

CITY OF VAUGHAN

PROCEDURE BY-LAW NUMBER 400-2002

Amended by:

By-Law No. 279-2005 (Sub-section 6.2)
October 17, 2005

By-law No. 161-2006 (Section 3.3 (heading), sub-section 3.3.(3), Section 5.8) (By-law 140-2008 amended)(Section 3.3 paragraph (3)
May 8, 2006

By-law No. 204-2007 (Section 5.11, Section 6.1 and 6.4) (By-law 140-2008 amended (Section 5.11)
June 25, 2007

By-law No. 140-2008 (Section 1 (k))
June 11, 2008
(Section 2 – sub-section 2.4 (paragraph 1 (a) & (b) and paragraph 4); sub-section 2.6 – sub-paragraph (a); sub-section 2.7 – sub-paragraph (c) and (d), and sub-section 2.8)
(Section 3 – Conduct of Business – Council – sub-section 3.3.(3) and 3.3.(5); sub-section 3.6. (3), 3.6.(5), and 3.3.(13); sub-section 3.7.(2); sub-section 3.8.(1) and (2); sub-section 3.9 (heading); sub-section 3.12; sub-section 3.16.(2); sub-section 3.17; and sub-section 3.18)
Section 4 – sub-section 4.2.(1), 4.2.(2); sub-section 4.5.(3); sub-section 5.2. (1), (By-law 305-2008 amended sub-section 5.2 (1); 5.2.(5); sub-section 5.4.(3); sub-section 5.11; and sub-section 5.12

By-law No. 305-2008 (Section 4 – sub-section 4.1 – Regular Meeting Times)
December 8, 2008 (Section 5 – sub-section 5.2 (1) – Meetings)

By-law No. 98-2009 (Section 3.3 – subsection 3.3(3)(i) – Presentations and Deputations - adding the phrase “at least” after the word “being”)
May 26, 2009 (Section 5.4 (1)(a) – Preparation of Agenda – adding the phrase “being at least” after the word “Thursday”)
(Renumbering section 6.4 – Environment Committee to 6.5)
(Adding Section 6.4 – Economic Development Committee)

(Office consolidation to May 2009)

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 400-2002

A By-law to govern the proceedings of Council and Committees of Council.

The Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. DEFINITIONS

In this By-law:

- a) "Council" means the Council of the City.
 - b) "CM" means the City Manager of the City.
 - c) "Clerk" means the City Clerk or the Deputy City Clerk, or his/her designate
 - d) "Committee" means Committee of the Whole, Committee of the Whole (Closed Session), Committee of the Whole (Public Hearing), Committee of the Whole (Working Session), Sub Committee, Special Purpose Committee or Task Force of Council.
 - e) "Committee of the Whole" is a Committee consisting of all the Members of Council.
 - f) "Chair" means the Member of Council appointed as Chair of the Committee of the Whole or of a Committee by its Members or in the case of a Council meeting the Mayor or Acting Mayor or in the absence of both of them the Member appointed under subsection 4.4.
 - g) "Member" means a Member of Council or a Member of a Committee.
 - h) "Quorum" means a majority of the Members of Council or Members of a Committee.
 - i) "Senior Regional and Local Councillor" means the Regional and Local Councillor who received the most votes for that office.
 - j) "To refer" means to direct a matter under discussion by the Council or Committee of the Whole or a Committee to a specific meeting of Council or Committee of the Whole, the CM, a Commissioner or any Board or Committee of Council or Committee for further examination.
 - k) "To defer" means to postpone action on a matter under discussion by the Council or Committee of the Whole or a Committee.
- (Amended by By-Law No. 140-2008- June 11/08)*
- l) "Public Hearing" means a public hearing under the Planning Act (RSO 1990).
 - m) "City" means The Corporation of the City of Vaughan.
 - n) "Meeting" means a meeting of the Council or a Committee.
 - o) Working Session means a Working Session of Committee of the Whole.

2. GENERAL

2.1 Inaugural Meeting

The first meeting of a newly elected Council after a regular election shall be held on the first Monday in December.

2.2 Rules and Regulations

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 Council, its committees and sub-committees, and its local boards, except for the Vaughan Public Library Board, with the changes necessary to give effect thereto.

The rules and regulations contained herein may be suspended by a two-thirds vote of the Members of Council, Committee or Board present at the meeting, provided that such rule or regulation is not prescribed by statute.

2.3 Open Meetings

All meetings must be open to the public.

2.4 Closed Meetings

(1) (a) Notwithstanding Section 2.3 above, a meeting may be closed to the public if the subject matter being considered relates to: *(Amended by By-Law No. 140-2008- June 11/08)*

- i) the security of the property of the City or local board;
- ii) personal matters about an identifiable individual including municipal or local board employees;
- iii) a proposed or pending acquisition or disposition of land by the municipality or local board;
- iv) labour relations or employee negotiations;
- v) litigation or potential litigation, including matters before administrative tribunals, affecting the City or local board;
- vi) the receiving of advice that is subject to solicitor - client privilege, including communications necessary for that purpose;
- vii) a matter in respect of which Council, boards, Committee or other body has authorized a meeting to be closed under an Act of the Legislature or an Act of Parliament;

(b) Notwithstanding Section 2.3 above, a meeting may be closed to the public if the meeting is held for the purpose of educating or training the members, and, at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-of the council, local board or committee.

(Amended by By-Law No. 140-2008- June 11/08)

(2) Before all or part of a meeting is closed to the public, the body proposing to hold the meeting shall state by Resolution:

- i) the fact of the holding of the closed meeting;
 - ii) the general nature of the matter to be considered at the closed meeting.
- (3) Subject to subsection 2.4 a meeting shall not be closed to the public during the taking of a vote.
- (4) Notwithstanding subsection 2.3 a meeting may be closed to the public during a vote if:
- (Amended by By-Law No. 140-2008- June 11/08)*
- i) Subsection 2.4 permits or a meeting is required to be closed to the public, and;
 - ii) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the City or local board, or persons retained by or under contract with the City or local board.
- (5) Meetings or sessions which are closed to the public may be referred to as in-camera meetings or in-camera sessions.

2.5 No Quorum

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

2.6 Duties of the Chair

It shall be the duty of the chair:

- a) to put to a vote all motions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and to announce the result and, in so doing, to ensure that the mover and seconder are clearly identified; *(Amended by By-Law No. 140-2008- June 11/08)*
- b) to decline to put to vote motions which infringe the rules of procedure;
- c) to restrain the Members, within the rules of order, when engaged in debate;
- d) to enforce on all occasions, the observance of order and decorum among the Members;
- e) to call by name any Member persisting in a breach of a procedure of the Council, thereby ordering him/her to vacate the Council Chamber;
- f) to decide all questions of order at the meeting, subject to an appeal by any Member to Council on any question of order in respect to business before the Council;
- g) to authenticate, by his/her signature when necessary, all By-laws and Resolutions;
- h)
 - i) to declare a meeting which was scheduled to commence at 1:00 o'clock p.m. and which is in session at 6:00 o'clock p.m. to be adjourned forthwith unless otherwise determined by a vote of two-thirds of the Members present.
 - ii) to declare a meeting which was scheduled to commence at 7:00 o'clock p.m. and which is in session at 12:01 o'clock a.m. of the following day to be adjourned forthwith unless otherwise determined by a vote of two-thirds of the Members present.

2.7 Conduct of Members

- (1) Any Code of Conduct or Ethics applicable to Members of Council adopted by Council shall apply during a meeting held pursuant to this by-law.
- (2) No Member shall:
 - a) use offensive words or unparliamentary language in or against the Council or against any Member;
 - b) speak on any subject other than the subject in debate;
 - c) criticize any decision of the Council or continue to debate the matter after it has been decided, except for the purpose of moving that the question be reconsidered;

(Amended by By-Law No. 140-2008- June 11/08)

- d) 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 where a Member persists in any such disobedience after having been called to order by the Chair, the Chair shall forthwith put the question, no amendment, adjournment or debate being allowed, "that such Member be ordered to leave his/her seat for the duration of the meeting of the Council", but if the Member apologizes he/she may be permitted to retake his/her seat.

(Amended by By-Law No. 140-2008- June 11/08)

- e) disclose any information that is deemed to be confidential pursuant to but not limited to Sections 6 to 14 under the Municipal Freedom of Information and Protection of Privacy Act.

2.8 Electronic Devices

All electronic devices including cellular telephones shall be placed in silent mode in Council Chambers and all other locations during the course of Meetings held in accordance with this By-law.

(Amended by By-Law No. 140-2008- June 11/08)

3. CONDUCT OF BUSINESS - COUNCIL

3.1 Minutes

- (1) Minutes of a meeting shall be approved at the next meeting.
- (2) It shall be the duty of the Clerk to mail or deliver to each Member not less than 48 hours prior to a regular meeting, the Minutes of the last regular meeting of Council and all subsequent meetings of Council held more than five working days before the regular meeting.

3.2 Adoption of Minutes

As soon as a regular meeting is called to order, and the Agenda has been confirmed, the Chair shall ask if there are any objections to the Minutes of previous meetings as referred to in paragraph 3.1(1) and shall forthwith or after any correction or change, declare the Minutes adopted and shall sign them.

3.3 Presentations and Deputations

- (1) Deputations are not permitted to address Council except in respect of a matter that requires a statutory hearing.

- (2) Deputations may address Committee of the Whole or Committee of the Whole Public Hearing on any item listed on the agenda without any prior notice.
- (3) The following provisions apply to deputations to the Committee of the Whole on an item not listed on the agenda:
 - (i) Persons wishing to make a deputation to Committee of the Whole in respect of subject-matters not listed on the Agenda, shall provide the Clerk's Office with written notice of their request, by no later than 12:00 noon on the Tuesday being at least 13 days prior to the Meeting. Such requests shall state the specific nature of the matter to be presented by the Deputant, and shall include an outline of the nature of the proposed deputation; *(Amended by By-law 98-2009 – May 26, 2009)*
 - (ii) Deputations shall only be permitted in respect of subject matters that deal with municipal issues and are within the City's jurisdiction, being those that Council is responsible for, as outlined in the Municipal Act, S.O. 2001, c.25, as may be amended from time to time, and other applicable legislation;
 - (iii) For matters which are more properly within the responsibility of City staff, the Clerk shall notify the proposed Deputant that the deputation shall not be listed on the Agenda, and shall direct the proposed Deputant to the appropriate City Department; The Deputant shall not be listed on an Agenda for deputation until staff have had the opportunity to address the matter;
 - (iv) For matters which are more properly addressed at a Special Purpose Committee Meeting, the Clerk shall notify the proposed Deputant that the deputation shall be listed on the Agenda for the next particular Special Purpose Committee Meeting which is at least 13 days from the date that the written request and outline were received from the proposed Deputant; Should the Deputant fail to be satisfied by the disposition of the matter before a Special Purpose Committee Meeting, he or she may have recourse to the Committee of the Whole, according to the procedure outlined in subsection 3.3(3)(i);
 - (v) A person may be listed to appear at deputation regarding only one subject matter per meeting;
 - (vi) Where a person cannot be listed to provide a deputation at a given Meeting, the Clerk may schedule the Deputant to appear at the next Meeting;
 - (vii) If a deputation is in respect of a matter that has been recently considered, it shall not be heard by the Committee, Council or other body that considered the matter, within the next four of its regular meetings after the meeting at which it was originally considered, unless a reconsideration motion is passed by the Committee, Council or body;

(viii) Deputants wishing to provide any written material for consideration, must provide same to the Clerks Office by no later than 12:00 noon on the Friday prior to the meeting. *(Amended by By-Law No. 140-2008- June 11/08)*

(4) Subject to the provisions of paragraph 3.3 (1), 3.3 (2) and 3.3 (3) above, persons allowed to address Council or Committee other than deputations in respect to a statutory hearing shall be limited in speaking to not more than five (5) minutes and to avoid repetition, any deputation on behalf of an organization, including any corporation, association or on behalf of any group, shall be made by a single representative.

(5) The following provisions apply to Presentations:

- i. A Presentation is defined as the verbal and/or visual provision of information at a Meeting to which this By-Law applies;
- ii. A Ceremonial Presentation is defined as the giving of an award, prize or other form of recognition, at a Meeting to which this By-Law applies;
- iii. A person or group wishing to make a Presentation to the Committee of the Whole Meeting shall provide the Clerk's Office with written notice of the request, by no later than 12:00 noon on the Friday prior to the Meeting. Such request shall state the specific nature of the matter to be presented;
- iv. Presentations and Ceremonial Presentations shall only be made in respect of matters within Council's purview and jurisdiction;
- v. Ceremonial Presentations at the Committee of the Whole Meeting shall be heard commencing at 1:00 p.m.;
- vi. All other Presentations at the Committee of the Whole Meeting shall be heard commencing at 3:00 p.m.;
- vii. Presentations and Ceremonial Presentations at the Committee of the Whole Meeting shall be limited to ten (10) minutes;
- viii. Presentations expected to have a duration of longer than 10 (ten) minutes may be made to the Committee of the Whole (Working Session), if so directed by the Clerk, in consultation with the City Manager.

(Amended by By-Law No. 140-2008- June 11/08)

3.4 Late Arrival

If a Member arrives late at a meeting, any prior discussion shall not be reviewed without the unanimous consent of all Members present.

3.5 Motions

- (1) Every motion, shall be read aloud, and when duly moved and seconded, shall be open for discussion. A motion or amendment thereto, may not be withdrawn without the consent of the mover and seconder. The Chair may not move or second any motion, but may vote on a motion.
- (2) The Chair or Mayor may appoint a member to preside in his place and vacate the chair in

order to move or second a motion. The Chair or Mayor shall resume the chair following the vote on the matter.

- (3) Where a matter has been tabled it may not be discussed until the CM, or a Member through a Member's Request, brings the matter forward to a subsequent meeting.

3.6 Voting on Motions

- (1) Every Member present at a meeting when a question is put shall vote thereon unless prohibited by statute, in which case it shall be so recorded.
- (2) Each Member present and voting shall announce or indicate his/her vote upon the motion openly and individually and no vote shall be taken by ballot, or any other method of secret voting.
- (3) If there is an equality of votes on any question, the vote shall be deemed to have not carried.
(Amended by By-Law No. 140-2008- June 11/08)
- (4) If any Member at a meeting when a question is put does not vote, he or she shall be deemed as voting in the negative except where prohibited from voting by statute.
- (5) When a recorded vote is requested by a Member, or is otherwise required, the Clerk shall call the vote in random order starting with the name of the requester of the recorded vote who shall vote first, and the Clerk shall record the name and vote of every Member on the question.
(Amended by By-Law No. 140-2008- June 11/08)
- (6) A request by a Member for a recorded vote shall be made immediately prior to the commencement of the vote being taken, or immediately thereafter.
- (7) When the Chair calls for a vote on a question, each Member shall occupy his or her seat and shall remain in his or her seat until the result of the vote has been declared by the Chair, and during such time no Member shall speak to any other Member or make any noise or disturbance.
- (8) After a question is put by the Chair, 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.
- (9) Upon the request of any Member, and when the Chair is satisfied that a question under consideration contains distinct proposals, the vote upon each proposal shall be taken separately.
- (10) When a vote is taken the order of the vote shall, unless otherwise decided by the Council, be as follows:
 - (a) upon any motion to defer, including a motion to refer the question;
 - (b) upon the amendments in the reverse order of presentation, dealing with an amendment to an amendment immediately before the amendment it proposes to amend; and
 - (c) then, upon the motion to adopt or upon the motion to adopt as amended, if any amendments have been carried.

- (11) One or more report items on a meeting agenda other than a Committee of the Whole Public Hearing required by Statute, may be adopted in a single motion.
- (12) A motion to refer a matter to Staff shall include the reasons for the referral.
- (13) A recorded vote shall not be requested at a Committee of the Whole Meeting.

(Amended by By-Law No. 140-2008- June 11/08)

3.7 Rules of Debate

- (1) The Chair shall maintain a list of Members who have requested to speak or to ask questions and the Chair shall designate Members to speak or to ask questions in the order in which they appear on the list.
- (2) No Member shall speak more than once, except if requested to give an explanation, until every Member who desires to speak, has spoken.

(Amended by By-Law No. 140-2008- June 11/08)

- (3) When a Member is speaking, no other Member shall pass between that Member and the Chair, or interrupt him or her, except to raise a point of order or a point of personal privilege.
- (4) A Member may speak to the same question for a maximum of five minutes, and, with leave of the Council, may be granted an extension.
- (5) When an item is being discussed and one Member has the floor a Member may ask a question only for the purpose of obtaining information necessary for a clear understanding thereof.
- (6) All questions shall be stated succinctly and questions shall not be used as a means of making statements or assertions.
- (7) Questions may be asked only:
 - (a) of the previous speaker;
 - (b) of the Chair; and,
 - (c) of staff or of a Deputant.
- (8) A Member may not ask a question if the Chair rules that such question, in substantially similar form and content, has already been asked and answered.

3.8 Reconsideration of a Matter

- (1) If a matter has been previously considered, it shall not be reconsidered by such body within the next four of its regular meetings after the meeting at which it was originally considered, without the consent of at least two-thirds of the Members present.

(Amended by By-Law No. 140-2008- June 11/08)

- (2) "Considered" shall mean those matters for which the Members of a Meeting have decided to act or not act upon, and shall not include the mere receipt of information where no action has been sought or taken.

(Amended by By-Law No. 140-2008- June 11/08)

3.9 Points of Order or Points of Privilege

(Amended by By-Law No. 140-2008- June 11/08)

- (1) A Member may interrupt the person who has the floor to raise a point of order when such Member feels that there has been a deviation or departure from the rules of procedure and

upon hearing such point of order, the ruling of the Chair shall be final unless the Member appeals the ruling to Council which shall then decide upon the question without debate.

- (2) A Member may rise at any time on a point of personal privilege where such Member feels that his integrity or the integrity of the Council has been impugned by another Member and upon hearing such point, the ruling of the Chair shall be final unless the Member appeals the ruling to Council which shall then decide upon the question without debate.
- (3) Where the Chair recognizes that a breach of privilege has taken place, the Chair shall demand that the offending Member apologize, and failing such apology shall require such Member to vacate the Council Chamber for the duration of the meeting.
- (4) Any Member may appeal the decision of the Chair to the Council which shall decide the question "that the decision of the Chair be sustained" without debate upon a majority vote of the Members present.

3.10 By-laws - Readings

- (1) Every By-law presented to Council shall have three readings. Unless required to the contrary, to comply with the provisions of any Act or Statutory procedure, all By-laws shall be given first, second and third reading at one meeting, in a single motion.
- (2) The Clerk is hereby authorized to make such minor deletions, additions or other changes in form to any by-law before same is signed and sealed, for the purpose of ensuring correct and complete implementation of the actions of Council forming the subject matter of the by-law and Members of Council shall be advised by the Clerk of such changes by written notice.

3.11 Declaration of Interest

No Member after having declared an interest on any matter may move, second or vote on the "adoption of items not requiring separate discussion", if the matter having declared an interest is contained therein. The Member after having declared an interest may move, second and vote on the Confirming By-law.

3.12 Staff at Meetings

If a Member wishes a staff member other than a Commissioner to be present at a meeting for clarification of an item, the Member shall endeavour, where possible, to use his or her best efforts to so notify the staff member's Commissioner by 12:00 o'clock noon the day of the meeting.

(Amended by By-Law No. 140-2008- June 11/08)

3.13 Location of Meetings

All meetings of Council and Committee of the Whole shall be held in the Council Chambers or at any other place authorized by the Council in the case of a Council meeting, and by the CM in the case of a Committee of the Whole meeting.

3.14 Public Holidays

In the event that a regular meeting shall fall upon a public holiday, the meeting shall be held at the same hour on the day immediately following the holiday that is not a Saturday, Sunday or Public

Holiday. No notice need be given of this change of date and it shall be deemed to be a regular meeting of the body.

3.15 Expulsion for Misconduct

The Chair may expel or exclude from the meeting, any person, who, in the opinion of the Chair, has behaved improperly.

3.16 Recording Equipment

(1) The use of video or audio recording equipment or devices by members of the public or press during a meeting is permitted within the designated area unless in the opinion of the Chair or the majority of Members present the use of such equipment or devices is disruptive to the conduct of the meeting at which time recording privileges will be withdrawn from any offending user. The designated area means the side aisles of the public portion of the Council Chambers being the area behind the wooden barriers.

(2) Recordings of the proceedings of Council and Committee of the Whole meetings shall be carried out by the Clerk or his or her designate and shall be retained in the Clerk's Department for 90 days following the meeting. *(Amended by By-Law No. 140-2008- June 11/08)*

3.17 Public Notice of Meetings

Public notice shall be given for all Meetings of Committee of the Whole or Council. Posting of the schedule of Meetings on the City's website shall be considered effective public notice of any meeting.

(Amended by By-Law No. 140-2008- June 11/08)

3.18 Roberts' Rules of Order

Where any matter relating to proceedings arises which is not covered by a provision of this By-Law, the procedure to be followed shall be decided with reference to Roberts' Rules of Order.

(Amended by By-Law No. 140-2008- June 11/08)

4. COUNCIL MEETINGS

4.1 Regular Meeting Times

Unless otherwise provided by a Resolution of the Council, a meeting of Council in respect of all other matters, shall be held at the hour of 1:00 o'clock p.m. (local time) on the dates established and adopted by Council from time to time. *Amended by By-law No. 305-2008 – December 8, 2008)*

4.2 Special Meetings

(1) The Mayor, may at any time, summon a special meeting of Council on 48 hours written notice to the Members, or upon receipt of the petition of the majority of the Members, the Clerk shall summon a special meeting on 48 hours written notice to the Members for the purpose and at the time mentioned in the petition. The only business to be dealt with at a special meeting is that which is listed in the notice of the meeting. Special meetings may be open or closed as provided for in the Municipal Act. *(Amended by By-Law No. 140-2008- June 11/08)*

(2) In circumstances of an emergency, the Mayor or the Acting Mayor may direct that the Clerk summon a special meeting of Council on less than 48 hour notice, and all Members shall be notified

of the special meeting of Council either personally or by electronic mail, or by any other means necessary, and the meeting shall proceed if a majority of Council members agree to the Council Meeting by giving written consent to the Clerk personally before the beginning of the Council Meeting.

(Amended by By-Law No. 140-2008- June 11/08)

4.3 Calling a 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 Mayor or Chair shall take the chair and call the meeting to order.

4.4 Absence of the Mayor

In the absence of the Mayor, the Senior Regional and Local Councillor shall take the chair and in his/her absence, the other Regional and Local Councillor shall take the chair and in the absence of all of them, the Members present shall elect a Chair of the meeting.

4.5 (1) Preparation of Agenda

Prior to each regular meeting, the Clerk (or his designate) under the supervision of the CM, shall prepare an agenda of all the business to be brought before such meeting. No matter shall be placed on the agenda of a meeting referred to in paragraph 4.1 unless it has been already considered by a Committee, unless authorized by the CM. The agenda shall be distributed to Members of Council at least 48 hours before the meeting.

(2) Addendum Items

(a) An item that is not on the agenda as printed shall require a unanimous vote of the members present to be added to the agenda.

(b) Notwithstanding the above any item of additional information pertaining to an item listed on the agenda shall be circulated to members on the Friday prior to the meeting by the Clerk and shall be considered with the item.

(3) Any written material intended as "Additional Information" pertaining to an item listed on a Council Agenda, must be addressed to the Clerk and received in the Clerk's Office by no later than 11:00 a.m. on the day of the Meeting. *(Amended by By-Law No. 140-2008- June 11/08)*

4.6 Order of Business

The Council shall deal with matters in the following order:

- 1) Presentations
- 2) Confirmation of the Agenda
- 3) Disclosure of Interest
- 4) Adoption of Minutes
- 5) Deputations Requiring Statutory Public Hearing
- 6) Determination of Items requiring separate discussion
- 7) Adoption of Items not requiring separate discussion
- 8) Consideration of Items requiring separate discussion
- 9) By-laws / Formal Resolutions
- 10) Confirming By-law

11) Motion to Adjourn

5. COMMITTEE OF THE WHOLE AND COMMITTEE OF THE WHOLE PUBLIC HEARING AND COMMITTEE OF THE WHOLE WORKING SESSION MEETINGS

5.1 Composition of the Committee

- (1) There shall be a Committee of Council, composed of all the Members of Council, and designated as the "Committee of the Whole". The Committee of the Whole shall deal with all matters other than those for which Council is required to hold a Public Hearing.
- (2) For those matters for which Council is required to hold a Public Hearing, Committee of the Whole shall meet as Committee of the Whole (Public Hearing).
- (3) Committee of the Whole shall meet in a Working Session to consider those items requiring lengthy or extensive discussion.

5.2 Meetings

- (1) Unless otherwise provided by a Resolution of the Council, the regular meetings of the Committee of the Whole shall be held at the hour of 1:00 o'clock p.m. (local time) for Committee of the Whole and 7:00 o'clock p.m. for Committee of the Whole Public Hearings on the dates established and adopted by Council from time to time, except that meetings of the Committee of the Whole immediately prior to the Council recesses in December and July, shall commence at the hour of 11:00 o'clock a.m. (local time). Unless otherwise provided by a Resolution of the Council, the regular meetings of the Committee of the Whole, Working Session shall be held at the hour of 10:00 o'clock a.m. (local time), on the dates established and adopted by Council from time to time.

(Amended by By-Law No. 305-2008 – December 8, 2008)

- (2) In addition to its regular meeting, a meeting of the Committee of the Whole shall be constituted whenever a majority of members present decide that Council shall convene a Committee of the Whole to consider a matter or matters during a regular or special meeting of Council.
- (3) The Mayor or the CM may at any time summon a special meeting of the Committee on 48 hours notice to the Members.
- (4) When so requested in writing by a majority of the Members, the Mayor or Clerk shall summon a special meeting of the Committee on 48 hours notice to the Members.
- (5) In circumstances of an emergency, the Mayor or the City Manager may direct that the Clerk summon a special meeting of Committee on less than 48 hour notice, and all Members shall be notified of the special meeting of Committee either personally or by electronic mail, or by any other means necessary, and the meeting shall proceed if a majority of Committee members agree to the Committee Meeting by giving written consent to the Clerk personally before the beginning of the Committee Meeting. *(Amended by By-Law No. 140-2008- June 11/08)*

5.3 Committee of the Whole Chair

The Chair of Committee of the Whole meetings, including special meetings, Public Hearings and Working Sessions shall be rotated among the Members, the Mayor being excluded from acting as chair, on a calendar monthly basis in order of seniority of the Regional Councillors as determined at the last regular election followed by Local Councillors in numerical ward order. The Chair shall maintain order in all Committee of the Whole meetings.

5.4 (1) Preparation of Agenda

(a) The Thursday being at least, 10 days prior to each regular meeting of the Committee of the Whole, the Clerk or his designate (under the supervision of the CM), shall prepare an agenda of all business to be brought before the Committee.

(Amended by By-law 98-2009 – May 26, 2009)

(b) The Thursday prior to Committee of the Whole (Public Hearing), the Clerk or his designate (under the supervision of the CM), shall prepare an agenda of all business to be brought before the Committee.

(c) The Thursday prior to Committee of the Whole (Working Session), the Clerk or his designate (under the supervision of the CM), shall prepare an agenda of all business to be brought before the Committee.

(2) Addendum Items

(a) An item that is not on the agenda as printed shall require a two-thirds majority vote of the members present to be added to the agenda.

(b) Notwithstanding the above any item of additional information pertaining to an item listed on the agenda shall be circulated to members on the Friday prior to the meeting by the Clerk and shall be considered with the item.

(3) Additional Information

Any written material intended as “Additional Information” pertaining to an item listed on a Committee of the Whole Agenda, must be addressed to the Clerk and received in the Clerk’s Office by no later than 11:00 a.m. on the day of the Meeting; any materials intended as “Additional Information” pertaining to an item listed on a Committee of the Whole Agenda, which is received after the latter time, shall be referred to Council.

(Amended by By-Law No. 140-2008- June 11/08)

5.5 Member's Request

If requested by any Member before 3:00 o'clock p.m. on the Friday before the Committee of the Whole meeting, the Clerk shall place any matter on the Committee agenda of the meeting.

5.6 Absence of Chair or Quorum

(1) If the Committee Chair is not present for a period of fifteen minutes after the time scheduled for the meeting to commence, then the Chair for that meeting shall be the Mayor, in his/her absence, the Senior Regional and Local Councillor, and in his/her absence the other Regional and Local Councillor, and in the absence of all of them, the Members present shall elect a Chair of the meeting.

- (2) If no quorum is present thirty minutes after the time scheduled for a meeting, the Clerk shall call the roll and record the names of the Committee Members present, and the meeting shall stand adjourned until the next day of the regular meeting or at the call of the Committee Chair.
- (3) A quorum of the Committee of the Whole shall be five.

5.7 Conduct of Business in Committee of the Whole/Special Purpose Committees

- (1) The provisions of Sections 2 and 3 shall apply to the conduct of the business of the Committee of the Whole unless such a provision is inconsistent with the provisions of subsections 5.7 and 5.8 in which case the latter shall govern.
- (2) In meetings of the Committee of the Whole there shall be no recorded vote.
- (3) The Committee of the Whole shall report to Council on all matters connected with their duties or referred to them by the Council and shall recommend such action as they deem necessary.
- (4) The record of the proceedings of the Committee of the Whole will be in the form of a Report to Council, which shall contain:
 - a) beginning and ending time of meeting;
 - b) Members present;
 - c) any declaration of interest declared by any Member;
 - d) a record of each item before the Committee for consideration;
 - e) Recommendations to Council on each item before the Committee for consideration and where no recommendation has been reached the item will be forwarded to Council without recommendation;
 - f) names of all deputants appearing before the Committee.
- (5) The Clerk or his designate shall be the Secretary of Committee of the Whole.

5.8 Order of Business - Committee of the Whole:

The order of procedure for Committee of the Whole shall be as follows:

- 1) Ceremonial Presentations
- 2) Confirmation of Agenda
- 3) Disclosure of Interest
- 4) Determination of Items Requiring Separate Discussion
- 5) Adoption of Items Not Requiring Separate Discussion
- 6) Consideration of Items Requiring Separate Discussion
- 7) Presentations and Deputations
- 8) New Business
- 9) Adjournment

(Amended by By-Law No. 161-2006- May 8/06)

5.9 Order of Business - Committee of the Whole (Public Hearing):

The order of procedure for Committee of the Whole (Public Hearing) shall be as follows:

- 1) Disclosure of Interest
- 2) Consideration of Public Hearing Items
- 3) Adjournment

5.10 Order of Business - Committee of the Whole (Working Sessions):

The order of procedure for Committee of the Whole (Working Session) shall be as follows:

- 1) Presentations
- 2) Confirmation of Agenda
- 3) Disclosure of Interest
- 4) Items for Discussion
- 5) New Business
- 6) Adjournment

5.11 Order of Business – Special Purpose Committees

The order of procedure for Special Purpose Committee Meetings, as identified in Section 6 below, shall be as follows: :

- 1) Presentations
- 2) Deputations
- 3) Confirmation of Agenda
- 4) Disclosure of Interest
- 5) Items for Discussion
- 6) New Business
- 7) Adjournment

(Amended by By-Law No. 140-2008- June 11/08)

5.12 New Business

Matters that may be introduced as “new business” include matters of a general nature and requests for staff to attend public and/or neighbourhood meetings held after normal working hours. Requests for staff reports for matters raised under “New Business” shall be put over to a future Committee of the Whole Meeting, whereby adequate time is provided for the preparation and consideration of these reports.

(Amended by By-Law No. 140-2008- June 11/08)

6. SPECIAL PURPOSE COMMITTEE MEETINGS

6.1 Audit and Operational Review Committee

There shall be an Audit and Operational Review Committee comprised of Members of Council as determined by Council from time to time, for the purpose of reviewing audited financial statements, recommending their receipt to Council, reviewing significant management letter comments and related recommendations and to recommend to Council the appointment of auditors. The committee's

mandate shall include operational reviews. Meetings shall be held at the call of the Chair. Agendas will be distributed to Members of Council at least 48 hours before the meeting.

(Amended by By-Law No. 204-2007, June 25/07)

6.2 Strategic Planning Committee

There shall be a Strategic Planning Committee comprised of such Members of Council as determined by Council from time to time, for the purpose of reviewing and assessing the implementation of the Corporate Strategic Plan. Meetings shall be held quarterly and otherwise at the call of the Chair. Agendas will be distributed to Members of the Committee at least 48 hours before the meeting.

The Committee shall monitor the development of the Corporate Strategic Plan process as well as the implementation progress of strategic plan initiatives and the reporting of successes at the end of the year. In addition, the Committee shall, as required, be involved in evaluating new initiatives and considering appropriate changes to the strategic planning process.

(Amended by By-Law No. 279-2005- Oct. 17/05)

6.3 Budget Committee

There shall be a Budget Committee comprised of Local Ward Councillors and the Mayor Ex-Officio.

The Budget Committee shall:

- a) examine and monitor budget variances approved by Council to the current year's capital and operating budgets;
- b) review quarterly reports as they relate to project scheduling and expenditure timing;
- c) review and recommend for approval future years capital projects prior to December of the previous year;
- d) form realistic future years forecasting of capital projects

Meetings shall be held monthly or at the call of the Chair. Agendas will be distributed to Members of Council at least 48 hours before the meeting.

6.4 Economic Development Committee

There shall be an Economic Development Committee comprised of Members of Council as determined by Council from time to time, for the purpose of acting as an agent of change and a champion for the development of municipal economic development policies, plans and initiatives that reflect a community committed to attracting and retaining business investment.

(Amended by By-law 98-2009 – May 26, 2009)

6.5 Environment Committee

(Amended by By-law 98-2009 – May 26, 2009)

There shall be an Environment Committee comprised of Members of Council as determined by Council from time to time, for the purpose of investigating, promoting, recommending and implementing measures that will improve the quality of life and the working environment for the residents and businesses of the City of Vaughan through the integration of the principles of sustainability and sound environmental practice into all municipal functions and operations.

(Amended by By-Law No. 204-2007, June 25/07)

By-law No. 377-98 be and is hereby repealed.

READ a FIRST, SECOND and THIRD time and finally passed this 16th day of December, 2002.

Michael Di Biase, Mayor

J. D. Leach, City Clerk