

Revised procedure by-law minimum provisions for advisory committees

As required by the *Municipal Act, 2001* and directed by City Council, each advisory committee shall pass a procedure by-law that includes the following rules at minimum:

1. RULES OF PROCEDURE ADOPTED/SUSPENDED

- (1) Advisory committee meetings and the conduct of members shall be governed by the Code of Conduct for Members of Local Boards, and the rules in this by-law. Any cases not covered are also subject to the rules of procedure for City Council and its standing committees.
- (2) Any rule in this by-law may be temporarily suspended by motion with the support of three-quarters of the members present.

2. DEFINITIONS

In this by-law,

- (1) “Advisory committee” means an advisory body required by statute, legislation or policy established by City Council;
- (2) “City” means the City of Ottawa;
- (3) “Chair” means the chair of the advisory committee;
- (4) “City Clerk” means the position appointed pursuant to Section 228 of the *Municipal Act, 2001*;
- (5) “City Manager” means the chief administrative officer appointed pursuant to Section 229 of the *Municipal Act, 2001*;
- (6) “Committee Coordinator” means the City Clerk’s designate;
- (7) “Council liaison” means a person elected as a member of Ottawa City Council appointed as a non-voting member of the advisory committee to assist with information sharing and alignment with Council Strategic Plans;
- (8) “Day” does not include Saturday, Sunday, or a holiday (unless in reference to “calendar day”);
- (9) “Declaration of interest” means a declaration of pecuniary interest (relating to or connected with money) pursuant to the relevant conflict of interest legislation;
- (10) “Improper conduct” means conduct that obstructs in any way the deliberations and/or proper action of the advisory committee, 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 City of Ottawa Public Conduct Policy and/or Trespass to Property Procedures.

- (11) "Notice of motion" means a written notice of a motion to be discussed at the advisory committee's next meeting;
- (12) "Point of order" means a member drawing the attention of the Chair about a breach of the rules in this by-law;
- (13) "Point of privilege" means the raising of a concern about a member's (or the committee's) rights or integrity;
- (14) "Procedural motion" means any motion related to the procedure of the meeting and how business is dealt with;
- (15) "Quorum" means the minimum number of members that must be present to hold a meeting;
- (16) "Rules of procedure" means the rules and regulations in this by-law;
- (17) "Standing committee" means a committee of Council; and
- (18) "Vice-Chair" means the Vice-Chair of an advisory committee as appointed by the advisory committee.

PART I – DUTIES AND MEETINGS

3. DUTIES OF MEMBERS

A member of an advisory committee shall have the following duties:

- (1) to discuss the matters submitted to the advisory committee;
- (2) to vote when a motion is put to a vote;
- (3) to follow the rules of procedure, the Code of Conduct for Members of Local Boards, and any guidelines for advisory committee members; and
- (4) to ensure that all discussions, advice and recommendations are within the advisory committee's current Terms of Reference and align with Council Strategic Plans.

4. DUTIES OF THE COMMITTEE CHAIR

It shall be the duty of the Chair,

- (1) to start the meeting by calling the members to order;
- (2) to announce the business on the agenda and the order of consideration;
- (3) to present all motions by the members of the advisory committee;
- (4) to provide information to members of the advisory committee that is relevant;

- (5) to act as spokesperson on behalf of the advisory committee, unless the advisory committee designates a committee member as the official spokesperson for the advisory committee on a specific issue;
- (6) to authenticate, by electronic or physical signature, all minutes of the advisory committee;
- (7) to enforce the rules of procedure;
- (8) to immediately deal with any raised points of order and points of privilege;
- (9) if a situation occurs during a meeting that is not provided for in the rules, to decide the matter; and
- (10) to adjourn the meeting when the business is concluded.

5. QUORUM

- (1) An advisory committee shall not consider any business if a quorum is not present.
- (2) A quorum for an advisory committee is half the members, or a majority of members when the advisory committee has an odd number of members. The advisory committee's Terms of Reference may also include specific requirements on calculating quorum.
- (3) If there is no quorum after 15 minutes from the stated start time of a meeting, or if quorum is lost for more than 15 minutes during a meeting, the Committee Coordinator shall record the names of the members present. The meeting will then stand adjourned (ended) until the next scheduled meeting, or at a time decided by the Chair.
- (4) Alternatively, the members who are present may agree to continue with the agenda informally and the Committee Coordinator will report to the next meeting for decision on any proposals made at the informal gathering, including submissions from the public.
- (5) If neither the Chair nor the Vice-Chair has arrived 15 minutes after the stated start time of the meeting, if a quorum is present, one of the other members may be appointed to preside over the meeting for the duration of the meeting or until the arrival of the Chair or Vice-Chair.

6. REGULAR MEETINGS

- (1) The regular meetings of advisory committees shall be four times a year, subject to the advisory committee's Terms of Reference and/or any Council direction, on the day of the month determined by the City Clerk or the Committee Coordinator. The advisory committee shall confirm the

meeting schedule, along with the time, method and place for conducting meetings, subject to any Council direction.

- (2) Individual regular meetings may be rescheduled by the City Clerk or the Committee Coordinator, in consultation with the Chair.
- (3) The City Clerk or their designate, in consultation with the Chair, may cancel one or more regular meetings of the advisory committee if such meetings are not necessary.
- (4) No advisory committee meeting shall take place while a Council meeting is in session.
- (5) Seven calendar days' notice of a meeting shall be given to the members of a committee.
- (6) No meeting shall proceed beyond 10:30 pm without the majority approval of members present.
- (7) Members of advisory committees may participate in a meeting electronically, following instructions provided by the City Clerk or the Committee Coordinator to ensure that the meeting may proceed in the most transparent and successful manner. Members participating electronically are counted toward quorum.

7. SPECIAL MEETINGS

- (1) The Chair may call a Special Meeting by advising the Committee Coordinator. A Special Meeting will also be called if the Committee Coordinator receives a written request from the majority of members of the advisory committee.
- (2) The notice distributed by the Committee Coordinator shall contain the date, time and purpose for the meeting.
- (3) Notice of all Special Meetings of the committee shall be given to all members of the committee by electronic mail, not less than six hours in advance of the time fixed for the meeting.
- (4) The advisory committee shall not discuss any matter not listed in the notice calling the Special Meeting without the consent of all members. This consent shall be recorded in the minutes as a vote and include written consent from any member who is unable to attend the Special Meeting.
- (5) No member may add or remove their name from a request filed to call a Special Meeting once the request is received by the Committee Coordinator.

8. PLACE OF MEETING

All meetings of the advisory committee shall generally be held virtually with the possibility of a hybrid meeting at Ottawa City Hall upon approval from the City Clerk.

9. MEETINGS OPEN TO PUBLIC

- (1) The meetings shall be open to the public and no person shall be excluded except for improper conduct.
- (2) The Chair may have someone removed from any meeting for improper conduct if the Chair is satisfied that evidence exists to support removal and states the reason for the removal.
- (3) Meetings closed to the public (*in camera*) are generally not permitted. In instances where a matter could be considered in closed session, approval is required from the City Clerk and Integrity Commissioner prior to the publication of the agenda.

10. GENERAL PROVISIONS

- (1) Advisory committees shall discuss matters that have been referred to them by Council, their respective standing committee, or such matters within their respective mandates and work plans, according to their Terms of Reference.
- (2) Advisory committees may receive representations from the public, but no person shall speak for longer than five minutes on an item.
- (3) Each advisory committee shall report to its respective standing committee at least once per term of Council on matters and questions coming before the advisory committee within its Terms of Reference.
- (4) Should any member of an advisory committee be absent from two consecutive regularly scheduled meetings, they may be contacted by the Committee Coordinator to confirm their commitment to the committee. The member will also be advised that if they miss a third meeting, their membership is terminated, unless the advisory committee allows the absences. The Office of the City Clerk will advise a member of their termination by email and regular mail after they have missed three consecutive meetings without allowance from the committee.

11. COMMITTEE COORDINATOR

- (1) The Coordinator of any advisory committee shall be designated by the City Clerk.
- (2) It shall be the duty of the Committee Coordinator:
 - (a) to give notice of each meeting of the advisory committee with an agenda;

- (b) to submit advisory committee reports to the standing committee and to Council, as needed;
- (c) to record the minutes of the meeting;
- (d) to provide procedural advice to the Chair;
- (e) to act as a link between the advisory committee and City departments;
- (f) to perform such other functions as may be required; and
- (g) to chair the first meeting of the term to conduct the election of the Chair and Vice-Chair.

PART II – VOTING

12. SECRET BALLOT PROHIBITED

No vote shall be taken by any method of secret voting.

13. ALL MEMBERS VOTE

- (1) Every member present at a meeting shall vote unless they have a declaration of interest.
- (2) When a motion is carried without a recorded vote, any member dissenting will be deemed to have voted “no” and all other members will be deemed to have voted “yes.”
- (3) Any other member who refuses to vote shall be recorded as voting “no.”
- (4) A tie will result in the vote being “lost.”

14. RECORDED VOTE

- (1) Any member may request that the vote be recorded.
- (2) If a vote is to be recorded, the Committee Coordinator shall call the vote, announce and record the vote in the minutes.

PART III – AGENDAS AND MINUTES

15. AGENDAS

- (1) The agenda for a meeting shall be prepared by the Committee Coordinator in consultation with the Chair. If the Chair is unavailable, the Vice-Chair will be consulted.
- (2) An advisory committee shall not discuss any matter that has not been listed on the agenda, unless two-thirds of members present vote to add the matter to the agenda.

- (3) The City Manager, General Managers and the City Clerk, or their designates, and Members of Council have the right to place items on the agenda of any advisory committee.
- (4) Advisory committee members have the right to place items on committee agendas provided they are received by the Committee Coordinator nine calendar days in advance of the meeting, and provided that the item falls within the mandate and Terms of Reference of the advisory committee and aligns with Council Strategic Plans.
- (5) Seven calendar days ahead of each regular meeting of the advisory committee, the Committee Coordinator shall deliver by electronic mail the agenda to members, including reports and motions.

16. MINUTES

- (1) Minutes shall record:
 - (a) the place, date and time of meeting;
 - (b) the name of the presiding officer and the attendance of the members;
 - (c) declarations of interest;
 - (d) all the motions and votes of the meeting;
 - (e) a list of submissions; and
 - (f) actions to be taken on items.
- (2) If the minutes have been delivered to the members, then they may be confirmed by the advisory committee without being read.
- (3) After the minutes have been confirmed, they shall be signed by the Chair and the Committee Coordinator.

PART IV – CONDUCT AND DEBATE

17. ADDRESS THE CHAIR

Any member that wants to speak shall signal to the Chair. The Chair directs the speaking order.

PART V – RESOLUTIONS AND MOTIONS

18. MOTIONS

- (1) The following motions may be introduced orally without notice, except as otherwise provided by the rules:
 - (a) a point of order or a point of privilege;
 - (b) to adjourn; and

- (c) to extend the time of the meeting past 10:30 pm.
- (2) The following motions may be introduced in writing, except as otherwise provided by the rules of procedure:
 - (a) to refer;
 - (b) 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) The mover may withdraw a motion or a notice of motion at any time before it is debated.
- (4) After a motion is read, it may only be withdrawn before a decision or amendment with the permission of the advisory committee.
- (5) Where a member is unable to submit their motion in writing, the Committee Coordinator may write the motion at the request of the member and display the motion to all members present at the meeting.

19. MOTIONS RULED OUT OF ORDER

- (1) Whenever the Chair is of the opinion that a motion or resolution is contrary to the rules, the Chair shall rule the motion or resolution out of order.
- (2) A motion or resolution that is not within the advisory committee's Terms of Reference shall not be in order.

20. NOTICE OF MOTION

- (1) Notices of motion shall be in writing and include the name of the mover.
- (2) A motion of which notice was given shall be considered at the next meeting.
- (3) The mover of the motion may substitute the notice of motion with a revised motion on the same subject.

21. DEBATE

- (1) No member shall debate any motion until it is first read and the mover is entitled to speak first. If debated, the question or motion may be read again before being decided on.
- (2) Members may speak more than once on the same question.
- (3) No member, without the permission of the committee, shall speak to the same question for longer than five minutes at one time.

22. ORDER OF CONSIDERATION

- (1) When a question is under consideration, only a procedural motion or a motion to amend may be allowed.
- (2) Procedural motions shall be considered immediately and shall have precedence. They are subject to debate as follows:
 - (a) to refer (debatable);
 - (b) to defer/postpone indefinitely or to a certain day (debatable);
 - (c) to adjourn (not debatable);
 - (d) to extend the time of the meeting past 10:30 pm (not debatable); and
 - (e) any other procedural motion (debatable).

23. AMENDMENT

A motion to amend,

- (1) shall be in writing;
- (2) shall be allowed one at a time and any further amendment must be to the main question;
- (3) shall be relevant and not contrary to the report, item, or motion under consideration;
- (4) may propose a different resolution to the same issue under consideration; and
- (5) shall be considered in reverse order of their introduction or placed in an order decided by the Chair as the most logical or practical.