



**THE REGIONAL MUNICIPALITY OF PEEL
PROCEDURE BY-LAW REVIEW COMMITTEE**

AGENDA

PBRC - 2/2017

DATE: Thursday, September 7, 2017

TIME: 11:00 AM – 1:00 PM

LOCATION: 5th Floor Boardroom
Regional Administrative Headquarters
10 Peel Centre Drive, Suite A
Brampton, Ontario

MEMBERS: F. Dale; A. Groves; J. Innis; G. Miles; E. Moore; P. Saito;
B. Shaughnessy; J. Tovey

Chaired by Councillor B. Shaughnessy or Vice-Chair P. Saito

1. **DECLARATIONS OF CONFLICT OF INTEREST**
2. **APPROVAL OF AGENDA**
3. **DELEGATIONS**
4. **REPORTS**
 - 4.1. Comprehensive Review of the Region of Peel Procedure By-law **(Deferred from the June 15, 2017 Procedure By-law Review Committee meeting)**
5. **COMMUNICATIONS**
6. **IN CAMERA MATTERS**
7. **OTHER BUSINESS**
8. **NEXT MEETING**

To be determined
9. **ADJOURNMENT**

APPROVED AT REGIONAL COUNCIL
July 6, 2017

6.17. **Report of the Procedure By-law Review Committee (PBRC - 1/2017) meeting held June 15, 2017**

4.2 ***Comprehensive Review of the Region of Peel Procedure By-law***

RECOMMENDATION PBRC-6-2017:

That the report of the Commissioner of Corporate Services, titled "Comprehensive Review of the Region of Peel Procedure By-law" listed as Item 4.2 on the June 15, 2017 Procedure By-law Review Committee ("Committee") agenda, be deferred to a future meeting of the Committee.

Approved 2017-603

DATE: June 5, 2017

REPORT TITLE: **COMPREHENSIVE REVIEW OF THE REGION OF PEEL PROCEDURE BY-LAW**

FROM: Lorraine Graham-Watson, Commissioner of Corporate Services

RECOMMENDATION

That the proposed revisions to the Region of Peel Procedure By-law 100-2012, as amended, outlined in the report of the Commissioner of Corporate Services, titled “Comprehensive Review of the Region of Peel Procedure By-law”, be recommended by the Procedure By-law Review Committee (“Committee”) to Regional Council;

And further, that the presentation of the necessary by-law to Regional Council for enactment be recommended by the Committee.

REPORT HIGHLIGHTS

- The current Procedure By-law 100-2012 (the “By-law”) was enacted in 2012 and has been amended by By-laws 117-2013, 65-2014 and 12-2016.
- Regional Council approved the resumption of the Committee under Resolution 2017-337.
- Regional Council directed that the Committee consider: the implementation for a trial period of the use of consent agendas; recommendations for implementing recorded votes at all meetings of Regional Council; and, clarification of the purpose of the Enquiries from Regional Councillors section of the Regional Council agenda.
- There are a number of administrative changes to the By-law that are recommended by staff.
- Further amendments to the By-law may be required should Bill 68 receive Royal Assent and be enacted.

DISCUSSION

1. Background

The Region of Peel Procedure By-law governs the calling, place and proceedings of the meetings of Council and its committees.

At its meeting held on November 26, 2015, the report of the Commissioner of Corporate Services titled “Amendments to the Region of Peel Procedure By-law” was presented to Regional Council for consideration. Regional Council expressed concern regarding some of the proposed changes to the By-law, as amended. As a result, the Procedure By-law

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Review Committee (“Committee”) was formed to conduct a comprehensive review of the By-law (Resolution 2015-856).

The first meeting of the Committee was held on April 7, 2016 and it was determined that the By-law did not require any changes at that time and the Regional Clerk was directed to bring any future housekeeping amendments to the By-law directly to Regional Council, as required. As such, the Committee was suspended under Resolution 2016-351.

In the past year, several directions and actions have been approved by Regional Council or referred to the Committee, namely:

- Addition of the Enquiries from Regional Councillors section of Regional Council agendas (Resolution 2017-51);
- Consideration of implementation of a trial period for the use of consent agendas (Resolution 2017-53);
- A process for recording all votes during Region of Peel Council meetings (Resolution 2017-338); and,
- Administrative/housekeeping amendments to the By-law.

2. Effect upon the Region’s Procedure By-law of Both Recent and Pending Changes to the *Municipal Act, 2001*

a) Bill 70 (now in force) - Election of Regional Chair

Section II-1(a) of the By-law stipulates that the Regional Chair shall be appointed by Council at its Inaugural Meeting in accordance with the procedures as set in the By-law.

The By-law will have to be amended to remove all reference to the appointment of a Regional Chair in order to comply with the new requirements of Section 218.1 (1) of the *Municipal Act, 2001* that the head of council of a regional municipality will be elected as from and including the regular election in 2018, by general vote in accordance with the *Municipal Elections Act, 1996*.

The role of the Regional Chair, as head of council, remains the same under section 225 and 226.1 of the *Municipal Act, 2001*.

The Regions of Halton, Waterloo and Durham elect their Regional Chair by general vote. The Regional Chair has the right to vote at all meetings of Council, Committee of the Whole and Committees where he or she is a member. In the event of a tie vote, the Regional Chair does not have an extra casting vote and the matter being voted upon is deemed lost. Accordingly, the proposed amendments will reflect the same approach in Peel Region.

b) Bill 68 (Received Royal Assent)

Bill 68, *Modernizing Ontario’s Municipal Legislation Act, 2016* which received Royal Assent on May 30, 2017 addresses accountability, transparency, as well as regional municipal governance.

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Some sections of the *Municipal Act, 2001* will be amended to change the meaning of “meeting”; to include new subsections on electronic participation in open meetings; additional criteria for closed session meetings and provisions for dealing with a member’s absence for 20 consecutive weeks or less as a result of the member’s pregnancy, birth of the member’s child or the adoption of a child by the member. This would potentially impact quorum and voting requirements at Regional Council and committee meetings.

3. Proposed Changes

The following options are presented to the Committee for consideration.

a) Enquiries from Regional Councillors

Regional Council approved the addition of a section, “Enquiries from Regional Councillors” as of February 9, 2017 and it is now a regular item for all Regional Council meetings. On April 13, 2017, Regional Council requested staff to propose clarification regarding the purpose of the “Enquiries from Regional Councillors” section of the agenda. Further, Regional Council requested that staff confirm that directions to staff for spending resources or preparing future reports to Council or committee should be voted on and approved by Regional Council.

The purpose of the Enquiries section is to consider issues of importance to Members of Regional Council that arise on occasion that are timely and not on the Agenda. Such issues can be asked and resolved, answered during the meeting and no further action is required or, if it cannot be answered or resolved “on the spot”, it can be referred to Regional staff for reporting back. If it is to be referred to staff, Council will be required to vote on the motion of referral. If the enquiry results in direction to staff, Council will be required to vote on the direction to be given to staff as per the By-law, Section V-1(b)(v) which stipulates that a motion to direct staff may be introduced orally without notice or specific permission, except as otherwise provided by the By-law.

The items that have been raised under this section to date, include questions of clarification; directions to staff; updates regarding conferences or staffing announcements; a motion to approve a request to delegate to a future meeting of Regional Council; referrals to Committees of Council; and, responses to Council requests such as ward updates or additions to Council newsletters.

The proposed amendments to the By-law will include clear provisions for “Enquiries from Regional Councillors”, “Other Business” and the process of providing instructions or directions to staff.

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b) Consent Agenda

The use of a consent agenda is an approach to streamline meeting procedures by allowing Council to consolidate those items that are routine, non-controversial, and/or self-explanatory and approve them with one motion and vote. Consent items are those which usually do not require discussion or explanation prior to Council taking any action or are items which have already been discussed and/or explained and do not require further discussion or explanation. Using the consent agenda can help move through the routine items quickly so that time can be spent on matters requiring more strategic or substantive deliberation or debate.

There are a number of different approaches that can be used to implement a consent agenda.

1. Council can determine what items they would like to speak to and the balance would form part of the consent agenda.
2. Staff could create the consent agenda for ratification by Members of Council. The consent agenda should not include matters where there are deputations or staff presentations scheduled, staff requests to speak or where amendments are required to a recommendation. Once the consent agenda is finalized it may be approved by one motion and the Presiding Officer proceeds with the remainder of the agenda.

Other municipalities in Ontario use consent agendas, however, the structure of their Council or committee are different from the Region of Peel. Those municipalities using consent agendas such as the Regions of Halton, Waterloo, Niagara, and York have a Committee of the Whole or Standing Committees structure which differs from Peel's Council meeting structure. Durham Region does not use a consent agenda and has a similar Council meeting structure to Peel's.

In 2011, Regional Council approved the elimination of General Committee. All Regional departments now report directly to Regional Council or to Committees of Council. In 2014, Regional Council approved new committees to support and advance the current Strategic Plan and Term of Council Priorities or committees required by legislation or have a clear mandate with current issues based on Council priorities. These committees report to Regional Council.

Subject to Council approval, a six-month trial period for the use of consent agendas could be implemented at Regional Council meetings starting September 2017. Regional staff would report back to a future meeting of Regional Council with the outcomes of the six month trial period for the use of consent agendas and possibly amend the By-law in a way that would address the order of business for meetings, the criteria for consent agenda items, the process to remove or add items to the consent agenda prior to voting on the consent agenda, how to deal with a member declaring a conflict of interest on the consent agenda and how each item will be assigned an individual resolution/recommendation number for tracking purposes.

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c) Recorded Vote

Regional Council requested that the Committee review the process for recording all votes during Region of Peel Council meetings (Resolution 2017-338).

The following procedures are proposed for inclusion in the amendments to the By-law related to recorded votes for meetings of Council:

- In the case of electronic voting, the Clerk shall ask all members to vote simultaneously whether they are in favour or opposed to adoption except for those Members who have declared a personal conflict.
- In the event electronic voting is not available, the Clerk shall first ask for those in favour of the question to signal their vote and then ask for those opposed to signal their vote
- The Clerk shall announce or display the result of every recorded vote.
- Every member present shall vote on every motion unless a member indicates a conflict of interest, in which case the member shall remove themselves.
- The result of the vote may be publicly displayed and will be included in the record of the meetings, including the recusals. If a member is present and fails to vote and has not declared a personal conflict, the member's vote will be recorded in the negative.

Regional staff reviewed the City of Mississauga staff report to its Governance Advisory Committee meeting held on November 16, 2016 recommending proposed changes to its Council Procedural By-law 013-2013, as it relates to recorded voting. It was subsequently adopted by the City Council. The amendments allowed for recorded votes to be taken on all motions for City Council meetings with the exception of:

- Approval of the agenda
- Adoption of Minutes
- Declaration of Conflict of Interest
- Presentations
- Delegations
- Correspondence
- By-laws
- Enquiries from Councillors
- Moving in and out of closed session
- Calling a question
- Adjournment

It is proposed that the same exceptions be employed by the Region.

Members of the Councils of the Regions of Halton, Waterloo, Durham, Niagara and York may request a recorded vote on an item at its Council or Committee of the Whole meeting as is Peel's current practice.

COMPREHENSIVE REVIEW OF THE REGION OF PEEL PROCEDURE BY-LAW**d) Delegations**

The section of the current By-law related to delegations to Council and committee would benefit from clarification with respect to if and when a delegation may appear at meetings of Council and committee. It is proposed that delegation requests be allowed if the matter is one that is related to a report, delegation, presentation, recommendation or other agenda item except for Council and committee minutes and communications made by the person requesting to delegate.

e) Workshops and Public Meetings

All Council-related workshops will be coordinated through the Regional Clerk. All workshops should be in open session, with the exception of education sessions which could be held in camera, in accordance with the rules of the By-law, Council policy and applicable legislation. Quorum of Council is not required for a workshop to proceed. No decisions shall be made at a workshop. Any matter requiring a decision shall be reported back to Council or committee for consideration and recommendation or approval.

Public meetings will be held in accordance with applicable legislation. Reports of each Public Meeting shall be presented to Council at the next appropriate meeting of Council, for receipt.

Notice requirements for workshops and public meetings will be met in accordance with the By-law, Region of Peel Corporate Public Notice Policy G00-016 or applicable legislation.

f) Administrative Amendments

It is proposed that the current By-law be amended to include, without limiting other possible inclusions, the following, as it relates to agenda and meeting management:

- the order of business for Council/Committee meetings can be changed at the discretion of the Regional Chair or the Presiding Officer;
- the closed session report of each committee meeting shall be presented at the next appropriate regular meeting of Council for deliberation during in camera matters;
- the Regional Clerk shall have the authority to approve and implement any minor administrative changes to Regional by-laws and/or minutes of any Council or committee meeting not affecting their substantive operation;
- no person other than members of Regional Council and Regional staff, delegates or invitees of the Presiding Officer shall be permitted on the Council floor; and,
- when the Regional Emergency Operations Centre has been operating while Council is in session, emergency briefing takes precedence over all other agenda items and does not require suspension of the rules.

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CONCLUSION

A comprehensive review of the Region of Peel Procedure By-law provides an opportunity for enhancements and process efficiencies in the procedures of Council and committee proceedings.



Lorraine Graham-Watson, Commissioner of Corporate Services

Approved for Submission:



D. Szwarc, Chief Administrative Officer

APPENDICES

Appendix I – Proposed Revisions to the Region of Peel Procedure By-law

For further information regarding this report, please contact Kathryn Lockyer, Regional Clerk and Director of Clerk's, extension 4325, kathryn.lockyer@peelregion.ca.

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Reviewed in workflow by:

Legal Services

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PROCEDURE BY-LAW

THE REGIONAL MUNICIPALITY OF PEEL

BY-LAW NUMBER XX-2017

A by-law to govern the calling, place, and proceedings of the meetings of Council and its committees and the conduct of their members and to repeal By-laws 100-2012, 117-2013 and 12-2016.

WHEREAS the Council of the Regional Corporation has by Resolution on ___ day of _____, 2017 authorized the passing of a by-law to govern the proceedings of Council and its committees pursuant to Section 238(2) of the *Municipal Act, S.O. 2001*, Chapter 25, as amended, and the *Regional Municipality of Peel Act, 2005*, S.O. 2005, Chapter 20;

NOW THEREFORE, the Council of the Regional Corporation enacts as follows:

1. GENERAL

1.1 RULES OF PROCEDURE

- 1.1.1 Subject to the provisions of any applicable statutes, the calling, place and proceedings of meetings of Council and its committees and the conduct of their members, shall be governed by the rules and procedures contained in this by-law and the provisions of this by-law may be referred to as the "Rules of Procedure".
- 1.1.2 Where any matter related to the conduct of meetings is not expressly or by necessary implication provided for in this by-law, the rules of procedure as contained in Robert's Rules of Order shall be followed for governing the proceedings of Council and its committees and the conduct of their members.
- 1.1.3 The Rules of Procedure, ~~with the exception of Appendix 4~~, may be suspended with respect to the consideration of one or more matters or questions during the course of a single meeting by a two-thirds vote. **Such a motion shall identify the basis of the request for the suspension of rules.**
- 1.1.4 Informal meetings of Council or committee may be called **so long as there is not a quorum of Councillors present** and during any such informal meetings, no motion may be presented ~~to the meeting~~ and no resolution or by-law may be passed. ~~provided that~~ **a**—A notice of motion may be tabled for consideration at a subsequent formal meeting of Council or committee as the case may be.

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1.2. DEFINITIONS

- 1.2.1 “by-law” means an enactment of Council in writing described on its face as a by-law of The Regional Municipality of Peel, the original of which has been authenticated by the signatures of the Regional Chair or Acting Regional Chair and the Regional Clerk or ~~Deputy~~ **Acting Regional Clerk** and ‘by-law’ may be used to refer to the written document presented to Council for enactment as a by-law where the context requires.
- 1.2.2 “committee” means any advisory committee or other committee, subcommittee or similar entity, of which at least 50 per cent of the committee members are members of Regional Council and **the members of the committee who are Regional Council members** have the right to designate another ~~person or~~ member of Council, **other than the Regional Chair**, to attend and vote in that member’s absence.
- 1.2.3 “Committee Chair” means the chair of a committee.
- 1.2.4 “committee recommendation” means ~~a resolution~~ **recommendation** passed by a committee that is ~~intended~~ **presented** for adoption as a resolution by Council.
- 1.2.5 “committee report” means the minutes of a committee meeting containing committee recommendations.
- 1.2.6 “Council Section” means the ~~section~~ **portion of the agenda** under which reports, correspondence and presentations ~~on the agenda~~ are grouped, and shall include but not necessarily ~~be~~ limited to ~~Health—Services~~, Human Services, ~~Management—Enterprise Programs and Services~~, and Public Works, but shall not include ~~the those~~ matters to be considered In Camera.
- 1.2.7 “Council Section Chair” means the ~~Chair of a~~ **person elected to preside over a** Council Section.
- 1.2.8 “delivery” or “agenda delivery” means the manner of distributing the agendas to Members of Council, and the Regional Chair including hand-delivery, ~~distributed~~ **distribution** via courier, ~~use of~~ **electronic means** and/or e-mail not less than 48 hours prior to a Council or committee meeting.

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- 1.2.9 "eligible to vote" means ~~whether having as~~ a member ~~has~~ the right to vote at a meeting. ~~and~~ At a meeting of Council every member present other than the ~~Presiding Officer~~ **Regional Chair** has the right to vote, except in the case of an equality of votes in which case the ~~Presiding Officer~~ **Regional Chair** shall have a vote, and at any committee meeting every member present including the Presiding Officer has the right to vote.
- 1.2.10 "ex-officio" means ~~the~~ **by** virtue of the office or position. The Regional Chair is an ex-officio member of all committees who shall have the full voting privileges and be counted for quorum.
- 1.2.11 "Inaugural Meeting" means the first meeting of Regional Council following a regular election. ~~at which Regional Council is required to appoint a Chair.~~
- 1.2.12 "In Camera" means that part of a meeting that is closed to the public, other than those persons specifically invited by Council or committee to remain and may also be referred to as "Closed Session".
- 1.2.13 "Investigator" means the person or agency retained by ~~the~~ **The Regional Municipality** of Peel to conduct closed session investigations or appeals.
- 1.2.14 "majority vote" means more than half of the votes cast by the members who are present and eligible to vote.
- 1.2.15 "meeting" includes any regular, special, ~~informal~~ or other meeting of Council or committee **where a quorum of members is present and members discuss or otherwise deal with any matter in a way that materially advances the business or decision making of the council, local board or committee; and, does not include "public meetings" as defined in any legislation.**
- 1.2.16 "member" means a Regional Councillor and includes the Regional Chair, except that in respect of an advisory committee it shall also refer to committee members who are not members of Regional Council provided that any such committee member shall not have the right to designate another person or member of Council to attend and vote in that member's absence, **unless specifically permitted to do so by the Terms of Reference of said committee.**

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1.2.17 "Notice of Motion" means a written notice, including the name of the mover, advising Council that the motion described therein will be brought at a subsequent meeting and will be listed under the Notice of Motion section of a Council agenda.

~~4.2.16~~ 1.2.18 "motion" means a proposal by a member presented in a meeting in accordance with the Rules of Procedure, that Council resolve and effect a decision and includes a committee recommendation contained in a committee report.

1.2.19 "Presiding Officer" means the Regional Chair or the Council Section Chair or the Committee Chair while they are presiding at a meeting, and such other person as may be authorized or appointed to preside at a meeting in their absence under the Rules of Procedure, while so presiding.

1.2.20 "public meeting" means a public meeting under the *Municipal Act, 2001* or the *Planning Act*, or any other statute that requires or permits Council to hold a public meeting.

~~4.2.17~~ 1.2.21 "quorum" means a majority of members representing all lower-tier municipalities at Council meetings or a majority of the total number of committee members **or as provided in a committee's Terms of Reference.** ~~It also means~~ Quorum is to be determined by reference to the number of members present and not **by** the number of those actually voting.

~~4.2.18~~ 1.2.22 "recorded vote" means a vote in which the votes of all members **voting present** are recorded showing the names, whether they voted in favour or opposed or abstained.

~~4.2.19~~ 1.2.23 "Regional Chair" means the ~~Chair~~ **head** of ~~the~~ Council ~~appointed under the *Regional Municipality of Peel Act, 2005*.~~

~~4.2.20~~ 1.2.24 "Regional Clerk" and "Clerk" means the Clerk of the Region appointed under the *Municipal Act, 2001* and shall include an **"Deputy Acting Regional Clerk"** and any other employee of the Regional Corporation to whom the Regional Clerk has delegated any of the Clerk's powers and duties under the *Municipal Act, 2001* to the extent that they are authorized to perform any of the duties of the Clerk under this by-law.

~~4.2.21~~ 1.2.25 "resolution" means the decision on any motion passed or committee recommendation adopted in a meeting of Council.

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~~4.2.22~~ 1.2.26 "two-thirds vote" means at least two-thirds of the votes cast by members who are present and eligible to vote.

~~4.2.23~~ 1.2.27 "Vice-Chair" refers to the Vice-Chair of a Council Section or the Vice-Chair of a committee ~~as the context requires~~ who upon election has the function of presiding over a meeting or portion of a meeting in the absence of the Council Section Chair or the Committee Chair.

1.2.28 "workshop" means a meeting of Council conducted in accordance with section 5.10.7 of this by-law, intended for all members of Council, for the purpose of:

- a. receiving a briefing on municipal business;
- b. discussing emerging priorities and issues, including strategic planning; and/or
- c. training purposes.

2. **REGIONAL CHAIR**

2.1. GENERAL

~~2.1.1 The Regional Chair shall be appointed by Council at its Inaugural Meeting in accordance with the procedures as set out in Appendix 1 – Appointment of the Regional Chair. For the purpose of clarity, the Regional Chair appointed by the previous Council is not entitled to vote for the appointment of the Regional Chair at the Inaugural Meeting, under any circumstances.~~

2.1.1 It shall be the role of the Regional Chair to carry out the responsibilities set forth in the *Municipal Act, 2001*, sections 225 and 226.1.

2.1.2 The Regional Chair shall be an ex-officio member of all committees shall be counted in determining the size of the committees and quorum, and shall be entitled to all the rights of membership in the committees, including making motions and voting.

2.1.3 The Regional Chair shall not be eligible to be a Council Section Chair or Vice-Chair but may preside in place of a Council Section Chair or Vice-Chair when both are absent from a meeting.

2.1.4 The Regional Chair may not vote in a Council meeting except in the event of an equality of votes.

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2.2. DUTIES

2.2.1 The Regional Chair shall be the Presiding Officer at meetings of Council and it shall be the duty of the Regional Chair:

- a. to call the members to order, call the roll, announce the business before Council and conduct the meeting in accordance with the Rules of Procedure;
- ~~b. to receive and put to a vote all motions, resolutions and by-laws presented by the members of Council and to announce the result;~~
- ~~e.b.~~ to enforce the Rules of Procedure;
- ~~e.c.~~ to preserve order and decide points of order;
- ~~e.d.~~ to expel or exclude from any meeting any person who has been determined to be guilty of improper conduct at the meeting;
- ~~f.e.~~ where it is not possible to maintain order, the Regional Chair may, without any motion being put, adjourn the meeting to a time to be named by the Regional Chair;
- ~~g.f.~~ to authenticate by signature all by-laws, resolutions, and minutes of Council; ~~and~~
- ~~g.~~ to call upon the Council section Chair to preside over their respective Council section; and
- ~~h.~~ ~~to may~~ preside over Council sections in the absence of the Council Section Chair and Vice-Chair
- ~~h.i.~~ to receive and put to a vote all motions, resolutions and by-laws presented by the members of Council and to announce the result when this function is not performed by a section Chair and Vice-Chair.

2.3. REGIONAL CHAIR ABSENT

2.3.1 During all absences of the Regional Chair, or if the Office of the Regional Chair becomes vacant, each member of Council in rotation is hereby appointed Acting Regional Chair from time to time in the place and stead of the Regional Chair during the calendar month for which that member is designated on the Acting Regional Chair list prepared by the Regional Clerk.

2.3.2 At the beginning of each term of Council the Regional Clerk shall prepare an Acting Regional Chair list designating each member, other than the Regional Chair, for each calendar month during the term by first listing the members who were members of Council during the immediately preceding term in alphabetical order, then followed by the newly elected members in alphabetical order, then

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followed by all members in alphabetical order as are needed to complete designations for each calendar month during the term.

- 2.3.3 Should any member be unable to carry out the duties of Acting Regional Chair during the month for which the member is designated, the next member on the list is hereby appointed as Acting Regional Chair during such inability. At such time as the originally designated member is able to carry out the duties of Acting Regional Chair in that same month, the appointment shall return to that member.
- 2.3.4 If the Regional Chair is known to be absent or if the Regional Chair does not attend a meeting of Council within 15 minutes after the time appointed, the Acting Regional Chair shall call the members to order, and if a quorum is present, shall preside during the meeting or until the arrival of the Regional Chair.
- 2.3.5 The Acting Regional Chair is authorized to exercise the powers and carry out the duties of the Regional Chair while so acting, save and except that the Acting Regional Chair shall have one vote on any question at a meeting of Regional Council and shall not be permitted to have a casting vote following an equality of votes.
- 2.3.6 The Regional Chair shall formally advise Council of any intention to be absent from the office for a period longer than three consecutive weeks.

3. **PRESIDING OFFICERS OF A COUNCIL SECTION** *(formerly Section 8.3.1 to 8.3.6)*

- 3.1 The term of Council Section Chairs and Vice-Chairs shall be 24 months, unless superseded by a resolution of Council.
- 3.2 The Council Section Chairs and Vice-Chairs shall be elected by Council, in accordance with Appendix 2 - Election of Council Section Chairs and Vice-Chairs. The election of Council Section Chairs and Vice-Chairs shall be conducted at the first Council meeting after the Inaugural Meeting, and at the meeting closest to, but not after, 24 months after the beginning of the term of Council.
- 3.3 A member shall not serve in an executive capacity (Chair or Vice-Chair) of more than one Section at one time.

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- 3.4 When the ~~office~~ position of Council Section Chair is vacant, or when the Council Section Chair is absent ~~from the Regional area or is absent through illness or otherwise, or is absent from the office in the course of his or her duties, or on vacation or an approved leave~~, the Council Section Vice-Chair has and may exercise all the rights, powers and authority of the Council Section Chair.
- 3.5 If the position of Council Section Chair or Vice-Chair becomes vacant, Council shall appoint a member to fill the vacancy.
- 3.6 ~~The Chair and Vice-Chair of any committee other than Council shall be elected by the members of the committee from among the members of the committee, using the procedures for election of the Council Section Chairs and Vice-Chairs as contained in Appendix 2 – Election of Council Section Chairs and Vice-Chairs with necessary modifications.~~ A Council Section Chair or Vice-Chair shall preside over their respective Council sections to receive and put to a vote all motions, resolutions and by-laws presented by the members of Council and to announce the result.

4. MEETINGS

- 4.1. INAUGURAL MEETING - Council
- 4.1.1 The Inaugural Meeting shall be held after the councils of the area municipalities have held their first meetings, but in any event, not later than the 14th day following the day on which the term of office commences.
- 4.1.2 The Regional Clerk shall call the Inaugural Meeting at such time as may be appropriate unless the time has been determined by the previous Council.
- 4.1.3 The place of the Inaugural Meeting shall be ~~in the Council Chamber, unless otherwise determined by the Regional Clerk. rotated among the area municipalities of Brampton, Caledon, and Mississauga, in that order, unless otherwise directed by Regional Council.~~ in the Council Chamber, unless otherwise determined by the Regional Clerk.
- 4.1.4 The Regional Clerk shall preside at the Inaugural Meeting until the Regional Chair ~~is appointed and~~ has taken the required declaration of office.

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4.2. REGULAR MEETINGS - Council and Committees

4.2.1 The schedule of regular meetings of Council and such other committees as have been struck by Council shall be established by Regional Council on an annual basis in September for the next calendar year. The Regional Clerk shall prepare and present a draft schedule of regular meetings to Regional Council in the month of September each year. **Changes to the schedule may be made by the Regional Clerk by the addition or cancellation of meetings or by changing the times of meetings.**

4.2.2 The draft schedule of regular meetings prepared by the Regional Clerk shall provide for the following:

- a. all regular Council meetings will be held on a Thursday beginning at 9:30 a.m., **or at the call of the Regional Chair;**
- b. there shall be a two week rotation of meetings of Council to be followed by committee meetings as follows:
 - i) Week 1 and Week 3 – Committee meetings
 - ii) Week 2 and Week 4 – Council meetings
 - iii) Week 5 – Regional business days;
- c. despite the two week rotation there shall be no Council or committee meetings during the **one** week designated by the Peel School Boards for the March break or during the week before or after Christmas or the week after New Year's or during the month of October in the year of a regular election;
- d. during July, there shall be only one meeting which shall be held on the first or second Thursday of the month in order to accommodate the Canada Day Statutory Holiday, which shall be a meeting of Council; ~~and~~
- ~~e.~~ **no Council or committee meeting will be held during August, unless called by the Regional Chair; and**
- ~~e.~~ **f.** public notice of all regularly scheduled meetings of Council and committees shall be given by posting on the Region of Peel website, the schedule of regular meetings **as same maybe amended from time to time**, for the ensuing year as approved by Regional Council pursuant to Section 4.2 of this By-law.

4.2.3 Notwithstanding the foregoing, the schedule of regular meetings established by Council may vary from the requirements of clause 4.2.2 as Council may determine, **or as the Regional Clerk may determine from time to time.**

- a. public notice of all meetings not shown on the schedule of regular meetings shall be given by posting on the Region

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of Peel website a Notice of the meeting in a form sufficient to indicate the date, time and location of the meeting and the nature of the matters to be considered, at least 48 hours before the meeting is to be held.

- 4.2.4 Unless otherwise directed by Council, all Thursdays shall be considered as Regional business days to be held available by members for meetings of Council or committee.
- 4.2.5 ~~Council~~ The Regional Chair, in consultation with the Regional Clerk, may at any time cancel or ~~postpone~~ reschedule any regular meeting of Council or any other committee.
- ~~4.2.6 In consultation with the Regional Clerk and Chief Administrative Officer, the Regional Chair may cancel or reschedule a meeting of Regional Council.~~
- 4.2.6 ~~In consultation with the Regional Clerk and Chief Administrative Officer,~~ a Committee Chair, in consultation with the Regional Clerk, may cancel or reschedule his or her committee meeting.
- 4.2.7 In addition to the schedule of regular meetings, the Regional Chair may call a meeting of Council upon 48 hours notice to all members.
- 4.2.8 Committees shall meet at such date, time and place as Council or the committees themselves decide or at the call of the Committee Chair with 48 hours notice, in accordance with 4.2.3.a.
- 4.2.9 No committee shall meet while Council is in session.
- 4.2.10 Seating at Council meetings shall be in alphabetical order of the members' surnames, with the first member seated closest to the left of the seat provided for the Regional Chair.
- 4.2.11 All meetings of Council and committees shall be held in the Council Chamber at 10 Peel Centre Drive, Suite A, Brampton or at such other place within the Regional area as is specified in the notice calling the meeting or as may be determined by Council or the committee as the case may be.
- 4.2.13 A regular meeting of Council shall not carry on past 3:30 p.m. except that Council may pass a by-law confirming the proceedings of the meeting to that point of the meeting and may pass a resolution to carry on past that time. Subject to a resolution to the contrary, the meeting shall be adjourned at 3:30 p.m. and the business on the agenda for that meeting and which was not dealt

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with at that meeting shall be placed on the agenda for the next regular meeting of Council.

4.2.14 When a meeting of Council commences before noon and carries on or is likely to carry on after noon, subject to a resolution to the contrary, the ~~Presiding Officer~~ **Regional Chair** shall call a recess **approximately** between noon and 12:30 p.m. for the purpose of a half hour lunch break.

4.2.15 Any meeting may by resolution be recessed from time to time to resume at the location and at the time and date stated in the resolution.

4.3 SPECIAL MEETINGS – Council and Committees

4.3.1 Upon notice as set out in clause 4.3.3 the Regional Chair may at any time summon a special meeting of Council, ~~and upon receipt of the petition of the majority of the members of Council, in which case the Regional Clerk shall~~ **provide notice in accordance with Section 4.3.3** ~~summon a special meeting for the purpose and at the time and place mentioned in the petition.~~

4.3.2 Upon notice as set out in clause 4.3.3 **a** Committee Chair may at any time summon a special committee meeting of ~~their respective~~ **the committee of which he or she is Committee Chair in which case ;** ~~and upon receipt of the petition of the majority of the committee members,~~ the Regional Clerk shall **provide notice in accordance with Section 4.3.3** ~~summon a special meeting for the purpose and at the time and place mentioned in the petition.~~

4.3.3 Special meetings summoned under clauses 4.3.1 and 4.3.2 shall not be held unless written notice of the special meeting detailing **the** date, time and place and the matters to be considered at the meeting is delivered not less than 48 hours before the time set for the meeting, to all members ~~personally or at the members' municipal offices or residences~~ or by electronic means.

a. public notice of special meetings as set out in clause 4.3.1 shall be given by posting on the Region of Peel website a Notice of the meeting in a form sufficient to indicate the date, time and location of the meeting and the nature of the matters to be considered at least 48 hours before the meeting is to be held.

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4.4. MEETINGS OF COUNCIL FOR EMERGENCIES

- 4.4.1 Despite any other provisions of this By-law, a meeting of Council for an emergency may be called by the Regional Chair, without written notice, to deal with an emergency, provided that an attempt has been made by the **Regional** Clerk to notify members about the meeting as soon as possible and in the most expedient manner available.
- 4.4.2 The only business to be dealt with at a meeting of Council ~~for to deal with~~ an emergency shall be business dealing directly with the emergency.
- 4.4.3 The lack of receipt of a notice of, or an agenda for, a meeting of Council ~~for to deal with~~ an emergency by any Member of Council shall not affect the validity of the meeting or any action taken at such meeting.

4.5. QUORUM - Council and Committees

- 4.5.1 Thirteen members of Council, including at least one member representing each area municipality, are necessary to form a quorum at a meeting of Council. The Regional Chair shall be counted in determining quorum.
- 4.5.2 A quorum for a committee is a majority of the total number of committee members **or as provided in the Terms of Reference for that committee** and does not require that all three area municipalities be represented, unless required under the committee's Terms of Reference as approved by Council. The Regional Chair shall be counted in determining quorum.
- 4.5.3 No meeting shall commence or conduct business unless quorum is present.
- 4.5.4 If no quorum is present 30 minutes after the time appointed for a meeting of Council or committee, the Presiding Officer shall call the roll and the Regional Clerk **or recording secretary** shall record the names of the members present and the members shall then be discharged.
- 4.5.5 If during the course of a meeting quorum is lost, then the meeting shall be deemed to have recessed for 30 minutes to reconvene when quorum is regained. If quorum is not regained within 30 minutes then the Presiding Officer shall call the roll and the

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Regional Clerk shall record in the minutes the names of those present, and the meeting shall stand adjourned.

4.5.6 If a meeting of Council or committee stands adjourned for lack of quorum, the business on the agenda for that meeting which was not dealt with at that meeting shall be placed on the agenda for the next regular meeting of that body.

4.5.7 Notwithstanding clauses 4.5.3, 4.5.4 and 4.5.6, where no quorum is present, members who are present at the time and place set for the meeting may receive submissions or information from the public or staff unless the submissions or information are in respect of a hearing required under statute. ~~No minutes shall be kept on such occasions.~~ The Regional Clerk shall prepare a report to Council which shall record:

- a. the place, date and time of meeting;
- b. the name of the Presiding Officer and the record of attendance of the members; the name of the recording secretary, senior staff and Clerk's staff present; and
- c. the report of the Regional Clerk may contain such notes and annotations as may describe portions of the submissions or information received from the public or staff.

4.5.8 Quorum is not required for public meetings, unless required by legislation.

5. **MEETING PROCEEDINGS**

5.1. AGENDA - Council and Committees

5.1.1 The Regional Clerk shall prepare a draft agenda for all meetings of Council and committees. The Regional Clerk may amend the draft agenda by adding matters to or deleting matters from the draft agenda at any time before the commencement of the meeting.

5.1.2 Before considering any business at a meeting for which a draft agenda or ~~amended~~ revised draft agenda has been prepared, Council or committee as the case may be, shall by resolution approve or amend and approve the draft agenda or ~~amended~~ revised draft agenda as the agenda for the meeting. A motion to further amend the agenda following its approval shall require a two-thirds vote. Subject to any resolution to the contrary, the

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order of the agenda can be changed at the direction of Council or of the Regional Chair and no vote shall be necessary for the giving of such direction.

- a. Despite section 5.1.2 above, or any provision of this by-law to the contrary, any member of Council or committee, at any time whether before or after the approval of the agenda, may move a motion without the need for the motion to be seconded, if made in Council, that the meeting be immediately closed to the public to receive advice that is subject to solicitor-client privilege as to whether any matter listed on the agenda to be considered in camera may properly be considered in closed session.
 - i) Any motion as outlined in Section 5.1.2.a above is not debatable and shall be immediately put to a vote and may be passed by a simple majority.
- b. Despite section 5.1.2 above, a motion may be passed by a simple majority vote to amend the agenda to move any matter listed in the closed session portion of the agenda to the appropriate section of the public agenda.

~~5.1.3 Subject to any resolution to the contrary, the business of Council or committee shall be considered in the order set forth on the approved agenda for the meeting.~~

5.1.3 The draft Council agenda shall be prepared with staff reports, ~~correspondence~~ **communications** and presentations grouped under ~~the such~~ Regional Council Section headings as in the opinion of the **Regional** Clerk may seem appropriate.

5.1.4 Should Council or committee be unable to consider all agenda items in the allotted time before adjournment, all outstanding matters shall be placed on the draft agenda for the next regularly scheduled meeting of that body.

5.1.5 The order of consideration of Regional Council Sections in the draft agenda shall be rotated from meeting to meeting or as deemed appropriate by the Regional Clerk.

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5.2. DELIVERY OF AGENDA TO MEMBERS - Council and Committees

5.2.1 The Regional Clerk shall cause to be delivered to each member, not less than 48 hours before the time appointed for the holding of a regular meeting of Council, the draft agenda and copies of related materials., ~~provided that if the draft agenda is amended after that time, the amendments may be delivered to members at any time up until the time that the meeting commences.~~

5.2.2 Any materials received in the Office of the Regional Clerk less than 48 hours prior to the time appointed for holding of a regular meeting of Council will be presented to Council at the time of the approval of agenda portion of the meeting.

5.2.3 ~~Delivery of~~ The draft agenda and related materials shall be made ~~either personally or delivered to the member's municipal office or residence, as directed by the member and will be made~~ available electronically to every member ~~the day the agendas get delivered.~~

5.2.4 The draft agenda and related materials shall be made available to the public on the Region of Peel website 24 hours after the members are provided with the agenda materials.

5.3. MINUTES - Council and Committees

5.3.1 The Regional Clerk shall prepare minutes of all meetings of Council and committees which shall record:

- a. the place, date and time of meeting;
- b. the name of the Presiding Officer and the record of the attendance of the members; the name of the recording secretary, ~~and~~ senior staff and Regional Clerk's staff present; and
- c. all resolutions, decisions and directives and other proceedings;
- d. the minutes of Council meetings shall record the resolutions, decisions and other proceedings without comment, whereas the minutes of any committee meeting may contain such notes and annotations as may describe portions of the debate.

5.3.2 The minutes of each Council meeting shall be presented to Council at the next regular meeting of Council for approval.

5.3.3 After the Council minutes have been approved by Council, they shall be signed by the Regional Chair and the Regional Clerk.

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- 5.3.4 The committee report of each committee meeting shall be presented on the next appropriate regular meeting of Council for deliberation of committee recommendations contained in it.
- 5.3.5 The Members of Council shall inform the **Clerk's Office of the Regional Clerk in writing for which purpose, email shall be sufficient**, of all planned absences, late arrivals and early departures from Council and committee meetings in order that the recording of such and the related reasons may be accurately reflected in the minutes.
- 5.3.6 **The Closed Session Report of each committee meeting shall be presented at the next appropriate regular meeting of Council for deliberation of in camera committee recommendations contained within it.**
- 5.3.7 **The Regional Clerk shall have the authority to approve and implement any minor administrative changes to the minutes of any Council or committee meeting.**
- 5.3.8 **The report of each Public Meeting shall be presented to Council at the next appropriate meeting of Council, for receipt.**
- 5.4. DELEGATIONS - Council and Committees
- 5.4.1 Persons desiring to address members on any matter may by written notice to the Regional Clerk request to be listed as a delegation on a draft agenda.
- 5.4.2 Written notice from a delegation shall include the person's complete name, address, telephone number, reasons for the delegation, including the specific nature of their presentation, and if applicable, the name, address and telephone number of any person, corporations or organizations which he or she represents.
- 5.4.3 **Council/Committee Placement**
- a. Upon receipt of written notice requesting listing as a delegation, the Regional Clerk shall list the delegation requested on the draft agenda for the next appropriate meeting if such request is received by the Regional Clerk before the time that the committee meeting or Council meeting agenda is finalized for printing and the matter is one that is related to a report, delegation, presentation **or**, recommendation, ~~or other item with the exception of~~ **minutes, Committee reports and communications** that is to

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be placed on the draft agenda for the committee or Council meeting in respect of which the request is made.

- b. If the written notice requesting listing as a delegation is received by the Regional Clerk after the time the committee meeting or Council meeting agenda is finalized ~~for printing~~, the delegation will be added to the agenda only upon the approval of the ~~Regional Clerk and the Presiding Officer of the committee or Council~~ **Regional Chair or the Committee Chair, in consultation with the Regional Clerk.**
 - c. If the written notice requesting listing as a delegation is not related to a report, delegation, presentation, ~~recommendation~~ or other item, **except minutes, Committee reports and communications made by the person requesting to delegate**, that is to be placed on the draft agenda for the Council or committee meeting, the Regional Clerk shall list ~~the written notice requesting listing as a delegation as a request~~ **the delegation request** on the next appropriate Council meeting draft agenda under "Other Business" for consideration by the committee or Council. If the committee or Council approve **the request to delegate**, ~~listing the written notice requesting listing as a delegation~~, the Regional Clerk shall add the delegation to ~~the next an~~ appropriate Council or committee meeting **agenda**. ~~If the committee or Council do not approve listing the written notice requesting listing as a delegation, the Regional Clerk shall so inform the delegate that the request to delegate was denied and the delegation will not be listed on a Council or committee meeting.~~
- 5.4.4 **The Regional** Clerk shall notify the person who requested the delegation of the decision made under paragraphs 5.4.3.c., and if appropriate, the date and time of the Council or committee meeting to which the delegation is directed.
 - 5.4.5 Delegations shall be received without comment or debate and the matter shall be referred to staff for a report, unless there is a resolution passed to simply "receive" the delegation.
 - 5.4.6 After a delegation has completed its presentation, members shall each have one opportunity to ask questions of the delegation for clarification purposes only, and without debate. **If the delegate's answer to the clarifying question requires a further clarifying question, a member shall have one further opportunity to clarify.**

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The clarifying question, answer and follow-up shall not exceed five (5) minutes. The Presiding Officer may cut off the clarifying questions and answers at or after five (5) minutes. When all members who have indicated a desire to ask clarifying questions have finished ~~their questions of the delegation~~, the persons appearing as a delegation shall withdraw from the place designated.

- 5.4.7 No persons addressing Council or committee as a delegation shall:
- a. speak disrespectfully of any person;
 - b. use offensive words or unparliamentary language ~~or other improper conduct~~;
 - c. engage in improper conduct;
 - d. speak on any subject other than the subject for which they have received approval to address Council or committee; or
 - b. disobey the Rules of Procedure or a decision of the Presiding Officer or of Council or committee.
- 5.4.8 Each delegation to Council shall be limited to speaking not more than five minutes in total, except that a delegation consisting of more than five persons shall be limited to two speakers, each limited to speaking not more than five minutes.
- 5.4.9 Each delegation to committee shall be limited to speaking not more than ten minutes in total, except that a delegation consisting of more than five persons shall be limited to two speakers, each limited to speaking not more than ten minutes.
- 5.4.10 If persons appearing as a delegation have not completed their presentation within the time allotted, the Presiding Officer or any member may make a motion without a seconder, that the time be extended by a simple majority vote in which case the time shall be extended for such reasonable time as the Presiding Officer may determine.
- 5.4.11 The Presiding Officer may curtail any delegation, ~~or~~ or any questions of a delegation ~~or debate during a delegation~~ for disorder or any other breach of the Rules of Procedure or if in the Presiding Officer's discretion, the questions are not of a clarifying nature, and, if the Presiding Officer rules that the delegation is concluded, the persons appearing shall withdraw from the place designated for delegations.
- ~~5.4.11~~5.4.12 Delegations may only appear once on the same matter within a one-year period, unless a recommendation pertaining to the matter is included on the agenda within the one-year period.

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5.5. PRESENTATIONS - Council

5.5.1 Staff presentations to Council meetings shall not exceed 10 minutes, **except during annual budget meetings**; however, the Presiding Officer or any member may make a motion without a seconder, that the time be extended by a simple majority vote in which case the time shall be extended for such reasonable time as the Presiding Officer may determine.

5.6. EMERGENCY BRIEFING

5.6.1 When the Regional Emergency Operations Centre has been operating while Council is in session, senior staff is authorized to provide an immediate briefing to Council. This briefing takes precedence over all other agenda items and, despite subsection 5.6.2, does not require suspension of the rules.

5.6.2 In the event of a public health emergency, enhanced response and/or communicable disease outbreak, particularly where Regional resources are required as part of the response, and with the consent of the Regional Chair, the Medical Officer of Health is authorized to brief Council or the relevant committee, without requiring suspension of the Rules of Procedure. Such briefings may take precedence over regular business on the agenda.

5.7. COMMUNICATIONS - Council and Committees

5.7.1 All communications within the jurisdiction of a committee shall be referred by the Regional Clerk directly to the appropriate committee, unless the communication relates to a subject that has been dealt with by Council or is to be placed on a draft agenda for a meeting of Council in which case it may be placed on the draft agenda for the Council meeting.

5.7.2 All correspondence received from municipalities and local boards ~~outside of the Region of Peel~~ requesting endorsement or consideration of resolutions, or from other entities which are deemed by the Regional Clerk to be of interest to members of Regional Council, including notices of upcoming workshops, seminars and conferences, shall:

- a. be reported to each member of Council every two weeks or as warranted by the nature and volume of resolutions, as

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- determined by the Regional Clerk without being placed on a draft agenda; and
- b. be placed on a Council or committee draft agenda only at the request of a ~~Council~~ member.

5.8. MOTIONS AND BY-LAWS - Council and Committees

5.8.1 A motion to adopt a committee report in whole or in part may be made and if carried, the committee recommendations contained in the report or the part adopted, except only those explicitly excluded, shall be adopted and passed as resolutions at the meeting.

5.8.2 The proceedings of every meeting of Council shall be confirmed by by-law so that every resolution and decision of Council passed at that meeting shall have the same force and effect as if each and every one of them had been the subject of a separate by-law duly enacted.

5.8.3 No by-law shall be presented to Council unless its enactment has been approved by resolution of Council except:

- a. a by-law to confirm the proceedings of Council;
- b. a by-law to accept, assume and dedicate, pursuant to the *Municipal Act, 2001*, lands acquired by the Region for the purpose of widening the public highways forming part of the Regional Roads System or for the purpose of permitting an access to such highways at locations approved pursuant to the Controlled Access By-law, as amended.

5.8.4 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 at least 48 hours in advance of the day of the meeting at which the by-law will be considered.

5.8.5 The Regional Clerk, in consultation with the Regional Solicitor, is authorized to make minor deletions, additions or other changes in form, to any by-law before same is signed, sealed and numbered, to ensure correct and complete implementation of the intention of Council forming the subject-matter of the by-law in accordance with the Procedure By-law, including without limiting the generality of the foregoing, the following:

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- a. Correction of spelling, punctuation or grammatical errors, or errors that are of a clerical, typographical or similar nature.
- b. Alteration of the style or presentation of text or graphics to improve electronic or print presentation and accessibility.
- c. Correction of errors in the numbering of provisions or other portions of a by-law and any changes in cross-reference that are required as a result.

5.8.6 All amendments to any by-law approved by the Council shall be deemed to be incorporated into the by-law and if the amending by-law is enacted and passed by the Council as a by-law, the amendments shall be inserted into the amended by-law by the Regional Clerk.

5.8.7 By-laws listed on the agenda shall be taken as read, prior to being enacted.

5.8.8 Every by-law once enacted shall be signed by the Regional Chair and Regional Clerk, the corporate seal affixed thereto, and ~~deposited in~~ retained at the Office of the Regional Clerk.

5.9. CLOSED MEETINGS ("IN CAMERA")

5.9.1 Except as provided in this section or in accordance with applicable legislation, all meetings shall be open to the public.

5.9.2 Any member is entitled to be present at a meeting which has been closed to the public, unless that member has an interest which the member is obligated to disclose, in accordance with the *Municipal Conflict of Interest Act*.

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

- a. the security of the property of the municipality or local board;
- b. personal matters about an identifiable individual, including Regional employees;
- c. proposed or pending acquisition or disposition of land by the municipality or local board;
- d. labour relations or employee negotiations;
- e. litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- f. advice that is subject to solicitor-client privilege, including communications necessary for that purpose; ~~and/or~~

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- g. a matter in respect of which a council, committee or other body has authorized a meeting to be closed under another statute.
- h. a meeting held for the purpose of educating or training the members, provided that no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council or committee.
- i. information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- j. a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, 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;
- k. a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- l. 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 municipality or local board.

Clause 6(1)(b) of the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) [A head may refuse to disclose a record that reveals the substance of deliberations of a meeting of a council, board, commission or other body or a committee of one of them if a statute authorizes holding that meeting in the absence of the public] does not apply to a record of a meeting closed, 5.8.3.h.

- 5.9.4 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 the council or committee is the head of an institution for the purposes of that Act; or
 - b. an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) of the

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Municipal Act, 2001 or the investigator referred to in subsection 239.2 (1) of the *Municipal Act, 2001*.

- 5.9.5 Before holding a meeting or a part of a meeting that is to be closed to the public, Council or committee as the case may be shall state by resolution:
- a. the fact of the holding of the closed meeting or portion of the meeting; and
 - b. the general nature of the matter to be considered at the closed meeting.
- 5.9.6 Subject to clause 5.9.7, a meeting shall not be closed to the public during the taking of a vote.
- 5.9.7 Despite clause 5.9.6, a meeting may be closed to the public during the taking of a vote if:
- a. subsection 5.9.3 or subsection 5.9.4 permits or requires a meeting or a portion of a meeting to be closed to the public; and
 - b. the vote is for a procedural matter or for giving directions or instructions to officers, **legal counsel**, employees or agents of the Regional Corporation or persons retained by or under contract with the Regional Corporation.
- 5.9.8** Any request from a person for an investigation, under the *Municipal Act, 2001*, of whether a Council or committee meeting or part of a meeting, that was closed to the public, has complied with the relevant provisions of the *Municipal Act, 2001* or this Procedure By-law, shall be referred by the **Regional** Clerk to the Investigator appointed by Council for that purpose.
- 5.9.9** If a report is received from a person referred to in clause 239.1 (a) or (b) of the *Municipal Act, 2001* reporting his or her opinion, and the reasons for it, that a meeting or part of a meeting that was the subject-matter of an investigation by that person appears to have been closed to the public contrary to section 239 or to a procedure by-law under subsection 238 (2), Regional Council shall pass a resolution stating how it intends to address the report.

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5.10. WORKSHOPS

5.10.1 All workshops shall be coordinated through the Office of the Regional Clerk. Closed session workshops are permitted in accordance with applicable legislation and Section 5.9.3h of this by-law.

5.10.2 Upon confirmation that the workshop is to proceed, the Regional Clerk shall give notice to all members of Council in accordance with this by-law regarding the subject, date, time and location of the workshop.

5.10.3 Preparation of an “agenda” will be dependent on the subject of the workshop. Program staff hosting the workshop shall consult with the Regional Clerk and shall keep a copy for the public record and public inspection.

5.10.4 Notice of the workshop subject, date, time and location will be made available to the public in accordance with sections 4.2 or 4.3, and comply with any additional requirements set out in Council policy or in a by-law.

5.10.5 Quorum of Council is not required for the workshop to proceed.

5.10.6 Any member of the public who does attend, will be permitted to observe the workshop during public session.

5.10.7 Pursuant to Section 5.9.3h of this by-law, no member shall discuss or otherwise deal with any matter that will materially advance the business or decision making of the Council or committee and no Council or committee decisions or recommendations shall be made at a workshop. Any matter requiring a decision shall be reported to Council or committee for consideration and approval.

5.11. CONFLICT OF INTEREST

~~5.11.1 Members shall declare conflicts of interest in accordance with the *Municipal Conflict of Interest Act*.~~

5.11.1 A member shall file with the Office of the Regional Clerk a written statement of any interest declared by the member in accordance with the *Municipal Conflict of Interest Act* and its general nature.

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5.12. RECORDING OF MEETINGS

- 5.12.1 Meetings of Council and committees shall be recorded by the **Regional** Clerk where possible and practical to do so.
- 5.12.2 Recordings of meetings made by the **Regional** Clerk shall be retained in accordance with the Region of Peel Records Retention By-law.
- 5.12.3 Audio and video recording equipment may be used by staff, the public and the media to record all or any portions of a meeting that is open to the public provided that it is not disruptive to the conduct of the meeting. The location and use of such recording equipment will be at the discretion of the Regional Clerk.

5.13. ACCESS TO COUNCIL FLOOR

- 5.13.1 Unless delegating, no members of the public or anyone other than members of Regional Council and Regional staff, delegates or invitees of the Presiding Officer shall be permitted on the Council floor during Council or committee meetings, except at the discretion of the Regional Chair or Regional Clerk.

5.14. OTHER BUSINESS

- 5.14.1 A member may, with the consent of two-thirds of the members present, introduce a motion under Other Business which due to its urgent nature cannot properly be presented at a meeting of Council or committee.
- 5.14.2 Items to be considered under Section 5.14.1 that are not related to a report, delegation, presentation or item that is to be placed on the draft agenda for Council or committee shall be listed under Other Business upon approval of the Regional Chair and Regional Clerk.

~~5.15. ENQUIRIES FROM REGIONAL COUNCILLORS~~

- ~~5.15.1 At the Enquiries from Regional Councillors portion of the Council agenda, Members shall be limited to asking questions for clarification or for additional and relevant information only related to Regional programs and services.~~

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~~5.15.2 In the event that the requested information will require additional response time, financial implications or a decision, the item will be added to a future Council or committee for consideration and approval.~~

~~5.15.3 A member may introduce a motion under Enquiries from Regional Councillors to refer or defer directions or instructions to staff to a future meeting of Council or committee.~~

~~5.15.4 Recorded votes are not permitted at the Enquiries from Regional Councillors portion of the Council agenda.~~

6. **MOTIONS**

6.1. GENERAL

6.1.1 The following ranking for matters and motions is in descending order, such that each matter or motion takes precedence (if moved, must be decided before others ranking below it) over those that are below it in this list. For example, a motion to adjourn takes precedence over a motion to recess, which takes precedence over all matters and motions listed from question of privilege to the main motion.

- a. fix the time at which to adjourn;
- b. adjourn;
- c. recess;
- d. question of privilege;
- e. point of order;
- f. call the question;
- g. limit or extend limits of debate;
- h. postpone (defer) to a certain time;
- i. refer;
- j. amend;
- k. postpone (defer) indefinitely; and
- l. the main motion.

6.1.2 In Council, the following matters and motions may be introduced orally without notice or specific permission, except as otherwise provided by the Rules of Procedure:

- a. postpone (defer);
- b. refer;
- c. call the question;
- d. adopt or deny committee recommendations or reports;

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- e. direct staff;
- f. suspend the Rules of Procedure;
- g. any other procedural motion; and
- h. adjourn.

6.1.3 Except as provided in subsection 6.1.2 or as permitted by the Regional Chair, all motions in Council shall be in writing.

6.1.4 In committee, motions do not require a seconder, and need not be in writing.

6.1.5 No member shall speak to any motion until it is first received by the Presiding Officer, and the mover is entitled to speak first.

6.1.6 Any motion may be put forth and considered during Council or committee, providing it relates to the subject of a motion, recommendation, report or communication under debate by Council or committee and is presented at the time of such debate, otherwise previous notice of motion is required.

6.1.7 After a motion has been received by the Presiding Officer, it shall be deemed to be in possession of Council or committee and may be withdrawn by the mover and seconder, if applicable, before decision or amendment only with the permission of Council or committee.

6.1.8 A motion which requires the exercise of a power or powers by Council or committee which are not within the jurisdiction of Regional Council (*ultra vires*), shall not be in order.

6.2. MOTION TO ADJOURN

6.2.1 A motion to adjourn:

- a. is neither debatable nor amendable, and cannot be reconsidered;
- b. without qualification, if carried, brings a meeting or session to an end; and
- c. if made with reference to a specific time or if made with a provision to reconvene upon the happening of a specific event, suspends the meeting to continue at the time specified.

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6.3. MOTION TO AMEND A PENDING MOTION

6.3.1 A motion to amend a pending motion:

- a. is debatable only if the main motion being amended is debatable;
- b. if more than one, shall be voted on in reverse order to which they were put;
- c. shall not be amended more than once; and
- d. shall be relevant and not contrary to the motion under consideration.

6.4. MOTION TO CALL THE QUESTION (Call the Vote)

6.4.1 A motion that the question be called enables immediate closure of debate; and:

- a. is not allowable in committees;
- b. is not debatable, although reasons for moving the motion may be given;
- c. cannot be amended;
- d. cannot be moved on a main motion when there is an amendment to that motion under consideration;
- e. shall preclude all further amendments of the main motion;
- f. when resolved in the affirmative, the main motion is to be put forward without further debate or amendment;
- g. cannot be moved by the last member to debate the motion;
- h. requires a two-thirds vote.

6.5. MOTION TO POSTPONE (Defer) A PENDING MOTION

6.5.1 A motion to postpone is a motion by which action of a pending motion can be put off, within limits, to a definite day, meeting, or hour, or until after a certain event; and:

- a. shall only be to the pending motion;
- b. is not debatable **although reasons for moving the postponement may be given;**
- c. is amendable, as to the time to which the pending motion is to be postponed; and
- d. shall not include clauses for the purpose of amending the pending motion or making any statement on the merit of the pending motion.

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6.6. MOTION TO RECONSIDER (A Decision Made in the Same Meeting)

6.6.1. A motion to reconsider enables Council or committee to bring back for consideration the decision on a motion previously voted on during the same meeting, whether or not the previous motion was carried, and:

- a. can only be made by a member who voted with the prevailing side;
- b. can only be made during the same meeting in which the previous motion to be reconsidered was voted on;
- c. is debatable in all cases in which the previous motion was debatable, and when debatable, opens to debate the merits of the previous motion which is proposed to be reconsidered;
- d. is not amendable;
- e. requires a two-thirds vote regardless of the vote necessary to adopt the previous motion to be reconsidered; and
- f. prior to a vote being taken, temporarily suspends any action resulting from the decision on the previous motion that is proposed to be reconsidered.

6.6.2. A motion to reconsider is not in order when applied to the following:

- a. a vote on a motion to reconsider;
- b. when a motion to reconsider is practically the same as a motion to reconsider already decided; and
- c. when practically the same result can be obtained by some other parliamentary motion.

6.6.3. Should the motion to reconsider carry by a two-thirds vote, the previous motion to be reconsidered is called up, resulting in Council or committee voting again on the motion, and any such previous motion:

- a. does not require a seconder;
- b. ~~may~~ shall be called up and voted on at the same meeting as the motion to reconsider was passed; and
- c. when requested by a member, the Presiding Officer shall state the previous motion as pending.

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6.7. MOTION TO AMEND, ~~RESCIND, OR CONTRARY IN SUBSTANCE TO A~~
OR RECONSIDER AT A SUBSEQUENT MEETING A PREVIOUSLY
DECIDED MOTION

6.7.1. A motion to amend ~~or rescind, or contrary in substance to or~~
reconsider a previously decided motion from a previous meeting:

- a. is amendable;
- b. is debatable; and
- c. can be reconsidered only if the motion was decided in the negative.**

6.7.2. A motion to amend or reconsider the decision on a previous motion adopted within the same term of Council requires a two-thirds vote to carry.

6.7.3. A motion to amend or **reconsider** ~~rescind, or contrary in substance to~~ the decision on a previous motion is not in order when applied to the following:

- a. when the previous motion was passed earlier in the same meeting in which case only a motion to reconsider **in the same meeting** may be allowed;
- b. when it has previously been moved to reconsider the vote on the previous motion, and the question can be reached by calling up the motion to reconsider **in the same meeting**;
- c. when something has been done pursuant to the decision on the previous motion that is impossible to undo (the unexecuted part of an order, however, can be rescinded or amended);
- d. when the previous motion authorized entering into a contract when that contract has been entered into;
- e. when a resignation has been acted upon, or a person has been elected to or expelled from membership or office, and the person was present or has been officially notified of the action.

~~6.7.4. A motion to amend or rescind, or contrary in substance to the decision on a previous motion adopted within the same term of Council requires a two-thirds vote to carry.~~

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6.8. MOTION TO RECONSIDER (A DECISION MADE IN THE SAME TERM OF COUNCIL)

6.8.1 No matter, after being decided by Council, shall be reconsidered within the same term of Council without first passing a motion to reconsider.

- a. No discussion of the main question shall be allowed until the motion for reconsideration is carried;
- b. A Motion to reconsider may not be introduced, without notice, unless the Council, without debate, dispenses with notice;
- c. Once the matter is opened for reconsideration, it is reopened in its entirety unless the motion to reconsider specifies otherwise.
- d. If the motion is reopened, all previous decisions of the Council remain in force unless the Council decides otherwise.
- e. No motion to reconsider may, itself, be the subject of a motion to reconsider.
- f. 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.
- g. An amendment cannot be the subject of reconsideration independently of the motion, by-law or other matter amended.
- h. 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 had never previously been considered.

6.9. MOTION TO REFER

6.9.1 A motion to refer is a motion by which a matter, action or a pending motion can be sent or directed to a Council or committee, other body or official named in the motion specified, to report back to Council or committee; and:

- a. shall only be made in respect of a main motion or a report or matter listed on an agenda;
- b. shall include the name of the Council or committee, other body or official to whom the matter is to be referred;
- c. shall not include clauses for the purpose of amending the main motion;

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- d. is debatable, subject to debate being confined to its merits of the referral only, and cannot go into the main motion; and
- e. is amendable.

6.10. NOTICE OF MOTION

6.10.1 Notice of Motion is a written notice given by a member ~~or by a committee~~ that the motion ~~or committee recommendation~~ described in the Notice of Motion will be made or presented for adoption at a subsequent meeting specified in the Notice.

6.10.2 Notice of Motion may be given in the following ways:

- a. contained in a committee report;
- b. presented by a member at a meeting, for consideration at a subsequent meeting specified in the notice; or
- c. delivered to the Regional Clerk not later than seven days preceding the specified meeting **for placement on the agenda. This action shall constitute the notice required by Section 6.10.1.**

6.10.3 A ~~Notice of~~ Motion shall be added to ~~the~~ **an appropriate** agenda for the meeting specified in the Notice of Motion.

6.10.4 If the ~~Notice of~~ Motion is not dealt with at the appropriate meeting, then it shall be added to the agenda for each of the two succeeding meetings until the motion is considered or otherwise disposed of; and if in the two succeeding meetings it has not been disposed of, it shall be removed from the agenda by the Regional Clerk unless Council by resolution directs otherwise.

6.10.5 Prior to Council's consideration of a motion for which notice has been given previously, a revised motion on the same subject, approved by both the mover and seconder, may be substituted for the original one contained in the Notice of Motion.

7. VOTING

7.1. GENERAL - Council and Committees

7.1.1 Except as otherwise required under the *Municipal Act, 2001*, any other statute or this by-law, all motions, resolutions and by-laws shall be carried, passed and enacted as the case may be by a majority vote.

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- 7.1.2 Immediately preceding the taking of a vote, the Presiding Officer may restate the motion in the precise form in which it shall be recorded in the minutes, and shall do so if requested by a member. Unless otherwise provided in this by-law or requested by the Presiding Officer a member may indicate the vote or by the use of electronic voting.
- 7.1.3 Every member present and in his/her seat when a vote is called, shall vote on the motion unless prohibited by statute, in which case that fact shall be recorded.
- 7.1.4 A member not in his/her seat at the call of the vote shall not be entitled to vote.
- 7.1.5 A member who is present and in his/her seat and does not vote shall be considered as voting in the negative.
- 7.1.6 Each member shall occupy his or her seat until the result of the vote has been declared.
- 7.1.7 No vote may be taken by any method of secret voting ~~except for the appointment of the Regional Chair.~~
- 7.1.8 After a vote is called by the Presiding Officer, no member shall speak to the motion nor shall any motion be made until after the result is declared, and the decision of the Presiding Officer as to whether the vote has been called shall be final.
- 7.2. RECORDED VOTE - Council
- 7.2.1 Recorded votes may only be taken during a Regional Council meeting.
- 7.2.2 A member may request a recorded vote immediately prior or immediately subsequent to the taking of the vote.
- 7.2.3 Once a recorded vote is called, the Clerk shall conduct the vote by:
- a. electronic means; or
 - b. asking the members in favour to indicate their vote and then those opposed to indicate their vote; and
 - b.c. a member who is present and in his/her seat and does not vote shall be considered to have voted in the negative.

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7.2.4 The **Regional** Clerk shall announce the results and record the votes in the minutes.

7.3. DIVISION OF MOTION - Council and Committees

7.3.1 A motion containing distinct ~~proposals~~ **recommendations or propositions** shall be divided at the request of any member, and a vote on each proposal shall be taken separately. The decision of the vote on whether the motion can be divided shall be final.

7.4. EQUALITY OF VOTES - Council and Committees

7.4.1 When a vote is taken and results in an equality of votes both for and against the motion, the motion shall be lost, ~~unless during a Regional Council meeting where the Presiding Officer, who otherwise does not have a vote, may cast a vote to decide the question.~~

7.5. DISPUTED VOTE - Council and Committees

7.5.1 The result of a vote is not a ruling and therefore cannot be appealed.

7.5.2 If a member doubts the result of a vote ~~indicate~~ as announced by the Presiding Officer **or Regional Clerk**, the member may call for the vote to be taken again and members shall stand or indicate the vote during the retaking of the vote and the vote shall not be a recorded vote except in a meeting of Council where the vote shall be a recorded vote.

7.5.3 A member who was not in his or her seat at the time that a vote was taken may not vote in any retaking of the vote.

8. CONDUCT AND DEBATE - Council and Committees

8.1. GENERAL

8.1.1 No member shall:

- a. speak disrespectfully of any person;
- b. use offensive words or unparliamentary language;
- c. engage in improper conduct;
- d. speak on any subject other than the subject in debate; or
- e. disobey the Rules of Procedure or a decision of the Presiding Officer ~~or of Council or committee~~ on questions of

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order or practice or upon the interpretation of the Rules of Procedure.

8.1.2 Procedures that may be used by the Presiding Officer in the event of a breach of order are as follows, in increasing order of severity provided that the Presiding Officer may use any such procedure regardless of order of severity where circumstances warrant:

- a. advise and correct the member;
- b. request an apology or withdrawal of a remark by the member;
- c. warn the member;
- d. call the member to order, by which the member shall be seated and not speak further until recognized by the Presiding Officer;
- e. name the member, by which the member shall be called to order and further, that the member's name and offence shall be entered into the minutes; and
- f. expel or exclude the member.

8.2. RAISING A ~~QUESTION~~ POINT OF PERSONAL PRIVILEGE

8.2.1 To raise a ~~question~~ point of personal privilege is a device that permits a request or main motion relating to the rights and privileges of Council or committee (for example: to comfort of members with respect to heating, ventilation, lighting, noise; to conduct of its officers, employees or visitors; or to accuracy of published reports of its proceedings) or an individual member (for example: to an incorrect record of a member's participation in a meeting contained in minutes approved in a member's absence, or to charges circulated against a member's character).

8.2.2 When a member desires to address a point of personal privilege, the member shall ask permission of the Presiding Officer to raise a point of personal privilege; after permission is granted, the member shall state the point of personal privilege to the Presiding Officer and the point of personal privilege shall be immediately decided by the Presiding Officer.

8.2.3 Thereafter, a member shall only address the Presiding Officer for the purpose of appealing the Presiding Officer's decision to Council or committee.

8.2.4 If no member appeals, the decision of the Presiding Officer shall be final.

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8.3. POINT OF ORDER

- 8.3.1 A point of order is a device by which a member advises the Presiding Officer and Council or committee that the rules of procedure are being violated (for example: a member recognizing committee is continuing its business without quorum being present).
- 8.3.2 When a member desires to address a point of order, the member shall ask permission of the Presiding Officer to raise a point of order; after permission is granted, the member shall state the point of order to the Presiding Officer and the point of order shall be immediately decided by the Presiding Officer.
- 8.3.3 Thereafter, a member shall only address the Presiding Officer for the purpose of appealing the Presiding Officer decision to Council or committee.
- 8.3.4 If no member appeals, the decision of the Presiding Officer shall be final.

8.4. DEBATE

- 8.4.1 A member desiring to speak shall indicate by using the request to speak system. In instances where the request to speak system is unavailable a member desiring to speak shall indicate same. Upon being recognized by the Presiding Officer, the member shall address the Presiding Officer.
- 8.4.2 When two or more members indicate a desire to speak, the Presiding Officer shall recognize the member who, in the opinion of the Presiding Officer, so signified first and next recognize in order the other members.
- 8.4.3 Members may remain seated while speaking.
- 8.4.4 When a member is speaking, no other member shall ~~pass between the member and the Presiding Officer, or~~ interrupt the member except to raise a point of order or personal privilege.

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- 8.4.5 In Council, no member shall speak more than twice to the same motion (including questions to or through the Presiding Officer) without the permission of ~~Council~~ the Presiding Officer, except that a member who has presented a substantive motion rather than an amendment may reply to questions.
- 8.4.6 In committee, there is no limit to the number of times a member may speak to the same motion.
- 8.4.7 In Council, no member shall speak to the same motion for longer than five minutes on each occasion that the member is recognized by the Presiding Officer without permission of the ~~Council~~ Presiding Officer.
- 8.4.8 A member may request the motion under discussion to be read at any time during the debate, but not so as to interrupt a member while speaking.
- 8.4.9 A member may ask a question of the Presiding Officer for the purpose of clarifying the motion, and in seeking the clarification, the member is not to debate the matter to which the question refers.
- 8.5. APPEAL RULING OF THE PRESIDING OFFICER
- 8.5.1 When a member appeals a ruling of the Presiding Officer, the member shall give notice to the Presiding Officer that his or her ruling is being appealed; after notice has been given to the Presiding Officer, the member shall state the nature of the appeal and the appeal shall be immediately decided by Council or committee by a majority vote.
- 8.5.2 ~~Council or committee, if appealed to,~~ If appealed, the Regional Clerk shall call a vote without debate on the following question; "Shall the decision of the Presiding Officer be sustained?", and ~~is~~ the decision on that vote shall be final.
- 8.5.3 An appeal takes precedence over any question pending at the time.

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9. COMMITTEES

9.1. GENERAL

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

9.1.2 By notifying the Regional Clerk (either orally or in writing) before the commencement of a meeting, a Council member of a committee may designate another Council member to attend such a committee meeting in his or her absence and the member so designated shall be deemed to be a member of such committee for the designated meeting and may vote at the meeting provided that the member making the designation remains absent from the meeting.

9.1.3 Only members appointed to a committee and members designated by absent Council or committee members, except citizen members, are entitled to vote on motions under consideration by that committee.

9.1.4 Should any member appointed to a committee fail to attend three successive committee meetings of the same committee without authorization from the Committee Chair, that member's appointment to the committee is terminated and Council may appoint another member to take his or her place.

9.1.5 A non-Council member may only designate another non-Council member to attend in his or her absence if such designation is provided for in the committee's Terms of Reference.

9.1.6 Upon resignation of a member, Council may appoint another member to take his or her place.

9.1.7 The Regional Clerk, or an employee designated by the Regional Clerk, shall act as Secretary to every committee.

9.2. ~~SUB~~COMMITTEES, TASK FORCES, AD HOC COMMITTEES AND ADVISORY COMMITTEES

9.2.1 All appointments to a committee shall be made by Council and unless otherwise specifically provided for in the appointment, all appointments shall be for the term of Council, or, unless membership in the committee is ex-officio by reason of a member's position as Council Section Chair, in which case the

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appointments shall be for the duration of the member's tenure ~~on the committee shall be~~ as the Council Section Chair's ~~term~~, but not beyond the term of Council.

~~9.2.2 Subcommittee means a special purpose committee of unlimited duration, appointed by Council to inquire into and report on a particular ongoing matter or concern which reports to Regional Council.~~

9.2.2 Ad hoc committee, task force or advisory committee means a special purpose committee of limited duration, created by Council to inquire into and report to either Council on a particular matter or concern and which dissolves automatically upon submitting its final report unless otherwise directed by Council or specified in the Ad hoc committee, task force or advisory committee Terms of Reference.

~~8.3. PRESIDING OFFICERS OF COMMITTEES~~

~~3.7 The term of Council Section Chairs and Vice Chairs shall be 24 months, unless superseded by a resolution of Council.~~

~~3.8 The Council Section Chairs and Vice Chairs shall be elected by Council, in accordance with Appendix 2 – Election of Council Section Chairs and Vice Chairs. The election of Council Section Chairs and Vice Chairs shall be conducted at the first Council meeting after the Inaugural Meeting, and at the meeting closest to, but not after, 24 months after the beginning of the term of Council.~~

~~3.9 A member shall not serve in an executive capacity (Chair or Vice Chair) of more than one Section at one time.~~

~~3.10 When the office of Council Section Chair is vacant, or when the Council Section Chair is absent from the Regional area or is absent through illness or otherwise, or is absent from the office in the course of his or her duties, or on vacation or an approved leave, the Council Section Vice-Chair has and may exercise all the rights, powers and authority of the Council Section Chair.~~

~~3.11 If the position of Council Section Chair or Vice Chair becomes vacant, Council shall appoint a member to fill the vacancy.~~

~~3.12 The Chair and Vice-Chair of any committee other than Council shall be elected by the members of the committee from among the members of the committee, using the procedures for election of the~~

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~~Council Section Chairs and Vice-Chairs as contained in Appendix 2
– Election of Council Section Chairs and Vice-Chairs with necessary
modifications.~~

9.3 COMMITTEE CHAIRS AND VICE-CHAIRS

9.3.1 It shall be the duty of the ~~Presiding Officer~~ **Committee Chairs and Vice-Chairs:**

- a. to receive and put to a vote all motions presented by the members of a committee, and to announce the result;
- b. to enforce the Rules of Procedure;
- c. to preserve order and decide points of order;
- d. to expel or exclude from any meeting any person who has been guilty of improper conduct at the meeting; and
- e. where it is not possible to maintain order, the Presiding Officer may, without any motion being put, adjourn the meeting to a time to be named by the Presiding Officer.

9.3.2 The term of a Committee Chair and Vice-Chair will be 24 months from the date of his or her election or appointment and shall terminate at the end of the 24 months, the end of term of Council or the end of the committee's mandate, whichever occurs first.

9.3.3 If the Committee Chair is known to be absent or is absent for a period of 15 minutes after the time appointed for the holding of a committee meeting, and a quorum is present, the Committee Vice-Chair shall preside during the meeting or until the arrival of the Committee Chair. If both the Committee Chair and Vice-Chair are absent for a period of 15 minutes after the time appointed for the holding of a committee meeting, the committee may appoint an Acting Presiding Officer who shall preside during the meeting or until the arrival of the Committee Chair or Vice-Chair.

9.3.4 The Chair and Vice-Chair of any committee shall be elected by the members of the committee from among the members of the committee, using the procedures for election of the Council Section Chairs and Vice-Chairs as contained in Appendix 1 – Election of Council Section Chairs and Vice-Chairs, with necessary modifications.

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9.4. COMMITTEE EXCEPTIONS TO COUNCIL PROCEDURES

9.4.1 Committees shall conform to the rules governing procedure in Council, with the following exceptions:

- a. there is no limitation on the number of times a member may speak to a motion;
- b. there is no limitation on how long each member may take while speaking;
- ~~c.~~ ~~members may remain seated when speaking;~~
- ~~d.~~^{c.} recorded votes are not allowed;
- ~~e.~~^{d.} a motion to call the question is not allowed;
- ~~f.~~^{e.} a motion made in committee need not be seconded;
- ~~g.~~^{f.} a motion may be made orally;
- ~~h.~~^{g.} notices of motion are not required; and
- ~~i.~~^{h.} quorum does not require representation from all municipalities, **unless required under the committee's Terms of Reference as approved by Council.**

9.5. SPECIAL PURPOSE BODIES

9.5.1 Council shall appoint persons to any special purpose body as may be appropriate or in accordance with applicable legislation and the provisions of Appendix ~~3-2~~ ² Appointments to Special Purpose Bodies shall apply to such appointments.

10. REPEAL

10.1. GENERAL

9.1.1 This by-law supersedes and repeals all conflicting by-laws and resolutions with respect to Rules of Procedure for Council and its committees, including By-laws **100-2012, 117-2013 and 12-2016.**

READ THREE TIMES AND PASSED IN OPEN COUNCIL this ____day of _____, 2017.

Regional Clerk

Regional Chair

**APPENDIX 1
BY-LAW XX-2017**

APPOINTMENT OF THE REGIONAL CHAIR

1. DEFINITIONS

- (a) ~~“Inaugural Meeting” means the first meeting of Regional Council following a regular election at which Regional Council is obligated to appoint a Chair, and at which a sufficient number of Members are present to form a quorum.~~
- (b) ~~“Lot” is the method of determining the nominee to either fill the vacancy or go forward to the next ballot, as determined by the particular circumstance. The names of the tied nominees shall be placed on equal sized pieces of paper, placed in a container and one name shall be drawn by a person chosen by the Regional Clerk.~~
- (c) ~~“Majority Vote” means, for the purpose of the appointment of the Chair at the Inaugural Meeting, more than half the votes cast by all the Members present at the Inaugural Meeting.~~
- (d) ~~“Member” means, for the purpose of the appointment of the Chair at the Inaugural Meeting, a person who is described in paragraphs 2, 3 and 4 of subsection (1) of the *Regional Municipality of Peel Act, 2005 S.O. 2005 c. 20* and who has taken the declaration of office required to take a seat on Regional Council;~~
- (e) ~~“Nominee” is a person named in a motion at the Inaugural Meeting that he or she be appointed to the position of Regional Chair and who has consented in writing to take office as Regional Chair if appointed, and who is:~~
- ~~(i) eighteen years of age or older;~~
 - ~~(ii) a Canadian citizen;~~
 - ~~(iii) a resident of The Regional Municipality of Peel or is the owner or tenant of land in the Regional Area or is the spouse of such owner or tenant; and~~
 - ~~(iv) not otherwise legally disqualified from holding such office.~~

2. MOTIONS FOR THE APPOINTMENT OF THE CHAIR

- (a) ~~Following the organization of the new Regional Council at the Inaugural Meeting, the Regional Clerk, as Presiding Officer, shall call for motions to appoint the Chair. Each motion must be in writing, moved and seconded by a Member present;~~
- (b) ~~Each Nominee named in a motion for appointment of the Chair must consent in writing to take office as Regional Chair if appointed;~~

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- ~~(c) — The Regional Clerk shall take as many motions for the appointment of the Chair as may be made by Members present and after seeing no further motions shall call for a motion that no further motions for the appointment of the Chair be received which shall be carried by a Majority Vote;~~
- ~~(d) — Following the passing of a motion that no further motions for the appointment of the Chair be received, the Regional Clerk shall call upon the mover, seconder and Nominee of each motion to appoint the Chair, in the order that the motions were received, to speak to that motion, once, for no longer than five minutes each;~~
- ~~(e) — A Nominee may withdraw his or her name at any time up until a motion to appoint the Nominee as Chair has been passed and the Nominee has taken the required declaration of office as Chair.~~

3. — Voting Process

- ~~(a) — Nominees shall be voted on in alphabetical order of surnames.~~
- ~~(b) — All votes shall be conducted in open Council by an open vote and shall be recorded.~~
- ~~(c) — There shall be one Nominee vote per member of Council per round of voting. A Councillor's first vote is deemed to be the Councillor's vote. If a Councillor votes a second time in the same round of voting, the Regional Clerk shall advise the Councillor and the Councillor's vote shall not count.~~
- ~~(d) — Once voting commences, the only motion permitted will be a motion to recess.~~
- ~~(e) — One Nominee:

 - ~~(i) — The Nominee requires a majority of votes to be elected to the position of Regional Chair.~~~~
- ~~(f) — Two Nominees Only:

 - ~~(i) — The Nominee who receives a majority of votes becomes the nominee named by resolution as the Nominee for appointment to the position of Regional Chair. A majority vote on this resolution appoints the Nominee to the position of Regional Chair.~~
 - ~~(ii) — If there is a tie vote, the Regional Clerk shall declare a 10 minute recess to allow Council time to consider the matter, after which the vote shall be~~~~

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~~retaken. If the vote is again tied, the Regional Clerk shall declare a second 10 minute recess, after which the vote shall be retaken. If the vote is again tied, the vacancy shall be filled by the Nominee selected by lot. The person whose name is drawn becomes the Nominee named by resolution as the Nominee for appointment to the position of Regional Chair. A majority vote on this resolution appoints the Nominee to the position of Regional Chair.~~

~~(g) Three Or More Nominees:~~

~~(i) First and Successive Ballots:~~

- ~~(1) A Nominee who receives a majority of votes becomes the Nominee named by resolution as the nominee for appointment to the position of Regional Chair. A majority vote on this resolution appoints the Nominee to the position of Regional Chair.~~
- ~~(2) If no Nominee receives a majority of votes, the Nominee with the least number of votes shall be excluded from subsequent voting and Council shall proceed with the next round of voting.~~
- ~~(3) If there is a tie vote with respect to the Nominees receiving the least number of votes, then a lot shall be conducted until there is one name not drawn, and the name (or names) drawn shall go forward to the next round of voting, and the name not drawn shall be excluded from subsequent rounds of voting.~~
- ~~(4) When there are only two Nominees remaining, the procedure for two Nominees [Procedure (f)] shall apply.~~

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APPENDIX 21
BY-LAW XX-2017

ELECTION OF COUNCIL SECTION CHAIRS AND VICE CHAIRS
VOTING PROCEDURES

1. DEFINITIONS

- 1.1 "Lot" is the method of determining the nominee to either fill the vacancy or go on to the next ballot, as determined by the particular circumstance. The names of the tied nominees shall be placed on equal sized pieces of paper, placed in a container and one name shall be drawn by a person chosen by the Regional Clerk.
- 1.2 "Majority of Votes" means more than half the votes cast by persons legally entitled to vote in a regular or properly called meeting at which quorum is present.

2. PROCEDURE FOR NOMINATIONS

- 2.1 Nominations shall be placed in the following manner:
 - a. The Regional Clerk or Regional Chair shall call for nominations.
 - b. Each nomination shall be moved and seconded by a member.
 - c. After nominations have been closed by a vote of Council, each nominee shall, prior to the vote being taken, be permitted to speak to the nomination for not more than two minutes.
 - d. The nominees shall be called upon in alphabetical order of surnames.
- 2.2 A nominee may withdraw his or her name at any time.

3. VOTING PROCESS

- 3.1 Nominees shall be voted on in alphabetical order of surnames.
- 3.2 If there is more than one nominee, votes shall be recorded and all members shall stand when voting to indicate their vote.
- 3.3 There shall be one nominee vote per member per round of voting for each office. A member's first vote is deemed to be the member's vote. If a member votes a second time in the same round of voting, the Regional Clerk shall advise the member and the member's vote shall not count.
- 3.4 Once the process commences, the only motion permitted will be a motion to recess.

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3.5 **One Nominee:**

- a. The nominee requires a majority of votes to be elected. Voting may be by show of hands.

3.6 **Two Nominees Only:**

- a. The nominee who receives a majority of votes is elected.
- b. If there is a tie vote, ~~the Regional Chair may break the tie. If the Regional Chair decides not to break the tie, then~~ the Regional Clerk shall declare a ten minute recess to allow members time to consider the matter, after which the vote shall be retaken. If the vote is again tied, ~~the Regional Chair may break the tie. If the Regional Chair decides not to break the tie, then~~ the Regional Clerk shall declare a second ten minute recess, after which the vote shall be retaken. If the vote is again tied, ~~the Regional Chair may break the tie. If the Regional Chair decides not to break the tie,~~ then the vacancy shall be filled by the nominee selected by lot. The name drawn shall be the winner of the election.

3.7 **Three or More Nominees:**

- a. First and Successive Ballots:
 - i) A nominee who receives a majority of votes is elected.
 - ii) If no nominee receives a majority of votes, the nominee with the least number of votes shall be excluded from subsequent voting and Council shall proceed with the next ballot.
 - iii) If there is a tie vote with respect to the nominees receiving the least number of votes, ~~the Regional Chair may break the tie. If the Regional Chair decides not to break the tie, or if there remain nominees tied after the Regional Chair's vote,~~ then a lot shall be conducted until there is one name not drawn, and the name (or names) drawn shall go forward to the next ballot, and the name not drawn shall be excluded from subsequent ballots.
 - iv) When there are only two nominees remaining, the procedure for two nominees [Procedure 3.6] shall apply.

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APPENDIX 32
BY-LAW XX-2017

APPOINTMENTS TO SPECIAL PURPOSE BODIES
VOTING PROCEDURES

1. DEFINITIONS

- 1.1 "Lot" is the method of determining the nominee to fill the vacancy or go onto the next ballot, as determined by the particular circumstance. The names of the tied nominees shall be placed on equal sized pieces of paper, placed in a container and one name shall be drawn by a person chosen by the Regional Clerk.

2. PROCEDURE FOR NOMINATIONS

- 2.1 Names for appointments shall be included in the staff report on Special Purpose Body appointments based on "Indication of Interest" forms returned to the **Office of the** Regional Clerk's ~~Division~~. Additional nominations received at the time of voting on appointments shall also be considered by Council for appointment to the Special Purpose Bodies. Voting shall be conducted for **ALL** vacancies on the special purpose body in question, and not just for vacancies for which nominations had not been received at the time of the staff report.
- 2.2 Nominations shall be placed in the following manner:
- a. The Regional Clerk or Presiding Officer shall state which appointments require an election.
 - b. The Regional Clerk or Presiding Officer shall call for nominations.
 - c. Each nomination shall be moved and seconded by a member.
 - d. After nominations have been closed by a vote, each nominee may, prior to the vote being taken, be permitted to speak to the nomination for not more than two minutes.
 - e. The nominees shall be called upon in alphabetical order of surname.
- 2.3 Nominees may withdraw their name at any point in the voting process.

3. VOTING PROCESS

- 3.1 Once the process commences, the only motion permitted will be a motion to recess.

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3.2 For One Vacancy:

- a. If there is just one nominee, the nominee requires a majority of votes to be ~~elected~~appointed. Voting may be by show of hands.
- b. If there is more than one nominee, the Regional Clerk or Presiding Officer shall request each member, alphabetically, to stand and state the name of the nominee for whom they are voting. The nominee with the highest number of votes shall be ~~elected~~appointed.

3.3 For Two or More Vacancies:

- a. The Regional Clerk or Presiding Officer shall request each member, alphabetically, to stand and state the names of the nominees for whom he or she is voting. For example, if there are three vacancies, each Council member shall be given only one opportunity to state the names of the nominees, up to and including three, for whom he or she is voting. The nominees with the highest number of votes shall be ~~elected~~appointed.

- 3.4 In the case of an equality of votes, ~~the tie may be broken by the Presiding Officer. Should the Presiding Officer decide not to break the tie,~~ then the position shall be filled by the nominee selected by lot, conducted by the Regional Clerk.