

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2016)-20087

A by-law to provide rules for governing the order and procedures of the Council of the City of Guelph, and to repeal By-law Number (2015)-19938.

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1. Definitions

In this By-law,

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

"Acting Mayor" means the Councillor who is appointed, in alphabetical order by last name, to serve one month each, to act in the place and stead of the Mayor as required.

"Ad Hoc Committee" means a Committee created by Council with a defined ending, to report directly to Council on a specific matter.

"Advisory Committee" means a Committee created by Council, to report to the Committee of the Whole on a specific subject.

"By-law" means an enactment, in a form approved by Council, passed for the purpose of giving effect to a decision or proceedings of Council.

"CAO" means the Chief Administrative Officer of the City.

"Chair" means the Mayor or Acting Mayor of any Meeting of Council or the Chair or Acting Chair of any Meeting of a Committee.

"City" means The Corporation of the City of Guelph and includes the geographical area of the City of Guelph.

"Clerk" means the City Clerk, or his or her designate.

"Closed Meeting" means a meeting, or part of a meeting of Council or a Committee, which is closed to the public as permitted by the Municipal Act.

"Committee" means an Advisory or other Committee, Sub-Committee or similar entity.

"Committee of the Whole" means a Committee comprised of all Members of Council that directly reports to Council.

"Committee of the Whole Consent Report" means a report from Committee of the Whole outlining items approved by the Committee and forwarded to Council for its consideration.

“Confirmatory By-law” means a by-law passed at the conclusion of all Council meetings, confirming the actions of Council at that meeting in respect of each resolution and other actions taken, so that every decision of Council at that meeting shall have the same force and effect as if each and every one of them had been the subject-matter of a separately enacted by-law.

“Consent Agenda” means a listing of Consent Items being presented to Council and Committee of the Whole for its consideration.

“Consent Item” means a report that is presented for approval without debate and with no delegation or presentation.

“Council” means the City’s elected representatives, comprised of the Mayor and Councillors.

“Councillor” means a member of Council, other than the Mayor.

“Delegate” means any person, group of persons, firm or organization, who is neither a member of the Committee of the Whole, Council or an appointed official of the City and who is speaking to Committee or Council.

“Deputy CAO” means staff who report to the CAO and are responsible for multijurisdictional service areas.

“Electronic Device” means computers, cellular telephones, smartphones, personal digital assistants, smartwatches, tablets, voice recorders and cameras or any other similar device.

“Items for Discussion” means agenda material that is presented for approval which has associated presentation(s) or delegations.

“Local Board” means a local board of the City as defined in the *Municipal Act*.

“Majority” means for the purpose of voting, unless otherwise specified, more than half of the Members of Council or Committee present at the vote and not prohibited by statute from voting.

“Mayor” means the head of Council and includes the Acting Mayor when acting in place of the Mayor.

“Meeting” means any regular or special Council or Committee meeting when a quorum is present.

“Member” means, according to the circumstances, a member of Council, including the Mayor, or a member of the Committee including the Chair.

“Motion” means a proposal, moved by a Member and seconded by another Member, for the consideration of Council or a Committee.

“Open Meeting” means a meeting which is open to the public.

“Presentation” means information presented to Council or Committee in person by an individual or group on an issue which may not require any action to be taken by Council or Committee.

“Quorum” means a majority of the Members.

“Recording Device” means any device used for the purpose of recording whether it be analogue, digital or other means of recording, including but not limited to computers, cellular telephones, smartphones, tablets, voice recorders and cameras or any other similar device.

“Registered Delegate” means an individual who has submitted a request for delegation to the City Clerk within the prescribed timelines to address Council or Committee in relation to a matter appearing on the agenda.

“Resolution” means a motion that has been carried.

“Rules of Procedure” means the rules and procedures set out in this By-law.

“Vice Chair” means a member of Council appointed by Council who shall have all the power and duties of a Chair in their absence; and consequently the words “Vice Chair” are interchangeable with the word “Chair” in all sections of this by-law.

“Workshop” means a special meeting of the Members of Council convened for the purpose of education or training the Members or for providing the Members with information and/or advice on a topic(s) of interest to the Members.

2. Purpose and Principles

2.1 Purpose

- (a) Council and Committee of the Whole shall observe the rules of procedure contained in this By-law in all proceedings of the Council and Committee. This By-law shall be used to guide the order and dispatch of business of the Council and Committee and wherever possible, with the necessary modifications, for all Advisory Committees and Ad Hoc Committees unless otherwise provided.
- (b) This By-law sets out processes that are open and transparent.

2.2 Principles

- (a) Each member has the right to:
 - i. One vote, subject to the declaration of pecuniary interest;
 - ii. Information to help make decisions, unless otherwise prevented by law;
 - iii. An efficient meeting; and,
 - iv. Be treated with respect and courtesy.
- (b) No item shall be placed on an agenda with respect to a matter which is not within the jurisdiction of Council or Committee. The Mayor and Chair in consultation with the City Clerk will determine if a matter is within the jurisdiction of Council or Committee.
- (c) In the event of conflict between the provisions of this By-law and the Act or any other legislation, the provisions of the legislation shall prevail.

2.3 Suspension of Rules

- (a) No provision of this By-law shall be suspended except by affirmative vote of at least two-thirds of the entire Council (nine Members) for each incidence of suspension of the rules.
- (b) The suspension shall only apply to the suspension of the procedure(s) or rules(s) for the stated purpose and only during the Meeting in which such Motion was introduced.
- (c) The following procedure(s) or rule(s) cannot be suspended:
 - i. No other business in special meetings
 - ii. Majority of Members for Quorum

3. Conduct at Meetings

3.1 Council and Committee Members

- (a) Council Members shall govern themselves according to Council's Code of Conduct.
- (b) The Mayor or Chair shall preserve order and rule on points of order and privilege.
- (c) Every Member desiring to speak shall indicate so in order to be recognized by the Mayor or Chair.
- (d) Every Member, on being recognized, shall remain seated in his or her place, and address themselves to the Mayor or Chair.
- (e) A Member called to order by the Mayor or Chair shall immediately cease further comment and may appeal the call to order to the Council or Committee. The Council or Committee, if appealed to, shall decide on the case without debate and by way of a majority vote of the Members present. If there is no appeal, the decision of the Mayor or Chair shall be final.
- (f) No Member shall without leave of the Council or Committee:
 - i. speak to an issue for more than five (5) minutes (cumulative);
 - ii. use offensive words or speak disrespectfully of Mayor, Members of Council, Committee, staff or the public;
 - iii. speak on any subject other than the subject under debate;
 - iv. speak in contempt of any decision of the Council or Committee;
 - v. leave his or her seat or make any noise or disturbance while a vote is being taken or until the result is declared; or,
 - vi. disobey the rules or decisions of Council or a decision of the Mayor or Chair on points of order or privilege, or upon the interpretation of the Rules of Procedure . If a Member persists in such disobedience after having been called to order by the Mayor or Chair, the Member may be ordered by Council or Committee to leave his or her seat for the meeting. In the event that a Member refuses to vacate their seat, the Mayor or Chair may request that the Member be removed by the City Clerk and/or staff as required. In case of adequate

apology being made by the Member they may, by way of majority vote of the Members, present be permitted to take their seat.

3.2 Member Absent From Council

The office of a Member of Council becomes vacant if the Member has been absent from Meetings of the Council for three successive months without being authorized to do so by a resolution of the Council and recorded in the minutes.

3.3 Electronic Devices

- (a) Each Member shall place any electronic devices on an inaudible setting during any Meeting, except for any Closed Meeting where electronic devices must be turned off as required by Section 4.6.6.
- (b) No Member shall use an electronic device as a recording device during any Meeting.
- (c) No Member shall use an electronic device to broadcast or otherwise publish or post audio, video or photographs of any Meeting.

3.4 Hearing Delegations

- (a) Except for points of order or privilege, Members of Council shall not interrupt a delegate while he or she is addressing Council or Committee.
- (b) Members may address a delegate only to ask questions of clarification and not to express opinions or enter into debate or discussion.
- (c) All registered delegates shall be heard before Council or Committee enters into discussion or debate.
- (d) After all delegations have been heard, the related item shall immediately be brought forward for the consideration of Council or Committee.

3.5 Conduct of Public

- (a) Members of the public who constitute the audience at a meeting, shall not:
 - i. address Council or Committee without permission;

- ii. bring food or beverage, with the exception of water, into the Council Chamber or meeting room unless so authorized;
 - iii. engage in any activity or behaviour that would affect the Council or Committee deliberations.
- (b) No person, except Members of Council and appointed officials of the City of Guelph, shall be permitted to come within or behind the horseshoe during a meeting of the Council or Committee without the permission of Council or Committee.
- (c) No person shall make detrimental comments, or speak ill of, or malign the integrity of staff, the public, Mayor, Members of Council or Committee.

4. Rules and Procedures for Council and Committee Meetings

4.1 Public Notice of Meetings

- (a) The Clerk shall give public notice of all regular open and closed Council and Committee of the Whole Meetings by:
 - i. inclusion on the City's website at least 72 hours prior to the Meeting,
 - ii. posting at a public place in City Hall at least 72 hours prior to the Meeting; and
- (b) The Clerk may, at his or her discretion, publish notice of all regular open and closed Council and Committee of the Whole meetings in a local newspaper.
- (c) Public notice shall include:
 - i. date
 - ii. time
 - iii. location of meeting
- (d) The Clerk shall give public notice of all special, Open and Closed Meetings of Council and Committee by inclusion on the City's website as soon as possible after the meeting is called and no later than 48 hours prior to the meeting.

4.2 Location, Date and Time of Meetings

Committee of the Whole, Regular Council and Council Planning shall meet in the Council Chambers of City Hall, 1 Carden Street, unless with adequate public notice as required in Section 4.1, the Council selects an alternate

Meeting location, date, or time. In the event the regular Meeting date falls on a public holiday, the Council or Committee shall meet at the same hour on the next day not being a public holiday.

4.3 Addendum Agenda

- (a) The Clerk shall prepare an addendum advising Council or Committee of the names of registered delegates and written submissions relating to matters on the agenda.
- (b) Items or matters will not be added to the agenda after distribution to Council or Committee on the addendum unless directed by the Mayor or Chair, CAO and/or Deputy CAO(s) and if the urgent nature of the matter requires a decision prior to the next Council or Committee meeting.

4.4 Quorum and Commencement of Meetings

- (a) Unless there is a quorum present within fifteen minutes after the time appointed for the Meeting of the Council or Committee, the Council or Committee shall stand adjourned until the next Meeting date.
- (b) As soon as there is a quorum present, the Mayor or Chair shall call the Members to order. In the absence of the Mayor or Chair, the Clerk shall call the Members to order and the Council shall choose a Chair from the Members present and that person shall preside over the Meeting or until the arrival of the Mayor or Chair.

4.5 Disclosure of Pecuniary Interest

Prior to a particular matter being addressed, Members shall declare any pecuniary interests they may have, and the general nature thereof, in connection with that matter pursuant to the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended. Such Members shall then be precluded from participating in any way regarding the matter in question.

4.6 Closed Meetings

4.6.1 General Principles

- (a) Meetings shall be open to the public.
- (b) Notwithstanding Section 4.6.1(a), a meeting or part of a meeting may be closed to the public in accordance with Section 239 (2), (3) and (3.1) of *Municipal Act*.
- (c) Council shall approve and maintain a Closed Meeting Protocol.

4.6.2 Date and time of meetings

Further to Section 4.2:

- (a) When a Closed Meeting of Council is required, it shall be held no earlier than 4:30 p.m. on the day of an existing Regular Council or Council Planning meeting.
- (b) When a Closed Meeting of Committee of the Whole is required, it shall be held no earlier than 12:30 p.m. on the day of an existing Regular Council or Council Planning meeting.

4.6.3 Resolution

- (a) Prior to holding a Closed Meeting, Council or Committee shall state by resolution in a meeting open to the public, that Council or Committee will be holding a Closed Meeting, the subject matter and the allowed closed meeting exemption under the *Municipal Act*.

4.6.4 Recording of Minutes

- (a) The Clerk and/or his or her designate shall attend all Closed Meetings and record the proceedings, including procedural motions and direction given to staff, without note or comment.
- (b) The Clerk may delegate the Clerk's duties with respect to recording minutes in a Closed Meeting of Council or Committee to a staff person only. For Closed Meetings of Committee or Council where the CAO's performance or contract is addressed, the Clerk may delegate the Clerk's duties with instructions to a third party.

4.6.5 Reporting in Open Session

- (a) The Mayor or Chair shall report out in an open meeting immediately following the Closed Session and summarize the actions taken in the Closed Meeting.
- (b) Only matters discussed in a Closed Meeting and directed to be brought forward for voting in public session, will be brought forward to an Open meeting of Council immediately following the Closed Meeting and will be presented under Special Resolutions.

4.6.6 Electronic Devices

All electronic devices must be turned off throughout Closed Meetings of Council or Committee with the exception of 'on call/on duty' medical or emergency services personnel (Council or employees). Such personnel shall advise the Chair, and place their electronic devices on the audible setting in order to be notified, and upon notification, leave the room to respond.

4.6.7 Closed Meeting Voting

- (a) In relation to a matter considered in a Closed Meeting pursuant to Section 4.6.1(b), Council or Committee may vote on:
 - i. procedural motions;
 - ii. procedural motion to rise, report and introduce a proposed recommendation on an Open Meeting agenda; or,
 - ii. to give direction to staff or a third party of the City.
- (b) Notwithstanding Section 4.11(g), votes held in closed meetings shall be by a show of hands unless a recorded vote is requested by a Member in accordance with the regulations contained in the *Municipal Act*.

4.7 Presentations

4.7.1 Public Presentations

- (a) A request from an outside organization or individual to make a presentation to Council or Committee shall only appear on an agenda upon approval of the Mayor, Chair and Deputy CAO for the appropriate Service Area.
- (b) Public presentations are for information only.
- (c) Public Presentations at a meeting shall be limited to a maximum of 10 minutes and shall be heard at the beginning of a Council or Committee meeting.
- (d) Presentations by outside organizations or individuals shall not be permitted for the sole purpose of generating publicity or promotion.
- (e) Outside organizations or individuals shall provide the Clerk with written material for inclusion on the agenda by the agenda production deadline.
- (f) Presentations by outside organizations or individuals shall not be added on the addendum.

4.7.2 City Presentations

- (a) Presentations by City staff at meetings shall endeavour to be a maximum of 10 minutes.

- (b) The following types of presentations shall provide information only and shall be heard at the beginning of a Regular Council or Council Planning meeting:
 - i. Presentations by staff providing information with no accompanying report; and
 - ii. Presentations recognizing achievements.
- (c) Where a staff or a third party presentation involves an item on an agenda, the item shall be placed on Items for Discussion and shall be heard at the appropriate time in the agenda with the report brought forward for consideration immediately after the presentation has been made. If delegates wish to speak in addition to a presentation involving an item on the agenda, the item shall not be brought forward for consideration until all delegates on the same have been heard.

4.8 Delegations

- (a) A delegate may address Council or Committee for a period of time not exceeding five minutes. Council or Committee may extend the five minute time period by a majority vote of the Members present. Such question shall be decided without debate.
- (b) For the purpose of Council and Committee meeting agendas, delegates have until 10:00 a.m. on the Friday of the week prior to the meeting to notify the Clerk that they wish to delegate or to submit written submissions on items on the agenda.
- (c) Notwithstanding Section 4.8(a), designated representatives of senior levels of government or the County of Wellington appearing before Council or Committee shall have no time limitations placed on their delegation.
- (d) A delegate may only address Council or Committee with respect to an item on the agenda.
- (e) Delegates shall only be permitted at Council budget meetings designated for the explicit purpose of receiving budget delegations.
- (f) No delegation shall be made to Council or Committee on matters relating to litigation or potential litigation, including those matters which are before and under the jurisdiction of any court or administrative tribunals unless such matter is referred to Council by the said administrative tribunal or court.

- (g) No delegate shall speak on a matter that is not within the jurisdiction of the Council or Committee. The Mayor and Committee Chairs in consultation with the Clerk will determine if a matter is within the jurisdiction of the Committee or Council.
- (h) No delegations shall be made to notices of motion on a Council or Committee agenda. Delegates will have an opportunity to speak at a subsequent Council meeting where that item will be discussed.
- (i) No delegations shall be permitted to speak on a notice of motion to reconsider.
- (j) No delegation shall be made at Council Workshops.
- (k) A delegate may not address Council or Committee with respect to a by-law on the agenda.
- (l) Delegates shall not be permitted to appear before Council or Committee for the sole purpose of generating publicity for an event.
- (m) A delegate shall only register themselves to speak and may not register other delegates.
- (n) If a delegate is unable to attend the meeting for which they are registered, they may provide their written submission to the Clerk.
- (o) Delegates wishing to speak on a matter not the agenda:
 - i. shall provide the Clerk in writing, their request outlining the subject matter and action being requested to be taken by Council;
 - ii. the Clerk will advise the appropriate Chair and Deputy CAO of the request;
 - iii. Clerk will advise the requestor that the Chair and Deputy CAO has been made aware of request
 - iv. The requestor will be advised of actions taken by the Service Area or when the item is coming forward to Council or Committee.

4.9 Written Submissions/Petitions

- (a) Individuals may submit written correspondence on matters listed on the agenda by the timelines as specified in Section 4.8(b) for inclusion on the agenda and addendum.

- (b) Petitions shall include a statement or position that the signatories are supporting, and include legible names and shall not contain any obscene or improper matter or language.
- (c) The individual or group initiating the petition, or submitting the petition to the Clerk, must provide a key contact name, mailing address, and telephone contact information to the Clerk.
- (d) The signatory's names and personal information will be redacted from the information published in the agenda. Council or Committee will be advised of the number of signatories only.
- (e) Electronic petitions will not be accepted.

4.10 Motions and Order of Putting Questions

- (a) After a motion has been moved and seconded, it shall be deemed to be in the possession of Council or Committee. Council or Committee may consent to the withdrawal of the motion at any time before amendment or decision.
- (b) Council or Committee shall not debate any motion until it has been moved and seconded. When a motion has been seconded, it may upon request, be read or stated by the Mayor, Chair or Clerk at any time during the debate.
- (c) When a Councillor moves a main motion or an amendment to a motion that is not recorded as part of the agenda package, that Councillor shall provide a copy of the motion to the Mayor or Chair prior to the vote being taken.
- (d) Whenever the Mayor or Chair is of the opinion that an amending Motion is contrary to the main Motion, the Mayor or Chair shall apprise the Members thereof immediately. A Member of Council or Committee may appeal the ruling of the Mayor or Chair to Council or Committee. If there is no appeal, the decision of the Mayor or Chair shall be final. The Council or Committee, if appealed to, shall decide the question without debate and its decision shall be final.
- (e) A Motion in respect of a matter which is not within the jurisdiction of the Council or Committee shall not be in order. The Mayor or Chair in consultation with the Clerk will determine if the matter is within the jurisdiction of Council or Committee.
- (f) When a motion is under consideration no other motion shall be received unless it is a motion:

- i. to refer the motion to a Committee, or to Council , staff or any other person or body. Such a motion to refer:
 - a. is open to debate;
 - b. is amendable; and
 - c. shall preclude amendment or debate of the preceding motion

- ii. to amend the motion. Such a motion to amend:
 - a. is open to debate;
 - b. shall not propose a direct negative to the main motion;
 - c. shall be relevant to the main motion;
 - d. is subject to only one further amendment, and any amendment more than one must be to the main question; and
 - e. if more than one, shall be put in the reverse order to that in which they were moved, and shall be decided or withdrawn before the main question is put to the vote.

- iii. to defer the motion to another time. Such a motion to defer:
 - a. is not open to debate;
 - b. is not subject to amendment; and
 - c. applies to the main motion and any amendments thereto under debate at the time the motion to defer is made.

- iv. to adjourn the meeting notwithstanding Section 4.6.9(d). Such a motion to adjourn:
 - b. is not open to debate;
 - c. is not subject to amendment; and
 - d. shall always be in order.

- v. to call the question. Such a motion to call the question:
 - a. cannot be amended;
 - b. cannot be proposed when there is an amendment under consideration;
 - c. when resolved in the affirmative, shall be forwarded by putting the question, without debate or amendment;
 - d. when resolved in the negative, shall be followed by resumption of debate; and
 - e. shall always be in order.

- (g) Once all motions relating to the main motion have been dealt with, and once the main motion is put, there shall be no further discussion or debate and the motion shall be immediately voted on.

- (h) A motion, once put, may be voted against by the mover and seconder.

4.11 Voting at Open Meetings

- (a) When one or more motions as set out in Section 4.10 have been made, the order of the vote shall be as follows:
 - i. to defer the motion;
 - ii. to refer the motion;
 - iii. upon the amendments in the reverse order to that in which they were moved, dealing with an amendment to an amendment immediately before the amendment it proposes to amend; and
 - iv. then, upon the main motion or upon the main motion as amended, if any amendments have been carried.
- (b) Except as otherwise provided, every member of Council or Committee shall have one vote.
- (c) Any question on which there is a tie vote shall be deemed to be lost, except where otherwise provided by any Act.
- (d) A failure to vote by a Member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.
- (e) When the question under consideration contains distinct clauses and upon the request of any Member, the vote on each distinct clause, including each clause added by way of an amendment, shall be taken separately.
- (f) After a question is finally put by the Mayor or Chair, no Member shall be recognized to speak to the question, or make any other motion after the result of the vote has been declared.
- (g) Members shall distinguish their vote by voting either in favour or opposed using an electronic voting system. Should Council or Committee meet in a location where there is no electronic voting system or should the electronic voting system be inoperable, each Member must distinguish their vote by clearly calling out if they are in favour or opposed to the question when their name is called.
- (h) Unless otherwise requested by a Member, no recorded vote is required for the following privileged and incidental motions:
 - i. Adjournment

- ii. Recess
 - iii. Suspension of the Rules of Procedure
 - iv. Extend the automatic adjournment beyond 11:00 p.m.
 - v. Add an item not appearing on the agenda
 - vi. Moving in and out of a Closed Meeting
 - vii. Call the question
- (i) The Mayor or Chair shall vote on any question while in possession of the Chair, however, if the Mayor or Chair wishes to propose a Motion he or she shall step down and shall not resume the Chair until the vote is taken.

4.12 Points of Order or Privilege

4.12.1 Point of Order

- (a) A Member may raise a point of order at any time, whereupon the Mayor or Chair shall:
- i. interrupt the matter under consideration;
 - ii. ask the Member raising the point of order to state the substance of and the basis for the point of order; and,
 - iii. rule on the point of order immediately without debate by Council or Committee.
- (b) A Member of Council or Committee may appeal the ruling of the Mayor or Chair to Council or Committee which will then decide on the appeal, without debate, by way of a majority vote of the Members present. If there is no appeal, the decision of the Mayor or Chair shall be final.

4.12.2 Point of Privilege

- (a) A Member may raise a point of privilege at any time if he or she considers that their integrity, the integrity of Council or the Committee as a whole or staff has been impugned, whereupon the Mayor or Chair shall:
- i. interrupt the matter under consideration;
 - ii. ask the Member raising the point of privilege to state the substance of and the basis for the point of privilege; and,
 - iii. rule on the point of privilege immediately without debate by Council or Committee.

- (b) A Member of Council or Committee may appeal the ruling of the Mayor or Chair to Council or Committee.
- (c) If there is no appeal, the decision of the Mayor or Chair shall be final. The Council or Committee, if appealed to, shall decide the question without debate and its decision shall be final.
- (d) Where the Mayor or Chair considers that the integrity of any City employee has been impugned or questioned, the Mayor or Chair may permit staff to make a statement to Council or Committee.

4.13 Adjournment

- (a) The Council shall adjourn at 11:00 p.m. unless otherwise decided before that hour by a majority vote of the Members present. If the Council is adjourned at 11:00 p.m., before the agenda is completed, Council shall establish a time and date for consideration of the balance of the agenda.
- (b) Only one motion to extend the automatic adjournment beyond 11:00 p.m. shall be permitted per meeting, and the maximum allowable extension shall be to 11:59 p.m. which shall be decided by a two-thirds vote of the entire Council.
- (c) A motion to adjourn may be made by any Member who has been recognized by the Mayor or Chair. The motion must be moved and seconded. A motion to adjourn shall not be made during a vote on any other motion.
- (d) Notwithstanding Section 4.13(a), if a motion to extend the automatic adjournment time is required prior to the hearing of all delegates on a matter being considered at the time such motion to adjourn is made, Council or Committee shall not adjourn the meeting until all listed delegates on the matter have been heard. Once the listed delegates have been heard, Council or Committee shall deal with the matter being considered at the time the motion to adjourn was made, as well as any other time sensitive issues on the agenda identified by the Clerk.

5. Regular Meetings of Council

The rules and procedures contained in Sections 3 and 4 shall apply with necessary changes.

5.1 Location, Date and Time of Meetings

Notwithstanding Section 4.2:

5.1.1 Time of Regular Meetings

Regular Council meeting shall be held at 6:30 p.m.

5.1.2 Closed Council Meetings

When a Closed Meeting of Council is required, it shall be held no earlier than 4:30 p.m. on the day of an existing Regular Council meeting.

5.2 Order of business

The Clerk, in consultation with the Mayor and staff, shall have discretion to prepare for the use of Members, an agenda containing the following:

- Call to Order
- Singing of O Canada
- Silent Reflection
- First Nations Acknowledgement
- Closed Meeting Summary
- Disclosure of Pecuniary Interest and General Nature Thereof
- Confirmation of Minutes
- Presentations
- Committee of the Whole Consent Report
- Consent Agenda
- Items for Discussion
- Special Resolutions
- By-laws
- Announcements
- Notice of Motions
- Adjournment

5.3 Closed Meeting Summary

Following a Closed Meeting of Council or Committee, the Mayor or Chair shall disclose, in a general manner, how the agenda items were dealt with in the Closed meeting.

5.4 Confirmation of Council and Committee of the Whole Minutes

- (a) The Clerk shall present the minutes, without note or comment, of any previous Open and Closed Council or Committee Meetings to Council for adoption.

- (b) When the minutes of Committee of the Whole, or any Council Meeting, have been adopted, the Mayor and Clerk shall sign them.

5.5 Committee of the Whole Consent Report

- (a) The report from Committee of the Whole to Council, which items do not have presentations or delegations, shall be submitted to Council in the form of a Consent Report, and shall be dealt with by Council in the manner provided for as follows:
- i. The Committee of the Whole report shall be presented by the respective Chair or, in his or her absence, by the Vice Chair who shall move the adoption of their report.
 - ii. Council Members shall identify any items contained on the Committee of the Whole Consent Report, which they wish to speak to and the matter shall be extracted from the Consent Report to be dealt with separately under Items for Discussion.
 - iii. The balance of items on the Committee of the Whole Consent Report, which have not been extracted, shall be voted on in one motion.
- (b) In the event that Council adopts a motion to be referred back to staff, staff shall report back to a Regular Council meeting and not back to a Committee of the Whole meeting.
- (c) Reports from boards and commissions submitted in writing shall be signed by the Chair or Secretary. When such reports are requesting Council action, they shall include appropriate resolutions for consideration.

5.6 Consent Agenda

- (a) The Council Consent Agenda shall consist of the following items that do not have presentations or delegations:
- i. Reports from staff;
 - ii. Correspondence for the direction of Council, which may include:
 - Correspondence for which a policy decision or approval of Council is required;
 - Correspondence accompanied by a recommendation from staff;
 - iii. Items of a timely nature.
- (b) Council shall consider reports in the following order:
- i. Committee of the Whole
 - ii. Ad Hoc Committees; and

- iii. Boards and Commissions.
- (c) Council Members shall identify any items contained on the Consent Agenda which they wish to speak to and the matter shall be extracted from the Consent Agenda to be dealt with separately under Items for Discussion.
- (d) The balance of items on the Consent Agenda, which have not been extracted, shall be voted on in one motion.

5.7 Items for Discussion

- (a) Items for Discussion shall consist of the following items that have presentations and/or delegations:
 - i. Reports from staff;
 - ii. Correspondence for the direction of Council;
 - iii. Correspondence extracted from the weekly Items for Information.
- (b) In the event that Council adopts a motion to be referred back to staff, staff shall report back to a Regular Council meeting and not back to a Committee of the Whole meeting.

5.8 Reconsideration of a Council Decision

- (a) Council may reconsider an entire resolution that was decided during any term of Council. A reconsideration of a portion of a resolution shall not be permitted. Such reconsideration can either amend the previous decision or rescind it.
 - i. No question shall be reconsidered more than once during the term of Council.
 - ii. A motion to reconsider shall not be reconsidered.
- (b) A resolution that was decided by Council cannot be reconsidered if action has been taken in implementing the resolution resulting in legally binding commitments that are in place on the date the motion to reconsider is considered by Council.
- (c) If Council passes a resolution and adopts the same matter by by-law, only the resolution may be reconsidered. If the decision resulting from the reconsideration warrants, the by-law will be amended or repealed accordingly.
- (d) A motion to reconsider shall be introduced by way of a Notice of Motion to Council and considered as a Special Resolution at a

subsequent regular meeting of Council pursuant to Sections 5.11 and 5.12 of this By-law.

- i. No delegations shall be permitted to speak on a notice of motion to reconsider.
- (e) Only a Member of Council who voted with the majority in respect of a previous decision or who was absent from the vote or was not a member of Council at the time may move or second a motion for reconsideration.
- (f) A motion to reconsider must be carried in the affirmative by a vote of two-thirds of the entire Council.
- (g) If a motion to reconsider is decided in the affirmative:
 - i. reconsideration of the original motion shall become the next order of business unless the motion specifies a future definite date.
 - ii. the reconsideration effectively returns Council to just prior to the original Council decision.

5.9 By-laws

- (a) The Clerk shall submit to Council a summary of all By-laws proposed for adoption that includes the By-law numbers and titles.
- (b) A complete copy of every proposed By-law shall be brought to the Council Meeting and be available to any person interested in reviewing.
- (c) Unless otherwise requested, all By-laws proposed for adoption shall be passed in one single motion.
- (d) The Clerk shall be responsible for their correctness should they be amended at a Council Meeting.
- (e) Every By-law passed by Council shall:
 - i. be signed by the Mayor, or the presiding officer;
 - ii. be signed by the Clerk or designate;
 - iii. be sealed with the City seal; and,
 - iv. indicate the date of passage.
- (f) Council shall enact a By-law to confirm all actions taken by Council.

5.10 Announcements

Council meeting announcements shall be provided to the Mayor in writing prior to the Council Meeting, and the Mayor shall read the announcements at the end of the Council Meeting.

5.11 Notices of Motion

- (a) At a Regular Council, Council Planning or Committee of the Whole meeting, a Member shall give notice that he or she intends to introduce a motion at a subsequent meeting of Council to initiate any measure within the jurisdiction of Council.
- (b) The notice of motion shall be submitted in writing, on the prescribed form, to the Clerk prior to the regular agenda deadline for inclusion on any Regular Council, Council Planning or Committee meeting agenda.
- (c) The motion may not be submitted as part of an addendum to an agenda.
- (d) A motion for which notice has been given, other than one to reconsider or rescind a prior decision of Council, shall be in the form of a referral to Committee of the Whole.
- (e) The motion for which notice has been given, shall be included as a Special Resolution on an agenda of a Regular Council Meeting.
- (f) If a motion is introduced and not brought forward in the next two (2) subsequent meetings of a Regular Council meeting, the motion expires.
- (g) No delegations shall be permitted to speak on a notice of motion.

5.12 Special Resolutions Arising from Notice of Motion

- (a) Motions for which notice has been given shall be listed on the next Regular Council agenda, unless the Member introducing the motion has specified another Regular Council meeting date as per Section 5.11(a), under the Special Resolutions section of the agenda. Special Resolutions for which previous notice has been given shall not be placed on any addendum agenda.
- (b) In introducing a Special Resolution to Council, a Member shall be permitted the opportunity of providing material and information in support of the resolution for the benefit of Council.

5.13 Special Resolutions Arising from Closed Meeting

- (a) Where Council has passed a procedural resolution at a Closed Meeting to report out at a public Meeting, such resolution shall be introduced under the Special Resolution heading of the agenda pursuant to Section 4.6.7 (a) (ii) of this By-law.
- (b) Council or staff may provide contextual information prior to Council's consideration of the Special Resolution.

6. Council Planning Meetings

The rules and procedures contained in Sections 3, 4 and 5 shall apply with necessary changes.

Council Planning shall consider matters where a public meeting is required to hear applications under the *Planning Act*.

6.1 Public Notice of Meetings

Notwithstanding Sections 4.1 staff shall give legislated notice of items on any agenda, in accordance with the applicable legislation.

6.2 Location, Date and Time of Meetings

Notwithstanding Section 4.2:

6.2.1 Time of Meetings

Council Planning Meeting shall be held at 6:30 p.m.

6.2.3 Closed Council Meetings

When a Closed Meeting of Council is required, it shall be held no earlier than 4:30 p.m. on the day of an existing Council Planning meeting.

6.3 Order of Business

The Clerk, in consultation with the Mayor and staff, shall have discretion to prepare for the use of Members, an agenda containing the following:

- Call to Order
- Singing of O Canada
- Silent Reflection
- First Nations Acknowledgement
- Closed Meeting Summary

- Presentations
- Disclosure of Pecuniary Interest and General Nature Thereof
- Setting of the Consent Agenda
- Public Meetings Pursuant to *The Planning Act*
- Items for Discussion
- Special Resolutions
- By-laws
- Announcements
- Notice of Motions
- Adjournment

6.4 Delegations

- (a) Notwithstanding Section 4.8(a) of this By-law, the time limitation for delegations speaking at a public meeting to hear applications under the *Planning Act*, shall not exceed ten minutes. Council may extend the ten minute time period by a majority vote of the Council Members present without debate.
- (b) Council may ask questions of staff after the staff presentation and prior to the delegates addressing Council
- (c) Once all registered delegates have spoken, the Mayor or Chair shall ask if anyone present wishes to speak. Such individuals shall be permitted to speak without advance notice pursuant the *Planning Act* and as per Section 6.4(a).

6.5 Council Planning Consent Agenda

The rules and procedures contained in Section 5.6 shall apply with the exception of Section 5.6 (b).

7. Committee of the Whole Meetings

The rules and procedures contained in Section 3, 4 and 5 shall apply with necessary changes.

Notwithstanding Section 4.2:

7.1 Location, Date and Time of Meetings

7.7.1 Time of Meetings

Committee of the Whole meeting shall be held at 2:00 p.m.

7.1.2 Closed Meetings

When a Closed Meeting of Committee is required, it shall be held no earlier than 12:30 p.m. on the day of an existing scheduled Committee of the Whole meeting.

7.2 Chairing

- (a) Chairs will chair the portion of the Committee meeting where business is forwarded from their respective Service Areas or portfolios.
- (b) Chairs will remain in their existing seats when chairing their portion of the meeting.

7.3 Service Area Reporting

Service Areas will report to Committee on their designated month.

7.4 Order of Business

The Clerk, in consultation with the Chairs, Mayor and staff, shall have discretion to prepare for the use of Members, an agenda containing the following:

- Closed Meeting Summary
- Disclosure of Pecuniary Interest and General Nature Thereof
- Presentations
- Consent Agenda (rotating basis based on Service Area reporting)
- Items for Discussion (rotating basis based on Service Area reporting)
- Chairs and Staff Announcements
- Notice of Motions
- Adjournment

7.5 Committee of the Whole Consent Agenda

- (a) Committee of the Whole shall use a Consent Agenda which shall consist of the following items that do not have presentations or delegations:
 - i. Reports from staff from the designated Service Areas;
 - ii. Correspondence for the direction for which a policy decision or approval is required;
 - iii. Correspondence accompanied by a recommendation from staff

- (b) A member of Council may request that a matter appearing on the Weekly Information Items to Council, be listed on the appropriate Committee of the Whole Consent agenda for discussion or consideration.
- (c) Reports from boards and committees submitted in writing shall be signed by the Chair or Secretary. When such reports are requesting Council action, they shall include appropriate resolutions for consideration.
- (d) Those matters which are time sensitive may be included on the Consent Agenda as approved by the CAO and appropriate Deputy CAO.
- (e) Council Members shall identify any items contained on the Committee of the Whole Consent Agenda which they wish to speak to and the matter shall be extracted from the Consent Agenda to be dealt with separately under Items for Discussion.
- (f) The balance of items on the Committee of the Whole Consent Agenda, which have not been extracted, shall be voted on in one motion.

7.6 Announcements

Service Area updates may be made by the Mayor, Chair, CAO, Deputy CAO's or their designates; and Service Area announcements provided to Chairs prior to the meeting, shall be read by the Chair at the end of the Committee meeting.

8. Special Council Meetings

The rules and procedures contained in Sections 4 and 5 shall apply with necessary changes.

8.1 Calling of Special Council Meetings

- (a) The Mayor may at any time summon a special Meeting of Council within 48 hours. The Mayor shall also summon a special Meeting of Council when so requested in writing by a majority of Members of Council.
- (b) Upon receipt of a written petition of the majority of the Members of the Council, the Clerk shall summon a special Meeting for the purpose mentioned in the petition.

- (c) Upon the calling of a special meeting the Clerk shall give notice to all Members, not less than 48 hours prior to the time fixed for the meeting of the:
 - time
 - place
 - business to be considered
- (d) On emergency or extraordinary occasions, the Mayor may call a special Council Meeting without the notice provided in Section 8.1(a).
- (e) Only items disclosed on the meeting notice, may be considered by Council. Items will not be added to the special Meeting on an addendum.

8.2 Workshops

8.2.1 Location, Date and Time of Meeting

Council Workshops shall be held no earlier than 6 p.m.

8.2.3 Purpose

Workshops are to receive information only and no decisions will be made.

8.2.4 Delegations

Delegations will not be heard at Council Workshops.

9. Inaugural Council Meeting

- (a) The first meeting of Council following a regular election shall be held on the first Monday in December at 6:30 p.m. in the Council Chambers of City Hall or at such alternate location as determined by the Clerk.
- (b) At the inaugural Meeting, each member present shall make his or her declaration of office and sign Council's Code of Conduct, and Council shall not proceed with any regular business at this Meeting.

10. Council Meeting as Shareholder

- (a) Council meets as the Shareholder of the following Corporations:
 - i. Guelph Municipal Holdings Incorporated (GMHI)
 - ii. Guelph Junction Railway Company

- (b) Shareholder meetings shall be held as special meetings on separate dates, unless otherwise directed by the Mayor and/or CAO.

11. Committees

11.1 Striking Committee

- (a) Council as a whole shall appoint Chairs for Committee of the Whole. Council shall consider rotating the Chairs position every two years. In appointing the Chairs, consideration shall be given to workload balance, individual interests and Councillor development.
- (b) Council as a whole shall appoint Vice Chairs for Committee of the Whole. Council shall consider rotating the Vice Chairs every two years. In appointing a Vice Chair, consideration shall be given to workload balance, individual interests and Councillor development
- (c) Council shall meet as a Striking Committee for the purpose of making Councillor and/or citizen appointments to Agencies, Boards, Committees and Commissions.

11.2 Committees Reporting Directly to Council

The following Committees are appointed by and report directly to Council:

- (a) Ad Hoc Standing Committee
 - i. Emergency Governance
- (b) Quasi-Judicial Committees
 - i. Business Licence Appeals Committee
- (c) Elliott Board of Management

11.3 Committee Composition

The Mayor is ex-officio on all Committees and:

- i. may attend meetings
- ii. attendance does not count towards quorum
- iii. may participate in meetings

11.3.1 Emergency Governance Committee

The Emergency Governance Committee shall be comprised of a minimum of four (4) and a maximum of six (6) Members of Council and quorum shall be four (4) Members.

11.3.2 Elliott Board of Management

The Elliott Board of Management shall be composed of 5 Members of Council, appointed for the term of Council.

11.3.3 Business Licence Appeals Committee

The Business Licence Appeals Committee shall be composed of 5 members of Council appointed for the term of Council to hear appeals under the Business Licence By-law.

11.4 Ad Hoc Committees and Advisory Committees

11.4.1 Ad Hoc Committees

- (a) Council may appoint Ad Hoc Committees, with a defined ending, to consider a specific matter and report to Council.
- (b) Only the Members of an Ad Hoc Committee shall participate in, debate or ask questions at Ad Hoc Committee meetings.

11.4.2 Advisory Committees

- (a) Advisory Committees are created by Council with no defined ending, to report through the appropriate Service Area on a specific subject matter.
- (b) No Members of Council shall be appointed to Advisory Committees.
- (c) The appointment of a citizen member to an Ad Hoc Committee or Advisory Committee may be forfeited if the citizen is absent from meetings of the Committee for three (3) consecutive months without being authorized to do so by a resolution of the Committee entered upon its minutes.

12. Report Deadlines and Weekly Information Items

12.1 Report Deadlines

Reports, presentations and other agenda materials are due to the City Clerk's Office on the dates and times set out in the Council and Committee Report Deadlines schedule prepared following the adoption of the Council and Committee meeting dates.

12.2 Weekly Information Items

- (a) Weekly Information Items shall consist of the following items:
 - i. Reports from staff for information;
 - ii. Correspondence received that may be of interest to Members of Council;
 - iii. Boards & Committees minutes and information;
 - iv. Intergovernmental Consultations
 - v. Items available in the Clerk's office
- (b) Weekly Information Items will be published and distributed weekly on Fridays.
- (c) Members of Council may request an item from the Weekly Information Items be placed on the appropriate Committee of the Whole or Council agenda for discussion.

13. General Rules

13.1 Robert's Rules of Order

- 13.1.1 In relation to the proceedings of Council and Committees and for which Rules of Procedure have not been provided in this By-law, Roberts Rules of Order 11th Edition shall be referenced where practicable.

13.2 Other General Information

- 13.2.1 This By-law comes into force on July 19, 2016.
- 13.2.2 The short title of this By-law is the Procedural By-law.
- 13.2.3 Appendix 1, the "Motions Table", forms part of this By-law and shall be used as a reference.

14. Procedural By-laws for Other Boards, Committees or Commissions

Where a board, committee or commission of the City has not adopted a procedural by-law, such board, committee or commission shall be deemed to have adopted this Procedural By-law with necessary modifications including the requirement that all meetings be open to the public, subject to the same exceptions applicable to Council Meetings as set out herein.

15. Repeal of Previous By-law

By-law Number (2015)-19938 is hereby repealed.

PASSED this NINETEENTH day of JULY, 2016.



Cam Guthrie – Mayor



Stephen O'Brien – City Clerk

**By-law (2016) – 20087
Appendix 1**

Motions Table

Motion	Debatable	Non-Debatable	Amendable	Non-Amendable	Majority Vote	Special Majority
adjourn		X		X		
point of privilege		X		X		Chair Rules*
point of order		X		X		Chair Rules*
call the question		X		X	X	
motion to amend	X		X		X	
defer		X		X		
refer	X		X			
extend meeting beyond 11:00 p.m.	X			X	X	majority of the Members present
extend meeting beyond 11:59 p.m.	X		X			2/3 of entire Members of Council (9)
reconsideration	X			X		2/3 of entire Members of Council (9)
appeal the Chair's ruling		X		X		
suspend the rules of procedure		X		X		2/3 of entire Members of Council (9)

**A point of order/privilege is ruled on by the Mayor/Chair. Any Member may appeal the Chair's ruling which must then be decided by a majority vote of the Members present without debate.*