

THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW NUMBER 18-74

A By-law to provide rules governing the order and proceedings of the Council of the Corporation of the City of Brampton.

WHEREAS it is necessary and expedient that there should be rules governing the order and proceedings of the Council of the Corporation of the City of Brampton;

THEREFORE the Council of the Corporation of the City of Brampton ENACTS as follows:

- 1) In this By-law,
 - (i) 'Municipal Corporation' means The Corporation of the City of Brampton;
 - (ii) 'Council' means the Council of The Corporation of the City of Brampton;
 - (iii) 'Head of the Council' means the Mayor;
 - (iv) 'Member' means a Member of the Council;
 - (v) 'Chair' means the Mayor or Acting Head of the Council or Chairman of the meeting;
 - (vi) 'General Committee' means the Council meeting in public for review and policy discussion purposes;
 - (vii) 'Committee Chairman' means Chairman of General Committee of the Council;
 - (viii) 'Clerk' means the Clerk of The Corporation of the City of Brampton.
- 2) The first meeting of the Council of a local municipality after a regular election shall be held on the Second Monday in January at 11 o'clock in the forenoon or at such hour as may be fixed by By-law, or on such day prior to the second Monday in January and at such hour as may be fixed by By-law.
- 3) The Council shall hold two regular meetings each month. The first regular monthly meeting shall be held on the Monday following the first Wednesday of each month commencing at 7:30 o'clock in the afternoon local time; the second monthly meeting shall be held on the Monday following the third Wednesday of each month commencing at 3:00 o'clock in the afternoon local time.

All Council meetings shall be held at the Council Chambers unless otherwise determined by a vote of Council.

4) The Council shall meet in General Committee on the first Wednesday of each month in the Municipal Council Chambers commencing at 3:00 o'clock in the afternoon local time; the second monthly meeting shall be held on the third Wednesday of each month commencing at 7:30 o'clock in the afternoon local time. The said General Committee may consider all matters on the meeting Agenda and make recommendations to Council concerning all such matters.

5) Council, when in General Committee or Committee of the Whole, may exclude the public and members of the media upon a majority vote of the members present.

6) When the day for a regular meeting of Council or General Committee is a public or civic Holiday, the Council shall meet at the same hour on the next following day which is not a public or Civic Holiday.

7) The Mayor may at any time summon a special meeting of Council on 24 hours' written or oral 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. At least 24 hours' written or oral notice of all special meetings of Council shall be given to the Members through the Clerk's Office.

8) When the Head of Council is absent from the municipality or absent through illness or his office is vacant, the Council, may, by resolution, appoint one of its members to act in his place and stead and while so acting, such member has and may exercise, all the rights, powers and authority of the Head of Council.

8a) When the Head of Council is absent from the municipality or absent through illness, or his office is vacant, the person designated in Column 1 of Schedule "A" to this By-law is hereby designated as Acting Mayor in the event of the office of the Mayor is vacant, for the month designated in Column 2 of Schedule "A" to this By-law, or an appropriate portion thereof.

ORDER OF PROCEEDINGS

9) As soon after the hour fixed for the meeting as there shall be a quorum present, the Mayor shall take the Chair and call the Members to order. A majority of the Members of Council shall constitute a quorum.

10) In case the Mayor does not attend within fifteen minutes after the time appointed, the Clerk shall call the Members to order, and, if a quorum be present, the Council, from among its Members present, shall elect an Acting Mayor for the purpose of the said meeting to preside until the Mayor attends.

11) If there be no quorum present within half an hour after the time appointed for the meeting, the Clerk shall call the roll and take down the names of the Members then present and the meeting shall stand adjourned until the next day of meeting.

12) When a meeting of the Council is duly constituted, the minutes of the preceding meeting, unless all or any part of the reading thereof is dispensed with by a motion of the Council, shall be read by the Clerk in order that any mistakes therein may be corrected by the Council.

13) No Member shall,

- (i) speak disrespectfully of the Reigning Sovereign, or of any of the Royal Family, or of the Governor-General, the Lieutenant-Governor, or any person administering the Government of the Dominion of Canada or the Province of Ontario;
- (ii) use indecent, offensive or insulting language in or against the Council or any Member thereof;
- (iii) reflect upon any prior determination of the Council on matters discussed at regularly scheduled meetings, except to conclude such remarks with a motion to reconsider such determination, which motion may be only made once and only by a Member who previously voted on the prevailing side. Such a motion to reconsider shall not be made during the same meeting of Council at which the original determination was taken;

- (iv) speak beside the question in debate;
- (v) speak more than twice to the same question, without leave of the Council, except in explanation of a material part of his speech which may have been misinterpreted and in doing so, he is not to introduce new matter. A final reply is allowed to a Member who has made a motion and/or amendment to such motion. No Member, without leave of the Council, shall speak to the same question, or in reply, for longer than a quarter of an hour;
- (vi) ask a question except of the previous speaker and in relation to that speaker's remarks;
- (vii) interrupt the Member who has the floor except to raise a point of order, ask a question of privilege or a question of quorum.

14) No person except Members and Officers of the Council shall be allowed to address Council during the sittings of the Council without permission from the Mayor and the Council.

15) When the Chair is putting a question, no Member shall walk across or out of the room or make any noise or disturbance, nor when a Member is speaking shall any other Member pass between him and the Chair.

16) The Mayor and Council or other presiding Officer and Council may expel or exclude from any meeting any person who is guilty of improper conduct at the meeting.

RULES OF DEBATE

17) The Mayor shall preserve order and decorum and decide questions of order subject to an appeal to the Council by any Member.

18) The Mayor shall vote with the other Members on all questions, except where he is disqualified to vote by reason of interest or otherwise. Any question on which there is an equality of votes shall be deemed to be negatived.

19) Every Member of Council who shall be present in the Council Chambers when a question is put shall vote thereon except where he is disqualified to vote by reason of interest or otherwise.

Where division is taken upon a by-law, resolution or for any other purpose each member present, including the Mayor, shall announce his vote openly and individually and the Clerk shall record it.

20) Upon the taking of any vote, if all the Members present when the vote is taken unanimously, the Mayor shall announce the vote accordingly.

21) Before a vote is taken any Member may require that a recorded vote be taken and it shall be taken accordingly.

22) When a recorded vote is requested by a Member on any matter or question, the Clerk shall ask those Members in favour to stand, and then those Members opposed to stand, and shall record the name and vote of every Member.

23) Every Member speaking to any question or motion shall address the Chair.

24) When two or more Members wish to speak, the Chair shall designate the Member who has the floor who shall be the Member who, in the opinion of the Chair, first requested to speak.

25) 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.

26) Any Member may appeal the decision of the Chair on a point of order to the Council, who shall decide the question, without debate, upon a majority vote of the Members present.

AGENDA

27) (a) 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:

- 1) Adoption of Minutes
- 2) Notice of Motion
- 3) Communications
- 4) Deputations and Petitions

- 5) Reports of Officials
- 6) Committee Reports
- 7) Unfinished Business
- 8) Resolutions
- 9) By-laws
- 10) Other Business

(b) Deputations

Persons wishing to address Council may do so providing a request outlining the purpose has been made to the Clerk prior to preparation of the agenda for members of Council.

In addition person or persons not being members of the Council or on the agenda as a deputation, and who wish to address Council may be permitted to do so on motion to that effect being carried by a majority of the members present.

(c) Petitions

A petition in regard to a matter within the jurisdiction of Council made over the signatures of the subscribers shall be presented by a person familiar with the contents thereof and who vouches for the propriety of the petition.

(d) 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 Other Business.

(e) No Member shall present any matter to the Council at a regular meeting for its consideration unless:

- (i) the matter appears on the agenda for that meeting of the Council, or
- (ii) leave is granted to present the matter on the affirmative vote of a 2/3 of those Members present.

(f) The business of the Council shall be taken up in the order in which it stands upon the agenda, unless otherwise decided by the Council.

MOTIONS

28) All motions shall be in writing and seconded before being debated or put from the Chair. Provided that motions related to receipt of communications on the Agenda or motions to adjourn may be oral.

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

30) A motion for a reference to a Committee, until decided, shall preclude all amendment of the main question.

31) (a) An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different subject shall not be in order. Only one amendment shall be allowed to an amendment.

(b) The motion to be amended shall first be read as proposed and then the words proposed to be struck out, and/or those to be inserted and finally the paragraph as it would stand if so amended.

(c) Amendments shall be voted upon in the reverse order to that in which they are moved. Every amendment submitted may be oral or in writing, provided the Mayor or Clerk may require such amendment to be in writing, and shall be decided or withdrawn before the main question is voted upon.

32) After the question is put by the Head of the Council, no member shall speak to the question, nor shall any other motion be made until after the result of the vote has been declared.

33) After a motion is passed, no motion for a reconsideration thereof shall be introduced during the same meeting, unless it is moved and seconded by two members from among those who voted with the majority that carried the main motion.

BY-LAWS

34) Every proposed By-law shall be read three times before it is finally enacted, all of which readings may be at the same meeting.

35) Every proposed By-law shall be introduced upon motion and the first and second readings shall be decided without debate.

(a) The first reading of a by-law may be proposed separately or several by-laws may be introduced for first reading in one motion.

(b) The second reading of a By-law may be proposed separately or several by-laws may be introduced for second reading in one motion.

(c) Upon a vote of the majority of Council, after second reading, the proposed By-law may:

- (i) be referred to Committee of the Whole for debate and report to Council;
- (ii) proposed for third reading without referral to Committee of the Whole or debate.

(d) The third reading of each proposed By-law shall be proposed separately.

(e) After an affirmative vote on third reading, the By-law shall be numbered, signed by the Head of Council and the Clerk and have the Corporate Seal affixed thereto.

36) The proceedings in Committee of the Whole shall be reported by the Chairman to the Council, as soon as the Committee rises, and shall be received forthwith and upon motion for the concurrence of the Council in the report of the Committee, it shall be in order for any members to move that the By-law be amended or that the By-law be referred to General Committee.

37) Every proposed By-law shall:

- 1) be endorsed by the Clerk with the date of the several readings thereof;
- 2) be the responsibility of the Clerk for correctness when amended;
- 3) be finally passed by the Council before signature by the Head of Council and Clerk.

COMMITTEE OF THE WHOLE

38) Whenever it shall be moved and carried that the Council go into Committee of the Whole, the Mayor shall be the Chairman of the Committee of the Whole and shall maintain order in the Committee and shall report the proceedings thereof to Council.

39) When a report or By-law is under discussion in Committee of the Whole, the Chairman of the Committee whose report is under consideration, or the introducer of the By-law, shall not be required to take the Chair.

40) The Rules of the Council shall be observed in Committee of the Whole, so far as may be applicable, except that no motion for adjournment or deferral be allowed. No member shall speak longer than five minutes on any one question. In case of a division, the vote of the members shall not be recorded, nor shall the number of times of speaking on any question be limited.

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

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

43) A motion in Committee of the Whole to rise without reporting shall always be in order, and shall take precedence over any other motion. On such motion debate shall be allowed, but no member shall speak more than once, and on an affirmative vote to rise without reporting the subject referred by Council to the Committee shall be considered as disposed of in the negative, and the Head of the Council shall resume the Chair and proceed with the next order of business.

GENERAL COMMITTEE

44) The Council shall meet in General Committee on the first Wednesday of each month in the Municipal Council Chambers commencing at 3:00 o'clock in the afternoon local time; the second monthly meeting shall be held on the third Wednesday of each month commencing at 7:30 o'clock in the afternoon local time. The said General Committee may consider all matters on the meeting Agenda and make recommendations to Council concerning all such matters.

45) The General Committee of Council shall consist of all members of Council.

46) The Chairman of the General Committee of Council shall be the person designated in Column 1 of Schedule "A" to this By-law, for the month designated in Column 2 of Schedule "A" to this By-law. A quorum of the General Committee shall be eight (8) members.

47) The General Committee shall have jurisdiction and be responsible to formulate and discuss major and general policies for recommendation to the Council and shall also consider such other matters as may be referred to it by the Council.

48) In addition to regular meetings, special meetings of General Committee may be called by the Mayor whenever he deems it necessary to do so. It shall be the duty of the Mayor, or in the case of his illness or absence from the municipality, it shall be the duty of the Clerk of the Council to summon a special meeting of the General Committee whenever requested in writing to do so by a majority of the Council. However, in no event shall less than 24 hours written or oral notice be given to Council of any special meeting of General Committee.

49) (a) In the absence of the General Committee Chairman for a period of fifteen minutes after the time scheduled for the meeting to commence, one of the other members of the General Committee, if there be a quorum present, may be chosen to preside and he shall discharge the duties of the Committee Chairman during the meeting or until the arrival of the Committee Chairman.

(b) If no quorum be present one half hour after the time scheduled for a meeting, the Clerk shall call the roll and record the names of the members present and the meeting shall stand adjourned until the next day of meeting or at the call of the Mayor.

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

- (a) a motion shall not be required to be seconded,
- (b) the number of times a member may speak on any

question shall not be limited unless a member moves that the vote be now taken, which motion shall not be made until every member wishing an opportunity to speak has spoken once,

- (c) no member shall speak more than once to an item of business until every member who desires to speak has spoken,
- (d) at the request of any Member of the Committee present any item on the agenda of the meeting may be re-opened upon a majority vote of the Members present,
- (e) the vote of any particular item shall not be recorded however, a member, on request, may be recorded as being opposed,
- (f) if a member disregards the rules of the Council or a decision of the Chairman of the General Committee on questions of order or practice or upon the interpretation of the rules of the Council and persists in such conduct, after having been called to order by the said Chairman, the Chairman shall forthwith put the question with no amendment, adjournment or debate, "that such member be ordered to leave his seat for the duration of the Committee meeting". If following such vote by the Committee the Member apologizes, he may, by a further vote of the Committee, be permitted to retake his seat.

51) Deputations may address General Committee by requesting the Clerk of the Municipality, or his appointee, to place their name in deputation on the agenda for the particular meeting prior to the date for preparation of agendas. Notwithstanding the above and at the Committee's discretion, any deputations in addition to those listed may be heard on any item appearing on the agenda. The priority in which deputations are heard by the Committee shall be in accordance with the following:

- (a) known and listed deputations arranged for prior to distribution of agenda,
- (b) deputations who, subsequent to the preparation of the agenda, and prior to the commencement of a meeting, apply to the Clerk to be heard on a

particular matter,

- (c) deputations who appear at a meeting and are not identified until such times as a particular item comes forward.

52) A General Committee meeting shall not carry on for a duration in excess of four (4) hours unless approved by a majority vote of Council.

SUSPENSION OF RULES

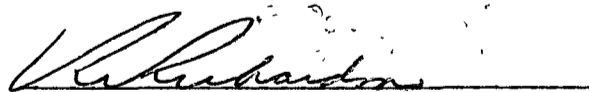
53) Any one or more of these rules and orders may be temporarily suspended by a vote of 2/3 of a majority of the whole Council, but they shall not be repealed, altered, or amended without one week's notice of intended motion, such notice to be given at a meeting of the Council.

UNPROVIDED CASES

54) In all contingencies unprovided for in this By-law, the question shall be decided by the Presiding Officer and making such a rules he shall base his decision on the Rules, Forms and Forms of Procedure of Bourinot's Rules of Order.

READ A FIRST, SECOND and THIRD TIME and PASSED in Open Council
this 11th day of February , 1974.


James E. Archdekin, Mayor


Kenneth R. Richardson, Clerk

SCHEDULE "A"

<u>Column 1</u>	<u>Column 2</u>
Dalzell, F.	January, 1974
Miller, T. P.	February, 1974
Robinson, M.	March, 1974
Whillans, K.	April, 1974
Yarrow, J.	May, 1974
Andrews, F.	June, 1974
Baillie, W.	July, 1974
Callahan, R.	August, 1974
Ferri, A.	September, 1974
Kline, F.	October, 1974
Martin, E.	November, 1974
Mitchell, E. Mrs.	December, 1974
Russell, F.	January, 1975
Sutter, D. Mrs.	February, 1975
Dalzell, F.	March, 1975
Miller, T. P.	April, 1975
Robinson, M.	May, 1975
Whillans, K.	June, 1975
Yarrow, J.	July, 1975
Andrews, F.	August, 1975
Baillie, W.	September, 1975
Callahan, R.	October, 1975
Ferri, A.	November, 1975
Kline, F.	December, 1975
Martin, E.	January, 1976
Mitchell, E. Mrs.	February, 1976
Russell, F.	March, 1976
Sutter, D. Mrs.	April, 1976
Dalzell, F.	May, 1976
Miller, T. P.	June, 1976
Robinson, M.	July, 1976
Whillans, K.	August, 1976
Yarrow, J.	September, 1976
Andrews, F.	October, 1976
Baillie, W.	November, 1976
Callahan, R.	December, 1976