

Authority: Notice of Motion, moved by Mayor Lastman,
seconded by Councillor Ootes, adopted by Council
on January 2, 6, 8 and 9, 1998

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CITY OF TORONTO

BY-LAW No. 23-1998

To Govern the Proceedings of the Council and the Committees thereof.

The Council of The City of Toronto HEREBY ENACTS as follows:

I. INTERPRETATION

Definitions

1. In this By-law,

- (a) “Act” means the *City of Toronto Act, 1997*, as amended from time to time;
- (b) “bill” means a draft or proposed form of by-law;
- (c) “Chair” means the person presiding at a meeting;
- (d) “Clerk” means the Clerk of the City of Toronto;
- (e) “Committee” means a committee as defined in Part IV of the *Municipal Act* and section 7 of the *City of Toronto Act, 1997*;
- (f) “Committee Chair” means the chair of a Committee of the Council;
- (g) “Committee of the Whole” means all of the Members present sitting as a committee of the whole Council;
- (h) “Corporation” means the Corporation of the City of Toronto;
- (i) “Inaugural Meeting” means the first meeting of Council after a regular election;
- (j) “Community Council” means a Committee of Council established under section 7 of the *City of Toronto Act, 1997*;
- (k) “confirmatory bill” or “confirmatory by-law” means a bill or by-law respectively, in a form approved by the Council from time to time, prepared or passed for the purpose of giving general effect to a previous decision or proceedings of the Council;

- (l) “Council” means the Council of the City of Toronto;
- (m)
 - (i) “Mayor” means the head of the Council of the City of Toronto;
 - (ii) “Deputy Mayor” means a Member, who is not the chair of any Standing Committee or Community Council, appointed by Council by-law, as Deputy Mayor to assist the Mayor, and to act from time to time in the place and stead of the Mayor when the Mayor is absent from the City, or is absent through illness, or the office of the Mayor is vacant, and while so acting, such Member has, and may exercise, all the rights, powers and authority of the Mayor;
 - (iii) “Second Deputy Mayor” means a Member, appointed by Council by-law, as Second Deputy Mayor, to assist the Mayor, and to act from time to time in the place and stead of the Mayor when both the Mayor and the Deputy Mayor are absent from the City, or are absent through illness, or the offices of the Mayor and Deputy Mayor are vacant, and while so acting, such Member has, and may exercise, all the rights, powers and authority of the Mayor; and
 - (iv) “Third Deputy Mayor” means a Member, appointed by Council by-law, as Third Deputy Mayor, to assist the Mayor, and to act from time to time in the place and stead of the Mayor, when the Mayor, the Deputy Mayor, and the Second Deputy Mayor are absent from the City, or are absent through illness, or the offices of the Mayor, Deputy Mayor, and Second Deputy Mayor are vacant and while so acting, such Member has, and may exercise, all the rights, powers and authorities of the Mayor;
- (n) “Meeting” means a meeting as defined in Part IV of the *Municipal Act*;
- (o) “Member” means a Member of Council;
- (p) “motion to defer” means a motion to dispose of a matter or motion, with or without any proposed amendment, by delaying consideration thereof
 - (i) indefinitely;
 - (ii) until or within some specified time or time period;
 - (iii) until the happening of a specified event; or
 - (iv) until the receipt of one or more reports or communications;
- (q) “motion to receive” means a motion to acknowledge the particular item, report or recommendation under consideration and to have

the item, report or recommendation placed in the records of the Clerk for future reference with no additional action being taken with respect thereto at the present time;

- (r) “motion to refer” means a motion to dispose of a question under consideration, with or without any proposed amendment, in order to seek consideration by, and, if deemed desirable, one or more reports from, any designated committee, body or official;
- (s) “Notice of Motion” means a motion received by the Clerk, in writing, moved by a Member, and seconded by another Member, for inclusion on an agenda of a meeting of the Council;
- (t) “point of order” means a question by a Member with the view to calling attention to any departure from the Procedural By-law or in the conduct of the Council's business;
- (u) “point of personal privilege” means a question by a Member who is concerned and believes that another Member has spoken disrespectfully towards that Member, or who considers that his or her integrity has been impugned;
- (v) “point of privilege” means a question affecting the rights and immunities of the Council collectively or the position and conduct of Members as elected representatives;
- (w) “point of procedure” means a question to obtain information on a matter of parliamentary procedure or the rules of the Council bearing on the business at hand in order to assist a Member to make an appropriate motion, raise a point of order, or understand the parliamentary situation or the effect of a motion;
- (x) “Procedural By-law” means this By-law as amended from time to time;
- (y) “recorded vote” means the recording of the name and vote of every Member voting on any matter or question; and
- (z) “regular election” means regular election as defined in section 1 of the *Municipal Elections Act*.

II. CONDUCT OF BUSINESS

Business
conducted
according to
this By-law

2. The rules and regulations contained in this By-law shall be

observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business in the Council and, where applicable, in the Committees thereof.

III. INAUGURAL MEETING OF COUNCIL

First
meeting

3. (1) Subject to the provisions of the Act, the Inaugural Meeting

shall be held on such date and at such time and place as may be fixed by by-law of the previous Council.

Order of
procedure
at Inaugural
meeting

- (2) At the Inaugural Meeting of the Council,

- (a) the Council shall organize as a Council, and the first order of business shall be the Declarations of Office and Oaths of Allegiance in accordance with the *Municipal Act*;
- (b) Council shall recess to permit Community Councils to meet to elect their chairs, and to permit the Striking Committee to meet and submit its report to Council; and
- (c) the Mayor may request a guest to open the proceedings with a special address.

IV. MEETINGS OF COUNCIL

Regular
meetings

4. (1) Unless otherwise decided by Council, regular meetings of

the Council shall be held at 9:30 a.m. on every fourth Wednesday, after the Inaugural Meeting, unless such a day shall be a public or civic holiday, in which case the Council shall meet at 9:30 a.m. on the Thursday of the same week.

Schedule
of

(2) The Council, on recommendation of the Striking

meetings

Committee, shall establish and publish an annual schedule of its meetings, and shall adhere to such schedule unless otherwise decided by the Council.

Mayor may
summon
special
meetings

5. (1) The Mayor may at any time summon a special meeting of

the Council on 24 hours' notice to the Members and shall summon a special meeting of the Council when requested to do so in writing by a majority of the Members.

Notice of
special
meeting

(2) The notice calling a special meeting of the Council shall

state the business to be considered at the special meeting and no business other than that stated in the notice shall be considered at such meeting except with at least two-thirds of the Members present and voting in the affirmative.

Agenda of
special

meeting

(3) At all special meetings of the Council summoned by the Mayor, the Agenda therefor shall be prepared and printed as the Mayor may direct.

Clerk may
summon
special
meeting

(4) When the Mayor is absent from the City, as defined in the

Act, or is absent through illness, or refuses to act, or when the office of the Mayor is vacant, a special meeting of the Council may be summoned by the Clerk on 24 hours' notice upon receipt of a petition signed by a majority of the Members.

Chair to
convene
Meeting

6. As soon as there is a quorum after the time set for the meeting, the

Chair shall take the chair and call the Members to order.

Absence of
Mayor at
meeting

7. (1) In case the Mayor, the Deputy Mayor, the Second Deputy

Mayor, or the Third Deputy Mayor, does not attend within fifteen minutes of the time a quorum is present after the time appointed for a meeting of the Council or the resumption after an adjournment, the Clerk shall call the Members to order and an acting chair shall be appointed from among the Members present and he or she shall preside until the arrival of the Mayor, Deputy Mayor, Second Deputy Mayor, or Third Deputy Mayor, as the case may be.

Idem

(2) The Mayor, Deputy Mayor, Second Deputy Mayor, or Third Deputy Mayor, as the case may be, may designate another Member as acting chair during any part of a meeting of the Council when he or she leaves the chair for any reason.

Power of
acting chair

(3) While presiding, the acting chair shall have all the powers

of the Mayor with respect to chairing the meeting and shall be entitled to vote as a Member.

Quorum

8. A majority of Members is necessary to constitute a quorum of Council.

Absence of
quorum

9. (1) If no quorum is present at the time set for a meeting of the

Council, or the resumption after an adjournment, the Clerk shall ring the bells to

call for a quorum for a period of fifteen minutes, or until a quorum is present, whichever is sooner.

Loss of
quorum
during
meeting

(2) During the meeting, if a Member or the Clerk draws the

attention of the Chair to the fact that a quorum is not present, the Chair shall, upon determining that a quorum is not present, request the Clerk to ring the bells to call for a quorum for a period of fifteen minutes, or until a quorum is present, whichever is sooner.

Roll Call

(3) If there is still no quorum after fifteen minutes, the Clerk

shall call the roll and record the names of the Members present.

Adjournment
for lack of
quorum

(4) If there is still no quorum by the time the Clerk has

completed calling the roll, the Council shall stand adjourned until the next scheduled day of meeting, and all unfinished business shall be carried forward to the next scheduled day of meeting.

Meetings
in camera

10. No Meeting or part thereof shall be in camera unless:

- (a) if it is required in accordance with the Municipal Act or other applicable legislation;
- (b) the Council or Committee holding same has expressly so resolved; and
- (c) the *Municipal Act* and any other requirements imposed by law are complied with.

Adjournment

11. (1) Subject to subsections (6), (7) and (8), the Council shall

adjourn at 12:30 p.m. until 2:00 p.m. on any day of meeting.

(2) Subject to subsections (6), (7) and (8), the Council shall adjourn at 6:30 p.m. on the first day of meeting until 8:00 p.m.

(3) Subject to subsections (6), (7) and (8), the Council shall adjourn at 10:00 p.m. on the first day of meeting until 9:30 a.m. on the following day.

(4) Subject to subsections (6), (7) and (8), the Council shall adjourn at 10:00 p.m. on the second day of meeting until 9:30 a.m. on the following day.

(5) The Council shall adjourn at 4:00 p.m. on the third day of meeting and any unfinished business shall be resubmitted to the next regular meeting of Council unless a special meeting is called for that purpose.

(6) Subsections (1), (2), (3), (4) and (5) shall apply in respect of any meeting at which there is business left unfinished at the appointed time of adjournment.

(7) Any of subsections (1), (2), (3), (4) and (5) may be waived by the Council by a two-thirds vote of the Members present and voting.

(8) Nothing contained in this section renders invalid any action taken by the Council otherwise in accordance with the provisions of this By-law.

Mayor as
Ex-officio
member
of all

12. The Mayor shall chair the Strategic Policies and Priorities

committees

Committee and Striking Committee of the Council, and shall be a member ex-officio of all other Standing and other Committees of the Council and Community Councils, and shall be entitled to a vote as a member of such Committees or Community Councils.

Chair of
Nominating
Committee

13. The Mayor, or the Mayor's designate who is a Member of Council,

shall chair the Nominating Committee.

V. ORDER AND DECORUM AND CONDUCT OF MEMBERS

Chair to
maintain

order

14. Subject to being overruled by a majority vote of the Members, which vote shall be taken without debate, or comment, the Chair:

- (a) shall maintain order and preserve the decorum of the meeting;
- (b) shall rule upon points of order, points of procedure, points of privilege and points of personal privilege, without debate or comment;
- (c) shall rule upon all other procedural matters;
- (d) if considered necessary because of grave disorder, shall adjourn or suspend the meeting for a specified time;
- (e) shall determine which Member has the right to speak;
- (f) shall ascertain that all Members who wish to speak on a motion have spoken and that the Members are ready to vote, and shall then put the vote;
- (g) shall rule whether a motion or proposed amendment is in order; and
- (h) may call a Member to order.

Conduct
of Members

15. Every Member, while speaking on any matter, or asking any questions, shall stand and address the Chair, unless prevented by physical disability.

Idem

15.1 No Member shall,

- (a) speak disrespectfully of any member of the Royal Family, the Governor General, the Lieutenant Governor of any Province, any Member of Council or any official of the Corporation;
- (b) engage in private conversation while in the Council Chamber in such manner as to interrupt the proceedings of the Council;
- (c) leave his or her seat or make any noise or disturbance while a vote is being taken and until the result of the vote is announced;

- (d) use offensive words or unparliamentary language in or against the Council or against any Member;
- (e) speak on any subject other than the subject in debate;
- (f) where a matter has been discussed in camera, and where the matter remains confidential, disclose the content of the matter or the substance of deliberations of the in camera meeting; and
- (g) disobey the rules of the Council or a decision of the Chair or of the Council on questions of order or practice or upon the interpretation of the rules of the Council; and in case a Member persists in any such disobedience after having been called to order by the Chair:
 - (i) the Chair shall forthwith put the question, no amendment, adjournment or debate being allowed, that such Member be ordered to leave the Council Chamber for the remainder of the meeting of the Council;
 - (ii) if the question carries, the Chair will order the Member to leave the Council Chamber for the remainder of the meeting of the Council; and
 - (iii) if the Member advises the Clerk that the Member wishes to apologize to Council, the Clerk will inform the Chair, who will permit the Member to do so, and with Council's consent, the Member may return to his/her seat.

Visitors
during
Council
Meetings

- 16.** (a) No person except Members, the Clerk, and officials authorized by the Clerk, the Chair, or the Council, shall be allowed on the floor of Council.
- (b) No person shall display signs or placards, applaud participants in debate or engage in conversation or other behaviour which may disrupt the proceedings of Council.
 - (c) No person, except a Member, may address the Council, except by invitation of the Chair or Council.

VI. ORDER OF BUSINESS

Agenda and
order of
business

17. (1) The Clerk shall have prepared and printed for the use of the

Members at the regular meetings of the Council an Agenda under the following headings:

- 1st, National Anthem;
- 2nd, Moment of Silence;
- 3rd, Confirmation of Minutes;
- 4th, Communications;
- 5th, Petitions;
- 6th, Enquiries and Answers;
- 7th, Presentation of Reports of the Standing Committees, Community Councils and other Committees;
- 8th, Declarations of Interest;
- 9th, Consideration of Reports of the Standing Committees and Community Councils;
- 10th, Introduction and consideration of general bills not previously introduced;
- 11th, Motions previously called and not disposed of;
- 12th, Motions of which notice has been previously given;
- 13th, Giving Notices of Motions;
- 14th, Confirmatory bill; and
- 15th, Adjournment.

Idem

(2) The business of the Council shall in all cases be taken up in the order in which it is listed on the Agenda, unless otherwise decided by the Council.

Alteration
of order of
business

(3) When an alteration of the order of business is desired,

Council, without debate, may by a majority vote of the Members present make any such alteration of the order of the business but shall not in so doing delete any portion of the business which has been set out in the Agenda.

Recommendations
of Committee

(4) The recommendation(s) of a Committee or a Community Council, embodied in a report to Council, are:

- (a) the main motion(s) when the Clause is called;
- (b) deemed to have been moved; and
- (c) deemed to have been adopted by Council without any amendments unless Council decides otherwise.

Related matters
on the
Agenda

(5) Notwithstanding the order of business set out in subsection (1), where the same or related subject matters appear in more than one place on the Agenda, Council may:

- (a) deal with all items related to the matter together;
- (b) deal with such items as they appear on the Agenda;
or
- (c) refer the items for consolidation into one report.

VII. POINTS OF ORDER AND PRIVILEGE

Chair may
permit Dept.
Head to make
statement

18. When the Chair, or a Member, considers the integrity of an official

of the City has been impugned or questioned by a Member, the Chair may permit the Head or other official to make a statement to the Council.

Immediate
consideration

19. Whenever any point of order, point of procedure, point of privilege

or point of personal privilege arises, it shall be immediately taken into consideration and ruled upon by the Chair, without debate or comment, and subject to challenge of the ruling of the Chair in accordance with subsections 20(3) and (4), the Chair's ruling is final.

Member to
seek leave

to raise
point of

20. (1) When a Member rises on a point of order, point of

order

procedure, point of privilege or point of personal privilege, he or she shall ask leave of the Chair to raise the point and after leave is granted, shall state the point to the Chair and sit down and remain seated until the Chair has ruled upon the point of order.

Ruling by
Chair

(2) Subject to being overruled by a majority vote of Members,

which vote shall be taken immediately and without debate, the Chair shall rule upon points of order, points of procedure, points of privilege and points of personal privilege, without debate or comment, as provided for under section 14(b).

Appeal
to Council

(3) Any Member may challenge the ruling of the Chair

immediately following the ruling.

Decision of
Chair

(4) Unless the ruling of the Chair is challenged, the decision

of the Chair shall be final.

Idem

(5) If the ruling of the Chair is challenged, Council shall

decide the question without debate and its decision shall be final.

VIII. RULES OF DEBATE

Order of

speaking

21. The Chair shall maintain a list of Members who have requested to speak or to ask questions, and the Chair shall designate Members to speak or to ask questions in the order in which they appear on the list.

Member not
to interrupt
other
member

22. When a Member is speaking, no other Member shall pass between

that Member and the Chair, or interrupt him or her, except to raise a point of order, a point of procedure, a point of privilege, or a point of personal privilege.

Speak once
to same
matter only

23. No Member shall speak more than once to the same matter being

debated.

Five-minute
limit

24. A Member may speak to the same matter for a maximum of five

minutes.

Questioning
to obtain

25. (1) When it is a Member's turn to speak, a Member may first

facts

ask questions only for the purpose of obtaining facts relating to the matter under discussion and necessary for a clear understanding thereof.

Questioning
not to be

(2) All questions shall be stated succinctly and questions shall not be used as a means of making statements or assertions.

statements

Questioning
of Members
& Officials
authorized by
Council only

(3) Questions may be asked only:

(a) of the Mayor;

(b) with the consent of the Council, of an official of the City or other body, or of a Committee Chair, a

Community Council Chair, or of the chair of an agency, board or commission; and

- (c) of the previous speaker, if that speaker has moved a motion, and that any question of the previous speaker who has moved a motion be limited to clarification of that motion only.

Questioning limited to one time only

- (4) The number of times a Member may ask questions of the

same person on the same matter shall be limited to one time only.

Five-minute questioning

- (5) No series of questions by a Member and answers thereto by

any person pursuant to subsection (3) shall last more than five minutes.

Idem

(6) When a Member, or an official, or the Mayor, is on the floor of Council to answer questions pursuant to subsection (3), any other Member may ask questions of such Member.

Member not to ask same question

- (7) A Member may not ask a question if the Chair rules that

such question, in substantially similar form and content, has already been asked and answered.

Notices of Motion to be placed on Agenda

26. A Notice of Motion shall be in writing and shall include the name of the mover and seconder and shall be received by the Clerk at any time and if received by the Clerk prior to 4:30 p.m. on the fifth business day preceding a regular meeting, shall be included in the Agenda for that meeting of Council and, subject to Section 30, for each succeeding meeting until the Motion is considered or otherwise disposed of.

Introduction of motion, without

notice

27. Any motion or Notice of Motion dealing with a matter not on the

agenda for the meeting, or which requires reconsideration of a previous decision of Council within the current term of Council, may be introduced without notice if the Council, without debate, dispenses with notice on the affirmative vote of at least two-thirds of the Members present and voting.

Consideration of
substantive
policy

28. (1) Any Notice of Motion recommending the adoption or

amendment of a substantive policy by the Council may be introduced, without notice, if the Council, without debate, dispenses with notice on the affirmative vote of at least two-thirds of the Members present and voting.

Referral of
Notices of
Motions to
Standing
Committees

(2) Any Notice of Motion whose subject matter falls within the

mandate of a Standing Committee, a Community Council, an agency, board or commission, shall be referred to that Committee, Community Council, agency, board or commission, by the Council, as soon as notice is given to Council, and no Member shall speak upon, nor shall debate be allowed upon such Notice of Motion until a report thereon has been submitted by the Committee, Community Council, agency, board or commission, to which it was referred.

Motions not
proceeded
with

29. When a Notice of Motion has been on the Agenda for two

successive meetings after notice has been given, and not proceeded with, it shall be dropped from the Agenda and deemed withdrawn unless Council decides otherwise.

Inclusion
on next
agenda

30. All Notices of Motions called in pursuance of the Agenda and not

disposed of shall be placed on the Agenda for the next regular meeting of the

Council after “Introduction and consideration of general bills not previously introduced”.

Ultra vires

31. A motion or Notice of Motion in respect of a matter which is ultra vires the jurisdiction of the Council shall not be in order.

Motions in writing

32. (1) Except as provided for in section 38, every motion and proposed amendment shall be in writing and shall be moved before being debated or put to a vote.

Motions to be moved before speaking

(2) A motion or an amendment to a motion shall be moved before a Member speaks to the motion.

Withdrawal of Notice of Motion from

33. After a motion is moved in Council, or a Notice of Motion is

Council

placed on the Agenda after notice is given, or a Notice of Motion is given in Council, it shall be deemed to be in possession of the Council and may not be withdrawn without a majority vote of the Members present and voting.

Request to read motion

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

Submission of motions

35. (1) When a question is before the Council for consideration, no motion shall be received other than a procedural motion, a motion to adopt or to amend, a motion to receive, a motion to defer or a motion to refer.

Motion to receive

(2) A motion to receive, moved after the main motion, shall be treated as a motion to amend, except for the purposes of subsection 36(4).

Amendments

- 36.** (1) Every amendment shall be presented in writing.
- (2) Any Member may move a motion to amend an amendment, but no further amendment shall be allowed to that Member's amendment.
- (3) An amendment shall be out of order if it is ruled by the Chair to be a substantive motion and not an amendment.
- (4) An amendment which in effect is nothing more than a rejection of the motion is not in order.

Procedural motions

37. The following matters may be introduced orally without written notice and without leave:

- (a) a point of order, procedure, privilege or personal privilege;
- (b) the presentation of petitions;
- (c) a motion to suspend or not follow a rule of procedure or in compliance with a rule of procedure;
- (d) a motion to adjourn;
- (e) a motion that the vote be now taken; and
- (f) a motion that the Council resolve itself into Committee of the Whole.

Order of precedence

38. The following are deemed to be procedural motions and shall be subject to debate, as follows:

- (a) to change the order of business (not debatable);
- (b) to adjourn and amendments thereto (not debatable);
- (c) that the vote be now taken (not debatable);
- (d) that the Council resolve itself into Committee of the Whole (not debatable);
- (e) to refer the question, with or without any proposed amendment thereto (debatable, in accordance with section 41, where applicable); and
- (f) other motions to defer (debatable, in accordance with section 41, where applicable).

Deferral
motion

39. (1) A Member who moves a motion to defer shall include in the motion:

- (a) the time to or within which consideration of the matter is to be deferred; and
- (b) whatever explanation is necessary to demonstrate the purpose of the motion to defer.

Referral
motion

(2) A Member who moves a motion to refer shall also include in the motion:

- (a) the name of the committee, body or official to whom the motion or amendment is to be referred;
- (b) the terms upon which it is to be referred; and
- (c) the date or period, if any, within which the matter is to be returned.

Precedence
over non-
procedural
motions

40. A Member may include, as part of a motion to defer, or a motion to refer the question, that the vote on such motion be taken immediately, and such motion shall, until its disposition, take precedence over any non-procedural motion or amendment, and shall be put immediately following its debate in accordance with section 41.

Limited
debate

41. A motion to defer, or a motion to refer, made pursuant to section 40, shall be debatable in respect only of the desirability of deferring or referring and the terms of the deferral or referral, and no discussion of the main question or amendments thereto shall be allowed until after its disposition.

Motion to
adjourn
Council or
to adjourn
debate

42. (1) A motion to adjourn the Council shall always be in order

except:

- (a) when another Member is in possession of the floor;
- (b) when a vote has been called;
- (c) when the Members are voting; or
- (d) when a Member has indicated to the Chair his or her desire to speak on the matter before the Council.

Take over
other motions
precedence

(2) A motion to adjourn and amendments thereto, or a motion

that the vote be now taken, shall take precedence over any other motion and shall be put immediately without debate.

Two-thirds
vote required

(3) A motion that the vote be now taken shall not be passed

without a two-thirds vote of the Members present and voting.

Member not
allowed to
speak to
question again

(4) A Member who moved a motion that the vote be now taken

shall not be allowed to speak to the question again if the motion is decided in the negative.

Motion to
consider
matter
previously
deferred

43. A motion that the Council consider a matter previously deferred

indefinitely or to a time or eventuality which has not yet been reached or occurred, respectively, shall be presented only if the Council so decides, by a two-thirds vote of the Members of Council present and voting.

Consideration
of Items not
distributed
with Agenda

44. Except as otherwise decided by a two-thirds vote of the Members

of Council present and voting, the Council shall not consider any report of a Committee, or Community Council, or any bill, other than a confirmatory bill, that has not been distributed to the Members with the Agenda, except that where a bill, the subject matter of which has been approved by Council in a report of a Committee or by resolution, has not been distributed to the Members, the said bill may be considered by Council on a vote of a majority of the Members present and voting.

Idem

45. No Member shall present any matter to the Council for its consideration unless:

- (a) the matter appears on the Agenda for that meeting of the Council; or
- (b) leave is granted to present the matter in accordance with the provisions of section 44; or
- (c) it is provided for in section 27 or 37.

Reconsideration
of matter
previously
decided by
Council

46. (1) Subject to subsections (2) and (3), no question after it has

been decided shall be reconsidered during the term of the Council;

(2) After any question has been decided, any Member who voted thereon with the majority or, where a two-thirds vote is required, any Member who voted thereon for the decision of Council, may move a motion or submit a Notice of Motion for a reconsideration of the matter.

(3) No discussion of the main question shall be allowed until the motion for reconsideration is carried.

(4) A motion to reconsider may not be made at the same meeting that the decision proposed for reconsideration was made without a two-thirds vote of the Members present and voting.

(5) A motion to reconsider may not be introduced, without notice, unless the Council, without debate, dispenses with notice on the affirmative vote of at least two-thirds of the Members present and voting.

(6) Once the question is reopened, it is reopened in its entirety unless the reopening motion specifies otherwise.

(7) If the question is reopened, all previous decisions of Council remain in force unless Council decides otherwise.

IX. VOTES

Members
present
must vote

47. (1) Every Member present at a meeting of the Council when a question is put shall vote thereon, unless prohibited by statute, in which case it shall be so recorded.

Equality
of votes

(2) Unless provided otherwise if there is an equality of votes on any question, the vote shall be deemed to be lost.

Members
not voting

48. If any Member at a meeting of the Council when a question is put and a recorded vote taken, does not vote, he or she shall be deemed as voting in the negative except where prohibited from voting by statute.

Request for
recorded

vote

49. When a recorded vote is requested by a Member, or is otherwise required, the Clerk shall record the name and vote of every Member on any question.

Idem

50. A request by a Member for a recorded vote shall be made immediately prior to the commencement of the vote being taken, or immediately thereafter.

Idem

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

No discussion
until result
of vote
declared

52. After a question is put by the Chair, no Member shall speak to the

question nor shall any other motion be made until after the vote is taken and the result has been declared.

Separate
Votes

53. Upon the request of any Member, and when the Chair is satisfied

that a matter under consideration contains distinct proposals, the vote upon each proposal shall be taken separately.

Order of
Votes

54. When a vote is taken the order of the vote shall, unless otherwise

decided by the Council, be as follows:

- (a) upon any motion to refer;
- (b) upon any motion to defer;
- (c) upon any motion to receive;
- (d) upon the amendments in the reverse order of presentation, dealing with an amendment to an amendment immediately before the amendment it proposes to amend;
- (e) then, upon the motion to adopt or upon the motion to adopt as amended, if any amendments have been carried; provided that a vote upon a motion to adopt or upon a motion to adopt, as amended, is not necessary where every provision or recommendation has already been voted on by Council; and
- (f) a vote on a "Clause, as amended" may be split only for the purpose of complying with the *Municipal Conflict of Interest Act*.

X. ENQUIRIES, PETITIONS AND COMMUNICATIONS

Submission of
enquiries
by members
and answers
to enquiries

55. All enquiries by Members seeking information relating to the affairs of the City shall be in writing, and shall be handed to the Clerk of the council at least seven clear working days before the day of the meeting at which such enquiry is to be made, and the answer to such enquiry shall also be put in writing, and handed to the Chair at least one hour before the meeting and shall be read to the Council by the Clerk unless copies have been made available to the Members present prior to the commencement of the meeting.

No debate on enquiries

56. All enquiries, and answers thereto, shall be received or referred to the appropriate Committee, and there shall be no debate on enquiries and answers thereto until a report thereon has been made by the Committee to which it was referred.

Enquiries that require special attention

57. Notwithstanding section 54, if, in the opinion of an official of the City or other official involved, the answer to an enquiry would require the compilation of special statistics or other work outside the normal duties of the staff, he or she shall so advise the Council in a letter to be put before the Council with the enquiry and the Council shall determine, without debate, whether such enquiry is to be answered.

Petitions may be introduced orally

58. (1) The presentation of petitions may be introduced orally without written notice and without leave.

Petitions or communications

(2) Every petition or communication may be delivered by letter, facsimile transmission, or by electronic mail and must:

(a) be in a legible hand-written or printed form;

- (b) contain a telephone number to allow for confirmation;
- (c) contain the signature, unless delivered by electronic mail, and printed name and address of at least one signatory and if possible the printed name and address of all signatories, and:
 - (i) if delivered by facsimile transmission, contain the facsimile number of the sender; and
 - (ii) if delivered by electronic mail, contain the electronic mail address of the sender and have attached to it only those documents which are in a printed form.

Presentation
of petition
by member

- (3) Any petition may be presented to the Council by any

Member after he or she has first examined the same to ensure that it does not contain any improper matter, and that the same is appropriate, respectful and temperate in its language, and contains the signature of the applicant or applicants and the substance of the application.

No debate on
petitions or
communica-
tions

- (4) All petitions or other written communications on any

subject shall be received and if deemed appropriate shall be referred to the appropriate Standing Committee of the Council, Community Council, agency, board or commission, and no Member shall speak upon, nor shall debate be allowed upon, such petition or other communication to the Council until a report thereon has been made by the Standing Committee of the Council to which it was referred.

XI. DEPUTATIONS

Deputations to
Council in
Committee

59. (1) No deputation, other than persons entitled by law to be

of the Whole

heard, shall be allowed to address the Council except when the Council, at a previous meeting, has decided to meet in the Committee of the Whole for the express purpose of hearing deputations.

Five-minute
limit

(2) In the Committee of the Whole, unless otherwise decided

by the Committee, a presentation of submissions shall be limited to five minutes and, to avoid repetition, any presentation on behalf of an organization, including any corporation, or association, or on behalf of any group, shall be made by a single representative.

Idem

(3) Notwithstanding subsection (2), the time involved in receiving and answering questions from Committee members shall not be deducted from the time limited for the presentation of submissions.

XII. BILLS

Preparation
by Solicitor

60. (1) The Solicitor shall prepare for each meeting of the Council

any bill intended to be introduced at such meeting, and all such bills shall be furnished to the Members with the Agenda.

Numbering

of bills

(2) Each bill, except a confirmatory bill, shall be numbered,

and shall have listed thereon a reference to the authority pursuant to which the bill is to be introduced, and the date of the meeting at which it is intended to be introduced.

Subject matter
approved
by Council

61. No bill shall be presented to Council as a bill unless the subject

matter thereof has been considered and approved by the Council.

Introduction
of bills

62. (1) The fact that a bill is introduced at a meeting of the Council on a day other than that shown on the bill, does not affect the validity of the bill or any by-law passed otherwise in accordance with this By-law.

Idem

(2) Any number of bills may be introduced together in one motion, and may be referred to only by number, but the Council shall, at the request of any Member, deal separately with any bill.

Idem

(3) Except as otherwise provided herein, a bill or by-law may be introduced or passed, respectively, on the same day upon which the subject matter thereof is decided by the Council.

Council may refer bill to Committee

63. Every bill shall be introduced by a Member upon motion for leave, specifying the title or number of the bill and the Council may refer the bill to the appropriate Committee for a report thereon to the Council.

Motion to pass bill

64. (1) Subject to section 44, a motion to pass a by-law, including a by-law to amend or repeal another by-law, in accordance with or to confirm a decision previously made by the Council, shall always be in order, and a bill for such purpose may be introduced at any time.

Idem

(2) A motion to pass a by-law, other than a confirmatory by-law, shall be in the following form:

“that bill number prepared for the meeting of Council to be held on , be passed and hereby declared as a by-law.”

Limited debate

(3) A motion to pass a by-law other than a confirmatory by-law is debatable and amendable in respect only of the issues of whether or not the bill prepared for that purpose is in proper form and whether it will, if passed as a by-law, duly implement the decision of the Council that led to its introduction, and no debate shall be allowed, except in accordance with section

46, which would involve a reconsideration of or reflection upon the substance of such decision or of any part thereof.

Confirmatory
Bill

65. (1) Upon completion of the business of the day, or immediately prior to any adjournment, or at any other time that the Chair may deem it appropriate, the Chair shall, upon a motion for the introduction of a confirmatory bill duly moved and seconded, put the following motion:

“that a confirmatory bill to confirm the (proceedings of the Council meeting or part thereof as specified) be passed and hereby declared as a by-law”.

Not
debatable

(2) A motion for the passage of a confirmatory bill or any part thereof, is not debatable or subject to amendment, and once put, the vote shall immediately be taken thereon, but, upon the vote of two-thirds of the Members of the Council present and voting, a motion to pass any part of a confirmatory bill may be adjourned for vote to the next following meeting of the Council.

Separate
vote

66. Where a Member requests that a separate vote be taken on a particular item covered by a bill to confirm the proceedings of Council, the bill shall be deemed to have been amended to exclude such item and, after the voting on the bill is completed, another bill to confirm the proceedings of Council with respect to such item shall be presented to the Council as if it had been included in the motion for leave to introduce the original bill.

When bill
enacted
and passed

67. (1) Upon the adoption of any motion pursuant to subsections 64(2) or 65(1), the bill together with any amendments or changes made as permitted by this By-law, shall be printed in the form of a by-law and the Mayor and the Clerk shall then sign same, and the Clerk shall affix upon same the seal of the Corporation and the number of the by-law, at which time it becomes a duly enacted by-law of the Council.

Clerk
authorized
to make
minor
changes

(2) Notwithstanding subsections 64(2) and 65(1), the Clerk is

hereby authorized to make such minor deletions, additions or other changes in form, to any bill before same is signed, sealed and numbered, for the purpose of ensuring correct and complete implementation of the actions of Council forming the subject matter of the bill in accordance with this By-law.

Amendments
to bill

68. All amendments to any bill approved by the Council shall be

deemed to be incorporated into the bill and if the bill is enacted and passed by the Council as a by-law the amendments shall be inserted therein by the Clerk.

Dates of

introduction

69. The Clerk shall endorse on all bills read in the Council the dates of the introduction thereof and shall be responsible for the correctness of such bills should they be amended.

Deposit of
by-laws

70. Every by-law which has been passed by the Council shall,

immediately after being sealed with the seal of the City and signed by the Mayor and the Clerk, be deposited by the Clerk for security in a safe and convenient place connected with his or her office.

Indexed
volume of
by-laws

71. All by-laws adopted by the Council shall be printed, paged and

bound up in a separate indexed volume for the year in which they are passed.

XIII. MINUTES

Minutes for
confirmation

72. (1) Unless otherwise decided by the Council, the minutes of

each meeting of the Council shall be submitted for confirmation or amendment to

the Council at its next regular meeting or as soon thereafter as is reasonably practicable.

Idem

(2) Prior to such confirmation or amendment, if required by any Member, the minutes or so much thereof as may be required, shall be read by the Clerk.

Chair and
Clerk to sign
minutes

(3) After the minutes of a previous meeting have been confirmed, or approved as amended, by the Council, the Mayor and the Clerk shall sign same.

XIV. COMMITTEE OF THE WHOLE

Chair of the
Committee
of the Whole

73. Whenever the Council resolves itself into Committee of the Whole,

the Mayor, or Deputy Mayor, or the Second Deputy Mayor, or the Third Deputy Mayor, or another Member designated by the Mayor shall chair the Committee of the Whole.

Appointment
of acting
chair

74. The Mayor, or Deputy Mayor, or the Second Deputy Mayor, or the

Third Deputy Mayor, or member designated by the Mayor, may appoint another Member to chair the Committee of the Whole while he or she is speaking to a question or is absent from the meeting.

Equality
of votes

75. The chair of the Committee of the Whole shall be entitled to one

vote as a member of the committee and if there is an equality of votes on any motion it shall be deemed to be lost.

Observance
of rules
governing
the procedures
of Council

76. The rules governing the procedure of the Council and the conduct

of Members in Council shall be observed in the Committee of the Whole, so far as they are applicable, provided that:

- (a) a motion shall not be required to be seconded;
- (b) no vote shall be recorded;
- (c) the number of times of speaking on any question shall not be limited;
- (d) no Member shall speak more than once until every Member who desires to speak shall have spoken; and
- (e) a majority vote shall be required to decide any matter before the Committee of the Whole.

Report of the
Committee
of the Whole

77. A motion in the Committee of the Whole to rise and report shall be

decided without debate and a motion to rise without reporting shall always be in order and shall take precedence over any other motion and if carried, the subject referred to the Committee shall be deemed to have been disposed of in the negative, subject however to its reconsideration as provided by section 46 hereof, and the Council shall resume and proceed with the next order of business.

Idem

78. The reports adopted in the Committee of the Whole shall be put to Council by the Chair, one by one, for confirmation and it shall be in order at this time for any amendment to be moved.

XV. COMMITTEES OF COUNCIL

Strategic
Policies
and Priorities

79. There shall be a Strategic Policies and Priorities Committee which

Committee

shall be responsible for:

- (a) monitoring the transition, integration and evolution of the new City government;

- (b) directing and monitoring the implementation of the overall transition plan;
- (c) developing a Mission Statement, Corporate Strategic Plan, new Official Plan and other priority directions for the City;
- (d) monitoring the implementation of strategic directions incorporated into the plans and strategies approved by Council;
- (e) recommending and monitoring implementation of a Toronto Strategy for the Greater Toronto Area (GTA) to guide participation in the proposed Greater Toronto Services Board (GTSB) when it is formed;
- (f) recommending and overseeing the implementation of economic development strategies, initiatives and partnerships with other GTA municipalities;
- (g) recommending directions for other inter-governmental relations;
- (h) considering recommendations from the Budget Committee on capital and operating estimates;
- (i) recommending and managing financial priorities and fiscal policies; and
- (j) overseeing strategic human resource matters for the Corporation, including labour contract negotiations and corporate restructuring, through the initial transition period.

Idem

80. The Strategic Policies and Priorities Committee shall report directly to Council.

Budget

Committee

81. There shall be a Budget Committee which shall be responsible for:

- (a) coordinating the preparation of the capital and operating estimates;
- (b) coordinating input from the Standing Committees, Community Councils and the public on the capital and operating estimates; and

- (c) making recommendations on key revenue and expenditure issues facing City Council in considering the annual capital and operating estimates.

Idem

82. The Budget Committee shall report to Council through the Strategic Policies and Priorities Committee.

Audit

Committee

83. There shall be an Audit Committee which shall be responsible for arranging for and considering the annual external audit of the City's books and shall report to Council through the Strategic Policies and Priorities Committee.

XVI. STANDING COMMITTEES OF COUNCIL

General Duties
of Standing

Committees

84. (1) It is the responsibility of the Standing Committees of Council to:

- (a) provide direction, set priorities and ensure coordination among related policies, programs and services;
- (b) provide a forum for public participation and for detailed discussion of the City's decision-making;
- (c) make policy recommendations to Council and recommend priorities within the Committee's budget envelope;
- (d) consider reports from the Corporate administration on implementation of program and policy decisions within the Committee's areas of responsibility; and
- (e) promote accountability and interaction with Council on the part of agencies, boards and commissions of the City.

(2) Each Standing Committee shall report to Council.

84.1 The Toronto Board of Health shall report to Council.

Specific Duties
of Standing

Committees

85. (1) There shall be five (5) Standing Committees of Council, as follows:

- (a) The Urban Environment and Development Committee;
- (b) The Works and Utilities Committee;
- (c) The Community and Neighbourhood Services Committee;
- (d) The Emergency and Protective Services Committee; and
- (e) The Corporate Services Committee.

(2) Every Member shall sit on one Standing Committee.

Urban Environ-
ment and
Development

Committee

86. The Urban Environment and Development Committee shall be responsible for:

- (1) developing recommendations on a new Official Plan;
- (2) recommending planning policies and comprehensive zoning regulations;
- (3) recommending a consolidated building permits by-law;
- (4) recommending transportation policies and plans, including matters involving parking, environmental assessments, construction and maintenance of roads, cycling, pedestrians, traffic control and street lighting; and
- (5) recommending plans for, and management of, economic growth and sustainability to support the development of the City.

86.1 The Urban Environment and Development Committee shall consider reports from and make recommendations on budget and corporate policy matters only for:

- (a) the Toronto Parking Authority;
- (b) the Toronto Transit Commission;
- (c) the Toronto and Region Conservation Authority;
- (d) the Toronto Zoo;
- (e) the Business Improvement Area Boards of Management;
- (f) Exhibition Place;
- (g) Committee of Adjustments;
- (h) Property Standards Committee; and
- (i) the Toronto Harbour Commissioners.

Works and
Utilities
Committee

87. The Works and Utilities Committee shall be responsible for:

- (1) recommending policies related to the supply of water, water filtration and distribution system plans, including construction and maintenance;
- (2) recommending waste water policies;
- (3) recommending policies for the effective management and control of water pollution and waste treatment;
- (4) recommending policies for the effective planning, construction, maintenance, management and control of sanitary and storm sewer systems; and
- (5) recommending policies for the collection, transfer, recycling and disposal of solid waste.

87.1 The Works and Utilities Committee shall consider reports from and make recommendations on budget and corporate policy matters only for the Toronto Hydro-Electric Commission.

Community and
Neighbour-
hood
Services

88. The Community and Neighbourhood Services Committee shall be

Committee

responsible for:

- (1) recommending social development policies and community grants;
- (2) recommending housing and homelessness policies and programs;
- (3) developing recommendations on child care services and subsidy programs;
- (4) proposing recommendations on the arts, culture and heritage policies and cultural grants policies;
- (5) considering and preparing recommendations related to social assistance and employment programs;
- (6) monitoring and providing recommendations on emergency shelter and assistance;
- (7) recommending policies for long-term care and related home support programs; and
- (8) reporting to Council on matters related to plans to establish, acquire, construct and maintain parks and recreational facilities and related recreational policies, programs and fees.

88.1 The Community and Neighbourhood Services Committee shall consider reports from and make recommendations on budget and corporate policy matters only for:

- (a) the Toronto Housing Company;
- (b) the Toronto Public Library Board;
- (c) the Toronto Arts Council;
- (d) the Toronto Historical Board;
- (e) the Boards of Management of Recreational Facilities;
- (f) the Hummingbird Centre for the Performing Arts;

- (g) the St. Lawrence Centre for the Performing Arts; and
- (h) the Ford Centre for the Performing Arts.

Emergency and
Protective
Services Committee

89. The Emergency and Protective Services Committee shall be

responsible for matters related to community safety, including:

- (1) recommending policies on emergency planning and communications;
- (2) recommending policies, plans and procedures for the effective prevention and suppression of fires;
- (3) reviewing and recommending plans for the integration of fire services;
- (4) recommending the effective and efficient delivery of ambulance services; and
- (5) recommending policies for the consolidation and enforcement of property standards, noise control, licensing regulations and other municipal by-laws.

89.1 The Emergency and Protective Services Committee shall consider reports from and make recommendations on budget and corporate policy matters only for:

- (a) the Toronto Police Services Board;
- (b) the Toronto Licensing Commission; and
- (c) the Rooming House Licensing Commission.

Corporate
Services
Committee

90. The Corporate Services Committee shall be responsible for

corporate services supporting the City, including:

- (1) making recommendations related to ongoing operational human resource issues, personnel matters, occupational health and safety and workers' compensation matters;
- (2) making recommendations on access, equity and human rights policies and programs;

- (3) making recommendations on information technology;
- (4) making recommendations on the acquisition, sale and leasing of City property as well as offers of compensation under the *Expropriations Act*;
- (5) making recommendations on policies on the maintenance, use and operation of City buildings and properties;
- (6) making recommendations on fleet management;
- (7) considering reports from the Finance, Legal and Audit departments; and
- (8) considering reports from the Clerk's department for administration and budget matters.

90.1 The Corporate Services Committee shall consider reports and make recommendations on budget and corporate policy matters only for:

- (a) the Sinking Fund Committee;
- (b) the Toronto Police Benefit Fund, Board of Trustees;
- (c) the Toronto Police Benefit Fund Committee;
- (d) the Toronto Pension Plan, Board of Trustees;
- (e) the Toronto Fire Department Superannuation and Benefit Fund Committee;
- (f) the Toronto Civic Employees' Pension and Benefit Fund Committee; and
- (g) the Toronto Atmospheric Fund, Board of Directors.

XVII. COMMUNITY COUNCILS

Community
Councils

91. There shall be six community councils, one for each of the former urban municipalities under the *Municipality of Metropolitan Toronto Act*.

Names of
Community
Councils

92. The Community Councils shall be named:

- (1) the East York Community Council;
- (2) the Etobicoke Community Council;
- (3) the North York Community Council;
- (4) the Scarborough Community Council;
- (5) the Toronto Community Council; and
- (6) the York Community Council.

Responsibilities
of Community

Councils

93. Each Community Council is delegated the power and authority to hold, within the part of the urban area it represents:

- (a) any public meeting that is required to be held under sections 17 and 34 of the Planning Act, R.S.O. 1990, C. P-13, as amended, with regard to proposed Official Plans and Zoning By-laws and proposed amendments thereto;
- (b) despite clause (a), if the land that is subject to a proposed Official Plan or Zoning By-law, or amendments thereto, is within the urban area represented by more than one Community Council, then the authority referred to in clause (a) is delegated to the Urban Environment and Development Committee.

93.1 Each Community Council has responsibility, within the part of the urban area it represents, to:

- (1) hear public deputations and make recommendations to Council on other neighbourhood matters requiring a municipal by-law or commitment of unbudgeted City funds, including:
 - (a) exemptions to fence, sign, ravine and tree by-laws;
 - (b) BIA streetscape improvement plans and traffic; and
 - (c) parking regulations;
- (2) hear deputations on staff decisions regarding:
 - (a) construction-related permits;

- (b) billings related to snow removal, cleaning and clearing of debris and cutting of weeds and long grass;
- (c) encroachments on municipal property; and
- (d) requests to remove trees and damage caused by trees on municipal property;
- (3) involve citizens in neighbourhood issues, to:
- (a) identify recreational needs and safety concerns;
- (b) monitor the well-being of local neighbourhoods;
- (c) report to Council on how well community needs are being met; and
- (4) nominate citizens as members of:
- (a) the community panels of the Committee of Adjustment;
- (b) the community panels of the Property Standards Committee; and
- (c) local recreational facility boards of management.

and

Idem **94.** Community Councils shall not delegate work to sub-committees, special committees or task forces.

Idem **95.** Community Councils shall report directly to Council.

**XVIII. COMPOSITION OF, AND APPOINTMENTS TO,
COMMITTEES, SPECIAL COMMITTEES,
AGENCIES, BOARDS AND COMMISSIONS, AND OTHER POSITIONS**

Composition
of Strategic
Policies &
Priorities

96. The Strategic Policies and Priorities Committee shall be composed

Committee

of the Mayor, the Deputy Mayor, the Budget Chair, the Chairs of the Standing

Committees, and the Chairs of the Community Councils, and it shall be chaired by the Mayor.

Appointment
by-law

97. Council shall appoint, by by-law, a Member:

- (1) as Deputy Mayor;
- (2) as Second Deputy Mayor;
- (3) as Third Deputy Mayor; and
- (4) as the Budget Chair, who shall chair the Budget Committee, and not chair any Standing Committee or Community Council.

Composition of
Standing

98. The composition of the five (5) Standing Committees shall be as follows:

Committees

- (1) The Urban Environment and Development Committee shall be composed of eleven (11) Members of Council, plus the Mayor, ex-officio.
- (2) The Works and Utilities Committee shall be composed of eleven (11) Members of Council, plus the Mayor, ex-officio.
- (3) The Community and Neighbourhood Services Committee shall be composed of eleven (11) Members of Council, plus the Mayor, ex-officio.
- (4) The Emergency and Protective Services Committee shall be composed of eleven (11) Members of Council, plus the Mayor, ex-officio.
- (5) The Corporate Services Committee shall be composed of twelve (12) Members of Council, plus the Mayor, ex-officio.

Composition
of Budget

99. The Budget Committee shall be composed of six (6) Members of

Committee

Council including the Budget Chair and a representative from each of the Standing Committees.

Composition
of Audit
Committee

100. The Audit Committee shall be composed of three (3) Members of Council who are not the chairs of the Standing Committees, the chairs of Community Councils, or the members of the Budget Committee.

Vacancies

101. The Council may from time to time make appointments, in accordance with applicable law, of successor Members on agencies, boards or commissions or to fill vacancies thereon.

Striking
Committee

102. A Striking Committee composed of up to seven (7) Members of Council appointed by the Mayor, and including the Mayor as chair, shall:

- (1) make recommendations to Council respecting the appointment of the Deputy Mayor, the Second Deputy Mayor and the Third Deputy Mayor;
- (2) make recommendations to Council respecting Member appointments to fill the positions of budget chair, chair and members of the Standing Committees, the Budget Committee, the Audit Committee and the Nominating Committee;
- (3) make recommendations to Council respecting Member appointments to fill the positions as representatives on agencies, boards or commissions, as determined by Council; and
- (4) make recommendations to Council on a schedule of meetings of the Council, the Standing Committees and the Community Councils.

Nominating
Committee

103. (1) The Nominating Committee composed of up to seven (7)

Members of Council, including the Mayor or the Mayor's designate, as chair, shall make recommendations to Council respecting citizen appointments.

Idem

(2) The Nominating Committee shall consider and recommend to Council the appointment of citizens to agencies, boards and commissions, as determined by Council.

Notification
of vacancy

104. (1) Before any recommendation is made for the appointment of

any Member to a Committee, an agency, board or commission to fill a vacancy occurring during the term of the Council, all Members shall be advised of the vacancy and shall be permitted to submit names for consideration.

Questioning of
appointees

(2) During consideration by the Council of any appointment of

a Member to an agency, board or commission, any Member may ask questions of any Member standing for such appointment, provided that:

- (a) such questions shall be governed by the provisions of subsections 25(1) and (2); and
- (b) the total time involved in the questioning of any Member pursuant to this section, including answers thereto, shall be no longer than ten minutes.

Term of
office

105. (1) In the absence of a decision by the Council to the contrary

or to terminate an appointment, Members appointed by the Council to Committees, agencies, boards, commissions or other bodies, including chairs of Standing Committees, and the chair appointed by each Community Council, shall be for a period of eighteen (18) months, or the terms set out in such appointments, and until their successors are appointed unless otherwise provided by law.

Idem

(2) Citizens appointed by the Council to agencies, boards and commissions shall be appointed for a term of office coinciding with the term of Council, or the terms set out in such appointments, and until their successors are appointed unless otherwise provided by law.

Establishment
of special
committee,
task force
or advisory

committee

106. (1) A special committee, task force or advisory committee may be established by the Council in accordance with subsection (3).

(2) A sub-committee of a Standing Committee, consisting of members of the Committee only, may also be established by a Standing Committee, in accordance with subsection (3).

(3) Any recommendation to establish a special committee, task force, advisory committee or sub-committee shall include terms of reference outlining:

- (a) the matters to be dealt with;
- (b) when the matters will be reported on; and
- (c) the membership.

(4) No further sub-groups of special committees or sub-committees referred to in subsections (1) and (2) above shall be established without approval by the Council or the Standing Committee, as appropriate.

XIX. COMMITTEE CHAIR

Election of
Committee

107. The Striking Committee shall recommend to Council the

Chair

appointment of a Committee Chair for each Standing Committee from among the Standing Committee's eligible members, and in the event of a vacancy occurring, shall recommend a new chair to hold office for the remainder of the term.

Acting
Committee

108. In the absence of the Committee Chair for a period of fifteen

Chair

minutes after the time appointed, one of the other Members of the Committee, if a quorum is present, shall be appointed acting Committee Chair to preside and he or she shall discharge the duties of the Committee Chair during the meeting, or until the arrival of the Committee Chair.

Equality
of vote

109. The Committee Chair, or the acting Committee Chair, may vote on all questions submitted and in case of a tie vote, the question shall be deemed to have been decided in the negative.

XX. COMMITTEE MEETINGS

Regular
meetings

110. The place, day and hour of meetings of the Committees shall be determined by the Council on the recommendation of the Striking Committee.

Special
meetings

111. Special meetings of a Committee may be called by the Committee Chair, on 24-hours' notice, whenever he or she shall consider it necessary to do so, and it shall be his or her duty or, in case of his or her illness or absence, it shall be the duty of the Clerk, to summon a special meeting of the Committee, on 24-hours' notice, whenever requested in writing to do so by a majority of the members of the Committee.

In Camera
Meetings

112. (1) No meeting of a Committee shall be held in camera except in accordance with section 10.

Attendance
of other
members at
in camera
meetings

(2) Subject to subsection (3), a Member of Council may attend any in camera meeting of a Committee, and any sub-committee of a Standing Committee.

(3) A Member of Council may attend as an observer at any in camera meeting of a Committee, and any sub-committee of a Standing Committee conducting employment interviews, subject to any Council policies governing the attendance of Members of Council at employment interviews.

Quorum

113. (1) A quorum of a Committee of Council shall be a majority of the Members of the Committee, unless Council decides otherwise.

(2) The Mayor shall be counted in making such quorum.

(3) If no quorum is present fifteen minutes after the time appointed for a meeting, the Clerk shall call the roll and record the names of the Members present and the meeting shall stand adjourned until the next scheduled day of meeting, or the next scheduled meeting, or at the call of the Committee Chair.

Idem

114. If no quorum is present during a Committee meeting for a period of fifteen minutes, the Clerk will record the names of those Members present and the meeting shall stand adjourned until the next scheduled day of meeting, or the next scheduled meeting, or at the call of the Chair, and the meeting shall not continue on an informal basis.

Attendance
of other
members
at regular

115. Subject to section 112, a Member of Council attending any

meetings

meeting of a Committee of which he or she is not a Member, shall be accorded all the same rights and privileges of a Member of such Committee, except for the right to present motions, or to vote.

Joint
Committee
Meetings

116. (1) A joint meeting of two Standing Committees may be called

by their Chairs whenever such Chairs consider it necessary for their respective Committees to consider and report jointly on matters within their respective areas of responsibility.

Idem

(2) Upon the receipt of a request therefor in writing by a majority of members of each of two Standing Committees, the respective Committee Chairs, or in the case of the illness or absence of one or both of them, the Clerk, shall summon a joint meeting of such Committees pursuant to subsection (1).

Quorum for
joint
meeting

(3) A quorum for a joint meeting pursuant to this section shall

be a majority of the combined number of Members of both of the Committees involved, and the Mayor, if present, shall be counted as one member for such purposes.

Election of
Chair of joint
committee
meeting

(4) The Members in attendance at a joint meeting held

pursuant to this section shall elect the Chair of one of the Committees involved as Chair of the joint meeting, but if both such Chairs are absent, another Member of one of the Committees shall be so elected.

Votes

(5) Votes or questions put to a joint meeting held pursuant to this section shall be conducted as if both Committees involved were a single Committee and the results of each such vote shall be treated as emanating from both such Committees.

Conduct of
business
in joint
meetings

(6) The provisions of this by-law with respect to the conduct of

business in Standing Committee Meetings, including section 109, shall apply, with necessary changes, to the conduct of business at a joint meeting called pursuant to this section.

XXI. CONDUCT OF BUSINESS IN COMMITTEE MEETINGS

Application
of rules
governing the
procedures in
Committee
of the Whole

117. (1) Except where otherwise specifically provided herein, it

shall be the duty of each Committee to adhere, in the transaction of all business, to the rules governing the procedure in the Committee of the Whole as prescribed in section 76.

Point of
order

(2) When a point of order is raised or when a Member is called

to order in a Committee, the same procedure shall be adopted as in Council except that the question shall be decided by the Committee Chair, subject to an appeal to the Members of the Committee.

Improper
conduct at

meetings

118. The Committee Chair or presiding officer at any meeting of a

Committee has the right to expel, or exclude, from any meeting, any person who disrupts the proceedings of the meeting.

Reconsideration
of items
already
decided by

119. No Committee shall reconsider any question decided by the

Council

Council during the current term nor consider any other matter which could involve a decision inconsistent with such decision by the Council, unless the Council has previously made a decision, pursuant to section 46, which has the effect of authorizing such consideration by the Committee.

XXII. SECRETARY OF COMMITTEE

Clerk shall
be secretary
of all
Committees

120. The Clerk shall be the secretary of all Committees of the Council

and may assign any such duties as secretary of any Committee to an employee in his or her department.

Duty of
Secretary

121. It shall be the duty of the secretary:

(a) to give notice of each regular meeting of the Committee together with an Agenda of the matters to be considered so that such Notice and Agenda will reach the Members at their addresses as recorded in the Council records at least five days, where practicable, in advance of the meeting;

Idem

(b) to give notice of each special meeting of the Committee together with an Agenda of the matters to be considered so that such Notice and Agenda will reach the Members in advance of the meeting; and

Outstanding
items

- (c) to report outstanding items to the Committee on an annual basis.

XXIII. COMMITTEE AGENDA

Agenda of
Standing
Committees

- 122.** (1) The secretary of each Committee shall make Agendas

available to the public after delivery of the Agenda to Members of the Committee.

Idem

- (2) Copies of communications to or for a Committee received

by the Clerk not later than noon on the third working day preceding the delivery of the Agenda material pursuant to section 121(a) and not previously included, shall be included with such material.

New
business

- 123.** The rules respecting the introduction of new business in the

Council shall not apply to Committees other than the Committee of the Whole.

Supplementary
items

- 124.** Any communication to or for a Committee received prior to a

meeting thereof but not in sufficient time for inclusion with the Agenda, shall be reviewed by the Committee Chair or secretary of the Committee, and

- (a) if such communication is deemed by the Committee Chair or its secretary to pertain to a matter listed on the Agenda, it shall be submitted as a supplementary item for that meeting;
- (b) if such communication is deemed by the Committee Chair or its secretary not to pertain to a matter listed on the Agenda, it shall be included on the Agenda for the next subsequent meeting, unless the Committee Chair directs that it be submitted as a supplementary item at the meeting for which it was submitted, in which case the Committee shall determine whether or not it will consider same at that meeting or defer consideration thereof to a subsequent meeting; and

- (c) if such communication is deemed by the Committee Chair or its secretary to require special study by the Committee, or one or more reports thereon from any City official, it shall be placed on the Agenda for the next subsequent regular meeting of the Committee, unless the Committee Chair is of the opinion that urgency requires that the communication be dealt with at the meeting for which it was submitted as a supplementary item.

Late items

125. Any matter in respect of which notice has not been given to the members of a Committee prior to the beginning of a meeting thereof, shall not be considered by the Committee unless the Committee decides by a majority vote to consider such matter.

Advance
consideration
by a City
Official

126. If any communication is, in the opinion of the Committee Chair or

its secretary, of a nature which may require advance consideration by a City official, a copy thereof shall be forwarded to the official concerned, and every such official is authorized to submit a report, which may be considered by the Committee whether or not it is included with a regular Agenda.

Communications
respecting
social
assistance
recipients

127. Any communication which indicates the name of any individual

social assistance recipient shall be referred by the secretary directly to the appropriate City official for attention and investigation, and such matter shall be brought to the Committee by the appropriate City official only if the originator of the communication is not satisfied with the result of the investigation as advised by the appropriate City official, and so advises the Committee.

XXIV. COMMITTEE REPORT TO COUNCIL

All items
to be

128. (1) All items considered by a Committee shall be reported to

reported

the Council.

Received
items

(2) Unless otherwise directed by the Committee, items that are

received by the Committee shall be reported to Council under a Clause in the Committee report, entitled "Other Items Considered by the Committee".

Deferred/
referred
items

(3) Items that are referred or deferred by a Committee shall

also be reported to Council under the Clause in the Committee report, entitled "Other Items Considered by the Committee", referred to in subsection (2).

Recommendation
to receive
and take

(4) A recommendation of a Committee to receive and take no

no action

action on a report which contains recommendations from a City Official is deemed an action taken by the Committee and shall be reported to Council as a Clause for consideration.

Council to
receive
items

(5) Any item referred to in subsections (2) and (3) shall be

received by the Council, unless the Council decides, without debate, to refer the item back to the Committee for further consideration.

XXV. DEPUTATIONS AT COMMITTEE MEETING

Rules for
Council
shall not
apply

129. The rules for the Council respecting the scheduled hearing of deputations shall not apply to Committees.

Any person
may appear

130. (1) Subject to this section, any person may, either on his or her own behalf, or as a representative of an organization or group, appear at any public meeting of a Committee and address the Committee with respect to any matter within its purview on the agenda for that meeting.

Written
notice

(2) Every individual, organization or group wishing to make oral submissions to a Committee, either in person or through a representative, shall give notice thereof in writing to the secretary of the Committee no later than noon on the third working day preceding the day upon which the agenda material is to be delivered pursuant to section 121(a).

Idem

(3) The notice referred to in subsection (2) shall be signed by the person or representative, shall indicate the mailing address of the person and of any organization or group on behalf of which submissions are to be made, and shall contain an outline of the submissions to be made.

Idem

(4) For matters on the agenda, notwithstanding subsections (2) and (3), the Committee may decide, by majority vote:

(a) to hear oral submissions, notwithstanding non-compliance with the requirements of those subsections;

(b) to defer hearing the submissions until such requirements have been complied with; or

- (c) to require, as a condition of hearing the submission, the filing of a written outline with the secretary of the Committee.

Idem

(5) Where a matter to which an individual, organization or group wishes to speak before a Committee is not on the agenda of a meeting, the matter shall be placed on the agenda of the next meeting.

Committee
may seek
deputations

- (6) A Committee may seek deputations from selected groups

and the general public on a matter before the Committee, and shall determine whether or not it will consider the matter at that meeting following the deputations, or defer consideration thereof to a subsequent meeting.

Five-minute
limit

- (7) Unless otherwise decided by the Committee, a presentation

of submissions shall be limited to five minutes and, to avoid repetition, any presentation on behalf of an organization, including any municipality, corporation, or association, or on behalf of any group, shall be made by a single representative.

Idem

(8) Notwithstanding subsection (7), the time involved in receiving and answering questions from Committee members shall not be deducted from the time limited for the presentation of submissions.

XXVI. MINUTES OF COMMITTEE MEETINGS

Minutes of
meetings

- 131.** (1) The minutes of the transactions of every Committee shall

be entered in a book provided for that purpose and the minutes of each meeting shall be submitted to the Committee for confirmation or approval as amended, at the next meeting of the Committee, or as soon thereafter as is reasonably practicable, and after they have received the approval of a majority of the Members present, they shall be signed by the Committee Chair.

Idem

(2) Prior to such approval, if required by any member of the Committee, the minutes or so much thereof as may be required, shall be read by the secretary of the Committee.

Distribution
of Minutes

(3) A copy of the minutes of each Committee meeting shall be forwarded to the Committee Chair and to the Members of that Committee, if requested, by the Clerk as soon as copies are available.

Reference
number and
index

132. (1) Each minute shall have attached to it a progressive annual number for reference and an index shall be kept for each minute book.

Authority
to take
action

(2) No order or authority to take action shall be recognized as emanating from any Committee unless it is in writing and is signed by the Committee Chair, acting chair, or secretary thereof and unless it refers to the meeting of the Committee under which it is issued.

XXVII. WAIVING OF BY-LAW PROVISIONS

Two-thirds
vote
required

133. (1) Subject to subsection (2), a motion to waive, or not to follow a rule of procedure established by this By-law, shall not be passed without a two-thirds vote of the Members present and voting.

Sections
not to be

waived

(2) Subsection 133(1) and section 134, may not be waived and shall be followed.

XXVIII. AMENDMENTS TO BY-LAW

Majority
vote
required

134. (1) This By-law shall not be amended or repealed except by a majority vote of all the Members of Council.

Notice to be
given at a
previous
meeting

(2) No amendments or repeal of this By-law shall be considered at any meeting of the Council unless notice of the proposed amendment or repeal was given at a previous regular meeting of the Council.

Repeal of
By-laws

(3) Municipality of Metropolitan Toronto By-law No. 129-94, “To Govern the Proceedings of Council and the Committees thereof”, as amended, is repealed.

(4) The Procedural By-laws for the Area Municipalities, as amended, are repealed.

XXIX. EFFECTIVE DATE

Enactment

135. This By-law shall be deemed to have come into force on the 8th day of January, 1998.

ENACTED AND PASSED this 6th day of February, A.D. 1998.

MEL LASTMAN,
Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)