

THE CORPORATION OF THE TOWN OF AJAX

BY-LAW NUMBER 10-2019

Being a by-law to govern the proceedings of Council and Standing Committees of Council

WHEREAS Section 238 (2) of the Municipal Act, 2001 as amended requires Council to pass a procedure by-law governing the calling, place and proceedings of meetings;

NOW THEREFORE the Council of the Corporation of the Town of Ajax hereby enacts as follows:

1. That "Appendix A" to this By-law be approved as the rules and procedures governing the proceedings of Council & Standing Committees.
2. That, for the purposes of compliance with Section 270 of the Municipal Act, 2001, the Town of Ajax Public Notice Policy within the Town's Quality Management System shall constitute the Town's policy for the circumstances in which the municipality shall provide notice to the public and, if notice is to be provided, the form, manner and times notice shall be given.
3. The short title of this By-Law is the "Procedural By-Law," "Procedure By-law" or the "Rules of Procedure".
4. By-law 67-2017 shall be repealed upon this by-law coming into force and effect.
5. This By-law shall come into force and take effect immediately upon final passing.

READ a first and second time this
Twenty-fifth day of February, 2019

READ a third time and passed this
Twenty-fifth day of February, 2019

Mayor

D-Clerk

Appendix 'A' – Rules & Procedures Governing Council & Standing Committee Meetings

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1. Definitions

In this Procedure By-law,

- 1.1. "The Act" means the Municipal Act, 2001 S.O. 2001 c.25 as amended;
- 1.2. "Advisory Committee" means an ongoing Committee implemented by Council by way of by-law and comprised of residents, experts, Councillors and/or Staff;
- 1.3. "Alternate Member" means a Member appointed by Council to temporarily serve on the Upper Tier Council as set out in Section 5.9 of this by-law;
- 1.4. "Chief Administrative Officer" or "CAO" means the Chief Administrative Officer of the Town of Ajax, or their designate;
- 1.5. "Clerk" means the Clerk of the Town of Ajax, or their designate;
- 1.6. "Committee" means any subcommittee of Council or similar entity; typically refers to General Government Committee or Community Affairs and Planning Committee;
- 1.7. "Committee Report" means a report of all actions taken by a Committee with respect to a particular agenda;
- 1.8. "Council" means the Council of the Town of Ajax;
- 1.9. "Chair" means the Chair of a Committee or Council who presides over a meeting;
- 1.10. "Closed Session" means a meeting, or portion thereof, closed to the public, and has the same meaning as "in-camera";
- 1.11. "Community Affairs and Planning Committee" or "CAP" means a Standing Committee of Council comprised of all members of Council;
- 1.12. "Confirming by-law" means a by-law passed for the purpose of giving general effect to a previous decision or proceeding of Council;
- 1.13. "Consent Agenda" means the portion of an agenda that may be approved by a single motion, without debate;
- 1.14. "Day" includes any day in a calendar year, including weekends and holidays;
- 1.15. "Department Head" means a Town employee who is the head of a department of the Town;
- 1.16. "Deputy Mayor" means the member appointed to act from time to time in place and stead of the Mayor;
- 1.17. "Friendly Amendment" means the motion under debate is amended with the consent of the mover and seconder, and without the requirement for an amending motion to be made;
- 1.18. "General Government Committee" or "GGC" means a Standing Committee of Council comprised of all members of Council;
- 1.19. "In-Camera" means a meeting, or portion thereof, closed to the public, and has the same meaning as "closed session";
- 1.20. "Integrity Commissioner" means the individual appointed by the municipality who reports to Council and who is responsible for performing in an independent manner the functions assigned by the municipality with respect to the Codes of Conduct, the *Municipal Conflict of Interest Act*, and the application of any procedures, rules and policies of the municipality and local boards governing the ethical behaviour of members of council and of local boards;
- 1.21. "Main Motion" means any motion which brings business before Council and/or Committee. Main motions yield to all secondary motions;

- 1.22. "Majority" means more than half, or;
 - If 7 members present: 4
 - If 6 members present: 4
 - If 5 members present: 3
 - If 4 members present: 3
- 1.23. "Mayor" means the Mayor as the Head of Council, or in the absence of the Mayor, the Deputy Mayor, or in the absence of both, another Member of Council appointed to preside over a Meeting;
- 1.24. "Majority vote" means an affirmative vote by the majority of members present and voting at a Meeting;
- 1.25. "Member" means a member of Council or a Standing Committee;
- 1.26. "Meeting" means any regular, special, or other meeting of Council or a Standing Committee where a quorum of members is present and members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council or Standing Committee;
- 1.27. "Pecuniary Interest" has the same meaning as the term has in the *Municipal Conflict of Interest Act*, R.S.O. 1990 c. M. 50 (the "MCIA"), as amended or replaced from time to time;
- 1.28. "Petition" means a formal written request that appeals to Council with respect to a particular issue as set out in Sections 5.39 to 5.42 of this by-law;
- 1.29. "Point of Order" means a motion drawing attention to an infraction of this Procedure By-law;
- 1.30. "Quorum" means the number of Members required for the legal conduct of the business of Council or a Committee;
- 1.31. "Recorded Vote" means the taking of a written record of the name and the vote of each member who votes on a question;
- 1.32. "Rules of Procedure" means the rules and regulations governing the calling, place, proceedings of a Meeting as provided for in this by-law. The Rules of Procedure may also be referred to as the "Procedural By-law";
- 1.33. "Secondary Motion" means any privileged, incidental, or subsidiary motion concerning the manner or time of consideration of any matter before Council/Committee as opposed to the substance thereof;
- 1.34. "Standing Committee" means any subcommittee of Council or similar entity; typically refers to General Government Committee or Community Affairs and Planning Committee;
- 1.35. "Substantive Reports" means a report, either verbal or written whereby Staff are required to gather data/information and perform an analysis of such data/information in order to draw a conclusion and possible action based on the analysis;
- 1.36. "To Adjourn" means to end a meeting;
- 1.37. "To Amend" means to alter a motion in a germane manner;
- 1.38. "To Call the Vote" means to stop debate and immediately proceed to vote on the motion;
- 1.39. "To Defer" means to postpone all discussion on a matter until a future date or time, one which is established as part of the motion;
- 1.40. "To Receive" means to acknowledge the receipt of a matter before Council or a Standing Committee, with no expectation of any future action being taken;
- 1.41. "To Recess" means to suspend a Meeting for a specified length of time;

- 1.42. “To Refer” means to direct a matter under discussion by Council or a Standing Committee to Staff or another Committee for further consideration or review;
- 1.43. “To Table” means to postpone a matter without setting a definite date for future discussion of a matter;
- 1.44. “Town” or “Municipality” means The Corporation of the Town of Ajax;
- 1.45. “Two Thirds of the Members Present” means two-thirds of the Members in attendance at a Meeting, and not disqualified from voting on a particular matter. Calculation of two thirds is accomplished by dividing the number of Members present by three and multiplying by two. Two thirds...
 - in respect of seven Members shall be five;
 - in respect of six Members shall be four;
 - in respect of five Members shall be four; and
 - in respect of four Members shall be three.
- 1.46. “Upper Tier Council” means the Council of the Regional Municipality of Durham.

2. Application / Suspending the Rules

- 2.1. The Rules of Procedure contained in this by-law shall be observed in all proceedings of Council and Standing Committees, and shall be the rules and regulations for the order and dispatch of business.
- 2.2. The rules and regulations herein may be suspended by a two-thirds majority vote of the Members present unless otherwise provided for in any Act, and with the following exceptions:
 - 2.2.1. Provisions for quorum;
 - 2.2.2. Provisions for unanimous consent from Members in order to add an unscheduled item to a Special meeting agenda, and restriction from adding items to an Emergency Meeting agenda; and
 - 2.2.3. Provisions for Open Meetings.
- 2.3. In any case for which provision is not made herein, the procedure to be followed shall be determined by a majority vote of the Members present.

3. Principles of the Procedure By-law

- 3.1. The principles of openness, transparency, and accountability to the public guide the Town’s decision making process. In the context of Council and other Committee proceedings, this is accomplished by:
 - 3.1.1. Ensuring the decision-making process is understood by the public and other stakeholders;
 - 3.1.2. Providing access to information and opportunities for input by the public and other stakeholders consistent with the requirements of this by-law and other statutory requirements; and
 - 3.1.3. Exercising and respecting individual and collective roles and responsibilities provided for in this Procedure By-law and other statutory requirements.
- 3.2. The following principles govern Council and Committee meetings:
 - 3.2.1. The majority of Members have the right to decide;
 - 3.2.2. The minority of Members have the right to be heard;
 - 3.2.3. All Members have the right to information to help make decisions, unless otherwise prevented by law;
 - 3.2.4. All Members have a right to an efficient meeting;
 - 3.2.5. All Members have the right to be treated with respect and courtesy, and;
 - 3.2.6. All Members have equal rights, privileges and obligations.

4. Duties

Council

- 4.1. The primary objective of Council shall be to practice and demonstrate excellence in local governance. All business addressed at Council shall be acted upon by the Members as to how that business addresses or corresponds to the public interest.
- 4.2. Members shall come prepared to every Meeting by having read all the material supplied, including agendas and Staff reports, to facilitate discussion and determination of any necessary actions.
- 4.3. Members shall:
 - 4.3.1. Vote on all motions put to a vote;
 - 4.3.2. Respect the Rules of Procedure in this by-law and comply with the Chair's rulings;
 - 4.3.3. Comply with the Ajax Council Code of Conduct; and
 - 4.3.4. Respect the confidentiality of matters discussed in Closed Session meetings and not disclose the subject or substance of these discussions unless authorized to do so.

Mayor/Standing Committee Chair

- 4.4. The Mayor/Chair shall serve as the presiding officer for the Meeting, announce the business before Council/Committee and its order, and rule on procedural matters.
- 4.5. The Mayor/Chair shall recognize Members who wish to speak, and determine the order in which they are allowed to speak.
- 4.6. The Mayor/Chair shall receive and submit, in the proper manner, all motions presented by the Members and to put to a vote all questions, which are duly moved, and to announce the results of all such votes.
- 4.7. The Mayor/Chair may speak and/or vote on any question, but if they wish to make a motion, they shall first leave the Chair by designating another Member to act in their stead until they resume the Chair.
- 4.8. The Mayor/Chair shall enforce, as necessary, the observance of order and decorum among Members, delegates, and visitors, and shall have the right to expel any person for improper conduct or disruption of the Meeting.

Clerk

- 4.9. The Clerk shall attend or cause a designate to attend all Meetings of Council and Standing Committees to take minutes and/or keep a record of all proceedings.
- 4.10. The Clerk shall ensure that Standing Committee Reports are put forward in such a way that the decisions contained therein can be considered by Council.
- 4.11. The Clerk shall be responsible for the management and coordination of Meeting agendas and related resolutions, by-laws, correspondence and records, and allow for public access to the same in accordance with the *Act*, the *Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990 c. M. 56*, and other pertinent legislation.
- 4.12. The Clerk, when requested, shall provide advice on matters of procedure.

Chief Administrative Officer (CAO)

- 4.13. The CAO shall assist Council in discharging its responsibilities and, in an objective manner, aid Members in such a way that they are able to carry out their duties.
- 4.14. The CAO shall review, or cause to be reviewed, all substantive reports and recommendations prior to their submission to Council or Standing Committee, to ensure that they accurately reflect the goals and objectives of the Town.

- 4.15. The CAO shall attend all Council Meetings, and when invited or when deemed necessary to do so, shall attend or cause a designate to attend Standing Committee Meetings.

Department Heads

- 4.16. Department Heads shall assist the CAO in the discharge of their duties and in the development of strategies for the implementation of the policies of Council.
- 4.17. Department Heads shall review all reports and recommendations originating from their departments to ensure accuracy and propriety.
- 4.18. Department Heads shall attend or cause a designate to attend all Council Meetings, and when invited or when deemed necessary to do so, shall attend or cause a designate to attend Standing Committee Meetings.
- 4.19. Department Heads shall be encouraged to provide Council/Standing Committee their professional opinion with respect to the effectiveness of particular Council policies or programs and to identify any possible improvements thereto, but shall avoid becoming involved in Council's policymaking role.

Meeting Attendees

- 4.20. No persons, other than Council Members and Town Staff, are permitted to approach the area where Council and Staff are seated unless invited by the Chair to do so.
- 4.21. Attendees shall submit all materials for Council or Standing Committees through the Clerk.
- 4.22. Attendees shall maintain order and not heckle or engage in conversations, display placards or props, or engage in any behavior that may be considered disruptive.
- 4.23. Attendees shall ensure that all personal digital devices are turned off or set to a silent mode during a Meeting.
- 4.24. Attendees may use cameras and/or recording, broadcasting or streaming devices respectfully during any Council or Standing Committee Meeting that is open to the public, but shall cease to use the device if directed to do so by the Chair.

5. General Rules

Appointment of Deputy Mayor

- 5.1. Council shall, by way of by-law or resolution, appoint a Member of the Council to act from time to time in the place of the Mayor when the Mayor is absent from the municipality or absent through illness, and while so acting, such Member has and may exercise all the rights, powers, and authority of the Mayor.
- 5.2. Council may, by way of resolution or by-law and with the consent of the Mayor, appoint a Member to act in the place of the Mayor on any board, commission, or other body of which the Mayor is a member by virtue of office under any Act.

Quorum

- 5.3. A quorum of Council or a Standing Committee shall be more than 50% of the Members of Council/the Committee.
- 5.4. If a quorum is not present within fifteen minutes after the time appointed for a Meeting, the 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 the provisions of this by-law.
- 5.5. Where there is an insufficient number of voting Members to constitute a quorum due to a provision of the *Municipal Conflict of Interest Act*, the remaining Members of Council constitute quorum provided that such number is not less than two (2).

- 5.6. Members are encouraged to notify the Clerk in advance of the Meeting when the Member is aware that he/she will be absent from any Meeting of Council or a Standing Committee.

Electronic Participation at Meetings

- 5.7. Members are permitted to participate in a Meeting remotely via electronic means (e.g. video or audio teleconference), and such Members shall have all the same rights and responsibilities as if they were in physical attendance.
- 5.8. A Member who is participating electronically in a meeting shall be counted in determining whether or not a quorum of members is present at any point in time, and may participate electronically in any portion of a meeting that is closed to the public.

Appointment of Alternate Member to Upper Tier Council

- 5.9. Council may appoint one of its Members as an Alternate Member of the Upper Tier Council to act in place of any Regional Councillor when they are unable to attend a meeting of the Upper Tier Council for any reason, subject to the following limitations:
- 5.9.1. No more than one Alternate Member may be appointed during the term of Council;
 - 5.9.2. Notwithstanding Section 5.9.1, if the seat of the appointed Alternate Member becomes vacant, Council may appoint another of its members as an Alternate Member for the remainder of the term of Council;
 - 5.9.3. Council may not appoint an alternate for the Alternate Member; and
 - 5.9.4. When acting in their capacity as an Alternate Member on the Upper Tier Council, the Alternate Member shall adhere to all policies, procedures, practices, and codes of conduct established by the Upper Tier Council.

Closed Session Meetings / Openness and Transparency

- 5.10. All proceedings of Council and Standing Committees shall be open to the public, except where a matter meets one or more of the criteria listed in Section 239(2) and 239(3.1) of the *Act*. In such a case, Council may choose to consider the matter in a Closed Session meeting, but is not required to do so.
- 5.11. A Meeting shall be closed if the subject matter being considered is a request under the *Municipal Freedom of Information and Protection of Privacy Act* if Council is the head of the institution for the purposes of that Act, or if the Meeting is regarding an ongoing Ombudsman investigation respecting the municipality, a local board or a municipally-controlled corporation.
- 5.12. Before holding a Meeting or part of a Meeting that is to be closed to the public, Council or the Standing Committee must state by resolution the fact of the holding of a Closed Session, the general nature of the matter to be considered at the Closed Session, and the Municipal Act provision that permits the item to be considered in Closed Session.
- 5.13. The Clerk shall advise the Chair if, in their opinion, the issue (or portion thereof) being discussed at a Closed Session is not appropriate in accordance with the terms of the Act and in accordance with the provisions of this by-law.
- 5.14. Voting shall not be permitted in a Closed Session except when 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.
- 5.15. Where appropriate and where it does not conflict with the best interests of the municipality, Council/Committee shall rise and report any decisions made in a Closed Session under section 5.14, immediately upon reconvening in Open Session.
- 5.16. When appropriate, Staff shall be encouraged to prepare an "open" report to supplement the Closed Session report, which shall contain non-confidential information on the matter that is to be discussed in the Closed Session.

- 5.17. The Clerk shall maintain an annual log of all reports and resolutions considered in Closed Sessions and, on a regular basis, shall conduct a review of the items with the CAO and Department Heads to determine which items are no longer sensitive and/or confidential. The Clerk shall prepare an annual report of all Closed Session items approved for public release, and shall post the report on the Town website. The Town Clerk is authorized by Council to approve the release of Closed Session items identified for release, and these items shall qualify for 'routine disclosure' under the Town's freedom of information practices.

Disclosure of Pecuniary Interest

- 5.18. All Members shall govern themselves at any Meeting in accordance with the *MCIA* respecting any disclosure of pecuniary interest. It is the responsibility of the Member to identify and disclose any pecuniary interest.
- 5.19. Prior to any consideration of a matter in which a member has a pecuniary interest, the Member shall disclose the pecuniary interest including the general nature thereof, and shall not take part in the discussion of or vote on any question in respect to the matter, and shall not attempt in any way, whether before, during or after the Meeting, to influence the voting on any such question.
- 5.20. Where the Meeting is not open to the public, in addition to declaring the conflict, the Member shall immediately leave the Meeting or the part of the Meeting during which the matter is under consideration.
- 5.21. Where a Member is absent from a Meeting which includes a matter on which they have a pecuniary interest, the Member shall disclose this interest at the next Meeting they attend.
- 5.22. The disclosure of pecuniary interest shall be recorded in the minutes of the Meeting, and where the Meeting was open to the public, the general nature of such disclosure.
- 5.23. At a meeting at which a member discloses a pecuniary interest or as soon as possible afterwards, the Member shall file a written statement of the interest and its general nature with the Town Clerk.
- 5.24. The Town Clerk shall establish and maintain a registry in which shall be kept a copy of each statement of pecuniary interest filed and a copy of each declaration recorded in the minutes of a meeting, and the registry shall be made available for public inspection.

Delegations at Council & Standing Committees

- 5.25. 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, to the Clerk no later than noon ten days prior to the Meeting.
- 5.26. The Town Clerk, in consultation with the Mayor, may decline to grant a request for delegation if it is apparent that the subject matter of the delegation is not suitable for discussion at a meeting of Council. Individuals wishing to appear as a delegation may be encouraged by a Member or a Staff person to consider resolving an issue or concern with Staff in lieu of, or prior to, submitting a request for delegation.
- 5.27. Notwithstanding Section 5.25, a person wishing to present information is not required to give written notice nor be listed on the agenda with respect to a matter before the Community Affairs and Planning Committee for which the public has been invited to make comment, or has been given notice of the Meeting under the *Planning Act* R.S.O. 1990 c. P. 13 (the "Planning Act") or any other legislation or regulation, as required.
- 5.28. Notwithstanding Section 5.25, no person shall be permitted to speak to Council requesting consideration of a matter that is before the Community Affairs and Planning Committee for a zoning by-law amendment, official plan amendment or any other matter requiring a public meeting under the *Planning Act*, or any other legislation or regulation prior to the date of the scheduled statutory public meeting. Also, no person shall be permitted to speak to Council on a matter that has been

the subject of a public meeting at a Standing Committee and where Council has not yet decided the matter.

- 5.29. Delegations shall be permitted to speak on a matter only once and be limited to speak for no more than five minutes for individual delegations, or ten minutes for group delegations. Where there are numerous delegates taking the same position on a matter, they are encouraged to select a spokesperson to present their views. Delegations are encouraged not to repeat information presented by an earlier delegation.
- 5.30. Members shall be permitted to ask questions of delegates but shall not enter into debate with such persons.
- 5.31. Delegations will typically be heard prior to presentations.

Presentations

- 5.32. From time to time, Town Staff and certain persons from partner organizations, other government bodies, and dignitaries, may be granted presentation status from the Clerk in order to inform Members of matters of considerable significance to the Town.
- 5.33. Persons must request and be granted presentation status from the Clerk by noon ten days prior to the Council or Committee Meeting.
- 5.34. Presenters will typically be granted ten minutes for their presentation, and may be granted additional time at the discretion of Council or the Committee.
- 5.35. Where possible, presentations from outside individuals or groups will be heard prior to presentations from Town Staff.

Conduct of Delegates & Presenters

- 5.36. Persons presenting to Council or a Standing Committee shall not:
 - 5.36.1. Speak disrespectfully of any person;
 - 5.36.2. Use offensive words;
 - 5.36.3. Speak on any subject other than the subject for which they have received approval to address Council/Committee;
 - 5.36.4. Disobey the decision of the Mayor/Chair or Council/Committee;
 - 5.36.5. Enter into cross-debate with other delegates/presenters, Town Staff, Members, or the Chair.
- 5.37. The Mayor/Chair, with the assistance of the Clerk, shall determine a logical and fair speaking order for the presenter(s). The decision of the Mayor/Chair under this section is final.
- 5.38. Delegates/presenters will not be permitted to assume any unused time allocated to another delegation or presentation.

Petitions

- 5.39. Petitions submitted to Council must contain a concise, clearly worded and respectful request that Council take, or refrain from taking, some action in response to an alleged grievance, issue, or matter of Town policy. Petitions without such a request (i.e. documents consisting solely of statements of opinion or statements of grievance) cannot be accepted as petitions. The action sought must fall within Council's jurisdiction and cannot pertain to the jurisdiction of the Upper Tier Council or the provincial or federal government.
- 5.40. All petitions shall include at minimum the full name and physical address of all signatories. When a petition consists of more than one page, each succeeding page is to contain a statement of the subject matter of the petition to ensure that signatories are fully aware of the nature of the petition.
- 5.41. The Clerk shall determine whether a petition submitted to Council is valid. A petition shall be deemed to be valid if it substantially complies with Sections 5.39 and 5.40 of this by-law, and if in the opinion of the Clerk any deficiencies noted do

not substantially detract from the integrity of the petition. A petition not deemed valid by the Clerk shall be referred back to the submitter with an explanation as to why the petition is not valid. Petitioners may re-submit petitions in a valid form if they so choose.

- 5.42. When a submitted petition is deemed valid, the Town Clerk shall circulate the petition in its entirety to Council, the Chief Administrative Officer, and relevant Department Head(s). As soon as practicable, valid petitions shall be included on the Council Agenda as an item of Correspondence with a recommendation either to receive for information or a referral back to staff for further review and recommendations. The Clerk shall notify the petitioner(s) when the petition will be included on a Council Meeting agenda. Staff may submit accompanying correspondence to Council regarding the petition and the recommendation as needed.

Administrative Corrections to Official Records

- 5.43. The Clerk is authorized to make administrative corrections to official records of Council business, including agendas, minutes, and by-laws, and in such cases the Clerk shall document any corrections made to ensure their conformity with the direction provided by Council and any relevant governing legislation, as the case may be.

6. Council

Inaugural Meeting

- 6.1. Following a regular municipal election, the inaugural Meeting shall be held no later than 31 days after the new term of office commences, on such a date, at such time and place as chosen by the Mayor-elect in consultation with the Clerk.

Regular Meetings

- 6.2. All regular Meetings of Council shall be held at Town Hall, 65 Harwood Avenue S, in the Council Chambers, on the third Monday of each month, starting at 7:00 p.m. in the evening unless such a day is a public or civic holiday in which case the Council shall meet at the same hour on the following day. No regular Meetings of Council will be scheduled for the month of August.
- 6.3. Where the Mayor considers it necessary because of exceptional circumstances to change the date and/or time of a regularly scheduled Meeting of Council, he or she shall direct the Clerk to ascertain the views of the Members concerning the proposed change.
- 6.4. Where the Clerk ascertains that a majority of the Members have no objection to the proposed change, he or she shall notify the Mayor and give notice of the change to all Members and to the public expeditiously.

Order of Business

- 6.5. The Clerk shall prepare and cause to be circulated for the use of Members at Meetings of Council, an agenda listing the Order of Business, as follows:

- Call to Order & Acknowledgement of Traditional Treaty Lands
- Disclosure of Pecuniary Interest
- Minutes from previous meeting(s)
- Delegations/Presentations
- Correspondence
- Committee Reports
- Departmental Reports
- Regional Councillors' Reports
- Business Arising from Notice of Motion
- By-laws
- Notice of Motion
- Question Period
- New Business/Announcements

Confirming Bylaw Adjournment

- 6.6. All business shall be taken up in the order in which it appears on the agenda unless otherwise decided by general consent of the Members present.

Call to Order & Acknowledgement of Traditional Treaty Lands

- 6.7. As soon after the hour fixed for holding the Meeting of the Council as a quorum is present, the Mayor shall take the Chair, call the Members to order, and read the acknowledgement of traditional treaty lands.
- 6.8. If the Mayor does not attend a Meeting of Council within five minutes after the time appointed, the Clerk shall request that the Deputy Mayor call the Meeting to order whom shall preside until the arrival of the Mayor.
- 6.9. The Mayor or Deputy Mayor may, during a Meeting, appoint a Member as Presiding Member to preside over a Meeting.
- 6.10. While presiding over a Meeting of Council, a Member appointed as Deputy Mayor or Presiding Member has and may exercise all the rights, powers, and authority of the Mayor under this by-law.

Minutes

- 6.11. The Clerk shall cause minutes to be taken of each Meeting of Council, which shall include:
- 6.11.1. The place, date and time of Meeting;
 - 6.11.2. The names of the presiding officer or officers and the record of attendance of the Members; should a Member enter after the commencement of a Meeting or leave prior to adjournment, the time shall be noted;
 - 6.11.3. All other proceedings without note or comment.
- 6.12. Minutes of the last regular Meeting of Council and of all Special Council Meetings held subsequent to the last regular Meeting, shall be included in the agenda and may be adopted by Council without having been read aloud at the Meeting at which the question of their adoption is considered.

Delegations, Presentations

- 6.13. Persons desiring to verbally present information or make a request to Council may do so as per Sections 5.25 to 5.35 of this by-law.

Correspondence

- 6.14. Every written communication intended for presentation to Council must be legibly written, typed, or printed, and delivered to the Clerk not later than noon ten days prior to the regular Meeting of Council.
- 6.15. Items of correspondence included in the agenda may include recommendations from Staff related to the matter.
- 6.16. Certain items of correspondence not requesting or requiring any action by Council may be circulated by the Clerk to Members of Council, the CAO, and applicable Staff for their information, and will form a part of the Clerk's records.
- 6.17. If in the opinion of the Clerk, the correspondence contains any obscene or improper content or language, addresses a matter that has already been decided by Council, or does not bear sufficient relevance to local governance or matters affecting or of interest to the Town, the Clerk at their discretion may exclude the item from the agenda.
- 6.18. A motion directing Staff to undertake certain action with respect to any item of correspondence shall be in order provided it is moved and seconded.

Committee Reports

- 6.19. The following reports to Council will be listed on the agenda:
- 6.19.1. Community Affairs and Planning Committee
 - 6.19.2. General Government Committee
 - 6.19.3. Summary of Advisory Committee Activities
 - 6.19.4. Departmental Reports
- 6.20. Committee Reports may be dealt with by a single resolution for each report listed in the agenda; or, any Member may request that one or more recommendations contained in the report be separated and dealt with individually.
- 6.21. The Chairs of CAP and GGC Meetings for which reports are being presented may deliver a brief verbal report to Council and the public on the respective Meeting that took place that month, and any notable recommendations contained within the report being put forward to Council for approval.

Departmental Reports

- 6.22. The 'Departmental Reports' portion of the agenda shall include any Staff report that due to timing, urgency, expediency, or public importance, must be considered by Council without first being presented to one of the Standing Committees. From time to time, it may also include a report from the Ajax Library. Department Reports may be dealt with by a single resolution to adopt the recommendations within all reports.

Regional Councillors' Reports

- 6.23. The Regional Councillors may report to Council, either in writing or verbally, on any business at Regional Council or its committees. These reports, if in writing, shall be circulated with the agenda.

Business Arising from Notice of Motion

- 6.24. A Notice of Motion properly presented as per Sections 6.27 to 6.30, shall be listed and circulated in the agenda, and shall be dealt with at this time.

By-laws

- 6.25. By-laws shall be introduced upon motion by a Member, and any number of by-laws may be introduced together in one motion. Council shall, at the request of a Member, deal separately with any by-law.
- 6.26. By-laws which have been passed by the Council shall be numbered, dated and sealed with the seal of the Town and signed by the Mayor and Clerk or their designates, and shall be retained under the control of the Clerk.

Notice of Motion

- 6.27. Motions introducing new matters, except for motions listed under Section 10.8, shall be given in writing and signed by the mover either:
- 6.27.1. at a Meeting of Council, but shall not be debated until the next regular Meeting of Council; or
 - 6.27.2. delivered to the Clerk not later than noon ten days prior to the date of the Meeting at which the motion is to be introduced and debated.
- 6.28. Where notice of motion has been given, the motion shall be printed in the agenda, under "Business Arising from Notice of Motion" for the next regular Meeting of Council and for each succeeding Meeting until the motion is considered or otherwise disposed of.
- 6.29. When a Member's notice of motion has been called from the Chair at two successive Meetings and not proceeded with, it shall be removed from the agenda unless Council decides otherwise.
- 6.30. Notwithstanding anything contained in this section, a motion introducing new matters may be introduced without notice by suspension of the rules.

New Business/Announcements

- 6.31. A period will be allowed for Members to bring matters of public interest or community interest before Council for information. Each member shall be limited to five minutes, and statements shall not be intentionally controversial in nature.

Question Period

- 6.32. An opportunity will be provided for any Member of Council or any member of the public to ask the Mayor a question pertaining to any matter appearing on the Council agenda. All questions will be answered by the Mayor, unless in the Mayor's opinion the answer could be better provided by another Member of Council or a member of Town staff. In the interest of expediency, the Mayor/Chair may impose time limitations on the questions asked by members of Council and the public.

Special Meetings of Council

- 6.33. In addition to regular Meetings, the Mayor may at any time summon a special Meeting of Council by giving direction to the Clerk stating the date, time, and purpose of the special Meeting.
- 6.34. Upon receipt of the petition of two thirds of the Members, the Clerk shall summon a special Meeting for the purpose and at the date and time identified in the petition.
- 6.35. Notice of special Meetings shall be given in accordance with Section 8 of this by-law.
- 6.36. No business other than that indicated on the written notice shall be considered at the special Meeting except with the unanimous consent of all Members present and voting at such Meeting.
- 6.37. All special Meetings of Council shall be held at the location of the last regular Meeting of Council, unless an alternative is specified in the notice of the Meeting.

Emergency Meetings

- 6.38. Notwithstanding any other provision of this by-law, an emergency Meeting may be held, without written notice, to deal with an emergency or extraordinary situation, provided that an attempt has been made by the Clerk or designate to notify the Members about the Meeting as soon as possible and in the most expedient manner available.
- 6.39. No business except business dealing directly with the emergency or extraordinary situation shall be transacted at the emergency Meeting.

7. Committees

- 7.1. The Mayor shall be an ex-officio member of all Standing, Special, and Advisory Committees of Council but is not eligible to be appointed as Chair.
- 7.2. There shall be two Standing Committees of Council, being The Community Affairs and Planning Committee and The General Government Committee.
- 7.2.1. All members of Council shall be appointed to all Standing Committees;
- 7.2.2. Standing Committees shall report to Council on all matters connected with their mandate or referred to them by the Council and shall recommend such action as they deem necessary;
- 7.2.3. The record of the proceedings of the Standing Committees, as presented to Council, shall be in the form of a report to Council which shall contain:
- a. The commencement time of the Meeting;
 - b. The names of the Members present; should a Member enter after the commencement of a Meeting or leave prior to adjournment, the time shall be noted;
 - c. Any disclosure of pecuniary interest by any Member;
 - d. A record of each item before the Committee for consideration; and
 - e. Recommendations to Council based on the items before the Committee for consideration.

Community Affairs and Planning Committee (CAP)

- 7.3. The Community Affairs and Planning Committee is mandated with holding statutory public meetings required under the Planning Act or other legislation or regulations, any other matter deemed to require public consultation, and such other matters as may be referred to the Committee.
- 7.4. CAP shall be chaired by one of the Regional Councillors, alternating monthly amongst all of the Regional Councillors for the term of Council. The Vice-Chair shall be the Regional Councillor that is to serve as Chair for the next month, and shall also be listed on each agenda to act in the absence of the Chair. The rotation of Chairs shall be established annually during the approval of the schedule of meetings for the subsequent year. In the absence of both the designated Chair and Vice-Chair, the Members present shall appoint a Member who shall preside over the Meeting, or until the arrival of the Chair or Vice-Chair.
- 7.5. CAP shall meet in the Council Chambers on the first Monday of each month starting at 7:00 p.m. unless such a day is a public or civic holiday in which case the Committee shall meet at the same hour on the next following day which is not a holiday. No regular Meeting will be scheduled for the month of August.
- 7.6. The Clerk or a designate shall be the secretary of the Committee, and shall prepare and circulate an agenda for each Meeting listing the Order of Business as follows:
 - Call to Order
 - Disclosure of Pecuniary Interest
 - Minutes from previous meeting(s)
 - Public Meetings
 - Presentations/Reports
 - Adjournment
- 7.7. All business shall be taken up in the order in which it appears on the agenda unless otherwise allowed by general consent of the Committee or decided by vote of the majority of the Members present.
- 7.8. The Clerk or a designate shall cause minutes to be taken of all CAP Meetings.
- 7.9. The “public meetings” portion of the agenda includes the holding of public meetings required under the Planning Act, or any other legislation or regulation, to obtain public comment on an application or other matter. Other matters for which Council, the Standing Committee or Staff have deemed it expedient to invite public comment may also be addressed at this time.

General Government Committee (GGC)

- 7.10. The General Government Committee makes recommendations to Council on levels of service, corporate and operational policies, budgetary matters, and such other matters that may be referred to the Committee. This Committee is also responsible for establishing corporate policy, and for all personnel matters, including the grievance process.
- 7.11. GGC shall be chaired by one of the Ward Councillors, alternating monthly amongst all of the Ward Councillors for the term of Council. The Vice-Chair shall be the Ward Councillor that is to serve as Chair for the next month, and shall also be listed on each agenda to act in the absence of the Chair. The rotation of Chairs shall be established annually during the approval of the schedule of meetings for the subsequent year. In the absence of both the designated Chair and Vice-Chair, the Members present shall appoint a Member who shall preside over the Meeting, or until the arrival of the Chair or Vice-Chair.
- 7.12. The GGC shall regularly meet in the River Plate room in Town Hall on the second Monday of each month starting at 1:00 p.m. unless such a day is a public or civic holiday in which case the Committee shall meet at the same hour on the next following day, which is not a holiday. A scheduled Closed Session of the GGC may follow after the open meeting.

- 7.13. The Clerk or an employee of the Town designated by the Clerk shall be secretary of the GGC and they shall prepare and cause to be circulated for the use of the Members at the regular Meetings of the GGC, and agenda listing the Order of Business, as follows:

- Call to Order
- Disclosure of pecuniary interest
- Consent agenda
- Discussion
- Presentation
- Closed Session agenda
- Adjournment

- 7.14. Any item on the consent agenda may be separated upon request of any Member, and addressed in advance of the discussion agenda.
- 7.15. Members are encouraged to provide at least two hours' notice to the Clerk or designate of items intended to be separated, such that the necessary staff can be made available.
- 7.16. Persons wishing to verbally speak to a matter that is scheduled for consideration at GGC may do so as per Sections 5.25 to 5.35 of this by-law.
- 7.17. The Clerk or their designate shall cause minutes to be taken of all GGC Meetings.

8. Agenda Distribution, Notice, and Cancellation Provisions

Agendas

- 8.1. Meeting agendas shall be published on the Town website and distributed to Members and Department Heads by electronic mail six days in advance of the Meeting.
- 8.2. Late/separate circulations and addendum agendas are to be avoided wherever possible. However, where necessary, addendum items will be circulated to Members by electronic mail and posted on the Town website as soon as possible.
- 8.3. Lack of sufficient notice or late agenda distribution shall not affect the validity of holding a Meeting or any action taken thereat where all Members are present at the Meeting, or where any Member or Members who are absent consent to the holding of such a Meeting and so inform the Clerk.

Statutory Notice Requirements

- 8.4. Notice of public Meetings shall be provided in accordance with the Town's Public Notice Policy and the requirements of the Act, or any other statute that establishes requirements to provide public notice of a meeting or an item to be considered.

Notice - Regular Meetings

- 8.5. The Clerk shall give notice of a Regular Meeting of Council or a Standing Committee by:
- 8.5.1. Publishing an agenda on the Town website six days in advance of the scheduled Meeting;
 - 8.5.2. Sending the Meeting agenda, and a Closed Session Meeting agenda if required, to Members six days in advance of the scheduled Meeting;
 - 8.5.3. When possible, including a list of upcoming Council & Standing Committee Meetings in a local newspaper.

Notice - Special Meetings

- 8.6. The Clerk shall give notice of a special Meeting of Council or a Standing Committee as follows:
 - 8.6.1. The Clerk shall give all Members notice of a special Meeting of Council/Committee at least twenty-four hours before the time appointed for such Meeting, by electronic mail, and publish an agenda as soon as possible.
 - 8.6.2. Notice of the Meeting shall be provided to the public on the Town website as soon as practicable, and a Notice shall be posted at the main entrance of Town Hall.
 - 8.6.3. All special Meeting notices shall indicate the nature of the business to be considered at the special Meeting, and the date, time, and place of the Meeting.

Notice - Emergency Meetings

- 8.7. In the event of an emergency Council Meeting, notice is not required, however, the Clerk will attempt to notify Members and the public about the Meeting and publish the agenda as soon as possible and in the most expedient manner available.

Cancellation of Meetings

- 8.8. A regular, special, or emergency Meeting of Council or a Standing Committee may be cancelled in any of the following circumstances:
 - 8.8.1. If the Clerk determines in advance that quorum will not be achieved;
 - 8.8.2. If the Meeting is cancelled by Council or Committee resolution;
 - 8.8.3. Where the Meeting is not required as determined by the Mayor and/or Clerk due to a lack of forecasted agenda items.
- 8.9. The Clerk shall give notice of any Meeting cancellation on the Town website and through the Town's local newspaper, where practicable. A notice of cancellation shall also be posted at the main entrance of the Town Hall.

9. Rules of Debate

- 9.1. The Mayor/Chair shall preserve order and decorum and decide questions of order.
- 9.2. When two or more Members desire to speak, the Mayor/Chair shall designate the Member who has the floor.
- 9.3. No Member shall be deemed to have precedence or seniority over any other Member.
- 9.4. Before speaking to a question or motion, a Member shall be acknowledged by the Mayor/Chair.
- 9.5. When a Member is speaking, no other Member shall interrupt that Member except to raise a point of order.
- 9.6. No Member shall speak more than twice to the same question, but a reply may be made by the Member who has presented the motion.
- 9.7. No Member shall speak to the same question for longer than five minutes.
- 9.8. A Member may ask a question for the purpose of obtaining information related to the matter under discussion.

Points of Order

- 9.9. A Member may call attention to a violation of the Rules of Procedure by stating the point of order to the Mayor/Chair succinctly, and the Mayor/Chair shall then decide upon the point of order and advise the Members of the decision.

- 9.10. A Member may immediately appeal the Mayor/Chair's decision to the Council/Committee. The Council/Committee shall hear the reason for the appeal from the appellant and the reason for the decision from the Mayor/Chair, and shall decide the question without debate. The decision of the Council/Committee is final.

Points of Privilege

- 9.11. Where the Member considers that their integrity or the integrity of Council as a whole has been impugned, he or she may draw attention to the matter.
- 9.12. A point of privilege shall take precedence over other matters, but the Members shall not be permitted to enter into any argument or introduce any motion related to the point of privilege.
- 9.13. When the Mayor/Chair considers that the integrity of the CAO or a member of Town Staff has been impugned or questioned, the Mayor/Chair may permit the CAO or a Department Head to make a statement to Council or the Committee.
- 9.14. A Member may immediately appeal the Mayor/Chair's decision on a point of privilege to the Council/Committee. The Council/Committee shall hear the reason for the appeal from the appellant and the reason for the decision from the Mayor/Chair, and shall decide the question without debate. The decision of the Council/Committee is final.

10. Motions

- 10.1. Except as otherwise provided in this by-law, all motions must be duly moved and seconded before the Mayor/Chair can put the question or motion on the floor for consideration, and should be in writing to ensure that all Members are fully aware of the motion to be voted on.
- 10.2. Notwithstanding section 10.1, a motion presented in General Government Committee need not be in writing nor require a seconder.
- 10.3. When a motion is presented orally, it shall be stated by the Mayor/Chair before debate.
- 10.4. A motion 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 as read for the purposes of introducing the motion.
- 10.5. After a motion is read or stated by the Mayor/Chair it shall be deemed to be in possession of Council/Committee, but may be withdrawn by the mover at any time before decision or amendment.
- 10.6. A motion in respect of a matter which is beyond the jurisdiction of Council shall not be in order.
- 10.7. A motion properly before Council/Committee for decision must receive disposition before any other substantive motion can be received.

Motions without Notice

- 10.8. The following matters and motions may be introduced orally without written notice and are to be decided without debate:
 - 10.8.1. a point of order;
 - 10.8.2. a point of privilege;
 - 10.8.3. a motion to adjourn;
 - 10.8.4. a motion to refer without direction or instructions;
 - 10.8.5. a motion to defer;
 - 10.8.6. a motion to suspend the Rules of Procedure;
 - 10.8.7. a motion to table the question without direction or instructions;
 - 10.8.8. a motion to vote on the question;
 - 10.8.9. a motion to divide the question; and
 - 10.8.10. a motion to recess.

- 10.9. The following motions may be introduced without notice, but shall be in writing and signed by the mover and seconder, unless otherwise stated in this by-law:
 - 10.9.1. a motion to amend; and
 - 10.9.2. a motion to refer with direction or instructions.

Motions to Amend

- 10.10. Only one motion to amend the main motion shall be allowed at one time.
 - 10.10.1. Only one motion to amend a motion to amend the main motion shall be allowed at one time.
 - 10.10.2. The amendment to the amendment, if any, shall be voted on first, then if no other amendment is presented, the amendment shall be voted on next, then if no other amendment is introduced, the main motion, or if any amendment has carried, the main motion as amended, shall be put to a vote.

Reconsideration

- 10.11. A substantive resolution, by-law, question or matter may be reconsidered if two thirds of Members present agree to such reconsideration by resolution.
 - 10.11.1. Debate on a motion for reconsideration shall be confined to reasons for or against reconsideration.
 - 10.11.2. If a motion to reconsider is decided in the affirmative at a Meeting, then consideration of the original matter shall become the next order of business.
 - 10.11.3. A vote to reconsider shall not be considered, on a particular matter, more than once in a twelve-month period.
- 10.12. Notwithstanding section 10.11, 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 is deemed not to be a reconsideration and does not require a vote of members to be considered by Council or its Committees.

Single Motion

- 10.13. One or more items on an agenda may be adopted in a single motion.

11. Voting

- 11.1. Every Member present at a Meeting, when a question is put, shall vote thereon unless disqualified to vote on the question. All votes shall be by show of hands except where a recorded vote is requested by any Member.
- 11.2. If a Member does not vote when a question is put, he or she shall be deemed to have voted in the negative, except where the Member is disqualified from voting.
- 11.3. A Member not in their seat when the question is called by the Mayor/Chair is not entitled to vote on that question.
- 11.4. Immediately preceding the taking of the vote, the Mayor/Chair shall state the question in the form introduced.
- 11.5. The Mayor/Chair shall announce the result of every vote.
- 11.6. If a Member disagrees with the announcement of the Mayor/Chair that a motion is carried or lost, he/she may immediately after the declaration by the Mayor/Chair, state their objection to the declaration and request that a recorded vote be taken on the question.

Recorded Vote

- 11.7. Recorded votes shall be permitted at any Meeting of Council or Standing Committee of Council. When a recorded vote is requested by a Member, or is otherwise required, the Clerk shall record the name and vote of every Member on the question, commencing with the Member who made the request and then all other Members, alphabetically, until all Members have voted. The Mayor/Chair shall vote last, even if they are the requester of the recorded vote.

Tied Vote

- 11.8. Any question on which there is an equality of votes shall be deemed to have been decided in the negative.

Dividing a Question

- 11.9. A motion containing distinct proposals shall be divided upon an affirmative vote of a majority of Members present and voting, and each proposal shall be voted on separately.

12. Recording, Broadcasting or Streaming of Meetings

- 12.1 All Meetings may be audio or video recorded, broadcast, and/or streamed publically by the Town, except for Closed Session meetings;
- 12.2 Attendees may record Meetings, except for Closed Session meetings, provided that doing so is not disruptive to the Meeting or to other attendees.
- 12.3 Meeting attendees using their own recording, broadcasting and/or streaming devices are encouraged to inform the Clerk or Recording Secretary to ensure attendees at the Meeting are notified.