

City of Brockville

Ontario, Canada



**A By-Law to
Govern the Proceedings of Council**

**By-Law No. 113-80
Consolidated Copy**

Enacted by Council June 24th, 1980

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THE CORPORATION OF THE CITY OF BROCKVILLE

CONSOLIDATION OF BY-LAW NUMBER 113-80

AS AMENDED BY

- BY-LAW NUMBER 217-80**
- BY-LAW NUMBER 142-81**
- BY-LAW NUMBER 199-81**
- BY-LAW NUMBER 162-82**
- BY-LAW NUMBER 97-84**
- BY-LAW NUMBER 239-85**
- BY-LAW NUMBER 193-86**
- BY-LAW NUMBER 170-90**
- BY-LAW NUMBER 230-94**

A BY-LAW TO GOVERN THE PROCEEDINGS OF COUNCIL

The Council of the Corporation of the City of Brockville enacts as follows:

1. In this by-law

- [a] "Clerk" means the Clerk of the City of Brockville.
- [b] "Council" means the Council of the City of Brockville.
- [c] "Head of Council" means the Mayor.
- [d] "Recorded Vote" means the recording of the name and vote of every Member on any matter of question.
- [e] "Substantive Motion" means any motion except the following:
 - [i] To extend the time of the meeting;
 - [ii] To refer;
 - [iii] To amend;
 - [iv] To lay on the table;[amended by by-law 199-81]
 - [v] To postpone indefinitely or to set a specific day;
 - [vi] To adjourn.

2. The rules and regulations contained in this By-law shall be observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business in the Council provided that the rules and regulations contained herein may be suspended by a two-thirds vote of the Council. In any case for which provision is not made herein the procedure to be followed shall be, as near as may be, that following in Robert's Rules of Order. [as amended by By-law 199-81]

COUNCIL MEETINGS

3. **Inaugural**

Meetings of the Council shall be held at the Council chambers adopted and used by the Council from time to time for such purpose. The Inaugural meeting of Council shall take place at 7:00 PM on the First Monday of December following election.

4. Regular

The next and each succeeding regular meeting of Council shall be held on the second and fourth Tuesday of each month at 7:00 PM, unless Council by resolution directs otherwise, in which case a notice shall be posted in the municipal offices advising of the time and place.

5. Summer Months

Council meetings during the months of July and August shall be held on the fourth Tuesday of each month. [as amended by By-law 170-90]

6. Holiday

When the day for a regular meeting of Council is a public or civic holiday, the Council shall, unless the Council decides otherwise, meet at the same hour on the next following day which is not a public or civic holiday.

7. Special

The Head of Council may at any time summon a special meeting of Council on 48 hours notice to the Members of Council, or, upon receipt of the petition of the majority of the Members of the Council, the Clerk shall summon a special meeting for the purpose and at the time mentioned in the petition. Forty-eight hours notice of all special meetings of Council shall be given to Members through the Clerk's office. The only business to be dealt with at a special meeting is that which is listed in the notice of the meeting.

8. In Camera

[1] Subject to subsection [2] all Council meetings, regular or special, and all meetings of committees of Council, including a committee of the whole, shall be open to the public, and no person shall be excluded from a meeting that is open to the public except for improper conduct. [as amended by By-law 193-86]

[2] A meeting of a Committee of Council, including a committee of the whole, may be closed to the public when the subject matter under consideration involves,

[a] personnel matters involving one or more identifiable employees or prospective employees;

[b] matters affecting labour relations and contract negotiations with employees;

[c] the acquisition or disposal of municipal real property;

[d] exploratory discussions respecting a future development with the municipality;

[e] litigation or potential litigation affecting the municipality, including matters before administrative tribunals;

[f] discussions in relation to the Municipal Boundary Negotiations Act, 1981;

- [g] any matter required to be discussed at a meeting closed to the public by any provincial or federal statute or regulation thereto;
 - [h] any matter involving the security of the property of the municipality;
 - [i] any matter respecting the investigation of a possible contravention of a municipal by-law, or provincial statute or regulation; or
 - [j] bids, quotations or tenders submitted to or by the municipality for any contracted works, services or equipment. Nothing herein precludes any requirements to disclose the total price of all bids, quotations or tenders.
- [3] Item 2[a] shall and item 2[b] may be considered by a Labour Relations Committee of the Whole comprised of all members of Council with the Chief Administrative Officer or designate as Secretary, who shall record and maintain minutes of the committee.
- [4] Resolutions may be passed during meetings closed to the public but must be adopted at a meeting of council.

Minutes of a closed meeting of Council will be recorded and printed by the Clerk; signed by the Mayor and Clerk and kept in the Clerk's office. Copy will be directed to the C.A.O. that he may co-ordinate necessary actions with various department heads. Members of Council, of course, may peruse the minutes at any time.

- [5] When a meeting of a Committee of Council including a committee of the whole is closed to the public, the reason for not permitting access to the public in accordance with subsection [2] shall be included in the minutes of the next council meeting.

9. Emergency Meeting

Notwithstanding Section 7, the Mayor may, in the event of an emergency, call a special meeting of the Council without giving forty-eight hours written notice of the meeting providing that the Clerk has diligently tried to advise all members of Council immediately upon being advised by the Mayor or the Chief Administrative Officer of the intention of the Mayor to hold a special meeting.

10. Replacement of Head of Council

In the case of the absence of the Head of Council from the Municipality, or if he is absent through illness, or he refuses to act or his office is vacant, the Acting Mayor shall act in the place and stead of the Head of Council and he shall have all the rights, powers, and authority of the Head of Council, while so acting.

11. Calling of Meeting to Order and Quorum

As soon after the hour fixed for the holding of the meeting of the Council as a quorum is

present, the Head of Council shall take the Chair and call the meeting to order.

12. Absence of Head of Council

Subject to the provisions of The Municipal Act, and where no Presiding Officer has been appointed under Clause 10 of this by-law, in case the Head of Council or the Acting Mayor does not attend within fifteen [15] minutes after the time appointed for a meeting of the Council, the Clerk shall call the members to order and acting Head of Council shall be appointed from among the members present and he shall preside until the arrival of the Head of Council and while so presiding the acting Head of Council shall have all the powers of the Head of Council.

13. Quorum

A Quorum shall be a majority of the members of Council.

14. No Quorum

If no Quorum is present one half hour after the time appointed for a meeting of the Council, the Clerk shall record the names of the Members present and the meeting shall stand adjourned until the date of the next regular meeting.

15. Curfew

No item of business may be dealt with at a Council meeting after eleven [11] PM, unless such business is continued with unanimous consent, by motion, of Council. [see also 17.11]

16. The Conduct of Proceedings at a Meeting of Council

It shall be the duty of the Head of Council or other presiding officer:

- [a] to open the meeting of Council by taking the chair and calling the Members to order,
- [b] to announce the business before the Council in the order in which it is to be acted upon,
- [c] to receive and submit, in the proper manner, all motions presented by the Members of Council,
- [d] to put to vote all questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and to announce the result,
- [e] to decline to put to vote motions which infringe the rules of procedure,
- [f] to restrain the Members, within the rules of order, when engaged in debate,
- [g] to enforce on all occasions the observance of order and decorum among the Members,
- [h] to call by name any Member persisting in breach of the rules of order of the Council, thereby ordering him to vacate the Council chamber,

- [i] to receive all messages and other communications and announce them to the Council,
- [j] to authenticate, by his signature when necessary, all by-laws, resolutions, and minutes of the Council,
- [k] to inform the Council, when necessary or when referred to for the purpose, in a point of order or usage,
- [l] to represent and support the Council, declaring its will, and implicitly obeying its decisions in all things,
- [m] to ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of the Council,
- [n] to adjourn the meeting when the business is concluded,
- [o] to adjourn the meeting without question but in the case of grave disorder arising in the Council chamber.

17. Notice and Agenda

- [a] Any Member of Council, at any time prior to the preparation of the agenda, may file in writing an item for inclusion in the agenda under new business.
- [b] The business of the Council shall in all cases be taken up in the order in which it stands upon the agenda unless otherwise decided by the Council.
- [c] An item of business not listed on the Council agenda cannot be introduced at a Council meeting without the approval of Council expressed by motion.
- [d] All motions called in pursuance of the agenda and not disposed of shall be placed at the foot of the list of motions unless otherwise decided by Council.
- [e] The Clerk shall have prepared and printed for the use of the Members at the regular meetings of Council an agenda under the following headings:
[as amended by By-law 193-86]

**NOTICE AND AGENDA
for the
CITY OF BROCKVILLE
COUNCIL MEETING
to be held on**

Tuesday _____ 19 _____ 7:00 P.M.

COUNCIL CHAMBERS

- 17.1 [a] Report of the Committee of the Whole In Camera
- 17.1 [b] Mayor's Remarks
- 17.2 Disclosure of Interest
- 17.3 Adoption of Council Minutes
- 17.4 [a] Motion to Move into Committee of the Whole Council
 - [a-1] Public Meeting pursuant to the Planning Act
 - [b] Correspondence, Communications and Petitions
 - [c] Delegations
 - [d] Staff Reports
 - [e] Reports from Boards and Committees
 - [f] New Business - Reports from Members of Council
[as amended by By-law 230-94]
 - [g] Motion to Return to Council
- 17.5 Adoption of Report of the Committee of the Whole Council
- 17.6 Unfinished Business
- 17.7 Emergency Business [as amended by By-law 230-94]
- 17.8 By-laws
- 17.9 Mayor's Announcements
- 17.10 Media Question Period
- 17.11 Adjournment

Definitions [of Notice of Agenda items]

- 17.1 Mayor's Remarks - The remarks of the Mayor or presiding officer will relate to special items of interest.
- 17.2 Disclosure of Interest [Municipal Conflict of Interest Act] Any member of Council may now disclose any possible conflict of interest dealing either with any item on the agenda or with a matter discussed at a previous meeting from which the member was absent.

Every member who is present when a question is put, shall vote thereon unless personally interested in pecuniary sense or excused by the Council, and shall before the question is put and before the division takes place, leave his Council seat and adjourn to the gallery.

If the interest of a member has not been disclosed by reason of his absence from the meeting, or by reason of such interest having been acquired subsequent to such meeting, he shall disclose such interest at the first possible subsequent meeting, and shall not take part in the consideration or discussion of, or vote on any question with respect to the contract, proposed contract or other matter.

Every disclosure of interest made shall be recorded in the minutes of the meeting by the Clerk, in accordance with The Municipal Conflict of Interest Act, Chapter 305, R.S.O 1980. [as amended by By-law 199-81]

17.3 Adoption of Minutes - Minutes shall record:

The place, date and time of meeting;

The names of the Presiding Officer or officers and record of the attendance of the Members;

The reading, if requested, correction and adoption of the minutes of prior meetings;

All other proceedings of the meeting without note or comment.

It shall be the duty of the Clerk to ensure that the minutes of the last regular meeting, and all special meetings held more than five [5] days prior to a regular meeting, together with the agenda prepared in accordance with Clause 17 are mailed or delivered to each Member not less than forty-eight [48] hours before the hour appointed for the holding of such regular meeting.

Such minutes may be adopted by Council without having been read at the meeting considering the question of their adoption, and in other cases, the minutes shall be read prior to consideration of adoption. When the minutes have been adopted they shall be signed by the Mayor or other presiding officer and the Clerk.

17.4[a] Committee of the Whole Council - A motion to move into Committee of the Whole Council.

The Mayor may be the presiding Chairman. The rules of procedure of the Council shall apply to the Committee of the Whole Council, so far as the same may be applicable, except that no motion for adjournment shall be allowed.

Questions of order arising in the Committee of the Whole Council shall be decided by the Chairman, subject to appeal.

The Chairman of the Committee of the Whole Council may vote on any question and in the event of an equality of votes, the question being voted upon shall be deemed to have been decided in the negative.

The Chairman of the Committee of the Whole Council may state his position on any matter before the committee without leaving the Chair but it shall not be permissible for him to debate the question without first leaving the Chair after having appointed a member to preside in his place during his remarks.

On motion in Committee of the Whole Council to rise and report, the question shall be decided without debate.

A motion made in Committee of the Whole Council need not be seconded.

- [b] Correspondence, Petitions and Communications - Every communication, including a petition designed to be presented to the Council, shall be legibly written or printed and shall not contain any obscene or improper matter or language and shall be signed by at least one person, giving his or her address, and filed with the Clerk who shall deal with them as follows:

Where, in the opinion of the Chief Administrative Officer and the Clerk, the subject matter of any communication is properly within the jurisdiction of the Council, such communication shall be placed on the agenda for the next meeting of Council.

Where, in the opinion of the Chief Administrative Officer and the Clerk, the subject matter of any communication is properly within the jurisdiction of an Ad Hoc Committee of Council, such communication shall be referred directly to the appropriate Committee without prior reference to the Council. Communications of a routine nature shall be referred by the Clerk directly to the Chief Administrative Officer or to file without prior reference to the Council or any Committee.

Any letter, petition or other communication intended to be presented to Council shall be filed with the Clerk not later than 8:30 a.m. on the Wednesday immediately preceding the Council meeting.

- [c] Delegations - Delegations must register with the Clerk by 12 Noon Monday preceding the Council meeting they wish to address.

Delegations that have not registered, must notify the Clerk prior to the start of the Council meeting. Before an unregistered delegation is heard, the Mayor must seek the unanimous approval of Council.

Each delegation is allowed one spokesperson, who will be allowed a maximum of ten [10] minutes to address Council.

All persons initiating an application to Council shall be heard first. Following, any delegations in opposition are heard, the Mayor may grant the right to the original

petitioner to reply, limited to five [5] minutes.

Members of Council shall not ask any questions until all delegations pertaining to the subject have been heard.

- [d] Staff Reports - Staff Reports will be numerically numbered, by the Clerk, starting with the number "1" with the first report in each calendar year, with the prefix designating the last two numerals of the year, and the suffix corresponding with the month of the Council meeting. [i.e. 80-1-1, year - report no. - month]

Reports will be submitted to the Chief Administrative Officer by 8:30 a.m. on the Wednesday immediately preceding the Council meeting.

Reports will be prepared pursuant to directions as determined from time to time and set out in the Operations Procedure Manual.

- [e] Committee Reports - reports from Boards and Committees.

Reports from Local Boards and Ad Hoc Committees received by the Clerk on or before 8:30 a.m. on the Wednesday immediately preceding the Council meeting will be included with the agenda and circulated to members of Council.

- [f] New Business - Reports from Members of Council

Reports from Members of Council received by the Clerk on or before 8:30 a.m. on the Wednesday preceding the Council meeting will be included with the agenda and circulated. [as amended by By-law 230-94]

- [g] Return to Council - A motion to return to Council and report.

- 17.5 Adoption of Report of Committee of the Whole Council - The proceedings and findings of the Committee of the Whole Council shall be reported by the Chairman to the Council as soon as the Committee rises and shall be received forthwith. A motion for the concurrence of the Council in the report of the Committee or a motion adopting the report of the Committee and dealing with the subject matter thereof shall be in order.

The form of the resolution to enact the report shall be as follows:

"That the report of the Committee of the Whole Council be adopted and that the necessary actions or by-laws be enacted".

- 17.6 Unfinished Business - The items listed in the order of the topics set out in the agenda of prior meetings which have not been disposed of by Council and the date of their first appearance on the agenda shall be noted and repeated on each subsequent agenda until disposed of by Council, unless removed from the agenda by leave of the Council.

- 17.7 Emergency Business - A matter deemed to be an emergency may be considered without notice by a simple majority vote of Council with a precis no later than 4:00 p.m. to the Clerk on the day of a Council meeting. [as amended by By-law 230-94]
- 17.8 Reading of By-laws and proceedings thereon [as amended by By-law 142-81]
- [a] No by-law except a by-law to confirm the proceedings of Council shall be presented to Council unless the subject matter thereof has been considered and approved by Council.
- [b] Every by-law or list of by-laws shall be introduced upon motion by a Member of the Council, specifying the title of the by-law[s].
- [c] Every by-law listed when introduced shall be in typewritten form and shall contain no blanks except such as may be required to conform to accepted procedure or to comply with the provisions of any act and shall be complete with the exception of the date thereof.
- [d] Every by-law shall have three readings prior to its being passed.
- [e] Motion for the first reading of a by-law or list of by-laws shall include that the by-law[s] be taken as read a second time.
- [f] Such motion shall be decided without amendment or debate and when passed, the by-law[s] shall be open to debate and amendment before ordered for the third reading.
- [g] All amendments shall be presented pursuant to general rules for amendments, Section 29 as follows:
- Amendments - A motion to amend
- shall be presented in writing,
 - shall receive disposition of Council before a previous amendment or the question,
 - shall not be further amended more than once provided that further amendment may be made to the main question,
 - shall be relevant to the question to be received,
 - shall not be received proposing a direct negative to the question,
 - may propose a separate and distinct disposition of a question,
 - shall be put in the reverse order to that in which it is moved.
- [h] When all amendments have received final disposition the by-law or list of by-laws shall
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be forthwith ordered to be read the third time at such time as may be appointed by the Council.

- [i] The Clerk shall set out on all by-laws enacted by Council the date of the several readings thereof.
- [j] Every by-law enacted by the Council shall be numbered and dated and shall be sealed with the Seal of the Corporation and signed by the Clerk and the Presiding Officer and shall be deposited by the Clerk in his office for safekeeping.

17.9 Mayor's Announcements - The Mayor may introduce any matter not previously decided on at this Council meeting.

17.10 Media Question Period - The media people would be allowed to ask questions of members of Council but would not be permitted to enter into debate with the elected person.

All questions would be directed to the Mayor or through the Chair to the individual Councillor.

All questions must relate to items included on the printed Agenda for that particular Meeting.

17.11 Adjournment - When at any session of the Council, the hour of 11:00 o'clock in the evening shall be reached, the Mayor or presiding officer shall declare the Council adjourned, unless a motion is received to postpone the adjournment hour to a stated time and receives the unanimous consent of Council.

No Member of the Council shall leave his seat, on adjournment, until the presiding officer has left the chair.

18. Motions and Notices of Motion

Notices of Motion - Notice of all new motions except motions listed in Clause 60 and 61 shall be given in writing delivered to the Clerk, not later than 8:30 a.m., on the Wednesday immediately preceding the Council meeting, at which a motion is to be introduced and a motion shall be printed in full in the agenda for that meeting of the Council and each succeeding meeting until the motion is considered or otherwise disposed of. The motion shall be submitted to the Clerk in writing over the signature of the mover and seconded and shall be complete and correct.

19. When a Member's Notice of Motion has been called from the Chair two successive meetings and not proceeded with, it shall be dropped from the agenda unless Council otherwise decides.

20. If at the third meeting such notice of motion is called from the Chair and not proceeded with, it shall be deemed to have been withdrawn.

21. Dispensing with Notice - In an emergency a motion may be introduced without notice if the Council, without debate, dispenses with notice on the affirmative vote of two-thirds of the Members present and voting.
22. Seconding - A motion must be formally seconded before the Presiding Officer can put the question or a motion be recorded in the minutes.
23. Presentation of Motion by Chairman - When a motion is presented in Council in writing, it shall be read or if it is a motion which may be presented orally, it shall be stated by the Presiding Officer before debate.
24. Ultra Vires - A motion in respect of a matter which is beyond the jurisdiction of the Council shall not be in order.
25. Withdrawal - After a motion is read or stated by the Chairman it shall be deemed to be in possession of the Council but may, with the permission of the Council, be withdrawn at any time before decision or amendment.
26. Priority of Disposition - A motion properly before the Council for decision must receive disposition before any other motion can be received except motions in respect of matters listed in Clause 60 and 61.
27. Procedure Next Meeting - A motion called in the order in which it stands upon the agenda of the routine of business of a meeting and which is not decided by Council shall be allowed to stand retaining its precedence upon the agenda of the routine of business of the next regular meeting of the Council.
28. Reference to a Committee - A motion to refer a matter under discussion by the Council to a committee of the Council shall preclude all amendments of the main question until it is decided.
29. Amendments - A motion to amend
 - shall be presented in writing,
 - shall receive disposition of Council before a previous amendment or the question,
 - shall not be further amended more than once provided that further amendment may be made to the main question,
 - shall be relevant to the question to be received,
 - shall not be received proposing a direct negative to the question,
 - may propose a separate and distinct disposition of a question,

- shall be put in the reverse order to that in which it is moved.
30. The Previous Question - A motion for the previous question is not debatable.
- cannot be amended,
 - cannot be proposed when there is an amendment under consideration,
 - shall preclude all further amendments of the main question,
 - when resolved in the affirmative, the question is to be put forthwith without debate or amendment,
 - can only be moved in the following words, "that the question be now put", and
 - may be voted against by the mover and seconder.
31. Motion to Adjourn - A motion to adjourn
- shall always be in order except as provided by these rules,
 - when resolved in the negative, cannot be made again until after some intermediate proceedings shall have been completed by Council,
 - is not in order when a Member is speaking or during the verification of a vote,
 - is not in order immediately following the affirmative resolution of a motion for the previous question.
32. Privilege - A motion on a matter of privilege shall receive disposition of Council forthwith upon receipt and, when settled, the question so interrupted shall be resumed from the point where it was suspended.
33. Motion to refer - A motion to refer back a question to Committee with or without instructions may be amended but must receive disposition by Council before the question, or an amendment to the question, and when made prior thereto, before decision on a motion for the previous question or postponement.
34. Motion to Divide - A motion containing distinct proposals may be divided by leave of Council.
- Reconsideration** [as amended by By-law 239-85]
35. Any substantive motion or by-law may be reconsidered if, upon the putting of the substantive motion or by-law, the minority vote comprised not less than one-third of the Members present and voting.
36. After a substantive motion or by-law has been decided, any Member who voted or is deemed to have voted thereon may at any time prior to adjournment of the meeting at
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which such substantive motion or by-law was decided give notice in writing that he will move at the first meeting held thereafter for a reconsideration thereof.

37. The Council may immediately, upon such notice having been given, vote as to whether or not such notice or reconsideration be entertained. Debate on motion for reconsideration must be confined to reasons for or against reconsideration. Requires two-thirds majority of those present and voting.
38. After such notice has been given and accepted by Council, no action shall be taken to carry into effect the main motion or by-law until after the motion to reconsider has been disposed of.
39. Every motion for reconsideration considered at a subsequent meeting shall be declared lost, unless two-thirds majority of the Council vote therefore.
40. No discussion of the main question shall be allowed upon an accepted notice of reconsideration or upon the motion to reconsider unless and until the Council shall have voted to reconsider the same.
41. No question upon which a notice of reconsideration has been accepted shall be considered more than once, nor shall a vote to reconsider be reconsidered.
42. The words "the first meeting held thereafter" Clause 36 shall mean the first regular meeting of the Council or a meeting called specially to consider the accepted motion of reconsideration of which notice has been given.

Voting On Motions

43. Questions Stated - Immediately preceding the taking of the vote, the Presiding Officer may state the question in the form introduced and shall do so if required by a Member except when a motion for the previous question has been resolved in the affirmative. He shall state the question in the precise form in which it will be recorded in the minutes.
44. No Interruption after Question - After a question is finally put by the Presiding Officer no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.
45. Division of Question - A separate vote shall be taken upon each proposal contained in a question divided with leave of the Council.
46. Vote not Allowed - A Member not present before the result of the division on a question is declared shall not be entitled to vote on that question.
47. Unrecorded Vote - The manner of determining the decision of the Council on a motion shall be at the discretion of the Presiding Officer and may be by voice, show of hands, standing or otherwise.

48. Recorded Vote - Where a vote is taken for any purpose and a member requests immediately prior or immediately subsequent to the taking of the vote that the vote be recorded, each member present, except a member who is disqualified from voting by any Act shall announce his vote openly, and any failure to vote by a member who is not disqualified shall be deemed to be a negative vote and the clerk shall record each vote. [Ch. 302 S. 62[1] R.S.O. 1980 amended]

RULES OF DEBATE

49. Every member prior to speaking to any question or motion shall rise from his seat and address the Presiding Officer. When two or more Members rise to speak, the Presiding Officer shall designate the Member who has the floor who shall be the Member who, in the opinion of the Presiding Officer rose first.
50. Deleted by By-law 162-82
51. Deleted by By-law 162-82
52. If a Member disagrees with the announcement of the Presiding Officer that a question is carried or lost he may, but only immediately after the declaration by the Presiding Officer, appeal the declaration and request that a recorded vote be taken.
53. When the Presiding Officer calls for the vote on a question, each Member shall occupy his seat and shall remain in his place until the result of the vote has been declared by the Presiding Officer, and during such time no Member shall walk across the room to speak to any other Member or make any noise or disturbance.
54. When a Member is speaking no other Member shall pass between him and the Chair or interrupt him except to arise a point of order.
55. Any Member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.
56. No Member shall speak more than once to the same question without leave of the Council, except that a reply shall be allowed to be made only by a Member of the Council who has presented the motion to the Council, but not by any Member who has moved an amendment or a procedural motion.
57. No Member, without leave of the Council, shall speak to the same question, or in reply, for longer than five minutes.
58. A Member may ask a question only for the purpose of obtaining information relating to the matter under discussion and such question must be stated succinctly and asked only of the previous speaker.
59. Notwithstanding Clause 58, when a Member has been recognized as the next

speaker, than immediately before speaking such Member may ask a question of the Presiding Officer or an official of the Municipality on the matter under discussion but only for the purpose of obtaining information, following which the Member shall speak.

60. The following matters and motions with respect thereto may be introduced orally without written notice and without leave, except as otherwise provided by these Rules of Procedure:

- a point of order or personal privilege;
- presentations of petitions;
- to lay on the table;
- to postpone indefinitely or to a day certain;
- to move the previous question.

61. The following motions may be introduced without notice and without leave, but such motions shall be in writing and signed:

- to refer;
- to adjourn;
- to amend;
- to suspend the Rules of Procedure.

62. Except as provided by Clause 60 above, all motions shall be in writing and signed by the mover and seconder.

63. In all unprovided cases in the proceedings of the Council or in the committee of the Whole, the matter shall be decided by the Presiding Officer, subject to an appeal to the Council upon a point of order.

POINTS OF ORDER AND PRIVILEGE

64. The Presiding Officer shall preserve order and decide questions of order.

65. When a Member rises to a point of order he shall ask leave of the Presiding Officer to raise a point of order and after leave is granted he shall state the point of order to the Presiding Officer and sit down and remain seated until the Presiding Officer shall have stated and decided the point of order.

66. Thereafter, a Member shall only address the Chair for the purpose of appealing the

Presiding Officer's decision to the Council.

67. If no Member appeals, the decision of the Presiding Officer shall be final.
68. The Council, if appealed to, shall decide the question without debate and its decision shall be final.
69. Where a Member considers that his integrity or the integrity of the Council as a whole has been impunged, he may as a matter of personal privilege rise at anytime, with the consent of the Presiding Officer, for the purpose of drawing the attention of the Council to the matter.

CONDUCT OF MEMBERS OF COUNCIL

70. No Member shall speak disrespectfully of the Reigning Sovereign, or of any of the Royal Family, or of the Governor-General. The Lieutenant-Governor of any province, or any member of the Senate, the House of Commons of Canada or the Legislative Assembly of the Province of Ontario.

71. No Member shall

- use offensive words or unparliamentarily language in or against the Council or against any Member;
- speak on any subject other than the subject in debate;
- criticize any decision of the Council except for the purpose of moving that the question be reconsidered;
- disobey the rules of the Council or a decision of the Presiding Officer or of the Council on questions of order or practice or upon the interpretation of the rules of the Council;

and in case a Member persists in any such disobedience after having been called to order by the Presiding Officer, the Presiding Officer may forthwith put the question, no amendment, adjournment or debate being allowed, "that such Member be ordered to leave his seat for the duration of the meeting of the Council" but if the Member apologizes he may, by vote of the Council, be permitted to retake his seat.

72. No person except Members and Officers of the Council shall be allowed to come within the bar during the sittings of the Council without permission of the Presiding Officer or the Council upon reference.

73. When the Chair is putting the question no Member shall leave or make a disturbance.

SUSPENSION OF RULES

74. Any procedure by this by-law may be suspended with consent of two-thirds of the Members of Council present.

SEATING MEMBERS

75. The order of seating of the Members of Council shall be determined each term by the members drawing lots at, or prior to the first meeting of a new Council.

ACTING MAYOR

76. The Mayor with the consent of the Council may at any time appoint an Councillor to represent him and to perform such duties as he wishes to assign him except as previously provided for in Section 10 and 12.

GENERAL RULES FOR SPECIAL COMMITTEES

77. **Appointment Of Chairman**

An Ad Hoc or Special Committee of Council may be appointed by the Mayor with the approval of Council at any time of the year as deemed necessary for consideration of special matters, the first-named shall be the Chairman.

Ex-Officio

The Mayor shall be, ex-officio member of all committees, and may vote on all questions before the committee but shall not be counted in the formation of a quorum.

Quorum

A quorum is majority of the voting members of a committee. Staff shall not be considered as a voting member of a committee.

Attendance

Members of the Council may attend and participate in discussion or debate at any committee meeting, but shall not be allowed to vote, unless they are members of the committee.

Removal of Chairman

Should a chairman of any committee neglect or refuse to call a meeting of his committee with such frequency as the proper dispatch of the business entrusted to the committee requires, or do the business of the committee without the knowledge or consent of its members, or contrary to their wishes or sanction, the committee may report such neglect, refusal, or action to the Council who may, if they deem it advisable, remove said chairman from the committee and appoint another member in his place, and also appoint a new chairman of the said committee.

Removal of Member

Should any member or members of a committee neglect or refuse to attend the properly summoned meetings of their committees, the chairman shall report such neglect or refusal to the Council, who may remove the said member or members in his or their places; or should any committee neglect or refuse to give due attention to all business or matters before them, the Council may by resolution discharge such committee and appoint another in its stead.

Equality of Votes

The chairman shall preside at every meeting and shall vote on all questions submitted, and in the case of an equal division the question shall be deemed to have been

decided in the negative.

Chairman

In the absence of the chairman, the vice-chairman shall preside, and in the absence of both the chairman and the vice-chairman one of the other members shall be elected to preside, who shall discharge the duties of the chairman during the meeting or until the arrival of the chairman.

Reporting

No order or authority to do any matter or thing shall be recognized as emanating from any committee, and all committee matters shall be referred to the City Council in writing to be included with the Agenda and approved before becoming effective.

[17.4e]

Division

Where a division takes place on any question, all the members of the committee present shall vote unless excused by the committee.

Recorded Vote

The votes shall be recorded if required by one of the members, and in the event of any member refusing to vote without being excused, his vote shall be counted in the negative.

Dissolving Committee

When a Special Committee has completed its work and made its report, it shall be dissolved by resolution of Council.

The rules governing the procedure of the Council and the conduct of Members of Council shall be observed in a meeting of a Special Committee insofar as they are applicable, provided that:

- a motion shall not be required to be seconded,
- the number of times a Member may speak on any question shall not be limited,
- no Member shall speak more than once to an item of business until every member who desires to speak has spoken,
- at the request of any Member of the Committee present any item on the agenda of the meeting may be re-opened upon a consent of majority of the Members present.

Amendment

78. No amendment or repeal of this by-law or any part thereof shall be considered at any meeting of the Council unless notice of proposed amendment or repeal has been given at a previous regular meeting of the Council and the waiving of this notice by the Council is prohibited.

Effective Date

79. This by-law shall become effective upon the date of enactment. By-law 20-76 as amended by By-law 262-78 is hereby repealed.

Where any by-law passed prior to this by-law conflicts with this by-law, the terms of the by-law shall prevail.

CONFIRMATORY BY-LAW

80. That a by-law enacted at the end of each Council meeting to confirm by by-law, each recommendation contained in a Report of the Committee of the Whole Council, and in respect to each Motion, Resolution, and other actions passed and taken by the Council at that meeting, except where the prior approval of the Ontario Municipal Board or any other body or agency is required.
81. That a motion for leave to pass a by-law to confirm the proceedings of a meeting of Council shall be voted on without debate.

**GIVEN UNDER THE SEAL OF THE CORPORATION OF THE
CITY OF BROCKVILLE AND PASSED
THIS 24TH DAY OF JUNE, A.D., 1980**

[signed] Robert J. Sheridan [signed] A.J. Miles
MAYOR CLERK