



**The Corporation of the City of Cornwall**  
**Regular Meeting of Council**  
**By-law 2023-112**

Department: CAO  
Division: Clerk's Division  
By-law Number: 2023-112  
Report Number 2023-24-CAO  
Meeting Date: December 11, 2023  
Subject: By-law 2023-112 to Govern the Proceedings of the Council of the Corporation of the City of Cornwall known as the Procedure By-law

Whereas the Municipal Act, 2001, (the "Act") mandates the council of every municipality in Ontario to pass a Procedure By-law for governing the calling, place, and proceedings of meetings; and

Whereas the Act also states that the Procedure By-law shall provide for public notice of meetings; and

Whereas the Act further provides that the Procedure By-law may include the ability of Members of Council to participate electronically in meetings to the extent and the manner set out in the By-law; and

Now therefore be it resolved that the Council of The Corporation of the City of Cornwall enact the following Procedure By-law to govern the proceedings of the Council and its Committees; and

Now therefore be it further resolved that By-law 2020-103 be and is hereby repealed.

## Article 1 Short Title

### 1. Citation

This By-law shall be referred to as the Procedure By-Law.

## Article 2 Interpretation

In this By-law,

### 2.1 Act

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

### 2.2 Acting Mayor

"Acting Mayor" means the Member appointed, by by-law, to act from time to time in the place and stead of the Mayor for the purposes of chairing meetings. The Acting Mayor is not considered to be the "head of council" for the purposes of, and referenced in, the Municipal Act, 2001.

### 2.3 Ad Hoc Committee

"Ad Hoc Committee" means a committee established by Council, with defined start and end dates, to address a temporary or singular issue, and is composed entirely of Members of Council.

### 2.4 Advisory Committee

"Advisory Committee" means a committee established by Council to act in an advisory capacity on operational and/or strategic issues as identified by Council, and is composed entirely of members of the public.

### 2.5 Chair

"Chair" means the Mayor or Acting Mayor of any meeting of Council, or the Chair at any meeting of a Committee.

## 2.6 Chief Administrative Officer

"Chief Administrative Officer" and/or the "CAO" means the most senior manager of the City of Cornwall, as described in Section 229 of the Act, and appointed by by-law.

## 2.7 Clerk

"Clerk" means the Clerk of the City of Cornwall, as described in Section 228 of the Act, and appointed by by-law.

## 2.8 Committee

"Committee" means an ad hoc, standing, advisory, or other special purpose committee established by Council, but does not include the Committee of the Whole of Council.

## 2.9 Committee Chair or Chair

"Committee Chair" or "Chair" means the Chair of an ad hoc, standing, advisory or other special purpose committee established by Council.

## 2.10 Committee of the Whole

"Committee of the Whole" means all the Members of Council present and sitting in Committee of the Whole of Council, and reports directly to Council.

## 2.11 Consent Agenda

"Consent Agenda" means the portion of the agenda that may be approved by Council without debate.

## 2.12 Council

"Council" means the Council of the City of Cornwall.

## 2.13 Debate

"Debate" means a discussion to put forth reasons for or against a matter or item, in which a difference of opinion is expressed.

## 2.14 In Camera Meeting

"In Camera" means a meeting, or portion of a meeting, closed to the general public in accordance with the relevant legislation and this By-law.

## 2.15 Direction to Staff

"Direction to Staff" means a request submitted by a Member of Council in accordance with Article 17 and, with the will of Council/Committee, where staff has agreed to undertake additional actions, within existing resources and within the scope of an item of business already on the agenda.

## 2.16 Inquiry

"Inquiry" means a written question filed by a Member at a Council or Committee meeting, in accordance with Article 17, where staff has been asked to provide additional information in writing about an existing by-law, program, policy, service, legislation or operational matter within the jurisdiction of Council or the respective Committee. An inquiry may be further defined as either:

- a. A "standard inquiry", where staff can respond using existing resources and information within a reasonable amount of time; or
- b. A "significant inquiry", where staff has identified that, due to the subject matter or scope of the inquiry, staff cannot respond using existing resources and information within a reasonable amount of time.

## 2.17 Local Board

"Local Board" means a local board of the City of Cornwall as defined in the Municipal Act, 2001, or other relevant legislation.

## 2.18 Meeting

"Meeting" means any regular or special Council or Committee meeting when a quorum is present as defined by the Act and includes meetings where some or all Members of Council are attending via electronic participation.

## 2.19 Member

"Member" means a Member of Council of the City of Cornwall.

## 2.20 Municipal Corporation

"Municipal Corporation" means The Corporation of the City of Cornwall.

## 2.21 Point of Order

"Point of Order" means a statement made by a Member during a meeting drawing the attention of the Mayor to an apparent contravention of the rules, procedures, or generally accepted practices of Council, as set out in Article 23.

## 2.22 Question of Privilege

"Question of Privilege" means the raising of a question which concerns a Member of Council, or the Council collectively, when a Member believes that their rights or integrity, or the rights or integrity of Council as a whole, have been impugned, as set out in Article 20.

## 2.23 Position or Opinion

"Position" or "Opinion" means something believed or accepted as true by a person.

## 2.24 Presiding Officer

"Presiding Officer" means the Mayor at a regular or special meeting of Council, or the Chair of a Committee or, in the absence of either, another Member of Council appointed in accordance with the provisions of this By-law.

## 2.25 Rules of Procedure

"Rules of Procedure" means the rules and regulations of Council, as provided for in this By-law.

## 2.26 Special Committee

"Special Committee" means a special committee of Council, composed of Members of Council and may also include the appointment of non-Members, who assemble to discuss a particular subject matter as directed by Council.

## 2.27 Staff

"Staff" means the statutory officers and employees of the City of Cornwall.

## 2.28 Standing Committee

"Standing Committee" means a Committee of Council comprised solely of Members of Council who are appointed by Council for the term of council.

## Article 3 General Provisions

### 3.1 Purpose and Principles

#### Purpose

- a. Council and its Committees shall observe the Rules of Procedure as set out in this By-law in all of their proceedings. These Rules of Procedure shall be used to guide the order, consideration and dispatch the business of the Council and its Committees and, whenever possible, with the necessary modifications, for all advisory and ad hoc committees unless otherwise provided.
- b. These Rules of Procedure are intended to align with, and support, the City of Cornwall's policies regarding transparency and accountability.

#### Principles

- a. Each Member of Council has the following rights:
  - The right to vote on all matters, subject to any declaration of a pecuniary interest;
  - The right to information to help make decisions, unless otherwise prohibited by law;
  - The right to be treated with respect; and
  - The right to attend and participate in an efficient and effective meeting.
- b. No item shall be placed on an agenda with respect to a matter which is not within the jurisdiction of Council or its Committees. The Mayor, and/or Chair, in consultation with the City Clerk, shall determine any issues regarding jurisdiction.

### 3.2 Suspension - Rules - Two-thirds Vote

These Rules of Procedure, or any provision therein, may be suspended for the purpose of that Meeting, or for purposes of a specific matter, by a vote of two-thirds of the Members present.

### 3.3 Calculation - Two-thirds Vote

Where necessary, the calculation of two-thirds vote shall be rounded up to the next highest, whole number.

### 3.4 Applicability to all Meetings

This By-law applies to all meetings and proceedings of Council and its Committees.

### 3.5 Support to Other Municipalities

If requests are submitted from other municipalities for Council to support an issue, the motion to support those requests shall only be made by a Member of Council.

## Article 4 Meetings

### 4.1 Inaugural - Time – Place

The Inaugural Meeting of Council following a regular election shall be considered Council's first meeting and shall be held on the first business day in December of an election year.

#### 4.1.1 Inaugural Agenda

The Mayor and the Clerk shall be responsible for the content of the Agenda of the Inaugural Meeting and the arrangements for the Inaugural proceedings.

### 4.2 Regular - Schedule - Designated - Time

The next and each succeeding regular Council meeting shall be held on the second and fourth Tuesdays of each month, commencing at 6:00 p.m. at such place designated for such purpose by Council and shall be held in accordance with the schedule of meetings of Council prepared by the Clerk.

#### 4.3 Holiday

All regular meetings shall be held on Mondays unless such a day is identified as a public or civic holiday, in which case Council shall meet at the same hour on the next following business day which is not a public or civic holiday.

#### 4.4 March, July, August and December - Exceptions

Despite the provisions of Articles 4.2 and 4.3, there shall be one meeting of Council in the month of March, which shall be held on the fourth Monday of the month. During the months of July, August and December, the meetings shall be held on the second Monday of each month.

#### 4.5 Notice - Public Meeting

##### 4.5.1 Notice - Previous Agenda

Notice shall be given of all public meetings of Council on the previous Agenda detailing the order of business, immediately following the Confirming By-law unless the day of meeting is other than that provided by this By-law.

##### 4.5.2 Notice – City Website

Notice of all meetings of Council shall also be given by means of posting the notice on the City's website.

#### 4.6 Electronic Participation

##### 4.6.1 Electronic Participation - General

- a. Any Member of Council may participate in any open or closed Council or Committee meeting electronically and be counted for the purposes of establishing quorum.
- b. Any Member of an ad hoc, advisory, or other special purpose Committee established by Council may participate in meetings electronically and be counted for the purposes of establishing quorum.
- c. Any Member of Council or Member of an ad hoc, advisory, or other special purpose Committee established by Council shall have the same rights, responsibilities and privileges as if they were in physical attendance at the meeting.

#### 4.6.2 Electronic Participation - Specific

- a. Electronic participation may be conducted by way of telephone, video conferencing software or other electronic means, following any instructions provided by the Clerk in order to ensure that the meeting may proceed in the most transparent, efficient and effective manner under the circumstances.
- b. The means of electronic participation for Council and Committee meetings shall be communicated to Members and the Public in advance of the meeting.
- c. In accordance with the relevant legislation regarding pecuniary interests, Members who have declared a pecuniary interest regarding a matter to be considered shall fully disconnect and leave the electronic meeting and not participate in any way with respect to the matter in question.
- d. A Member who is participating electronically in a meeting who, for any reason, will no longer be attending the meeting prior to adjournment, shall advise the Mayor and Clerk of their absence and fully disconnect from the electronic meeting.

#### 4.7 Meetings

##### 4.7.1 Special Meeting - Mayor

In addition to regular meetings of Council, the Mayor may, at any time, call a Special Meeting of Council by giving direction to the Clerk, stating the date, time, and purpose of the Special Meeting.

##### 4.7.2 Special Meeting - Members of Council

Upon receipt of a petition of the majority of the Members, the Clerk shall call a Special Meeting for the purpose and at the date and time mentioned in the petition.

##### 4.7.3 Notice - Clerk

The Clerk shall give all Members notice of a Special Meeting of Council. Such notice shall be issued at least twenty-four (24) hours before the time appointed for the meeting.

#### 4.7.4 Delivery - Notice

Notice may be given by delivering the notice personally (by leaving at the Member's residence or place of business, or by facsimile transmission to such residence or place of business, or by e-mail or telephone) to each Member.

#### 4.7.5 Nature of Business - Notice

The notice shall indicate the nature of the business to be considered, as well as the date, time, and place of the Special Meeting.

#### 4.7.6 No Other Business

No business other than that indicated in the notice shall be considered at the Special Meeting.

#### 4.7.7 Special Meeting - Place

All Special Meetings of Council shall be held at the location of the last regular meeting of Council, unless an alternative location is specified in the notice.

### 4.8 Emergency Council Meeting - Notice

Despite any other provision of this By-law, an emergency meeting of Council may be held without written notice to deal with an emergency or extraordinary situation, provided that an attempt has been made by the Clerk to notify the Members about the meeting in the most expedient manner available in the circumstances.

### 4.9 Location - Council Meeting

Council meetings shall be held in Council Chambers located at City Hall. The Inaugural Meeting and other meetings may be held at another location if public notice has been provided.

### 4.10 Meetings Open to the Public

Meetings of Council shall be open to the public except as provided for in this By-law and in accordance with the Municipal Act, 2001, or any other relevant legislation.

#### 4.10.1 Meeting Open to Public - Record

All Council meetings open to the public shall be recorded without note or comment on all resolutions, decisions and other proceedings and shall also be electronically recorded and archived pursuant to the City's records management requirements.

#### 4.11 Meetings Closed to Public - Subject Matters

A meeting or part of a meeting may be closed to the public if the subject matter being considered is:

- a. the security of the property of the City of Cornwall;
- b. personal matters about an identifiable individual, including staff;
- c. a proposed or pending acquisition or disposition of land for the purposes of the City;
- d. labour relations or employee negotiations;
- e. litigation or potential litigation, including matters before administrative tribunals, affecting the City;
- f. the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- g. a matter in respect of which Council is authorized by statute to hold a closed meeting;
- h. information explicitly supplied in confidence to the City by Canada, a province or territory or a Crown agency of any of them;
- i. a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the City, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- j. a trade secret or scientific, technical, commercial, or financial information that belongs to the City and has monetary value or potential monetary value; or
- k. a position, plan, procedure, criteria, or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the City.

A meeting or part of a meeting shall be closed to the public if the subject matter being considered is:

- a. 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 legislation; or
- b. an ongoing investigation respecting the City by the Ontario Ombudsman appointed under the Ombudsman Act, an ombudsman referred to in Subsection 221.13 of the Municipal Act, 2001, or the investigator referred to in Subsection 239.2 (1) of that Act.

A meeting of Council may be closed to the public if the following two (2) conditions are both satisfied:

- a. The meeting is held for the purpose of educating or training the Members; and
- b. At the meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of Council.

#### 4.11.1 In Camera Meeting - Resolution

A resolution to close a meeting or part of a meeting, shall state:

- a. The fact of holding the closed meeting; and
- b. The general nature of the matter to be considered at the closed meeting by reference to the specific issue to be considered at the closed meeting.

#### 4.11.2 In Camera Meeting - Time

In camera meetings shall commence at a time prescribed by the Clerk upon consultation with the Chief Administration Officer and the Mayor.

#### 4.11.3 In Camera - Confidential Matters

Members shall ensure that confidential matters disclosed to them during in camera meetings are kept confidential. This includes, but is not limited to, all information, documentation, deliberations received, reviewed or taken in an in camera Meeting, which may not be released to the public or any individual not entitled to be present at the meeting.

#### 4.11.4 Confidential Reports - In Camera Meetings

If a confidential report considered at an in camera meeting includes a recommendation that the report be "received for information", Council shall introduce a motion in open session, after the closed session discussion, using the following procedural motions:

- a. In Closed Session: "That Council rise from the in camera meeting and report out"; and
- b. In Open Session: "That confidential report [cite report number] be received."

#### 4.11.5 Report Recommendations - In Camera Meetings

If a report includes substantive recommendations for Council approval, the recommendations may be introduced in open session after the closed session discussion, using the following procedural motions:

- a. In Closed Session: That Council rise from the in camera meeting and report.
- b. In Open Session: That the recommendations contained in confidential report [cite report number] be approved.

#### 4.11.6 Reports - Direction to Staff - In Camera Meetings

A Council direction to staff to report back at a subsequent meeting may appear as part of a recommendation in the staff report and Council may introduce this in open session using the following procedural language:

That staff be directed to report back at a subsequent meeting of Council in relation to [state subject matter as appropriate and any relevant details].

#### 4.11.7 Limits on Voting - In Camera Meetings

No voting may take place during an in camera meeting unless the vote is for a procedural matter or for giving direction or instructions to officers, employees or agents of the municipality, or persons retained by or under contract with the municipality.

#### 4.11.8 Council Response - In Camera Meetings - Inquiries

The response of Members to inquiries about any matter dealt with during a closed meeting, prior to it being reported publicly, shall be: this matter is still confidential; no comment; or similar words to that effect. Members may only speak publicly about those aspects of an in camera meeting that have been made public; all other aspects of the matter shall remain confidential.

#### 4.11.9 Release of Information – In Camera Meeting

The release of any information about matters dealt with by Council at a closed meeting shall be by the Mayor or the Acting Mayor, and only upon direction of the majority of Council.

#### 4.11.10 No Release – Agenda Items – In Camera Meeting

Agendas or any items thereon for consideration by Council at an in camera meeting shall not be released to the public.

## Article 5 Roles

### 5.1 Council

It is the role of Council to:

- a. represent the public and to consider the well-being and interest of the City;
- b. develop and evaluate the policies and programs of the City;
- c. determine which services the City provides;
- d. ensure that administrative practices and procedures are in place to implement the decisions of Council;
- e. ensure the accountability and transparency of the operations of the City, including the activities of the senior management of the City;
- f. maintain the financial integrity of the City;
- g. carry out the duties of Council under this By-law, the Municipal Act, 2001, or any other Act;

- h. direct staff, by majority vote, to perform such duties as is necessary to the efficient management of the affairs of the City; and
- i. direct staff, by majority vote, to research such matters as Council deems necessary.

#### 5.1.1 No Individual Authority

No individual Member may direct any staff to perform such duties that have not been authorized by resolution of Council.

#### 5.1.2 Policies - Members - Respect

Members shall respect and adhere to the policies established by Council and shall, under no circumstances, attempt to circumvent these policies.

#### 5.1.3 Council - CAO - Liaison

Except as provided by this By-law, Members will liaise primarily with the Chief Administrative Officer.

#### 5.1.4 Information by Staff - Members of Council

Despite Section 5.1.3, Members may request information from staff who have been assigned the responsibility of providing information, such as meeting times, copies of documents, and/or information on standard operating procedures.

#### 5.1.5 Questions - Operational Concerns - Complaints

Questions or issues surrounding operational concerns or complaints, excluding the issues covered in Section 5.1.4, shall be directed to the Chief Administrative Officer, who will then re-direct the matter to the appropriate manager.

### 5.2 Head of Council

It is the role of the Head of Council to:

- a. act as chief executive officer of the City
- b. preside over Council Meetings so that its business can be carried out efficiently and effectively
- c. provide leadership to Council

- d. without limiting Clause (c), provide information and recommendations to Council with respect to the role of Council described in Articles 5.1(d) and 5.1(e) above
- e. represent the municipality at official functions or delegate a Member of Council to do so
- f. carry out the duties of the Head of Council under this By-law, the Municipal Act, 2001, or any other Act.

### 5.3 Chief Administrative Officer

It is the role of the Chief Administrative Officer to:

- a. exercise general control and management of the affairs of the City for the purpose of ensuring the efficient and effective operation of the municipality and the staff placed under their supervision; and
- b. perform such other duties as assigned by the City.

### 5.4 Clerk

It is the role of the Clerk to:

- a. record, without note or comment, all resolutions, decisions and other proceedings of Council
- b. if required by any Member present at a vote, record the name and vote of every Member voting on any matter or question
- c. keep the originals or copies of all by-laws and of all minutes, of the proceedings of Council
- d. perform other duties required under this By-law, the Municipal Act, 2001, or under any other Act
- e. perform such other duties as are assigned by the City.

## 5.5 Staff - Officers - Employees

It is the role of staff to:

- a. implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions
- b. undertake research and provide advice to Council on the policies and programs of the City
- c. carry out other duties required under this By-law, the Municipal Act, 2001, or any other Act and other duties assigned by the City.

## Article 6 Duties

### 6.1 Council

#### 6.1.1 Preparation of Members for Council Meeting

Members shall come prepared to every meeting by having read the material supplied, including agendas and staff reports, to facilitate discussion and the determination of action whenever required. When clarification is required, Members are encouraged to take steps to make inquiries of staff regarding any questions they have in advance of the meeting.

#### 6.1.2 Requests by Members for Substantive Reports

All requests made by Members for reports from staff shall be considered by Council resolution and shall identify the appropriate department or manager and the proposed objectives of the report.

### 6.2 Mayor

#### 6.2.1 Open Meeting - Call to Order

The Mayor shall preside over all matters at meetings, including the preservation of good order and decorum, ruling on points of order, and deciding all questions relating to the orderly procedure of the meeting, including Members' conduct, subject to an appeal to Council.

#### 6.2.2 Recognize Speakers

The Mayor shall recognize any Member who wishes to speak and determine the order of the speakers.

#### 6.2.3 Motions - Received - Submitted - Results Announced

The Mayor shall receive and submit in the proper manner, all motions presented by Members and put to a vote all questions, which are duly moved, and announce the result.

#### 6.2.4 Mayor May Speak/Vote - Move Motion

The Mayor may speak and/or vote on any question without leaving the chair. However, if they wish to move a motion, they shall first leave the chair by designating the Acting Mayor, and if the Acting Mayor is absent, by designating another Member to act in their stead until the motion is considered and they resume the chair.

#### 6.2.5 Debate - Enforce Rules

The Mayor shall restrain the Members, within the Rules of Procedure when engaged in debate.

#### 6.2.6 Decorum - Order - Enforced

The Mayor shall enforce on all occasions the observance of order and decorum among the Members.

#### 6.2.7 By-laws - Resolutions - Minutes - Authentication

The Mayor shall authenticate, by the Mayor's signature when necessary, all by-laws, resolutions and minutes of Council.

#### 6.2.8 Point of Order - Inform Members

The Mayor shall inform the Members on any point of order.

#### 6.2.9 Disorder- Adjourn - Suspend - Recess - Meeting

The Mayor shall adjourn the meeting, without the question being put, or to suspend or recess the sitting for a time to be named if considered necessary because of disorder arising in the meeting.

### 6.3 Head of Council - Acting Mayor

#### 6.3.1 Appointment - Upon Recommendation

Council shall appoint by by-law Members to act as the Acting Mayor in the place and stead of the Mayor, when the Mayor is absent from the municipality, or is absent through illness, or refuses to act.

#### 6.3.2 Duties - Powers - Authority

The Acting Mayor, while performing the duties in the place of the Mayor, shall have all the duties, rights, powers and authority of the Mayor as described in this By-law with respect to the role of presiding at meetings, during the absence, illness or refusal to act by the Mayor.

## Article 7

### Conduct During Meetings

#### 7.1 Sovereign - Royal Family

No Member shall speak disrespectfully of the reigning Sovereign or of any of the Royal Family or of the Governor General, the Lieutenant Governor of any Province or any Member of the Senate, the House of Commons of Canada or the Legislative Assembly of the Province of Ontario.

#### 7.2 Members of Council - City Staff

No Member shall speak disrespectfully of, nor shall they use offensive words against other Members or staff.

#### 7.3 Speaking - Subject in Debate Only

No Member shall speak on any subject other than the subject in debate.

#### 7.4 Breach Persistent - Seat Vacated - Apology

Members shall refrain from harmful conduct to the Corporation or its purposes. No Member shall breach this By-law, or a decision of the Mayor or of Council as a whole on questions of order or practice, or upon the interpretation of these Rules of Procedure. In the case where a Member persists in any such breach after having been called to order by the Mayor, the Mayor may order that such Member leave their seat for the duration of the Meeting. If the Member apologizes the Member may be permitted to retake their seat.

## 7.5 Member – Expresses Personal Position

Unless Council by vote determines otherwise, upon the public disclosure of any report discussed in camera during a Committee of Council Meeting, any individual Member may express their own personal position on the item but shall not refer to or discuss the specific positions or opinions (written or verbal) of other Members or of staff expressed at the closed meeting.

## Article 8 Rules of Debate

### 8.1 Mayor/ Presiding Officer - Preserve Order

The Mayor/ Presiding Officer shall preserve order and decorum and decide questions of order subject to an appeal to Council or Committee by any Member.

### 8.2 Address to Mayor/ Presiding Officer

Members, prior to speaking on any motion, shall indicate their desire to speak by raising their hand and shall not rise to speak until recognized by the Mayor/ Presiding Officer.

### 8.3 Order of Speaking - Determination

The Mayor/ Presiding Officer shall recognize Members in the order they indicate their desire to speak, be acknowledged by the Mayor/ Presiding Officer and shall address the Mayor/ Presiding Officer.

### 8.4 Voting - Members - Seated - Disturbance Prohibited

When the Mayor / Presiding Officer calls for the vote, each Member shall occupy their seat and shall remain there until the result of the vote has been declared by the Mayor/ Presiding Officer, and during such time no Member shall walk across the room to speak to any other Member or make any noise or disturbance.

### 8.5 Speaking - Passing Between Speaker – Mayor / Presiding Officer

When a Member is speaking, no Member shall pass between the speaker and the Mayor/ Presiding Officer or interrupt the speaker except to raise a question of privilege, appeal from the decision of the Mayor/ Presiding Officer, or raise a point of order.

#### 8.6 Debate – Motion – Read Upon Request

Any Member may require a motion under discussion to be read at any time during the debate but not to interrupt another Member while speaking.

#### 8.7 Speaking - Time Limit - 3 Minutes

No Member shall speak more than once to the main question without approval of Council, except in explanation of a material part of the Member's speech which may have been misunderstood, but they may not introduce a new matter. A right of reply shall be allowed to a Member who has made a substantive motion to Council, and no Member shall, without leave of Council, speak to the same question or in reply for longer than three (3) minutes.

#### 8.8 Question - Motion Under Discussion - Through Chair

A Member may concisely ask a question through the Chair only for the purpose of obtaining information relating to the motion under discussion.

#### 8.9 Question - Integrity of Staff

A Member, while asking questions through the Chair, shall at no time put into question the municipal employee's personal or professional integrity.

#### 8.10 Mayor/ Presiding Officer - Participation - Acting Designated

If the Mayor/ Presiding Officer desires to leave the chair for the purpose of debating or moving a motion, the Mayor/ Presiding Officer shall designate the Acting Mayor to chair the meeting until such time as the motion and any subsidiary motions applicable to the main motion, are disposed of.

#### 8.11 Motion - Seconded - Before Debate

A motion shall be seconded before it is debated or voted on.

## Article 9 Agenda Order

#### 9.1 Agenda - Order

The business of Council shall in all cases, be taken up in the following order unless otherwise decided by two-thirds of the Members present.

- Moment of Personal Reflection
- Indigenous Acknowledgement
- National Anthem
- Mayor's Update and Announcements
- Roll Call
- Additions, Deletions or Amendments
- Communication Items
- Adoption of Agenda
- Disclosures of Interest
- Adoption of Minutes
- Presentations and Delegations
- Bulk Consent Reports
- Reports from Inquiries
- Action Reports
- Inquiries
- Reports from Committees
- Notices of Motion
- Resolutions
- In Camera Session / Rise and Report
- By-laws
- Confirmation By-law
- Adjournment and Next Regular Meeting of Council.

## 9.2 Delivery of Agenda

The agenda will be delivered by electronic transmission and/or paper to each Member by the Clerk's Division no later than the Wednesday preceding the scheduled public Council meeting. Exceptions may be allowed when preparations of the Council Agenda fall on a week providing four workdays, due to statutory holidays or extenuating circumstances. The agenda will be available to staff and the media by way of posting it on the City's website after it has been electronically delivered to Members of Council.

## Article 10 Quorum

### 10.1 Call to Order - Quorum Present

As soon after the hour fixed for holding the meeting of Council as there is a quorum present, the Mayor/ Presiding Officer shall call the Members to order.

### 10.2 Quorum

A majority of the Members elected (50% +1) to Council shall constitute a quorum.

### 10.3 Quorum - Not Present - Time Limit

If there is no quorum within fifteen (15) minutes after the time fixed for holding the meeting of Council, the Clerk shall call the roll and take down the names of the Members present, and the meeting shall stand adjourned until the next regular meeting, or at the call of the Mayor / Presiding Officer.

### 10.4 Mayor/ Presiding Officer - Absent

In the case of the Mayor/ Presiding Officer not attending within fifteen (15) minutes after the hour fixed for holding the meeting of Council, and provided that a quorum is present, the Acting Mayor shall take the Chair and call the Members to order. They shall preside until the arrival of the Mayor/ Presiding Officer.

### 10.5 Mayor/ Presiding Officer - Acting Mayor - Absent

In the absence of the Mayor/ Presiding Officer and the Acting Mayor, and if a quorum is present, the Clerk shall call the Members to order. A Presiding Officer shall be chosen from among the Members present, who shall preside over the meeting until the arrival of the Mayor/ Presiding Officer or Acting Mayor.

## Article 11 Minutes

### 11.1 Contents - Clerk

The Clerk shall prepare and cause the minutes to be taken of each Meeting of Council which shall include:

- a. The place, date and time of the meeting;

- b. The name of the Presiding Officer and the record of the attendance of the Members. Should a Member enter after the commencement of a Meeting or leave prior to adjournment, the time shall be noted; and
- c. All other proceedings of Council without note or comment.

#### 11.2 Included in Agenda

Minutes of the last regular meeting of Council and of all Special Council Meetings held after the last regular meeting, shall be included in the agenda and may be adopted by Council without having been read at the Meeting at which the question of their adoption is considered. Should a Special meeting be held during or after final preparations of an agenda for an upcoming regular meeting, the minutes of those special meetings shall be scheduled at the next regularly scheduled meeting.

#### 11.3 Adoption - Without Reading

Council minutes may be adopted by Council without being read.

#### 11.4 In Camera Minutes - Adoption

All minutes for in camera meetings shall be presented to Members for adoption at the next scheduled closed meeting.

## Article 12

### Presentation and Delegations

#### 12.1 Heard - Request Submitted - Deadline - Items on Agenda

Persons desiring to address Council for the purpose of making a presentation with respect to items for Council consideration that fall under Council's mandate shall be heard at a Council meeting, with those presentations or delegations having submitted their request in writing and written material to the Clerk by 12:00 Noon on the Monday, three weeks preceding the meeting of Council.

#### 12.2 Presentation Defined

A request made for a presentation may be made to Council by an individual, group or organization or to Council by individuals, groups or organizations for matters that fall under Council's mandate. A request shall be considered a presentation if there is no action expected from Council and is for information

only. Should the request to present be made where it requires that action be taken by Council, the request shall be made under Presentations and Delegations.

#### 12.2.1 Presentations - Time Limit

Council shall hear any presentation for information purposes only, and presentations shall be limited to a maximum of ten (10) minutes.

- a. Exceptions of the ten (10) minute time frame are provided to the City's Auditor upon its annual presentation of the City of Cornwall's Financial Statement and to all City-initiated consultation work.
- b. A delegation is an organized body wishing to address Council as a presentation and/or delegation, regardless of the number of spokespersons shall be limited to a maximum of ten (10) minutes.
- c. An organized body wishing to address Council as a presentation and/or delegation, shall be limited to three (3) spokespersons.

#### 12.2.2 Restrictions - Permission

##### Presentations and/or Delegations - Businesses/Organizations

Presentations and/or Delegations from businesses and organizations shall not be permitted to appear before Council for the purpose of generating publicity for an event, or to promote their business or organization.

- a. Non-profit and charitable organizations, who wish to promote an event to raise Cornwall's profile to visitors and potential residents, shall have their documentation included on the Consent portion of the Agenda for council to receive.
- b. On any given scheduled Council meeting, there shall be a maximum of three (3) combined presentations and/or delegations permitted.
- c. Members, collectively, shall be permitted a question period for each presentation and/or delegation of a maximum ten (10) minutes.
- d. Exceptions to the ten (10) minute time frame are provided to the City's Auditor upon its annual presentation of the City of Cornwall's Financial Statement and to all City-initiated consultation work.

### 12.3 Delegations - Time Limit

Persons desiring to address Council as a delegation at a meeting of Council, except as a delegation at a public meeting pursuant to the provisions of the Planning Act, shall be permitted to speak on a matter only once and be limited to speak for no more than ten (10) minutes.

### 12.4 Questions - To Delegation

Members are permitted to ask questions of delegates but shall not make statements to or enter into debate with such persons.

### 12.5 Delegations - Requests for Action - Referral

Delegations which request action to be taken by Council shall be referred to staff, by majority vote, for a report that shall be dealt with at an ensuing Council meeting.

### 12.6 Delegations - Previously Heard by Planning Advisory and Hearing Committee

Any person, not being a Member, desiring to address Council after having addressed the Planning Advisory and Hearing Committee, shall notify the Clerk, in writing, of the request and shall include with the request any new information that was not available at the hearing before the Planning Advisory and Hearing Committee. A notice of delegations will not qualify for a designated regular meeting if received later than 12:00 noon on the Monday preceding the said meeting.

### 12.7 Delegation - Deemed - Inappropriate for Council

When it is deemed inappropriate that a delegation address Council, the Clerk shall notify the delegation and Council with a supporting explanation. Such written explanation shall be delivered to Council. If Council wishes to hear the delegation, it shall, by two-thirds vote of Members in attendance, introduce a motion to suspend the rules to allow the delegation to be heard.

### 12.8 Delegation - Limit Per Issue

No more than two delegations shall be allowed to speak on an issue: one delegation from the prevailing side; and one delegation from the opposition.

## 12.9 Delegation - Statements - Unsubstantiated

Whenever a delegation in its presentation offers comments or statements that are deemed to be erroneous and unsubstantiated, any Member or staff may be recognized by the Mayor/ Presiding Officer on a Point of Order, whereby the Member or staff so recognized by the Mayor/ Presiding Officer may bring necessary corrections or clarifications to the comments or statement said by the delegation.

## Article 13 By-Laws

### 13.1 Description - Listed on Agenda

All by-laws, together with a brief description, shall be listed on the agenda for the meeting at which they are to be read and considered.

### 13.2 Introduction - Upon Motion - Title Read

Every by-law shall be introduced upon motion of a Member specifying the title of the by-law.

### 13.3 Form - Typewritten - Compliance - Relevant Act

Every by-law when introduced shall be in typewritten form and shall comply with the provisions of any relevant Act.

### 13.4 Readings - Prior to Passing

Every by-law caption shall be read prior to it being passed and endorsed by Council.

Council may pass a series of by-laws without reading the captions of each provided that the by-laws listed on the agenda and the motion to adopt refers to the by-law numbers as set out on the agenda.

### 13.5 Purpose - Effect - Explained Upon Request

Any Member may request that the purpose and effect of any particular by-law be explained and any staff having knowledge thereof may provide such explanation.

### 13.6 Reading - By-laws

It shall not be necessary to have the by-laws read in their entirety unless a majority vote by Council requires that the by-laws be read, or that a particular by-law be read.

### 13.7 Debate - By-laws

Any by-law may be debated and is subject to amendments or referred for future consideration and re-introduced in the same manner or in an amended matter at a future meeting.

### 13.8 Debate - Amendment

A by-law may be debated or amended before final adoption by Council.

### 13.9 Passed - Numbered - Dated - Signed - Seal Affixed

Every by-law passed by Council shall be numbered, dated, and shall be sealed with the seal of the Municipal Corporation and signed by the Mayor (or Acting Mayor) and the Clerk (or Deputy Clerk) and shall be kept by the Clerk in the Clerk's office or any other place appointed for that purpose.

### 13.10 Confirmation - Conclusion of Meeting

At the conclusion of all meetings of Council and prior to adjournment, a by-law shall be brought forward to confirm the actions of Council at that meeting in respect of each motion, resolution and other action taken.

### 13.11 Confirmation - Introduction/ Voted on - Without Debate

A confirming by-law when introduced shall be taken as read and finally adopted without debate.

## Article 14 Bulk Consent Reports

### 14.1 Items Considered - Inclusion

All items to be considered for the consent portion of the agenda shall be determined by the Mayor, Chief Administrative Office, and the Clerk.

#### 14.2 Consent Items - Explanatory Note - One Motion

Items listed under the Consent Agenda shall be preceded by an explanatory note indicating "All matters listed on the consent agenda are considered to be routine and will be enacted by one motion. There will not be any separate discussion of these items".

#### 14.3 Items for Discussion - Routine

All items listed under the Consent Agenda shall contain routine matters which are not controversial in nature, and which do not need further discussion. Routine matters include such matters that do not require Council's consideration of a report from staff.

#### 14.4 Petitions

All petitions must be in compliance with the Council-approved Petition Policy and will be presented to Council under the consent agenda with a recommendation to refer it to staff for a report.

#### 14.5 Tenders

All reports identified as tenders, quotations, or requests for proposals, pursuant to the City's Procurement Policy, presented to Council for approval, shall be included under the consent agenda.

#### 14.6 Planning Advisory and Hearing Committee Reports

Planning Advisory and Hearing Committee reports presented to Council for approval, shall be included under the consent agenda.

#### 14.7 Request to Separate - Consent Reports

Should a Member wish to discuss any matter listed under the consent portion of the agenda, the Member shall ask immediately upon the Mayor / Presiding Officer calling "any amendments, deletions or corrections to the agenda", at which time the Member shall request that the item be separated and dealt with under "Action Reports".

## Article 15

### Resolutions - Notices of Motion

#### 15.1 Resolutions - Notices of Motion - Debated Separately

Every matter listed under "Resolution" or "Notice of Motion" introduced at a previous meeting, shall be dealt with individually.

#### 15.2 Resolutions - Consecutively Numbered

All resolutions presented to Council shall be consecutively numbered, on a yearly basis.

#### 15.3 Resolution by Council Members

Members may introduce a Resolution without the necessity of introducing a notice of motion first, if the matter is not to amend, repeal or alter a by-law, the pre-approved budget or any motion previously approved by Council, and where the motion is not to introduce any measure of change in Council's previously established policies.

#### 15.4 Notices of Motion - When Required - Annual Budget

A notice of motion shall be introduced in writing, when a Member or staff wishes to amend, repeal or alter a by-law, the pre-approved budget or any motion previously approved by Council, and where the motion is to introduce any measure of change in Council's previously established policies.

#### 15.5 Notice - Introduced - Notice - Requirements

A Member may introduce a notice of motion at a meeting regarding a matter that would not otherwise be considered by Council at such meeting, by delivering a written copy of the motion, signed by the mover and seconder, to the Clerk.

#### 15.6 Notice - Received by Clerk - Included in Agenda

Notice of motions introduced at a public meeting of Council shall not be debated and shall be recorded on the next regular meeting of council under Resolutions.

#### 15.7 Notice - Consideration - Disposal

A notice of motion shall not be considered or otherwise disposed of by Council unless the mover of the motion is in attendance at the meeting.

#### 15.8 Notice - Secunder Not Present – Any Member

Any Member may agree to second a notice of motion if the seconder is absent from the meeting when the notice of motion is called for by the Mayor / Presiding Officer.

#### 15.9 Notice - Delivered - Time

Notices of motion may be delivered to the Clerk no later than 12:00 p.m. Noon the Monday preceding the date of the next regular meeting, in order to be included to the final agenda, at which time the motion is to be introduced, or be read at the end of a regularly scheduled meeting of Council.

### Article 16 Action Reports

#### 16.1 Written - Legible - Signed

Every Action Report to be presented to Council shall be prepared under the approved electronic submission program, with an identifiable recommendation, and shall be signed by the Manager and Chief Administrative Officer and, where financial implications are identified, the General Manager of Finance.

#### 16.2 Deadline - Material Submitted to Clerk

Every Report from Inquiry or Action Report which deals with a matter on the Council agenda shall be delivered to the Clerk no later than 12:00 Noon on the Monday, two weeks preceding the meeting of Council in order to be printed on the agenda.

### Article 17 Inquiries, Directions and Answers

#### 17.1 Inquiries

Any inquiry made at a meeting of Council, or a Standing Committee, shall be submitted in writing and should be submitted at least 24 hours in advance of the meeting, and referred to the CAO, appropriate Department Head, City Clerk or City Treasurer for response.

## 17.2 Response to Inquiries

The CAO, the appropriate Department Head, the City Clerk or City Treasurer shall respond in writing to the inquiry and the response shall be distributed to all Members of Council and the Committee at which the inquiry was made and will be listed pursuant to Article 17.5. Should the newly elected Council wish to renew and Inquiry from the previous Term of Council, a motion shall be required.

## 17.3 Response to Significant Inquiries

Where staff has identified that an inquiry is a "significant inquiry" as defined in Article 2.16(b), staff shall communicate this to Committee and Council and, should the Member wish their inquiry to proceed, a motion approved by Council is required.

## 17.4 Status of Inquiries

The Clerk shall communicate to Council on a quarterly basis the status of outstanding inquiries, including the name of the Councillor originating the inquiry and the department responsible for an answer.

## 17.5 Response to Inquiries

The response to an inquiry made at Council shall be listed at the relevant Standing Committee prior to the response being listed for Council.

## 17.6 Withdrawal of Inquiries

Should the Councillor who submitted an inquiry at a Committee or Council meeting, wish to subsequently withdraw said inquiry before staff provides a response, they must provide a written request to the City Clerk.

## 17.7 Directions

All directions to staff shall be in writing and identify the requested timeframe for completion. Such timeframe may be amended by Council either at the meeting at which the direction is introduced, or without notice, at any subsequent meeting.

## 17.8 Directions – Draft Minutes

All formal directions to staff, submitted in writing pursuant to Article 17.7, as noted by the Chair at the Standing Committee meeting at which they were raised, shall be noted for the information of Council in the extract of Draft Minutes in the report rising to Council.

### 17.9 Motion

Where a direction to staff or Inquiry would result in the development of new policy or program, recommendations or changes to policies or programs already approved by Council, or where staff has identified that a direction or Inquiry cannot be completed with existing resources or without impacting workplans or priorities previously approved by Council, a motion approved by Council is required.

### 17.10 Recorded Vote

The Chair or any Member may call for a recorded vote on a direction to staff or inquiry, at which point it would then be treated as a motion and would require a seconder.

### 17.11 New Term of Council

In each new term of Council, immediately following Council's approval of its Term of Council Priorities, the City Clerk shall review each outstanding motion, and direction from previous terms of Council and recommend:

- (a) Staff believe the intent of the motion, or direction has been completed through alternate action; or
- (b) The intent of the motion or direction is no longer in keeping with Council's strategic priorities.

### 17.12 Closing Inquiries

All outstanding inquiries shall be deemed closed at the end of a Term of Council and, at the beginning of each new Term of Council, the Office of the City Clerk shall provide the new Council with a list of inquiries that have been closed under this provision.

## Article 18

### Voting

#### 18.1 Failure to Vote - Deemed Negative

Failure to vote by a Member who is not disqualified shall be deemed to be a negative vote.

## 18.2 Member Not Voting

Refusing or failing to vote is considered an abstention and shall be deemed to be a negative vote unless the Member is not participating in the vote due to a declared conflict of interest. The minutes shall record the vote as "negative"

## 18.3 Motion - Simple Majority - Required - Exception

The vote required to pass a motion shall be a simple majority (50% +1) except as otherwise provided in this By-law.

## 18.4 Equal Division - Motion Defeated

In the case of an equal division of votes on a motion, the motion shall be deemed to have been decided in the negative and defeated for want of a majority.

## 18.5 Show of Hands - Exception - Recorded Vote

The manner of determining the desire of Council on a motion shall be by show of hands.

## 18.6 Recorded Vote - Announced Openly

Where a vote is taken for any purpose and a Member requests, immediately prior or immediately subsequent to the taking of the vote, that the vote be recorded, each Member present, except a Member who is disqualified from voting, shall announce their vote openly. Any failure to vote by a Member who is not disqualified from voting shall be deemed to be a negative vote. The Clerk shall record each vote.

## 18.7 Division - Separate Vote - Each Proposal

At the request of a Member of Council, a motion containing distinct proposals, that can be acted upon individually may be divided, and a separate vote shall be taken upon each individual proposal.

## 18.8 Member Not in Their Seat - Deemed Absent

A Member not in their seat when the question is called by the Mayor/ Presiding Officer is not entitled to vote on that question and in the case of a recorded vote, shall be recorded as absent.

### 18.9 Mayor/ Presiding Officer - Stating the Question

Immediately preceding the taking of the vote, the Mayor/ Presiding Officer shall state the question in the form introduced.

### 18.10 Announcing - Results

The Mayor/ Presiding Officer shall announce the result of every vote.

## Article 19 Motion - To Appeal

### 19.1 Made at Time of Ruling - Point of Order

A motion to appeal from the decision of the Mayor/ Presiding Officer shall be made only at the time the ruling is made by the Mayor/ Presiding Officer and shall not require a seconder.

### 19.2 Decision Final - Mayor/ Presiding Officer - Final

Unless a Member immediately appeals the Mayor / Presiding Officer's decision, the decision of the Mayor / Presiding Officer shall be final.

### 19.3 Non-debatable - Amendable - Reconsidered

A motion to appeal the decision of the Mayor/ Presiding Officer shall not be debated or amended. The challenger is permitted one minute to describe the reason for the appeal, followed by a one-minute response from the Mayor / Presiding Officer (if the Mayor/ Presiding Officer so desires). No further debate is permitted. A simple majority of the Members present and voting in favour of the appeal is required to overturn the decision of the Mayor/ Presiding Officer.

## Article 20 Question of Privilege

### 20.1 Integrity - Member - Council - In Question

Where a Member considers that the integrity of the Member or the integrity of Council as a whole has been called into question, the Member may, as a matter of privilege, rise at any time, with the consent of the Mayor/ Presiding Officer, no debate being allowed, for the purpose of drawing the attention of Council to the question.

## 20.2 Motion - Receive Disposition - Treated as Main Motion

A motion resulting from a question of privilege shall receive disposition by Council forthwith, and, following such disposition, the motion so interrupted shall be immediately considered at the point where it was suspended.

## Article 21

### Request for Information

#### 21.1 Request Information

Where a Member is uncertain of a particular issue being discussed, the Member may ask the Mayor/ Presiding Officer to clarify or if the Mayor/ Presiding Officer is unsure of the answer, may direct the question to another Member. All requests for information shall be on the business pending.

## Article 22

### Withdrawal - Motion

#### 22.1 Withdrawal of Motion

A request to withdraw a motion shall only be made by the mover of the motion.

#### 22.2 Without Consent of Secunder

A request to withdraw a motion may be made without the consent of the seconder of the motion.

#### 22.3 In Order - Anytime

A request to withdraw a motion shall be in order anytime during debate.

#### 22.4 Objection by Member - Considered - Main Motion

If a Member objects to the withdrawal of the motion, a motion to maintain the question, may be considered and become the main motion.

#### 22.5 No Objection - Withdrawal Without Secunder - Vote

If no Member objects to the withdrawal of the motion, the motion shall be considered withdrawn without the necessity of a seconder and a vote.

## Article 23 Point of Order

### 23.1 Rules of Procedure - Breached

A point of order may be called by a Member to bring attention to any apparent breach of the Rules of Procedure.

### 23.2 Language - Improper - Offensive

A point of order may be called by a Member to bring attention to the use of improper offensive or abusive language.

### 23.3 Discussion - Not Valid - Outside Proposed Motion

A point of order may be called by a Member to bring attention to the fact that the matter under discussion is not within the scope of the proposed motion.

### 23.4 Proceedings - Other Informality or Irregularity

A point of order may be called by a Member to bring attention to any other informality or irregularity in the proceedings of Council.

### 23.5 Member - Rise - Ask Leave - Point Stated

When a Member rises on a point of order, the Member shall ask leave of the Mayor / Presiding Officer to raise the point of order; and after leave is granted, the Member shall state the point of order to the Mayor / Presiding Officer.

### 23.6 Decision - Announced Prior to Recommencement

No further business shall be conducted until the Mayor / Presiding Officer has decided and stated the point of order.

### 23.7 Address - Mayor/ Presiding Officer - Appeal Decision

Thereafter, a Member shall only address the Mayor / Presiding Officer for the purpose of appealing the Mayor / Presiding Officer's decision to Council.

### 23.8 Decision - Mayor/ Presiding Officer - Final - No Appeal

If no Member appeals, the decision of the Mayor / Presiding Officer shall be final.

#### 23.9 Appeal - Member's Right - Mayor/ Presiding Officer Reply - Decision Final

If a Member appeals to Council, the Member shall have the right to state a case. A seconder is required, and the Mayor / Presiding Officer shall have the right to reply and place the question before Council who shall decide the question without debate, and its decision shall be final. In an appeal from the decision of the Mayor/ Presiding Officer, a tie vote sustains the Mayor/ Presiding Officer's decision.

### Article 24

#### Close Debate - Put the Question

##### 24.1 Motion Non-Debatable - Amendable

A motion to close debate, or put the question, shall not be debatable or amendable and shall require a two-thirds vote.

##### 24.2 Resolved - Affirmative - Original Motion Put - No Debate

When a motion to close debate or put the question is in the affirmative, the original motion shall be put forward without debate or amendment.

### Article 25

#### Refer or Commit

##### 25.1 Debatable - Amendable - Reconsideration - Permitted

A motion to refer or commit a matter shall be debatable and amendable.

##### 25.2 Motion - - Possession of Council - Withdrawal

After a motion is read by the Clerk, it shall be deemed to be in possession of Council but may be withdrawn at any time before decision or amendment, with permission of Council.

##### 25.3 Motion Presented - Debate

When a motion is presented in Council, it shall be read before debate.

##### 25.4 Motion - Outside Jurisdiction of Council

A motion in respect of a matter which is beyond the jurisdiction of Council shall not be in order.

## 25.5 Disposition of Motion

A motion properly before Council for decision must receive disposition before any other motion, not relevant to the main motion, is introduced.

## Article 26 Motion to Amend

### 26.1 Motion to Amend - Basic Forms

A motion to amend takes three basic forms:

- a. Inserting or adding words or paragraphs
- b. Striking out words or paragraphs
- c. Striking out words and inserting or adding others or substituting an entire paragraph or complete resolution for another.

### 26.2 Debatable - Amend - Permitted

A motion to amend shall be debatable unless the motion to which it pertains to is not debatable.

### 26.3 Written - When Requested - Mayor/ Presiding Officer

A motion to amend shall be presented in writing when requested by the Mayor / Presiding Officer.

### 26.4 Relevant to Main Motion

A motion to amend shall be germane to the main motion.

### 26.5 Contrary to Main Motion - Not in Order

A motion to amend shall not be in order if it is not germane to the main motion.

### 26.6 Amendment

Only one amendment shall be allowed to a motion at one time. A motion to amend an amendment shall not be permitted.

## 26.7 Friendly Amendment

If it appears to the Mayor / Presiding Officer that an amendment is uncontroversial, it is proper for the Mayor/ Presiding Officer to ask if there are any objections to adopting the friendly amendment. If no objection is made, the Mayor / Presiding Officer may declare the amendment adopted and the amended motion may be voted on without a separate vote to approve the amendment.

## 26.8 Council Disposition - Before Amendment

A motion to amend shall receive the disposition of Council before a previous amendment or the motion.

# Article 27

## Motion to Reconsider

### 27.1 Reconsideration - Majority of Council - Same Meeting

Any matter decided upon by Council, may be reconsidered at the meeting by a two-thirds (2/3's) vote of Members present at that meeting.

### 27.2 Amend Something Previously Adopted or Rescind

A motion to reconsider any matter already disposed of by Council at a previous meeting shall require a motion to "amend something previously adopted" or a motion to "rescind", provided by notice of motion at one meeting to be dealt with by resolution at the following meeting.

### 27.3 Member on Prevailing Side - Moves to Reconsider

A motion to reconsider a substantive resolution, by-law, question, or decided matter must be made by a Member who voted with the majority on the original motion or resolution. The Mayor / Presiding Officer may ask the mover to confirm how the mover previously voted on the issue in question. If a Member is absent during the vote on the original motion or resolution, the Member may request that a motion be reconsidered at a subsequent meeting.

### 27.4 Motion to Reconsider Adopted

If a motion to reconsider has been adopted, it temporarily nullifies the previous decision and places the meeting back at the point prior to taking the vote on the original motion.

#### 27.5 Motion of Reconsideration - Adopted

If a motion to reconsider has been adopted at a meeting, then consideration of the original matter shall become the next order of business.

#### 27.6 Motion to Reconsider - Becomes Main Motion

The main motion originally voted on is once again pending. Procedurally, it is considered a newly made motion.

#### 27.7 No Discussion - Unless Reconsideration Adopted

There shall be no discussion on the question contained in the motion until the motion for reconsideration is adopted. However, the mover and seconder of a motion to reconsider may provide a brief and concise statement outlining the reasons for proposing such reconsideration.

#### 27.8 Reconsideration - Only Once

No motion or report shall be reconsidered more than once at any meeting. No decided matter may be reconsidered if the City has taken any steps to complete the decision, such as entering into a contract or making purchases necessary to facilitate the decision. No decided matter may be reconsidered unless the motion for reconsideration is made within one (1) year of the original decision. Where a matter has been reconsidered, no further motion to reconsider may be made on that matter.

#### 27.9 Motion to Reconsider at Same Meeting

A motion to reconsider a decided matter may be introduced at any time when it is made at the same meeting at which the original motion was decided. A motion of reconsideration of a matter decided at the same meeting requires a majority of Members present and voting for the motion. Articles 27.3 through 27.8 apply to a motion to reconsider at the same meeting.

### Article 28 Motion -To Adjourn

#### 28.1 In Order - Exception

A motion to adjourn shall always be in order except as otherwise provided for in this By-law.

#### 28.2 Negative - Until Proceedings Completed

A motion to adjourn, when resolved in the negative, shall not be presented again until the conclusion of the current item.

#### 28.3 Member Speaking - Voting Prohibited

A motion to adjourn shall not be in order when a Member is speaking or during the verification of a vote on a motion.

#### 28.4 Affirmative Resolution - Current Question - Prohibited

A motion to adjourn shall not be in order until the current question has been put and a resolution made by motion.

#### 28.5 Non-debatable

An unqualified motion to adjourn shall not be debatable or amendable.

#### 28.6 Meeting - Continuation - 11:00 p.m.

No item of business other than the Confirming By-law shall be considered at a meeting of Council after the hour of 11:00 p.m. local time, unless otherwise decided by a two-thirds (2/3) vote of the Members present. The motion is not debatable.

### Article 29 Motion to Recess

#### 29.1 Length of Time - Specified

A motion to recess when other business is before the meeting shall specify the length of time of the recess and shall not be in order when a Member is speaking or during a vote.

#### 29.2 Non-debatable Length of Time - Amendable

A motion to recess when other business is before the meeting shall not be debatable and shall only be amendable with respect to the length of the recess.

#### 29.3 Future Time - Treated as Main Motion

A motion to recess at a future time shall have no privilege and shall be treated as a main motion. The Mayor / Presiding Officer may recess or adjourn a disorderly meeting that cannot be brought to order, without the need for a vote.

Article 30  
Repeal - Enactment

30.1 By-laws - Previous

By-law 2020-103 and all adhering amendments are hereby repealed.

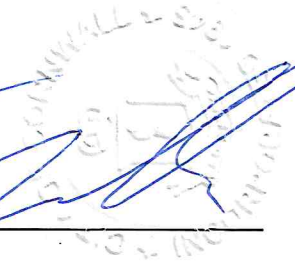
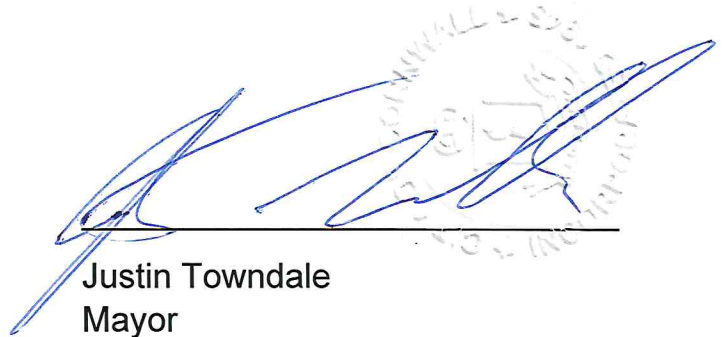
30.2 Effective Date

This By-law shall come into effect on January 1, 2024.

Read, signed and sealed in open Council this 11th day of December, 2023.



Manon L. Levesque  
City Clerk



Justin Towndale  
Mayor

## Table of Contents

Article 1 Short Title .....	2
Article 2 Interpretation .....	2
Article 3 General Provisions .....	6
Article 4 Meetings .....	7
Article 5 Roles.....	14
Article 6 Duties.....	17
Article 7 Conduct During Meetings .....	19
Article 8 Rules of Debate.....	20
Article 9 Agenda Order .....	21
Article 10 Quorum.....	23
Article 11 Minutes .....	23
Article 12 Presentation and Delegations .....	24
Article 13 By-Laws .....	27
Article 14 Bulk Consent Reports.....	28
Article 15 Resolutions - Notices of Motion.....	30
Article 16 Action Reports .....	31
Article 17 Inquiries, Directions and Answers .....	31
Article 18 Voting.....	33
Article 19 Motion - To Appeal .....	35
Article 20 Question of Privilege .....	35
Article 21 Request for Information .....	36

Article 22 Withdrawal - Motion .....	36
Article 23 Point of Order .....	37
Article 24 Close Debate - Put the Question.....	38
Article 25 Refer or Commit .....	38
Article 26 Motion to Amend .....	39
Article 27 Motion to Reconsider.....	40
Article 28 Motion -To Adjourn .....	41
Article 29 Motion to Recess .....	42
Article 30 Repeal - Enactment.....	43

