

THE REGIONAL MUNICIPALITY OF YORK

BYLAW NO. 2024-XX

A bylaw governing the proceedings
of Council and its Committees (“Procedure Bylaw”)

PART A – GENERAL	2
1. Definitions	2
2. Application	3
PART B – MEETINGS	4
3. Inaugural Meeting	4
4. Council Meetings	4
5. Meeting Notice	5
6. Quorum	6
7. Public Access to Meetings	6
PART C – MEETING PROCEDURES	9
8. Council Agendas	9
9. Council Minutes	11
10. Disclosures of Interest	11
11. Deputations	12
12. Public Audience	13
13. Bylaws	14
PART D – CONDUCT AND DEBATE	15
14. Duties of the Regional Chair	15
15. Conduct of Members	16
16. Rules of Debate	17
PART E – MOTIONS AND VOTING	18
17. Motions	18
18. Specific Motions	19
19. Notice of Motion	21
20. Voting	22
PART F – COMMITTEES	24
21. Committee of the Whole	24
22. Other Committees	26
23. Repeal and Enactment	28
SCHEDULE A – Appointment of Regional Chair	29
SCHEDULE B – Table of Motions	32

WHEREAS section 238(2) of the *Municipal Act, 2001* provides that every municipality must pass a procedure bylaw for governing the calling, place and proceedings of meetings;

NOW THEREFORE, the Council of The Regional Municipality of York enacts as follows:

PART A – GENERAL

1. Definitions

In this Bylaw:

“**Act**” means the Municipal Act, 2001.

“**Advisory Committee**” means a Committee established by Council to act in an advisory capacity on a specific subject matter. Membership must include at least one Council Member and may also include Regional staff and members of the public.

“**Acting Regional Chair**” means the Member appointed to act from time to time in the place and stead of the Regional Chair, pursuant to section 242 of the Act.

“**Chair**” means the person presiding at a meeting.

“**Committee**” means any committee of which at least 50% of members are also Council Members.

“**Committee of the Whole**” is a committee comprising all Council Members that serves as the principal forum for considering staff recommendations and public input on matters prior to consideration by Council.

“**Confirmatory Bylaw**” means a bylaw passed to give general effect to a previous decision or proceedings of Council.

“**Deputation**” means an oral submission made by and at the request of a member of the public requesting action from Council or a Committee.

“**Inaugural meeting**” means the first meeting of Council after a regular election as set out in section 230 of the Act.

“**Majority vote**” means an affirmative vote of more than one-half of Members present and voting.

“**Meeting**” means a meeting of Council or a Committee where a quorum of Members is present and Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of Council or Committee.

“Member” means a Member of Council or an Alternate Member of Council appointed by a local municipality under section 268 of the Act.

“Motion” means a proposal moved by a Member, and if moved in Council seconded by another Member, to adopt, amend or otherwise deal with a matter before Council or a Committee.

“Presiding officer” means the person who is appointed by this bylaw or otherwise to preside over a Council or Committee meeting.

“Private session” means a meeting that is closed to the public.

“Recorded vote” means a written record of the name and vote of every Member voting on any matter or question.

“Regional Chair” means the head of Council.

“Resolution” means the decision of Council on any motion.

“Two-thirds majority vote” means an affirmative vote of at least two-thirds of the Members present at a meeting.

2. Application

2.1 General Application

- a) The rules of procedure set out in this bylaw govern all proceedings of Council and Committees.
- b) Where this bylaw states that a matter applies to Council, it also applies to a Committee subject to any specific modifications set out in this bylaw.
- c) Notwithstanding anything in this bylaw, where Council or a Committee convenes to hold a hearing as required by any statute, the provisions of the statute and the Statutory Powers Procedure Act, as applicable, will govern the proceedings.

2.2 Matters Not Specifically Addressed in this Bylaw

- a) The Regional Chair, in consultation with the Clerk as needed, will decide all matters not covered by this bylaw, subject only to a Member's immediate appeal from such ruling.

2.3 Suspension of Rules

- a) A motion to suspend or not to follow a rule of procedure established by this bylaw is only permissible at Council meetings and must be passed with a two-thirds majority vote, provided it complies with applicable legislation.

2.4 Interpretation

- a) References to statutes in this bylaw are references to the statutes of Ontario and include any amendments to those statutes.

PART B – MEETINGS

3. Inaugural Meeting

- a) The inaugural meeting for each term of Council will be held no later than 21 days after the beginning of the new term of Council at a time and place to be fixed by the Clerk.
- b) The order of proceedings at an inaugural meeting is:
 - i) Filing of certificates of election
 - ii) Filing or taking of Members' declarations of office
 - iii) Appointment of Regional Chair
 - iv) Signing of the Regional Chair's declaration of office
 - v) Passage of a confirmatory bylaw and any other relevant bylaws
 - vi) Other ceremonial proceedings as deemed appropriate by the Regional Chair, the Chief Administrative Officer or the Clerk
- c) No other business can be conducted except as described in paragraph (b) until after the declarations of office have been made and the Regional Chair is appointed in accordance with Schedule A to this Bylaw.

4. Council Meetings

- a) Regular meetings of Council are held at 9 a.m. in York Region's Administrative Centre, 17250 Yonge Street, Newmarket, Ontario, or through electronic means or a combination of both in accordance with the schedule adopted annually by Council, except:
 - i) When otherwise directed by resolution of Council
 - ii) When the Regional Chair advises otherwise upon a minimum of 48 hours' notice, provided this notice is not required in an emergency, or
 - iii) Upon receipt of a petition from the majority of Members to call a Special Meeting

- b) At a Special Meeting of Council, Council must not decide upon any matter unless the matter has been specified in the Notice calling the meeting. This provision may be waived by a two-thirds majority vote of Council.

4.2 Electronic Meetings

- a) An electronic meeting is held in full or in part via electronic means, including, but not limited to audio teleconference, video teleconference, or via means of the internet, and with or without the attendance by Members in person.
- b) Any meeting of Council or Committee may be conducted by electronic meeting, and subject to any protocols that may be determined necessary by the Regional Chair, in consultation with the Clerk, to facilitate the meeting.
- c) The Regional Chair may determine the extent to which any meeting will be conducted electronically.

5. Meeting Notice

5.1 Notice

- a) The Clerk will provide notice of all meetings of Council or Committee, agendas, agenda items, cancellations and rescheduling by:
 - i) Publishing the annual schedule of meetings once adopted by Council by posting on the Region's website
 - ii) Updating the annual schedule of meetings posted on the Region's website within one business day of any changes made to the schedule
 - iii) Posting meeting notices, agendas and agenda items on the Region's website not less than 24 hours in advance of the meeting, and notifying Members once an item has been posted
- b) Every notice of a meeting of Council or Committee must indicate the date, time and place of meeting, and the contact information for the Clerk's Office, subject to any additional legislative requirements.

5.2 Cancellation / Postponement

- a) The Clerk may cancel or reschedule a meeting in consultation with the Regional Chair or the Chief Administrative Officer in the Regional Chair's absence.
- b) Any meeting may be cancelled or rescheduled to a date, time and place set out in a notice from the Clerk, sent to each Member at least 48 hours before the scheduled date of the meeting.

5.3 Failure to Meet Notice Provisions

- a) Notice that is substantively given but is irregular or not otherwise in strict compliance with this bylaw will not invalidate the holding of a meeting or any proceeding taken at a meeting.

6. Quorum

6.1 Quorum - Council

- a) A quorum of Council is a majority of Members, including the Regional Chair, representing a majority of local municipalities.
- b) In-person participants will only count towards quorum while physically present in the meeting room.
- c) Electronic participants will only count toward quorum when visible onscreen, unless prevented due to technology limitations and this has been communicated to all participants.

6.2 No Quorum

- a) If a quorum is not present at a scheduled meeting of Council 30 minutes after the scheduled start time, the meeting will stand adjourned until the next regular meeting of Council and the Clerk will record the names of the Members present.

6.3 Loss of Quorum During Meeting

- a) If quorum is lost during a meeting, the Chair will recess the meeting for 15 minutes or until a quorum is present, whichever is sooner. If there is still no quorum after 15 minutes, the meeting will be recessed and reconvened at the next regularly scheduled meeting of Council.
- b) A meeting will not lose quorum because members declare conflicts in accordance with the Municipal Conflict of Interest Act unless fewer than two members remain.

7. Public Access to Meetings

7.1 Meetings Open to the Public

- a) All Council and Committee meetings are open to the public, except as provided for in this bylaw in accordance with section 239(1) of the Act.
- b) No person will be excluded from a meeting open to the public except for improper conduct or breach of this bylaw.

7.2 Meetings Closed to the Public

Pursuant to section 239(2) of the Act, a meeting or part of a meeting may be closed to the public if the subject matter being considered relates to:

- a) Security of Regional property
- b) Personal matters about an identifiable individual, including a Regional employee
- c) Proposed or pending acquisition or disposition of land by the Region
- d) Labour relations or employee negotiations
- e) Litigation or potential litigation, including matters before administrative tribunals affecting the Region
- f) Advice subject to solicitor-client privilege, including communications necessary for that purpose
- g) Matters in respect of which Council may hold a closed meeting under another Act
- h) Information explicitly supplied in confidence to the Region by Canada, a province or territory or a Crown agency of any of them
- i) Trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the Region, which, if disclosed, could reasonably be expected to prejudice or interfere significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization
- j) Trade secret or scientific, technical, commercial or financial information that belongs to the Region and has monetary value or potential monetary value
- k) Position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the Region, or
- l) Educating or training Members, provided that no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of Council

7.3 Ombudsman Investigation

- a) Pursuant to section 239(3) of the Act, a meeting will be closed to the public if the subject matter relates to an ongoing investigation regarding the Region by the Region's Ombudsman.

7.4 Prior Resolution

Before Council resolves into private session, it must state by resolution:

- a) The fact of holding the private session
- b) The general nature of the matter to be considered
- c) The specific provision under the Act that each item is permitted to be considered in private session, and
- d) Where the purpose is for education or training, that the meeting is to be held in private session pursuant to section 239(3.1) of the Act

7.5 Voting

- a) A meeting must not be closed to the public during the taking of a vote, except when:
 - i) Sections 239(2) or 239(3) of the Act permit or require a meeting to be closed to the public, and
 - ii) The vote is for a procedural matter or for giving directions or instructions to officials, employees or agents of the Region, or persons retained by or under contract with the Region

7.6 Record of Private Session

- a) The Clerk must prepare a record of each private session held in Council or Committee, indicating:
 - i) Matter discussed
 - ii) Specific provision in the Act under which the private session is permitted
 - iii) Members in attendance
 - iv) Disposition of the matter
 - v) Starting and concluding times for the private session
 - vi) Any other proceedings

7.7 Private Session – Electronic Participants

- a) Members participating electronically must remain visible to all Members during private session.
- b) Electronic participants must safeguard the confidentiality of private session by ensuring no one else can see or hear the discussion.

PART C – MEETING PROCEDURES

8. Council Agendas

8.1 Order of Business

a) The Clerk, subject to such changes as may be appropriate in the circumstances, will prepare for distribution a Council Agenda with the routine order of business for regular meetings of Council to be:

- i) Disclosures of Interest
- ii) Minutes of Previous Meetings of Council
- iii) Presentations
- iv) Deputations
- v) Communications
- vi) Reports
- vii) Bylaws
- viii) Motions
- ix) Notice of Motions to Reconsider
- x) Other Business
- xi) Private Session
- xii) Reconvene in Public Session
- xiii) Confirmatory Bylaw
- xiv) Adjournment

b) The business of Council will, in all cases, be taken up in the order in which it appears on the Agenda, unless otherwise directed by Council.

8.2 Revised Agenda

a) After the Council Agenda is distributed, the Clerk may add or delete items, in consultation with the Regional Chair or the Chief Administrative Officer, and issue a revised agenda.

b) The Clerk will endeavour to forward additional Agenda material to the Members before the meeting

- c) The Revised Agenda may be presented at the Council meeting and is not subject to the Notice requirements in section 5 of this Bylaw.

8.3 Staff Reports and Memorandums

- a) Council will consider staff reports and memorandums from:
 - i) Regional Chair
 - ii) Committees
 - iii) Chief Administrative Officer
 - iv) Commissioners
 - v) Regional Solicitor
 - vi) Regional Clerk
 - vii) Regional Auditor
 - viii) General Managers of Housing York Inc. and YTN Telecom Network Inc., and the President of York Region Rapid Transit Corporation

8.4 Presentations

- a) Presentations to Council may be made by staff, government agencies or other parties at the request of Council, Committee or staff.
- b) Presentations should be no longer than 15 minutes in length, unless previously approved by the Regional Chair or Chief Administrative Officer, or is part of the annual Budget deliberations process.

8.5 Communications

- a) Every communication intended for Council or Committee must be legibly written and contain the first and last name of the sender and their contact information.
- b) The Clerk will consider the appropriateness of including any communication in a Council or Committee agenda, in consultation with the Regional Chair, Chief Administrative Officer or relevant Commissioner.

8.6 Consent Motions

- a) More than one item on the agenda for Council or Committee meetings containing recommendations may be adopted in a single motion.
- b) Council may consider the adoption of the Committee of the Whole recommendations in one motion.

- c) At the request of any Member, any specific agenda item may be subject to individual consideration.

9. Council Minutes

9.1 Content of Minutes

- a) Minutes of Council meetings must record:
 - i) Place, date and time of the meeting
 - ii) Name of the Chair and attendance of Members and senior staff
 - iii) Each item considered by Council and the decisions of the meeting without note or comment
- b) Section 9 does not apply to the private minutes created under section 7.6.

9.2 Approval of Minutes

- a) Minutes of each Council meeting will be presented to Council for approval at the next regular meeting.
- b) After the Council Minutes have been approved by Council, they will be signed by the Regional Chair and Clerk.

10. Disclosures of Interest

10.1 Method of Disclosure

- a) Members are required to make conflicts of interest declarations in accordance with the requirements of the *Municipal Conflict of Interest Act* and any other applicable legislation.

10.2 Private Sessions

- a) Where a meeting is not open to the public and a Member has a conflict of interest, the Member must immediately leave the meeting or the part of the meeting during which the matter is under consideration.

10.3 Record of Disclosure

- a) The Clerk will record in the minutes the general nature of any disclosure of pecuniary interest made by a Member.
- b) The Clerk will maintain a registry of the written statements of conflict of interest filed by Members, which will be available for public inspection.

11. Deputations

11.1 Jurisdiction

- a) Deputations will be directed by the Clerk to the appropriate Committee meeting, except where:
 - i) The deputant wishes to address Council with respect to a matter that will be put forward directly to Council without being considered firstly by a Committee, or
 - ii) The Chair, Chief Administrative Officer and/or the Clerk determines that the matter is of such an urgent nature that there is insufficient time to direct the deputant to a Committee.
- b) Where a deputant has made a deputation to a Committee, a further deputation request will not be listed on the Council Agenda or Revised Council Agenda.

11.2 Deputation Requests

- a) With the consent of Council, any individual may make a deputation at a meeting of Council or Committee related to an item of business on the agenda.
- b) Every individual, organization or group wishing to address Council or Committee must notify the Clerk in writing at least 48 hours before the meeting. The notice must provide:
 - i) The name, mailing address and telephone number at which the individual, organization or group may be contacted during normal business hours
 - ii) An outline of the nature of the deputation
- c) The Clerk will not place a deputation on the agenda where the subject matter involves:
 - i) Current or pending litigation with the Region
 - ii) Ongoing procurement or negotiations with the Region
 - iii) Any items that fall under the private agenda in accordance with section 239 of the Municipal Act, 2001
 - iv) A matter considered at a meeting within the last six months of the request date of deputation, unless previously approved by the Regional Chair or Chief Administrative Officer

11.3 During Deputation

- a) All deputants must address the Chair either from the podium in the Council Chamber or electronically, and state their name and whom they represent.
- b) Unless otherwise permitted by a majority vote, deputants are limited to five minutes for speaking.
- c) If a group of people wish to address Council regarding a particular position on an issue, then Council may determine the group will be represented by one person or may limit the time for each speaker to less than five minutes.
- d) The time spent receiving and answering questions from Council or Committee members will not be deducted from the time limit for the deputation.
- e) The Chair may stop any deputation, questions or debate during a deputation for disorder or any other breach of this bylaw.
- f) If the Chair rules that the deputation is concluded, the person appearing will withdraw.

11.4 Matter Not on Agenda

- a) Where a matter to which the deputant wishes to speak is not on the agenda of a meeting, it may be placed on the agenda of the meeting at which the item will be considered, subject to the direction of the Regional Chair or Chief Administrative Officer.

11.5 Deputant Behaviour

- a) No deputant will:
 - i) Speak disrespectfully of any person
 - ii) Use offensive words
 - iii) Speak on any subject other than the subject for which they have received approval
 - iv) Enter the Members' area of the room without permission from the Chair or Council
 - v) Disobey the rules of procedure or a decision of the Chair or Council

12. Public Audience

12.1 Audience Conduct

- a) Members of the public attending a meeting will not:

- i) Address Council or Committee without permission
- ii) Bring food or beverages into the Council Chamber or meeting room unless authorized
- iii) Bring signage, placards or banners into meetings
- iv) Enter the Members' area of the room without permission from the Chair or Council
- v) Engage in any activity or behaviour affecting Council or Committee deliberations

12.2 Expulsion

- a) The Chair may expel and exclude any member of the public who creates any disturbance or acts improperly during a meeting.

13. Bylaws

13.1 One Motion

- a) The adoption of every bylaw presented to Council, except the Confirmatory Bylaw, may be the subject of one motion.
- b) By request of any Member, any bylaw may be discussed or voted on individually.

13.2 Previous Council Approval

- a) No bylaw, except the Confirmatory Bylaw, will be presented to Council unless:
 - i) Council has approved its subject matter
 - ii) To correct an error in a bylaw
 - iii) To give effect to organizational changes

13.3 Confirmatory Bylaw

- a) The proceedings at every Council meeting will be confirmed by bylaw so every decision of Council at that meeting will have the same force and effect as if each one had been the subject matter of a separate bylaw duly enacted.

13.4 Amendments

- a) Amendments to any bylaws approved by Council will be deemed to be incorporated into the bylaw.

13.5 Authentication

- a) Every bylaw enacted by Council will be signed by the Regional Chair or by the presiding officer in the Regional Chair's absence, and by the Clerk.
- b) Once signed, the corporate seal will be affixed to the bylaw and the bylaw will be numbered, dated and deposited in the Clerk's Office.

PART D – CONDUCT AND DEBATE

14. Duties of the Regional Chair

14.1 Call Meeting to Order

- a) As soon as there is a quorum after the time set for the meeting, the Chair will call the Members to order.

14.2 Presiding Officer

- a) The Regional Chair presides over meetings of Council and Committee of the Whole to:
 - i) Maintain order and preserve decorum of the meeting
 - ii) Rule on all procedural matters, without debate or comment
 - iii) Receive and submit to a vote all motions presented by Members that do not contravene the rules of procedure
 - iv) Decline to put to a vote any motions that do not comply with the rules of procedure, or that are not within the jurisdiction of Council
 - v) Announce results of the vote on any motions presented for a vote
 - vi) Expel or exclude from any meeting any person whom the Chair feels has exhibited improper conduct at the meeting
 - vii) Adjourn or suspend the meeting if the Chair considers it necessary because of grave disorder
 - viii) Close the meeting when business is concluded or recess the meeting as required

14.3 Voting by Regional Chair

- a) Pursuant to section 243 of the Act, the Regional Chair is permitted to vote in meetings of Council.

14.4 Order to Vacate Member of Council

- a) The Chair, after three warnings, will call by name any Member persisting in breach of the rules of procedure and call a vote to order him or her to vacate their seat and leave the meeting.

14.5 Appointment of Presiding Officer

- a) If the Regional Chair does not arrive within 15 minutes of a quorum being present after a meeting commences or resumes, the Clerk will call upon the Acting Regional Chair to preside until the arrival of the Regional Chair.
- b) The Regional Chair may designate another Member as presiding officer during any part of a Council or Committee of the Whole meeting when they leave the chair for any reason.
- c) The presiding officer will have and may exercise all the rights, power and authority and obligations of the Regional Chair under this bylaw.

15. Conduct of Members

15.1 Duties of Council Members

- a) Members will conduct themselves in accordance with the Code of Conduct for Council Members.
- b) No Member will:
 - i) Use offensive words
 - ii) Engage in private conversation while in the Council meeting or use electronic devices in a manner that interrupts proceedings
 - iii) Leave their seat or make any noise or disturbance while a vote is being taken and until the result of the vote is announced
 - iv) Speak on any subject other than the subject under debate
 - v) Criticize any decision of Council except for the purpose of moving that the question be reconsidered
- c) No member will disobey the rules of Council or a decision of the Chair or Council on questions of order or practice or upon the interpretation of the rules of Council. If a Member persists in any such disobedience, the Chair will issue a warning in accordance with section 14.4.

16. Rules of Debate

16.1 Addressing Council

- a) To address Council, a Member must request to speak and be recognized by the Chair.
- b) When two or more Members indicate their desire to speak at the same time, the Chair will designate the order of speakers.
- c) Each member will only speak to the topic at hand and no Member will speak for longer than five minutes without Council's permission.
- d) No Member will speak more than once to the same question without Council's permission, except that a reply will be permitted only from a Member who has presented the main motion.

16.2 Interruptions

- a) When a Member is speaking, no other Member will interrupt the Member speaking except to raise a point of order, privilege or personal privilege.

16.3 Read Motion

- a) Any Member may require a motion or question under discussion to be read at any time during the debate but not to interrupt the Member speaking.

16.4 Point of Order

- a) A point of order is a device by which a member advises the Chair that the rules of procedure are being violated.
- b) When a Member rises on a point of order:
 - i) The Member will ask the Chair's permission to raise the point
 - ii) After leave is granted, the Member will state the point to the Chair and the point of order will be immediately decided by the Chair
 - iii) If no member appeals, the decision of the Chair will be final

16.5 Point of Privilege

- a) A point of privilege is a question by a Member relating to the rights and privileges of a Member or of Council or Committee
- b) When a Member rises on a point privilege:
 - i) The Member will ask the Chair's permission to raise the point

- ii) After leave is granted, the Member will state the point to the Chair and the matter will be immediately decided by the Chair

16.6 Challenge of Ruling

- a) The Chair's ruling is final unless it is challenged
- b) Any Member may challenge the Chair's ruling immediately following the ruling
- c) The Member has the right to state their case and the Chair may reply
- d) Council decides whether the decision of the Chair is sustained without further debate
- e) The decision of the majority of Members present is final
- f) In the event of a tie vote, the Chair's ruling will be sustained

PART E – MOTIONS AND VOTING

17. Motions

17.1 General

- a) A motion is a proposal moved by a Member to adopt, amend or otherwise deal with a matter before Council or Committee.
- b) A motion in Council must be moved and seconded before the Chair will put the question and the motion recorded in the meeting minutes.
- c) Any motion must relate to an item on the agenda; otherwise, a previous notice of motion is required.
- d) A motion that requires Council or Committee to exercise a power not within its jurisdiction will be out of order.
- e) Precedence of motions is described in Schedule B to this Bylaw.

17.2 Introduction of Additional Items

- a) For a Member to introduce a substantive motion that does not relate to an item on the agenda, a notice of motion is required unless the matter is urgent and Council waives notice requirements by a two-thirds majority vote.

17.3 Mover May Vote in Opposition

- a) A Member may move or second a motion to initiate discussion and debate, and that Member may vote in opposition to the motion.

17.4 Withdrawal

- a) After a motion is moved, it will be deemed in Council's possession and may not be withdrawn without the consent of the mover and seconder.

18. Specific Motions

18.1 Motion to Adjourn

- a) A motion to adjourn means to end the meeting and:
 - i) Is not debatable or amendable
 - ii) Will take precedence over any other motion and will be put to vote immediately without debate
- b) A motion to adjourn will always be in order except when:
 - i) Another Member has the floor
 - ii) A Member has indicated to the Chair their desire to speak on the matter
 - iii) A vote has been called or when Members are voting

18.2 Motion to Recess

- a) A motion to recess means to provide a break in the proceedings, and:
 - i) Specifies the length of the recess
 - ii) Is not debatable and is only amendable with respect to the length of the recess

18.3 Call the Question

- a) A motion to call the question is used to end debate on a pending question and bring it to a vote immediately, and:
 - i) Is not debatable or amendable
 - ii) Can only be moved by a Member who has not spoken to the question, or after each Member who desires to speak has spoken at least once
 - iii) The mover of the motion to call the question will not be allowed to speak to the question again if the motion is decided in the negative

18.4 Motion to Receive

- a) A motion to receive means to acknowledge receipt of a matter with no expectation of any future action being taken, and:
 - i) Is debatable and not amendable
 - ii) If moved after the main motion, will be treated as an amendment to the main motion.

18.5 Motion to Defer

- a) A motion to delay consideration of an item to a future time or date:
 - i) Is open to debate as to the advisability of postponement
 - ii) May be amended as to the time or date to which the matter is to be deferred

18.6 Motion to Refer

- a) A motion to refer a matter under consideration to Council, Committee or staff for further examination or review:
 - i) Is open to debate and may be amended
 - ii) Includes the terms on which the motion is being referred and the time at which the matter is to be returned
 - iii) Includes the reasons for the referral

18.7 Motion to Amend

- a) A motion to amend changes the wording of a motion before it is voted on, and:
 - i) Is debatable and must relate to the main motion
 - ii) Only one motion to amend a main motion will be on the floor at any one time
 - iii) No more than one amendment to an amendment will be permitted at one time
 - iv) An amendment will be out of order if the Chair rules it to be a substantive motion and not an amendment
 - v) An amendment that, in effect, is nothing more than a rejection of the main motion is not in order

- b) A “friendly amendment” is an amendment to a motion under debate with the consent of the mover and seconder and does not require an amending motion.

18.8 Motion to Reconsider

- a) A motion to reconsider a previous Council decision:
 - i) Only permitted at a Council meeting
 - ii) May not be introduced without notice unless Council, without debate, dispenses with notice on a two-thirds majority vote
 - iii) Made within one year following the decision requires a two-thirds majority vote
 - iv) Can be moved only by a Member who voted with the majority
 - v) Is debatable but confined to the reasons for or against
 - vi) No discussion of the main question will be allowed until the motion for reconsideration is carried
 - vii) Once the question is reopened, it is reopened in its entirety unless the reopening motion specifies otherwise
 - viii) If the question is reopened, all previous decisions of Council remain in force unless Council decides otherwise
 - ix) No motion to reconsider may, itself, be the subject of a motion to reconsider

19. Notice of Motion

19.1 General

- a) A notice of motion is required for a Member to bring a motion on a substantive matter not on the agenda, and:
 - i) Must be moved and seconded
 - ii) Must be submitted to the Clerk in writing for inclusion on a future Committee of the Whole agenda

19.2 Jurisdiction

- a) A notice of motion:
 - i) Will only be permitted at Committee of the Whole meetings

- ii) Is only permitted at a Council meeting if the notice is to reconsider a previous Council decision and is formally called a Notice of Motion to Reconsider

19.3 Timing and Form of Notice

- a) A notice of motion must be:
 - i) In writing
 - ii) Delivered to the Clerk before the start of the Committee of the Whole meeting
 - iii) Amended or withdrawn only with the consent of the mover
 - iv) Read aloud by the mover and be included in the Committee of the Whole minutes for that meeting, and
 - v) Included as a motion on the agenda of the next appropriate Committee of the Whole meeting, or as determined

20. Voting

20.1 Order of Votes

Order of votes is set out in Schedule B.

20.2 Members Must Vote

- a) Every Member present when a vote is called will vote on the motion unless prohibited by statute, in which case the Clerk will record in the minutes
- b) If any Member present does not vote, they will be deemed to vote in the negative, except where the Member is prohibited from voting by statute.

20.3 Method of Voting

- a) A Member will vote by raising a hand or otherwise indicating their vote, except where a recorded vote is requested in Council.
- b) When the Chair calls for a vote on a question:
 - i) Each Member will occupy their seat and remain in place until the result of the vote has been declared by the Chair
 - ii) During this time, no Member will make any other motion, speak to the question, speak to any other Member, or make any noise or disturbance

- iii) A Member participating electronically in a meeting must always be visible unless otherwise prevented due to technology limitations disclosed to all participants before the calling of the vote

20.4 Split Votes

- a) Upon the request of any Member, and when the Chair is satisfied that a matter under consideration contains distinct proposals, the vote for each proposal will be taken separately.
- b) A vote on the main motion, as amended, may be split to comply with the Municipal Conflict of Interest Act.

20.5 Majority Vote

- a) All decisions of Council require a majority vote except as otherwise set out in this bylaw.
- b) As per section 245 of the Act, any motion that receives a tie vote will be deemed to be lost.

20.6 Two-Thirds Vote

- a) The following decisions of Council require a two-thirds majority vote:
 - i) Motion to consider a matter other than one that is set out in the Notice for a special meeting
 - ii) Motion to consider a matter previously deferred to a time or eventuality that has not been reached or occurred
 - iii) Motion to reconsider a question decided within the previous year
 - iv) Motion to waive notice requirements
 - v) Motion to consider a substantive matter not appearing on the Agenda
 - vi) Motion to suspend the provisions of this bylaw

20.7 Recorded Vote

- a) A Member may request a recorded vote immediately before or immediately after the vote is taken.
- b) When a Member requests a recorded vote, the Clerk will record the name and vote of every Member on the question.
- c) The Clerk will call each Member's name, and Members will indicate or announce their vote in order of surname, beginning with the Member who requested the recorded vote.

- d) The Clerk will mark absent any Member participating electronically who is not visible onscreen during the call of the vote, unless otherwise directed by the Chair.

20.8 Results of Vote

- a) The Chair will announce the result of the vote.
- b) If a Member doubts the results of a vote as announced by the Chair, immediately after the vote the Member may call for the vote to be taken again and the Chair will request that the Members vote again.

PART F – COMMITTEES

21. Committee of the Whole

21.1 Regular Meetings

- a) Committee of the Whole meets at 9 a.m. in the York Region Administrative Centre, 17250 Yonge Street, Newmarket, Ontario, or through electronic means or a combination of both in accordance with the schedule adopted annually by Council, except:
 - i) When otherwise directed by resolution of Council, or
 - ii) When the Regional Chair advises otherwise upon a minimum 48 hours' notice, provided this notice is not required in an emergency

21.2 Special Meetings

- a) The Regional Chair may, at any time, call for a Special Meeting of Committee of the Whole by providing written direction to the Clerk to issue a Notice of Special Meeting.
- b) Upon receipt of a petition of the majority of Committee members, the Clerk will call for a Special Meeting for the purpose and at the time noted in the petition.

21.3 Structure

- a) Committee of the Whole agendas will be divided into sections that generally reflect the Region's departments.

21.4 Delegated Hearing or Meeting

- a) Where any statute confers a right to be heard by Council or where Council is required by statute to hold a public meeting, such meeting or hearing may be held by Committee of the Whole.

21.5 Procedure

- a) The rules governing the procedure of Council and the conduct of Members will be observed in Committee of the Whole so far as they are applicable, provided that:
 - i) A motion is not required to be seconded
 - ii) No recorded vote will be taken
 - iii) The number of times to speak is not limited unless a Member moves to call the question
 - iv) No Member will speak more than once until every Member who desires to speak has spoken
 - v) A majority vote is required to decide any matter on the agenda

21.6 Presiding Officer

- a) The Regional Chair will preside over Committee of the Whole meetings.

21.7 Agenda

- a) The Clerk, subject to such changes as may be appropriate in the circumstances, will prepare for distribution Committee of the Whole agendas with the order of business for regular meetings to be:

- Disclosures of Interest
- Presentations
- Deputations
- Applicable Section – Communications / Reports (repeat as required)
- Motions arising from Notices of Motion
- Notices of Motion
- Other Business
- Private Session
- Reconvene in Public Session
- Adjournment

21.8 Quorum

- a) Quorum for Committee of the Whole is a majority of Members, including the Regional Chair.
- b) A Committee may receive submissions or information from the public or staff on a matter when a quorum is not present so long as they are for a public hearing or meeting required by statute or a meeting in private session.

21.9 Unfinished Business

- a) Any unfinished business will be put forward to Council in Committee of the Whole minutes without recommendations.

21.10 Recommendations to Council

- a) Committee of the Whole will make its recommendations to Council regarding each report it considers.
- b) All items considered by Committee of the Whole will be forwarded to Council in the form of Minutes, and only motions that carry will be reported in the Committee recommendations.

22. Other Committees

22.1 General

- a) The following sections apply to all Committees other than the Committee of the Whole.

22.2 Committees to Meet Electronically

- a) All Committees of Council will meet electronically, in accordance with the schedule adopted annually by Council, except when:
 - i) Otherwise directed by resolution of Council, or
 - ii) The Regional Chair advises otherwise upon a minimum 48 hours' notice, provided this notice is not required in an emergency

22.3 Committee Procedures

- a) The rules governing the procedure of Council and the conduct of Members at Council will be observed in all Committees so far as they are applicable, subject to the specific rules for Committees set out in this section, including:
 - i) A motion does not need to be seconded
 - ii) No recorded vote will be taken
 - iii) The number of times speaking on any question is not limited unless a Member moves to call the question
 - iv) No Member will speak more than once until every Member who desires to speak has spoken
 - v) A majority vote is required to decide on any matter on the agenda
 - vi) The Chair may vote on all motions

22.4 Members' Rights

- a) Council Members who are not members of a specific Committee may attend meetings of that Committee, and:
 - i) With the consent of the Chair, may take part in the discussion
 - ii) Will not be counted in the quorum or entitled to make motions or to vote at these meetings

22.5 Election of Committee Chair and Vice-Chair

- a) Where Members are appointed to a Committee for the term of Council, the Clerk will preside at the first meeting of each Committee for the purpose of electing a Chair and Vice-Chair of that Committee.
- b) The term for each Chair and Vice-Chair will be concurrent with the term of Council, unless otherwise determined by Council.

22.6 Meetings

- a) No Committees will meet while Council or Committee of the Whole is in session.
- b) A Committee will not consider or act on any item being considered by Committee of the Whole or Council unless the matter has been referred to that Committee or been brought by Regional staff for consultation.

22.7 Audit Committee Meetings

- a) Audit Committee will meet at least twice per year.

22.8 Quorum

- a) A quorum of a Committee will be calculated based on a majority of Committee members unless the Committee is comprised of an equal number, in which case the quorum is one-half of the Committee members.
- b) The Regional Chair will be an ex-officio member of each Committee and is entitled to vote at meetings.
- c) The Regional Chair, when present, will be counted in making quorum but not in determining the number of Members of a Committee.

22.9 Special Committees

- a) Council may establish a Special Committee or Task Force to consider and report on a specific subject.
- b) Any recommendation to establish a Special Committee will include its terms of reference outlining:

- i) Membership
 - ii) Matters to be dealt with
 - iii) When the matters will be reported on
- c) When a Special Committee has completed its work and made its final report to Council, it will be deemed to be discharged.
- d) Special Committees that have not convened and reported to Committee of the Whole or Council for ten consecutive months will be deemed to have been discharged.

22.10 Sub-Groups

- a) No sub-groups of Special Committees will be established without approval by Council.
-

23. Repeal and Enactment

23.1 Repeal

- a) Bylaw No. 2018-59 and all amendments to it are repealed.

23.2 Enactment

- a) This bylaw will come into force and effect upon passage.

ENACTED AND PASSED on xx.

Regional Clerk

Regional Chair

SCHEDULE A – Appointment of Regional Chair

1. Term of Regional Chair

The Regional Chair will hold office for the term of Council and until the Regional Chair's successor is appointed in accordance with the Act.

2. Inaugural Meeting

The appointment of the Regional Chair will be conducted at the inaugural meeting of Council.

3. Nominations

The Clerk will act as presiding officer until the Regional Chair is appointed and will call for nominations.

Each nomination must be in writing and be signed by the nominator and a seconder to the nomination and must have the written consent of the nominee.

4. Eligibility

A nominee is a person whose candidacy for the position of Regional Chair has been moved and seconded by Members present at the inaugural meeting of Council and who is:

- a) A resident of the Region or the owner or tenant of land in the Region or the spouse of such owner or tenant
- b) At least 18 years of age
- c) A Canadian citizen, and
- d) Not prohibited from voting in the municipal election

5. Nominations Closed

Where it appears to the Clerk, by asking for further nominations and receiving no response, that there are no further nominations, the Clerk will call for a motion declaring nominations closed.

After nominations have been closed, no motion will be in order except a motion to recess for a specified time.

6. Speakers

After nominations have been closed but prior to the vote being taken, each mover and seconder of a nomination and each nominee will be permitted to speak to the nomination for not more than five minutes.

7. Order of Speakers

The speakers will be called upon to address Council in alphabetical order of the nominees' surnames, and will address Council in the following order with respect to each nominee:

- a) Mover
- b) Seconder
- c) Nominee

8. Withdrawal

A nominee may withdraw their name at any time prior to a vote being called.

9. Vote

A vote will be taken regardless of the number of nominations. Where there is only one nominee, the vote may be to close nominations and to recognize the acclamation of the one nominee to the position of Regional Chair.

The Regional Chair will be appointed by open vote, however, if there is more than one nominee the appointment may be by secret ballot or open vote, as determined by Council.

10. Method of Voting

If there are two or more nominees, each Member will vote. The order of calling the Members to announce their vote will be randomly by lot drawn by the Clerk on each vote not conducted by secret ballot.

11. Majority Vote

To be appointed as Regional Chair, a nominee will obtain the vote of a majority of the Members present.

12. No Majority Obtained

If there are more than two nominees who wish to stand and, if upon the first vote no nominee receives the majority required for appointment, the name of the nominee receiving the least number of votes will be dropped and Council will proceed to vote again and continue until either:

- a) A nominee receives the majority required for appointment at which time such nominee will be declared appointed, or
- b) It becomes apparent by reason of an equality of votes that no nominee can be appointed.

13. No Majority - Tie for Least Number

In the case of a vote where no nominee receives the majority required for appointment and where two or more nominees are tied with the least number of votes, a vote will be taken to decide which one of the tied nominees' names will be dropped from the list of names to be voted on in the next vote.

14. Tie - Two Nominees Remaining

If only two nominees remain, and if on the first vote the nominees are tied, a ten-minute recess will be held, followed by a second vote. If on the second vote the nominees remain tied, a further ten-minute recess will be held followed by a third vote. If the nominees remain tied after the third vote, the Clerk will adjourn the meeting until the following day at which a further vote will be taken.

15. Tie - determination by lot

If at the conclusion of a second vote on the day following the Inaugural Meeting the nominees remained tied, the Clerk will choose the successful candidate by drawing lots.

16. Recorded Vote

Where there are two or more nominees, the Clerk will record the votes of each Member on each vote that is not conducted by secret ballot.

SCHEDULE B – Table of Motions

The following table describes motions in order of precedence provided in the Procedure Bylaw. Any motion can be introduced if it is higher on the chart than the pending motion. In a conflict between this schedule and the bylaw, the bylaw prevails.

Motion	Objective	Debatable?	Amendable?	Conditions
Suspend rules	Set aside the rules in this bylaw for a specific action	No	No	<ul style="list-style-type: none"> • Only permissible at Council meetings • Requires two-thirds of Members present to carry the vote
Adjourn	End the meeting	No	No	<ul style="list-style-type: none"> • Is always in order except when: <ul style="list-style-type: none"> ○ Another Member has the floor ○ A Member has indicated to the Chair their desire to speak on the matter ○ A vote has been called or when Members are voting
Recess	Take a break	No	Yes	<ul style="list-style-type: none"> • Must specify length of recess • Only amendable with respect to the length of recess
Call the question	End debate and put the motion to an immediate vote	No	No	<ul style="list-style-type: none"> • Can only be moved by a Member who has not spoken to the question, or after each Member who desires to speak has spoken at least once • Mover of motion to call the question will not be allowed to speak to the question again if the motion is decided in the negative
Receive	Acknowledge an item for the record	Yes	No	<ul style="list-style-type: none"> • If moved after the main motion, will be treated as an amendment to the main motion
Defer	Delay consideration of the matter to a future time	Yes	Yes	<ul style="list-style-type: none"> • Is open to debate as to the advisability of postponement • May be amended as to the time or date to which the matter is to be deferred

Motion	Objective	Debatable?	Amendable?	Conditions
Refer	Direct the matter to Council, Committee or staff for further consideration or review	Yes	Yes	<ul style="list-style-type: none"> • Must include: <ul style="list-style-type: none"> ○ Terms on which the motion is being referred ○ Time at which the matter is to be returned ○ Reasons for the referral
Amend	Modify wording of a motion	Yes	Yes	<ul style="list-style-type: none"> • Must relate to the main motion • Only one motion to amend a motion will be on the floor at any one time • No more than one amendment to an amendment will be permitted at one time • An amendment will be out of order if the Chair rules it to be a substantive motion and not an amendment • An amendment that, in effect, is nothing more than a rejection of the main motion is not in order
Main Motion	Propose an action	Yes	Yes	<ul style="list-style-type: none"> • When at a Council meeting must be seconded • Must relate to an item on the agenda; otherwise, a previous notice of motion is required • Is out of order if it requires Council or Committee to exercise a power not within its jurisdiction