

REGIONAL MUNICIPALITY OF OTTAWA CARLETON
MUNICIPALITÉ RÉGIONALE D'OTTAWA CARLETON

REPORT
RAPPORT

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DATE	4 June 1998
TO/DEST.	Coordinator, Corporate Services & Economic Development Committee
FROM/EXP.	Chair, OC Transpo/RMOC Transition Team
SUBJECT/OBJET	PROCEDURE BY-LAW AND CORPORATE POLICY MANUAL - AMENDMENTS

DEPARTMENTAL RECOMMENDATION

That the Corporate Services and Economic Development Committee recommend that Regional Council approve the following amendments to the Region's Procedure By-law (at Annex "A") and to the Corporate Policy Manual (at Annex "B") as the first steps toward attaining greater administrative integration with the Ottawa-Carleton Regional Transit Commission.

INTRODUCTION

This is the first in a series of reports outlining numerous changes proposed by the OC Transpo/RMOC Transition Team in order to attain greater administrative integration between the Regional Corporation and the Ottawa-Carleton Regional Transit Commission. A corresponding report concerning similar amendments to OC Transpo's Procedure By-law and its Corporate Policy and Administrative Manual is soon to be considered by the Transit Services Committee and the Transit Commission.

BACKGROUND

On June 11, 1997, the Regional Council adopted Motion No. 279 whereby Council supported "in principle the merger of OC Transpo administrative functions with regional administrative functions, where such mergers can reduce costs". The motion further directed staff to advise how "services could be rationalized" and to provide "options for changing the current arm's length relationship between the Transit Commission and Council to make transit service more accountable to the full Council".

On March 11, 1998, a joint report from the Corporate Services & Economic Development Committee and the Ottawa-Carleton Regional Transit Commission was approved by Regional Council. Among the report's recommendations was the establishment of a Transition Team "to implement the administrative integration and streamlining process" between the Commission and the Regional Corporation. Furthermore, on March 25, 1998, Regional Council enacted By-law No. 24 of 1998, which increased the membership of the Transit Commission to include all Regional Councillors.

Throughout April and May, 1998, members of the Transition Team met on five occasions to review the interim modifications that were needed to affect the administrative changes endorsed by Regional Council. As such, staff were directed to review both the Region's Procedure By-law and its Corporate Policy Manual in an effort to make them virtually identical with their Transit Commission counterparts and to increase flexibility in these policies whenever possible. The proposed amendments to each by-law are set out below in summary fashion.

PROCEDURE BY-LAW - AMENDMENTS

Briefly, the Region's Rules of Procedure have been revised to delete the sections which establish the membership of the Ottawa-Carleton Regional Transit Commission as this has now been made redundant by By-law No. 24 of 1998. In addition, sections of the by-law have been renumbered in order to make the Rules easier to follow (e.g. former Section 26A has now been retitled Section 27). A more detailed summary of the proposed changes to Council's Rules of Procedure is set out below:

1. In Section 6, "Inaugural Meeting" of Regional Council, the specific time of "1:30 p.m." has been replaced with "a time determined by the Chair" in order to add increased flexibility to the inaugural meeting process.
2. Former section 80, "Election of Members of Ottawa-Carleton Regional Transit Commission", has been deleted as a result of By-law No. 24 of 1998.
3. Section 83, "Election of Nominating Committee", has been amended by deleting the restriction in clause (2) regarding a seven member committee in order to allow Regional Council to determine the composition of the Nominating Committee.
4. Section 84, "Committee and Local Board Appointments and Meetings", adds "the Transit Services Committee" to clause (a), which would then permit Regional Council's Nominating Committee to consider and recommend to the Commission the Transit Services Committee's membership at the same time that other standing committees of Council are being organized.
5. Section 89, "Repeal", has been revised to ensure that any amendment or revision to the Procedure By-law shall require written notice to be given at a previous meeting of the Council or by service to the Councillors not less than ten days in advance of the next Council meeting and is to include a summary of the changes proposed.

CORPORATE POLICY MANUAL - AMENDMENTS

The Regional Corporation's Corporate Policy Manual has been supplemented with the addition of the definition and terms of reference of the Transit Services Committee which is established as the one standing committee of the Transit Commission. These additions set out the delegation of authority to the Transit Services Committee and provides the reporting structure between the Committee and the Transit Commission.

Chapter Two of the Corporate Policy Manual is amended to include the revised membership of the Transit Commission and the terms of reference of the Transit Services Committee. The model for the Transit Services Committee terms of reference is the terms of reference of the Corporate Services and Economic Development Committee. Highlights of the terms of reference are as follows:

1. Section 2.7.2.1 grants the Committee the authority to provide direction and guidance to the Commission on all significant matters of administration and general policy.
2. Section 2.7.2.3 appoints the Committee as the official bargaining agent for the Commission with the ability to nominate individuals to conduct bargaining sessions and provides the Committee with the further authority to recommend the salaries of all officers and employees not governed by collective agreement.
3. Section 2.7.2.4 grants the Committee the authority to recommend budgets to the Commission.
4. Section 2.7.2.5 deals with acquisition and disposition of property and dictates that the Committee has authority to approve all acquisitions and dispositions costing up to \$500,000.00.
5. Section 2.7.2.6 provides the Committee with the authority to award contracts and recommend the awards to the Commission for approval.
6. As an administrative matter, a definition and description of the Police Services Board was also added to Chapter 2 at this time.

CONCLUSION

This report is respectfully submitted.

*Approved by
C. Mervyn Beckstead*

ANNEX A**THE REGIONAL MUNICIPALITY OF OTTAWA-CARLETON****BY-LAW NO. OF 1998**

COUNCIL PROCEDURE: A by-law to govern
the proceedings of the Council and its Committees.

The Council of The Regional Municipality of Ottawa-Carleton, pursuant to Section 11 of the Regional Municipalities Act, R.S.O. 1990, c. R-8, as amended, and Section 55 of the Municipal Act, R.S.O. 1990, c.M.45, as amended, ENACTS AS FOLLOWS:

1. **RULES OF PROCEDURE ADOPTED/SUSPENDED**

- (1) The proceedings of the Council and the Committees thereof, the conduct of the members and the calling of meetings shall be governed by the provisions of the Act and the rules and regulations contained in this By-law, and, except as provided herein, the rules of parliamentary procedure as contained in Robert's Rules of Order, shall be followed for governing the proceedings of Council and the Committees thereof and the conduct of its members;
- (2) Despite subsection 1(1), the rules and regulations contained in this By-law may be suspended by a vote of three-quarters of the members present and voting.

2. **DEFINITIONS**

In this By-law,

- (1) "Ad Hoc Committee" means a special purpose committee of limited duration, created by Council to inquire into and report on a particular matter or concern and which dissolves automatically upon submitting its final report unless otherwise directed by Council;
- (2) "Chair" means the Chair of the Council, except in Part IX, when "Chair" means the Chair of a Committee;
- (3) "Clerk" means the Clerk of the Regional Corporation;

- (4) "Committee" means a committee of Council and includes Standing Committees, Joint Committees, Coordinating Committees, Ad Hoc Committees, special committees and sub-committees
- (5) "Committee of the Whole" means all the members of Council sitting in committee;
- (6) "Coordinating Committee" means a committee created by Council to coordinate the activities, policies and responsibilities of the Region with third parties;
- (7) "Council" means the Council of the Regional Corporation;
- (8) "Day" does not include Saturday, Sunday or a holiday;
- (9) "Notice of Motion" means a written notice, including the names of the mover and seconder, advising Council that the motion described therein will be brought at a subsequent meeting;
- (10) "Privilege" means the raising of a question which concerns a member of Council, or the Council collectively, when a member believes that their rights, immunities or integrity or the rights, immunities or integrity of Council as a whole have been impugned;
- (11) "Point of Order" means a statement made by a member of Council during a meeting thereof drawing to the attention of the Chair a breach of the Rules of Procedure;
- (12) "Procedural Motion" means any motion concerning the manner or time of consideration of any matter before the Council as opposed to the substance thereof, and includes, without limitation, the following:
 - (a) to extend the time of the meeting;
 - (b) to refer;
 - (c) to lay on the table;
 - (d) to defer indefinitely or to a certain day;
 - (e) to adjourn;
 - (f) to move the question be put; or
 - (g) to suspend the Rules of Procedure;
- (13) "Regional Corporation" means The Regional Municipality of Ottawa-Carleton;
- (14) "Regional Municipalities Act" means the Regional Municipalities Act, R.S.O. 1990, c. R.8, as amended or re-enacted from time to time;

- (15) "R.M.O.C. Act" means The Regional Municipality of Ottawa-Carleton Act, R.S.O. 1990, c. R.14 as amended or re-enacted from time to time;
- (16) "Rules of Procedure" means the rules and regulations provided in this By-law;
- (17) "Special Resolution" means a resolution adopted by a two-thirds vote;
- (18) "Standing Committee" means the Community Services, Corporate Services and Economic Development, Planning and Environment or Transportation Committee;
- (19) "Substantive Motion" means any motion other than a Procedural Motion;
- (20) "Two-thirds Vote" means the affirmative vote of at least two-thirds of the members present at a meeting and eligible to vote;

PART I OFFICE OF THE CHAIR

3. DUTIES OF THE CHAIR

It shall be the duty of the Chair,

- (1) to open the meeting of Council by taking the chair and calling the members to order;
- (2) to announce the business before the Council and the order in which it is to be acted upon;
- (3) to receive and submit, in the proper manner, all motions presented by the members of Council;
- (4) to put to a vote all motions, which are moved and seconded, or necessarily arise in the course of the proceedings, and to announce the result;
- (5) to vote on all matters, which are moved and seconded, or necessarily arise in the course of the proceedings;
- (6) to decline to put to a vote, motions which infringe upon the Rules of Procedure;
- (7) to enforce the Rules of Procedure;

- (8) to restrain the members, when engaged in debate, within the Rules of Procedure;
- (9) to enforce on all occasions, the observance of order and decorum among the members;
- (10) to call by name any member persisting in a breach of the Rules of Procedure and order the member to vacate the Council Chamber;
- (11) to permit questions to be asked through the Chair of any officer of the Regional Corporation in order to provide information to assist any debate when the Chair deems it proper;
- (12) to provide information to members of Council on any matter touching on the business of the Regional Corporation;
- (13) to receive all petitions and communications and announce them to the Council;
- (14) to authenticate by signature all by-laws, resolutions, and minutes of Council;
- (15) to rule on any points of order raised by members of Council;
- (16) to inform the members of Council of the proper procedure to be followed;
- (17) to represent and support the Council, declaring its will and implicitly obeying its decisions in all matters;
- (18) where it is not possible to maintain order, the Chair may, without any motion being put, adjourn the meeting to a time to be named by the Chair; and,
- (19) to adjourn the meeting when the business is concluded.

4. PARTICIPATION OF CHAIR IN DEBATE

- (1) The Chair may state relevant facts and the Chair's position on any matter before the Council without leaving the chair, but it shall not be permissible for the Chair to move a motion or debate a question without first leaving the chair.
- (2) If the Chair is absent, or desires to leave the chair to move a motion or to take part in the debate pursuant to subsection (1), or otherwise, the Chair shall call on the designated member pursuant to Section 5 to preside until the Chair resumes the chair.

5. ACTING CHAIR

- (1) At the first regular meeting of Council in its term, a by-law shall be placed on the agenda to designate a rotation list for Acting Chair.
- (2) The rotation list shall be comprised of all the members of Council to serve two month terms as Acting Chair with the order to be determined by lot drawn by the Regional Clerk.
- (3) The by-law to designate a rotation list of Acting chairs may be amended by a majority of those present and voting.
- (4) A motion to amend the rotation list of Acting Chairs may be made without notice upon the written consent of the Councillors directly concerned.

PART II **COUNCIL**

6. INAUGURAL MEETING

The Inaugural Meeting of the Council shall be held on the first weekday in December in the first year of its term at a time determined by the Chair.

7. REGULAR MEETINGS

- (1) Subject to this section, the regular meetings of the Council shall be held at 1:30 p.m. on the second and fourth Wednesdays in each month in each year unless otherwise changed by Council.
- (2) During the months of July and August, the regular meeting of Council shall be held at 1:30 on the second or the fourth Wednesday of each month as determined by the Chair.
- (3) During the month of December, the regular meeting of Council shall be held at 1:30 p.m. on the second Wednesday of the month.
- (4) The Chair may cancel one or more regular meetings of the Council if in the Chair's opinion such meetings are not necessary for the proper conduct of the business of the Regional Corporation and provided that not more than two successive regular meetings are cancelled under this subsection.

8. REGULAR MEETING DAY A HOLIDAY

If the day provided herein for a regular meeting of Council is a holiday, or a day of religious observance that precludes the participation of any members of Council, the meeting shall be held on the next following business day, unless otherwise provided by resolution of the Council.

9. PLACE OF MEETING

All meetings of the Council shall be held in the Council Chambers at the Ottawa-Carleton Centre or at such other place as is specified in the notice calling the meeting.

10. MEETINGS OPEN TO PUBLIC

- (1) Subject to Section 11, the meetings of the Council shall be open to the public and no person shall be excluded therefrom except for improper conduct.
- (2) The Chair may expel or exclude from any meeting any person who has engaged in improper conduct at the meeting.

11. CLOSED MEETINGS

- (1) Council may, by resolution, close a meeting or part of a meeting to members of the public if the subject matter to be considered is,
 - (a) the security of the property of the Regional Corporation;
 - (b) personal matters about an identifiable individual, including staff;
 - (c) a proposed or pending acquisition of land for the purposes of the Regional Corporation;
 - (d) labour relations or employee negotiations;
 - (e) litigation or potential litigation, affecting the Regional Corporation, including matters before administrative tribunals;
 - (f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; or
 - (g) a matter in respect of which the Regional Council is authorized by statute to hold a closed meeting.

- (2) Council shall, by resolution, close a meeting or part of a meeting to members of the public where the subject matter to be considered is a request under the *Municipal Freedom of Information and Protection of Privacy Act*.
- (3) A resolution to close a meeting or part of a meeting to the public shall state,
 - (a) the fact of the holding of the closed meeting; and
 - (b) the general nature of the matter to be considered at the closed meeting.
- (4) Where a meeting or part of a meeting is closed to the public, all persons not specifically invited to remain by the Council shall retire from the Chambers.
- (5) A vote shall not be taken during a meeting or part of a meeting that is closed to the public where to do so would be in contravention of any Act.

12. SPECIAL MEETINGS OF COUNCIL

- (1) A Special Meeting of Council shall be convened:
 - (a) upon being summoned by the Chair; or,
 - (b) upon receipt of the petition of the majority of the members of the Council.
- (2) Upon receipt of the petition set out in subsection 12(1)(b), the Clerk shall summon a Special Meeting for the purpose(s) and at the time mentioned in the petition.
- (3) Once received by the Clerk, no member may remove his or her name from a petition filed under this section.
- (4) Notice of all Special Meetings of the Council setting forth the matters to be considered at such Special Meeting shall be given to all members of the Council either:
 - (a) by prepaid, special delivery mail deposited in a Canada Post Corporation Post Office not less than ninety-six hours in advance of the time fixed for the meeting;

- (b) by delivery to the Regional office, residence or place of business of the member, not less than six hours in advance of the time fixed for the meeting, and the Clerk shall attempt to give such other notice of the meeting to the member by telephone or as is otherwise practical within the circumstances; and/or
 - (c) by personal service to the members, not less than six hours in advance of the fixed time for the meeting.
- (5) The Council shall not consider or decide any matter not set forth in the notice calling the Special Meeting, without the consent, recorded in the minutes, of all of the members of the Council.
- (6) Despite this section, on urgent and extraordinary occasions, with the consent of two-thirds of all the members of Council, recorded in the minutes, an emergency special meeting of the Council may be called by the Chair without notice to consider and deal with such urgent and extraordinary matters.

13. COMMENCEMENT OF MEETING

- (1) As soon as there is a quorum after the hour set for meeting, the Chair shall take the chair and call the members present to order.
- (2) The Clerk shall call the roll and record in the minutes the members present.

14. CHAIR ABSENT

- (1) If the Chair or Acting Chair, pursuant to the rotation list established by Section 5, does not attend within fifteen minutes after the time appointed for a meeting of the Council, the Clerk shall call the members to order and an acting Chair shall be appointed from among the members present and shall preside until the arrival of the Chair.
- (2) While presiding, an Acting Chair shall have all of the powers of the Chair and shall be so addressed, and shall be entitled to vote as a member.

15. NO QUORUM AT START OF MEETING

- (1) If no quorum is present to enable a meeting to commence one-half hour after the time appointed for a meeting of the Council, the Clerk shall call the roll and record the names of the members present and the members shall stand discharged from waiting further.
- (2) If a meeting does not take place because of the lack of a quorum under subsection (1), the Council shall meet either at the next regularly scheduled meeting of the Council, or at such other time and place as the Chair shall announce.
- (3) The Clerk shall attempt to give notice of any meeting so rescheduled by telephone or as is otherwise practical within the time available.

16. UNFINISHED BUSINESS - QUORUM LOST

- (1) If during the course of a meeting a quorum is lost then the meeting shall stand adjourned, not ended, to reconvene at the same time of commencement on the next following day, or at such other time and place as the Chair shall then announce.
- (2) If, in the Chair's opinion, it is not essential that the balance of the agenda be dealt with before the next regularly scheduled meeting, then the Chair shall announce that the unfinished business of the Council will be taken up at its next regularly scheduled meeting.
- (3) If during the course of a Special Meeting of the Council a quorum is lost or a quorum is not present when required to enable the Special Meeting to start or resume, then the meeting shall stand adjourned, not ended, to convene or reconvene at such time and place as the Chair shall then announce.
- (4) The Clerk shall give notice of any meeting so adjourned and to be reconvened by telephone or as is otherwise practical within the time available.

17. RECORDING PRESENCE BEFORE ADJOURNMENT

When a quorum is not present as required to permit a meeting of the council to reconvene or to continue then before the members are discharged, the Clerk shall call the roll and record in the minutes the names of those persons present.

18. PERSONS WITHIN COUNCIL RING

- (1) No person, except a member of the Council or an Officer of the Corporation, shall be allowed to come on the Council floor within or outside the council ring during the sittings of the Council without the permission of the Chair.
- (2) No person shall, before or during a meeting of the council, place on the desks of members or otherwise distribute any material whatsoever unless such person is so acting with the approval of the Chair.

19. LEAVING CHAMBERS ON ADJOURNMENT

The members of the Council shall not leave their places on adjournment until the Chair has left the chair.

PART III **VOTING IN COUNCIL**

20. SECRET BALLOT PROHIBITED

No vote shall be taken in Council by ballot or by any other method of secret voting.

21. RECORDED VOTE

- (1) Any member, before the question is decided, may require that the vote be recorded.
- (2) No vote shall be recorded while the members are sitting in Committee of the Whole.
- (3) When a vote is taken, and no dissent is declared, such vote shall be deemed to be unanimously in favour of the question approved.
- (4) If a vote is to be recorded as herein provided, the Clerk shall call the vote, announce the division, and shall record them in the minutes.

22. SEVERABILITY OF QUESTION

When the matter under consideration contains distinct recommendations or propositions, upon the request of any member, a vote upon each recommendation or proposition shall be taken separately and no vote shall be required to be taken on the matter as a whole.

23. ALL MEMBERS VOTE

Every member present at a meeting of the Council when a question is put shall vote thereon, unless prohibited by statute, in which case it shall be recorded. Any member who refuses to vote shall be recorded as voting in the negative.

24. DISPUTING VOTE

If a member disagrees with the announcement of the Chair that a question is carried or lost, the member may, but only immediately after the declaration by the Chair, object to the Chair's declaration and require a recorded vote to be taken.

25. PUTTING QUESTION - MEMBERS SEATED

When the Chair calls for the vote on a question, each member shall occupy their seat until the result of the vote has been declared by the Chair, and during such time no member shall walk across the room or speak to any other member or make any noise or disturbance. A member not in their seat shall not be entitled to vote.

PART IV ORDER OF PROCEEDINGS - AGENDAS AND MINUTES

26. AGENDA IN COUNCIL

- (1) The Clerk shall prepare, under the direction of the Chair, and shall have printed for the use of the members at the regular meetings of Council an Agenda under the following headings:
 - (a) Prayer;
 - (b) Roll call;
 - (c) Minutes of the previous meeting;
 - (d) Declarations of interest arising from prior meetings of Council;

- (e) Announcements/Ceremonial Activities;
- (f) Communications/Regrets;
- (g) Petitions;
- (h) Postponements and deferrals;
- (i) Unfinished business;
- (j) Reconsiderations;
- (k) Presentation and consideration of committee reports;
- (l) Introduction and consideration of by-laws;
- (m) Motions of which notice has been given previously;
- (n) Notices of Motion (for consideration at subsequent meeting);
- (o) Confirmation by-law;
- (p) Inquiries and answers;
- (q) Adjournment.

- (2) The business of the Council shall be considered in the order set forth on the Agenda, provided however that the Chair, with approval of the Council, may vary the order of business to better deal with matters before the Council.
- (3) The Council shall not consider any by-law not listed on the Agenda, nor any report of a Committee or any motion that has not been distributed to the members with the Agenda.
- (4) Communications received after the day prior to a meeting of Council may, with the approval of the Chair, be distributed at said meeting. Any communications so distributed shall be recorded in the minutes.
- (5) Notice of regrets of members unable to attend a Council meeting shall be in writing.

27. CONSENT AGENDA

- (1) Upon the adoption of a motion to permit the consideration of the reports of the Standing Committees, the Chair will proceed through the recommendations in the reports to determine if it is the will of the Council that the recommendations be adopted without debate or questions.
- (2) During the progression through the agenda in accordance with subsection (1), no debate, questions or recorded votes shall be permitted but declarations of interest and dissents may be recorded.
- (3) Any member may require that a recommendation be debated or subject to questions.
- (4) The Chair shall declare whether each recommendation is carried or will be subject to debate.

- (5) Upon completion of the progression through the agenda in accordance with subsection (1), Council shall then proceed to consider, in accordance with the agenda, the recommendations that have not yet been adopted.

28. INQUIRIES AND ANSWERS

- (1) Any inquiry made at a meeting of Council or a Committee thereof shall be submitted in writing, signed by the member, and referred to the Chief Administrative Officer or appropriate Department Head for response.
- (2) The Chief Administrative Officer or Department Head shall respond to the inquiry in accordance with the procedure found in the Access to Information section of the Corporate Policy Manual.
- (3) The response to the inquiry shall be distributed to all members of Council or the Committee at which the inquiry was made.

29. DELIVERY OF AGENDA TO MEMBERS

- (1) Subject to Section 30, not less than two clear days in advance of each regular meeting of the Council, the Clerk shall cause the following to be delivered to each member:
 - (a) Draft Agenda;
 - (b) Copy of each Committee report to be considered; and
 - (c) Copy of each motion to be considered.
- (2) Copies of each by-law to be considered need not be distributed in advance to the members of Council provided such by-laws are available for examination by members of Council in advance of the meeting.

Delivery pursuant to subsection (1) shall be to the Regional office of the member or the residence of the member.

30. PLANNING REFERRALS AND APPEALS - DELIVERY OF REPORTS

Despite subsection 29(1)(b), reports from the Planning and Environment Committee containing recommendations with respect to:

- (1) Conditions for draft approval of a plan of subdivision;
- (2) Draft approval of a plan of subdivision;
- (3) Conditions for draft approval of a plan of condominium;
- (4) Draft approval of a plan of condominium; or
- (5) Requests for referral of all or part of an official plan or official plan amendment of an area municipality,

may be considered by Council provided that the report from staff to Planning and Environment Committee was distributed to all members of Council at least two days in advance of the meeting of Council.

31. MINUTES

- (1) Minutes shall record:
 - (a) the place, date and time of meeting;
 - (b) the names of the presiding officer or officers and the record of the attendance of the members;
 - (c) the reading, if requested, correction and confirmation of the minutes of prior meetings;
 - (d) declarations of interest; and
 - (e) all the other proceedings of the meeting without note or comment.
- (2) If the minutes have been delivered to the members of the Council then the minutes shall not be read, and a resolution that the minutes be confirmed shall be in order.
- (3) After the minutes have been confirmed they shall be signed by the Chair and by the Clerk.

32. COMMUNICATIONS AND PETITIONS

- (1) Every communication, including a petition designed to be presented to the Council, shall be legibly written or printed, shall not contain any impertinent or improper matter or language and shall be signed by at least one person and filed with the Clerk.
- (2) The Clerk shall list on the Agenda every communication delivered to the Clerk not later than the day prior to the meeting of the Council.
- (3) All communications on any subject within the jurisdiction of a Committee of Council may be referred to the appropriate Committee without any motion or debate unless otherwise ordered by Council.

PART V **RULES OF CONDUCT AND DEBATE**

33. ADDRESS THE CHAIR

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

34. ORDER OF SPEAKING

When two or more members signify a desire to speak, the Chair shall recognize the member who, in the opinion of the Chair, so signified first and next recognize in order the other members

35. CONDUCT OF MEMBERS IN COUNCIL

- (1) No member shall:
 - (a) speak disrespectfully of the Reigning Sovereign, or of any member of the Royal Family, or of the Governor General or the Lieutenant-Governor of any province, or of a fellow member of Council or staff;
 - (b) use offensive words or unparliamentary language;
 - (c) speak on any subject other than the subject in debate;

- (d) disobey the Rules of Procedure or a decision of the Chair or of the Council on questions of order or practice or upon the interpretation of the Rules of Procedure.
- (2) Where a member has been called to order by the Chair for failing to observe the provisions of subsection (1) and the member persists in any such conduct, the Chair may forthwith put the question, no amendment, adjournment or debate being allowed, "that Councillor [Name of Member] be ordered to leave their seat for the duration of the meeting of the Council", but if the member apologizes, the member may, by vote of Council, be permitted to retake their seat.

36. PRIVILEGE

- (1) Where a member considers that the member's rights, immunities or integrity or the rights, immunities or integrity of the Council as a whole has been impugned, the member may, as a matter of privilege, rise at any time, with the consent of the Chair, for the purpose of drawing the attention of the Council to the matter.
- (2) Upon being recognized by the Chair, the member shall state the question of privilege.
- (3) The Chair shall:
 - (a) determine the question, or
 - (b) require that the question be seconded and permit a debate and a vote to be held on the question.

37. POINTS OF ORDER

- (1) The Chair shall preserve order and decide points of order.
- (2) (a) When a member desires to address a point of order, the member shall ask leave of the Chair to raise a point of order and after leave is granted the member shall state the point of order to the Chair and the point of order shall be forthwith decided by the Chair;
- (a) Thereafter, a member shall only address the Chair for the purpose of appealing the Chair's decision to the Council;
- (b) If no member appeals, the decision of the Chair shall be final;

- (c) The Council, if appealed to, shall call a vote, without debate on the following question; "Shall the Chair be sustained?", and its decision shall be final.

38. MEMBER SPEAKING

When a member is speaking no other member shall pass between the member and the Chair or interrupt the member except to raise a point of order.

39. QUESTION READ

Any member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a member while speaking.

40. SPEAK ONCE - REPLY

No member shall speak more than once to the same question without leave of the Council, except that a member who has presented a substantive motion rather than an amendment may reply.

41. TIME LIMITED

No member, without leave of the Council, shall speak to the same questions, or in reply, for longer than five minutes.

42. QUESTION PUT - NO FURTHER DEBATE

After any question is put by the Chair, no member shall speak to the question, nor shall any other motion be made until after the result is declared, and the decision of the Chair as to whether the question has been put, shall be conclusive.

43. QUESTIONS

- (1) A member may ask a question of the Chair for the purpose of obtaining information relating only to the matter under discussion and such questions must be stated succinctly.
- (2) When questions are called for on the Agenda or a specific item is under discussion, inquiries may be made of the Chair, or through the Chair to any member of Council, the Chief Administrative Officer, or any

Department Head, concerning any matter connected with the business of the Corporation, but no argument or opinion is to be offered, or facts to be stated, except so far as may be necessary to explain the same, and in answering or putting any such question a member is not to debate the matter to which the question refers.

44. UNPROVIDED CASES

In all unprovided cases in the proceedings of Council or in the Committee of the Whole, the matter shall be decided by the Chair, subject to an appeal to the Council.

PART VI **COMMITTEE OF THE WHOLE**

45. PROCEDURE

- (1) Council may, by resolution, go into a Committee of the Whole.
- (2) While sitting in Committee of the Whole, the rules governing the procedure of the Council and the conduct of the members thereof shall not be limited, provided that no member shall speak more than once until every member who desires to speak shall have spoken.
- (3) A motion in Committee of the Whole to rise and report shall be put immediately and shall be decided without debate.
- (4) Any member of Council is entitled to be present at a meeting of a Committee of the Council from which the public has been excluded, unless such member of Council has an interest which the member is obligated to disclose pursuant to the relevant declaration of interest legislation.

PART VII **RESOLUTIONS AND MOTIONS**

46. WITHDRAWAL

After a motion is read or stated by the Chair, it shall be deemed to be in possession of the Council, and it may only be withdrawn before decision or amendment with the permission of the Council.

47. READING

Every motion when seconded shall be received and read by the Chair, except in the cases provided for by the Rules of Procedure. However, where motions have been distributed or printed in the Agenda, recitals need not be read.

48. NO DEBATE UNTIL READ

No member shall speak to any motion until it is first read by the Chair, and the mover is entitled to speak first thereon if the member so elects. If debated, the question or motion shall be read again before being put.

49. MOTIONS RULED OUT OF ORDER

Whenever the Chair is of the opinion that a motion or resolution is contrary to the Rules of Procedure, the Chair shall rule the motion or resolution out of order.

50. NOT WITHIN JURISDICTION OF COUNCIL

A motion or resolution which requires the exercise of a power or powers by Council which are not within its jurisdiction, shall not be in order.

51. NOTICE OF MOTION

(1) Notices of Motion shall:

(a) be in writing, and

(b) include the name of the mover and seconder.

(2) All Notices of Motion received by the Clerk prior to or at the Notices of Motion segment of the Agenda shall be read out by the mover or the Chair during that segment.

(3) Copies of the Notices of Motion that have been read out shall be distributed to members at the first available opportunity.

(4) Consideration of a motion, of which notice was given pursuant to this section, shall be in order at the next regular meeting or at a special meeting of Council called for that purpose.

52. MOTIONS

- (1) The following matters and motions with respect thereto may be introduced orally without notice and without leave, except as otherwise provided by the Rules of Procedure;
 - (a) a point of order or privilege;
 - (b) presentation of petitions;
 - (c) to move the question be put;
 - (d) to adjourn.
- (2) The following motions may be introduced without notice and without leave, except as otherwise provided by the Rules of Procedure:
 - (a) to refer;
 - (b) to table, or to postpone, or defer to a certain day;
 - (c) to amend;
 - (d) to suspend the Rules of Procedure;
 - (e) any other procedural motion.
- (3) Except as provided in subsection (1), all motions shall be in writing and signed by the mover and seconder.
- (4) All motions and resolutions shall commence with the words "Resolved that", and shall be moved and seconded.
- (5) All motions may be supported or opposed by the mover and seconder.
- (6) When a member's motion has been called from the Chair at two successive meetings and not proceeded with, it shall be deemed to have been withdrawn and be dropped from the Agenda unless Council then otherwise decides.
- (7) The mover and seconder may withdraw a motion or a Notice of Motion at any time prior to the commencement of debate thereon.

53. ORDER OF CONSIDERATION

- (1) When a question is under consideration, no motion shall be received except a procedural motion or a motion to amend.
- (2) Procedural motions shall be considered immediately upon receipt and shall have precedence and are subject to debate as follows:
 - (a) to extend the time of the meeting (not debatable);
 - (b) to move the question be put (not debatable);
 - (c) to refer (debatable);
 - (d) to lay on the table (debatable);
 - (e) to defer indefinitely or to a certain day (debatable);
 - (f) to adjourn (not debatable);
 - (g) any other procedural motion (debatable).

54. AMENDMENT

A Motion to Amend:

- (1) shall be presented in writing;
- (2) only one Motion to Amend an amendment to the question shall be allowed at one time and any further amendment must be to the main question;
- (3) shall be relevant and not contrary to the principle of the report or motion under consideration;
- (4) may propose a separate and distinct disposition of a question provided that such altered disposition continues to relate to the same issue which was the subject matter of the question;
- (5) notwithstanding the standard Rules of Procedure concerning negative resolutions, a motion may be treated as an amendment to a report of a Committee which has the effect of replacing one or more recommendations of the Committee with recommendations on the same point of another Committee or of officials of the Regional Corporation

where such recommendations are found in the same report that is before the Council;

- (6) shall be put in the reverse order to the order in which it is moved; and,
- (7) despite subsection (f), any amendment(s) to a motion may be placed in order to be determined by the Chair as the most logical, practical and expeditious in all of the circumstances.

55. THE QUESTION BE NOW PUT

A motion that the question be now put:

- (1) is not debatable;
- (2) cannot be amended;
- (3) cannot be moved when there is an amendment under consideration;
- (4) shall preclude all amendments of the main question;
- (5) when resolved in the affirmative, the question is to be put forward without debate or amendment;
- (6) cannot be moved by a member who has already debated the question unless another member has subsequently debated the question; and
- (7) can only be moved in the following words, "that the question be now put".

56. MOTION TO ADJOURN

- (1) A Motion to Adjourn:
 - (a) shall always be in order except as provided by the Rules of Procedure;
 - (b) when resolved in the negative, cannot be made again until after some intermediate proceedings shall have been completed by Council;
 - (c) is not in order when a member is speaking or during the verification of a vote;

(d) is not in order immediately following the affirmative resolution of a motion for the previous question;

(e) is not debatable.

(2) A Motion to Adjourn without qualification, if carried, brings a meeting or session of the Council to an end.

(3) A Motion to Adjourn to a specific time, or to reconvene upon the happening of a specified event, suspends the meeting of the Council to continue at such time.

57. MOTION TO REFER

(1) A motion simply "to refer", without specifying the committee or other body or official to whom the matter is referred, is a referral to the Corporate Services and Economic Development Committee.

(2) A motion for reference to a Committee, Board, Official or Commission until it is decided, shall preclude all amendments of the main question and any motion to postpone or defer, or to lay on the table.

(3) A motion to refer is debatable.

58. MOTION TO LAY ON THE TABLE

(1) A motion simply "to lay a matter on the table" is debatable but cannot be amended.

(2) A motion "to lay on the table" with some condition, opinion, or qualification added to the motion to table shall be deemed to be a motion to postpone or defer made under Section 59.

(3) The matter tabled shall not be considered again by the Council until a motion has been made to take up the tabled matter at the same or a subsequent meeting of the Council.

(4) A motion to take up a tabled matter is not subject to debate or amendment.

(5) A motion that has been tabled at a previous meeting of the Council cannot be lifted off the table unless notice thereof is given in accordance with Section 51 hereof.

- (6) A motion that has been tabled and not taken from the table for six months shall be deemed to be withdrawn, and cannot be taken from the table.

59. MOTION TO POSTPONE OR DEFER

- (1) A matter postponed or deferred to a definite date shall have precedence over all other business on such date.
- (2) A motion to postpone or defer indefinitely shall be treated as if it was a motion to lay on the table.

60. RECONSIDERATION

- (1) Only a substantive motion may be reconsidered; and then only if upon the putting of the substantive motion, the minority vote comprised not less than one-third of the members present and voting.
- (2) After a substantive motion has been decided, any member who voted thereon may, at any time prior to the end of the meeting at which such substantive motion was decided, give notice in writing that the member will move at the first meeting held thereafter for a reconsideration thereof.
- (3) The Council shall, immediately when such notice has been given, vote as to whether or not such notice of reconsideration shall be accepted.
- (4) If the vote in favour of reconsideration is less than one-third of those present and voting then such notice of reconsideration shall be immediately declared lost.
- (5) If such notice has been given and accepted, no action shall be taken to carry into effect the main motion until after the motion to reconsider has been disposed of.
- (6) Every motion for reconsideration considered at a subsequent meeting shall be declared lost, unless the majority of the whole Council votes therefor.
- (7) Debate on a motion for reconsideration must be confined to reasons for or against reconsideration.
- (8) No discussion of the main question shall be allowed upon an accepted notice of reconsideration or upon the motion to reconsider, unless and until the Council shall have voted to reconsider the same.

- (9) No question upon which a notice of reconsideration has been accepted shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.
- (10) In the case of notice given under subsection (2) at a special meeting of Council "the first meeting held thereafter" shall mean the next special meeting called to deal with the general subject matter under reconsideration or the next regular meeting of the Council, whichever shall occur first.
- (11) If a notice of reconsideration is accepted by the Council then, subject to Section 58, the consideration of the motion to reconsider shall be the first item of business at the next regular meeting of the Council, unless the Council decides to deal with the motion at some earlier time.
- (12) A motion to reconsider an amendment after the original motion to which the amendment was proposed has been considered and disposed of is out of order.
- (13) An amendment cannot be the subject of reconsideration independently of the motion, by-law or other matter amended.
- (14) If a motion to reconsider is decided in the affirmative, such reconsideration shall become the next order of business, and debate on the question to be reconsidered shall proceed as though it has never previously been considered.

61. MOTION ADOPTING REPORTS

A motion of the Council to formally adopt the Reports of the Committees of the Council as those Reports have been adopted, amended or otherwise dealt with by the Council and a by-law to confirm and adopt the same shall:

- (1) not be the subject of amendment or debate;
- (2) not be divided under Section 22;
- (3) not be subject to reconsideration directly or indirectly under Section 60; and
- (4) not be subject to any procedural motion.

PART VIII **BY-LAWS**

62. **READINGS OF BY-LAWS AND RELATED PROCEEDINGS**

- (1) Except as otherwise provided, no by-law, except a by-law to confirm the proceedings of Council, shall be presented to Council unless the subject matter thereof has been considered and approved by Council.
- (2) When introduced, every by-law shall be in typewritten form and shall be complete with the exception of the number and date thereof.
- (3) The Clerk shall endorse on all by-laws enacted by Council the dates of the several readings, if any, thereof.
- (4) Every by-law which has been enacted by the Council shall be numbered, dated and shall be deposited in the office of the Clerk for safekeeping.
- (5) All by-laws enacted by the Council shall be printed, paged, indexed and bound up in a separate volume for the year in which they are passed.

PART IX **COMMITTEES**

63. **PROCEDURE**

Except as otherwise provided herein, a Committee shall conform to the rules governing procedure in the Council.

64. **PREPARATION OF AGENDA**

- (1) The Agenda for a meeting of a Committee shall be prepared under the direction of the Chair of the Committee.
- (2) Despite subsection (1), the Chief Administrative Officer, the Regional Treasurer or the Regional Solicitor have the right to place items on the Corporate Services and Economic Development Committee Agenda.
- (3) Items submitted pursuant to subsection (2) shall contain the following statement: "This report is submitted to the Corporate Services and Economic Development Committee pursuant to the provisions of subsection 64(2) of the Procedure By-law".

65. ESTABLISHMENT

Committees may be established by the Council at any time as is deemed necessary for the consideration of matters within the jurisdiction of the Council.

66. CHAIR OF THE COUNCIL EX OFFICIO

- (1) The Chair of the Council is *ex officio* a member of every Committee.
- (2) Where a Committee is established by reference to a particular number of members without specifically providing for the membership of the Chair of the Council, such number is automatically increased by one, being the Chair of the Council, as provided under subsection (1).
- (3) The Chair of the Council may vote and otherwise participate in the business of the Committee without any restriction on the same basis as any other Committee member.

67. TERMS OF REFERENCE

Subject to the provision of any general or special Act, the Council, in establishing any Committee, shall set forth Terms of Reference of the Committee and such other provisions as the Council shall deem proper.

68. COMMITTEE CHAIR

- (1) The Council in establishing or making appointments to a Committee, other than a Standing or Coordinating Committee, may direct who shall be the Chair of the Committee.
- (2) The Chair of Council shall be the Chair of the Corporate Services and Economic Development Committee.
- (3) Subject to any such direction, the Clerk shall preside at the inaugural meeting of any Committee to conduct the election of the Chair and Vice-Chair of the Committee.

69. DUTIES OF THE COMMITTEE CHAIR

It shall be the duty of the Committee Chair,

- (1) to open the meeting of the Committee by taking the chair and calling the members to order;
- (2) to announce the business before the Committee and the order in which it is to be acted upon;
- (3) to receive and submit, in the proper manner, all motions presented by the members of the Committee;
- (4) to put to a vote all motions, which are moved, or necessarily arise in the course of the proceedings, and to announce the result;
- (5) to vote on all matters, which are moved, or necessarily arise in the course of the proceedings;
- (6) to decline to put to a vote, motions which infringe upon the Rules of Procedure;
- (7) to enforce the Rules of Procedure;
- (8) to restrain the members, when engaged in debate, within the Rules of Procedure;
- (9) to enforce on all occasions, the observance of order and decorum among the members;
- (10) to call by name any member persisting in a breach of the Rules of Procedure and order the member to vacate the meeting room;
- (11) to permit questions to be asked through the Chair of any officer of the Regional Corporation in order to provide information to assist any debate when the Chair deems it proper;
- (12) to provide information to members of the Committee on any matter touching on the business of the Committee;
- (13) to receive all petitions and communications and announce them to the Committee;
- (14) to authenticate by signature all minutes of the Committee;
- (15) to rule on any points of order raised by members of the Committee;

- (16) to inform the members of the Committee of the proper procedure to be followed;
- (17) where it is not possible to maintain order, the Chair may, without any motion being put, adjourn the meeting to a time to be named by the Chair; and,
- (18) to adjourn the meeting when the business is concluded.

70. PARTICIPATION OF CHAIR IN DEBATE

- (1) The Chair may state relevant facts and the Chair's position on any matter before the Committee without leaving the chair, but it shall not be permissible for the Chair to move a motion or debate a question without first leaving the chair.
- (2) If the Chair is absent, or desires to leave the chair to move a motion or to take part in the debate pursuant to subsection (1), or otherwise, the Chair shall call on the Vice-Chair elected pursuant to subsection 68(3) to preside until the Chair resumes the chair.

71. QUORUM AND SIZE OF COMMITTEES

- (1) A Committee shall not consider any business if a quorum is not present.
- (2) Despite subsection (1), a Committee may receive submissions or information from the public on a matter if a quorum is not present, unless the submissions/information are in respect of a hearing required by statute to be held as a public hearing.
- (3) A quorum for a Committee having an even number of members is one half of all the members thereof. A quorum for a Committee having an uneven number of members is the number of member thereof, plus one, all divided by two. The quorum of Corporate Services and Economic Development Committee is five.
- (4) The membership of the Planning and Environment, Community Services and Transportation Committees shall not exceed nine exclusive of the Chair. The membership of the Corporate Services and Economic Development Committee shall not exceed nine, exclusive of the Chair.
- (5) Only members of Council shall be appointed to the Planning and Environment, Community Services, Transportation and Corporate Services and Economic Development Committees of the Council.

72. MEETINGS OF COMMITTEES

- (1) (a) The regular meetings of Committees shall be at such time and such place as shall be determined by Council.
 - (a) Individual regular meetings of a Committee may be varied by the Chair from the time and place determined by Council, subject to the notice provisions of section 77.
 - (b) During the months of July, August, and December one regular meeting of each Committee shall be held.
 - (c) The Chair may cancel one or more regular meetings of the Committee if in the Chair's opinion such meetings are not necessary for the proper conduct of the business of the Committee and provided that not more than two successive regular meetings are cancelled under this subsection.
- (2) No Committee shall meet while the Council is in session.
- (3) Members may speak more than once on the same question.
- (4) Notwithstanding subsection (3), no member, without leave of the Committee, shall speak to the same question, at one time, or in reply, for longer than five minutes.
- (5) A member of Council who is not a member of a Committee is entitled to attend at all meetings of the Committee and to participate, subject to subsection (6) herein.
- (6) A member of Council who is not a member of a Committee, at a meeting of the Committee shall:
 - (a) not be counted in determining the presence or number for quorum;
 - (b) not move any motion or vote on any matter; and
 - (c) not, without leave of the Committee, speak longer than five minutes, including questions and/or debate, on any one agenda item.
- (7) A substantive motion made in Committee must be in writing but need not be seconded.

- (8) Subject to section 11, the meetings of a Committee shall be open to the public.
- (9) No less than forty-eight hours notice of a meeting shall be given to the members of a Committee and, whenever possible, an Agenda shall be provided to the members in advance of the meeting.
- (10) Council members have the right to place items on Committee agendas provided that such items are received by the Clerk or the Committee Coordinator two clear days in advance of the meeting of the Committee.

73. GENERAL PROVISIONS FOR COMMITTEES

- (1) The Chair shall preside; in the absence of the Chair, the Vice-Chair shall preside.
- (2) The Chair of the Committee may vote on any question before the Committee, and, in the event of an equality of votes, the question being voted upon shall be deemed to have been lost.
- (3) Committees shall consider and report on such matters only as have been referred to them by the Council or such matters as come within their continuing Terms of Reference and jurisdiction.
- (4) Committees may receive representations from the public. Other than at a statutory public hearing, no person, without leave of the Committee, shall speak for longer than five minutes.
- (5) Each Committee, other than a standing committee, shall diligently pursue its duties and shall report to the Corporate Services and Economic Development Committee and Council on every matter and question coming before it within its Terms of Reference.
- (6) Each Standing Committee shall diligently pursue its duties and shall report to Council on every matter and question coming before it within its Terms of Reference.
- (7) Should the Chair of any Committee neglect or refuse to call meetings of the Committee at such times or with such frequency as the proper dispatch of the Committee's business requires, or do the business of the Committee without the knowledge or consent of its members, or contrary to their wishes or actions, the Committee may report such neglect, refusal or action to the Council which may remove such Chair from office and, except in the instance of a standing committee, appoint another member as Chair.

- (8) Should any member of a Committee fail to attend three successive regular or Special Meetings thereof, without being authorized to do so by a resolution of the Committee, the Committee may certify such failure and thereupon the membership of such person on the Committee is terminated and the Council may appoint another member in their place. Reception of a written notice of regret by the Committee or Council shall constitute authorization for the purposes of this subsection.
- (9) Should any Committee neglect or refuse to give due attention to any matter before it, the Council may by resolution discharge such Committee and appoint another in its place.
- (10) When an Ad Hoc Committee has completed its work and submitted its final report, it dissolves automatically, unless otherwise directed by Council.

74. CONSENT AGENDA

- (1) At the commencement of a meeting, the Chair shall proceed through the items in the agenda to determine if it is the will of the Committee that the recommendations be adopted without debate or questions.
- (2) During the progression through the agenda in accordance with subsection (1), no debate, questions or recorded vote shall be permitted but declarations of interest and dissents may be recorded.
- (3) Any member of the Committee may require that a recommendation be debated or subject to questions.
- (4) A request by a member of Council who is not a member of the Committee to have a recommendation be debated or subject to questions shall be determined forthwith, without debate, by a vote of the Committee.
- (5) The Chair shall declare whether each recommendation is carried or will be subject to debate.
- (6) Upon completion of the progression through the agenda in accordance with subsection (1), the Committee shall then proceed to consider, in accordance with the agenda, the recommendations that have not yet been adopted.
- (7) No recommendation which is subject to the holding of a statutory public hearing may be adopted at the time of the consideration of the consent agenda.

75. SUPPLEMENTARY REVENUE AND EXPENDITURE ESTIMATES

- (1) A motion or recommendation to approve or direct the expenditure of funds, or the raising of revenue, not within an estimate or revenue measure previously approved by Council shall be tabled until the next regular meeting of the Committee or Council unless the motion or recommendation is within a report that:
 - (a) was distributed to members of the Committee at least two clear days in advance of the Committee or Council meeting, and
 - (b) contains a financial comment by the Finance Commissioner.
- (2) Where a notice of motion to approve or direct the expenditure of funds, or the raising of revenue, not within an estimate or revenue measure previously approved by Council, is given to Council, the Finance Commissioner shall submit to Council at its next regular meeting, or at a special meeting called to consider the motion, a financial comment with respect to the motion.

76. COORDINATOR

- (1) The Coordinator of any Committee shall be designated by and be responsible to the Clerk.
- (2) It shall be the duty of the Coordinator:
 - (a) to give notice of each regular and Special Meeting of the Committee together with an Agenda of the matters to be considered;
 - (b) to submit the reports of the Committees to the Corporate Services and Economic Development Committee or to Council, as the case may be;
 - (c) perform such other functions as may be required from time to time.

77. SPECIAL MEETINGS OF COMMITTEES

- (1) The Chair may at any time summon a Special Meeting of the Committee or, upon receipt of the petition of the majority of the members of the Committee, the Coordinator shall summon a Special Meeting for the purpose and at the time mentioned in the petition.
- (2) Notice of all Special Meetings of the Committee setting forth the matters to be considered at such Special Meeting shall be given to all members of the Committee either:
 - (a) by prepaid, special delivery mail deposited in a Canada Post Corporation Post Office not less than seventy-two hours in advance of the time fixed for the meeting;
 - (b) by delivery to the Regional office, residence or place of business of the member not less than six hours in advance of the time fixed for the meeting; or
 - (c) by personal service to the members not less than six hours in advance of the time fixed for the meeting; and/or
 - (d) by such other manner as the Chair may direct;
- (3) At Special Meetings of the Committee, it shall not be competent to consider or decide upon any matter unless such matter has been explained in the notice calling the meeting, without the consent, recorded in the minutes, of all of the members of the Committee.
- (4) Subject to Section 11, a Special Meeting of the Committee may be either open or closed as determined by the Committee.
- (5) Once received by the Coordinator, no member may remove their name from a petition filed under subsection (1).
- (6) Despite this section, on urgent and extraordinary occasions, with the consent of two-thirds of all the members of Committee recorded in the minutes, an emergency Special Meeting of the Committee may be called by the Chair without notice to consider and deal with such urgent and extraordinary matters.

78. MEMBER SERVICES COMMITTEE

- (1) The Member Services Committee shall be composed of three members of Council.
- (2) The Member Services Committee has jurisdiction regarding:
 - (a) the administration of the offices of the Councillors;
 - (b) expenditures by Councillors;
 - (c) entitlement of Councillors to Regional facilities and resources for the performance of their duties; and
 - (d) personnel matters related to:
 - a) the offices of the Councillors, or
 - b) the performance by the Councillors of their duties.
- (3) The Member Services Committee shall meet at the call of its Chair in accordance with the notice provision in Section 77.
- (4) A decision of the Member Services Committee may be forwarded directly to Council but only upon written request of two members of Council.

79. JOINT MEETINGS OF COMMITTEES

- (1) A joint meeting of two or more Committees may be directed by Council, or may be called by their Chairs whenever such Chairs consider it necessary for their respective Committees to consider and report jointly on matters within their joint areas of concern.
- (2) Upon the receipt of a request in writing by a majority of members of each of two Committees, the respective Committee Chair, or in the case of the illness or absence of one or more of them, the Clerk shall summon a joint meeting of such Committees for the purpose of considering and reporting on matters within the Committees' joint areas of concern.
- (3)
 - (a) A quorum for the joint meeting of Committees shall be a majority of
the combined number of members of the Committees excluding the Chair of Council; and

- (a) The Chair of Council, if present, shall be counted as one member in making such quorum and shall have one vote.
- (4) (a) Where a joint meeting consists of the Corporate Services and Economic Development Committee and other Committees of Council, the Chair of Council shall preside as Chair of the joint meeting;
- (a) Subject to subsection (4)(a), the members in attendance at a joint meeting called pursuant to this section shall appoint the Chair of one of the Committees to chair the joint meeting, but if both such Chairs are absent, another member of one of the Committees shall be so appointed.
- (5) (a) When the Chair of the joint meeting calls for the vote on a question,
 - each member of the Committees shall vote in unison, and the question shall be decided by a majority of votes, so that only one decision is made thereon; and,
- (a) The Chair of the joint meeting may vote on all questions submitted and in the case of an equal division, the question shall be deemed to have been decided in the negative.
- (6) The provisions of the By-law with respect to the conduct of business in Committees shall apply, with necessary changes, to the conduct of business at a joint meeting called pursuant to this section.

80. AGENDA IN COMMITTEE

- (1) The Coordinator shall have prepared and printed for the use of the members at the regular meetings of Committee an Agenda setting forth the business to be considered at such meeting.
- (2) The business of the Committee shall be considered in the order set forth on the Agenda, provided however, that the Chair, with the approval of the Committee, may vary the order of business to better deal with matters before the Committee.
- (3) Except as otherwise decided by a two-thirds vote of the members of Committee present and voting, the Committee shall not consider any report, or any matter, that has not been distributed to the members with the Agenda.

- (4) The Coordinator shall read the minutes of the preceding meeting, or, if the minutes have been delivered to the members of the Committee, a resolution that the minutes be adopted as if read shall be in order.
- (5) After the minutes have been adopted they shall be signed by the Chair and by the Coordinator.

81. INFORMATION REPORTS

- (1) A report may be forwarded to a Committee for information.
- (2) Notwithstanding that a report has been forwarded for information, motion(s) may be made by members of the Committee for action to be taken on matters that arise from or are discussed in the report.
- (3) Motions made under subsection (2) may be made at any meeting where the report is presented to the Committee or Council.

PART X ORGANIZATION OF NEW COUNCIL

82. INAUGURAL MEETING OF COUNCIL

- (1) At the Inaugural Meeting of the Council, the only business to be brought before the meeting shall be the following:
 - (a) Filing of Certificates and Declarations of Office;
 - (b) Election of Nominating Committee pursuant to Section 83; and
 - (c) Matters incidental to any of the above.
- (2) Despite subsection (1), an Inaugural Address by the Chair may be delivered at the Inaugural Meeting of Council or at a subsequent meeting of Council.

83. ELECTION OF NOMINATING COMMITTEE

- (1) A Nominating Committee shall be elected at the Inaugural Meeting of the Council in accordance with this section.
- (2) The composition of the Nominating Committee shall be determined by the Council exclusive of the Chair who shall sit as an *ex officio* member.
- (3) The Chair shall call for nominations.

- (4) Each nomination shall be in writing, regularly moved and seconded, and shall only be accepted if either the written consent of the nominee is appended thereto, or the nominee, being present, signifies their consent.
- (5) All voting shall be done in open council without the use of any form of secret ballot.
- (6) Where there are more nominees than positions available on the Committee a vote shall be taken.
- (7) Each member shall have a number of votes equal to the membership of the Committee.
- (8) A nominee requires the vote of a majority of the members present to be elected.
- (9) The person or persons receiving the fewest votes will be dropped off the list until nine nominees remain.
- (10) In the event that there are two or more person tied for the fewest number of votes, the following procedure shall be observed:
 - (a) A run-off election shall be held amongst those tied for the fewest number of votes.
 - (b) Each councillor shall have a number of votes equal to the number of nominees tied for the fewest votes minus one.
 - (c) The nominee receiving the fewest votes amongst those in the run-off shall be dropped off the list of nominees.

84. COMMITTEE AND LOCAL BOARD APPOINTMENTS AND MEETINGS

The Nominating Committee upon election shall forthwith consider and recommend to Council, at a meeting to be held on the Wednesday next following the Inaugural Meeting, or at such other time as the Chair shall determine, which meeting shall be deemed to be the regular meeting of Council for that month,

- (1) the names of the members to serve on each Standing Committee, appointments to other committees, local boards, bodies and organizations, and recommend to the Ottawa-Carleton Regional Transit Commission the name of the members to serve on the Transit Services Committee;

- (2) a schedule for the meetings of the Standing Committees; and
- (3) the seating arrangements for the members of Council.

85. ADDITIONAL MEMBERS ELECTED TO COMMITTEES

- (1) Despite Section 84, other members may be nominated by members of Council.
- (2) Where an additional person to those recommended by Nominating Committee are nominated, the choices shall be debated and the voting held in accordance with the provisions of Section 83 hereof with the necessary modifications if
 - (a) the committee, local board, body or organization has a defined maximum number of members; and
 - (b) the addition of the person nominated at council would cause the committee, local board, body or organization to have a number of members in excess of its maximum.
- (3) Where subsection (2) is not applicable and an additional person to these recommended by Nominating Committee is nominated, members of council shall vote, with each member of council having one vote, as to whether the additional nominee shall be added to the members of the committee, local board, body or organization in question.
- (4) Where a vote has been taken under Sections 83 or 85 such that the required number of members is reached, such members shall be deemed to have been elected or appointed by the Council and no formal resolution to that effect is required.

PART XI **GENERAL PROVISIONS**

86. TIME

Time, in this by-law, shall be governed by Eastern Standard Time, except that Eastern Daylight Saving Time shall govern when it is in use in Ottawa-Carleton.

87. RECORDING EQUIPMENT

At the meetings of Council or a Committee, the use of cameras, electric lighting equipment, flash bulbs, recording equipment, television cameras and any other device of a mechanical, electronic or similar nature used for transcribing or recording proceedings by auditory or visual means by members of the public, including accredited and other representatives of any new media whatsoever, may be permitted and shall be subject to the approval and/or direction of the Chair unless otherwise decided by the Council or a Committee.

88. COMMUNICATION DEVICES

- (1) Subject to subsection (3), at the meetings of Council, the use of cellular phones, audible pagers or any other similar communication device is only permitted in the press gallery section of the Council Chambers.
- (2) Unless a meeting of a Committee is taking place in the Council Chambers, in which case subsections (1) and (3) apply, the use of audible cellular phones, audible pagers or any other similar communication device is prohibited in the room in which the Committee is meeting.
- (3) Despite subsection (1), the use of any communication device may be prohibited by the Chair of Council or the Committee if, in the Chair's opinion, the device is interfering with any video or audio broadcast of the meeting.

89. REPEAL

- (1) By-laws 238 of 1991, 166 of 1993 and 112 of 1994, as amended, are repealed.
- (2) This By-law shall not be amended or repealed except by a two-thirds vote of all members of the whole Council.
- (3) No amendment or repeal of this By-law shall be considered at any meeting of the Council unless notice of the proposed amendment or repeal with a summary of the changes proposed was:
 - (a) given at a previous regular meeting of the Council; or,
 - (b) delivered to the Regional office, residence or place of business of the members not less than ten (10) days in advance of the next meeting;

and the Council may not waive such notice.

90. EFFECT

This By-law shall be deemed to have come into force on the day of
June, 1998.

91. SHORT TITLE

This By-law may be referred to as either the "Procedure By-law" or the "Rules of
Procedure".

ENACTED AND PASSED in open Council this day of , 1998.

REGIONAL CLERK

REGIONAL CHAIR

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2.5 MANAGEMENT COMMITTEE

2.5.1 COMPOSITION

2.5.2 TERMS OF REFERENCE

2.6 OTTAWA-CARLETON REGIONAL TRANSIT COMMISSION

2.6.1 ORGANIZATION

2.6.2 MEMBERSHIP

2.6.3 TERMS OF REFERENCE

2.7 TRANSIT SERVICES COMMITTEE

2.7.1 INTRODUCTION

2.7.2 TERMS OF REFERENCE

**2.8 REGIONAL MUNICIPALITY OF OTTAWA-CARLETON
POLICE SERVICES BOARD**

2.8.1 ORGANIZATION

2.8.2 MEMBERSHIP

2.9 OTHER LOCAL BOARDS

2.9.1 LOCAL BOARDS AND AD HOC COMMITTEES



2.5 MANAGEMENT COMMITTEE

2.5.1 COMPOSITION

The Management Committee is composed of the following officers of the Regional Municipality;

Chief Administrative Officer
Environment and Transportation Commissioner
Planning and Development Approvals Commissioner
Social Services Commissioner
Human Resources Commissioner
Finance Commissioner
Regional Solicitor
Regional Clerk
Homes for the Aged Commissioner
Information and Public Affairs Director
Medical Officer of Health
Regional Internal Auditor
Director of Corporate Programs and Administration
Chief of Regional Police
The General Manager of OC Transpo

The Secretariat function shall be the responsibility of the Administrative Assistant to the Chief Administrative Officer.

The Management Committee is scheduled to meet twice monthly, and meetings are to be chaired by the Chief Administrative Officer. The Chair of the Committee may call special meetings.



2.6 OTTAWA-CARLETON REGIONAL TRANSIT COMMISSION

2.6.1 ORGANIZATION

The Ottawa-Carleton Regional Transit Commission is a body corporate, with separate statutory rights and duties as set out in the Regional Municipality of Ottawa-Carleton Act. The Commission is required by law to remain an independent legal entity.

The Regional Council approves the funding necessary to support operating and capital costs not covered by fares, provincial subsidies and other sources of revenue.

The Regional Council, through its Transportation Committee, also plans and implements transit related measures on regional roads when recommended by the Transit Commission.

2.6.2 MEMBERSHIP

The Transit Commission is operated on behalf of the residents of Ottawa-Carleton by a nineteen member Commission composed of the Chair and the eighteen Regional Councillors.



2.7 TRANSIT SERVICES COMMITTEE

2.7.1 INTRODUCTION

Within the Transit Commission is one standing committee;

Transit Services Committee

The composition of the Transit Services Committee shall be as provided for in the Transit Commission's Procedure By-law. The Transit Services Committee reports directly to the Transit Commission.

2.7.2 TERMS OF REFERENCE

The Transit Services Committee shall exercise the following authority:

.1 Administration and General Policy

- (a) provide direction to the administration of the Transit Commission through the Chair with a view to strengthening management and administrative practices;
- (b) provide policy guidance to the Transit Commission on all matters of a financial or administrative nature;
- (c) support the Commission in ensuring the coordination of policies and programs related to transit matters;

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- (d) provide leadership to the planning and budgeting process and in so doing ensure integration of policy goals;
- (e) identify overlaps and duplications of programs; and
- (f) supervise the implementing of orders of the Commission and, to that end, give such direction as may be necessary.

.2 Reporting

- (a) submit such reports as are requested by the Commission;
- (b) report on such matters as may from time to time be referred to the Transit Services Committee by the Commission, or for which standing authority to act has been delegated to the Transit Services Committee by the Commission; and
- (c) consider and report to the Commission on recommendations made by the Chief Administrative Officer, the General Manager or committees, with such comment and recommendations as the Transit Services Committee deems appropriate.

.3 Staffing and Personnel

- (a) make appointments to committees in the absence of appointments by the Commission;
- (b) recommend to the Commission the appointment of the General Manager;



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- (c) recommend the salaries of all officers and employees not governed by the terms of a collective agreement;
- (d) recommend to the Commission the dismissal or suspension of the General Manager, including the terms of all related separation agreements;
- (e) act as the official bargaining agent of the Commission in all negotiations with representatives of the Commission employees, particularly pertaining to all collective agreements between the Commission and unions and associations representing its employees, and make recommendations to the Commission. The Transit Services Committee may delegate its bargaining and negotiation powers, however, no final agreement resulting from such a delegation shall be binding on the Commission until it is approved by the Transit Services Committee and the Commission; and
- (f) examine from time to time all bonds of officials and recommend to the Commission any necessary changes.

.4 Budget and Expenditures

- (a) prepare estimates of proposed expenditures for the year and recommend them to the Commission for its consideration;
- (b) monitor all matters connected with expenditure, revenue and investment, and recommend such



measures to the Commission as may be deemed necessary; and

- (c) provide the necessary funds for any expenditure adopted by the Commission where such funds have not already been identified.

.5 Acquisition and Disposition of Property

- (a) consider and report to the Commission on the acquisition or purchase of lands and buildings required for any purpose of the Transit Commission;
- (b) acquire property, including limited interests therein, such as easements, rights of way, mortgages, leases and licences, where the cost of such property exceeds \$100,000.00 but is less than \$500,000.00;
- (c) authorize the sale or other disposition of land, including determination of the compensation to be paid therefor, provided that such sale price does not exceed \$500,000.00 and that such land has been declared surplus by the Commission;
- (d) consider all matters connected with the sale, maintenance and operation of buildings and property of the Transit Commission; and
- (e) in relation to property management, direct the activities of the Commission staff in the maintenance and management of real property.



.6 Contracts and Tenders

- (a) approve specifications for and award contracts and, for that purpose, call all tenders for works, material, supplies, machinery or other goods or property required for use by the Transit Commission, and report its action to the Commission; and
- (b) award contracts or purchase orders to such persons and upon such terms and conditions as are deemed fit where estimates exceed \$50,000.00, and recommend such awards to the Commission for approval.
- (c) unless authority has been otherwise delegated, to approve final awards of all contracts for material and services and final decisions on all contract variations during the months of June, July, August, September and December.

.7 Other Powers

- (a) approve Transit Commission participation in federal or provincial cost-sharing programs or employment incentive programs;
- (b) submit proposed by-laws to the Commission;
- (c) supervise and control all matters relating to the books, documents, records, vouchers and securities of the Transit Commission;
- (d) conduct, on behalf of the Commission, all public meetings or hearings required by Provincial or

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Federal legislation except those meetings or hearings specifically delegated by the Commission to other Committees; and

- (e) approve attendance by Commissioners at all conferences, seminars and similar events.

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**2.8 REGIONAL MUNICIPALITY OF OTTAWA-CARLETON
POLICE SERVICES BOARD**

2.8.1 ORGANIZATION

The Regional Municipality of Ottawa-Carleton Police Services Board ("Police Services Board") is responsible for the provision of adequate and effective policing services in the Region, in accordance with the provisions of the Police Services Act.

In its capacity as the main civilian oversight body for the Ottawa-Carleton Regional Police, the Police Services Board is charged with appointing the members of the police force, recruiting the Chief of Police and Deputy Chiefs of Police, determining objectives and priorities with respect to police services in the Region and generally setting policies for the effective management of the police force.

2.8.2 MEMBERSHIP

The Police Services Board is composed of seven members, including the Regional Chair and two Regional Councillors. Regional Council is also responsible for appointing a Community Representative who is neither a member of Council nor an employee of the Regional Corporation. The remaining three positions are filled by members appointed at the provincial level of government by the Lieutenant Governor in Council.

The Police Services Board recommends the annual police budget to Regional Council for approval.