

The Corporation Of The City Of Peterborough

By-Law Number - 17-Xxxx

**Being A By-Law To Amend Chapter 16 Of The City Of Peterborough
Municipal Code (Procedural By-Law)**

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Article 1 - Short Title

16.1.1 Citation

This Chapter may be referred to as the "Procedure By-law"

Article 2 - Interpretation

16.2.1 Advisory Committee – defined

"Advisory Committee" means any advisory committee established by Council.

16.2.2 Chair - defined

"Chair" means the Mayor or Acting Mayor or Chairman at the meeting.

16.2.3 Clerk - defined

"Clerk" means the Clerk of the Corporation of the City of Peterborough.

16.2.4 Council - defined

"Council" means the Council of the Corporation of the City of Peterborough.

16.2.5 Member - defined

"Member" means a member of Council.

16.2.6 Municipal Corporation - defined

"Municipal Corporation" means the Corporation of the City of Peterborough.

16.2.7 Rules of Procedure - defined

"Rules of Procedure" means the rules and regulations of the Council of the City of Peterborough as provided in this Chapter.

16.2.8 Standing Committee - defined

"Standing Committee" means the standing committees of the Council of the City of Peterborough, which are:

- ~~(a) Planning Committee – to hold public meetings pursuant to the Planning Act, R.S.O. 1990 and to discuss and make recommendations to Council on all community planning matters and concerns.~~
- ~~(b) Committee of the Whole – to review and discuss and make recommendations to Council on all general municipal matters other than planning, budget or audit matters and concerns.~~

- (a) General Committee - to hold public meetings pursuant to the **Planning Act**, to review, discuss and make recommendations to Council on community planning matters and all general municipal matters other than budget or audit matters and concerns.
- (b) Audit Committee – to review and make recommendations to Council on matters of financial reporting, control and risk.
- (c) Budget Committee – to review and make recommendations to Council on matters related to the annual budget and long term financial matters.
- (d) Emergency Governance Committee – to carry out the duties and responsibilities of the Council, only under the following circumstances:
 - i) for the duration of an emergency which has been declared by the Mayor and/or his/her designate, in accordance with the City's Emergency Plan; and
 - ii) at such times during which at least six members of Council have died, or are otherwise not able, for valid reasons, to attend a properly scheduled meeting of Council.

16.2.9 Time - defined

"Time" in this by-law shall be governed by the **Time Act**.

Article 3 - General Provision

16.3.1 Regulations - applicable-suspension – two thirds vote

The rules and regulations contained in this chapter shall be observed in all proceedings of the Council, and, with necessary modifications, of its Standing and Advisory Committees, unless suspended by a two-thirds (2/3) vote of all Members present in any case for which provision is not made herein.

16.3.2 Rules - regulations - new - majority vote

Upon suspension, the new procedure to be followed shall be determined by a majority vote of the Members present.

Article 4 - Meetings

16.4.1 Inaugural - time - place - held

The Inaugural Meeting of the Council after a regular election shall be held in the Council Chambers designated for such purpose by the Council of the City of Peterborough and shall be held on the first Monday in December convened by the Clerk in a manner consistent with the **Municipal Elections Act**.

16.4.2 Regular - schedule - designated

The next and each succeeding regular meeting shall be held at such place within the City of Peterborough designated for such purpose by the Council and shall be held in accordance with the schedule of meetings of Council and the Committees of Council prepared by the Clerk. **General Committee and Council meetings, open to the public, shall start at 5:30 p.m. unless otherwise noted. Meetings closed to the public, Budget and Audit Committee will be scheduled prior to 5:30 p.m., unless otherwise noted.**

16.4.3 Other - on holidays - by resolution

All regular meetings shall be held on Mondays at the time prescribed by resolution of the Council and Standing Committees or unless such a day shall be a public or civic holiday, in which case the Council shall meet at the same hour on the next following day which is not a public or civic holiday, unless otherwise provided by resolution of the Council.

16.4.4 July and August - no meetings scheduled - exception

Notwithstanding the provisions of Section 16.4.2 and 16.4.3 of this Chapter, where practicable, there shall be no regularly scheduled meetings of Council or its Committees for at least a two week period during each of July and August.

16.4.5 Notice - regular meeting - not required

Notice shall not be required to be given of regular meetings of the Council unless the day of meeting is other than that provided by this chapter.

16.4.6 Notice - special meetings - 48 hours - in advance

At least 48 hours notice of a special meeting shall be given to each member of the Council by delivery of the agenda of such meeting.

16.4.7 Special meeting - jurisdiction - matters - considered

At a special meeting of the Council, it shall not be within the jurisdiction of Council to consider or decide upon any matter unless such matter has been specified in the notice calling the meeting.

16.4.8 Special meeting - place

Special meetings may be held at any place within the City of Peterborough. The Emergency Governance Committee is exempt from this provision.

16.4.9 Special Meeting without notice

With the consent of two-thirds (2/3) of all of the Members, a meeting of the Council may be held without notice. The Emergency Governance Committee is exempt from this Provision

16.4.10 Open - to public - Council - Committees - exception

Meetings shall be open to the public except as provided in Sections 16.4.11 and 16.4.12.

16.4.11 Closed - to public - subject matters

A meeting, or part of a meeting of the Council or its standing committees 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 municipal or local board employees
- (c) a proposed or pending acquisition or disposition of land for municipal or local board purposes (Amended by By-law 02-162— Being a By-law to Amend Chapter 16 of the City of Peterborough Municipal Code)
- (d) labour relations or employee negotiations
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board
- (f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for this purpose
- (g) a matter in respect of which a Council, board, committee or other body has authorized a meeting to be closed under another act
- (h) a matter relating to the consideration of a request under the **Municipal Freedom of Information and Protection of Privacy Act**, if Council is designated as head of the institution for the purposes of the Act.
- (i) A meeting held for the purpose of educating and training the members at which no member discusses or deals with any matter in a way that materially advances the business or decision making of the Council

16.4.12 Closed - to public - resolution

Prior to holding a meeting, or part of a meeting, which is closed to the public, Council or the Committee shall pass a resolution stating the fact of the holding of the closed meeting and including the general nature of the matter to be considered at the closed meeting.

16.4.13 Agendas – Available to Members of Council and the Public

Agendas for Council and Standing Committee meetings shall be made available to members of Council on the Wednesday preceding day of the meeting and on the Thursday preceding the day of the meeting for members of the public.

Article 5 - Chair - Duties

16.5.1 Open Meeting - call to order

It shall be the duty of the Chair to open each meeting of the Council by taking the chair and calling the meeting to order.

16.5.2 Announce business - read agenda

It shall be the duty of the Chair to announce the business before the Council in accordance with the Agenda.

16.5.3 Motions - received - submitted - results announced

It shall be the duty of the Chair to receive and submit to a vote, in the proper manner, all motions which do not contravene the rules of procedure of the Council and to announce the results.

16.5.4 Motions - beyond powers - jurisdiction - declined

It shall be the duty of the Chair to decline to put to a vote motions which infringe upon the rules of procedure.

16.5.5 Debate - enforce rules - procedure - restrain members

It shall be the duty of the Chair to restrain the Members, within the rules of procedure, when engaged in debate.

16.5.6 Decorum - order - enforced

It shall be the duty of the Chair to enforce on all occasions the observance of order and decorum among the Members.

16.5.7 By-laws - resolutions - minutes - authentication

It shall be the duty of the chair to authenticate, by his/her signature when necessary, all by-laws, resolutions and minutes of the Council.

16.5.8 Point of order - inform - members

It shall be the duty of the Chair to inform the Members on any point of order

16.5.9 Disorder - adjourn - suspend - recess - meeting

It shall be the duty of the Chair to adjourn the meeting without the question being put, or to suspend or recess the sitting for a time to be named if considered necessary because of grave disorder or emergency in the meeting.

Article 6 - Mayor - Deputy - Duties

16.6.1 Appointment - upon recommendation

The Council shall, upon the recommendation of the Mayor, appoint, by by-law, a Member to act in the place and stead of the Mayor when the Mayor is absent from the municipality, or is absent through illness, or refuses to act.

16.6.2 First Deputy Mayor - duties - powers - authority

The appointee set out in Section 16.6.1 shall be known as the First Deputy Mayor and shall have all of the duties, rights, powers and authority of the Mayor during such absence or refusal to act.

16.6.3 Second Deputy Mayor - duties - powers - authority

In addition to the appointment of a First Deputy Mayor, the Council shall, by by-law, appoint a Member as Second Deputy Mayor, who shall have all of the duties, rights, powers and authority of the Mayor during the absence or refusal to act of both the Mayor and the First Deputy Mayor.

16.6.4 Mayor - ex-officio member - special committees

The Mayor shall be ex-officio a member of all special or ad hoc committees as may be established by Council from time-to-time.

Article 7 - Conduct During Meetings

16.7.1 Sovereign - Royal Family - to be respected

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.

16.7.2 Offensive - unparliamentary language - prohibited

No member shall use offensive words or unparliamentary language in or against the Council or against any Member.

16.7.3 Speaking - subject in debate - only

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

16.7.4 Criticize - decision - exception - reconsideration

No member shall criticize any decision of the Council except for the purpose of moving that the question be reconsidered.

16.7.5 Breach - persistent - seat vacated - unless apology

No member shall disobey the rules of the Council, or a decision of the Chair or of the Council on questions of order or practice, or upon the interpretation of the rules of the Council; and in the case where a Member persists in any such disobedience after having been called to order by the Chair, the Chair may order that such Member leave his/her seat for the duration of the meeting of the Council; but if the Member apologizes he/she shall be permitted to retake his/her seat.

Article 8 - Order of Business

16.8.1 Agenda - content

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

- (a) Adoption of Minutes
- (b) Disclosure of Interest
- (c) Delegations - Items on the agenda
- (d) Reports of Standing Committees
- (e) Notices of Motion
- (f) By-laws
- (g) Other Business
- (h) By-laws to Approve Actions of Council
- (i) Adjournment

16.8.2 Reports - communications - time - heard

~~Prior to 9:00 p.m. at the latest, unless otherwise agreed to by a majority vote of Council, Following registered delegations, any unregistered delegations shall be heard for a total period of time not exceeding twenty minutes. Council shall then move to item (d) of the agenda. and complete the business of Council before returning to item (c) of the agenda.~~

16.8.3 Call to order - quorum present

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

16.8.4 Quorum

A majority of the Members shall constitute a quorum.

16.8.5 Deputy Mayor - to take chair

In the case of the Mayor not attending within fifteen (15) minutes after the hour fixed for holding the meeting of the Council, and provided that a quorum is present, the first or second Deputy Mayor shall take the chair and call the Members to order; and he/she shall preside until the arrival of the Mayor.

16.8.6 Adjournment - quorum not present - time limit

If there be no quorum present within one-half (1/2) hour after the time fixed for holding the meeting of the Council, the Clerk shall call the roll and take down the names of the Members present; and the meeting shall stand adjourned until the next regular meeting.

16.8.7 Opening of Meeting and National Anthem – Commencement of Meeting

The Council meeting shall commence with the following wording by the Chair:

The Council for the City of Peterborough recognizes the principles contained in our Constitution and the Canadian Charter of Rights and Freedoms that enshrine rights and freedoms for all.

We also acknowledge that our Constitution provides that Canada is founded upon principles that recognize the supremacy of God and the rule of law.

We will now take 30 seconds to reflect on these principles.

Following reflection, the National Anthem will be sung.

Article 9 - Minutes

16.9.1 Contents - recorded - by Clerk

The Clerk shall record in the minutes:

- (a) The date, time and place of meeting;
- (b) The attendance of the Members;
- (c) The reading, if requested, correction and adoption of the minutes of prior meetings; and
- (d) All other proceedings of the meeting without note or comment.

16.9.2 Previous - regular - special meetings - to members

It shall be the duty of the Clerk to ensure that the minutes of the last regular meeting and all Special Council Meetings be submitted to Council for confirmation or amendment at the next regular meeting.

16.9.3 Adoption - without reading

The Council minutes may be adopted by the Council without being read.

Article 10 - Delegations

16.10.1 ~~Heard~~ Registered - request submitted - deadline - items on agenda

16.10.1a Persons desiring to address Council for the purpose of making a verbal presentation with respect to items on the agenda shall be heard at the Council meeting, with those delegations having submitted their request in writing to the Clerk by ~~12 noon~~ **11:00 a.m** on the ~~Thursday preceding~~ **day** of the meeting of Council, being heard first, in the order in which such requests are received by the Clerk.

16.10.1b Unregistered delegations will be permitted to address Council with respect to items on the agenda, after the registered delegations have spoken.

16.10.2 Material - written - submitted - for Council - deadline

A delegation wishing to have written material distributed to Council prior to the meeting shall submit such material to the Clerk by 12:00 noon on the Wednesday **Tuesday** preceding the meeting of the council at which the material is to be presented.

16.10.3 Presentation of delegations - time limit

16.10.3.a Persons desiring to address Council as a **registered** delegation (**as per 16.10.1a**) at a meeting of Council shall be limited in their presentations to seven minutes with respect to any item.

16.10.3.b **Delegations not registered (as per 16.10.1) shall be limited in their presentations to seven minutes. The total time allotted to hear presentations from all unregistered delegations shall be limited to twenty minutes.**

16.10.3.c Persons (other than the Applicant) desiring to address Council at a Public Meeting pursuant to the provisions of the **Planning Act** shall be limited in their presentations to **seven** minutes.

16.10.4 Presentation submitted

Any delegation that would like to use a power point presentation at the meeting must provide the presentation to the Clerk by 12:00 noon on the Thursday preceding the meeting in order to ensure compatibility with City technology.

Article 11 - Communications

16.11.1 Written - legible - signed - filed - with Clerk

Every communication to be presented to the Council shall be legibly written or printed, signed by at least one person, and filed with the Clerk.

16.11.2 Deadline - material - submitted - to Clerk

Every communication which deals with a matter on the Council agenda shall be delivered to the Clerk not later than 12:00 noon of the Tuesday preceding the meeting of the Council in order to be circulated with the agenda.

16.11.3 Matters not on the Agenda

Any other communication will be forwarded to Council by the Clerk with their regular electronic mail and will not be placed on the Council or Committee agenda. If a member wishes to address an item of correspondence, this matter shall be brought forward under Other Business at the appropriate Committee.

16.11.4 Language - improper - inclusion – Clerk’s discretion

Notwithstanding article 16.11.2, the Clerk may decide not to include any communication on a Council or Committee agenda if, in the opinion of the Clerk, the communication contains inappropriate language, or deals with a matter not within the jurisdiction of the Council or has already been dealt with by Council. Any such communication shall be circulated to the members under separate cover.

Article 12 - Motions

16.12.1 Main – introduced – Notice of Motion

A Member may introduce a motion, other than a motion to reconsider, at a meeting regarding a matter that would not otherwise be considered by Council at such meeting, by delivering a written copy of the motion, signed by the mover and seconder, to the Clerk, not later than 12:00 noon of the ~~Wednesday~~ **Tuesday** preceeding the meeting.

16.12.2. Notice - received - by Clerk - included - in agenda

The Clerk, upon receipt of a notice of motion in accordance with Section 16.12.1 shall print the motion in full in the agenda for the next regular meeting of the Council.

16.12.3 Consideration - disposal - deferred - to other meeting

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

16.12.4 Seconded - by any member - seconder not present

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

16.12.5 Called - twice - not proceeded with - removed

A notice of motion that has been called for by the Chair at two (2) meetings of the Council and has not been proceeded with shall be removed from the agenda unless otherwise directed by the Council.

Article 13 - Other Business

16.13.1 Urgent - introduced - majority consent - required

A Member may, with the consent of two-thirds (2/3) of the Members present, make a motion under Other Business, which due to its nature cannot be properly presented at an appropriate Standing Committee meeting.

Article 14 - By-Laws

16.14.1 Description - number of readings - listed on agenda

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

16.14.2 Introduction - upon motion - title read

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

16.14.3 Form - typewritten - compliance - relevant Act

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

16.14.4 Readings – First – Second – Third

Every by-law shall be given first, second and third reading concurrently.

16.14.5 Intentionally left blank

16.14.6 Purpose - effect - explained - upon request

Any Member may request that the purpose and effect of any particular by-law be explained, and the Clerk or any other City Official having knowledge thereof may provide such explanation.

16.14.7 Debate - amendment

A by-law may be debated or amended after second reading and before third reading.

16.14.8 Passed - numbered - dated - signed - seal affixed

Every by-law passed by the Council shall be numbered and dated, and shall be sealed with the Seal of the Municipal Corporation and signed by the Mayor and the Clerk and shall be kept by the Clerk in his/her office or any other place appointed for that purpose.

16.14.9 Confirmation - conclusion - of meeting

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

16.14.10 Confirmation - introduction - voted on - without debate

A confirmation by-law when introduced, shall be taken as having been given three readings and shall be voted on without debate.

Article 15 - Adjournment

16.15.1 Motion - non-debatable - approval - by majority

On motion, which is non-debatable, approved by the majority of Members present, the meeting shall adjourn.

16.15.2 Meeting - continuation - after 10:00 p.m.

No item of business other than the Confirmatory By-law shall be considered at a meeting of the Council after 10:00 p.m. local time unless otherwise decided by a majority vote of the Members present.

Article 16 - Rules of Debate

16.16.1 Address to Chair - remain seated

Every Member prior to speaking to any motion may remain seated and address the Chair.

16.16.2 Order - of speaking - determination

The Chair shall recognize the Members in the order they indicate their desire to speak.

16.16.3 Voting - members - seated - disturbance - prohibited

When the Chair calls for the vote on a motion, each Member shall occupy his/her seat and shall remain there until the result of the vote has been declared by the Chair, and during such time no Member shall walk across the room to speak to any other Member or make any noise or disturbance.

16.16.4 Speaking - passing between Chair - interruption

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

16.16.5 Speaking - motion - read - upon request

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

16.16.6 Speaking - twice only - exception - reply

No Member shall speak more than twice to the same motion without leave of the Council.

16.16.7 Speaking - duration - limited - 5 minutes

No Member shall speak to any motion for longer than five (5) minutes at a time, provided that the Member, upon being advised by the Chair that five (5) minutes have elapsed, may elect to continue speaking for a maximum of another five (5) minutes, in which case the Member shall be deemed to have spoken twice.

16.16.8 Question - motion under discussion - through Chair

A Member may concisely ask a question through the Chair only for the purpose of obtaining information relating to the motion under discussion, and the response shall be limited to five minutes duration.

16.16.9 Chair - participation - step down - other designated

If the Chair desires to leave the chair for the purpose of moving a motion, the Chair shall designate another Member to chair the meeting until such time as the motion is disposed of.

16.16.10 Motion - seconded - before debate - recorded

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

16.16.11 Motion - *ultra vires* - not in order

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

Article 17 - Voting

16.17.1 Chair - all questions - exception - disqualified

The Chair, except where disqualified to vote by Statute, shall vote on all questions.

16.17.2 Motion - simple majority - required - exception

The vote required to pass a motion shall be a simple majority except as otherwise provided in this by-law or by Statute.

16.17.3 Equal - motion deemed negative

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

16.17.4 Show of hands - exception - recorded vote

The manner of determining the desire of the Council on a motion shall be by show of hands, unless a recorded vote is requested.

16.17.5 Failure to vote - deemed negative

Each Member present, except a Member who is disqualified from voting by Statute, shall vote; and any failure to vote by a Member who is not disqualified shall be deemed to be a negative vote.

16.17.6 Recorded - by request - vote announced openly

Where a vote is taken for any purpose and a Member requests immediately prior or immediately subsequent to the taking of the vote that the vote be recorded, each Member present, except a Member who is disqualified from voting by Statute, 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.

16.17.7 Division - Separate vote - each proposal

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

16.17.8 Order of presentation - disposition - set out

Except as otherwise provided in this Chapter, the order of presentation and disposition of motions shall be as follows, with the lowest ranking motion being at the bottom of the list and a motion shall not be in order if a motion having higher precedence is pending:

- (a) Privileged Motions
 - (i) Adjourn
 - (ii) Recess
 - (iii) Question of Privilege
- (b) Incidental Motions
 - (i) Appeal
 - (ii) Point of Order
 - (iii) Withdrawal of Motion
 - (iv) Suspension of Rules
- (c) Subsidiary Motions
 - (i) Put the Question
 - (ii) Defer
 - (iii) Amend
- (d) Main Motions
 - (i) Main Motion
 - (ii) Reconsider

Article 18 - Motion - To Adjourn

16.18.1 In order - exception

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

16.18.2 Negative - until proceedings completed

A motion to adjourn, when resolved in the negative, shall not be presented again until after some intermediate proceedings have been completed by the Council.

16.18.3 Member speaking - voting - prohibited

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

16.18.4 Affirmation resolution - previous question - prohibited

A motion to adjourn shall not be in order immediately following the affirmative resolution of a motion to put the question.

16.18.5 Non-debatable

A motion to adjourn shall not be debatable or amendable.

Article 19 - Motion - To Recess

16.19.1 Recess – Motion – Discretion of Chair

A recess shall be convened either by motion or at the discretion of the Chair.

16.19.2 Length of time - specified

A motion to recess, or recess at the discretion of the Chair when other business is before the meeting shall specify the length of time of the recess.

16.19.3 Non-debatable - length of time - amendable

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

16.19.4 Future time - treated as main motion

A motion to recess, or recess at the discretion of the Chair at a future time shall have no privilege and shall be treated as a main motion.

Article 20 - Question of Privilege

16.20.1 Integrity - member - Council - in question

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

16.20.2 Motion - to receive disposition - treated as main motion

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

Article 21 - Motion - To Appeal

16.21.1 Made - at time of ruling - point of order

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

16.21.2 Non-debatable - amendable - reconsidered

A motion to appeal from the decision of the Chair shall not be debated or amended.

16.21.3 Yields to - privileged - removal - motion

A motion to appeal from the decision of the chair shall yield to a privileged motion.

Article 22 - Point of Order

16.22.1 Rules of Procedure - breached

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

16.22.2 Constitution - defeated

A point of order may be called by a member to bring attention to any defect in the constitution of any meeting of the Council.

16.22.3 Language - improper - offensive

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

16.22.4 Discussion - not valid - outside proposed motion

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

16.22.5 Proceedings - other - informality - irregularity

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

16.22.6 Member - rise - ask leave of Chair - point - stated

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

16.22.7 Decision - announced - prior to recommencement

No further business shall be conducted until the Chair has decided and stated the point of order.

16.22.8 Address - to Chair - purpose - to appeal - decision

Thereafter, a Member shall only address the Chair for the purpose of appealing the Chair's decision to the Council.

16.22.9 Decision - of Chair - final - no appeal

If no Member appeals, the decision of the Chair shall be final.

16.22.10 Appeal - member right - Chair reply - decision final

If a Member appeals to the Council, the Member shall have the right to state a case, the Chair shall have the right to reply; and the Council shall decide the question without further debate, and its decision shall be final.

Article 23 - Withdrawal - Motion

16.23.1 Mover only

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

16.23.2 Without consent - seconder - permitted

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

16.23.3 In order - anytime - during debate

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

16.23.4 Objection - by member - entertained - main motion

If a Member objects to the withdrawal of the motion, a withdrawal motion may be entertained and becomes a main motion.

16.23.5 No objection - withdrawal - without seconder - vote

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

Article 24 - Suspension - Rules

16.24.1 Non-debatable - amendable - two-thirds vote

A motion to suspend the rules of procedure required by this by-law shall not be debatable or amendable and shall require a two-thirds (2/3) vote of the Members present.

16.24.2 Motion to reconsider - non-applicable

A motion to reconsider shall not be applied to a motion to suspend the rules.

16.24.3 Motion to suspend - rules of procedure

Notwithstanding Section 16.24.1, a motion to suspend the rules of procedure, with respect only to the seven minute time limit imposed by Section 16.10.3, shall require only a simple majority vote of the Members present.

Article 25 - Put the Question

16.25.1 Non-debatable - amendable

A motion to put the question shall not be debatable or amendable.

16.25.2 Amending motion - under consideration - proposal

A motion to put the question shall not be proposed when there is an amending motion under consideration, except for the purpose of moving that the amending motion be put.

16.25.3 Priority - over further amendments

A motion to put the question shall preclude all further amendments of the main motion.

16.25.4 Resolved - affirmative - original motion put - no debate

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

Article 26 - Deferral

16.26.1 Debatable - amendable - reconsideration - permitted

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

Article 27 - Motion - To Amend

16.27.1 Debatable - amend - permitted

A motion to amend shall be debatable.

16.27.2 Written - when requested - by Chair

A motion to amend shall be presented in writing when requested by the Chair.

16.27.3 Relevant - to main motion

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

16.27.4 Contrary - to main motion - not in order

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

16.27.5 Amended - once only

Only one amendment shall be allowed to an amendment.

16.27.6 Council disposition - before amendment - motion

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

Article 28 - Motion - To Reconsider

16.28.1 Vote - two-thirds - required

A motion to reconsider any matter already disposed of by the same Council shall require a two-thirds (2/3) vote.

Article 29 - Standing Committees

16.29.1 Composition – All Members

The Standing Committees shall be comprised of all the members of Council with the exception of the Audit committee that is composed of five members of Council.

There shall be ~~four~~ **three** Standing Committees of Council, as follows:

~~(a) Planning Committee;~~

(a) **General Committee** ~~Committee of the Whole;~~

(b) Audit Committee; and

(c) Budget Committee.

16.29.2 Appointment – By Council Recommendation of Mayor

The Chairs of the Standing Committees shall be appointed by Council, on the recommendation of the Mayor.

16.29.3 Exception – Emergency Governance Committee

Notwithstanding the provisions of Sections 16.29.1 and 16.29.2, the Emergency Governance Committee shall be comprised of a minimum of three and a maximum of five members of Council, and shall elect its own Chair.

16.29.4 Delegation to Emergency Governance Committee

The Council of the Corporation of the City of Peterborough hereby delegates to the Emergency Governance Committee all powers and duties that may legally be delegated to the Committee pursuant to the **Municipal Act, 2001**, or any other applicable provincial or federal legislation, subject to the following conditions and restrictions:

- a) the delegation shall be effective only during the times specified in subsection 16.2.7 (e), and
- b) the Committee shall conduct its meetings in accordance with this by-law, providing that the quorum for the constitution of a valid meeting of the Committee shall be three

Article 30 - Committee Meetings

16.30.1 Committee - time - place - specified

Meetings of the Standing Committees shall be held at such time and place as specified on the schedule of meetings of Council and the Committees of Council prepared by the Clerk. Notwithstanding, meetings of the Audit committee shall be called by the Chair of the Audit committee and shall require 48 hours notice. Advisory Committee meetings shall be held at such time and place as specified on the schedule developed by the Advisory Committees and in conformance with the Standing Committees Terms of Reference.

16.30.2 Meeting - on holiday - held next day

All meetings of the ~~Planning Committee and the Committee of the Whole~~ **General Committee** shall be held on Mondays, unless such a day shall be a public or civic holiday, in which case the committee shall meet at the same hour on the next following day which is not a public or civic holiday, unless otherwise provided by resolution of the Committee.

16.30.3 Minutes - agenda - supplied to members - deadline

It shall be the duty of the Clerk to ensure that the minutes of the last regular meeting of the ~~Planning Committee and the Committee of the Whole~~ **General Committee**, together with an agenda containing reports to be considered by the respective Committees, be made available to each member the ~~Thursday~~ **Wednesday** preceding the day of the holding of such Committee meeting.

16.30.4 Minutes - adoption - without reading - permitted

The minutes of the Standing and Advisory Committees may be adopted by the respective Committees without being read.

Article 31 - Rules of Procedure - Committee

16.31.1 Observed – in all meetings – exception

The rules governing the procedure of the Council and the conduct of its Members shall be observed in meetings of the Standing Committees and Advisory Committees, with necessary modifications, and except as provided in this Article.

16.31.2 Motion - not seconded

A motion shall not be seconded.

16.31.3 Speaking - times

No member shall speak more than three times to the same motion, and shall be limited to five (5) minutes on each occasion.

16.31.4 Voting - recorded - exception - request opposed

No vote on any particular item shall be recorded; but a Member, on request, may be recorded as being opposed.

16.31.5 Item - re-opened - not executed

At the request of any member of the Committee present, any item already considered at that meeting may be re-opened upon a two-thirds (2/3) vote of the Members present.

16.31.6 Statutory hearings - procedure - outlined - statute

Hearings required by statute shall be undertaken in accordance with the prescriptions and procedure outlined in the statute or as otherwise directed by law.

16.31.7 Unprovided - cases – Robert's Rules of Order

In all unprovided cases in the proceedings of the any meeting, resort shall be had to the Robert's Rules of Order as a rule for guidance on the question, and in such cases, the decision of the Chair shall be final.

16.31.8 Agenda items - separate consideration – Consent Agenda

Prior to the consideration of Reports and Recommendations, the Committee shall determine which such items require separate consideration. All items not requiring separate consideration shall be disposed of by one motion prior to consideration of individual Reports.

Article 32 - Repeal - Enactment

16.32.1 By-laws - previous

By-law 90-211, as amended by By-law 95-39, is hereby repealed.

16.32.2 Effective date

This Chapter shall come into effect on the 3rd day of October, 2011. Amended by by-laws 02-162, 04-122, 05-229, 06-136 and 07-010.

By-law read a first and second time this 3rd day of October, 2011.

Daryl Bennett, Mayor

John Kennedy, Clerk