, subject to Subsection (6) herein.
  - (6) A Member of Council who is not a Member of a Committee/Commission, at a meeting of the Committee/Commission shall:
    - i. not be counted in determining the presence or number for quorum;  
and
    - ii. not move any motion or vote on any matter.

- (7) ~~Where a matter within the mandate of an Advisory Committee is being presented to a Standing Committee/Commission, either the Chair or Vice-Chair of the Advisory Committee or a Member designated by the Advisory Committee, but not more than one of them, may address the Standing Committee/Commission for up to five minutes on any one item.~~
- (8) A substantive motion made in Committee/Commission must be in writing but need not be seconded.
- (9) Subject to Section 13, the meetings of a Committee/Commission shall be open to the public.
- (10) Seven business days' notice of a regular meeting shall be given to the Members of a Committee/Commission and an agenda shall be provided to the Members seven business days in advance of the meeting.
- (11) Despite Subsection (10), an agenda for the Court/Committee of Revision shall be provided to Members six calendar days in advance of the meeting.
- (12) Despite Subsection (10), planning application reports, for which public notice is required ten calendar days in advance of the Agriculture and Rural Affairs Committee or Planning Committee meeting, shall be provided to Members ten calendar days in advance of the meeting.
- (13) Despite Subsection (10), a minimum of 48 hours' notice shall be given for a meeting of the Debenture Committee and an agenda provided to Members a minimum of 48 hours in advance of the meeting.
- (14) Council Members have the right to place items on Committee/Commission agendas, **including Motions or Councillors' Reports**, provided that such items are received by the Clerk or the Committee Coordinator **nine two** calendar days in advance of the **agenda publication date for the** Committee meeting.

- (15) Minutes of Committee/Commission meetings shall be action minutes only, with the exception of *Planning Act* matters that may require additional detail.

82. PUBLIC NOTICE OF COMMITTEE/COMMISSION MEETINGS

- (1) Notice of a regular meeting of a Standing Committee/Commission shall be given by means of posting a notice on the City's website no later than the Friday immediately prior to the meeting;
- (2) Notwithstanding Subsection (1) notice of a meeting of the Debenture Committee shall be provided via a public service announcement on the City's website a minimum of 48 hours in advance of the meeting.
- (3) Notice of a special meeting of a Standing Committee/Commission will be given, where time permits, by means of posting a notice on the City's website.
- (4) Notice of a special meeting of a Standing Committee/Commission shall be given at least three hours prior to the meeting by a public service announcement.
- (5) Prior notice of a special meeting held pursuant to Subsection 87(6) is not required but notice that the meeting occurred shall be given by posting the notice on the City's website as soon as possible thereafter.

83. GENERAL PROVISIONS FOR COMMITTEES

- (1) The Chair shall preside; in the absence of the Chair, the Vice-Chair shall preside.
- (2) The Chair of the Committee/Commission may vote on any question before the Committee/Commission, and, in the event of an equality of votes, the question being voted upon shall be deemed to have been lost.
- (3) Committees/Commission shall 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.

- (4) (a) Verbal updates from the Committee/Commission Chair and/or staff to a Committee/Commission shall only be in order in the event of unforeseen circumstances or an emergency or in ceremonial or similar circumstances. ~~A report from staff on verbal updates they have provided on such unforeseen circumstances/emergency situations, shall be subsequently provided in both English and French to the Committee/Commission and shall be posted to the City's website with the Minutes contents for that meeting.~~
- (b) Presentations from third-party governmental agencies and their agencies, boards and commission, shall be in order with the consent of the Committee/Commission Chair, ~~conditional upon provision of a report or fully accessible presentation from that party, in both English and French, for distribution with the Agenda or subsequent to the Committee / Commission meeting. The City Clerk's Office shall facilitate the process and ensure the presentation contents meet accessibility requirements, where practicable, prior to posting the material on-line.~~
- (c) Subject to Subsection 5, Presentations from other organizations by consent of the Chair may be received with the will of Committee.
- (d) Such presentations shall not be subject to the hearing of public delegations, but may be accepted at the discretion of the Chair.
- (e) All presentation materials shall be kept on file with the City Clerk and available for public review upon request.
- (5) Committees/Commission may receive representations (delegations) from the public. No person, without leave of the Committee, shall speak for longer than five minutes.
- a) delegates shall register with the Office of the City Clerk in accordance with the timelines set out on the Agenda.
- b) Where a matter within the mandate of an Advisory Committee is being presented to a Standing



**Committee/Commission, either the Chair or Vice-Chair of the Advisory Committee or a Member designated by the Advisory Committee, but not more than one of them, may address the Standing Committee/Commission on behalf of the Advisory Committee for up to five minutes on any one item. (Moved from Subsection 81(7))**

- (6) Each Standing Committee/Commission shall diligently pursue its duties and shall report to Council on every matter and question coming before it within its Terms of Reference and jurisdiction.
- (7) Where a matter is submitted to a Standing Committee/Commission for action and the Standing Committee/Commission determines to only receive such matter, such matter shall be submitted to Council for information.
- (8) **(a)**Where a matter is submitted to a Standing Committee/Commission or Sub-Committee and no decision is made by the Standing Committee/Commission, **the matter is referred to Council without a Committee recommendation,** or Sub-Committee or no recommendation is made by the Standing Committee/Commission or Sub-Committee as a result of a tie vote, the recommendation to Council shall be that Council consider the matter.  
  
**(b) Where a matter is before Council pursuant to Subsection (8), a Motion shall be required to put the matter to Council for approval,**
- (9) Where an item fails at a Standing Committee/Commission, such item shall not be forwarded to Council, subject to the right of Council to have the matter brought forward through a motion adopted by Council, **unless otherwise required by legislation.**
- (10) Where a matter is submitted to a Standing Committee/Commission for action that pertains to taking a formal position on behalf of the City, or petitioning another level of government, such matter shall be submitted to Council for approval.

- (11) (a) Items approved by a Committee/Commission under Delegated Authority, including the enactment of Debenture By-laws by the Debenture Committee, shall be reported to Council ~~at the next following meeting,~~ in a bulk information item listed on the next following Council agenda as “Disposition of Items Approved by Committees/Commission Under Delegated Authority.
- (b) Items delegated to a Committee/Commission for approval pursuant to the Committee/Commission’s terms of reference or the Delegation of Authority By-law may only be lifted from the bulk information item if so requested in writing by two Members of Council at least one day before the item is to be before Council as part of the bulk information item and where it is legally possible to amend or reverse the decision taken by the Committee/ Commission.
- (12) Subject to its terms of reference, each Committee, other than a Standing Committee/Commission, shall diligently pursue its duties and shall report to the **Finance and Economic Development relevant** Committee and Council on every matter and question coming before it within its terms of reference.
- (13) 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 actions, the Committee may report such neglect, refusal or action to the Council which may remove such Chair from office and appoint another Member as Chair.
- (14) (a) Should any Member of a Committee/Commission fail to attend three successive regular or Special Meetings thereof, without being authorized to do so by a resolution of the Committee/Commission, the Committee/Commission may certify such failure and thereupon the membership of such person on the Committee is terminated and the Council may appoint another Member in their place.

Reception of a written notice of regret by the Committee/Commission or Council shall constitute authorization for the purposes of this subsection.

- (b) Notwithstanding Subsection 83(14)(a), an office is not vacated by a Member of Council who is absent for 20 consecutive weeks or less if the absence is as a result of the Member's pregnancy, the birth of the Member's child or the adoption of a child by the Member in accordance with Subsection 259(1.1) of the *Municipal Act, 2001*. The Member shall provide the City Clerk with written notice of an absence of 20 consecutive weeks or less as a result of the Member's pregnancy, the birth of the Member's child or the adoption of a child by the Member, and, when such notice is provided, the following process shall be followed and the resulting information brought forward for Council consideration by way of motion at the Council meeting immediately following the City Clerk receipt of the written notice:

i. In the written notice, a Ward Councillor shall indicate the Member(s) of Council whom **they** wish to provide concurrence under the *Delegation of Authority By-law* for matters in the Ward Councillor's Ward during the Ward Councillor's absence;

ii. In the written notice, the Ward Councillor shall indicate the Member(s) of Council whom **they** recommend Council appoint as a Member of any Committee(s) on which the Ward Councillor sits, on an interim basis for the duration of the Ward Councillor's leave; and

iii. The motion to Council shall recommend that Council delegate to the City Clerk the interim authority to approve the payment of costs from a Member of Council's Constituency Services Budget only arising from routine bills and, in consultation with the Member's office staff and the Member(s) of Council to whom concurrence has been delegated in accordance with Subsection 83(14)(b)(i), for annual, seasonal events where a past practice for such costs being paid can be established, if there are sufficient funds within the budget to do so.

- (15) Should any Committee/Commission neglect or refuse to give due attention to any matter before it, the Council may, by resolution, discharge such Committee/Commission and appoint another in its place.
- (16) General Managers shall have the right to address the respective Standing Committee/Commission that they attend on any matter relevant to the function or administration of the City.
- (17) a) Where consideration of a procedurally complex, sensitive or significant report is scheduled for a particular meeting, Members may be requested to submit motions in writing to the Clerk's Office at least 48 hours in advance of the meeting to allow time for review and processing.  
b) Despite Subsection 83(17)(a), any request for Members to submit motions in advance of a meeting does not preclude a Member from moving a motion at the meeting.

84. CONSENT AGENDA

- (1) At the commencement of a meeting, and in the absence of any speaker registered, the Chair shall proceed through the items in the agenda to determine if it is the will of the Committee/Commission that the recommendations be adopted without debate or questions.
- (2) During the progression through the agenda in accordance with Subsection (1), no debate, questions or recorded vote shall be permitted but declarations of interest and dissents may be recorded.
- (3) Any Member of Council or the Committee/Commission may require that a recommendation be debated or subject to questions.
- (4) The Chair shall declare whether each recommendation is carried or will be subject to debate.
- (5) Upon completion of the progression through the agenda in accordance with Subsection (1), the Committee/Commission shall then proceed to consider,

in accordance with the agenda, the recommendations that have not yet been adopted.

- (6) No recommendation which is subject to the holding of a statutory public hearing may be adopted at the time of the consideration of the Consent agenda unless no speakers are registered and the Chair has made an announcement inviting submissions and any other statutory requirements are met.

85. SUPPLEMENTARY REVENUE AND EXPENDITURE ESTIMATES

- (1) A motion or recommendation to approve or direct the expenditure of funds, or the raising of revenue, not within an estimate or revenue measure previously approved by Council shall be tabled until the next regular meeting of the Committee/Commission or Council unless the motion or recommendation is within a report that:

- (a) was distributed to Members of the Committee/Commission at least seven clear days in advance of the Committee/Commission or Council meeting; and
- (b) contains a financial comment by the City Treasurer.

- (2) Where a notice of motion to approve or direct the expenditure of funds, or the raising of revenue, not within an estimate or revenue measure previously approved by Council, is given to Council, the City Treasurer shall submit to Council at its next regular meeting or at a special meeting called to consider the motion, a financial comment with respect to the motion.

86. COORDINATOR

- (1) The Coordinator of any Committee/Commission shall be designated by and be responsible to the Clerk.
- (2) It shall be the duty of the Coordinator:
  - (a) to give notice of each regular and Special Meeting of the Committee/Commission together with an agenda of the matters to be considered;

- (b) to submit the reports of the Committee/Commission to Council, as the case may be;
- (c) to record motions, votes and public delegations through the preparation of meeting Minutes in accordance with Subsection 81(14); and
- (d) to perform such other functions as may be required from time to time.

87. SPECIAL MEETINGS OF COMMITTEES/COMMISSION

- (1) The Chair may at any time summon a Special Meeting of the Committee/Commission or, upon receipt of the petition of the majority of the Members of the Committee/Commission, the Coordinator shall summon a Special Meeting for the purpose and at the time mentioned in the petition.
- (2) Notice of all Special Meetings of the Committee/Commission setting forth the matters to be considered at such Special Meeting shall be given to all Members of the Committee/Commission either:
  - (a) by prepaid, special delivery mail deposited in a Canada Post Corporation Post Office not less than seventy-two hours in advance of the time fixed for the meeting;
  - (b) by delivery to the City office, residence or place of business of the Member, including by electronic mail, not less than six hours in advance of the time fixed for the meeting;
  - (c) by personal service to the Members not less than six hours in advance of the time fixed for the meeting; and/or
  - (d) by such other manner as the Chair may direct.
- (3) At Special Meetings of the Committee/Commission, it shall not be competent to consider or decide upon any matter unless such matter has been explained in the notice calling the meeting, without the consent, recorded in the Minutes, of all of the Members of the Committee/Commission (with the exception of those on a leave of absence authorized by Committee/Commission or Council).

- (4) Subject to Section 13, a Special Meeting of the Committee/Commission may be either open or closed as determined by the Committee/Commission.
- (5) Once received by the Coordinator, no Member may add or remove their name from a petition filed under Subsection (1).
- (6) Despite this section, on urgent and extraordinary occasions, with the consent of two-thirds of all the Members of Committee/Commission recorded in the Minutes, an emergency Special Meeting of the Committee/Commission may be called by the Chair without notice to consider and deal with such urgent and extraordinary matters.

88. JOINT MEETINGS OF COMMITTEES/COMMISSION

- (1) (a) Where an issue is relevant to the mandate of more than one Committee/Commission, the Chairs of the respective Committees/Commission **shall** determine which Committee/Commission will be responsible for the issue, **whether the issue can be considered by both Committees successively,** or, alternatively, whether ~~or not~~ a joint Committee/Commission meeting should be held.
- (b) A joint meeting of two or more Committees/Commission may be directed by Council, or may be called by their Chairs, in accordance with Subsection 1(a), or whenever such Chairs consider it necessary for their respective Committees/Commission to consider and report jointly on matters within their joint areas of concern.
- (2) (a) Upon the receipt of a request in writing by a majority of Members of each of two Committees/Commission, the respective Committee/Commission Chair, or in the case of the illness or absence of one or the other of them, the Clerk shall summon a joint meeting of such Committees/Commission for the purpose of considering and reporting on matters within the Committees/Commission' joint areas of concern.

- (b) ~~All joint meetings will be in accordance with the Standing Committee/Commission's Joint Meeting Procedure.~~
- (c) Where Joint Committee meetings of the Transit Commission and another Committee of Council are held to consider matters of which transit is a component, Citizen Members of the Commission shall be non-voting, *ex-officio* Members of the Joint Committee.
- (3) (a) A quorum for the joint meeting of Committees/Commission shall be a majority of the combined number of Members of the Committees/Commission excluding the Mayor.
- (b) The Mayor, if present, shall be counted as one Member in making such quorum and shall have one vote.
- (4) (a) Where a joint meeting consists of the Finance and Economic Development Committee and any other Committee/Commission of Council, the Mayor shall preside as Chair of the joint meeting.
- (b) **Subject to subsection (a) the Chairs of the respective Committees shall jointly determine who will Chair the Joint Meeting**
- (c) Subject to Subsection (4)(a), the Members in attendance at a joint meeting called pursuant to this section shall appoint the Chair of one of the Committees/Commission to chair the joint meeting, but if both such Chairs are absent, another Member of one of the Committees/Commission shall be so appointed.
- (5) (a) When the Chair of the joint meeting calls for the vote on a question, each Member of the Committees/Commission shall vote in unison, and the question shall be decided by a majority of votes, so that only one decision is made thereon.
- (b) The Chair of the joint meeting may vote on all questions submitted and in the case of an equal division, the question shall be deemed to have been decided in the negative.
- (6) The provisions of the By-law with respect to the conduct of business in Committees/Commission shall apply, with necessary changes, to the conduct of business at a joint meeting called pursuant to this section.



89. AGENDA IN COMMITTEE/COMMISSION

- (1) The Coordinator **under the direction of the Chair** shall have prepared and printed for the use of the Members at the regular meetings of Committee/Commission an agenda setting forth the business to be considered at such meeting.
- (2) The business of the Committee/Commission shall be considered in the order set forth on the agenda, provided however, that the Chair, with the approval of the Committee/Commission, may vary the order of business to better deal with matters before the Committee/Commission.
- (3) Except as otherwise decided by a two-thirds vote of the Members of Committee/Commission present and voting, the Committee/Commission shall not consider any report, **Information Previously Distributed memorandum, motion** or **other** matter, that has not been distributed to the Members with the agenda.
- (4) **Except as otherwise decided by a two-thirds vote of the Members of Committee/Commission present and voting, the Committee/Commission shall not debate any Information Previously Distributed memorandum or Communication listed on the agenda.**
- (5) Despite Subsection (3), where an item is proposed for discussion following comments received at the Open Mic session of Agriculture and Rural Affairs Committee, such item may only be introduced by notice of motion for consideration at a subsequent meeting.
- (6) If the Minutes of the preceding meeting have been delivered, in advance, to the Members of the Committee/Commission then the Minutes shall not be read, and a motion that the Minutes be confirmed shall be in order.
- (7) After the Minutes have been adopted they shall be signed by the Chair and by the Coordinator.
- (8) **Where a Committee will hold no further meetings, the Minutes may be confirmed by its successor Committee or by Council, as the case may be.**

90. INFORMATION REPORTS

- (1) A report may be forwarded to a Committee/Commission for information.
- (2) Notwithstanding that a report has been forwarded for information, motion(s) may be made by Members of the Committee/Commission for action to be taken on matters that arise from or are discussed in the report.
- (3) Motions made under Subsection (2) may be made at any meeting where the report is presented to the Committee/Commission or Council.
- (4) Unless otherwise required by law, including a direction of Council, an information report submitted to, and not amended by the Committee/Commission, shall only be reported to Council where the Committee/Commission so directs.

PART X ORGANIZATION OF NEW COUNCIL

91. INAUGURAL MEETING OF COUNCIL

- (a) The inaugural Meeting of the Council shall be held on the first day of the Term of Council at a time and place determined by the person who has been certified by the Clerk to be elected as Mayor;
- (b) Notwithstanding subsection (a), should the first day of the Term of Council fall on a weekend or statutory holiday, the inaugural meeting may be held on the next business day.

92. INAUGURAL MEETING

- (1) At the Inaugural Meeting of the Council, the only business to be brought before the meeting shall be the following:
  - (a) Declarations of Office; and
  - (b) Matters incidental to any of the above.

- (2) Despite Subsection (1), an Inaugural Address by the Mayor may be delivered at the Inaugural Meeting of Council or at a subsequent meeting of Council.

93. ELECTION OF NOMINATING COMMITTEE

- (1) The Nominating Committee shall be elected at the meeting of Council that considers the Governance Report for the term.
- (2) The composition of the Nominating Committee shall be no more than eleven (11) Members of Council and the Mayor who shall sit as Chair.

94. NOMINATING COMMITTEE PROCESS

- (1) Following the adoption of Council's committee structure, the Clerk shall distribute a survey to all Members of Council requesting their preferences for appointments to Standing Committees and external agencies, boards, committees and commissions.
- (2) The Nominating Committee shall convene a meeting to be held at such time as the Mayor shall determine.
- (3) The Mayor shall call for nominations.
- (4) Nominations shall be made in writing and considered through a series of motions, regularly moved.
- (5) Where there are more nominees than positions available on the Committee, a vote shall be taken.
- (6) Each Member **may vote for as many candidates as there are available positions on** the Committee.
- (7) A nominee requires the vote of a majority of the Members present to be elected.

- (8) In the event that there are two or more persons tied for the fewest number of votes, the following procedure shall be observed:
  - (a) A run-off election shall be held amongst those tied for the fewest number of votes;
  - (b) Each councillor shall have a number of votes equal to the number of nominees tied for the fewest votes minus one; and
  - (c) The nominee receiving the fewest votes amongst those in the run-off shall be deleted from the list of nominees.
  
- (9) The Nominating Committee shall submit a report to Council indicating the names of the Members to serve on the various Committees of Council, together with their recommendations for the Chairs and Vice-Chairs of each, and the names of the Members to serve on other bodies, as determined in the Governance Report.
  
- (10) The Nominating Committee report to Council shall be considered the official Minutes of the Nominating Committee and shall be deemed confirmed, upon approval of the report by Council.

95. ADDITIONAL NOMINATIONS

- (1) Despite Section 94, other Members may be nominated by Members of Council.
  
- (2) Where an additional person to those recommended by Nominating Committee are nominated, the choices shall be debated and the voting held in accordance with the provisions of Section 94 hereof with the necessary modifications if,
  - (a) the committee, local board, body or organization has a defined maximum number of Members; and
  
  - (b) the addition of the person nominated at Council would cause the committee, local board, body or organization to have a number of Members in excess of its maximum.

- (3) Where Subsection (2) is not applicable and an additional person to those recommended by Nominating Committee is nominated, Members of Council shall vote, with each Member of Council having one vote, as to whether the additional nominee shall be added to the Members of the Committee, local board, body or organization in question.
- (4) Where a vote has been taken under Sections 93 or 95 (3) such that the required number of Members is reached, such Members shall be deemed to have been elected or appointed by the Council and no formal resolution to that effect is required.
- (5) After the initial selection of the membership of Committees in a term of Council, if a vacancy should develop, the City Clerk shall conduct a circulation of interest and the Committee in which the vacancy has occurred may recommend a replacement to Council, a replacement may be made by motion of Council.

## PART XI GENERAL PROVISIONS

### 96. TIME

Time, in this by-law, shall be governed by Eastern Standard Time, except that Eastern Daylight Saving Time shall govern when it is in use in Ottawa.

### 97. RECORDING EQUIPMENT

At the meetings of Council or a Committee/Commission, the use of cameras, electric lighting equipment, flash bulbs, 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 any new media whatsoever, may be permitted and shall be subject to the approval and/or direction of the Mayor or Committee/Commission Chair unless otherwise decided by the Council or a Committee/Commission.

### 98. COMMUNICATION DEVICES

The use of any audible communication device is prohibited during a Council or Committee/Commission meeting, if in the Mayor's or Chair's opinion, the device is interfering with the meeting.

99. REPEAL

- (1) By-law 2021-24 is hereby repealed.
- (2) This By-law shall not be amended or repealed except by a majority vote of all Members of the whole Council.
- (3) No amendment or repeal of this By-law shall be considered at any meeting of the Council unless notice of the proposed amendment or repeal with a summary of the changes proposed was:
  - (a) considered by the Finance and Economic Development Committee;
  - (b) tabled at a previous regular meeting of the Council; or
  - (c) delivered by personal service to the Members not less than ten (10) days in advance of the next meeting;and the Council may not waive such notice.

100. EFFECT

This By-law shall be deemed to have come into force on the DATE

101. SHORT TITLE

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

ENACTED AND PASSED this (DATE)

CITY CLERK

MAYOR