



Rules to Govern the Proceedings of Council and Committees of the Corporation of the Town of Richmond Hill

Schedule "A"
By-Law No. 107-18

Effective: December 1, 2018

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Rules to Govern the Proceedings of Council of the Corporation of the Town of Richmond Hill

ARTICLE 1 - INTERPRETATION

1.1 Definitions

In these Rules of Procedure:

1. “Act” means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, superseded or re-enacted from time to time.
2. “Acting Mayor” means the Regional and Local Councillor who received the second highest number of votes, as certified by the Clerk, for that office in the last election, or any other Member appointed Acting Mayor by Council pursuant to section 4.3 of these Rules of Procedure.
3. “Agenda” means the written ordered sequence of items to be discussed at a Meeting of Council or a Committee including any matter(s) added pursuant to subsection 5.4.4 (Addition of Business) and subsection 5.4.5 (Addition of Business – Members Motions).
4. “Applicable Law” means all statutes, laws, by-laws, regulations, ordinances, orders and requirements of governmental or other public authorities having jurisdiction, and all amendments thereto, at any time and from time to time in force.
5. “Chair” means the Member responsible for presiding at a Meeting.
6. “Chief Administrative Officer” and “CAO” mean the individual appointed as chief administrative officer of Richmond Hill pursuant to section 229 of the Act, or his or her designate.
7. “Clear Days” means that where there is a reference in any notice provision of these Rules of Procedure to a number of days, they shall be counted by excluding the day on which notice is given and the day of the Meeting.
8. “Clerk” means the person appointed by Council pursuant to section 228(1) of the Act, and includes any person appointed a deputy clerk pursuant to section 228(2) of the Act, and any other person delegated as a deputy clerk by the Clerk pursuant to section 228(4) of the Act.
9. “Closed Session Meeting” means a Meeting or a portion of a Meeting that is closed to the public pursuant the relevant provisions of the Act.
10. “Committee” means any advisory committee, subcommittee or similar entity of which at least fifty percent (50%) of the members are also Council Members.
11. “Committee of the Whole” means a Committee appointed by Council comprised of all of the Members that is convened for the purpose of

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considering Delegations, correspondence, staff reports and matters for discussion and making recommendations of action to be taken by Council at a subsequent Meeting of Council.

12. "Conflict of Interest" means a conflict of interest of a Member as set in the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50 and any other Applicable Law.
13. "Council" means the Council of Richmond Hill.
14. "Council Chambers" means the room located on the 1st floor at Richmond Hill's Municipal Office at 225 East Beaver Creek in the Town of Richmond Hill designated for Meetings of Council and its Committees.
15. "Council Public Meeting" means a Meeting held to satisfy the requirements of the *Planning Act* as set out in Article 8 of these Rules of Procedure.
16. "Delegation" means an oral submission made by and at the request of a member of the public which may be supported by written material.
17. "Deputy Mayor" means the Regional and Local Councillor who received the highest number of votes, as certified by the Clerk, in the last election, or any other Member appointed Deputy Mayor pursuant to section 4.2 of these Rules of Procedure.
18. "Emergency" means a situation or an impending situation where there is a threat to public health, life, property or the environment.
19. "Friendly Amendment" means the action of approving minor amendments to a Motion under debate with the consent of the mover, and the seconder, and without the requirement for a Motion to Amend to be made and voted on.
20. "Local Board" means a municipal service board, transportation commission, public library board, board of health, police services board, planning board, or any other board, commission, committee, body or local authority established or exercising any power under the Act, or any other Applicable Law with respect to the affairs or purposes of Richmond Hill.
21. "Majority Vote" means an affirmative vote by more than half of the Members who are both present at a Meeting and are qualified to vote.
22. "Mayor" means the head of Council elected by general vote in accordance with the *Municipal Elections Act*, 1996.
23. "Meeting" means a regular, special, or other meeting convened pursuant to these Rules of Procedure.

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24. "Member" means a member of Council elected by general vote or wards, or by any combination thereof, in accordance with the *Municipal Elections Act, 1996*, and includes any Member appointed to fill a vacancy on Council in accordance with Section 263 of the Act.
25. "Members Motion" means a proposal by a Member that is included on an Agenda as Additional Business.
26. "Motion" means a formal proposal for consideration by Council or a Committee.
27. "Motion to Amend" means a Motion that proposes to change particular clauses or words in a Motion under consideration.
28. "Motion to Close the Debate" means a motion to close debate on a main Motion and to put that main Motion to a vote. "Motion to Call the Question" has the same meaning as Motion to Close the Debate.
29. "Motion to Defer" means a Motion to delay action on a main Motion under consideration by Council or a Committee until later in the same Meeting or to a future Meeting of the same body.
30. "Motion to Refer" means a Motion to refer a main Motion before Council or a Committee in order to seek consideration by, and if deemed desirable, one or more reports from any other Committee, the Chief Administrative Officer or other Staff.
31. "Notice By-law" means Richmond Hill's by-law or policy relating to the form, manner and times of the giving of notice to the public in effect from time to time.
32. "Person" means any individual, association, proprietorship, partnership, company, firm or business, excluding any Member and Staff.
33. "Planning Act" means the *Planning Act, R.S.O. 1990, c. P.13*, as amended, superseded or re-enacted from time to time.
34. "Point of Information" means the procedural mechanism by which a Member may present or receive information in relation to a Motion under consideration.
35. "Point of Order" means the procedural mechanism by which a Member may interrupt during a Meeting to question the Chair as to whether:
 - (a) a breach of any of the procedures provided for in these Rules of Procedure has occurred; and/or

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- (b) the personal or professional integrity of a Member has been impugned or put into question;

for the purpose of having the Chair enforce the procedures.

- 36. "Quorum" means the number of members that must be present at a Meeting of Council or a Committee in order for business to be transacted.
- 37. "Robert's Rules of Order" means the most current edition of "Robert's Rules of Order".
- 38. "Recorded Vote" means a written record of the name and vote of every Member present voting on a Motion.
- 39. "Regional and Local Councillor" means a Member of Council other than the Mayor who has also been elected as a member of the Regional Municipality of York.
- 40. "Resolution" means the decision of Council on any Motion.
- 41. "Rules of Procedure" mean these Rules to Govern the Proceedings of Council and Committees of the Corporation of the Town of Richmond Hill, being Schedule A to By-law No. 107-18, as may be amended by Council.
- 42. "Time Sensitive Matter" means a matter that relates to a significant financial, legal, or contractual deadline that may require a decision of or direction from Council before the next regular Meeting of Council
- 43. "Richmond Hill" means The Corporation of the Town of Richmond Hill.
- 44. "Staff" means any person employed by Richmond Hill, and includes persons employed on a full-time, part-time, temporary, seasonal or contract basis.
- 45. "Two-thirds Vote" means an affirmative vote of at least two-thirds of the Members who are both present at the Meeting and are qualified to vote.
- 46. "Workshop" means a special Meeting of the Members of Council convened for the purpose of education or training the Members or for providing the Members with information and/or advice on a topic(s) of interest to the Members.

ARTICLE 2 - PURPOSE AND PRINCIPLES

2.1 Purpose

These Rules of Procedure establishes the rules governing the calling, place and proceedings for all Council and Committee Meetings.

2.2 Principles

Each Member has the right to:

- (a) one vote, subject to the declaration of a Conflict of Interest;
- (b) information to help make decisions, unless otherwise prevented by law;
- (c) an efficient Meeting; and
- (d) be treated with respect and courtesy.

These Rules of Procedure are to be interpreted in accordance with the principles set out above.

ARTICLE 3 - APPLICATION

3.1 Observance of Rules

- (a) These Rules of Procedure shall be observed for all proceedings of Council and its Committees.
- (b) In the event of conflict between the provisions of these Rules of Procedure and the Act or any other Applicable Law, the provisions of the Act or any other Applicable Law shall prevail.

3.2 Application – Committees, Quasi-Judicial Bodies and Local Boards

- (a) Despite the definition of Committee in these Rules of Procedure, Article 11 applies, with any necessary modifications, to the proceedings of the following committees established by Council:
 - (i) Heritage Richmond Hill Committee;
 - (ii) Any other committee, regardless of the number of Members of Council who are members of that committee, unless the Terms of Reference for the committee specifically exclude these rules from applying to that committee.
- (b) These rules of procedure do not apply to the following committees or Local Boards:
 - (i) Quasi-judicial committees subject to the *Statutory Powers Procedures Act*, R.S.O 1990, c.S.24, that are also subject to alternative rules of procedures adopted by Council for such bodies;
 - (ii) Committee of Adjustment;
 - (iii) The Richmond Hill Public Library Board;
 - (iv) The Village of Richmond Hill Business Improvement Area Board of Management (the "BIA Board"), provided that the BIA Board has adopted rules of procedure that are consistent with the Act.
- (c) Despite paragraph (a) above, the Clerk may adopt special rules of procedure for the Accessibility Advisory Committee established pursuant to the requirements of *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c.11. Despite subsection 5.2.8, any procedures adopted for the Accessibility Advisory Committee may authorize Electronic Participation by members of the committee.

3.3 Robert's Rules of Order

- (a) Where inconsistencies exist in these Rules of Procedure that cannot be resolved by reference to the Act or other Applicable Law, Robert's Rules of Order shall apply.
- (b) In the event of a conflict in the interpretation of any rules in these Rules of Procedure or for determining a proper course of action for any matter that may arise that is not specifically contemplated by these Rules of Procedure, the Act or any other Applicable Law, Robert's Rules of Order shall apply.

3.4 Waiver of Rules

- (a) Save and except for those procedures or rules referred to in Section 3.5 below (Rules That Cannot Be Waived), a Member may make a Motion to waive any procedure or rule of in these Rules of Procedure.
- (b) A Motion to waive requires a Two-thirds Vote to pass.
- (c) The waiver shall only apply to the waiver of the procedure(s) or rule(s) for the stated purpose and only during the Meeting in which such Motion was introduced.

3.5 Rules That Cannot Be Waived

Council cannot waive any procedures or rules that are imposed due to the Act or any other Applicable Law or by any of the following sections:

- (a) Section 3.4 – Waiver of Rules;
- (b) Subsection 6.1.11 - No Other Business in Special Meetings;
- (c) Subsection 5.2.1 - Majority of Members for Quorum;
- (d) Subsection 5.8.4 – Number of Times to Speak – Length of Time for Speaking;
and
- (e) Subsection 5.7.14 – Motion for Reconsideration During the Term of Council.

ARTICLE 4 - RESPONSIBILITIES

4.1 Mayor – Responsibilities

The Mayor shall:

- (a) preside as Chair over Meetings of Council, unless absent or unable to act;
- (b) provide leadership to Council;
- (c) act as chief executive officer of the Richmond Hill;
- (d) carry out the duties of head of Council under any Applicable Law;
- (e) represent the Richmond Hill at official functions;
- (f) provide information and recommendations to Council with respect to the role of Council;
- (g) authenticate by signature, when necessary, all applicable by-laws, resolutions, minutes; and
- (h) act as representative of the Richmond Hill both within and outside the municipality and promote the Richmond Hill locally, nationally and internationally.

4.2 Deputy Mayor

- (a) Council shall by by-law or resolution appoint a Member to act as Deputy Mayor for a duration at the discretion of Council.
- (b) the Member appointed Deputy Mayor shall normally be the Regional and Local Councillor who received the highest number of votes, as certified by the Clerk, in the last regular election for that Office.
- (c) if the Deputy Mayor ceases to be the Regional and Local Councillor for any reason, Council shall by By-law or resolution appoint a Deputy Mayor for a duration of the Term of Council, who shall normally be the Acting Mayor;
- (d) In the absence or inability of the Mayor to act, the Deputy Mayor shall act in the place of the Mayor and shall exercise all the Mayor's rights and duties as set out in these Rules of Procedure or the Act or any other Applicable Law.

4.3 Acting Mayor

- (a) Council may by by-law or resolution appoint a Member to act as Acting Mayor for a duration at the discretion of Council.

- (b) the Member appointed Acting Mayor shall normally be the Regional and Local Councillor who received the second highest number of votes, as certified by the Clerk, in the last regular election for that Office.
- (c) if the Member appointed Acting Mayor ceases to be a Member, is appointed Deputy Mayor or resigns as Acting Mayor, Council may by by-law or resolution appoint any other Member to act as Acting Mayor for a duration at the discretion of Council.
- (d) In the absence or inability of both the Mayor and the Deputy Mayor to act, the Acting Mayor shall act in the place of the Mayor and shall exercise all the Mayor's rights and duties as set out in these Rules of Procedure or Applicable Law.

4.4 Council – Responsibilities

Council shall:

- (a) represent the public and consider the well-being and interests of the Richmond Hill;
- (b) develop and evaluate the policies and programs of the Richmond Hill;
- (c) determine which services the Richmond Hill shall provide;
- (d) ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
- (e) ensure the accountability and transparency of the operations of the Richmond Hill, including the activities of the senior management of the Richmond Hill;
- (f) maintain the financial integrity of the Richmond Hill; and
- (g) comply with these Rules of Procedure and any Applicable Law.

4.5 Individual Members – Responsibilities

Each Member shall:

- (a) inform the Clerk of all planned absences, late arrivals and early departures from a Meeting to assist in achieving and maintaining Quorum;
- (b) during a Meeting, avoid engaging in behaviour which may disrupt the Meeting and ensure that all electronic devices, including cellular telephones, are placed in silent mode; and
- (c) adhere to these Rules of Procedure and all Richmond Hill policies governing the conduct of Members.

4.6 Chair – Responsibilities

The Chair shall:

- (a) open a Meeting by calling the Meeting to order;
- (b) ensure that Quorum is established and maintained throughout the course of a Meeting;
- (c) announce the business in accordance with the Agenda prepared by the Clerk;
- (d) direct discussion such that all comments shall be through the Chair;
- (e) receive and submit, in the proper manner, all Motions presented by Members;
- (f) put to vote all Motions which are moved, and seconded when necessary, or all Motions that arise in the course of proceedings, and announce the results of votes;
- (g) decline to put to vote Motions that infringe upon the rules under these Rules of Procedure;
- (h) respond to Members regarding Points of Order; and
- (i) enforce on all occasions the rules and the observance of order and decorum amongst the Members, Richmond Hill Staff and Persons in attendance at a Meeting.

4.7 Individual Members – Failure to Abide by Rules of Procedure

If a Member does not adhere to these Rules of Procedure or a Chair's ruling:

- (a) After the first occurrence, the Chair calls the Member to order.
- (b) After the second occurrence, if the Member continues to disobey these Rules of Procedure or the Chair's ruling, the Chair will order the Member to leave his/her seat and observe the Meeting from the audience for the remainder of the Meeting.
- (c) Any Member other than the Offending Member may appeal the Chair's ruling in Paragraph (b) above, and Council or a Committee may overturn or uphold the Chair's ruling. Should the Chair's ruling be overturned, the Offending Member may return to his/her seat.
- (d) A Member who has been required to leave his/her seat, may be permitted to retake their seat if that Member first apologizes to Council or the Committee for not observing these Rules of Procedure or a Chair's ruling:
- (e) A Member who intends to apologize will first inform the Clerk, the CAO or another staff member, who will inform the Chair of the Member's request.

- (f) At the next available opportunity in the Meeting, the Chair will allow the Offending Member to return to his/her seat to apologize to Council or a Committee. The apology will not include additional comments or debate by the Offending Member or by Council or a Committee. After an apology is made by the Offending Member, Council or a Committee may consent to allow the Offending Member to return to the Meeting.
- (g) Should, at any point, the Offending Member create a disturbance while seated in the audience in accordance with subsection (b), the Chair will order the Offending Member to leave the Council chamber or meeting room.

4.8 Clerk – Responsibilities - Meetings

The Clerk shall oversee the Office of the Clerk and either directly, or by delegation of the Clerk's powers and duties to another individual, shall:

- (a) provide notice of Meetings to Members, Staff and the public in accordance with the provisions of these Rules of Procedure and Notice By-law;
- (b) prepare Agendas for Meetings;
- (c) take minutes of Meeting in accordance with these Rules of Procedure and the Act;
- (d) maintain all materials received by Council in accordance with any record retention policies or by-laws of Richmond Hill;
- (e) authenticate by signature, when necessary, all applicable by-laws, resolutions, minutes; and
- (f) carry out any of the other duties of the Clerk as set out in these Rules of Procedure and any Applicable Law.

4.9 Chief Administrative Officer – Responsibilities - Meetings

The Chief Administrative Officer shall:

- (a) approve matters that are to be included by Staff on Agendas for Meetings of Council or a Committee; and
- (b) ensure that Emergencies and Time Sensitive Matters are brought to the attention of Council in a timely manner for discussion at a regular Meeting or to the attention of the Mayor for the purpose of calling a special Meeting of Council.

4.10 Signing Authority

Unless otherwise authorized by Council, if Council has approved the entry into an agreement, the Mayor and Clerk shall execute that agreement.

ARTICLE 5 - REGULAR MEETINGS OF COUNCIL

5.1 General Requirements

5.1.1 Council Procedures

This Article 5 outlines those procedures that apply to regular Meetings of Council.

5.1.2 Chair

The Mayor shall act as Chair and preside over the Meetings of Council.

5.1.3 Inaugural Meeting

Following a municipal election, the inaugural Meeting of the newly elected Council shall be held on a date and time and at a place to be fixed by the Clerk after the Members take office pursuant to the *Municipal Elections Act, 1996, S.O. 1996 C.32*, which date shall in any event, be no later than 31 days after the commencement of the term of the newly elected Council.

5.1.4 Time of Meetings

- (a) The regular Meetings of Council shall be held in accordance with the schedule of Meetings adopted annually by Council.
- (b) Subject to subsection 5.1.5 (Exception to Regular Meeting Schedule), the schedule shall provide for Meetings to generally take place on the second and fourth Mondays of each month commencing at 7:30 p.m., except that where a statutory or civic holiday, or another event in which Member(s) regularly participate, falls on the second or fourth Monday of any month, the Meeting shall be set for an alternate day and/or time, as determined by the Clerk.
- (c) Once the schedule of Meetings has been adopted by Council, upon consultation with the Clerk and provided that sufficient public notice is provided in accordance with subsection 5.1.8 (Public Notice), the Mayor may reschedule any regular Meeting to an alternate day and/or time.

5.1.5 Exception to Regular Meeting Schedule

- (a) In a calendar year, unless otherwise provided for by resolution of Council, there shall be no regular Meetings of Council held during:
 - (i) the first two weeks of January;
 - (ii) the March Break observed by the York Region District School Board;
 - (iii) the last two weeks of July;
 - (iv) the full month of August;

- (v) the last two weeks of December
- (b) In the year of a regular municipal election, there shall be no regular Meetings of Council held during the calendar month in which voting day occurs.

5.1.6 Location of Meetings

- (a) Subject to the exception in paragraphs (b) and (c), all Meetings of Council shall be held in Council Chambers, with the exception of the inaugural Meeting.
- (b) If either the Clerk or Council have determined that the space in Council Chambers will not accommodate all of the members of the public expected to be in attendance, the Clerk shall determine an appropriate alternative location and provide notice of same as soon as practicable.
- (c) If the Mayor determines that there is sufficient reason to do so, Special Council Meetings and workshops may be held at an appropriate alternative location and provide notice of same as soon as practicable.

5.1.7 Adjournment – 11:00 p.m.

- (a) The regular Meetings of Council shall adjourn at the hour of 11:00 p.m. if still in session at that time and shall reconvene at such other day and time as Council may direct, unless Council resolves to extend the Meeting as set out in paragraph (b).
- (b) Council may, by passing a Resolution by 10:55 p.m., extend the Meeting beyond 11:00 p.m., provided no Meeting shall extend beyond 12:00 a.m. the following day.

5.1.8 Public Notice

Public notice of the schedule of Meetings adopted pursuant to subsection 5.1.4 (Time of Meetings) shall be given by posting the schedule of Meetings on Richmond Hill's website as soon as practicable after it is adopted and after any amendment to it is made.

5.1.9 Public Notice – Saving

If by oversight or otherwise notice of a regular Meeting is not provided in the manner prescribed in subsection 5.1.8 (Public Notice), the Meeting of Council shall not be void or voidable by reason of such failure to give notice or the insufficiency of any notice and no proceeding at that Meeting shall be void or voidable by reason of such failure to give notice or the insufficiency of any notice.

5.1.10 Recording of Meetings

- (a) All Meetings of Council, save and except Closed Session Meetings, may be electronically recorded by the Clerk for the purpose of preparing the minutes of the Meeting.
- (b) Any recording of a Meeting of Council made by the Clerk will be maintained for the period of time set out in the Records Classification and Retention Policy adopted pursuant to section 254 of the Act.
- (c) Notwithstanding anything to the contrary in this section, the official record of Council proceedings shall be the Minutes prepared by the Clerk

5.1.11 Live Broadcast of Meetings

All Meetings of Council, save and except Closed Session Meetings, may be broadcast live to the public by live audio or video streaming.

5.1.12 Electronic Participation

Electronic participation in a meeting shall not be permitted.

5.2 Quorum

5.2.1 Majority of Members

Subject to subsection 5.2.7 (Loss of Quorum due to Conflict of Interest), quorum requires the presence of, at minimum, a majority of the Members.

5.2.2 Call to Order

As soon as Quorum is present after the scheduled start time for a Meeting of Council, the Mayor shall call the Meeting to order.

5.2.3 Unable to Reach Quorum – Time Restriction

If Quorum is not present within thirty (30) minutes after the scheduled start time for the Meeting, the Clerk shall record the names of the Members present and the Meeting shall not proceed.

5.2.4 Mayor Absent - Council

Unless the Mayor is scheduled to be absent for a Meeting, in the case of the Mayor not attending within fifteen (15) minutes after the scheduled start time of the Meeting of Council, and provided there is Quorum, the Deputy Mayor shall take the Chair, call the Members to order and preside until the Mayor arrives.

5.2.5 Mayor and Deputy Mayor Absent

Unless both the Mayor and Deputy Mayor are scheduled to be absent for a Meeting, in the case of the Mayor and Deputy Mayor not attending within fifteen (15) minutes after the scheduled start time of the Meeting of Council, and

provided there is Quorum, the Acting Mayor shall act as Chair, call the Members to order and preside until the Mayor or Deputy Mayor arrives.

5.2.6 Mayor, Deputy Mayor and Acting Mayor Absent

Unless the Mayor, Deputy Mayor and Acting Mayor are all scheduled to be absent for a Meeting, in the case of the Mayor, Deputy Mayor and Acting Mayor not attending within fifteen (15) minutes after the scheduled start time of the Meeting of Council, and provided there is Quorum, the Clerk shall call the Members to order and a Chair shall be chosen from among the Members present, who will preside over the Meeting until the arrival of the Mayor, Deputy Mayor and/or Acting Mayor.

5.2.7 Loss of Quorum

- (a) In the event that Quorum is lost due to any reason other than as set out in paragraph (b), the Meeting shall stand adjourned.
- (b) In the event that Quorum is lost due to Members declaring a Conflict of Interest, the remaining Members shall be deemed to constitute Quorum provided there are not less than two Members.

5.2.8 Electronic Participation

Electronic Participation in a Meeting of Council shall not be permitted.

5.3 Closed Session Meetings

5.3.1 Reasons

- (a) All Meetings of Council are open to the public unless closed for consideration of a matter which is permitted by the Act or Applicable Law to be considered in a Closed Session Meeting.
- (b) Council may hold a meeting or part of a meeting that is closed to the public for any of the discretionary reasons set out in Section 239(2) of the Act, or any other discretionary reason permitted in other Applicable Law.
- (c) Council shall hold a meeting or part of a meeting that is closed to the public for any of the mandatory reasons set out in Section 239(3) of the Act, or any other mandatory reason permitted in other Applicable Law.
- (d) Council may hold an education and training meeting that is closed to the public pursuant Section 239(3.1) of the Act, provided that the two (2) conditions therein are satisfied.

5.3.2 Resolution

Prior to holding a Closed Session Meeting, Council shall pass a Resolution in open session, advising of the Closed Session Meeting, the applicable legislative

reason(s) for holding the Closed Session Meeting, and the general nature of the matter(s) to be considered at the Closed Session Meeting.

5.3.3 Electronic Devices Prohibited

No Member, Staff or Person in attendance shall use electronic devices during a Closed Session Meeting, save and except the Clerk and any solicitor representing Richmond Hill, who shall be permitted to use electronic devices only for the purpose of discharging their duties.

5.3.4 Conflict of Interest Declared - Member to Leave

A Member who has declared a Conflict of Interest shall forthwith leave the Closed Session Meeting.

5.3.5 Voting

The taking of a vote is not permitted in a Closed Session Meeting unless the vote is for a procedural matter or for giving directions or instructions to the Chief Administrative Officer, other Staff or persons retained by or under contract with the Richmond Hill.

5.3.6 Confidentiality

Members shall not in any way, notify, distribute or make available to any Person, by any means, any reports or items, or disclose the nature or content of any reports or items or of discussions regarding any matters that have been or will be addressed in a Closed Session Meeting.

5.3.7 Reporting In Open Session

Only matters discussed in a Closed Session Meeting and directed to be brought forward for voting in public by a Resolution of Council will be brought forward by the Clerk. Such matters will be voted on in public immediately following the Closed Session Meeting.

5.4 Order of Business

5.4.1 Agenda

- (a) The Clerk shall prepare an Agenda for all regular Meetings of Council setting out the items for consideration and the order of the business for the Meeting in the following format:
 - (i) Call to order/Opening Statement;
 - (ii) Public Forum (not exceeding fifteen minutes);
 - (iii) Council Announcements;
 - (iv) Introduction of Emergency/Time Sensitive Matters;
 - (v) Adoption of Agenda;

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- (vi) Disclosures of pecuniary interest and general nature thereof;
 - (vii) Adoption of previous Council minutes;
 - (viii) Identification of items requiring separate discussion;
 - (ix) Adoption of remainder of Agenda items;
 - (x) Public Hearings;
 - (xi) Presentations;
 - (xii) Delegation(s);
 - (xiii) Committee and Staff Reports;
 - (xiv) Other Business;
 - (xv) Emergency/Time Sensitive Matters;
 - (xvi) By-laws;
 - (xvii) Closed Session Meeting
 - (xviii) By-law to confirm the proceedings of Council at this Meeting;
 - (xix) Adjournment.
- (b) Provided that no Member objects, when the same or related matters are in more than one place on the Agenda, Council may address all related matters together or in the order in which they are set out in the Agenda.

5.4.2 Adoption of Items Not Requiring Separate Discussion

- (a) Every item identified by the Clerk as:
- (i) requiring Council direction;
 - (ii) requiring a public hearing pursuant to any legislation or by-law of Richmond Hill; or
 - (iii) a matter to be addressed by a Presentation or Delegation,
- shall be separated for consideration and debate unless otherwise directed by Council.
- (b) In addition to those items identified by the Clerk as set out in paragraph (a) above, at the request of a Member, any item of business may be separated for consideration and debate.
- (c) No Motion is required for a request by a Member to separate an item.
- (d) The Member who requests an item to be separated will be provided the first opportunity to speak to that item.
- (e) With the exception of those items which:
- (i) have been separated by a Member;

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- (ii) require Council direction;
 - (iii) require a public hearing pursuant to any legislation or by-law of the Richmond Hill, or
 - (iv) are to be addressed by a Delegation,
- all items remaining on the Agenda may be adopted in one Motion.

5.4.3 Announcements

- (a) An announcement related to a matter not on the Agenda may only be made by a Member or by the Chief Administrative Officer and discussed by the Members at a regular Council Meeting and only if it is:
 - (i) of a, congratulatory or condolence nature; or
 - (ii) for the purpose of providing other Members or Staff with an update in relation to a cultural, recreational or similar event within Richmond Hill or of a proceeding of an organization of which Richmond Hill is a member.
- (b) All announcements shall be made orally in accordance with the order of business on the Agenda.

5.4.4 Addition of Business

- (a) Subject to paragraph (f) below, written reports prepared by staff relating to items of business may be added to the Agenda upon providing the Clerk with a copy of the report a minimum of two (2) weeks prior to the Meeting.
- (b) Despite paragraph (a), and subject to paragraph (f) below, the Clerk may waive the minimum two (2) weeks' notice requirement referred to in paragraphs (a) when the application thereof will result in the matter not being included on an Agenda for more than 6 weeks, provided, however, that the Clerk may not waive the notice period after an Agenda is already published.
- (c) Despite paragraphs (a) and (b), and subject to paragraph (f) below, the CAO may determine that a report prepared by staff relating to items of business may be included on the Agenda less than two (2) weeks prior to the Meeting. The Clerk may add any such report to a consolidated, revised or amended Agenda for distribution prior to the Meeting.
- (d) Subject to paragraph (f) below, where the CAO has determined that a matter constitutes an Emergency or is a Time Sensitive Matter, the Clerk may add that matter as an item of business to a consolidated, revised or amended Agenda for distribution prior to the Meeting.
- (e) Subject to paragraph (f) below, only the CAO or a Member may orally introduce an item of business that is believed to be an Emergency or a

Time Sensitive Matter without providing any prior notice and without the matter having been included on the Agenda and Council shall determine by Majority Vote whether the matter introduced is an Emergency or a Time Sensitive Matter that should be considered at the Meeting.

- (f) Any matter for which Council must provide public notice prior to making a decision pursuant to Applicable Law may only be considered by Council for the purpose of making such decision if the required public notice has been provided.

5.4.5 Addition of Business – Members Motions

- (a) Subject to paragraph (d) below, a Member may only request that an item of business, which may or may not be in the form of a Members Motion, be included on an Agenda as "Additional Business" upon providing the Clerk with a notice in a form approved by the Clerk a minimum of two (2) weeks prior to the Meeting.
- (b) Despite paragraph (a), and subject to paragraph (d) below, the Clerk may waive the minimum two (2) weeks' notice requirement referred to in paragraphs (a) when the application thereof will result in the matter not being included on an Agenda for more than 6 weeks, provided, however, that the Clerk may not waive the notice period after an Agenda is already published
- (c) A Members Motion may only be included on an Agenda, provided that the inclusion of that item on the Agenda shall not serve as a request or direction to staff to prepare a written report, and provided that:
 - (i) it pertains to a matter over which Richmond Hill has jurisdiction or which is a matter of municipal concern;
 - (ii) it is a resolution or correspondence referred to in Section 5.6.2 (Correspondence – Public Institutions) that the Member wants Council to endorse; or
 - (iii) it is seeking leave to introduce a Members Motion on a matter not referred to in clauses (i) and (ii) above.
- (d) Any matter for which Council must provide public notice prior to making a decision pursuant to Applicable Law may only be considered by Council for the purpose of making such decision if the required public notice has been provided.

5.5 Public Participation

5.5.1 Petitions or Written and Oral Submissions

- (a) A Person may submit:

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- (i) a petition;
- (ii) other written material; or
- (iii) a summary of a matter regarding which they intend to make an oral submission;

by delivering these items by regular mail, facsimile or e-mail to the Office of the Clerk for inclusion on an Agenda.

- (b) If the items submitted referred to in paragraph (a) relate to a matter already on the Agenda, then they will be distributed where practicable in a manner deemed reasonable by the Clerk, provided that no such material shall be included on an Agenda if it is received after 12:00 noon on the day of the meeting.
- (c) Subject to paragraph (f) and (g) below, if the items submitted referred to in paragraph (a) do not relate to a matter already on the Agenda, then in order for the items to be included on an Agenda for an upcoming Meeting, the items must be:
 - (i) received by the Office of the Clerk no later than 12:00 noon two (2) weeks prior to the Meeting; and
 - (ii) accompanied by contact information of the Person making the submission, including a contact name and a mailing, facsimile or e-mail address.
- (d) Items received after the deadline referred to in paragraph (c) will be included on the Agenda of the next regular Meeting.
- (e) Personal information and comments contained in items that are submitted to the Clerk and included on an Agenda shall form part of the public record related to that Meeting. An individual who does not want their personal contact information (address, email address and phone numbers only) included on the agenda must request that the information be excluded at the time they submit the item.
- (f) A petition or other written material will be included by the Clerk on the Agenda so that Council may receive the written material, provided that it is:
 - (i) is in legible handwriting, in printed form, or in printable form;
 - (ii) contains a statement of the Person's cause or position; and
 - (iii) is, in the opinion of the Clerk, appropriate, respectful and temperate in its language.
- (g) A petition or other written material shall not be included on an Agenda if it pertains to a matter for which Council has delegated any authority to Staff or a Committee as determined by the Clerk. In such case, the Clerk shall

acknowledge receipt and forward any such material to the Staff or Committee, who may refer the matter to Council.

5.5.2 Conduct by Public at Meetings

- (a) Persons in attendance at a Meeting, including those that will be making Delegations:
 - (i) may not display signs or placards or engage in conversation or other behaviour which may disrupt a Meeting; and
 - (ii) shall ensure that all electronic devices, including cellular telephones are placed in silent mode during a Meeting.
- (b) Subject to paragraphs (c) and (d) below, the use of video or audio recording equipment or devices by members of the public or media during a Meeting is permitted provided that such equipment or devices do not interfere with the proceedings of the Meeting and the Clerk has been notified at least one day before the Meeting.
- (c) Video recording equipment may only be used within the areas designated for that purpose by the Clerk.
- (d) The use of video or audio recording equipment or devices is prohibited during Closed Session Meetings.
- (e) Where a Person has, in the opinion of the Chair, engaged in improper conduct at a Meeting contrary to this subsection, the Chair may expel or exclude any such Person from the Meeting.
- (f) In order to expel or exclude such Person, the Chair may require the security personnel for the Richmond Hill or such other persons as are present to take such reasonable measures as are necessary to exclude or expel the Person whose conduct has been improper and such measures may include requesting the assistance of a police officer.

5.5.3 Public Forum

- (a) Every Meeting shall commence with a public forum for the purpose of providing members of the public an opportunity to voice opinions and raise issues on matters of concern to them that have not been included on the Agenda.
- (b) Each Person shall be limited to addressing Council for a maximum of five (5) minutes.

The length of time of the public forum shall not exceed fifteen (15) minutes unless extended by a Majority Vote.

5.5.4 Delegations

- (a) A Person may only address Council as a Delegation if it pertains to a matter on the Agenda.
- (b) Where a matter on the Agenda is a recommendation from Committee of the Whole, a Person may only address Council as a Delegation on that matter if that Person:
 - (i) has not already addressed Committee of the Whole at the Meeting in which the recommendation was made; or
 - (ii) has already addressed Committee of the Whole at the Meeting in which the recommendation was made but, in the opinion of the Clerk, the Person will be providing Council with new information not previously provided to Committee of the Whole; and
 - (iii) provided that the Person has registered in advance with the Office of the Clerk no later than 12:00 p.m. on the day of the Meeting.
- (c) Corporations, associations, groups or other similar entities may only register one (1) representative to address Council as a Delegate for the same agenda item.
- (d) Notwithstanding that a Person must register with the Office of the Clerk to address Council as a Delegation, a Person that has not registered may address Council if a Resolution is passed by a Majority Vote to allow the Person to do so.
- (e) A Person making a Delegation shall:
 - (i) be provided five (5) minutes, without interruption or questions, to address Council unless Council passes a Resolution by Majority Vote extending the Person's time for speaking;
 - (ii) prior to addressing Council, provide to the Clerk any material related to the Delegation that is intended to be distributed to Members during a Meeting, which material shall form part of the public record;
 - (iii) only speak once and only to the matter identified upon registration and shall not introduce any other matter; and
 - (iv) not speak disrespectfully about anyone or use offensive language, and shall respect any ruling made by the Chair.
- (f) After Members hear all Delegations related to a matter, Members shall be provided five (5) minutes each to ask the Person and Staff any relevant questions or to comment until such time as a Motion is made, at which time the rules of debate set out in Section 5.8 (Rules of Debate) apply.

5.5.5 Staff Address to Council

Notwithstanding any of the provisions of subsection 5.5.4 (Delegations) to the contrary, the Chief Administrative Officer or any other Richmond Hill Staff in attendance at a Meeting may, with leave of the Chair, address Council with regards to any item of business on the Agenda.

5.5.6 No Public Participation after Motion

Once a Motion has been moved and seconded, there shall be no further public participation without leave of Council.

5.6 Correspondence

5.6.1 Correspondence – General

Except as provided for in Sections 5.5.1 (Petitions or Written and Oral Submissions), correspondence addressed to the Mayor and members of Council will be received by the Clerk and disposed of in accordance with this Section 5.6.

5.6.2 Correspondence - Public Institutions

- (a) Subject to paragraph (d) below, resolutions and other correspondence addressed to Mayor and members of Council will only be circulated to Members of Council, if they are from:
 - (i) the Government of Canada, including a Minister of the Crown;
 - (ii) a Senator or a Member of the House of Commons;
 - (iii) the Government of Ontario; including a member of the Executive Council;
 - (iv) a Member of Provincial Parliament;
 - (v) the Regional Municipality of York ("York Region") , or any one of the lower-tier municipalities located in York Region, including the Head of Council of any one of these;
 - (vi) the Federation of Canadian Municipalities;
 - (vii) the Association of Ontario Municipalities; or,
 - (viii) a resolution of another governmental or public institution that, in the opinion of the Clerk, has direct relationship with Richmond Hill.
- (b) Any correspondence or resolution referred to in Paragraph (a) may be included on a future Agenda for endorsement as a Members Motion provided that the Member shall comply with the provisions of Section 5.4.5 (Addition of Business – Members Motions).
- (c) Correspondence and resolutions addressed to Mayor and members of Council from a public institution not referred to in Paragraph (a) shall be retained by the Clerk for a period of 3 months from the date of receipt and may be reviewed by any Member or Staff, but may not be included on a future Agenda unless Council first passes a resolution consenting to its inclusion.

- (a) Where deemed appropriate by the Clerk, any correspondence referred to in this section may be first circulated to appropriate Staff prior to circulating it to Members of Council.

5.7 Motions

5.7.1 Moved and Seconded

A Motion shall be moved and seconded before being debated or put to a vote.

5.7.2 Withdrawal of a Motion

After a Motion has been moved and seconded, it is in the possession of Council for consideration but may be withdrawn by the mover at any time before it has been voted on.

5.7.3 Public Participation

No Motion shall be received until all Delegations on that matter have been heard.

5.7.4 Debate and Amendment

Save and except as provided in subsection 5.6.7 (Motion to Proceed Beyond 11:00) and 5.6.8 (Motion to Close the Debate), all Motions which are properly before Council for consideration are open to debate and may be amended.

5.7.5 Permitted Motions – Order

- (a) When a Motion has been moved and seconded and is being considered by Council, no Motion shall be received except the following Motions to:
 - (i) Adjourn the Meeting;
 - (ii) Proceed beyond the hour of 11:00 p.m.;
 - (iii) Close the debate (call the question);
 - (iv) Defer (postpone to a future Meeting of Committee or Council);
 - (v) Refer (to a Committee or Richmond Hill Staff); or
 - (vi) Amend the main Motion.
- (b) The Motions listed in paragraph (a) above shall:
 - (i) only be made when no Members are speaking or voting; and
 - (ii) have precedence and be decided in the order in which they are listed.

5.7.6 Motion to Adjourn – Requirements

A Motion to adjourn the Meeting:

- (a) is brought for the purpose of closing the Meeting;

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- (b) must include a date and time at which the Meeting will be reconvened if there are matters still remaining on the Agenda;
- (c) may only be amended or debated as to the date and time at which the Meeting will be reconvened; and
- (a) requires a Majority Vote to be passed.

5.7.7 Motion to Proceed Beyond 11:00 – Requirements

A Motion to proceed beyond the hour of 11:00 p.m.:

- (a) must be made by 10:55 p.m.;
- (b) may not be amended or debated; and
- (c) requires a Two-thirds Vote to be passed.

5.7.8 Motion to Close the Debate

A Motion to Close the Debate:

- (a) shall only be voted on after all Members have had an opportunity to speak once to the main Motion;
- (b) may not be amended or debated;
- (c) requires a Two-thirds Vote to be passed; and
- (d) if decided in the affirmative, shall result in an immediate vote being taken on the main Motion.

5.7.9 Motion to Defer

A Motion to Defer:

- (a) must include the date and time to which the matter is to be deferred;
- (b) may be debated as to the advisability of the postponement or the date and time to which the matter is proposed to be deferred;
- (c) may be amended only as to the time or date to which the matter is deferred;
- (d) requires a Majority Vote to be passed; and
- (e) if decided in the affirmative, precludes any amendment, debate or vote in relation to the preceding main Motion.

5.7.10 Motion to Refer

A Motion to Refer:

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- (a) must indicate the Committee or Richmond Hill Staff to which the matter is being referred;
- (b) may include:
 - (i) the terms on which the Motion is being referred;
 - (ii) the time at which the matter is to be returned; and
 - (iii) whatever explanation may be necessary as to the purpose of the Motion to Refer;
- (c) may be debated as to the rationale of referring the matter, but may not be debated as to the merits of the matter itself;
- (d) may be amended as to the Committee or Staff to whom the matter is being referred, and to the terms upon which the motion is being referred;
- (e) requires a Majority Vote to be passed; and
- (f) if decided in the affirmative, precludes any amendment, debate or vote in relation to the preceding main Motion.

5.7.11 Motion to Amend

A Motion to Amend shall:

- (a) requires a Majority Vote to be passed;
- (b) propose removing, substituting for, or adding to the words of a main Motion;
- (c) be decided or withdrawn before the main Motion being considered is put to vote;
- (d) be open to debate;
- (e) not be directly contrary to the main Motion; and
- (f) be germane and related to the subject matter of the main Motion.

5.7.12 Motion to Amend – Limitation

- (a) Only one amendment at a time shall be presented to the main Motion.
- (b) An amendment that has been decided in the negative cannot be proposed again.

5.7.13 Friendly Amendment

- (a) A Friendly Amendment is in order only if:
 - (i) it is germane and not directly contrary to the Motion under consideration

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- (ii) its' adoption will not result in a significant change to the Motion under consideration;
 - (iii) it is introduced by a Member who has been recognized by the Chair;
 - (iv) the mover and seconder of the Motion to be amended accepts the Friendly Amendment as proposed; and
 - (v) No other Member objects to the Friendly Amendment.
- (b) A Friendly Amendment may not be debated or amended.
- (c) The Chair shall decide if a Friendly Amendment has been accepted in accordance with paragraph (a) above, and upon such decision the Motion under consideration is deemed to be amended.

5.7.14 Motion for Reconsideration During the Term of Council

- (a) Subject to paragraph (c) below, after a Resolution or By-law has been passed, the Resolution or By-law may only be reconsidered during the term of Council either:
- (i) at any time after six (6) months from the passing of the Resolution or the By-law, without the need for a Resolution to reconsider the matter; or
 - (ii) within six (6) months after the passing of the Resolution or the By-law, upon a Resolution passed by Two-thirds Vote to reconsider the matter.
- (b) Subject to Paragraph (c) below, Any Resolution passed or by-law passed by a previous Council in a previous term may be reconsidered by Council at any time after that term has ended, without the need for a Resolution to reconsider.
- (c) If the Chief Administrative Officer is of the opinion that the reconsideration of a Resolution or By-law may result in liability or other legal risks for the Richmond Hill, as a result of any contractual or other legal obligation, that Resolution or By-law shall not be reconsidered until such time as Council has received a report from Staff on the liability or other legal risks.

5.8 Rules of Debate

5.8.1 Preserve Order

The Chair shall preserve order and decorum and, subject to an appeal to Council by any Member, shall decide questions of procedure and order and all matters related to these Rules of Procedure.

5.8.2 Address to Chair

Any Member, prior to speaking on any question or Motion, shall indicate his desire to speak by a raised hand and shall not speak until recognized by the Chair.

5.8.3 Order of Speakers

The order of speakers shall be determined by the Chair by recognizing the Members in the order they indicate their desire to speak.

5.8.4 Number of Times to Speak – Length of Time for Speaking

Any Member of Council may only speak:

- (a) twice on any Motion other than a Motion referred to in paragraph (b), and for no more than five (5) minutes each time, except that a Member shall not speak more than once to a Motion until every Member who wishes to speak on that item has spoken; and
- (b) once on any Motion to Amend, Motion to Refer or Motion to Defer, and for no more than three (3) minutes each time.

5.8.5 Request to Read a Motion Aloud

Any Member may request a Motion that is under discussion to be read at any time during the debate, but shall not do so while another Member is speaking.

5.8.6 Right of Reply

In addition to the speaking rights set out in subsection 5.8.4 (Number of Times to Speak – Length of Time for Speaking), after all Members who wish to speak on a Motion have done so, the Member who has made the Motion may have an additional three (3) minutes to reply to comments made by the other Members.

5.8.7 While Member Is Speaking

When a Member is speaking, no Member shall interrupt except to raise a Point of Order, a Point of Information, or to appeal a decision of the Chair.

5.8.8 Point of Order

- (a) A Member may interrupt the Person who has the floor to raise a Point of Order.
- (b) The Chair shall consider the matter immediately and render a ruling that may, if the Chair has determined that the personal or professional integrity of a Member has been impugned or put into question, include a requirement that any offending Member(s) render an apology.
- (c) The ruling of the Chair shall be final unless a Member appeals the ruling to Council.

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- (d) If the ruling is appealed, the Members shall decide, without debate, on the question "Should the ruling of the Chair be upheld?", and the decision of the majority of Members on this question shall be final.
- (e) In the event of a tie on the question referred to in Paragraph (d), the decision of the Chair shall be upheld.

5.8.9 Point of Information

- (a) If a Member has questions regarding a Motion being discussed, the Member may ask the Chair for clarification or ask a question through the Chair only for the purpose of obtaining information relating to the Motion.
- (b) If the Chair is unsure of the answer, he or she may direct the question to another Member or to Richmond Hill Staff present at the Meeting.

5.8.10 Integrity of Richmond Hill Staff

- (a) Neither the Chair, nor a Member, while asking a question(s) through the Chair, shall impugn or put into question the personal or professional integrity of Richmond Hill Staff except in a Closed Session Meeting.
- (b) At any time during a Meeting and with the leave of the Chair, the Chief Administrative Officer may make a statement to Council when the integrity of the Chief Administrative Officer or any other Richmond Hill Staff has been impugned or questioned.
- (c) The Chair shall consider the matter immediately and render a ruling that may, if there is a finding that there has been a breach of the rule set out in paragraph (a) above, include a requirement that any offending Member(s) render an apology.
- (d) If the ruling is appealed, the Members shall decide, without debate, on the question "Should the ruling of the Chair be upheld?", and the decision of the majority of Members on this question shall be final.
- (e) In the event of a tie on the question referred to in (d), the decision of the Chair shall be upheld.

5.8.11 Chair Participation In Debate/Moving Motion

- (a) The Chair may answer questions and comment on any Motion put forward by another Member while continuing to preside over the Meeting.
- (b) If the Chair desires to make a Motion, then the Chair shall first designate the duties of the Chair to the Deputy Mayor or, in the Deputy Mayor's absence or inability to act, the Acting Mayor.

5.9 Voting

5.9.1 Call for the Vote

When the Chair calls for the vote on a Motion:

- (a) each Member shall be seated and shall remain seated until the result of the vote has been declared by the Chair; and
- (b) no Member shall walk across the room to speak to any other Member or make any noise or disturbance.

5.9.2 All Members Vote

- (a) Every Member present at a Meeting, including the Chair, shall vote on any Motion unless the Member has declared a Conflict of Interest.
- (b) A failure by a Member entitled to vote in relation to any Motion shall be deemed to be a negative vote.

5.9.3 Majority Vote

A Majority Vote is required to pass a Motion or By-law, with the following exceptions:

- (a) a Motion to waive the rules as described in Section 3.4 (Waiver of Rules), which requires a Two-thirds Vote to be passed;
- (b) a Motion to proceed beyond 11:00 as described in subsection 5.7.7 (Motion to Proceed Beyond 11:00 – Requirements), which requires a Two-thirds Vote to be passed;
- (c) a Motion to Close the Debate as described in subsection 5.7.8 (Motion to Close the Debate), which requires a Two-thirds Vote to be passed;
- (d) a Motion to Reconsider as described in subsection 5.7.14(a)(ii) (Motion for Reconsideration During Term of Council), which requires a Two-thirds Vote to be passed;
- (e) an appeal of a ruling of the Chair on a Point of Order as described in subsection 5.8.8 (Point of Order), which is upheld in the event of a tie; and
- (f) an appeal of a ruling of the Chair on a question of the personal or professional integrity of Richmond Hill Staff as described in subsection 5.8.10 (Integrity of Richmond Hill Staff), which is upheld in the event of a tie.

5.9.4 Tie Vote

Except as expressly set out in subsections 5.8.8 (Point of Order) and 5.8.10 (Integrity of Richmond Hill Staff), in the case of an equal division of votes on a Motion, the Motion shall be deemed to have been decided in the negative.

5.9.5 Show Of Hands

Members shall vote by raising their hand, with the exception of a recorded vote.

5.9.6 Recorded Vote

- (a) Immediately before or after the taking of any vote a Member may request that the vote be recorded.
- (b) Each Member present, except any Member who has declared a Conflict of Interest, shall announce his or her vote as set out in paragraph (c) below, and the Clerk shall record each vote.
- (c) The Member who requested the vote shall announce first, and the remaining Members shall announce in random order called by the Clerk.
- (d) The Clerk shall announce the results of every recorded vote.

5.9.7 Division of Motion

At the request of a Member, a Motion containing distinct proposals may be divided by the Chair, and a separate vote shall be taken for each proposal.

5.9.8 Member Not Seated

A Member not in the vicinity of the Council seating area when the vote is called by the Chair is not entitled to vote on that Motion and in the case of a recorded vote, shall be recorded as absent.

5.9.9 Stating the Motion

If requested by a Member, the Chair shall state the Motion in the form it was introduced immediately prior to calling the vote.

5.9.10 Announcing Result

Except as provided for in Paragraph 5.9.6(d), the Chair shall announce the result of every vote.

5.10 Minutes

5.10.1 Contents - recorded - by Clerk

The Clerk shall take the minutes of each Meeting without note or comment, which shall include:

- (a) The place, date and time of the Meeting;

- (b) The name of the Chair and attendance of the Members
- (c) The Richmond Hill Staff in attendance; and
- (d) Each item considered by Council and the Resolutions, decisions and other proceedings of Council.

5.10.2 Included in Agenda

- (a) Minutes of each Council Meeting that was open to the public shall be presented to Council for approval at the next regular Meeting, and may be adopted by Council without having been read at the Meeting at which their adoption is considered.
- (b) Minutes may only be amended by Council for errors or omissions.

5.10.3 Minutes - confirmation - signing

When the minutes have been adopted by Council, they shall be signed by the Chair and the Clerk.

5.10.4 Minutes – Closed Session Meeting

- (a) The Clerk shall take the minutes of each Closed Session Meeting without note or comment, which shall include:
 - (i) The place, date and time of the Closed Session Meeting;
 - (ii) The name of the Chair and attendance of the Members
 - (iii) The Staff in attendance; and
 - (iv) Each item considered by Council in the Closed Session Meeting.
- (b) The Chair and the Clerk shall sign Closed Session Meeting minutes, notwithstanding that they have not been adopted by Council.
- (c) The failure to adopt Closed Session Meeting minutes does not affect the validity of such minutes. For greater certainty, any minutes of a Closed Session Meeting signed by the Chair and Clerk shall be deemed to have been adopted by Council.

5.11 By-laws

5.11.1 Description - listed on Agenda

All by-laws to be considered by Council, save and except a confirmatory by-law described in subsection 5.11.7 (Confirmation – conclusion – of Meeting), must:

- (a) have a concise title;
- (b) be numbered;

- (c) refer to the discussion on the by-law's subject matter; and
- (d) include the date of the Meeting at which the by-law is to be introduced, provided that the failure to meet the foregoing requirements shall not affect the validity of the by-law.

5.11.2 Introduction - upon Motion

Every by-law or group of by-laws shall be read by stating the number of the by-law.

5.11.3 Purpose - effect - explained upon request

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

5.11.4 Debate - amendment

A by-law may be debated or amended at any time prior to being passed.

5.11.5 One Reading

Notwithstanding any custom or convention, a by-law is effective upon being moved, seconded and passed by Majority Vote only once.

5.11.6 Passed - numbered - dated - signed - seal affixed

- (a) Every by-law passed by Council shall be numbered and dated, sealed with the seal of the Richmond Hill and signed by the Mayor and the Clerk and shall be placed in the Richmond Hill's official records.
- (b) The Clerk shall be authorized to make minor corrections to any by-law resulting from technical or typographical errors.

5.11.7 Confirmation - conclusion - of Meeting

- (a) Decisions on behalf of the Richmond Hill are made by Council in passing Resolutions and By-laws.
- (b) At the conclusion of all regular and special Meetings of Council, save and except Council Public Meetings and Workshops, and prior to adjournment, a by-law shall be brought forward to confirm the actions of Council at that Meeting in respect of each Motion, Resolution and other actions taken, so that every decision of Council at that Meeting shall have the same force and effect as if each and every one of them had been the subject-matter of a separate by-law duly enacted.
- (c) The by-law referred to in paragraph (b), when introduced, shall be voted on without debate.

5.11.8 Routine By-Laws

The following types of by-laws may be presented directly to Council:

- (a) Those directed to be presented directly to Council by Committee of the Whole or Council;
- (b) The appointment of staff for by-law inspection, municipal law enforcement and provincial offences administration;
- (c) Consolidation of by-laws or housekeeping amendments;
- (d) A by-law to levy interim property taxes;
- (e) A by-law to set tax rates in accordance with the approved budget;
- (f) Part-lot control by-laws;
- (g) General by-laws where the purpose and intent of the by-law has been clearly authorized by a previous resolution;
- (h) Minor amendments resulting from changes to provincial enabling legislation; and,
- (i) Other administrative by-laws deemed appropriate by the Chief Administrative Officer.

5.11.9 No other by-law presented

Save and except the confirmatory by-law referred to in subsection 5.11.7 and the Routine By-laws referred to in 5.11.8, no by-law shall be presented to Council unless its subject matter has been considered and approved by Council.

ARTICLE 6 - SPECIAL MEETINGS OF COUNCIL

6.1.1 Special Meetings – Resolution

Notwithstanding any other provision of these Rules of Procedure, Council may by Resolution passed by a Majority Vote authorize the holding of a special Meeting of Council at any time and for any reason.

6.1.2 Special Meetings – Mayor

- (a) The Mayor may at any time call a special Meeting of Council for any reason, by giving direction to the Clerk stating the date, time, location and purpose of the special Meeting.
- (b) Save and except for a Meeting called by the Clerk pursuant to a petition of the majority of the Members of Council as described in subsection 6.1.3 (Special Meetings – Members of Council), upon consultation with the Clerk and provided that sufficient public notice is provided in accordance with the requirements set out in subsection 6.1.8 (Public Notice of Special Meeting), the Mayor may reschedule any special Meeting to an alternate day and/or time.

6.1.3 Special Meetings – Members of Council

The majority of the Members of Council may, by petition, require the Clerk to call a special Meeting for any purpose, and the Clerk shall call a special Meeting for the date, time, location and purpose of the special Meeting referred to in the petition.

6.1.4 Workshops

- (a) A Workshop may be conducted as a Closed Session Meeting provided that:
 - (i) the two conditions set out in subsection 239(3.1) of the Act are both satisfied; and
 - (ii) the resolution provided for in subsection 5.3.2 (Resolution) is passed.
- (b) All the other requirements set out in subsections 5.3.3 to 5.3.7 of Section 5.3 (Closed Session Meetings) shall apply to a Workshop that is not open to the public.

6.1.5 Location of Special Council Meeting

A Special Council Meeting may be held at a location other than the Council Chambers.

6.1.6 Proceedings of Council at a Special Meeting

Except as otherwise expressly stated in this Article 6, the procedures relating to special Council Meetings shall be the same as those for regular Council Meetings.

6.1.7 Notice of Special Meeting

- (a) Subject to paragraph (b), the Clerk shall provide Members with at least forty-eight (48) hours written notice before the time appointed for such Meeting except if the Meeting is summoned to deal with an Emergency or Time Sensitive Matter, in which case the Clerk shall make best efforts to, at minimum, provide each Member with verbal notice as far in advance of the Meeting as practicable.
- (b) Any matter for which Council must provide public notice prior to making a decision pursuant to Applicable Law may only be considered by Council for the purpose of making such decision if the required public notice has been provided.

6.1.8 Public Notice of Special Meeting

The Clerk shall provide notice to the public of a special Meeting called for:

- (a) any purpose other than an Emergency or Time Sensitive Matter by posting to the schedule of Meetings on the Richmond Hill's website not less than one (1) clear day in advance of the date of the Meeting; and
- (b) an Emergency or Time Sensitive Matter, by posting a notice on the door of Council Chambers.

6.1.9 Public Notice – Saving

If by oversight or otherwise notice of a special Meeting is not provided in the manner prescribed in subsection 6.1.8 (Public Notice of Special Meeting), the Meeting of Council shall not be void or voidable by reason of such failure to give notice or the insufficiency of any notice and no proceeding at that Meeting shall be void or voidable by reason of such failure to give notice or the insufficiency of any notice.

6.1.10 Agenda

The Clerk shall prepare an Agenda for all special Meetings of Council setting out the items for consideration and the order of the business for the Meeting In the following format:

- (a) Adoption of Agenda;
- (b) Disclosures of pecuniary interest and general nature thereof;
- (c) Delegations;
- (d) Scheduled Business;

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- (e) Closed Session;
- (f) By-law to confirm the proceedings of council at special Meeting; and
- (g) Adjournment.

6.1.11 No Other Business in Special Meetings

Council shall only consider the item or items on the Agenda, and no other business at a special Meeting.

ARTICLE 7 - MEETINGS OF COMMITTEE OF THE WHOLE

7.1 General Requirements

7.1.1 Procedures – Same as for Proceedings of Council – With Necessary Changes

- (a) This Article 7 outlines only those procedures that are different for regular Committee of the Whole meetings from those that apply to regular Meetings of Council.
- (b) Except as specifically set out in this Article 7, the procedures relating to regular Meetings of Committee of the Whole shall be the same as those outlined in Article 5 (Regular Meetings of Council), with all the necessary changes in points of detail understood.

7.1.2 Inaugural Meeting

There shall be no inaugural Meeting of Committee of the Whole.

7.1.3 Determination of Chair and Vice-Chair

- (a) The Chair of the Committee of the Whole shall be rotated every six (6) months alphabetically among the Members of Council, excluding the Mayor.
- (b) The Vice-Chair of the Committee of the Whole shall be the Member having just completed a term as Chair.
- (c) The Vice-Chair at the first Meeting of Committee of the Whole shall be the last Member scheduled to preside over the last Meeting of the Committee of the Whole during the present term of Council.

7.1.4 Time of Meetings

- (a) Committee of the Whole meetings shall generally be held on the first and third Mondays of each month commencing at 4:30 p.m.
- (b) Despite paragraph (a), unless otherwise provided for by Resolution of Council, there shall be no regular Meetings of Committee of the Whole held during:
 - (i) the first two weeks of January;
 - (ii) the week immediately prior to the March Break observed by the York Region District School Board
 - (iii) the last two weeks of July;
 - (iv) the full month of August;

- (v) the last two weeks of December.
- (c) Despite paragraphs (a) and (b) above, in a regular election year, there shall be no regular Meetings of Committee of the Whole held during the month in which voting day occurs.
- (d) Despite paragraphs (a), (b) and (c) above, and for greater certainty, there shall be no Committee of the Whole meeting scheduled unless a Regular Council meeting has been scheduled for the following week pursuant to subsections 5.1.4 and 5.1.5

7.2 Quorum

7.2.1 Chair - absent

In the case of the Chair not attending within fifteen (15) minutes after the scheduled start time of the Meeting of Committee of the Whole, and provided there is Quorum, the Vice Chair shall call the Members to order and preside until the Chair arrives.

7.2.2 Vice Chair Absent

In the case of the Chair and Vice Chair not attending within fifteen (15) minutes after the scheduled start time of the Meeting of Committee of the Whole, and provided there is Quorum, the Clerk shall call the Members to order. A Chair shall be chosen among the Members present, who will preside over the Meeting until the arrival of the Chair or Vice Chair.

7.3 Agenda

The Clerk shall prepare an Agenda for all regular Committee of the Whole Meetings setting out the items for consideration and the order of the business for the Meeting In the following format:

- (a) Call to Order;
- (b) Council Announcements;
- (c) Introduction of Emergency/Time Sensitive Matters;
- (d) Adoption of Agenda;
- (e) Disclosures of pecuniary interest and general nature thereof;
- (f) Identification of Items Requiring Separate Discussion;
- (g) Adoption of the remainder of Agenda items;
- (h) Public hearing(s);

- (i) Presentation(s);
- (j) Delegation(s);
- (k) Committee and Staff Reports;
- (l) Other Business;
- (m) Emergency/Time Sensitive Matters;
- (n) Closed Session; and
- (o) Adjournment.

7.4 Public Participation

7.4.1 Public Forum

There shall be no public forum at Meetings of Committee of the Whole.

7.4.2 Delegations

- (a) A Person may address Committee of the Whole in relation to a matter that is listed on the Agenda, provided that the Person has registered in advance with the Office of the Clerk no later than 12:00 noon. on the day of the Meeting.
- (b) Notwithstanding that a Person must register with the Office of the Clerk to address Committee of the Whole, a Person that has not registered may address Committee of the Whole if a Resolution is passed by Majority Vote to allow the Person to do so.

7.5 Motions

7.5.1 Motions – Committee of the Whole - General

Without limiting the generality of paragraph (b) of subsection 7.1.1 (Procedures – Same as for Proceedings of Council – With Necessary Changes), and for greater particularity, the procedures set out in Section 5.7 (Motion) for Motions at Council Meetings shall apply to Motions at Committee of the Whole Meetings, except that:

- (a) a Motion is not required to be seconded before being debated or put to a vote; and
- (b) a Motion to Close the Debate is not permitted.

7.5.2 Motions – Committee of the Whole – Motion to Refer Directly to Council

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- (a) In addition to the rules in Section 5.7.10 (Motion to Refer), Committee of the Whole may refer any Agenda Item or Main Motion that has not been voted on to the next Regular Council Meeting or a Special Council Meeting without recommendation by means of a Motion to Refer.
- (b) A Motion to Refer an Agenda Item or Main Motion to the next regular Council meeting or a Special Council Meeting:
 - (i) May be debated, but only as to the advisability of referring the matter to Council without recommendation;
 - (ii) May direct staff to provide additional information at the meeting to which the matter has been referred;
 - (iii) May not be amended, except as to the additional information that staff are directed to provide Council; and,
 - (iv) requires a Majority Vote to be passed.
- (c) Upon passage of a Motion to Refer an Agenda Item or Main Motion to the next regular Council meeting or a Special Council Meeting, the Clerk shall place the Agenda Item or Main Motion, as the case may be, on the next Council Agenda as a separate Agenda Item.

7.6 Rules of Debate

Without limiting the generality of paragraph (b) of subsection 7.1.1 (Procedures – Same as for Proceedings of Council – With Necessary Changes), and for greater particularity, the procedures set out in Section 5.8 (Rules of Debate) for the Rules of Debate at Council Meetings shall apply to Committee of the Whole Meetings, except that if the Chair desires to make a Motion, then the Chair shall first designate the duties of the Chair to the Vice Chair or, in the Vice Chair's absence or inability to act, to a Member elected by Majority Vote for this purpose.

7.7 Report to Council – All Matters and Recommendations

Committee of the Whole shall report to Council on all matters brought before it and shall recommend such action as it deems appropriate.

ARTICLE 8 - COUNCIL PUBLIC MEETINGS FOR PLANNING MATTERS

8.1 Purpose

- (a) In addition to its regular Meetings, Council shall hold separate regular Meetings pursuant to the requirements of the Planning Act, known as Council Public Meetings, solely for the purpose of providing the public an opportunity to make representations to Council in relation to decisions to be made by Council at future Council Meeting.
- (b) Council may receive written reports from staff in relation to the future decisions, but save and except for providing directions to staff, no decisions shall be made by Council at Council Public Meetings.

8.2 Proceedings of Council at a Council Public Meeting

Except as specifically set out in this Article 8, the procedures relating to Council Public Meetings shall be the same as those for regular Council Meetings outlined in Article 5, with all the necessary changes in points of detail understood.

8.3 Schedule of Council Public Meetings

- (a) Council Public Meetings shall generally be held on the first and third Wednesday of each month, commencing at 7:30 p.m.
- (b) Despite paragraph (a), there shall be no Council Public Meetings held during the first two weeks of January, the last two weeks of December or between June 30th and Labour Day of any calendar year unless otherwise provided by Resolution of Council.
- (c) Despite paragraphs (a) and (b), there shall be no Council Public Meeting held during the March Break observed by the York Region District School Board.
- (d) Despite paragraph (a), there shall be no Council Public Meeting held during the four (4) week period immediately prior to voting day in a regular election year.

8.4 Closed Session Meeting

A Closed Session Meeting is not permitted during a Council Public Meeting.

8.5 Order of Business

8.5.1 Council Public Meeting Agenda

The format of the Agenda for regular Council Public Meetings shall be as follows:

- (a) Adoption of Agenda;
- (b) Disclosures of pecuniary interest and general nature thereof;
- (c) Scheduled business;
- (d) Adjournment.

8.5.2 Announcements

Announcements are not permitted during a Council Public Meeting.

8.6 Public Participation

Without limiting the generality of Section 8.2 (Proceedings of Council at a Council Public Meeting), and for greater particularity, the procedures set out in Section 5.5 (Public Participation) for Public Participation at regular Council Meetings shall apply to public participation at Council Public Meetings, except that:

- (a) there shall be no public forum at a Council Public Hearing; and
- (b) no prior registration is required to make a Delegation.

8.7 Motions

Without limiting the generality of Section 8.2 (Proceedings of Council at a Council Public Meeting), and for greater particularity, the procedures set out in Section 5.7 (Motion) for Motions at Council Meetings shall apply to Motions at Council Public Meetings, except that:

- (a) only a Motion consistent with the purpose of the Council Public Meeting as set out in Section 8.1 (Purpose) may be made; and
- (b) the following motions are prohibited:
 - (i) a Motion to close the debate;
 - (ii) a Motion to Defer;
 - (iii) a Motion to amend; and
 - (iv) a Motion to reconsider.

ARTICLE 9 - BUDGET COMMITTEE OF THE WHOLE

9.1 Establishment and Purpose

There shall be a Budget Committee of the Whole comprised of all Members which shall address matters and issues relating to the preparation, administration and monitoring of the budget of the Richmond Hill and other current and long-range fiscal planning for the Richmond Hill.

9.2 General Requirements

9.2.1 Business – Procedure

Except as specifically set out in this Article 9, the procedures relating to Budget Committee of the Whole shall be the same as those for Committee of the Whole outlined in Article 7 (Meetings of Committee of the Whole), with all the necessary changes in points of detail understood.

9.2.2 Determination of Chair and Vice-Chair

The Chair and Vice-Chair of the Budget Committee of the Whole shall be determined by Council.

9.2.3 Time of Meetings

The Meetings of Budget Committee of the Whole shall be held as determined by the Clerk and generally commencing at 1:00 p.m.

9.3 Closed Session Meeting

A Closed Session Meeting is not permitted during a Budget Committee of the Whole.

9.4 Order of Business

9.4.1 Budget Committee of the Whole Agenda

The format of the Agenda for Budget Committee of the Whole shall be as follows:

- (a) Adoption of Agenda;
- (b) Disclosures of pecuniary interest and general nature thereof;
- (c) Adoption of previous minutes;
- (d) Presentations

- (e) Delegations
- (f) Scheduled business;
- (g) Adjournment.

9.4.2 Announcements

Announcements are not permitted during a Meeting of Budget Committee of the Whole.

9.5 Report to Council – All Matters and Recommendations

Budget Committee of the Whole shall report to Council on all matters within its mandate and shall recommend such action as it deems appropriate.

ARTICLE 10 - AUDIT COMMITTEE

10.1 Establishment and Purpose

There shall be an Audit Committee which shall address matters and issues relating to the preparation, administration and implementation of the audit of the Richmond Hill.

10.2 General Requirements

10.2.1 Business – Procedure

Except as specifically set out in this Article 10, the procedures relating to Audit Committee shall be the same as those for Committee of the Whole outlined in Article 7 (Meetings of Committee of the Whole), with all the necessary changes in points of detail understood.

10.2.2 Determination of Chair and Vice-Chair

The Chair and Vice-Chair of the Audit Committee shall be determined by Council at the beginning of each new term of Council.

10.2.3 Time of Meetings

The Meetings of Audit Committee shall be held as determined by the Clerk.

10.3 Closed Session Meeting

A Closed Session Meeting is not permitted during a Meeting of Audit Committee.

10.4 Order of Business

10.4.1 Audit Committee Agenda

The format of the Agenda for Audit Committee Meetings shall be as follows:

- (a) Adoption of Agenda;
- (b) Disclosures of pecuniary interest and general nature thereof;
- (c) Scheduled business;
- (d) Adjournment.

10.4.2 Announcements

Announcements are not permitted during a Meeting of Audit Committee.

10.5 Report to Council – All Matters and Recommendations

Schedule "A" - By-law No. 107-18 – Rules of Procedure

Audit Committee shall report to Council on all matters within its mandate it and shall recommend such action as it deems appropriate.

ARTICLE 11 - SPECIAL COMMITTEE, TASK FORCES AND ADVISORY COMMITTEES

11.1 Appointment – by Council

Any special Committee, including any Task Force or Advisory Committee, may be appointed by Council from time to time to consider and report on a specific subject, project and undertaking, in accordance with any terms of reference developed for such Committee.

11.2 General Requirements

11.2.1 Business – Procedure

Except as specifically set out in this Article 11, the procedures relating to the special Committee shall be the same as those for Committee of the Whole outlined in Article 7 (Meetings of Committee of the Whole), with all the necessary changes in points of detail understood, unless otherwise specified in the terms of reference of the special Committee or another of by-law of the Richmond Hill.

11.2.2 Chair and Vice-Chair

The Chair and Vice-Chair to preside over Meetings of the special Committee shall be determined at the time that the special Committee is established.

11.3 Committee Dissolved

A special Committee shall:

- (a) report to Committee of the Whole on all matters referred to it and shall recommend such action as it deems appropriate; and
- (b) be dissolved following completion of its mandate and work and a final report to Council.