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# **Municipality of Clarington**

## **Procedural By-law 2021-054**

**As of September 1, 2021**

The Corporation of the Municipality of Clarington  
Procedural By-law 2021-054

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## The Corporation of the Municipality of Clarington

## By-law 2021-054

Being a by-law to govern the proceedings of the Council of the Municipality of Clarington, its General Government Committee, its Planning and Development Committee, and Special Committees, and to repeal By-law 2015-029.

Whereas Section 238 of the *Municipal Act, 2001*, as amended, requires Council to adopt a procedure by-law for governing the calling, place, proceedings of meetings and for public notice of meetings;

The Corporation of the Municipality of Clarington hereby enacts as follows:

**Section 1 – Definitions and Interpretation**

- 1.1 SHORT TITLE: This By-law may be cited as the “Procedural By-law”.
- 1.2 For the purposes of this By-law, unless stated otherwise or the context requires a different meaning:

**Agenda Deadline** means 12:00 noon on the Wednesday preceding the meeting, unless determined differently by the Municipal Clerk for the purposes of a Special meeting, etc.

**Agenda Update Deadline** means one hour prior to the close of business on the business day prior to the meeting.

**Chair:**

In the case of the Council Chair means the Mayor, Deputy Mayor, or the Member of Council appointed to act as Chair during the absence of the Mayor and Deputy Mayor from a Meeting or a portion of a Meeting. While acting as Chair the Member shall exercise all of the powers and responsibilities of the Mayor under this Procedural By-law.

In the case of the GG Committee, Chair means the Mayor, Deputy Mayor or Department Liaison, whoever presides over a portion of a Meeting of the GG Committee as provided for in Sub-section 5.2.1, of this Procedural By-law.

In the case of the PD Committee, Chair means the Planning and Development Services Department Liaison, as provided for in Sub-section 5.3.1 of this Procedural By-law.

In the case of a Special Committee, Chair means the Member appointed as such by Council pursuant to Sub-section 5.1.3 of this Procedural By-law.

In the case of a sub-committee of a Special Committee, Chair means the Member appointed as such by the Special Committee pursuant to Sub-section 5.1.3 of this Procedural By-law.

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**Committee** means a Committee of Council and includes Standing Committees, or sub-committees of the Standing Committees and Special Committees.

**Consent Resolution** means two or more items that are approved in a single motion without debate, subject to the agreement of the majority of Members.

**Council** means the Council of the Municipality of Clarington.

**Councillor** means a person elected or appointed as a Member of Council but does not include the Mayor.

**Delegation** means a person desiring to verbally present information on matters of fact, or to make a request to Council or Committee, as the case may be.

**Department Liaison** means a Member appointed as such pursuant to Sub-section 5.1.1 b) of this Procedural By-law.

**Deputy Mayor** means the Member of Council who is appointed to this position who, in the absence of the Mayor, shall exercise all of the powers and responsibilities of the Mayor as provided for in this By-law or any other by-law or statute.

**Electronic Council Communications Information Package (ECCIP)** means an electronic package containing correspondence received by Staff for Council's information.

**Electronic Participation** means that a Member may participate in the Council or Committee meeting, remotely by electronic means. The electronic means must enable the Member to hear and to be heard by the other meeting participants. Acceptable formats may include teleconference, videoconference or webinar, or other interactive communications. The Member shall have the same rights and responsibilities as if they were in physical attendance, including the right to vote, unless otherwise prohibited by law or in other subsections of this by-law.

**Emergency** means any period of time during which an Emergency has been declared to exist in all or part of a municipality by the Head of Council or the Province under sections 4 or 7.0.1 of the Emergency Management and Civil Protection Act, as amended.

**Emergency Management Act** means the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E. 9, as amended.

**Emergency Special Meeting** means a meeting called by the Mayor, without advance notice being given, to consider and deal with urgent and extraordinary matters, including issues that may urgently affect the health or safety of residents.

**GG** means the General Government Committee of Council.

**Holiday** means a holiday as defined by the *Legislation Act, S.O. 2006, Chapter 21, Schedule F*.



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**Information Presentation(s)** means presentations not seeking a resolution or direction from Council.

**Joint Meeting** means a meeting that deals with matters that would normally be dealt with at a GG meeting or PD meeting.

**Mayor** means the Head of Council.

**Meeting**, as stated in Section 238 of the Municipal Act, means any regular, special or other meeting of a council, of a local board or of a committee of either of them, where (a) a quorum of members is present, and (b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

**Member** means a Member of Council.

**Municipal Act, 2001** means the *Municipal Act, 2001, S.O. 2001, c.25*, as amended or replaced from time to time.

**Municipal Clerk or Clerk** means the Clerk of the Municipality of Clarington and includes the Deputy Clerk and any official of the Municipality appointed by Council to exercise the power(s) of the Municipal Clerk in the absence of the Municipal Clerk and Deputy Clerk.

**Municipal Conflict of Interest Act** means the *Municipal Conflict of Interest Act, R.S.O. 1990, c.M.50*, as amended or replaced from time to time.

**Municipal Elections Act, 1996** means the *Municipal Elections Act, 1996, S.O. 1996, c.32*, as amended or replaced from time to time.

**Municipal Freedom of Information and Protection of Privacy Act** means the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56*, as amended or replaced from time to time.

**Municipality** means the Municipality of Clarington.

**PD** means the Planning and Development Committee of Council.

**Pecuniary Interest** has the same meaning as the term has in the *Municipal Conflict of Interest Act, R.S.O. 1990, c.M.50*, as amended or replaced from time to time.

**Petition** means a legibly written/typed document requesting Committee's / Council's consideration of a matter that contains more than ten signatures.

**Planning Act** means the *Planning Act, R.S.O. 1990, c.P.13*, as amended or replaced from time to time.

**Point of Order** means a statement made by a Member of Council during a Meeting drawing to the attention of the Mayor or Chair a breach of the Rules of Procedure.

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**Point of Privilege** means the raising of a question that concerns a Member of Council, or all of the Members of Council, when a Member believes that their rights, immunities or integrity or the rights, immunities or integrity of Council as a whole have been challenged.

**Present** means that a Member may attend a meeting either in person or by electronic participation.

**Presiding Member** means the Member appointed to act as Chair pursuant to Sub-sections 7.1.1, 8.1.1, and 8.2.1 of this Procedural By-law.

**Procedural Motion** means any motion concerning the manner or time of consideration of any matter before the Council as opposed to the substance thereof and includes, without limitation, the following:

- a) To extend the time of the Meeting;
- b) To refer;
- c) To amend;
- d) To recess;
- e) To table indefinitely;
- f) To defer;
- g) To lift from the table;
- h) To adjourn;
- i) To divide;
- j) Question be now put; or
- k) To suspend the Rules of Procedure.

**Procedural Notice of Motion** means a written notice, including the names and signatures of the mover and seconder, advising Council that the motion described therein to amend something previously adopted by Council, to rescind a previous decision of Council, to lift a matter from the table, or to reconsider a previous decision of Council, will be brought forward at a subsequent meeting.

**Public Meeting** means a public meeting in accordance with the *Planning Act, R.S.O. 1990 c. P.13* or any other Act, for which notice has been given and during which any person in attendance shall be provided an opportunity to make representation in respect of the matter for which the Public Meeting is held.

**Reconsideration** means a motion that has the effect of allowing a motion to proceed as though it had never been previously voted on.

**Recorded Vote** means the written record of the name and vote of every Member present when the vote is called on any matter or question.

**Rescind** means a motion that undoes the action taken by the motion, provided it has not been acted upon.

**Rules of Procedure** means the rules and requirements of this Procedural By-law.

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**Special Committee** means a Special Committee of Council appointed pursuant to Sub-section 5.1.3 of this Procedural By-law.

**Standing Committee** means either the General Government Committee (GG) or the Planning and Development Committee (PD) of Council.

**Substantive Motion** means any motion other than a Procedural Motion and includes but is not limited to, a motion that embodies and/or establishes a policy, ratifies an action, or gives direction on a matter.

**Simple Majority means 50% + 1:**

- a) For 7: 4
- b) For 6: 4
- c) For 5: 3
- d) For 4: 3

**Three-Quarters Majority (3/4) means:**

- a) 3/4 of 7: 6
- b) 3/4 of 6: 5
- c) 3/4 of 5: 4
- d) 3/4 of 4: 3

**Two-Thirds Majority (2/3) means:**

- a) 2/3 of 7: 5
- b) 2/3 of 6: 4
- c) 2/3 of 5: 4
- d) 2/3 of 4: 3

**Website** means the Municipality's website address at [www.clarington.net](http://www.clarington.net).

1.3 Unless the context otherwise requires, in this Procedural By-law the words used in the male gender shall include the female gender and the singular includes the plural, and vice versa.

## Section 2 – General Provisions

### 2.1 Applicability

2.1.1 Without derogating from the other provisions of this Procedural By-law, the rules and requirements contained in it shall be observed in all proceedings of Council or Committees and shall be the rules and requirements which govern the order of their business.

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### **2.2 Suspension of Rules of Procedure**

2.2.1 Despite Sub-section 2.1.1, the rules and requirements contained in this Procedural By-law may be suspended by a vote of three-quarters (3/4) of the Members present and voting.

### **2.3 Issue not Addressed**

2.3.1 If an issue is raised that is not expressly addressed in this By-law, the issue shall be decided by the Mayor, Deputy Mayor or Chair, subject to an appeal to the Council or Committee, in session, as the case may be.

### **2.4 Electronic Participation**

2.4.3 A member of Council, of a local board or of a committee of either of them is permitted to participate electronically in a meeting and may be counted in determining whether or not a quorum of members is present at any point in time.

2.4.4 For clarity, a Member of Council, of a local board, or of a committee of either of them, can participate electronically in a meeting that is closed to the public.

2.4.5 The protocol for participating electronically shall be set out by the Municipal Clerk and may be amended from time to time.

### **2.5 Agenda Restrictions**

2.5.1 The Municipal Clerk shall refuse, at the request of a member of the public, to place on the agenda, and in an ECCIP, an item where the subject matter:

- a) Involves current or pending litigation;
- b) Involves insurance claims;
- c) Involves personnel matters;
- d) Involves labour relations;
- e) Involves administrative complaints;
- f) Is beyond the jurisdiction of Council;
- g) Is contrary to the provisions of the Municipal Freedom of Information and Protection of Privacy Act or other relevant legislation;
- h) Involves solicitation of business;

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- i) Involves political parties; or
- j) Otherwise not suitable for discussion.

### **Section 3 – Duties of the Mayor and Council**

#### **3.1 Duties of the Mayor**

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

- a) To open the Meeting of Council and GG Committee by taking the Chair and calling the Members to order;
- b) To announce the business before Council in the order in which it is to be acted upon;
- c) To receive and submit, in the manner prescribed by this Procedural By-law, all motions presented by the Members of Council;
- d) To recognize any Member who wishes to speak and to determine the order of the speakers;
- e) To put to a vote all questions, which are regularly moved and seconded, or necessarily arise during the proceedings and to announce the results;
- f) To vote on all motions, which are moved and seconded, or necessarily arise during the proceedings;
- g) To decline to put to vote, motions which contravene the provisions of this Procedural By-law;
- h) To enforce the provisions of this Procedural By-law;
- i) To enforce on all occasions, the observance of order and decorum among the Members;
- j) To call by name, any Member refusing to comply with this Procedural By-law and to order the Member to vacate the Council Chamber, or the place of Meeting, as the case may be;
- k) To cause to be expelled and excluded any member of the public who creates any disturbance or acts improperly during a Meeting and, if necessary, to direct the Municipal Clerk to seek the appropriate assistance from the Durham Regional Police;
- l) To authenticate, by signature, all by-laws;

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- m) To rule on any Points of Order and Points of Privilege raised by Members of Council; and
- n) To adjourn the Meeting when the business is concluded, or if considered necessary because of grave disorder, to adjourn the sitting without putting to the vote any question, or suspend the sitting for a time to be named.

### **3.2 Appointment of Deputy Mayor**

3.2.1 At the first meeting of Council or as soon thereafter as is practical, Council shall appoint a Member to act as a Deputy Mayor in the absence of the Mayor. During any such absence of the Mayor, the Deputy Mayor shall exercise all of the powers and responsibilities of the Mayor under this By-law or any other by-law or statute.

3.2.2 Further to the appointment referenced in Sub-section 3.2.1, Council, in its discretion, may appoint a Member to act as Deputy Mayor for the term of Council. Alternatively, Council may appoint two Members of Council each of whom shall act as Deputy Mayor during periods of the term of Council which are specified in the appointment.

### **3.3 Participation of Chair in Debate**

3.3.1 The Chair who presides over any part of a Meeting may state relevant facts and the Chair's position on any matter before the Council, or a Committee without leaving the chair, which may take place immediately prior to the vote, but it shall not be permissible for the Chair to move a motion or debate a question without first leaving the chair.

3.3.2 If the Chair desires to leave the chair to leave the meeting, to move a motion, or to take part in the debate, the Mayor shall preside until the Chair resumes the chair. If the Mayor is chairing the Committee meeting, the Deputy Mayor shall preside until the Mayor resumes the Chair. If the designated person is not present, the Chair may call upon any other Member to chair the meeting.

### **3.4 Duties of a Member of Council**

3.4.1 A Member of Council shall have the following duties:

- a) to deliberate on the business submitted to Council or Committees of Council, as the case may be;
- b) to vote when a motion is put to a vote;

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- c) to Chair the portion of the GG Committee or PD Committee Meeting for which they are the Department Liaison and assume the duties of the Mayor as detailed in Sub-section 3.1.1 with the exception of Sub-sections 3.1.1 a), l) and n) at GG Committee and 3.1.1 a) and l) at PD Committee;
- d) Notwithstanding Section 3.4.1 c), the Chair of the PD Committee meeting shall assume the duties of the Mayor as detailed in Section 3.1.1, with the exception of 3.1.1 (l); and
- e) to apply and respect the Rules of Procedure.

### **Section 4 – Meetings**

#### **4.1 Regular Meetings**

- 4.1.1 Unless otherwise directed by Council, the regular Meetings of Council, GG Committee and PD Committee shall be held in the Council Chambers, Municipal Administrative Centre, 40 Temperance Street, Bowmanville, ON or electronically, as determined by the Municipal Clerk, and at the dates and times as determined by Council resolution.

#### **4.2 Special Meetings**

- 4.2.1 In addition to regular Meetings, Special Meetings of Council, GG Committee or PD Committee shall be held upon written direction by the Mayor and delivered to the Municipal Clerk stating the date, time, location, and purpose of such Meeting, and preference be given that said meeting be held within the Municipality of Clarington.
- 4.2.2 The Mayor may, at any time, call a special Meeting of Council, GG Committee or PD Committee and shall call a special Meeting of Council or Committee when requested to do so in writing by a majority of Members, at the time mentioned in the request, and preference be given that said meeting be held within the Municipality of Clarington.
- 4.2.3 The Municipal Clerk shall call a special Meeting of Council, GG Committee or PD Committee when requested to do so in writing by a majority of the Members, at the time mentioned in the request, and preference be given that said meeting be held within the Municipality of Clarington.

#### **4.3 Joint Meeting**

- 4.3.1 In addition to regular Meetings, Joint Meetings may be called at the dates and times as determined by Council resolution.

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### **4.4 Emergency Special Meeting**

- 4.4.1 Notwithstanding Sub-section 4.2.1, on urgent and extraordinary occasions, an emergency special Meeting of the Council may be called by the Mayor, without advance notice being given by the Municipal Clerk pursuant to this by-law, to consider and deal with such urgent and extraordinary matters, including issues that may urgently affect the health or safety of residents.

### **4.5 First/Inaugural Meeting of Council**

- 4.5.1 The first Meeting of Council shall be held within 31 days of taking office, pursuant to the Municipal Elections Act, 1996, at the time and location determined in consultation with the Clerk and Mayor.

### **4.6 Seating and Persons within Council Ring**

- 4.6.1 Seating at the Council table shall be in alphabetical order of the Members' surname, beginning in the most north/east position and proceeding clockwise.
- 4.6.2 Only Members of Council and the Municipal Staff shall be permitted to enter the Council floor during the sitting of Council or Committee without the permission of the Mayor or Committee Chair.
- 4.6.3 No person, other than a Member of Council or the Municipal Staff, shall, before or during a Meeting, place on the desks of Members or otherwise distribute any material whatsoever unless such person is so acting with the approval of the Mayor or Committee Chair.
- 4.6.4 Members of Council leaving their places prior to the adjournment shall endeavour to do so in a manner so as not to disrupt the proceedings of Council or Committee.

### **4.7 Quorum**

- 4.7.1 A quorum of Council or Committee shall be four (4) Members, except as otherwise stated. A concurring vote of a majority of Members present and voting is necessary to carry a resolution. A quorum of a Special Committee shall be a majority of the Members of the Special Committee.
- 4.7.2 If a quorum is not present within thirty (30) minutes after the time appointed for a Meeting, the Municipal Clerk, or designate, shall record the names of the Members present and the Meeting shall stand adjourned until the date of the next regular Meeting or other Meeting called in accordance with this Procedural By-law.



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4.7.3 If during a meeting, a quorum is lost, the Chair shall declare that the meeting shall stand recessed temporarily or be adjourned until the date of the next regular meeting or other meeting called in accordance with the provisions of this By-law.

### **4.8 Meetings Open to Public**

4.8.1 Subject to Sub-section 4.9, Meetings shall be open to the public and no person shall be excluded there from except for improper conduct.

### **4.9 Closed Meetings**

4.9.1 Council or Committee may, by resolution, close a Meeting or part of a Meeting to members of the public if the subject matter deals with any of the matters in Sub-section 239 (2) or 239 (3) of the *Municipal Act, 2001*.

4.9.2 Council or Committee may hold a Meeting closed to the public where the Meeting is held for the purpose of educating or training the Members and at the Meeting no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council or Committee.

4.9.3 A motion to close a Meeting or part of a Meeting to the public shall state:

- a) the fact of the holding of the closed Meeting; and
- b) the general nature of the matter to be considered at the closed Meeting.

4.9.4 Where a Meeting or part of a Meeting is closed to the public, Council or Committee shall:

- a) retire to the Council Ante Room or other such room as deemed appropriate by Council or Committee and only those persons specifically invited to attend the closed Meeting shall be permitted to attend; or
- b) request those persons not specifically invited to the closed Meeting to vacate the Council Chambers, or such room in which the Meeting is being held, as the case may be; or
- c) only permit access to the electronic meeting to those persons specifically invited to attend the closed Meeting.

4.9.5 A Meeting shall not be closed to the public during a vote except where the meeting is a closed Meeting permitted or required by statute, and where the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Municipality or persons retained under contract with the Municipality.

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4.9.6 Notwithstanding Sub-section 4.9.5, the vote on a resolution approving a contract for the acquisition or disposal of land, including the sale of road allowances, shall be conducted in open session.

### **4.10 Notice of Meeting**

#### **Regular Meetings**

4.10.1 In December of each year, public notice of the regular Meeting schedule for the following year shall be published in the newspapers of general circulation in the Municipality and posted on the website. This notice of all Meetings shall include the date, time and location of the Meetings.

4.10.2 Pursuant to Section 238 of the *Municipal Act, 2001* public notice of each regularly scheduled Meeting shall be deemed to be given by making the agenda available in the Municipal Clerk's Office by end of business day of the Friday preceding the regularly scheduled Meeting and on the website.

4.10.3 Notice of amendment to the Schedule of regular Meetings shall be posted on the website at least one week prior to the amended Meeting date where practical to do so.

4.10.4 The meeting schedule referred to in Sub-section 4.9.1 shall generally be based on a three-week rotation. If the regular meeting date falls on a public holiday, the Council or Committee meeting, whichever the case may be, shall, beginning in September, 2021, be scheduled on the following week and all subsequent meetings shall be moved forward a week. One meeting may be scheduled on the first Monday of July and no regular meetings shall be held during the remainder of the month of July, the month of August or between Christmas and New Year's. Council and PD Committee meetings shall be held at 6:30 PM and GG Committee meetings shall be held at 9:30 AM.

#### **Special Meetings**

4.10.5 Notice of special Meetings shall be posted on the website not less than twenty-four (24) hours before the time appointed for the special Meeting.

4.10.6 In addition to the notice provided for in Sub-section 4.10.5, written notice of a special Meeting of Council or Committee shall be given to all Members.

4.10.7 The written notice referred to in Sub-section 4.10.6 above shall indicate the nature of the business to be considered at the special Meeting of Council or Committee, whether or not delegations will be heard, and the date, time and place of the Meeting.

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### **Emergency Special Meetings**

4.10.8 Where an Emergency special Meeting of Council is held in accordance with Sub-section 4.4, notice of the Emergency special Meeting shall be posted on the website as soon as practical following the Emergency special Meeting and shall, subject to Sub-section 4.8.1, indicate the nature of the business considered at the Emergency special Meeting.

### **4.11 Length of Meetings / Scheduled Break**

4.11.1 Meetings scheduled to commence at or before 9:30 AM, and which are in session at 4:31 PM, will be adjourned unless the rules are suspended.

4.11.2 Meetings which are scheduled to commence at or after 6:30 PM, and which are in session at 10:31 PM, will be adjourned unless the rules are suspended.

4.11.3 Where a meeting is scheduled to commence at or before 9:30 AM, there shall be a scheduled 1 hour break at 12:00 noon unless otherwise determined by a vote of two-thirds of the Members present.

4.11.4 If a meeting is adjourned in accordance with section 4.11.1 or 4.11.2, prior to all agenda items being considered, all remaining items, except procedural items, shall be placed on the next regular meeting of the same type.

### **4.12 Portable Electronic Devices**

4.12.1 The use of portable electronic devices by Members of Council and Committee during Council and Committee meetings shall be permitted provided the Member is not using the portable electronic device to phone; or email, or text each other or members of the public while the meeting is in session.

4.12.2 Despite Subsection 4.12.1, the use of any portable electronic device may be prohibited by the Chair, if, in the Chair's opinion, the device is interfering with any video or audio broadcast of the meeting or is otherwise causing a disturbance.

4.12.3 The use of portable electronic devices may be used as an interface to participate electronically in the meeting.

### **4.13 Video Recording of Council and Committee Meetings**

4.13.1 With the exception of the Municipality and any publicly available broadcaster, the video recording of a Council or Committee meeting is prohibited within 3 metres of the Council ring.

4.13.2 Notwithstanding Sub-section 4.13.1, video recording by any person is permitted for a presentation as defined in Sub-section 7.4.1 of this by-law.

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### **4.14 Cancellation of Meetings**

4.14.1 A regular or special meeting may be cancelled in any of the following circumstances:

- a) If the Clerk determines in advance that quorum will not be achieved;
- b) if the meeting is cancelled by Council or Committee resolution;
- c) Where the meeting is not required as determined by the Clerk, in consultation with the Mayor and CAO, due to a lack of forecasted agenda items; or
- d) in the event of exceptional circumstances, at the discretion of the Chair or Clerk.

4.14.2 The Clerk shall give notice of the cancellation to all Members of Council as soon as possible after the cancellation.

### **Section 5 – Committees**

#### **5.1 General**

5.1.1 There shall be two Standing Committees of Council, namely the General Government (GG) Committee of Council and the Planning and Development (PD) Committee of Council, which shall be organized as follows:

- a) GG and PD Committees shall be comprised of all Members of Council.
- b) Each Member shall be appointed as a Department Liaison as soon as is practical after the first Meeting of Council or a vacancy occurs. The Department Liaison shall take the chair during that portion of the GG Committee or PD Committee meeting dealing with the matters pertaining to the Department for which they have been appointed Department Liaison.

#### **Exceptions**

5.1.2 Notwithstanding the Committee mandate outlined in Sub-section 5.2.2 and Sub-section 5.3.2 and the provisions of Sub-section 9.5.1, Council may consider any matter without referring it to GG Committee or PD Committee and may withdraw a matter from the GG Committee or the PD Committee at any time.

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5.1.3 Notwithstanding the Committee mandate outlined in Sub-section 5.2.2, and Sub-section 5.3.2, Council may at any time appoint one or more Members to a Special Committee and appoint one of such Members the Chair of the Special Committee. A Special Committee shall enquire into and report on any matter assigned to it by Council. A Special Committee may appoint a sub-committee of the Special Committee and a Chair of the sub-committee to assist the Special Committee in performing its mandate.

### **5.2 General Government Committee (GG)**

5.2.1 The Mayor shall call the meeting to order, preside during presentations and delegations, and chair that portion of the meeting dealing with the matters pertaining to the Department for which they have been appointed Department Liaison. As well, the Mayor shall chair those portions of the meeting dealing with matters continued to be considered under Unfinished Business of the agenda, and the motion to adjourn.

#### **GG Committee Mandate**

5.2.2 The GG Committee shall make recommendations to Council on all matters not mandated by the PD Committee, including, without limitation, levels of service and operational policy and budgetary matters. The GG Committee shall consider all reports submitted to it by the Chief Administrative Officer or Director of a Department, except for items which fall under the mandate of the PD Committee, as indicated in Sub-section 5.3.2.

#### **Reporting to Council**

5.2.3 In all cases in which the GG Committee makes recommendations respecting such matters, the GG Committee shall forward such recommendations by way of committee minutes to Council for consideration at the next regular Meeting of Council. In addition, the GG Committee shall report to Council on any matter within the jurisdiction of the Municipality and any other matter referred to it by Council and exercise such powers as may be delegated to it by Council.

### **5.3 Planning and Development Committee (PD)**

5.3.1 The Chair of the PD Committee shall be the Planning and Development Services Department Liaison for matters pertaining to Planning. Where a matter from a department other than Planning is being considered, the corresponding Department Liaison may Chair that portion of the Agenda. The Mayor shall chair the PD Committee in the absence of the appropriate chair.

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### **PD Committee Mandate**

- 5.3.2 The PD Committee shall be mandated with holding public meetings, and any other planning and development matter or matter deemed to require public consultation and such other matters as may be referred to the PD Committee by Council. The PD Committee shall consider all reports submitted to it by the Chief Administrative Officer or Director of a Department, for items which fall under the mandate of the PD Committee.

### **Reporting to Committee**

- 5.3.3 In all cases in which the PD Committee makes recommendations respecting such matters, the PD Committee shall forward such recommendations by way of Committee minutes to Council for consideration at the next regular Meeting of Council. In addition, the PD Committee shall report to Council on any matter within the jurisdiction of the Municipality and any other matter referred to it by Council and exercise such powers as may be delegated to it by Council.

### **5.4 Appointments to Municipal Service Boards, Local Boards, Advisory Committees and Corporations**

- 5.4.1 The appointments of persons to Municipal Service Boards, Local Boards, Advisory Committees and to the board of directors of Veridian Corporation shall be considered first by the GG Committee and ratified by Council as soon as practical following the first Meeting of Council, or as soon as practical after a vacancy occurs in accordance with the Council adopted Policy.

## **Section 6 – Agendas and Minutes**

### **6.1 Council Agenda**

- 6.1.1 The Municipal Clerk shall cause to be prepared an agenda under the following headings for the use of the Members at the regular Meetings of Council:

- Meeting Called to Order
- Moment of Reflection
- Land Acknowledgement Statement
- Disclosure of Pecuniary Interest
- Announcements
- Presentations / Delegations
- Reports / Correspondence Related to Presentations / Delegations
- Consideration of Minutes
- Communications
- Staff Reports and Staff Memos

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Business Arising from Procedural Notice of Motion (to be included on agenda only if there is business to be considered under this Section)

Unfinished Business

Confidential Items

By-laws

Procedural Notices of Motion (for consideration at subsequent Meeting)

Questions to Department Heads / Request for Staff Report(s)

Confirming By-law

Adjournment

- 6.1.2 The agenda shall be provided to each member no later than end of day on the Thursday preceding the commencement of the regular Council Meeting in question.
- 6.1.3 At the discretion of the Municipal Clerk, an agenda item received after the Agenda Deadline and before the commencement of the meeting, which is of an urgent nature or directly relevant to a matter on the agenda for the meeting, may be added to the agenda if it is received by the Agenda Update Deadline. Such matter shall be communicated to the members of Council and posted on the Municipal website as soon as possible by end of day on the business day prior to the meeting.
- 6.1.4 The business of Council shall be considered in the order as it appears on the agenda, unless otherwise decided by a vote of the majority of the Members present and voting.
- 6.1.5 Notwithstanding sub-section 6.1.1, the Municipal Clerk may group items regarding the same matter together on the agenda, in the order that the Municipal Clerk deems appropriate.

## **6.2 General Government Committee Agenda**

- 6.2.1 The Municipal Clerk shall cause to be prepared an agenda under the following headings for the use of the Members at the regular meetings of the GG Committee:

Call to Order

Land Acknowledgement Statement

Disclosure of Pecuniary Interest

Announcements

Presentations / Delegations

Reports / Correspondence Related to Presentations / Delegations

Communications

Staff Reports, Staff Memos and New Business Consideration

Unfinished Business

Questions to Department Heads / Request for Staff Report(s)

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### Confidential Items Adjournment

6.2.2 The Municipal Clerk shall ensure that the GG Committee agenda is provided to each member no later than the end of day Thursday preceding the commencement of the regular GG Committee Meeting.

6.2.3 At the discretion of the Municipal Clerk, an agenda item, including a new business item to be introduced, received after the Agenda Deadline and before the commencement of the meeting, which is of an urgent nature or directly relevant to a matter on the agenda for the meeting, may be added to the agenda if it is received by the Agenda Update Deadline. Such matter shall be communicated to the members of Council and posted on the Municipal website as soon as possible by end of day on the business day prior to the meeting.

6.2.4 The business of GG Committee shall be considered in the order as it appears on the agenda for its Meeting, unless otherwise decided by a vote of the majority of the Members present and voting.

6.2.5 Notwithstanding Sub-section 6.2.1, the Municipal Clerk may group items regarding the same matter together on the agenda, in the order that the Municipal Clerk deems appropriate.

### **6.3 Planning and Development Committee**

6.3.1 The Municipal Clerk shall cause to be prepared an agenda under the following headings for the use of the Members at the regular meetings of PD Committee:

- Call to Order
- Land Acknowledgement Statement
- Disclosure of Pecuniary Interest
- Announcements
- Public Meetings
- Presentations / Delegations
- Reports / Correspondence Related to Presentations / Delegations
- Communications
- Staff Reports and Staff Memos
- New Business - Consideration
- Unfinished Business
- Questions to Department Heads / Request for Staff Report(s)
- Confidential Items
- Adjournment

6.3.2 The Municipal Clerk shall ensure that the PD Committee agenda is provided to each member no later than the end of day Thursday preceding the commencement of the regular PD Committee Meeting.



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- 6.3.3 At the discretion of the Municipal Clerk, an agenda item, including a new business item to be introduced, received after the Agenda Deadline and before the commencement of the meeting, which is of an urgent nature or directly relevant to a matter on the agenda for the meeting, may be added to the agenda if it is received by the Agenda Update Deadline. Such matter shall be communicated to the members of Council and posted on the Municipal website as soon as possible by end of day on the business day prior to the meeting.
- 6.3.4 The business of PD Committee shall be considered in the order as it appears on the agenda for its Meeting, unless otherwise decided by a vote of the majority of the Members present and voting.
- 6.3.5 Notwithstanding sub-section 6.3.1, the Municipal Clerk may group items regarding the same matter together on the agenda, in the order that the Municipal Clerk deems appropriate.

### **6.4 Special Committee Agendas**

- 6.4.1 The Municipal Clerk shall cause to be prepared a printed agenda under the following headings for the use of the Members at the meetings of the Special Committee:

Call to Order  
Land Acknowledgement Statement  
Disclosure of Pecuniary Interest  
Matters of Business  
Adjournment

- 6.4.2 The Municipal Clerk shall ensure that the Special Committee agenda is provided to each member no later than 24 hours preceding the commencement of the Special Committee Meeting.
- 6.4.3 The business of Special Committee shall be considered in the order as it appears on the agenda for its Meeting, unless otherwise decided by a vote of the majority of the Members present and voting.

### **6.5 Meeting Minutes**

- 6.5.1 The Municipal Clerk, or designate, shall cause minutes to be taken of each Meeting of Council or Committee, whether it is closed to the public or not. These minutes shall include:
- a) the place, date and time of Meeting;
  - b) the names of the Chair or Chairs and a record of the attendance of the Members; should a Member enter after the commencement of a Meeting or leave prior to adjournment, the time shall be noted;

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- c) if requested, correction and confirmation of the minutes of prior Meetings;
- d) declarations of pecuniary interest; and
- e) all resolutions, decisions and all other proceedings of Council or Committee, as the case may be, without note or comment.

6.5.2 Where the minutes have been delivered to the Members in advance of the Meeting, the minutes shall not be read, and a resolution that the minutes be approved shall be in order.

### **Section 7 – Order of Proceedings – Council**

#### **7.1 Call to Order**

7.1.1 As soon as a quorum is present after the hour set for the Meeting, the Mayor shall take the chair and call the Members present to order.

7.1.2 If the Mayor does not attend within fifteen minutes after the time set for the Meeting and a quorum is present, the Deputy Mayor shall preside over the Meeting and shall exercise all duties and responsibilities of the Mayor as outlined in this Procedural By-law until the Mayor is present at the Meeting and is able to perform their responsibility to assume the chair.

7.1.3 If the Deputy Mayor is also not present within fifteen minutes after the time set for the Meeting and a quorum is present, the Municipal Clerk, or designate, shall call the meeting to order, and the Members present shall appoint a Presiding Member who shall act as Chair of the Meeting until the arrival of the Mayor or Deputy Mayor, whoever is the first to arrive and is able to assume the chair.

7.1.4 In recognition of a necessary first step towards honouring the original occupants of a place, and as a way to recognize the traditional First Nations, Metis and / or Inuit territories of a place, and to commemorate Indigenous peoples' principal kinship to the land, the following Land Acknowledgement Statement shall be read following the Call to Order:

"The Municipality of Clarington is situated within the traditional and treaty territory of the Mississaugas and Chippewas of the Anishinabeg, known today as the Williams Treaties First Nations. Our work on these lands acknowledges their resilience and their longstanding contributions to the area now known as the Municipality of Clarington."

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### **7.2 Disclosure of Pecuniary Interest**

- 7.2.1 All Members shall govern themselves at any Meeting in accordance with the current legislation respecting any disclosure of pecuniary interest and participation in the Meeting.
- 7.2.2 Notwithstanding Sub-section 7.2.1, if the matter under consideration at a meeting, or a part of a meeting, is to consider whether to suspend the remuneration paid to the member under subsection 223.4 (5) or (6) of the *Municipal Act, 2001*, the member may take part in the discussion of the matter, including making submissions to council or the local board, as the case may be, and may attempt to influence the voting on any question in respect of the matter, whether before, during or after the meeting. However, the member is not permitted to vote on any question in respect of the matter. Additionally, in the case of a meeting that is not open to the public, the member may attend the meeting or part of the meeting during which the matter is under consideration.
- 7.2.3 Notwithstanding Sub-section 7.2.1, when a Member declares on a matter(s) at a Council meeting, later in the meeting when the confirming by-law is on the floor, the Member's declaration is understood, and the Member may remain in the room in which the meeting is taking place and participate in the vote on the confirming by-law. Further, if the Member declares on a matter at a meeting and at a subsequent meeting the minutes of the entire meeting are on the floor for adoption, the Member's declaration is understood and the Member may participate in the vote on adopting the minutes and is not required to submit another declaration of interest form, provided that the matter the Member declared on is not further discussed or amended in any way.
- 7.2.4 At a meeting at which a member declares an interest, or as soon as possible afterwards, the member shall file a written statement of the interest and its general nature with the Municipal Clerk or designate, in the form determined by the Municipal Clerk.
- 7.2.5 The Municipal Clerk shall establish and maintain a Registry of Declarations of Interest containing,
- a) A copy of each statement filed under section 7.2.4; and
  - b) A copy of each declaration recorded in the minutes.
- 7.2.6 The Municipal Clerk shall provide access to the Registry of Declarations of Interest through the Municipal website or through an alternative means, as requested from time to time.

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### **7.3 Announcements**

7.3.1 During this portion of the Meeting, when recognized by the Chair, Members shall be afforded a maximum of five minutes during which time they may announce or comment on community events and activities.

### **7.4 Presentations**

7.4.1 At the request of a Member of Council or the Municipality's Staff, any person(s), organization(s), corporations(s), or appointed official(s) may be permitted to address the Members to inform them of matters of significance to the Municipality provided that the request has been submitted to the Municipal Clerk by Agenda Deadline.

Presentations shall include only the following:

- a) Civic recognition / awards; or
- b) Presentations by Municipal Staff or consultants retained by the Municipality; or
- c) Presentations from senior levels of government; or
- d) Presentations deemed necessary by the Municipal Clerk, or as required by law.
- e) Presentations, for matters of information only, shall submit a written communication to the Municipal Clerk, outlining their presentation, to be included in the ECCIP. Should any single Member of Council ask that the Presentation be heard, it shall be placed on the appropriate Committee meeting agenda.
- f) Any other agencies seeking to make an information presentation must submit a written summary of their presentation to be included in the ECCIP. Should any Member of Council wish to hear the presentation, the presentation can be placed on a future agenda.

7.4.2 Municipal audio-visual equipment may be used to assist in presentations, provided that permission has been obtained for use of such equipment from the Municipal Clerk, or designate, at the time the presenter(s) contact the Municipal Clerk's Division to register for the Meeting. Presentations must be provided to the Municipal Clerk's Division no later than 2:00 pm on the business day preceding the commencement of the Meeting. Presentations will not be installed once the meeting has begun.

7.4.3 Each Presentation in respect of a particular matter shall be limited to 10 minutes, in addition to the time taken by Council to ask questions of the delegate and to receive answers to such questions.

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### **Presentations to Committee**

- 7.4.4 Presentations scheduled to be made to Committee will be assigned to the appropriate Committee based on the presentation topic and the Committee mandate.
- 7.4.5 Upon receipt of the request for presentation as detailed in Sub-section 7.4.1, the Municipal Clerk, or designate, may schedule the presentation for a specified time during the Committee meeting. When exercising this option, the Municipal Clerk, or designate, shall include the scheduled presentation time on the meeting Agenda and shall notify the presenter of the scheduled presentation time.
- 7.4.6 Where the Municipal Clerk, or designate, has scheduled a presentation for a specified time, as per Sub-section 7.4.5, when that specified time arrives during the Committee meeting, the Committee shall set aside the matter currently before it, to allow the presentation to be heard as scheduled. Should there be a motion on the floor at the scheduled presentation time, a motion to “alter the agenda to be considered immediately after the Presentation” would be in order.

### **7.5 Delegations**

- 7.5.1 See Section 9.

### **7.6 Consideration of Minutes**

- 7.6.1 Minutes of Standing Committees, Advisory Committees and Boards shall be listed under this Section of the Council agenda.
- 7.6.2 The Chair shall ask for a motion to adopt the minutes from previous meeting(s).
- 7.6.3 Minutes of Standing Committees may be disposed of through a single resolution. Alternatively, any Member may request that one or more recommendations contained in the minutes be extracted and voted on separately for the purposes of changing the motion or holding a recorded vote.
- 7.6.4 Minutes of Standing Committees approved at Council are not required to be added to the agenda or approved by a future Standing Committee meeting.

### **7.7 Reports / Correspondence Related to Presentations / Delegations**

- 7.7.1 Reports and correspondence that are related to a delegation or presentation on the agenda may be listed under this section of the agenda.

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### **7.8 Communications**

- 7.8.1 The Municipal Clerk shall prepare an Electronic Council Communication Information Package (ECCIP) containing correspondence received by Staff for Council's information.
- 7.8.2 The deadline for information to be included in the ECCIP is end of day Thursday.
- 7.8.3 The ECCIP shall be delivered electronically every Friday.
- 7.8.4 A Member of Council may request, in writing to the Clerk, including the Member's motion for the disposition of the item, that an item from the ECCIP be included on the next agenda of the appropriate Committee of Council, as determined by the Clerk.
- 7.8.5 The item will be included on the agenda of the appropriate Committee of Council if submitted to the Clerk prior to the Agenda deadline and if it is not restricted under section 2.5. For clarity, this will not be the meeting three calendar days from when the ECCIP was published, but rather a future meeting.
- 7.8.6 Communications which, in the opinion of the Clerk require action by Council shall be included on a Council or Committee agenda under Communications and shall include a recommendation for disposal.
- 7.8.7 Every communication to be presented to Council or Committee, shall be legibly written or printed, shall not contain any impertinent or improper matter or language, shall identify the author(s) including their name and address, and shall be filed with the Municipal Clerk.
- 7.8.8 Communications to be posted to the website may be abridged as determined by the Municipal Clerk to facilitate posting.

### **7.9 Staff Reports and Staff Memos**

- 7.9.1 Notwithstanding Sub-section 8.1.8, the Staff Reports Section of the Council agenda shall include Removal of a Holding Symbol report upon urgent circumstances as determined by the Director of Planning and Development Services and any Staff report that, due to timing, urgency, the important nature of the report and/or expediency, the Chief Administrative Officer determines should be considered by Council without first being presented to Committee for consideration.

### **7.10 Business Arising from Procedural Notices of Motion**

- 7.10.1 A Procedural Notice of Motion where notice has been properly given in accordance with subsection 7.14 shall be listed on the agenda for the Meeting, and may be dealt with at that meeting.

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7.10.2 The Member who moved, or seconded, the procedural notice of motion is not required to be present when the related procedural notice of motion is considered. However, a new mover or seconder will be required for the notice of motion to be in order.

### **7.11 Unfinished Business**

7.11.1 Any matters presented, considered, referred, tabled, or deferred, or any items not otherwise disposed of through the consideration of an agenda matter, shall be disposed of during this portion of the Meeting.

### **7.12 Confidential Items**

7.12.1 The Confidential Items Section of the Council agenda shall include any confidential Staff report that, due to timing, urgency, the important nature of the report and/or expediency, the Chief Administrative Officer determines should be considered by Council without first being presented to Committee for consideration and shall be considered in a closed session.

### **7.13 By-laws**

7.13.1 No by-law, except:

- a by-law to confirm the proceedings of Council;
- a by-law granting authority to borrow under the authority of the *Municipal Act, 2001*;
- any by-law arising as the result of an order or decision of any judicial or quasi-judicial body; or
- a part lot control by-law;

shall be presented to Council unless the subject matter thereof has been considered and approved by Council or by Committee.

7.13.2 All by-laws shall be passed in a single motion, unless a Member wishes to discuss the contents of the by-law, at which time the subject by-law shall be divided from the motion and dealt with separately.

7.13.3 Every by-law when introduced, shall be in typewritten form, and shall contain no blanks except such as may be required to conform to accepted procedure or to comply with the provision of any Statute, and shall be complete with the exception of the number and date of the by-law.

7.13.4 The Municipal Clerk shall endorse, on all by-laws enacted by Council, the date of enactment.

7.13.5 Every by-law which has been enacted by Council shall be numbered and dated, signed by the Mayor and the Municipal Clerk, sealed with the seal of the Municipality, and retained under the control of the Municipal Clerk.

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7.13.6 The Municipal Clerk is hereby authorized to make minor deletions, additions or other administrative changes to any by-law to ensure that the correct and complete implementation of the actions of Council form the subject matter of the by-law.

### **7.14 Procedural Notices of Motion**

7.14.1 A Procedural Notice of Motion introducing a motion to amend something previously adopted by Council, to lift a matter from the table, to rescind a previous decision of Council, or to reconsider a previous decision of Council, shall be given to the Municipal Clerk including the date when it will be considered in writing, from the mover and seconder, prior to the Agenda deadline.

7.14.2 Where a Procedural Notice of Motion has been given under subsection 7.14.1, for a “motion to amend something previously adopted by Council” or a “reconsideration”, the details of the amendment and proposed new resolution for a reconsideration respectively shall be included in the Procedural Notice of Motion.

7.14.3 Where a Procedural Notice of Motion has been provided to the Municipal Clerk in accordance with the notice provided, prior to the Agenda Deadline, it shall be placed in the “Business Arising from Procedural Notices of Motion” section of the Council Agenda.

7.14.4 Where a Procedural Notice of Motion has been given under Sub-section 7.14.1, the Procedural Notice of Motion shall be printed in full in the Agenda, under “Business Arising from Procedural Notice of Motion” for that meeting of Council and each succeeding meeting until the motion is considered or otherwise disposed.

7.14.5 When a Member’s Procedural Notice of Motion has been called by the Chair at two successive meetings and not proceeded with, it shall be removed from the agenda for all subsequent Meetings, unless Council otherwise decided.

### **7.15 Questions to Department Heads / Request for Staff Report(s)**

7.15.1 No new business may be raised during this section of the agenda, but Members may ask Questions to Department Heads pertaining to any matter, including those not necessarily listed on the agenda.



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7.15.2 Notwithstanding subsection 7.15.1, Members of Council may introduce a motion to request a Staff report, under this section of the agenda, when there is an urgency, and the request cannot be made at a Committee meeting. Such requests shall:

- a) identify the appropriate Department;
- b) the objective(s) of the report;
- c) not contain a policy decision; and
- d) not contain directions to Staff.

### **Section 8 – Order of Proceedings – Standing Committees**

#### **8.1 General Government Committee (GG)**

##### **8.1.1 Call to Order**

8.1.1.1 See Sub-section 7.1.

##### **8.1.2 Disclosure of Pecuniary Interest**

8.1.2.1 See Sub-section 7.2.

##### **8.1.3 Announcements**

8.1.3.1 See Sub-section 7.3.

##### **8.1.4 Presentations**

8.1.4.1 See Sub-section 7.4.

##### **8.1.5 Delegations**

8.1.5.1 See Section 9.

##### **8.1.6 Reports / Correspondence Related to Presentations / Delegations**

8.1.6.1 See Sub-section 7.7.

##### **8.1.7 Communications**

8.1.7.1 See Section 7.8.

8.1.7.2 Minutes of external committees and boards, hall boards and BIA's shall be listed under this Section of the agenda.

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### **8.1.8 Staff Reports, Staff Memos and New Business Consideration**

8.1.8.1 All Staff reports and Staff memos pertaining to the Committee mandate, or other such matter as may be referred to the Committee by Council shall be submitted to the Committee for consideration.

### **8.1.9 New Business**

8.1.9.1 Members may only introduce a motion on New Business provided that the matter was introduced in accordance with the notice provisions.

8.1.9.2 Notice of New Business items will be satisfied if a Member submits a New Business item, in writing, to the Municipal Clerk prior to the Committee Agenda deadline. The New Business Item will be included on the GG agenda, under the department that the item is most related to and in the New Business Consideration section of the PD Agenda.

8.1.9.3 Any changes in wording to a New Business item after publication of the Agenda, shall require an amendment.

8.1.9.4 If a Member submits a New Business item to the Municipal Clerk after the Committee Agenda Deadline and prior to the Committee Agenda Update Deadline, it will be included in the Committee Agenda Update under the appropriate section of the agenda, and it will require a 2/3 vote of the Members present, and voting at the meeting, to be added to the agenda for discussion. A note for the "required 2/3 vote to be discussed" will be added to the agenda.

8.1.9.5 If a Member submits a New Business Item, that is not included in the agenda, it shall be in writing, and shall not be considered until the next appropriate Regular Committee meeting.

8.1.9.6 A motion to request a report from Staff regarding a matter not listed on the agenda is not considered New Business but can be introduced under the "Requests for Staff Reports" section of the agenda.

8.1.9.7 No seconder will be required at the time of providing notice.

8.1.9.8 New Business items shall be regarding the mandate of the appropriate committee.

### **8.1.10 Unfinished Business**

8.1.10.1 See Sub-section 7.11.

### **8.1.11 Questions to Department Heads / Request for Staff Report(s)**

8.1.11.1 See Sub-section 7.15.

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### **8.1.12 Confidential Items**

- 8.1.12.1 The Confidential Items Section of the Committee Agenda shall include any confidential Committee Staff report that, due to the nature of the report should be considered by Committee in a closed meeting in accordance with Sub-section 4.9.

### **8.2 Planning and Development Committee (PD)**

#### **8.2.1 Call to Order**

- 8.2.1.1 See Sub-section 7.1.

#### **8.2.2 Disclosure of Pecuniary Interest**

- 8.2.2.1 See Sub-section 7.2.

#### **8.2.3 Announcements**

- 8.2.3.1 See Sub-section 7.3.

#### **8.2.4 Public Meetings**

- 8.2.4.1 Public Meetings shall be conducted in the following manner:

- a) The Chair shall state the purpose of the Public Meeting and shall explain to those present how the Public Meeting shall be conducted.
- b) A member of the Municipality's Staff shall address the PD Committee to present the matter to the PD Committee.
- c) Members of the public shall then be permitted to make representation regarding the matter.
- d) Then the applicant or agent may make representation.

- 8.2.4.2 Public meetings, under the Planning Act, shall be limited to two public meetings per Planning and Development Committee meeting, unless otherwise agreed between the Municipal Clerk and the Director of Planning and Development Services.

- 8.2.4.3 After the Public Meeting has concluded, any related communications and the related report will be considered as determined by the Chair, without a need to alter the agenda.

#### **8.2.5 Presentations**

- 8.2.5.1 See Sub-section 7.4.

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### **8.2.6 Delegations**

8.2.6.1 See Section 9.

### **8.2.7 Reports / Correspondence Related to Presentations / Delegations**

8.2.7.1 See Sub-section 7.7.

### **8.2.8 Communications**

8.2.8.1 See Sub-section 7.8.

### **8.2.9 Staff Reports and Staff Memos**

8.2.9.1 See Section 8.1.8.

### **8.2.10 New Business Consideration**

8.2.10.1 See Sub-section 8.1.9.

### **8.2.11 Unfinished Business**

8.2.11.1 See Sub-section 7.11.

### **8.2.12 Questions to Department Heads / Request for Staff Report(s)**

8.2.12.1 See Sub-section 7.15.

### **8.2.13 Confidential Items**

8.2.13.1 See Section 8.1.12

## **Section 9 – Delegations**

### **9.1 General**

9.1.1 Where a single Delegation comprises more than five persons, only two of them may make verbal submissions to Council or Committee, as the case may be. The Delegation shall be limited to the time fixed by Sub-section 9.2.5.

9.1.2 Without leave of Council, members shall have one opportunity to ask questions of Delegations for the purpose of clarifying their submissions only or to elicit further information from them that is relevant to their submissions and not to enter into debate with the delegate.

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- 9.1.3 Where a Delegation wishes to provide Members with written communication supporting the Delegation's comments, the communication shall be provided to the Municipal Clerk, or designate prior to the meeting. The written communication may be distributed to the Members at the discretion of the Municipal Clerk, or designate.
- 9.1.4 Municipal audio-visual equipment may be used to assist in delegations, provided that permission has been obtained for use of such equipment from the Municipal Clerk, or designate, at the time the delegates(s) contact the Municipal Clerk's Division to register for the Meeting. The delegate's electronic presentation must be provided to the Municipal Clerk's Division no later than close of business the Friday preceding the commencement of the Meeting. Electronic presentations will not be installed once the meeting has begun.
- 9.1.5 No further delegations may be made in respect of a delegation placed on an agenda in accordance with this Sub-section. For clarity, a delegation cannot be a delegation to another delegation as a way of circumventing other rules outlined in this by-law.
- 9.1.6 Persons desiring to verbally present information on matters of fact, or to make a request to Council, shall give notice, including the subject of their address and their desired action requested of Council, to the Municipal Clerk by the Agenda Update Deadline.
- 9.1.7 No delegation may speak to matters described in section 2.5.
- 9.1.9 No delegation may speak to the same matter twice within the same meeting.
- 9.1.10 Where a delegation request is received after the Agenda Deadline and the matter is included on an agenda for a meeting, the request will be added to the addendum for the applicable meeting if written notice to the Clerk is received by the Agenda Update Deadline for the appropriate Standing Committee.
- 9.1.11 Where a delegation request is received after the Agenda Deadline and the matter is not included on the agenda for the meeting, then the request will not be placed on the immediate agenda but rather would be a future Agenda of the appropriate Standing Committee.
- 9.1.12 A delegation, not listed on the agenda, shall not be heard without the consent of at least 2/3 majority of the Members present and shall be pertaining to an item listed on the Agenda.

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### **9.2 Delegations - To Council**

- 9.2.1 Delegations shall be restricted to speaking to matters included on the Council agenda for the Meeting in question.
- 9.2.2 Notwithstanding Sub-section 9.2.1, Delegations shall not be permitted to speak to a matter that was considered at the GG Committee or PD Committee, or is the subject of a Staff report or matter included under Unfinished Business included on the Council agenda, where the Delegation spoke to the item at the GG Committee or PD Committee meeting, including a Public Meeting, which is being reported to Council, unless a majority of the Members present vote in favour to hear the delegation.
- 9.2.3 Notwithstanding Sub-section 9.2.1, where the Municipal Clerk determines that the matter is of an urgent nature and there is insufficient time for a Delegation respecting it to be heard by the GG Committee or PD Committee, subject to Sub-section 9.2.4, the Delegation may be permitted to speak to Council on the matter.

### **Request to Speak**

- 9.2.4 Delegations shall notify the Municipal Clerk no later than the Agenda Update Deadline but delegations are encouraged to register prior to noon on the Wednesday prior to the meeting to be included in the published agenda.

### **Time Limits – Delegations**

- 9.2.5 Each Delegation in respect of a particular matter shall be limited to ten (10) minutes in addition to the time taken by Council to ask questions of the delegate and to receive answers to such questions.

### **9.3 Delegations - To Committee**

- 9.3.1 Except where a particular matter has been reported by the Director of a Department or the Chief Administrative Officer directly to Council, or in cases in which the Municipal Clerk determines that the matter is of an urgent nature and there is insufficient time for a delegation respecting it to be heard by the Committee, all Delegations shall be directed to and heard by Committee, as determined by the Municipal Clerk.
- 9.3.2 Notwithstanding Sub-section 9.3.1, unless otherwise determined by the Municipal Clerk, Delegations shall not be permitted to:
- a) speak to PD Committee regarding a matter that is the subject of a Public Meeting which is included on the PD Committee agenda.
  - b) speak to PD Committee regarding a matter which is within the mandate of the GG Committee meeting.

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- c) speak to GG Committee regarding a matter which is within the mandate of the PD Committee meeting.

### **Time Limits - Committee**

9.3.3 See Section 9.2.5.

### **Request to Speak – Required**

9.3.4 See Section 9.2.4.

### **Disposition of Items**

9.3.5 When a delegate is addressing a matter that is not otherwise included on the agenda, a motion to deal with the delegation shall be in order immediately following the conclusion of the delegation.

9.3.6 When considering the disposition of items related to:

- a) Provincial legislation, Council's position shall be forwarded to the Association of Municipalities of Ontario (AMO) for review and consideration.
- b) Federal legislation, Council's position shall be forwarded to the Federation of Canadian Municipalities (FCM) for review and consideration.
- c) Forwarding Council's decision to all Ontario Municipalities, Staff shall forward to the Association of Municipalities of Ontario (AMO) for review and consideration and not to all municipalities.

9.3.7 When Council only receives a correspondence item for information, no correspondence shall be sent to the submitter.

### **9.4 At a Public Meeting**

9.4.1 Where it is Council's responsibility to conduct a public meeting, the PD Committee shall conduct such Public Meeting.

### **Time Limits**

9.4.2 See 9.2.5.

### **Request to Speak – No Request Required**

9.4.3 A person wishing to make representation on a matter for which a Public Meeting is held, is not required to give written notice, unless it is required as part of electronic meeting participation procedures as set out by the Municipal Clerk and is not required to be listed on the PD Committee agenda for the Meeting in question.

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### **9.5 Special Meetings**

9.5.1 No Delegation will be heard at a Special Meeting of Council or Committee meeting unless otherwise directed in the call of the special meeting.

### **9.6 Conduct of Delegations and Presenters**

9.6.1 Delegations and presenters shall not:

- a) speak disrespectfully of any person;
- b) use offensive words;
- c) speak on any subject other than the subject for which they have given notice to address Council/Committee;
- d) disobey the decision of the Chair;
- e) enter into debate with Members;
- f) appropriate any unused time allocated to another Delegation or Presenter; or
- g) deviate from answering directly when answering a question.

### **9.7 Petitions**

9.7.1 An organizer of a public petition may submit the petition for inclusion on the appropriate Committee agenda. That organizer shall provide their name, address, email, and telephone number with the petition. No petition shall be considered valid and accepted by the Municipal Clerk without the name and contact information of the organizer.

9.7.2 Any communication with respect to the petition will be with the organizer of the petition only.

9.7.3 Petitions shall contain the printed name, signature, and municipal address of the individuals signing it. Signatures without contact information, or who are not Clarington residents, shall be redacted by the individual or group submitting the Petition or it will not be accepted by the Municipal Clerk nor placed on an agenda.

9.7.4 The Municipal Clerk shall refuse to place a petition on the agenda where the subject matter:

- a) Does not meet the Communications criteria as outlined elsewhere in this By-law;
- b) Involves matters listed in section 2.5.



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9.7.5 Signatories to a petition are deemed to have waived any expectation of privacy as a result of the record being created for review by the general public.

9.7.6 Petitions may be placed on agendas at the discretion of the Municipal Clerk, including the summarizing of the petition and numbers of signatories.

### **Section 10 – Rules of Debate and Conduct**

#### **10.1 Conduct of Members of Council or Members of Committees**

10.1.1 No Member shall:

- a) speak disrespectfully of any elected assembly;
- b) use offensive words or unparliamentary language or speak disrespectfully against the Council, against any Member, or against any officer or employee of the Municipality, past or present;
- c) speak on any subject other than the subject in debate;
- d) disobey the Rules of Procedure or a decision of the Chair, on questions of Points of Order or procedure or upon the interpretation of the Rules of Procedure except where the ruling of the Chair is reversed by Council pursuant to Sub-section 10.6.2. If a Member persists in any such disobedience after having been called to order by the Chair, the Chair shall forthwith order him to vacate the Council Chambers or room in which the Meeting is being held, or remove him from an electronic meeting but if the Member apologizes they may, by majority vote of the Members, be permitted to retake their seat; or
- e) where a matter has been discussed in a closed Meeting, and where the matter remains confidential, disclose the content of the matter or the substance of the deliberations of the closed Meeting to any person.

#### **10.2 Address the Chair**

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

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### **10.3 Order of Speaking**

- 10.3.1 When two or more Members signify a desire to speak, the Chair shall recognize the Member who, in the opinion of the Chair, so signified first and next recognize in order the other Members.
- 10.3.2 Members may ask questions of Staff, with the Chair's permission, during any portion of a Council or Committee meeting if it pertains to a matter on the Agenda.

### **10.4 Point of Privilege**

- 10.4.1 Where a Member considers that their rights or integrity or the rights or integrity of the Council or Committee as a whole have been challenged, as a matter of Privilege, the Member may rise on a Point of Privilege at any time, with the consent of the Chair, for the purpose of drawing the attention of Council or Committee to the matter.
- 10.4.2 A Member who desires to address Council or Committee, as the case may be, on a matter which concerns the rights or privileges of the Council collectively, or as an individual Member, will be permitted to raise such Point of Privilege. A breach of privilege is a willful disregard by a Member or any other person of the dignity and lawful authority of Council. A Point of Privilege will take precedence over other matters. When a Member raises a Point of Privilege, the Chair may use the words "Councillor...state your Point of Privilege". While the Chair is ruling on the Point of Privilege, no one will be considered to be in possession of the floor, but thereafter the Member in possession of the floor when the Point of Privilege was raised, has the right to the floor when debate resumes.

### **10.5 Point of Order**

- 10.5.1 The Chair shall preserve order and decide on Points of Order.
- 10.5.2 A Member who desires to call attention to a violation of the Rules of Procedure will ask leave of the Chair to raise a Point of Order. When leave is granted, the Chair may use the words "Councillor...state your Point of Order." The Member will state the Point of Order with a concise explanation and will comply with the decision of the Chair. The Member in possession of the floor when the Point of Order was raised has the right to the floor when debate resumes.

### **10.6 Appeal of Ruling of Chair**

- 10.6.1 With respect to a ruling on either a Point of Privilege or Point of Order, if the Member does not appeal immediately thereafter to Council or Committee, as the case may be, the decision of the Chair shall be final.

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10.6.2 If the decision is appealed, the Chair will give concise reasons for their ruling, and will call a vote by Council or Committee, as the case may be, without debate on the following question: “Will the ruling be sustained?”, and the decision of Council or Committee is final. The Chair may vote on this question. In the event of a tie vote, the ruling of the Chair shall be deemed to be sustained.

### **10.7 Members Speaking**

10.7.1 When a Member is speaking, no other Member shall pass between him and the Chair, or interrupt him except to raise a Point of Order.

### **10.8 Question Read**

10.8.1 Any Member may request the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Member while they are speaking.

### **10.9 Speak Once - Reply**

10.9.1 No Member shall speak more than once to the same question without leave of Council or Committee, as the case may be, by a simple majority, except that a reply shall be allowed to be made only by a Member who has presented the motion, but not by any Member who has moved an amendment or procedural motion in response to that motion.

### **10.10 Time Limit**

10.10.1 No Member, without leave of Council or Committee, as the case may be, shall speak to the same question or in reply for longer than five (5) minutes.

### **10.11 Questions**

10.11.1 A Member may ask a question for the purpose of obtaining information relating only to the matter under discussion and such questions must be stated concisely and asked only through the Chair.

10.11.2 Notwithstanding Sub-section 10.11.1, when a Member has been recognized as the next speaker, such Member may ask a question through the Chair to any Member, the Chief Administrative Officer, or Department Head, or designate, but only for the purpose of obtaining information on matters contained on the Agenda, following which the Member may speak.

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### **10.12 Motions**

#### **Reading**

- 10.12.1 All motions must be introduced by a mover and seconder before the Chair may put the question or motion on the floor for consideration. If no Member seconds the motion, the motion shall not be on the floor for consideration and therefore it shall not be recorded in the minutes.
- 10.12.2 When a motion is presented in a Meeting, it shall be read by the Member, or, if it is a motion which may be presented orally as provided in Sub-section 10.12.8 it shall be stated by the Chair before debate.
- 10.12.3 Notwithstanding Sub-section 10.12.2, a motion, the wording of which is printed in the agenda as either a separate item or as part of a report, need not be read in its entirety unless requested to do so by a Member, but shall be deemed to have been read for the purposes of introducing the motion.

#### **Withdrawn**

- 10.12.4 After a motion is properly moved and seconded, it shall be deemed to be in possession of Council or Committee, but may be withdrawn by the mover at any time before decision.

#### **No debate until properly moved and seconded**

- 10.12.5 No Member shall speak to any motion until it is properly moved and seconded, and the mover is entitled to speak first if the Member so elects. If debated, the question or motion may be read before being put.

#### **Motion Ruled Out of Order**

- 10.12.6 Whenever the Chair is of the opinion that a motion is contrary to these Rules of Procedure, the Chair shall rule the motion out of order.

#### **Not within jurisdiction of Council**

- 10.12.7 A motion in respect of a matter which requires the exercise of a legislative power by Council which is not within its jurisdiction, shall not be in order at a Meeting of Council or Committee unless it is for purposes of requesting a higher level of government to make changes to policy or legislation.

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### **Matters and Motions Without Notice and Without Leave**

10.12.8 The following matters and motions may be introduced orally by a Member without notice and without leave, except as otherwise provided by this Procedural By-law, and shall be decided without debate:

- a) A Point of Order or Privilege;
- b) To adjourn;
- c) To suspend the Rules of Procedure;
- d) To table the question without direction or instructions;
- e) To divide;
- f) Question be now put; and
- g) To recess.

10.12.9 The following motions may be introduced orally by a Member without notice and without leave, except as otherwise provided by this Procedural By-law, and may be debated:

- a) To refer;
- b) To defer (debate not permitted, see sub-section 10.12.21);
- c) To table with instructions (instructions for tabling only to be debatable);
- d) To amend;
- e) To extend the time of the Meeting;
- f) To receive for information or with thanks;
- g) To adopt the Minutes;
- h) To approve/receive the Standing Committee or Advisory Committee Minutes;
- i) To passing By-laws;
- j) To dispense with Consent Agendas; and
- k) That the Question Now be Put.

### **Motion in Writing**

10.12.10 Except as provided by Sub-section 10.12.8 and 10.12.9, all motions introduced at a Meeting shall be in writing unless listed in the Agenda.

### **Priority of Disposition**

10.12.11 A motion properly before Council or Committee for decision must be disposed of before any other motion can be received except a motion in respect of matters listed in Sub-section 10.12.8 or 10.12.9.

### **Motion to Refer**

10.12.12 A motion to refer a matter under discussion by Council or Committee shall be considered before all amendments to the main question are considered until the motion to refer is decided.

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- 10.12.13 A motion to refer a matter where an amendment is currently under consideration, shall be considered a motion to refer the original matter and any amendments that have been put to a vote, and shall include an amendment that has not yet been decided.
- 10.12.14 If communication items, or delegations, are referred to another Agenda item which is subsequently referred to a future meeting, there is no need to include the communication items, or delegations, in the Agenda of the subsequent meeting.
- 10.12.15 A motion to refer, or any amendment to it, is debatable and shall include:
- a) To whom the matter is to be referred, which may be Council, Committee, a Department or a person, and
  - b) The terms for referring the matter and the time or period, if any, on or within which the matter is to be returned.

#### **Motion to Amend**

- 10.12.16 A motion to amend:
- a) Shall be presented in writing if requested by the Chair;
  - b) Shall relate to the subject matter of the main motion;
  - c) Shall not be received proposing a direct negative to the question; and
  - d) Shall be put to a vote in reverse order to the order in which the amendments are made.
- 10.12.17 Only one motion to amend an amendment to the original motion shall be allowed and any further amendment must be to the original motion.

#### **Motion to Amend Something Previously Adopted**

- 10.12.18 See Sub-section 7.14.
- 10.12.19 No motion to amend something previously adopted a decided matter of Council shall be in order when the original motion has been implemented resulting in a legally binding commitment that is in place on the date that a motion to reconsider, or amend, is to be debated.

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### **Question Be Now Put**

- 10.12.20 A motion that the question be now put:
- a) Is not debatable;
  - b) Cannot be amended;
  - c) Cannot be proposed when there is an amending motion under consideration, except for the purpose of moving that the amending motion be put;
  - d) When resolved in the affirmative, requires that the question(s), motion, amending motion or motion as amended, whichever is under consideration be put forward immediately without debate or amendment;
  - e) May be moved in the following words, “that the question be now put”; and
  - f) A motion that the “question be now put” requires an affirmative vote of two-thirds of the Members present and voting.

### **Motion to Table**

- 10.12.21 A motion simply to table, or defer, cannot be debated or amended except where instructions are included, in which case, only the instructions shall be debatable.
- 10.12.22 The matter tabled shall not be considered again by the Council or Committee until a motion has been made to lift from the table the tabled matter at the same or a subsequent Meeting.
- 10.12.23 A matter tabled at a Meeting of Committee may be lifted from the table by Council.
- 10.12.24 A matter tabled at Council may not be lifted from the table at a Meeting of Committee.
- 10.12.25 A motion to table shall only be used to table a matter indefinitely. For clarity, if Council/Committee wishes to consider a matter at a future meeting, a referral motion would be in order.
- 10.12.26 A motion that has been tabled at a previous Meeting cannot be lifted from the table unless notice thereof is given in accordance with Sub-section 7.14.

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### **Motion to Divide**

- 10.12.27 A motion containing distinct proposals may be divided and a separate vote shall be taken upon each proposal contained in a motion if decided upon by a majority vote of the Members present and voting. For clarity, a motion to divide shall be handled as follows:
- a) Original motion is duly moved and seconded;
  - b) Mover and seconder for a “motion to divide” decide to divide ABC from the original motion;
  - c) The Chair calls the vote on the motion to divide, which is not debatable;
  - d) If the motion to divide passes, the Chair calls the vote on the balance;
  - e) The matter of the divided item(s) are now being considered with the same mover and seconder as the original. The Chair calls the vote on the divided item(s).

### **Motion to Rescind**

- 10.12.28 See Sub-section 7.14.
- 10.12.29 A motion to rescind is not in order when action has been taken on the order of Council which it is impossible to reverse. The part of an order of Council which has not been acted upon, however, may be rescinded.

### **Reconsideration**

- 10.12.30 A resolution, by-law or any question or matter (except one of indefinite postponement) which has been adopted previously by Council may be reconsidered by Council subject to the following:
- a) A Procedural Notice of Motion has been introduced according to the procedure for Procedural Notice of Motion, provided for in Sub-section 7.14;
  - b) Debate on a motion to reconsider must be confined to reasons for or against the subject of the reconsideration;
  - c) No discussion of the main substantive motion shall be allowed until the motion for reconsideration is carried;



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- d) Such motion must be supported by two-thirds (2/3) of the Members present and voting in favour of such reconsideration before the matter is re-opened for debate unless the reconsideration is on a matter passed by a previous Council wherein a simple majority is sufficient to reconsider the matter;
- e) If a motion to reconsider is decided in the affirmative, such reconsideration shall become the next order of business, unless the motion calls for a future date, and debate on the question to be reconsidered may proceed as though it previously had never been voted on;
- f) If a motion to reconsider is decided in the affirmative at a Meeting, the previously adopted resolution of Council remains in force unless and until Council adopts a new resolution; and
- g) A vote to reconsider a particular matter or decision will not be considered more than once during the term of Council.

10.12.30.1 Where a written decision of the Local Planning Appeal Tribunal (LPAT) identifies findings with regard to an appeal and delivers those findings to Council to make a new decision, the matter shall be placed as soon as practicable on the PD Committee meeting agenda by way of a staff report, following receipt of the written decision from LPAT. The matter shall be deemed not to be a "reconsideration" under section 10.12.30 of this By-law.

10.12.31 No motion to reconsider a decided matter of Council shall be in order when the original motion has been implemented resulting in a legally binding commitment that is in place on the date that a motion to reconsider, or amend, is to be debated.

#### **Motion to Recess**

10.12.32 A motion to recess shall provide for Council or Committee to take a short intermission within a Meeting which shall neither end the Meeting nor destroy its continuity and after which, proceedings shall immediately resume at the point where they were interrupted.

10.12.33 A motion to recess is not debatable, but is amendable as to the length of the recess.

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### **Motion to Adjourn**

10.12.34 A motion to adjourn:

- a) Shall always be in order except as provided by this Procedural By-law;
- b) Is not in order when a Member is speaking or during the verification of a vote;
- c) When resolved in the negative, cannot be made again until after some intermediate proceedings shall have been completed by Council or Committee, as the case may be;
- d) Is not in order immediately following the affirmative resolution of a motion that the question be now put;
- e) If carried, without qualification, will bring a Meeting to an end;
- f) To a specific time, or to reconvene upon the happening of a specified event, if carried, suspends the Meeting to continue at such time; and
- g) Is not debatable.

10.12.35 A motion to proceed beyond the scheduled adjournment time:

- a) Shall not be amended or debated;
- b) Shall always be in order except when a Member is speaking or the Members are voting; and
- c) Shall require the rules to be suspended.

### **10.13 Voting on Motions**

10.13.1 Immediately preceding the taking of the vote on a motion, the Chair may state the question in the form introduced and shall do so if required by a Member.

10.13.2 After a question is finally put by the Chair no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.

10.13.3 Every Member present at a Meeting, when a question is put, shall vote thereon unless disqualified under the *Municipal Conflict of Interest Act* to vote on the question.

10.13.4 Except where the Member is disqualified under the *Municipal Conflict of Interest Act* from voting, if a Member does not vote when a question is put, the member shall be deemed to have voted in the negative.

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- 10.13.5 A Member not in their seat when the question is called by the Chair is not entitled to vote on that question.
- 10.13.6 Each Member has only one vote.
- 10.13.7 The vote required to pass a motion shall be a simple majority except as otherwise provided by this Procedural By-law or by Statute.
- 10.13.8 Except for a Recorded Vote, the Chair shall announce the result of every vote.

#### **Unrecorded Vote**

- 10.13.9 The manner of determining the decision of the Council or Committee on a motion shall be at the discretion of the Chair and may be by voice, show of hands, standing, or otherwise.

#### **Recorded Vote**

- 10.13.10 A Recorded Vote shall be in order at Council, Committee and Local Board meetings, and may be requested immediately before or after the taking of the vote.
- 10.13.11 When a Recorded Vote is requested by a Member during a Meeting, or is otherwise required, the Municipal Clerk shall record the name and vote of every Member.
- 10.13.12 The order in which Members vote on recorded votes shall be in alphabetical order of the Members present and voting, commencing with the Member who made the request and continuing through the alphabet and then back to the beginning of the alphabet, if necessary, until all Members have voted. The Chair shall vote last.
- 10.13.13 If a request for a recorded vote is made by the Chair, the order in which Member's vote shall be in alphabetical order of the Members present and voting. The Chair shall vote last.
- 10.13.14 The Municipal Clerk, or designate, shall announce the results of the Recorded Vote.

# The Corporation of the Municipality of Clarington

## Procedural By-law 2021-054

### **Consent Resolution**

- 10.13.15 Should a Member wish to discuss an item on a consent resolution, including a change to the recommended motion, they would request the item be “pulled” from the consent resolution and that item would be discussed separately.
- 10.13.16 Should a Member have a pecuniary interest in an item on a consent resolution, the item shall be removed from the consent resolution and dealt with separately.
- 10.13.17 Should a Member wish to simply discuss an item on a consent resolution, but not change the recommended motion, the Member may do so without “removing” the item from the consent resolution.

### **10.14 Conduct of the Audience**

- 10.14.1 Members of the public who constitute the audience in the Council Chamber or adjacent to the Meeting room, or in an electronic meeting, or other such place where the Meeting is held in accordance with Sub-section 4.1 of this Procedural By-law, during a Meeting, shall maintain order and quiet and may not:
- a) Address Council or Committee without permission;
  - b) Interrupt any speaker or action of the Members or any other person addressing Council or Committee;
  - c) Speak out;
  - d) Clap, except following award presentations;
  - e) Behave in a disorderly manner; or
  - f) Make any other noise or sound that proves disruptive to the conduct of the meeting.

The Corporation of the Municipality of Clarington

Procedural By-law 2021-054

**Section 11 - Implementation**

- 11.1 Any omissions, or failure to strictly comply, with this By-law or any other municipal legislation (including any notice which is substantively given but is irregular) will not invalidate the holding of a meeting or any proceeding or decision taken at the meeting.
- 11.2 By-law 2015-029 and all amendments thereto, including and may not be limited to By-laws 2016-075, 2016-082, 2018-002, 2018-012, 2018-073, 2019-011, 2019-057, 2020-022, 2020-046, 2020-060, 2020-077 are hereby repealed.
- 11.3 This Procedural By-law shall come into full force and effect on September 1, 2021

By-law passed in open session this 14<sup>th</sup> day of, June, 2021.

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Adrian Foster, Mayor

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June Gallagher, Municipal Clerk