



**COUNCIL WORKSHOP  
AGENDA**

**(Procedural By-law Review)**

**TUESDAY, NOVEMBER 24, 2015  
4:30 P.M. – 6:30 P.M.**

**COUNCIL CHAMBERS  
AURORA TOWN HALL**



## **TOWN OF AURORA COUNCIL WORKSHOP AGENDA**

Tuesday, November 24, 2015  
4:30 p.m. – 6:30 p.m.  
Council Chambers

**1. DECLARATION OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**

**2. APPROVAL OF THE AGENDA**

RECOMMENDED:

THAT the agenda as circulated by Legal and Legislative Services be approved.

**3. CONSIDERATION OF ITEM REQUIRING SEPARATE DISCUSSION**

**4. READING OF BY-LAW**

RECOMMENDED:

THAT the following confirming by-law be given first, second, and third readings and enacted:

**5792-15** BEING A BY-LAW to Confirm Actions by Council pg. 90  
Resulting from Council Workshop on November 24, 2015.

**5. ADJOURNMENT**

**AGENDA ITEMS**

**1. Procedural By-law Review**

pg. 1

RECOMMENDED:

THAT Council provide direction.



# **Procedural By-law Review**

## **Council Workshop**

**November 24, 2015**  
**4:30 p.m. to 6:30 p.m.**

# Topics for Discussion

	<u>Slides</u>
1. Background .....	<u>3 - 4</u>
2. Purpose .....	<u>5</u>
3. Role of a Procedural By-law .....	<u>6 - 8</u>
4. Themes and Options	
a) Council/Committee Structure .....	<u>9 - 13</u>
b) Meeting Time & Schedule .....	<u>14 - 22</u>
c) Agenda & Order of Business .....	<u>23 - 34</u>
d) Rules of Debate .....	<u>35 - 37</u>
e) Public Participation .....	<u>38 - 44</u>
f) Notices of Motion .....	<u>45 - 47</u>
g) Specific Motions .....	<u>48 - 54</u>
h) Voting .....	<u>55 - 57</u>
i) Other Issues .....	<u>58 - 62</u>
5. Next Steps .....	<u>63</u>

Slide 2



# Background

- By-law Number 5330-11 (Attachment 1) enacted on November 22, 2011
  - “Reconsideration of Matter” rules amended by By-law Number 5488-13 [section 8.14]
  - “Notice of Motion” rules amended by By-law Number 5556-13 [sections 3.3 and 3.13 (a)]
- Council Motion passed on August 25, 2015, to hold a Procedural By-law Review workshop prior to the end of 2015.
- Members of Council were requested to complete a survey identifying any challenges with the current Procedural By-law and opportunities to improve Council and Committee rules.



# Background (cont'd)

- On September 29, 2015, Council referred the following motion to the Procedural By-law Review workshop:

WHEREAS Members of Council are the elected representatives of the people of Aurora; and  
WHEREAS it is the responsibility of Council to make informed decisions on behalf of our constituents; and

WHEREAS it is fundamental to a healthy, democratic society, and is of the utmost importance that Members of Council and the public have adequate time to carefully review Council and Committee agendas prior to a meeting;

NOW THEREFORE BE IT HEREBY RESOLVED THAT staff be directed to report to Council on implementing the following process changes:

1. Agendas for Council and Committee meetings are to be made available to Members of Council and the public no later than seven (7) days prior to the respective meeting; and
2. Additional Items, also known as addendums to an agenda, are to be made available to Members of Council and the public no later than twenty-four (24) hours prior to the respective meeting; and

BE IT FURTHER RESOLVED THAT this report be brought forward no later than the General Committee meeting of December 1, 2015.



# Purpose

- To provide a brief overview of the Principles of Parliamentary Procedure and the role of a Procedural By-law
- To review the key thematic areas of the Procedural By-law and determine if changes to the Procedural By-law are required
- If changes are required, to endorse policy statements that staff will use to report back on possible amendments to the Procedural By-law



# Role of a Procedural By-law

## PRINCIPLES OF PARLIAMENTARY PROCEDURE

- There are well-established principles of parliamentary procedure that should guide Council in determining the content and interpretation of a Procedural By-law. The key principles are:
  1. That the majority of Members of Council make the decisions. Every Member has the right to one vote, unless prevented by law;
  2. Each Member of Council has the right to be heard on a matter, unless prevented by law;
  3. Each Member of Council has the right to information to help make decisions, unless prevented by law;
  4. Each Member of Council has the right to an efficient meeting; and
  5. Each Member of Council has the right to be treated with respect and courtesy.



# Role of a Procedural By-law (cont'd)

## PURPOSE OF PROCEDURAL BY-LAW

- The Procedural By-law should establish rules that uphold the principles of parliamentary procedure.
- A key consideration in adopting a Procedural By-law should be to ensure effective and efficient meetings that promote good decision-making, while ensuring that the rights of Members of Council are upheld.



# Role of a Procedural By-law (cont'd)

## RECOMMENDATIONS

1. THAT the inclusion of the following principles of parliamentary procedure in the Procedural By-law as an interpretive tool be endorsed:
  - a) Every Member has the right to one vote, unless prevented by law;
  - b) Each Member of Council has the right to be heard on a matter, unless prevented by law;
  - c) Each Member of Council has the right to information to help make decisions, unless prevented by law;
  - d) Each Member of Council has the right to an efficient meeting; and
  - e) Each Member of Council has the right to be treated with respect and courtesy.



# Council/Committee Structure

## CURRENT RULES

- Council has established two (2) Standing Committees:
  - General Committee
  - Audit Committee
- Standing Committees make recommendations to Council on matters within their jurisdiction
- Standing Committees have no delegated authority
- Other than procedural decisions required to operate the meeting, all Committee decisions must be confirmed at a future Council meeting



# Council/Committee Structure (cont'd)

## SURVEY COMMENTS

- Generally the structure is working well
- There is very little benefit to the General Committee (“GC”) and Council structure, with issues often being debated at both GC and Council meetings
- Meetings are not efficient
- Rotation of Chair duties at General Committee should be maintained



# Council/Committee Structure (cont'd)

## SURVEY COMMENTS (cont'd)

- Are there other Council/Committee structures that can be applied to Aurora?
- Other comments received that will be considered under other thematic areas:
  - Members' speaking time
  - Notice of Motion rules
  - Use of clear language to describe a "Point of Order" or a "Question of Privilege"



# Council/Committee Structure (cont'd)

## STAFF OBSERVATIONS

- *Special General Committee – Budget* operates differently than regular GC meetings:
  - Council Members have expressed a desire to be able to direct Staff to bring forth information to future Budget meetings.
  - Committee recommendations are placed on the Council agenda as a consolidated Staff Report (not a Committee report).
  - The ‘Public Forum’ that is a regular item on Budget agendas is not accounted for in Procedural By-law section 3.3.



# Council/Committee Structure (cont'd)

## RECOMMENDATIONS

1. THAT the creation of a new "Budget Committee," comprised of all Members of Council, to make recommendations to Council on approval of the Town's annual Operating and Capital Budgets be endorsed; and
2. THAT the Budget Committee order of business be the same as currently used for Special General Committee – Budget meetings; and
3. THAT the Budget Committee be delegated the authority to:
  - a) Approve the meeting minutes of Budget Committee;
  - b) Direct Staff to bring forward information to the Budget Committee as needed, and defer matters to a future Budget Committee meeting; and
  - c) Direct Staff to prepare and bring forth for Council's consideration a report summarizing Committee recommendations on the annual Capital and Operating Budgets.



# Meeting Time & Schedule

## CURRENT RULES

- General Committee shall generally meet on the first and third Tuesday of the month at 7 p.m.
- Council shall generally meet on the second and fourth Tuesday of the month at 7 p.m.
- Special Council – Public Planning – Council shall meet on the last Wednesday of the month at 7 p.m.
- There will be only one Council meeting in each of July and August.
- For a meeting to extend past 10:30 p.m., a motion must be passed on a majority vote.
- For a meeting to extend past 11 p.m., a motion must be passed on a two-thirds (2/3) vote.



# Meeting Time & Schedule (cont'd)

## SURVEY COMMENTS

- The current start time for Council and Committee should be maintained.
- The end time for meetings should be revisited.
- Change to two (2) General Committee meetings and one (1) regular Council meeting each month
- Open Forum, if maintained, should begin at 6:45 p.m. prior to the Council meeting.
- The rules on when meetings end should be considered.



# Meeting Time & Schedule (cont'd)

## SURVEY COMMENTS (cont'd)

- Additional meetings in the summer months are required.
- Budget meetings should be held at various times (days, weekends and evenings) to allow the public to attend.
- Attendance at Committee meetings during the business day (e.g., Budget meetings) is difficult for part-time Councillors.



# Meeting Time & Schedule (cont'd)

## STAFF OBSERVATIONS

- Procedural By-law should be amended to ensure that the adoption of the annual meeting calendar by resolution does not require waiver of the procedural by-law.
- Adoption of the motion to provide Council/Committee agendas seven (7) days prior to a meeting would require alterations to the meeting time and schedule.
- Notice requirements for the calling of Special Council meetings should be clarified.



# Meeting Time & Schedule (cont'd)

## OPTIONS – Regular Meeting Cycle

1. Two (2) General Committee meetings, one (1) Regular Council meeting, and one (1) Public Planning meeting held per month:
  - a) General Committee meetings will normally be held on the first (1st) and second (2nd) Tuesday of each month;
  - b) Regular Council meetings will normally be held on the fourth (4th) Tuesday of the month, to consider the reports of the GC meetings earlier that month;
  - c) Special Council – Public Planning meetings will normally be held on the third (3rd) Wednesday of the month; and
  - d) Only one (1) General Committee meeting, one (1) Council meeting, and one (1) Special Council – Public Planning meeting will be held in each of December and January.



# Meeting Time & Schedule (cont'd)

## OPTIONS – Regular Meeting Cycle (cont'd)

2. Eliminate General Committee meetings, with all business going directly to Regular Council meetings (except Public Planning meetings):
  - a) Hold three (3) Regular Council meetings per month, normally on the first (1st), second (2nd) and fourth (4th) Tuesday of each month; and
    - i. Only Two (2) Regular Council meetings and one (1) Special Council - Public Planning meeting will be held in each of December and January; or
  - b) Hold four (4) Regular Council meetings per month on Tuesdays;
    - i. Only two (2) Regular Council meetings and one (1) Public Planning meeting will be held in each of December and January; and
    - ii. Hold one (1) Special Council – Public Planning meeting each month, normally on the last Wednesday of the month.



# Meeting Time & Schedule (cont'd)

## RECOMMENDATIONS – Regular Meeting Cycle

1. THAT the following schedule of regular Council, General Committee and Special Council – Public Planning meetings be endorsed:

- a) General Committee meetings will normally be held on the first (1st) and second (2nd) Tuesday of each month;
- b) Regular Council meetings will normally be held on the fourth (4th) Tuesday of the month;
- c) Special Council – Public Planning meetings will normally be held on the third (3rd) Wednesday of the month; and
- d) Only one (1) General Committee meeting, one (1) Council meeting and one (1) Public Planning meeting will be held in each of December and January.



# Meeting Time & Schedule (cont'd)

## OPTIONS – Summer Meeting Cycle

1. If Council maintains the current alternating GC/Council meetings:
  - a) Hold one (1) GC meeting and one (1) Council meeting in each of July and August; or
  - b) Hold a total of three (3) Regular Council meetings through July and August; or
  - c) Maintain current practice of holding one (1) Council meeting in each of July and August, with additional Special Council meetings being called as required.
2. If Council adopts regular meeting cycle Option 1 (2 GC meetings and 1 Council meeting per month):
  - a) Hold two (2) GC meetings and one (1) Council meeting in either July or August; or
  - b) Hold a total of three (3) Regular Council meetings through July and August.



# Meeting Time & Schedule (cont'd)

## OPTIONS – Summer Meeting Cycle (cont'd)

3. If Council adopts the Regular Meeting Cycle Option 1 (2 GC meetings and 1 Council meeting per month):
  - a) Hold two (2) GC meetings and one (1) Council meeting in either July or August; or
  - b) Hold a total of three (3) Regular Council meetings through July and August.
4. Additional procedural considerations to improve summer meeting agenda management:
  - a) Do not include 'presentations of general interest' at summer Council meetings
  - b) Notice of Motion:
    - i. Permit a Notice of Motion to be considered at the meeting where notice has been given if it is a time-sensitive matter; and
    - ii. Place a limit on the number of Notices of Motion permitted per meeting.



# Agenda & Order of Business

## CURRENT RULES (Regular Council)

- The Order of Business for a Regular Council meeting is:

	<u>Subject Matter</u>		<u>Subject Matter</u>
1	Declaration of Pecuniary Interest and General Nature Thereof	8	Delegations
2	Approval of the Agenda	9	Consideration of Items Requiring Separate Discussion
3	Adoption of the Minutes	10	Notices of Motion/Motions for Which Notice Has Been Given
4	Presentations	11	New Business/General Information
5	Public Service Announcements	12	Reading of By-laws
6	Determination of Items Requiring Separate Discussion	13	Closed Session
7	Adoption of Items Not Requiring Separate Discussion	14	Adjournment

# Agenda & Order of Business (cont'd)

## CURRENT RULES (General Committee)

- The Order of Business for a General Committee meeting is:

	<u>Subject Matter</u>	<u>Subject Matter</u>
1	Declaration of Pecuniary Interest and General Nature Thereof	7 Consideration of Items Requiring Separate Discussion
2	Approval of the Agenda	8 Notices of Motion
3	Determination of Items Requiring Separate Discussion	9 New Business/General Information
4	Adoption of Items Not Requiring Separate Discussion	10 Closed Session
5	Delegations	11 Adjournment
6	Presentations by the Advisory Committee Chair	



# Agenda & Order of Business (cont'd)

## CURRENT RULES (Special Council)

- The Order of Business for a Special Council meeting is:

	<u>Subject Matter</u>		<u>Subject Matter</u>
1	Declaration of Pecuniary Interest and General Nature Thereof	4	Consideration of Business For Which Notice Was Given
2	Approval of the Agenda	5	By-laws
3	Delegations	6	Adjournment



# Agenda & Order of Business (cont'd)

## SURVEY COMMENTS

- Agendas should be provided at least 7 days prior to a meeting, with additional items provided at least 24 hours prior to a meeting.
- The current rules are working well.
- Items that require Council decision should be separated from informational items on the agenda.
- The Confirming By-law should be listed as a separate Order of Business item.



# Agenda & Order of Business (cont'd)

## STAFF OBSERVATIONS (General)

- The Confirming By-law, which cannot be passed until after Council Closed Session meetings, should be listed as a separate Order of Business.
- ‘Presentations by the Advisory Committee Chair’ rarely happen, with the Chairs comments on specific Committee minutes and recommendations usually occurring during consideration of the minutes.
- ‘Declaration of Pecuniary Interest and General Nature Thereof’ should occur following approval of the Agenda. Members are required to declare pecuniary interest in Items on the Agenda, which is not set until approved (i.e., Items get added and removed during consideration of “Approval of the Agenda”).



# Agenda & Order of Business (cont'd)

## STAFF OBSERVATIONS (Information Reports)

- Municipalities are adopting “Information Report” policies that permit Council and Committee meetings to be focused on municipal business that requires action or decisions.
- The general principles of an Information Report policy are as follows:
  1. Information Reports are defined as:
    - a) A Report that is prepared for Council and generally relates to a matter considered at Council or General Committee; and
    - b) Does not contain recommendations requiring Council action or decisions, nor would the report generally result in a future report that would require Council action or decisions.
  2. Information Reports do not include reports specifically requested by Council motion.



# Agenda & Order of Business (cont'd)

## STAFF OBSERVATIONS (Information Reports) (cont'd)

- The general principles of an Information Report policy (cont'd):
  3. Information Reports are routinely and regularly published on the Municipalities' websites for review by Members of Council and the public.
  4. Members of Council would be notified by email of the posting of the Information Reports, including the date and title.
  5. Members of Council may request that an Information Report be listed on an Agenda for discussion or questions.



# Agenda & Order of Business (cont'd)

## RECOMMENDATIONS (General)

1. THAT the listing of the Confirming By-law as a separate Council Agenda Item be endorsed; and
2. THAT the removal of the General Committee Agenda Item “Presentations by the Advisory Committee Chair” be endorsed; and
3. THAT the listing of “Declaration of Pecuniary Interest and General Nature Thereof” following “Approval of the Agenda” be endorsed; and
4. THAT staff report back on implementing a policy that Information Reports, generally defined as staff reports that do not contain recommendations requiring Council action or decisions, normally be published on the Town’s website and only be included on a Council or Committee Agenda if requested by a Member of Council.



# Agenda & Order of Business (cont'd)

## PUBLISHING AGENDAS 7 DAYS PRIOR TO A MEETING

### OPTION 1

- If the current meeting schedule of alternating GC and Council meetings is maintained:
  1. GC Agendas to be provided seven (7) days prior to the meeting (i.e., on the Tuesday prior to the meeting);
  2. GC Additional Items to be published 24 hours before the meeting;
  3. Council Agendas to be provided on the Friday prior to the meeting (to allow preparation of the General Committee Report and recommendations); and
  4. Council Additional Items to be provided on the day of the meeting.



# Agenda & Order of Business (cont'd)

## PUBLISHING AGENDAS 7 DAYS PRIOR TO A MEETING

### OPTION 2

- If the current meeting schedule of alternating GC and Council meetings is maintained:
  1. The alternating schedule of meetings would be changed to the following:

WEEK 1	WEEK 2	WEEK 3	WEEK 4
GC Meeting	Council Meeting to consider Week 4 GC Report of the previous month	GC Meeting	Council Meeting to consider Week 1 GC Report of the current month

2. GC and Council Agendas to be provided seven (7) days prior to the meeting; and
3. GC and Council Additional Items to be published 24 hours before the meeting.



# Agenda & Order of Business (cont'd)

## PUBLISHING AGENDAS 7 DAYS PRIOR TO A MEETING

### OPTION 3

- If Council chooses to change the meeting structure to Council meetings only (i.e., eliminating General Committee):
  1. Council Agenda to be provided seven (7) days prior to the meeting (i.e., on the Tuesday before); and
  2. Council Additional Items to be published 24 hours before the meeting.



# Agenda & Order of Business (cont'd)

## **PUBLISHING AGENDAS 7 DAYS PRIOR TO A MEETING**

### **OPTION 4**

- If Council chooses to adopt a two (2) GC and one (1) Council Meeting schedule per month:
  1. GC and Council Agendas to be provided seven (7) days prior to the meeting; and
  2. GC and Council Additional Items to be published 24 hours before the meeting.



# Rules of Debate

## CURRENT RULES

- To address Council, a Member shall request to speak and be recognized by the Chair.
- When two (2) or more Members indicate their desire to speak at the same time, the Chair shall designate the order of speakers.
- No Member shall speak for longer than ten (10) minutes on a question without Council's permission.
- No Member shall speak more than twice to the same question without Council's permission, except that a reply shall be permitted only from a Member who has presented the main motion.



# Rules of Debate (cont'd)

## SURVEY COMMENTS

- There should be stricter limits on speaking times and greater enforcement.
- Members' speaking times at Council and General Committee should be changed to two (2) times for a maximum of five (5) minutes each time.
- The current rules are working well.
- Members' speaking times should be changed as follows:
  - At Committee meetings, Members should be permitted to speak twice on a subject, the first time being for a maximum of ten (10) minutes, and the second time being for a maximum of five (5) minutes; and
  - At Council meetings, Members should be permitted to speak twice on a subject for a maximum of five (5) minutes each time.



# Rules of Debate (cont'd)

## OPTIONS

1. Members' speaking times at Council and General Committee should be changed to two (2) times for a maximum of five (5) minutes each time.
2. Members' speaking times should be changed as follows:
  - a) At Committee meetings, Members should be permitted to speak twice on a subject, the first time being for a maximum of ten (10) minutes, and the second time being for a maximum of five (5) minutes; and
  - b) At Council meetings, Members should be permitted to speak twice on a subject for a maximum of five (5) minutes each time.



# Public Participation

## CURRENT RULES (Delegations & Presentations)

- Delegations shall be encouraged to appear at the appropriate Committee first.
- The Clerk shall give due consideration to the length of the agenda and the number of Delegations and shall advise to the requester the earliest possible date when their Delegation may be accommodated. (Committee Only)
- A maximum of three (3) Delegations shall be allowed to address Council per meeting.
- No person other than the designated spokesperson may speak on the matter and not for more than five (5) minutes.
- A Delegation not on the agenda shall not be heard without the consent of at least a two-thirds majority of the Members present.
- Presentations of general interest shall be placed on the Council agenda and shall be limited to ten (10) minutes per presentation.



# Public Participation (Open Forum)

## CURRENT RULES (Open Forum)

- During the twenty (20) minutes preceding each Regular Council Meeting, the Members shall attend in the Council Chambers for the purpose of providing an informal opportunity for any person to voice opinions on subjects of municipal concern.
- Each person shall be required to sign the Open Forum Register prior to being permitted to address Council, and each person shall be limited to addressing Council for a maximum of five (5) minutes.
- No decisions will be made as a result of comments made during Open Forum.
- Any comments made during Open Forum shall not form part of the minutes of the Council meeting.



# Public Participation (cont'd)

## SURVEY COMMENTS

- Provide more time for registration as delegates.
- The current rules are working well.
- The current Advisory Committee minute process is working well.
- Eliminate Open Forum, or move it to 6:45 p.m.
- More flexibility for public participation (e.g., allow Presenters and Delegates to answer questions during debate on the specific Item, and allow the public to participate remotely in meeting by email questions)
- Delegates and Presenters are often provided additional speaking time which is not efficient.



# Public Participation (cont'd)

## STAFF OBSERVATIONS

- Delegates can appear at both General Committee and Council, limiting opportunities for other delegates to address an Agenda Item.
- The requirements of the Procedural By-law are often waived to permit staff presentations or delegations to exceed the ten (10) or five (5) minute rule.
- Delegation and Presentation material is not provided to the Clerk's division in sufficient time for inclusion on the Agenda.



# Public Participation (cont'd)

## OPTIONS (Open Forum)

1. Eliminate Open Forum

THAT the removal of Open Forum from the Procedural By-law be endorsed.

2. Move Open Forum to 6:45 p.m.

THAT a change in the start time of Open Forum to 6:45 p.m. be endorsed.

3. Maintain current Open Forum rules

(no motion needs to be adopted)



# Public Participation (cont'd)

## OPTIONS (Delegations)

### 1. Delegations can appear at General Committee or Council

THAT delegations who appear before General Committee not be permitted to delegate again at the following Council meeting, but may submit written material to Members of Council through the Clerk's Office.

### 2. Delegations by the Public (Time Limits)

THAT a policy which permits delegations, on a majority vote, no more than one (1) extension of up to five (5) minutes be endorsed; and

THAT the Procedural By-law rules giving effect to this policy cannot be waived on a two-thirds vote.



# Public Participation (cont'd)

## OPTIONS (Delegations Cont'd)

### 3. Presentation and Delegation Material

THAT a policy requiring Presentations and Delegations to submit any presentation or delegation material prior to a meeting, to be included on an Additional Items Agenda, be endorsed.

### 4. Delegations/Presentations by Staff (Time Limits)

THAT an increase in the time limit for delegations or presentations by Town Staff, consultants or contractors retained by the Town, or other persons delegated authority by the Town, to ten (10) minutes be endorsed.



# Notices of Motion

## CURRENT RULES

- Notices of Motion must be provided to the Clerk by 4:30 p.m. on the Thursday prior to either a regular General Committee or regular Council meeting.
- Motions for Which Notice Has Been Given are included on the next regular Council agenda for consideration and disposition.



# Notices of Motion (cont'd)

## SURVEY COMMENTS

- Notices of Motions should be considered at the next immediately following meeting (e.g., at the next GC meeting if presented at Council).
- The Procedural By-law should not be waived to permit the addition of a late Notice of Motion.
- The delay in considering Notices of Motion in the summer is too long (i.e. a Notice of Motion placed on the July agenda cannot be considered until the August meeting).
- Generally working well



# Notices of Motion (cont'd)

## RECOMMENDATIONS

1. Maintain the current rules on Notices of Motion to permit Members time to review the subject matter before consideration.
2. Do not permit the Procedural By-law to be waived to consider a Motion where notice has not been provided unless it is time-sensitive.
3. If the current summer meeting schedule is maintained, provide alternate rules to permit consideration of time-sensitive Notices of Motion at the same meeting on a majority vote.
4. Adopt a policy on the maximum number of Notices of Motion that can be considered at each Council meeting.



# Specific Motions

## CURRENT RULES

1. Withdrawal of Motion: Motions can only be withdrawn with consent of mover, seconder and majority vote of Members present.
2. Motion to Recess (suspends the meeting): is not a debatable motion; and must specify the length of the recess. The motion may only be amended as to the length of the recess.
3. Motion to Adjourn (ends the meeting): is not a debatable motion; and is in order except when a Member is speaking, a vote has been called, or a Member has indicated a desire to speak to the matter prior to the meeting.
4. Motion to Call the Question (ends debate on a motion, starts voting): is not debatable; and the mover, if the motion is lost, will not be allowed to speak to the motion again.



# Specific Motions (cont'd)

## CURRENT RULES (cont'd)

5. Motion to Table (*stops all debate and voting on the motion*): cannot be amended or debated; and applies to the motion and any amendments under debate. If the motion to table passes, unless Council decides otherwise (Motion to take from the table), the matter cannot be discussed until the C.A.O., or Member through a Notice of Motion, brings it forward to a subsequent meeting.
6. Motion to Defer (*delays consideration of a motion to a different date and time*): is debatable; applies to the motion and any amendments under debate; and shall include the time period and purpose.



# Specific Motions (cont'd)

## CURRENT RULES (cont'd)

7. Motion to Refer (*sends a motion to a Committee or staff for further consideration*): is debatable; applies to the motion and any amendments under debate; and shall include the name of the Committee or official to whom the matter is referred, the terms, and the time period.
8. Motion to Amend (*changes the motion*): is debatable; must be relevant (germane) to the main motion; and cannot propose the direct opposite to the main motion. Only one (1) motion to amend shall be on the floor at any one time.



# Specific Motions (cont'd)

## CURRENT RULES (cont'd)

9. Motion to Postpone Indefinitely (*stops all consideration of a motion*): is debatable but cannot be amended; similar to a motion to table except that it may be reconsidered.
10. Reconsideration of Matter: After Council's final vote on a matter, it cannot be reconsidered within six (6) months except on a motion to reconsider carried on a two-thirds (2/3) vote. Where a motion is lost due to a tie vote as the result of the absence of a Member, that motion may be reconsidered at the next meeting by a motion to reconsider carried on a majority vote.



# Specific Motions (cont'd)

## SURVEY COMMENTS

- Some of the language in motions (e.g., refer vs. defer) can be confusing, which may be alleviated with the use of more plain language.
- A simple guide on the hierarchy of motions would be beneficial.
- The current rules are working well.



## Specific Motions (cont'd)

### STAFF OBSERVATIONS

- “Friendly Amendments” (minor amendments approved by the mover and seconder that are not voted on) have been used at meetings despite not being provided for in the Procedural By-law.
- Motions have been withdrawn with the consent of the mover and seconder



## Specific Motions (cont'd)

### RECOMMENDATIONS

1. THAT the inclusion in the Procedural By-law of rules on “Friendly Amendments,” defined as minor amendments approved by the mover and seconder that are not voted on, be endorsed.
2. THAT an amendment to the Procedural By-law that would permit the withdrawal of motion with only the consent of the mover and seconder, but only after all Members who have indicated that they wish to speak to the motion have spoken, be endorsed.



# Voting

## CURRENT RULES

- Members must vote on all motions unless prevented by Law (e.g., *Municipal Conflict of Interest Act*).
- Members must remain in their seats during the taking of a vote.
- Distinct proposals may be voted on separately (e.g., individual clauses in a motion can be voted on separately provided that they are not dependent on another clause in the motion).
- A failure to vote is deemed to be a ‘No’ vote.
- Tied votes are deemed to be decided in the negative.
- Votes at Committee meetings are demonstrated by a show of hands only.
- Votes at Council meetings are demonstrated by a show of hands or when requested, by recorded vote.



# Voting (cont'd)

## SURVEY COMMENTS

- The current rules work well.
- Members should clearly raise their hands high during a vote to assist the Chair.
- The use of electronic voting should be explored.
- All votes should be a recorded vote.
- Once the necessary technology is in place, all votes on major Items should be by recorded vote (not including approval of agenda, adjournment, etc.).



# Voting (cont'd)

## RECOMMENDATIONS

1. THAT staff be directed to report back to Council on options to use electronic voting at Council meetings following acquisition of an electronic meeting management system, and upgrades to the audio visual equipment in the Council Chambers.
2. THAT the inclusion of rules in the Procedural By-law to permit electronic voting by members be endorsed.



# Other Survey Comments

- Minutes should have more details with comments credited to those who made them (e.g., Councillor X indicated...)
- Meetings are not efficient, rules need to be more closely followed (e.g., Procedural By-law rules should not be waived unless absolutely necessary)
- Generally, the current rules work well; not in favour of significant changes
- Public Service Announcements not needed as most information is posted on the Town's website
- Clarification of what requires a Notice of Motion vs. what can be considered under New Business is needed



# Other Staff Recommendations

## OTHER RECOMMENDATION #1 – Rules of Order

- The current rules require that reference be made to *Bourinot's Rules of Order* ("Bourinot's") for any matter not provided for in the Procedural By-law.
- *Bourinot's* rules are generally viewed as Canadian parliamentary rules of order; however, they provide very high-level guidance only (e.g., the House of Commons and Senate operate using their much more extensive *Standing Orders*).
- *Robert's Rules of Order* provides very detailed and specific rules to address almost any scenario that may arise in the course of a meeting that may not be accounted for in the Procedural By-law.

## RECOMMENDATION:

THAT the provisions of section 4.9 of the Procedural By-law be amended by replacing *Bourinot's Rules of Order* with *Robert's Rules of Order*.



# Other Staff Recommendations (cont'd)

## OTHER RECOMMENDATION #2 – Closed Session

- On January 1, 2016, subsection 239(3) of the *Municipal Act, 2001* (“Act”) will be amended to require (i.e., it is mandatory) a municipality to hold a closed session meeting if the subject matter is “an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) of this Act, or the investigator referred to in subsection 239.2 (1).”

## RECOMMENDATION:

THAT section 2.20 of the Procedural By-law be amended to include a requirement that a Meeting shall be closed to the public when the subject matter to be considered is an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) of the *Municipal Act, 2001*, or the investigator referred to in subsection 239.2 (1) of the *Municipal Act, 2001*.



# Other Staff Recommendations (cont'd)

## OTHER RECOMMENDATION #3 – Clarification and Interpretation

- Survey responses received suggest that consistency, clarification, and use of plain language would help.

### RECOMMENDATIONS:

1. THAT the Procedural By-law be amended to authorize the Clerk to create and amend an annotated version of the Procedural By-law to assist Members in complying with the rules as enforced and interpreted from time to time.
2. THAT the Procedural By-law be amended to permit the Clerk to amend by-laws, minutes and other Council and Committee documentation for technical, typographical, or other administrative errors and omissions for the purpose of ensuring an accurate and complete record of proceedings.



# Other Staff Recommendations (cont'd)

## OTHER RECOMMENDATION #4 – Meeting Efficiency

- Survey responses provided the following comments on the efficiency of meetings:
  - Rules of procedure are not always strictly followed, or are frequently waived.
  - Meetings should have a firm end time.
  - Council Public Service Announcements are duplications of information already available.

### OPTIONS:

1. Council could:
  - a) Identify procedural rules that should not be waived even by a two-thirds vote; or
  - b) Direct staff to report back on options for procedural rules that should not be waived even by a two-thirds (2/3) vote based on other municipal practices.



# Next Steps

## RECOMMENDATION

1. THAT staff be directed to report on the necessary changes to the Procedural By-law to give effect to the policies adopted by Council at its workshop on November 24, 2015, including any necessary transition plan.



**OFFICE CONSOLIDATION COPY  
PROCEDURAL BY-LAW NUMBER 5330-11  
As Amended by By-law No. 5488-13 and By-law No. 5556-13**

**INDEX**

SECTION 1 – DEFINITIONS .....	4
<b>PART I – MEETINGS OF COUNCIL .....</b>	<b>6</b>
SECTION 2 – CALLING OF MEETINGS .....	6
<a href="#">2.1</a> APPLICATION .....	6
<a href="#">2.2</a> INAUGURAL MEETING .....	6
<a href="#">2.3</a> REGULAR COUNCIL AND GENERAL COMMITTEE MEETINGS .....	7
<a href="#">2.4</a> TAPING, TELEVISIONING, RECORDING .....	7
<a href="#">2.5</a> JULY/AUGUST MEETINGS .....	7
<a href="#">2.6</a> PUBLIC PLANNING MEETINGS .....	7
<a href="#">2.7</a> SPECIAL COUNCIL MEETINGS .....	7
<a href="#">2.8-2.9</a> SPECIAL COUNCIL MEETING AGENDA .....	7
<a href="#">2.10</a> NOTICE TO MEMBERS .....	8
<a href="#">2.11</a> NOTICE TO MEDIA AND PUBLIC .....	8
<a href="#">2.12</a> CONTENT OF NOTICE .....	9
<a href="#">2.13</a> CANCELLATION/POSTPONEMENT .....	9
<a href="#">2.14</a> PUBLIC HOLIDAYS .....	9
<a href="#">2.15</a> FAILURE TO MEET NOTICE PROVISIONS .....	9
<a href="#">2.16</a> MEETINGS OPEN TO THE PUBLIC .....	9
<a href="#">2.17-2.20</a> CLOSED MEETINGS .....	9
<a href="#">2.21</a> PRIOR PUBLIC RESOLUTION .....	10
<a href="#">2.22</a> OPEN VOTES .....	10
<a href="#">2.23</a> CLOSED SESSION VOTES .....	10
<a href="#">2.24-2.25</a> RECORD OF CLOSED SESSION MEETING .....	11
SECTION 3 – ORDER OF BUSINESS .....	11
<a href="#">3.1</a> OPEN FORUM .....	11
<a href="#">3.2-3.4</a> ORDER OF BUSINESS .....	11
<a href="#">3.5-3.6</a> QUORUM .....	12
<a href="#">3.7</a> REVISED AGENDA .....	12
<a href="#">3.8</a> DELEGATIONS .....	13
<a href="#">3.9</a> BEHAVIOUR .....	14
<a href="#">3.10</a> CURTAILMENT OF TIME .....	14
<a href="#">3.11</a> EXPULSION .....	14
<a href="#">3.12</a> CORRESPONDENCE .....	14
<a href="#">3.13</a> NOTICE OF MOTION .....	14
<a href="#">3.14</a> NEW BUSINESS/GENERAL INFORMATION .....	14

<a href="#">3.15</a>	PROCLAMATIONS/RESOLUTIONS .....	15
<a href="#">3.16</a>	ADJOURNMENT .....	15
<a href="#">3.17</a>	CONTENT OF MINUTES OF COUNCIL AND GENERAL COMMITTEE .....	15
<a href="#">3.18-3.21</a>	APPROVAL .....	16
<a href="#">3.22</a>	SIGNATURE.....	16
<b>SECTION 4 – CONDUCT OF MEETINGS .....</b>		<b>16</b>
<a href="#">4.1-4.4</a>	DUTIES OF THE CHAIR.....	16
<a href="#">4.5</a>	DEPUTY MAYOR.....	17
<a href="#">4.6</a>	CONDUCT OF MEMBERS.....	17
<a href="#">4.7</a>	SUSPENSION OF PROCEDURAL REQUIREMENTS .....	18
<a href="#">4.8</a>	STATUTORY HEARINGS .....	18
<a href="#">4.9-4.10</a>	RULES OF ORDER.....	18
<a href="#">4.11-4.14</a>	DISCLOSURES OF PECUNIARY INTEREST & GENERAL NATURE THEREOF ..	18
<b>SECTION 5 – RULES OF DEBATE .....</b>		<b>19</b>
<b>SECTION 6 – MOTIONS.....</b>		<b>20</b>
<a href="#">6.1</a>	MUST BE SECONDED .....	20
<a href="#">6.2</a>	MOVER AND SECONDER MAY VOTE IN OPPOSITION.....	20
<a href="#">6.3</a>	WITHDRAWAL .....	20
<a href="#">6.4</a>	ULTRA VIRES .....	20
<b>SECTION 7 – SPECIFIC MOTIONS.....</b>		<b>20</b>
<a href="#">7.1</a>	MOTION TO RECESS .....	20
<a href="#">7.2-7.3</a>	MOTION TO ADJOURN .....	20
<a href="#">7.4-7.6</a>	MOTION TO CALL THE QUESTION.....	21
<a href="#">7.7-7.8</a>	MOTION TO TABLE .....	21
<a href="#">7.9</a>	MOTION TO DEFER.....	21
<a href="#">7.10</a>	MOTION TO REFER.....	21
<a href="#">7.11-7.12</a>	MOTION TO AMEND .....	21
<a href="#">7.13</a>	MOTION TO POSTPONE INDEFINITELY .....	21
<b>SECTION 8 – VOTING .....</b>		<b>22</b>
<a href="#">8.1</a>	ORDER OF VOTES.....	22
<a href="#">8.2</a>	MEMBERS MUST VOTE.....	22
<a href="#">8.3</a>	ACTIONS DURING VOTES .....	22
<a href="#">8.4-8.5</a>	SPLIT VOTES .....	22
<a href="#">8.6</a>	FAILURE TO VOTE DEEMED NEGATIVE.....	23
<a href="#">8.7</a>	MAJORITY VOTE.....	23
<a href="#">8.8</a>	TIE VOTE .....	23
<a href="#">8.9</a>	METHOD OF VOTING .....	23
<a href="#">8.10-8.11</a>	RECORDED VOTE.....	23
<a href="#">8.12-8.13</a>	CLERK TO ANNOUNCE RESULTS OF RECORDED VOTE.....	23
<a href="#">8.14</a>	RECONSIDERATION OF MATTER .....	23
<a href="#">8.15-8.20</a>	BY-LAWS .....	24

**PART II – GENERAL PROVISIONS .....24**

SECTION 9 – GENERAL COMMITTEE .....24

SECTION 10 – AUDIT COMMITTEE .....25

SECTION 11 – REVIEW OF PROCEDURAL BY-LAW .....25

SECTION 12 – REVIEW OF COUNCIL CODE OF ETHICS .....25

SECTION 13 – SEVERABILITY .....25

SECTION 14 – CONFLICT .....25

SECTION 15 – ENACTMENT.....25

***THE CORPORATION OF THE TOWN OF AURORA***

***By-law Number 5330-11***

***BEING A BY-LAW to govern  
the procedures of The Council  
of the Corporation of the  
Town of Aurora and its  
Committees and Boards.***

**WHEREAS** subsection 238(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

**AND WHEREAS** the Council of The Corporation of the Town of Aurora considers it necessary and desirable to enact a By-law in this regard and to repeal any prior procedural by-laws and any amendments thereto;

**NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF AURORA HEREBY ENACTS AS FOLLOWS:**

***Section 1 – Definitions***

In this By-law, the following terms shall have the following meanings:

- 1.1 “Act” shall mean the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended or re-enacted from time to time;
- 1.2 “Audit Committee” shall mean the General Committee and shall have separate terms of reference for its Audit Committee functions.
- 1.3 “C.A.O.” shall mean the Chief Administrative Officer for the Town;
- 1.4 “Chair” shall mean the person presiding at a Meeting in accordance with the provisions in this By-law governing that Meeting;
- 1.5 “Clerk” shall mean the Town Clerk of The Corporation of the Town of Aurora, or his/her designate;
- 1.6 “Closed Session” shall mean a Meeting that is closed to the public;
- 1.7 “Committee” shall mean an Advisory Committee or similar body comprised of members of Council and/or members of the public, but does not include the General Committee;

- 1.8 “Council” shall mean The Council of the Corporation of the Town of Aurora consisting of the Mayor and eight (8) Councillors;
- 1.9 “Delegation” shall mean an address to Council or a Committee at the request of a person wishing to speak;
- 1.10 “General Committee” shall mean all of the Members of Council sitting in committee and shall report to and make recommendations to Council;
- 1.11 “Inaugural Meeting” shall mean the first meeting of Council after a regular election as set out in section 230 of the Act;
- 1.12 “Local Board” shall mean a body established by Council pursuant to a specific statutory authority;
- 1.13 “Majority vote” shall mean an affirmative vote of more than one-half of the Members present and voting;
- 1.14 “Meeting” shall mean any Regular or Special or other Meeting of Council, General Committee, Local Board or a Committee thereof;
- 1.15 “Member(s)” shall mean a Member of Council and its Committees, including any Advisory, or Ad Hoc Committees, or Local Boards;
- 1.16 “Motion” shall mean a proposal moved by a Member, and seconded by another Member, to adopt, amend, or otherwise deal with a matter before Council or a Committee;
- 1.17 “Motion to defer” shall mean a motion to delay consideration of a matter until later in the same Meeting or to a future Meeting of Council or a Committee;
- 1.18 “Motion to receive” shall mean a motion to acknowledge an item, report, or recommendation under consideration and to have it placed in the records of Council with no additional action being taken;
- 1.19 “Motion to refer” shall mean a motion to dispose of a question under consideration, with or without any proposed amendment, in order to seek consideration by, and, if deemed desirable, one or more reports from any Committee, body, or official;
- 1.20 “Motion to table” shall mean a motion to postpone without setting a definite date as to when the matter will be considered again;
- 1.21 “Notice of Motion” shall mean a written notice of a motion respecting a substantive matter not on the Agenda for a Meeting of Council or **General Committee (By-law No. 5556-13)** which is received by the Clerk, for inclusion on the Agenda for a future Meeting of Council, unless notice thereof is waived pursuant to Section 4.7 of this By-law;

- 1.22 “Open Forum” shall mean an opportunity, preceding each regular Council meeting, for members of the public to voice opinions on subjects of municipal concern;
- 1.23 "Point of Order" means the raising of a question by a Member of Council for the purpose of calling attention to a deviation or departure from the Rules of Procedure;
- 1.24 “Question of privilege or personal privilege” shall mean a question by a Member who believes that another Member has spoken disrespectfully towards that Member or another Member or who considers that his or her integrity or that of a Member or Town official has been impugned or questioned by a Member;
- 1.25 “Record” shall mean any written, audio, or video recording or any combination thereof for the purpose of compiling minutes of a public Meeting;
- 1.26 “Recorded vote” shall mean a written record of the name and vote of every Member voting on any matter or question conducted by the Clerk;
- 1.27 “Resolution” shall mean the decision of Council on any motion;
- 1.28 “Secretary” shall mean the person appointed to record the proceedings of any Meeting constituted pursuant to this By-law;
- 1.29 “Staff” shall mean employee(s) of the Town;
- 1.30 “Town” shall mean the Corporation of the Town of Aurora;
- 1.31 “Two-thirds majority vote” shall mean an affirmative vote of at least two-thirds of the Members present at the Meeting, as follows:
  - If 9 Members are present, 6 is a two-thirds majority
  - If 8 Members are present, 6 is a two-thirds majority
  - If 7 Members are present, 5 is a two-thirds majority
  - If 6 Members are present, 4 is a two-thirds majority
  - If 5 Members are present, 4 is a two-thirds majority

## **PART I – MEETINGS OF COUNCIL**

### ***Section 2 – Calling of Meetings***

#### **Application**

- 2.1 The rules of procedure set out in this By-law shall govern all proceedings of Council and its Committees, including any Advisory or Ad Hoc Committees, or Local Boards.

#### **Inaugural Meeting**

- 2.2 The Inaugural Meeting of Council shall be held at 7:00 p.m. on the first Tuesday in December after a regular election.

**Regular Council and General Committee Meetings**

2.3 The next and each succeeding Regular Council Meeting shall be held in the Council Chambers at the Town Hall, except as otherwise provided for in this By-law, and shall be held in accordance with the schedule of Meetings of Council and General Committee as prepared by the Clerk and approved by Council. All such Regular Council Meetings shall generally be held on the second and fourth Tuesday of each month and General Committee Meetings shall generally be held on the first and third Tuesday of each month. On the days in which a Regular Council Meeting is scheduled, Open Forum shall commence at 7:00 p.m. and the Regular Council Meeting shall commence immediately thereafter, or at such other time as is prescribed by resolution of Council where it is necessary to reschedule a Regular Council Meeting. Where a Regular Council Meeting day is a public or civic holiday, Council shall meet at the same hour on the Wednesday immediately following the holiday, as prescribed by resolution of Council.

**Taping, Televising, Recording**

2.4 Meetings which are not closed to the public may be taped, televised or otherwise electronically or mechanically recorded so long as the taping, televising or recording is carried out in a manner that does not interfere with the conduct of the Meeting.

**July/August Meetings**

2.5 Notwithstanding the provisions of this By-law, during the months of July and August there shall be one (1) Regular Meeting of Council in each month.

**Public Planning Meetings**

2.6 In addition to its schedule of Regular Meetings, where development-related applications have been submitted under the *Planning Act*, R.S.O. 1990, c. P.13, as amended. Council shall meet in the Council Chambers on the last Wednesday of each month commencing at 7:00 p.m. to conduct public hearings to consider such applications.

**Special Council Meetings**

- 2.7 (a) The Head of Council may at any time call a Special Council Meeting; or
- (b) Upon receipt of a petition of the majority of the Members of Council, the Clerk shall call a Special Council Meeting for the purpose and the time mentioned in the petition.

**Special Council Meeting Agenda**

- 2.8 The Clerk, when it is reasonably possible, shall cause an agenda to be prepared, in the following order, for the use of Members at Special Council Meetings:
- (a) Declaration of Pecuniary Interest and General Nature Thereof
- (b) Approval of the Agenda
- (c) Delegations

- (d) Consideration of Business For Which Notice Was Given
- (e) By-laws
- (f) Adjournment

2.9 No Open Forum shall be held prior to a Special Council Meeting.

**Notice to Members**

2.10 Notice to Members of all Meetings of Council or General Committee, agendas, agenda items, cancellations and rescheduling shall be provided by the Clerk to each Member's residence or place of business, as directed by the Member, not less than forty-eight (48) hours prior to the time set for the Meeting. Notice may be sent by first-class mail, courier, facsimile, electronic mail or posted to the Town's official website.

**Notice to Media and Public**

2.11 The Clerk shall provide notice to the public and the media of all Meetings of Council or Committee, agendas, agenda items, cancellations and rescheduling by:

- (a) Publishing the annual schedule of Meetings once adopted by Council by posting on the Town's official website and by distributing copies upon request;
- (b) Updating the annual schedule of Meetings posted on the Town's official website within twenty-four (24) hours of any changes made to the schedule; and
- (c) Not less than twenty-four (24) hours in advance, posting Meeting notices, agendas and agenda items on the Town's official website.
- (d) Council shall generally hold its Meetings at the Town Hall on the second and fourth Tuesday of each month at 7:00 p.m. unless Council meets in a Special Council Meeting called pursuant to the terms of this By-law or unless Council authorizes holding any Meeting at a different location or date or time and notice thereof has been provided in accordance with the provisions of this By-law.
- (e) In addition, notice of all Meetings of Council shall be provided to the public by posting to the Town's official website, placing a copy of the agenda on the reception counter of the Customer & Legislative Services Department in the Town Hall, and by making a copy of the agenda available to the Aurora Public Library and to those members of the press who have requested that they be placed on the circulation list with the Clerk, not less than twenty-four (24) hours prior to the said Meeting. Notwithstanding the foregoing, where such Meeting is a Special Council Meeting called pursuant to this By-law and it is not possible to provide the aforementioned notice, the Clerk shall make reasonable efforts to provide notice to those concerned.

**Content of Notice**

- 2.12 Every notice of a Meeting of Council or Committee shall indicate the day, date, time and place of commencement of the Meeting, and the contact information for the Clerk's office.

**Cancellation/Postponement**

- 2.13 Any Meeting may be cancelled or rescheduled to a day, time and place set out in a written notice from the Clerk, sent to each Member as provided for in section 2.10 of this By-law and at least forty-eight (48) hours before the scheduled date of the meeting.

**Public Holidays**

- 2.14 In the event that a Regular Meeting of Council or General Committee shall fall upon a public holiday, the meeting shall be held at the same hour on the Wednesday immediately following the holiday.

**Failure to Meet Notice Provisions**

- 2.15 Notice which is substantively given but which is irregular or not otherwise in strict compliance with this By-law will not invalidate the holding of a Meeting or any proceeding taken at a Meeting.

**Meetings Open to the Public**

- 2.16 All Meetings shall be open to the public except as provided for in section 2.17 of this By-law.

**Closed Meetings**

- 2.17 A Meeting or part of a Meeting may be closed to the public if the subject matter being considered is:
- (a) The security of property of the Town or Local Board;
  - (b) Personal matters about an identifiable individual, including a Town or Local Board employee;
  - (c) A proposed or pending acquisition or disposition of land by the Town or Local Board;
  - (d) Labour relations or employee negotiations;
  - (e) Litigation or potential litigation including matters before administrative tribunals, affecting the Town or a Local Board;
  - (f) The receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
  - (g) The education and training of Members, provided that no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of Council; or
  - (h) A matter in respect of which Council has authorized a Meeting to be in Closed Session under statutory authority.

- 2.18 The Chair of every Closed Session Meeting shall be the Mayor. In the absence or unavailability of the Mayor, the Chair shall be the Deputy Mayor. In the absence or unavailability of the Deputy Mayor the Chair shall be selected by those Members of Council being present.
- 2.19 The part of a Meeting that is closed to the public shall be held at General Committee whenever possible and any recommendations will be reported out and ratified at the next Council Meeting open to the public. The subject matter and recommendations will be reported out to the extent possible without divulging confidential information.
- 2.20 A Meeting shall be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, as amended, if the Council, Board, Commission or other body is the head of an institution for the purposes of that Act.

**Prior Public Resolution**

- 2.21 Before holding a Meeting or part of a Meeting that is to be closed to the public, a municipality or Local Board or Committee of either of them shall state by public resolution:
- (a) The fact of holding the Closed Session;
  - (b) The general nature of the matter to be considered;
  - (c) The specific provision of the Act under which the Meeting in Closed Session is permitted; and
  - (d) Where the purpose is for education or training, that the Meeting is to be held in Closed Session pursuant to subsection 239(3.1) of the Act.

**Open Votes**

- 2.22 A Meeting shall not be closed to the public during the taking of a vote.

**Closed Session Votes**

- 2.23 Despite section 2.22 of this By-law, a Meeting may be closed to the public during a vote if:
- (a) Subsection 239(2) of the Act permits or requires a Meeting to be closed to the public; and
  - (b) The vote is for a procedural matter or for giving directions or instructions to officials, employees or agents of the Town, or persons retained by or under contract with the Town.

**Record of Closed Session Meeting**

- 2.24 The Clerk shall prepare a Record of each Closed Session held in Council or General Committee, indicating:
- (a) The matter(s) discussed;
  - (b) The specific provision under the Act under which the Meeting in Closed Session is permitted;
  - (c) The Members in attendance;
  - (d) The disposition of the matter(s);
  - (e) The starting and concluding times for the Closed Session; and
  - (f) The minutes are to be adopted at the next Closed Session Meeting.
- 2.25 Section 3.22 of this By-law does not apply to the Record created under section 2.24 of this By-law.

**Section 3 – Order of Business**

**Open Forum**

- 3.1 (a) During the twenty (20) minutes preceding each Regular Council Meeting, the Members shall attend in the Council Chambers for the purpose of providing an informal opportunity for any person to voice opinions on subjects of municipal concern.
- (b) Each person shall be required to sign the Open Forum Register held by the Clerk or Council/Committee Secretary prior to being permitted to address Council, and each person shall be limited to addressing Council for a maximum of five (5) minutes.
- (c) No decisions will be made as a result of comments made during Open Forum. However, Council will consider the comments when deliberating the issue if the item arises on the regular agenda.
- (d) Any comments made during Open Forum shall not form part of the minutes of the Council Meeting.

**Order of Business**

- 3.2 The Council shall deal with matters in the following order, unless otherwise decided by the majority of the Members present:
- (a) Declaration of Pecuniary Interest and General Nature Thereof
  - (b) Approval of the Agenda
  - (c) Adoption of the Minutes
  - (d) Presentations
  - (e) Public Service Announcements
  - (f) Determination of Items Requiring Separate Discussion
  - (g) Adoption of Items Not Requiring Separate Discussion
  - (h) Delegations

- (i) Consideration of Items Requiring Separate Discussion
  - (j) Notices of Motion/Motions for Which Notice Has Been Given
  - (k) Regional Report
  - (l) New Business/General Information
  - (m) Reading of By-laws
  - (n) Closed Session
  - (o) Adjournment
- 3.3 The Order of Business of General Committee shall in all cases be taken up in the following sequence, unless otherwise decided by the majority of the Members present:
- (a) Declaration of Pecuniary Interest and General Nature Thereof
  - (b) Approval of the Agenda
  - (c) Determination of Items Requiring Separate Discussion
  - (d) Adoption of Items Not Requiring Separate Discussion
  - (e) Delegations
  - (f) Presentations by the Advisory Committee Chair
  - (g) Consideration of Items Requiring Separate Discussion
  - (h) Notices of Motion (By-law No. 5556-13)**
  - (i) New Business/General Information
  - (j) Closed Session
  - (k) Adjournment
- 3.4 After the adoption of "Items Not Requiring Separate Discussion", the Chair shall consult with the audience to determine who may be in attendance to hear specific items and the order of the items shall be prioritized by the Chair to address the identified issues first, for the benefit of those in attendance.

**Quorum**

- 3.5 A majority of the Members shall constitute a quorum.
- 3.6 If there be no quorum present within thirty (30) minutes after the time fixed for holding the Meeting, the Clerk shall call the roll and take down the names of the Members present and the Meeting shall immediately stand adjourned until the next regular Meeting.

**Revised Agenda**

- 3.7 After delivery of the Council or General Committee agenda, the Clerk may amend the agenda by way of a revised agenda by adding or deleting matters from the prepared agenda in consultation with the Mayor or the C.A.O. In this case, the Clerk shall endeavor to forward additional agenda material to the Members prior to the Meeting. The revised agenda may be presented at the Meeting, and is not subject to the Notice requirements set out in section 2.10 of this By-law.

**Delegations**

- 3.8 (a) Delegations shall be encouraged to appear at the appropriate Committee first rather than Council. Anyone wishing to appear before General Committee or Council respecting an item on the agenda shall advise the Director of Customer & Legislative Services/Town Clerk by 4:30 p.m. on the Monday prior to the Meeting. The request to appear shall be in writing and shall state in detail the nature of the matter to be presented by the spokesperson.
- (b) The Clerk shall give due consideration to the length of the agenda and the number of Delegations and shall advise to the requester the earliest possible date when their Delegation may be accommodated. A maximum of three (3) Delegations shall be allowed to address Council per Meeting.
- (c) No person other than the designated spokesperson may speak on the matter and not for more than five (5) minutes.
- (d) Anyone wishing to speak on an item that is not on the Council agenda shall be directed to appear at the Open Forum session that precedes Council Meetings. Alternatively, the Delegation may be placed on a Committee agenda to address an issue that is not on the Council agenda.
- (e) A Delegation not on the agenda shall not be heard without the consent of at least a two-thirds majority of the Members present.
- (f) All Delegations appearing before General Committee or Council shall be permitted to speak only once on an item. Once discussion in respect of a motion or resolution has commenced, no further presentation shall be made by the delegate or by any other person other than a Member of Council.
- (g) Members of Council shall ask questions of the delegate only for clarification and shall not engage the delegate in discussion.
- (h) Any person may speak on the matter at a Public Planning Meeting provided that the spokesperson is speaking on an item that is contained in the agenda. The delegate shall not speak for more than five (5) minutes, but may have an opportunity to speak more than once on the agenda item.
- (i) Delegations shall speak in order of the item as it is listed on the agenda.
- (j) Presentations of general interest shall be placed on the Council agenda and shall be limited to ten (10) minutes per presentation.
- (k) For matters which are more properly within the responsibility of Town Staff, the Clerk shall notify the proposed delegate that the Delegation shall not be listed on the agenda, and shall direct the proposed delegate to the appropriate Town Department. The delegate shall not be listed on an agenda for Delegation until Staff has had the opportunity to address the matter.

### **Behaviour**

- 3.9 No delegate shall:
- (a) Speak disrespectfully of any person;
  - (b) Use offensive words or unparliamentary language;
  - (c) Speak on any subject other than the subject for which he or she has received approval to address Council or Committee; or
  - (d) Disobey the rules of procedure or a decision of the Chair or Council.

### **Curtailment of Time**

- 3.10 The Chair may curtail any Delegation, any questions of a delegate or debate during a Delegation for disorder or any other breach of this By-law, and, if the Chair rules that the Delegation is concluded, the person or persons appearing shall withdraw.

### **Expulsion**

- 3.11 The Chair may cause to be expelled and exclude any member of the public, who creates any disturbance or acts improperly during a Meeting of Council. If necessary, the Chair may call upon the Clerk to seek the appropriate assistance from security or police officers.

### **Correspondence**

- 3.12 (a) Correspondence addressed to the Mayor and Council shall be acknowledged by the Director of Customer & Legislative Services/Town Clerk and sent directly to the appropriate Committee or Director for response or action.
- (b) Copies of such correspondence shall also be distributed to Members of Council and the C.A.O.
- (c) Members of Council may direct that correspondence, letters or resolutions be placed on an agenda, but not as an added item to an agenda that has already been circulated.

### **Notice of Motion**

- 3.13 (a) A Member desiring to introduce a subject for discussion by Council shall provide a Notice of Motion in writing to the Clerk no later than 4:30 p.m. on the Thursday prior to a regular Council **or General Committee (By-law No. 5556-13)** Meeting.
- (b) The Motions for Which Notice Has Been Given shall be included on the next Council agenda for consideration and disposition.

### **New Business/General Information**

- 3.14 This section shall contain items which a Member may introduce which were not circulated with the agenda and which, due to their nature cannot be properly presented at a subsequent Meeting of Council or appropriate Committee. Members may raise questions regarding matters that may be appropriate for Staff comment in the form of immediate response or subsequent follow-up. Any New Business/General Information consideration that results in a direction to Staff shall

require a Notice of Motion by a Member of Council as set out in section 3.13 of this By-law.

**Proclamations/Resolutions**

- 3.15 (a) All requests for endorsement of resolutions from municipalities outside of the Region of York shall be acknowledged by the Director of Customer & Legislative Services/Town Clerk, with the advice that the Town of Aurora does not take action on resolutions received from other municipalities, but rather makes its position known through the appropriate municipal association, or alternatively, directly to the relevant Minister or government leader.
- (b) Any resolutions from municipalities within York Region are to be placed on a Council agenda for direction.
- (c) Resolutions initiated by the Town of Aurora shall not be circulated to other municipalities for endorsement outside of York Region, but shall instead be directed to the appropriate Minister of the government involved, and to the relevant municipal association.
- (d) Resolutions from charitable or non-profit organizations shall be acknowledged by the Mayor, and subject to the nature of the resolution, the Mayor may direct that the request be added to a Council or Committee agenda for consideration.
- (e) Copies of all resolutions will be circulated to all Members of Council, the C.A.O., and Directors via electronic mail.
- (f) Any resolution may be placed on a Council or Committee agenda at the request of a Council Member.
- (g) Requests for proclamations will be sent directly to the Mayor's office for consideration and not placed on the public agenda.

**Adjournment**

- 3.16 (a) No item of business shall be considered at a Meeting of Council or General Committee after 10:30 p.m. local time unless a majority of the Members present enact a resolution to extend the hour.
- (b) If Council or General Committee is still in session at 11:00 p.m., it shall be adjourned unless a two-thirds majority of Council concurs in the extension of the Meeting.

**Content of Minutes of Council and General Committee**

- 3.17 The minutes of each Council and General Committee Meeting shall record:
- (a) The place, date, and time of Meeting;
- (b) The name of the Chair and the attendance of the Members and senior Staff; and
- (c) Each item considered by Council and the decisions of the Meeting without note or comment.
- (d) Minutes of a Meeting shall be reviewed and/or amended and approved at the next regular Meeting of Council.
- (e) It shall be the duty of the Clerk to ensure that the minutes of each regular Meeting, Public Planning Meeting and Special Council Meeting are made

available to each Member within a reasonable amount of time after the holding of such Meeting.

**Approval**

- 3.18 The minutes of each Council Meeting shall be presented to Council for adoption at the next regular Meeting.
- 3.19 The General Committee shall report directly to Council.
- 3.20 No discussion or recommendation of the General Committee shall constitute an act of Council unless such recommendation is adopted by Council.
- 3.21 The report from General Committee that is presented to Council shall not contain the mover or seconder on each item but rather shall only show recommendations endorsed by General Committee.

**Signature**

- 3.22 After the Council minutes have been approved by Council, they shall be signed by the Mayor and Clerk.

***Section 4 – Conduct of Meetings***

**Duties of the Chair**

- 4.1
  - (a) The Chair of every Council Meeting shall be the Mayor. In the absence or unavailability of the Mayor, the Chair shall be the Deputy Mayor. In the absence or unavailability of the Mayor and Deputy Mayor, the Chair shall be selected by those Members of Council being present.
  - (b) The Chair for the General Committee shall be rotated among the Members of Council, excluding the Mayor, every two (2) consecutive meetings except in July and August, in descending order of votes received by the Members in the last regular election.
  - (c) In the absence of the person appointed as Chair, the Committee Members shall appoint one of their Members as Chair for the purpose of that Meeting.
  - (d) The Chair shall expel or exclude from any Meeting any person whom the Chair feels has exhibited improper conduct at that Meeting.
- 4.2 As soon as there is a quorum after the time set for the Meeting, the Mayor, or Member of Council in General Committee rotation, shall take the Chair and call the Members to order.
- 4.3 The Mayor shall Chair the Meetings of Council so that its business can be carried out efficiently and effectively, and shall:
  - (a) Maintain order and preserve the decorum of the Meeting;

- (b) Rule on all procedural matters, without debate or comment;
- (c) Receive and submit to a vote all motions presented by the Members that do not contravene the rules of procedure;
- (d) Decline to put to a vote motions which do not comply with the rules of procedure, or which are not within the jurisdiction of Council;
- (e) Announce the results of the vote on any motions presented for a vote;
- (f) Expel or exclude from any Meeting any person whom the Chair feels has exhibited improper conduct at that Meeting;
- (g) Adjourn or suspend the Meeting if he or she considers it necessary because of grave disorder; and
- (h) Close the Meeting when business is concluded or recess the Meeting as may be required.

4.4 If a Member disagrees with the ruling of the Chair, he or she may appeal the ruling of the Chair immediately. The Chair, in response, shall call a vote on the question of sustaining the ruling of the Chair. The Chair may provide further explanation of the ruling prior to calling the vote.

#### **Deputy Mayor**

4.5 The Council Member who received the highest number of votes in the last regular election shall be the Deputy Mayor, to act in the place and stead of the Mayor when the Mayor is absent from the municipality, or is absent through illness, or refuses to act, or the office is vacant. The Deputy Mayor shall have all of the duties, rights, powers and authority of the Mayor during such absence, refusal to act, or vacancy of office.

#### **Conduct of Members**

4.6 No Member shall:

- (a) Use offensive words, inappropriate actions or unparliamentary language in or against Council or against any Member of Council or any Staff member or any member of the public;
- (b) Speak disrespectfully of any member of the Royal Family, the Governor General, the Lieutenant Governor of any Province, Council, any municipality, any Member or any official or employee of the Town;
- (c) Engage in private conversation while in the Council Meeting or use electronic devices including cellular phones, personal digital assistants, media players, and pagers in any manner that disrupts the Member speaking or interrupts the business of Council;
- (d) Leave his or her seat or make any noise or disturbance while a vote is being taken and until the result of the vote is announced;
- (e) Speak on any subject other than the subject under debate;

- (f) Where a matter has been discussed in Closed Session, and where the matter remains confidential, disclose a confidential matter or the substance of deliberations at a Closed Session, except to the extent that Council has previously released or disclosed the matter in public. All information, documentation or deliberations received, reviewed or provided in a closed session meeting is confidential. Members of Council shall not release, reproduce, copy or make public any information or material considered at a closed session meeting, or discuss the content of such a meeting with persons other than members of Council or relevant staff members, prior to it being reported in public by Council;
- (g) Criticize any decision of Council except for the purpose of moving that the question be reconsidered;
- (h) Contravene the rules of Council or a decision of the Chair or of Council on questions of order or practice or upon the interpretation of the rules of Council. In case a Member persists in any such contravention, after having been called to order by the Chair, the Chair shall not recognize that Member, except for the purpose of receiving an apology from the Member tendered at that Meeting or any subsequent Meeting.

#### **Suspension of Procedural Requirements**

- 4.7 (a) The provisions of this By-law shall be observed in all proceedings of Council and its Committees, except that the rules and regulations contained herein may be suspended by a two-thirds majority vote of the Members present.
- (b) A motion to suspend the rules of procedure required by this By-law shall not be debatable or amendable.

#### **Statutory Hearings**

- 4.8 Hearings required by statute shall be undertaken in accordance with the prescription and procedure outlined in the relevant statute or as otherwise directed by law.

#### **Rules of Order**

- 4.9 In all circumstances in the proceedings of Council or its Committees not provided for in this By-law, resort shall be had to Bourinot's Rules of Order as a rule for guidance on the question, and in such cases, the decision of the Chair shall be final and acquiesced to without debate subject to section 4.4 of this By-law.
- 4.10 In the event of conflict between the provisions of this By-law and relevant legislation, the provisions of the legislation shall prevail.

#### **Disclosures of Pecuniary Interest and General Nature Thereof**

- 4.11 Where a Member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a Meeting at which the matter is the subject of consideration, the Member shall, in accordance with the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended:

- (a) Prior to any consideration of the matter at the Meeting, disclose the Member's interest and the general nature thereof; and
  - (b) Not take part in the discussion of, or vote on any question in respect of the matter; and
  - (c) Not attempt in any way whether before, during or after the Meeting to influence the voting on the matter.
- 4.12 Where a Meeting is not open to the public, in addition to complying with the requirements set out in section 4.11 of this By-law, the Member shall forthwith leave the Meeting or the part of the Meeting during which the matter is under consideration.
- 4.13 Where the interest of a Member has not been disclosed by reason of the Member's absence from a particular Meeting, the Member shall disclose the Member's interest and otherwise comply at the first Meeting of Council or Committee, as the case may be, attended by the Member after the particular Meeting.
- 4.14 The Clerk shall record the particulars of any disclosure of pecuniary interest and general nature thereof made by a Member, and this record shall appear in the minutes of that Meeting.

### ***Section 5 – Rules of Debate***

- 5.1 To address Council, a Member shall request to speak and be recognized by the Chair.
- 5.2 Prior to speaking to any question or motion, each Member shall engage his or her microphone and address the Chair.
- 5.3 When two (2) or more Members indicate their desire to speak at the same time, the Chair shall designate the order of speakers.
- 5.4 When a Member is speaking, no other Member shall interrupt the Member speaking except to raise a point of order or question of privilege.
- 5.5 Any Member may require a motion or question under discussion to be read at any time during the debate but not so as to interrupt the Member speaking.
- 5.6 No Member shall speak for longer than ten (10) minutes on a question without Council's permission.
- 5.7 No Member shall speak more than twice to the same question without Council's permission, except that a reply shall be permitted only from a Member who has presented the main motion.
- 5.8 When a Member wishes to raise a point of order or question of privilege, the Member shall ask leave of the Chair to raise the point. After leave is granted, the Member shall state the point to the Chair and then remain silent until the Chair has ruled upon the point.
- 5.9 Subject to being overruled by Council on a vote which shall be taken immediately and without debate, the Chair shall rule on the point.

- 5.10 Any Member may challenge the ruling of the Chair immediately following the ruling.
- 5.11 The Chair's ruling is final unless it is challenged.
- 5.12 Council's decision is final if the Chair is challenged.

### ***Section 6 – Motions***

#### **Must be Seconded**

- 6.1 A motion shall be moved and seconded before the Chair shall put the question and the motion is recorded in the minutes of the Meeting.

#### **Mover and Seconder May Vote in Opposition**

- 6.2 A Member may move a motion in order to initiate discussion and debate and that Member may vote in opposition to the motion. A seconder of a motion may vote against the motion.

#### **Withdrawal**

- 6.3 After a motion is moved and seconded at a Meeting and debate has taken place, it may not be withdrawn without the consent of the mover and seconder and a majority vote provided that all Members who have indicated a desire to speak to the motion have spoken.

#### **Ultra Vires**

- 6.4 A motion in respect of a matter which is ultra vires of the jurisdiction of the Meeting shall not be in order.

### ***Section 7 – Specific Motions***

#### **Motion to Recess**

- 7.1 A motion to recess is not debatable, shall specify the length of the recess, and may only be amended with respect to the length of the recess.

#### **Motion to Adjourn**

- 7.2 A motion to adjourn a Meeting is not debatable and shall always be in order except when:
  - (a) Another Member is in possession of the floor;
  - (b) A vote has been called;
  - (c) Members are voting; or
  - (d) A Member has indicated to the Chair his or her desire to speak on the matter before the Meeting.
- 7.3 A motion to adjourn shall take precedence over any other motion and shall be put immediately without debate.

**Motion to Call the Question**

- 7.4 A motion to call the question is not debatable.
- 7.5 A Member who moved a motion to call the question shall not be allowed to speak to the question again if the motion is decided in the negative.
- 7.6 A motion to call the question shall be put immediately without debate.

**Motion to Table**

- 7.7 A motion to table shall not be amended or debated and shall apply to the motion and any amendments under debate when the motion to table is made.
- 7.8 If the motion to table carries, in the absence of any direction from Council, the matter may not be discussed until the C.A.O., or a Member through a Notice of Motion, brings it forward to a subsequent Meeting.

**Motion to Defer**

- 7.9 A motion to defer or any amendment to it is debatable and shall include:
  - (a) The time period within which consideration of the matter is to be deferred; and
  - (b) Whatever explanation is necessary to demonstrate the purpose of the motion to defer.

**Motion to Refer**

- 7.10 A motion to refer or any amendment to it is debatable and shall include:
  - (a) The name of the Committee or official to whom the motion or amendment is to be referred; and
  - (b) The terms upon which it is to be referred and the time or period, if any, on or within which the matter is to be returned.

**Motion to Amend**

- 7.11 A motion to amend:
  - (a) Shall be open to debate and shall be relevant to the main motion; and
  - (b) Shall not propose a direct negative to the main motion.
  - (c) Only one motion to amend a motion shall be on the floor at any one time.
- 7.12 After the motion to amend has been voted on, the main motion (as amended) shall, if no other amendment is proposed, be put to a vote.

**Motion to Postpone Indefinitely**

- 7.13 A motion to postpone indefinitely (to table) shall be debatable, shall not be amended, and may be reconsidered.

## **Section 8 – Voting**

### **Order of Votes**

- 8.1 Motions relating to an item under consideration shall be voted on in the following order:
- (a) Motion to waive or suspend the rules of procedure;
  - (b) Motion to recess;
  - (c) Motion to adjourn;
  - (d) Motion to call the question;
  - (e) Motion to receive an item;
  - (f) Motion to table an item;
  - (g) Motion to defer;
  - (h) Motion to refer;
  - (i) Motion to amend;
  - (j) Main motion.

### **Members Must Vote**

- 8.2 Every Member present at a Meeting where a question is put shall vote on the question, unless prohibited by statute, in which case the Clerk shall so record. The Chair may not move or second any motion. The Chair shall vote on a motion but shall not have a second or casting vote in the event of an equality of votes on any motion.

### **Actions During Votes**

- 8.3 When the Chair calls for the vote on a question:
- (a) Each Member shall occupy his or her seat and shall remain in place until the result of the vote has been declared by the Chair; and
  - (b) During this time no Member shall walk across the room or make any other motion or speak to the question or any other Member or make any noise or disturbance.

### **Split Votes**

- 8.4 Upon the request of any Member, and when the Chair is satisfied that a matter under consideration contains distinct proposals, the vote upon each proposal shall be taken separately.
- 8.5 A vote on the main motion, as amended, may be split for the purpose of complying with the *Municipal Conflict of Interest Act*.

**Failure to Vote Deemed Negative**

- 8.6 If any Member present does not vote at a Meeting of the Council where a question is put and a recorded vote taken, he or she shall be deemed to vote in the negative except where the Member is prohibited from voting by statute.

**Majority Vote**

- 8.7 All decisions of the meeting shall require a majority vote except as otherwise set out in this By-law or legislation.

**Tie Vote**

- 8.8 Any motion that receives a tie vote shall be deemed to have been decided in the negative.

**Method of Voting**

- 8.9 A Member shall vote by raising a hand or otherwise indicating the Member's vote, except where a recorded vote is requested. The Chair shall announce the result of all votes taken.

**Recorded Vote**

- 8.10 A request by a Member for a recorded vote shall be made prior to the commencement of the vote being taken or immediately thereafter.
- 8.11 Where a vote is to be taken for any purpose, a Member may request that the vote be recorded immediately before or after the taking of the vote, but prior to any consideration of another matter of Council, and each Member present, except a Member who is disqualified from voting by statute, shall announce their vote openly, and any failure to vote by a Member who is not disqualified, shall be deemed to be a negative vote. Members shall vote in random order as determined by the Clerk. The Clerk shall record each vote.

**Clerk to Announce Results of Recorded Vote**

- 8.12 The Clerk shall announce the results of the recorded vote.
- 8.13 No vote taken at a Committee Meeting shall be a recorded vote and any vote previously taken during that Meeting may be reconsidered.

**Reconsideration of Matter**

- 8.14 After Council determines the final outcome of a matter, such matter shall not be reconsidered within six (6) months unless there is a motion, which has been seconded, to reconsider the matter and it carries by a two-thirds majority vote of the Members present. **However, notwithstanding the foregoing, any matter that was determined in the negative as a result of a tie vote due to an absent Member of Council may be reconsidered at the next Council meeting via a motion, which has been seconded, to reconsider the matter and it is carried by a simple majority vote of the Members present. (By-law No. 5488-13)**

**By-laws**

- 8.15 All by-laws shall be given first, second and third readings in a single motion, unless a Member wishes to discuss the contents of a by-law, at which time the subject by-law shall be removed from the motion and dealt with separately.
- 8.16 The Clerk shall present the following by-laws directly to Council:
- (a) The appointment of staff for by-law inspection, municipal law enforcement and Provincial Offences administration;
  - (b) Consolidation of by-laws or housekeeping amendments;
  - (c) General by-laws where the purpose and intent of the by-law have been clearly authorized by a previous Council;
  - (d) A by-law to levy Interim Property Taxes;
  - (e) Part-lot control by-laws; and
  - (f) A by-law to confirm the proceedings of Council.
- 8.17 The proceedings at every Meeting of Council shall be confirmed by by-law so that every decision of Council at that Meeting of Council and every resolution thereof shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.
- 8.18 All amendments to any by-law approved by Council shall be deemed to be incorporated into the by-law and if the by-law is enacted by Council, the amendments shall be inserted by the Clerk.
- 8.19 The Clerk may make such minor clerical, typographical or grammatical deletions, additions or other changes in form to any by-law, motion, resolution and/or minutes as may be required for the purpose of ensuring correct and complete implementation of the actions of Council.
- 8.20 Every by-law enacted by Council shall be signed by the Mayor, or by the Deputy Mayor in the Mayor's absence, and by the Clerk. The corporate seal shall be affixed to the by-law and the by-law shall be numbered, dated and deposited in the Clerk's office.

**PART II – GENERAL PROVISIONS**

***Section 9 – General Committee***

- 9.1 Council hereby establishes a General Committee which shall be comprised of all Members of Council.
- 9.2 The General Committee may consider delegations, correspondence, staff reports and matters for discussion in relation to matters ordinarily within the competence of the Town's Departments which may require more elaboration and discussion than

would be appropriate in a formal Council Meeting and such other matters as Council may by resolution determine.

- 9.3 General Committee shall consider reports from Advisory and Ad Hoc Committees as may be established by Council.
- 9.4 Upon consideration of such matters as are provided for herein, the General Committee shall report to and make recommendations to Council.

***Section 10 – Audit Committee***

- 10.1 Council hereby establishes an Audit Committee which will be comprised of all Members of Council, or Council as a whole, for the purpose of reviewing audited financial statements, recommending their receipt to Council, reviewing significant management letter comments and related recommendations and to recommend to Council the appointment of auditors. The Committee's mandate shall include operational reviews. Meetings shall be held at the call of the Chair. Agendas shall be distributed to Members of Council at least forty-eight (48) hours prior to the Meeting.

***Section 11 – Review of Procedural By-law***

- 11.1 Council shall review this By-law within the first six (6) months of the second year of each term of Council.

***Section 12 – Review of Council Code of Ethics***

- 12.1 Council shall review the Council Code of Ethics within the first six (6) months of the first year of each term of Council.

***Section 13 – Severability***

- 13.1 Each and every one of the provisions of this By-law is severable and if any provisions of this By-law should, for any reason, be declared invalid by any Court, it is the intention and desire of Council that each and every one of the then remaining provisions hereof shall remain in full force and effect.

***Section 14 – Conflict***

- 14.1 If there is any conflict between this By-law and any statute, the provisions of the statute shall prevail.

***Section 15 – Enactment***

- 15.1 THAT By-law Numbers 4835-06.C, 4912-07.C, 4972-07.C, 5057-08.C, 5300-11, and 5335-11 be and are hereby repealed.

15.2 THAT this By-law shall come into full force and effect on the date of final passage hereof.

**READ A FIRST AND SECOND TIME THIS 22<sup>ND</sup> DAY OF NOVEMBER, 2011.**

**READ A THIRD TIME AND FINALLY PASSED THIS 22<sup>ND</sup> DAY OF NOVEMBER, 2011.**

**THE CORPORATION OF THE TOWN OF AURORA**

***By-law Number 5792-15***

***BEING A BY-LAW to Confirm Actions by Council  
Resulting From Council Workshop on November  
24, 2015.***

**THE COUNCIL OF THE CORPORATION OF THE TOWN OF AURORA HEREBY  
ENACTS AS FOLLOWS:**

1. THAT the actions by Council at its Council Workshop held on November 24, 2015, in respect of each motion, resolution and other action passed and taken by the Council at the said meeting is, except where prior approval of the Ontario Municipal Board is required, hereby adopted ratified and confirmed.
2. THAT the Mayor and the proper officers of the Town are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required and to execute all documents as may be necessary in that behalf and the Clerk is hereby authorized and directed to affix the corporate seal to all such documents.

***READ A FIRST AND SECOND TIME THIS 24<sup>TH</sup> DAY OF NOVEMBER, 2015.***

***READ A THIRD TIME AND FINALLY PASSED THIS 24<sup>TH</sup> DAY OF NOVEMBER,  
2015.***

\_\_\_\_\_  
**GEOFFREY DAWE, MAYOR**

\_\_\_\_\_  
**STEPHEN M. A. HUYCKE, TOWN CLERK**