STAFF REPORT
ACTION REQUIRED

TTC Procedures By-law

Date:	October 18, 2012
To:	City Council
From:	City Manager
Wards:	City-wide
Reference Number:	

SUMMARY

This report seeks approval of the Toronto Transit Commission's amended Procedures By-law in accordance with Council's April 2011 decision that City agencies receive City Council approval of by-laws that regulate their internal conduct.

This matter is urgent as Council is expected to make appointments of citizen members to the TTC at its October 30 and 31, 2012 meeting. The updated TTC Procedures By-law should be in place when the new TTC citizen Board members attend their first Board meeting.

RECOMMENDATIONS

The City Manager recommends that City Council:

1. Approve the Toronto Transit Commission By-law to Govern Commission Proceedings (TTC Procedures By-law) in Attachment 1 to this report.

Financial Impact

There are no financial impacts resulting from this report.

DECISION HISTORY

In April 2011 City Council adopted, as amended, EX4.6, entitled "Managing Through Agencies and Corporations".
http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.EX4.6

The general purpose of this item was to encourage alignment of agency and City policies, practices, and objectives, with the rationale that City agencies as boards under the City of Toronto Act, 2006 act as agents for the City in delivering certain municipal services as delegated to them by City Council. As part of this alignment Council adopted a policy requiring agencies to seek City Council approval of by-laws regulating their internal business, including Procedures By-laws.

In March 2012 City Council considered and adopted, as amended, EX16.8, entitled "TTC Governance"
http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.EX16.8

This item established a new governance structure for the TTC which includes citizen members. Under this new model, Council appoints the Chair from among City Council members and the TTC Board appoints the Vice-Chair from among its citizen members. Council also requested the TTC to permit City Council members to attend closed session meetings of the TTC Board with observer status.

In response to Council's decision the TTC Board adopted amendments to its Procedures By-law and forwarded these to the City Manager for consideration and reporting to City Council.

COMMENTS

The City Manager's Office has reviewed the proposed amendments to the TTC's Procedures By-law and agrees with the changes which include:

- Section 1- reflects that the Chair is now appointed by City Council and the Vice-Chair is a citizen appointed by the TTC Board;
- Section 7(B) (xv) – the TTC Board cannot waive its voting rules in circumstances where the Vice -Chair is being removed.
- Section 19(D) – outlines the voting procedures for electing the citizen Vice - Chair at a board meeting.
- Sections 29(F) and (G) – permits Councillors who are not TTC Board members to attend closed meetings of the TTC as observers with the exception of when litigation/potential litigation or solicitor-client privilege is invoked.
- Section 71 – sets provisions for the removal of the Vice Chair.

The changes proposed to the TTC Procedures By-law enable the selection and implementation of the position and role of the citizen Vice Chair.

The changes proposed also allow City Council members observer status at closed TTC Board meetings except in limited situations where litigation is being discussed or solicitor-client privilege is invoked. For these exceptions, City Council member observers will be allowed if the TTC Board votes in favour of it. The extent and nature of the observer provision was identified by legal staff as necessary in the TTC Procedures By-law in order to implement Council's directive on observers while also ensuring the ability of the TTC Board to receive legal advice.

CONCLUSION

The TTC has proposed updates to its Procedures By-law to reflect, amongst other matters, decisions of City Council with respect to the TTC Board structure and the requirement to permit City Council members to observe closed sessions. It is recommended that City Council adopt the proposed changes to TTC Procedures By-law as set out in Attachment 1 of this report.

CONTACTS

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SIGNATURE

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Joseph P. Pennachetti
City Manager

Attachment – Proposed TTC Procedures By-law

Attachment 1
Proposed TTC Procedures By-law (Adopted by TTC Commission September 27, 2012)

TORONTO TRANSIT COMMISSION
BY-LAW TO GOVERN COMMISSION PROCEEDINGS

ARTICLE I - INTERPRETATION

Section 1 - Definitions
As used in this by-law, the following terms have the meanings indicated:

"Act" - The *City of Toronto Act, 2006*, as amended from time to time.

"Adjourn" - End a meeting.

"Business Day" – Any day, other than a Saturday, Sunday, statutory or civic holiday in Toronto, Ontario.

"Call a Member to Order" - Identifying a member by name, and requesting that member to refrain from his or her current behaviour and to behave in accordance with the procedures by-law.

"Chair" - Is the Member appointed as "Chair" of the Commission by City Council in accordance with a City by-law.

"Chief Financial & Administration Officer" - The Chief Financial & Administration Officer of the Commission or his/her designate.

"City" - The City of Toronto.

"Citizen Members" – Those Members appointed to the Commission by City Council in accordance with City by-laws who are not Council Members.

"Commission" - The Commissioners sitting as the Toronto Transit Commission.

"Commissioners" - The Members as appointed by by-law of the City.

"Committee" - An advisory or other committee, subcommittee or similar entity of which at least 50 per cent of the members are also Members of the Commission, which committee is established by the Commission and is given a specific task and required to report on that specific task.

"Committee of the Whole" - A quorum of Members present and sitting as a Committee of the Whole.

"Council Members" – Those Members appointed by Toronto City Council in accordance with City by-laws.

"Emergency Meeting" - A Meeting called in accordance with the rules of this Procedures By-law.

"Meeting" - Any regular, special, emergency or other meeting of the Commission or a Committee.

"Member" - A person appointed by by-law of the City as a Commissioner for a term of office as set out in any applicable City by-law. Members include both appointed Citizen Members and appointed Council Members.

"Motion" - A Member's formal proposal that the Commission take certain action.

"Motion to Amend" - A Motion to vary the main Motion before the Commission.

"Motion to Defer" - A Motion to delay a decision on a matter by postponing consideration of the matter:

A. Indefinitely;
B. Until or within some specified time or time period;
C. Until the happening of a specified event; or
D. Until a report or communication is presented.

"Motion to End Debate" - A Motion to stop all debate on a matter, and to vote on the matter immediately.

"Motion to Receive" - A Motion to acknowledge a matter or part of a matter including the main Motion or amendment, to take no current action on the matter, and to place the matter in the Chief Financial & Administration Officer's records for future reference.

"Motion to Refer" - A Motion to send a matter, including a main Motion or amendment to a designated Committee, body or person for more information or recommendation.

"Motion Without Notice" - A Motion to introduce new business for which no notice has been given.

"Notice of Motion" - A Motion received by the Chief Financial & Administration Officer to introduce new business for which notice is considered to have been given.

“Point of Order” - Bringing to the attention of the Chair and the Members that a person has broken a rule or made an error in procedure and asking that the Commission meeting follow the rules or that the error in procedure be corrected.

“Point of Privilege” - A question to the Chair and Members to immediately consider and take action to remedy a situation negatively affecting the rights or privileges of members or the Commission, as a whole, despite other pending business currently before the Commission.

“Procedures By-law” - This by-law, as amended from time to time.

“Public Petition” - A communication from more than one member of the public.

“Public Presentation” - An appearance before the Commission by any member of the public to speak to a matter before the Commission in accordance with this Procedures By-law.

“Quorum” - The Members to be present and voting at a Meeting to legally conduct business at the Meeting.

“Recorded Vote” - A vote for which the Chief Financial & Administration Officer records all Members present and how they voted.

“Report” - A TTC’s official’s report that is provided for information or makes recommendations to the Commission.

“Robert’s Rules of Order” - The most current edition of “Robert’s Rules of Order, Newly Revised”.

“Ruling” - The Chair’s interpretation of the Procedures By-law to settle a procedural matter. Such an interpretation is more than a simple restatement of the relevant by-law provisions and explains how the rule applies to the matter.

“Special Meeting” - A Commission Meeting other than a regular meeting, a continued meeting, or a reconvened meeting, called in accordance with the rules of this Procedures By-law.

“Term” - Is the term of office of a Commissioner, or all the Commissioners, as set out in a City by-law.

“TTC” - The Toronto Transit Commission.

“Urgent Matter” - A matter that relates to a significant emergency health or safety matter, or relates to a significant financial, legal, or contractual deadline before the next Commission Meeting.

"Vice-Chair"[1] - Is the Member elected by the Commission in accordance with this Procedures By-law and any applicable City by-law to the position of Vice-Chair of the Commission.

ARTICLE II – PRINCIPLES AND PURPOSE

Section 2 – Purpose
The Procedures By-law establishes the rules for all Commission Meetings and is subject to any applicable City by-law.

Section 3 – Principles of the Procedures By-law
A, The following Members' rights are the principles upon which the Procedures By-law is based:

1. The majority of Members have the right to decide;
2. The minority of Members have the right to be heard;
3. All Members have the right to information to help make decisions, unless otherwise prevented by law;
4. Members have the right to an efficient meeting;
5. All Members have the right to be treated with respect and courtesy; and
6. All Members have equal rights, privileges and obligations.

B. The Procedures By-law is interpreted in accordance with the principles set out in Section 3(A).

ARTICLE III – APPLICATION AND INTERPRETATION

Section 4 – Application of this Procedures By-law
A. The rules and regulations contained in this Procedures By-law are to be observed in all proceedings of the Commission and are the rules and regulations for the order and dispatch of business in the Commission, and, where applicable, in the Committees thereof.

B. A specific statement or rule has greater authority than a general one. Headings are only for reference purposes.

Section 5 – Parliamentary Authority
A. In any case arising in the proceedings of the Commission not provided for hereby, the matter is to be decided by the Chair in accordance with Chapter 27 of the City of Toronto Municipal Code – Council Procedures.

B. If there is a conflict between two or more rules in this Procedures By-law, or if there is no specific rule or matter, the Chair will rule.

[1]Effective with the October 30, 2012 City Council meeting, the Vice-Chair will be appointed from among the appointed Citizen Members.

C. The Chair, consulting with the Chief Financial & Administration Officer, may use Robert's Rules of Order as an aid in Ruling under Section 5(B).

D. The Chair may use Commission practices and former decisions, including previous rulings, in applying these rules and making rulings.

Section 6 – Criteria for Suspending rules and substituting special rules

A. Subject to Section 6(C), the Commission may suspend any rule in the Procedures By-law and replace it with a special rule if:

(1) It has given notice at a previous Commission meeting; and
(2) The suspension is only for a defined period.

B. Any special rules adopted under Section 6(A), are considered part of the Procedures By-law.

C. The Commission cannot suspend the following rules:

(i) Section 8 – Amending the Procedures Subject to By-law;
(ii) Section 23 – Quorum;
(iii) Section 28 – Public Meetings;
(iv) Section 29 – Closed Meetings; and
(v) Section 54(C) and (D) – Order of Speakers;

Section 7 – Waiver of Rules

A. Subject to Section 7(B), a motion to waive one of the Procedures By-law's rules on a one time basis will pass if two-thirds of the Members present vote for it.

B. The Commission cannot waive the following:

(vii) Section 7(A) (with respect to two-thirds vote) – Waiver of Rules;
(viii) Section 8 – Amending the Procedures Subject to By-law
(ix) Section 21(E) – Special Meetings;
(x) Section 23 – Quorum;
(xi) Section 28 – Public Meetings;
(xii) Section 29 – Closed Meetings;
(xiii) Section 42 – Notices of Motion; and
(xiv) Section 43 – Motions Without Notice;
(xv) Section 71(A)3 – Removal of Vice-Chair

Section 8 – Amending the Procedures Subject to By-law

A. To pass a motion to amend or repeal the Procedures By-law, or any part thereof, requires two-thirds vote of the Members present.

B. The Commission will only consider amendments or repeal of the Procedures By-law, or any part thereof, at a Meeting if a previous Meeting of the Commission received notice of the proposed amendment or repeal;

Section 9 – Majority Vote Required

Unless the Procedures By-law specifies otherwise, a matter passes when a majority of Members present vote for it.

ARTICLE IV – PUBLIC PARTICIPATION

Section 10 – Principles of Public Participation

A. The public has the right to participate in the decision-making process by writing the Commission, by submitting a Public Petition, or by making a Public Presentation, as the Procedures By-law describes.

B. The public may make a Public Presentation to the Commission, including Meetings of the Committee of the Whole, as described in the Procedures By-law.

Section 11 – Invited and other Public Presentations

A. The Commission may invite specific persons, experts, organizations or groups to make a Public Presentation to it on any matter within the Commission's mandate.

B. Subject to Sections 12 and 13, any person may:

(1) Attend any Commission Meeting open to the public;
(2) Make a Public Presentation on a matter on that Commission Meeting's agenda; and
(3) In presenting, as described in Section 11(B)(2), represent himself or herself, an organization, or a group.

Section 12 – Restrictions on Public Presentations on Information Reports

The public may only make Public Presentation on information reports if, at a previous Commission Meeting, the Commission has given notice of its intention to hear Public Presentations on that information report.

Section 13 – Public Presentations

A. The procedures for a person, organization or group wishing to make a Public Presentation about a meeting agenda matter is to:

(1) Register a notice of their intention to make a Public Presentation with the Chief Financial & Administration Officer , in writing, by regular mail, fax or email providing detailed information relating to the reason for the request; and

(2) Do so by 12:00 p.m. (noon) of the Business Day immediately before the Meeting day.

B. Public presenters to a Meeting must:

(1) Not speak disrespectfully about anyone;
(2) Not use offensive language;
(3) Speak only about the subject on which the Commission invited them to make a Public Presentation; and
(4) Obey the Procedures By-law and any Chair's ruling.

C. Unless the Commission decides otherwise, a Public Presentation has a five-minute time limit.

D. A person making a Public Presentation may use a translator, and the translation time does not count towards the five-minute limit.

Section 14 – Rules for Motion to Defer if Person intends to Present

If a Member intends to make a Motion to defer a matter, and if persons who have given notice of their intention to make Public Presentations about the matter are present, then:

A. The Member makes the Motion to Defer as soon as possible; and

B. The Commission votes on the motion immediately after.

Section 15 – Chair may end Public Presentations

A. The Chair may end a Public Presentation if there is disorder or a failure to follow these rules.

B. If the Chair ends a Public Presentation is accordance with Section 15(A):

(1) The person making the Public Presentation must leave the Meeting; and
(2) All questioning of the person making the Public Presentation ends.

Section 16 – Public Attendance and Conduct

A. No one may display signs or placards, or engage in conversation or other behaviour which may disrupt a Meeting.

B. No person, except a Member or public presenters, may address the Commission, except by invitation of the Chair or the Commission.

C. No one may use a cellular telephone in the room in which the Meeting is taking place while Meetings are in progress, and anyone who brings one to a Meeting must turn off the ringer.

Section 17 - Communications

A. All communications must:

(1) Be delivered in person or sent by regular mail, e-mail or fax;
(2) Be addressed to the Commission or the Chief Financial & Administration Officer;
(3) Be legible;
(4) Include the name and mailing address or the telephone number of the author;
(5) Be in reproducible format; and
(6) Not be defamatory or contain offensive language.

B. Personal information and opinions in communications are part of the public record, unless the author of the communication requests the removal of his or her personal information when submitting it, or the Chief Financial & Administration Officer determines the personal information contravenes the *Municipal Freedom of Information and Protection of Privacy Act.*

C. If the Chair or the Chief Financial & Administration Officer thinks that a TTC official should consider any communication before the Meeting:

(1) The Chief Financial & Administration Officer forwards a copy to the appropriate TTC official;
(2) The TTC official may then submit a report directly to the Commission in response to the communication.

Section 18 - Public Petitions

A. An organizer of a Public Petition may deliver the petition in person or send it by mail, fax or e-mail to:

(1) A Member, if the Public Petition does not relate to a matter on the agenda; or
(2) The Chief Financial & Administration Officer, if the Public Petitions relates to a matter on the agenda.

B. The Public Petition must:

(1) Be in legible handwriting, in printed form, or in printable form;
(2) Contain the telephone number of the organizer for confirmation;
(3) Contain the signatures, unless delivered by e-mail, and the printed name and address of at least one signatory and, if possible, the printed name and address of all signatories;
(4) Contain the fax number of the sender, if the petition is sent by fax;

(5) Contain the e-mail address of the sender and have attached only the petition documents in a printable form, if the petition is sent by e-mail;
(6) Contain an explanation of the petitioners' cause or position;
(7) Not contain any improper language; and
(8) Be appropriate, respectful and temperate in its language.

C. If the Public Petition relates to a matter on the agenda of a Meeting, the Member will give the petition to the Chief Financial & Administration Officer.

D. A Public Petition under Section 18(C) is considered to be a communication related to the matter on the agenda, and the Chief Financial & Administration Officer will add it to the agenda in accordance with Section 17.

E. If the Public Petition does not relate to a matter on the agenda of a Meeting, the Member may introduce the Public Petition at a Meeting without written notice or permission.

F. Prior to introducing a Public Petition under Section 18(E), the Member must examine the Public Petition to ensure it complies with Section 18(B).

G. After a Member has introduced a Public Petition under Section 18(E), the Commission without debate, may receive the Public Petition, or refer the Public Petition to the appropriate Committee, or TTC official.

ARTICLE V - COMMISSION MEETINGS

Section 19 – Election of Vice-Chair

A. The Vice-Chair shall be appointed in the following manner and in accordance with any applicable City by-law:

(1) The Chief Financial & Administration Officer calls for nominations;
(2) Members may nominate only candidates from the Citizen Members, including themselves, and nominations do not require seconding;
(3) The Members vote by show of hands, or if otherwise decided by a majority vote of the Members present by written ballot, which ballot is signed by the Members and read out by the Chief Financial & Administration Officer with the name of each Member together with that member's vote;
(4) The Vice-Chair is appointed by a majority of the Members present. If a majority of the Members present do not vote to appoint a Vice-Chair, a further vote is conducted. The next vote or ballot excludes the nominees with the fewest votes and any nominee with no votes. If two or more nominees are tied with the fewest votes, the Chair selects the nominee or nominees who advance to the next vote or ballot by the following method:

(a) The names of the tied nominees are placed on sheets of paper of equal size, and the papers are folded in half and placed in a box; and

(b) The Chief Financial & Administration Officer pulls one or more pages with the name or names of the nominee or nominees who advance to the next vote from the box.

(5) Voting continues in accordance with Section 19(A)(3) and (4) until one nominee receives both the most votes and a majority of votes;

(6) If after the steps set out in Section 19(A)(5) only two nominees remain and the votes for the two remaining nominees are tied, the Chair selects the winner by the following method:

(a) The names of each of the two remaining nominees are placed on two sheets of paper of equal size, and the papers are folded in half and placed in a box; and

(b) The Chair pulls the name of one nominee from the box, and the nominee whose name is pulled from the box is declared the winner.

Section 20 - Regular meetings; annual schedule

At the first Meeting of any calendar year, the Commission establishes and publishes an annual schedule of its Meetings for the immediate one-year period based on recommendations from the Chief Financial & Administration Officer and adheres to such schedule unless otherwise decided by the Commission.

Section 21 - Special meetings

A. The Chair may at any time call a Special Meeting of the Commission on at least 48 hours' notice in writing and must be delivered in person or by electronic mail to the Members by the Chief Financial & Administration Officer.

B. If the Chief Financial & Administration Officer receives a petition that the majority of Members signed requesting a Special Meeting of the Commission, the Chief Financial & Administration Officer calls a Special Meeting for the purpose, date and time the petition requests. Notice of the Special Meeting is provided to all of the Members in writing or by electronic mail.

C. The petition required under Section 21(B), must contain:

(1) Original Members' signatures;
(2) A clear statement of the Meeting's purpose; and
(3) A time and date for the Meeting which may take place within 48 hours from the time the petition is given to the Chief Financial & Administration Officer.

D. Once a petition under Section 21(B) is given to the Chief Financial & Administration Officer, no Member may add or remove his or her name from the petition.

E. The Commission only considers the business on the agenda, and no other business at a Special Meeting.

F. At all Special Meetings of the Commission the agenda is prepared and printed by the Chief Financial & Administration Officer in consultation with the Chair.

Section 22 – Emergency Meeting
Despite Section 21, if there is an Emergency, the Chair may call an Emergency Meeting of the Commission on less than 48 hours notice, provided that:

A. All Members are notified of the Emergency Meeting either personally, by electronic mail, or by any other means necessary, and

B. A majority of the Members agree to the Meeting by giving written consent to the Chief Financial & Administration Officer personally before the Meeting begins.

Section 23 - Quorum
A. Subject to Section 23(B), a majority of members sitting in their assigned seats constitutes a Quorum for the Commission.

B. Certain provisions in the *Municipal Conflict of Interest Act* may disqualify a number of Members from participating in a Meeting, or part thereof, and if the result is:

(1) Too few Members for a Quorum, then two or more Members may be considered for a Quorum; or
(2) Only one or more Members for a Quorum, then the *Municipal Conflict of Interest Act* describes what steps to take.

Section 24- Chair to convene meeting.
As soon as a Quorum is present after the time set for the beginning of the Meeting, the Chair starts the Meeting.

Section 25 – Quorum for Votes
The Chair ensures that a Quorum is present whenever a vote is taken.

Section 26 - Absence of the Chair; Acting Chair
A When the Chair is absent from the geographical area of the City of Toronto, as defined in the Act, or is absent through illness, or refuses to act, or when the office of the Chair is vacant, the Vice-Chair becomes the Acting Chair.

B. In case the Chair does not attend within 15 minutes of the time a Quorum is present after the time appointed for the beginning of a Meeting or the resumption after an adjournment, the Chief Financial & Administration Officer calls the Members to order, and the Vice-Chair is appointed as Acting Chair and presides until the arrival of the Chair. If the Vice-Chair is not present, an Acting Chair is appointed from the Members present and he or she becomes the Acting Chair until the arrival of the Chair or Vice-Chair.

C. The Chair may designate the Vice-Chair or another Member present as Acting Chair during any part of a Meeting when he or she leaves the chair for any reason.

D. While presiding, the Acting Chair has all the powers of the Chair as set out in this Procedures By-law.

E. The Chair is entitled to one vote as a Member.

Section 27 - Absence of quorum.

A. If no Quorum is present at the time set for the beginning of a Meeting, or the resumption after an adjournment, the Chief Financial & Administration Officer calls for a Quorum for a period of 15 minutes, or until a Quorum is present, whichever is sooner.

B. During a Meeting, if a Member or the Chief Financial & Administration Officer draws the attention of the Chair to the fact that a Quorum is not present, the Chair, upon determining that a Quorum is not present, will request the Chief Financial & Administration Officer to call for a Quorum for a period of 15 minutes, or until a Quorum is present, whichever is sooner.

C. If there is still no Quorum after 15 minutes, the Chief Financial & Administration Officer calls the names of all of the Members and record the names of the Members present.

D. If there is still no Quorum by the time the Chief Financial & Administration Officer has completed calling the names of all of the Members, the Commission is adjourned until the next scheduled Meeting, and subject to a Special Meeting being held in accordance with Section 21, all unfinished business is carried forward to the next scheduled Meeting.

Section 28 – Public Meetings

Except as described in Section 29, all Meetings are open to the public, and no person is excluded from a Meeting except for improper conduct under Sections 15 or 32.

Section 29 – Closed Meetings

A. The Commission may close a Meeting to the public to discuss the following:

(1) The security of the property of the municipality or local board;
(2) Personal matters about an identifiable individual, including municipal or local board employees;
(3) A proposed or pending acquisition or disposition of land for municipal or local board purposes;
(4) Labour relations or employee negotiations;
(5) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
(6) The receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
(7) A matter in respect of which a council, board, committee or other body has authorized a meeting to be closed under another Act; or
(8) A request under the *Municipal Freedom of Information and Protection of Privacy Act*.

B. The Commission may also close a Meeting to the public if the Meeting is held for the purpose of educating and training the Members. At a Meeting closed to the public under this Section 29(B), no Member is to discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Commission.

C. Before holding a Closed Meeting, the Commission passes a motion to hold a closed meeting. The motion states:

(1) That the meeting is a Closed Meeting;
(2) The general nature of the matter the Commission is considering at the Closed Meeting;
(3) The reason that the matter requires a Closed Meeting under Sections 29(A) or 29(B); and
(4) If the Meeting is closed to the public in accordance with Section 29(B), specific reference to the Section (i.e. Section 29(B)).

D. When the Commission considers a matter in a Closed Meeting, it does so in Committee of the Whole.

E. If the matter the Commission is considering at a Closed Meeting no longer falls into one of the categories set out in Sections 29(A) or 29(B), the Meeting is no longer closed to the public.

F. Subject to Section 29(G), members of Toronto City Council are permitted to attend any portion of a Closed Meeting with observer status.

G. Any member of Toronto City Council who is not a Member of the Commission shall not be permitted to attend any portion of a Closed Meeting which is closed for the purposes of discussing a matter that is referred to in Section 29(A)5 (litigation or contemplation of litigation) or Section 29(A)6 (solicitor-client privilege) without the approval of the majority of Members present.

Section 30 – Minutes to Commission Meetings

A. The Chief Financial & Administration Officer prepares the minutes for all Commission Meetings.

B. The minutes include:

(1) All resolutions, decisions and other proceedings;
(2) The names of all Members attending and absent;
(3) For Recorded Votes, a record of the way each member present voted for every Motion; and
(4) A record of Member, if any, who declared a conflict of interest and the reason for the conflict of interest.

C. Unless the Commission decides otherwise, the Chief Financial & Administration Officer submits each meeting's minutes to the next regular Meeting, or as soon as possible afterwards, for Members to adopt or amend.

D. The Chief Financial & Administration Officer circulates the minutes before the Meeting that the minutes are submitted to for adoption or amendment.

E. If any Member requests, the Chief Financial & Administration Officer reads the minutes or any requested portion of the minutes, before the minutes are adopted or amended.

F. The Commission passes a Motion to Amend the minutes to correct any errors or omissions and then adopts the amended minutes.

G. If there are no errors or omission in the minutes, the Commission adopts the minutes as prepared.

H. After the Commission adopts the minutes, the Chair and Chief Financial & Administration Officer sign them.

ARTICLE VI - Order and Decorum and Conduct of Members

Section 31 – Responsibilities of the Chair to Govern Commission Meetings

A. The Chair is responsible for:

(1) Objectively presiding over the Meeting as described in the Procedural

By-law;

(2) Enforcing the Procedures By-law's rules;

(3) Announcing the business before the Commission and the order in which it is to be considered;

(4) Receiving, stating and framing all Motions presented to clarify their intent as moved;

(5) Ruling on whether a Motion is in order;

(6) Protecting the Commission from Motions that are obviously frivolous or tended to cause delay, by refusing to acknowledge them;

(7) Providing information to Members on any matter related to the business of the Commission;

(8) Deciding whether to acknowledge a Member on a Point of Order or a Point of Privilege;

(9) Ruling on whether a Point of Order or Point of Privilege is in order;

(10) If the Point of Order or a Point of Privilege is in order, Ruling on the Point of Order or the Point of Privilege and giving the facts, circumstances and reasons for the Ruling;

(11) If necessary, recessing a Meeting for a brief specified time to consult with the Chief Financial & Administration Officer or other TTC staff, or to consult Roberts Rules of Order for guidance in ruling;

(12) If there is a threat or imminent threat to the health and safety of any person, or if there is a possibility of public disorder, recessing the Meeting for a specified time;

(13) Ensuring that all Members who wish to speak on a motion have spoken, subject the rules of debate as set out in this Procedures By-law;

(14) Reading, as necessary, all Motions before any vote, to ensure that the Members understand the Motions before voting;

(15) Putting all Motions to a vote and announcing the results;

(16) Voting on all matters, unless the *Municipal Conflict of Interest Act* prohibits it;

(17) Declining to put to a vote any Motion contrary to the Procedures By-law's rules;

(18) Calling a Member to order;

(19) Ordering a Member, or any other person, from a Meeting, in accordance with the rules of the Procedures By-law.

(20) Ensuring the public knows the status of the business of the Meeting throughout the Meeting;

(21) Adjourning the Meeting when the business is finished; and

(22) When the Chair, or a Member, considers that a Member has either indirectly or directly, questioned the integrity of an official, permitting the official to make a statement to the Commission.

B. The Chair must not speak, ask questions, or make Motions about a matter under debate while in the Chair.

C. By notice of Motion, a Member, with the consent of the majority of the Members present, may request that the Commission censure a Chair who fails to perform his or her duties in accordance with the Procedures By-law.

Section 32 - Members' Responsibilities

A. Members are responsible for:

(1) Attending scheduled Meetings;
(2) Carefully considering and making decisions about Meeting business;
(3) Voting on motions put to a vote;
(4) Respecting the rules of the Procedures By-law;
(5) Speaking respectfully at all times;
(6) Listening attentively, participating in a Meeting, and not interrupting the proceedings;
(7) Remaining silent in their seats while the Commission votes and until the Chair announces the result of the vote;
(8) Refraining from using any offensive, disrespectful or unparliamentary language about any Member, TTC officials or other TTC employee, or the Commission as a whole;
(9) Respecting and following the Commission's decisions;
(10) Speaking only on the matter under debate or related Motions during debate;
(11) Not wearing political or biased slogans on clothing or buttons during a Meeting;
(12) Respecting the confidentiality of matters discussed in a Closed Meeting and not disclosing the subject or substance of these discussions, unless authorized to do so; and
(13) Obeying the Chair's rulings and Commission's decisions.

B. If a Member disobeys a rule in this Procedures By-law or a Chair's ruling, the Chair:

(1) After the first time, gives a formal verbal warning to the Member; and
(2) After the second time, calls the Member to order.

C. If the Chair takes actions under both Section 32(B)(1) and (2) and the Member continues to disobey the Procedures By-law or the Chair's rulings, the Chair immediately orders the Member to leave for the rest of the Meeting, and if the Member refuses to do so, the Chair may request that law enforcement officials remove the Member.

D. Any Member other than the Member ordered to leave the Meeting may appeal the Chair's Ruling and the Commission may overturn the Chair's ruling.

E. If the Member ordered to leave the Meeting informs the Chief Financial & Administration Officer that he or she wishes to apologize, the Chief Financial & Administration Officer tells the Chair of the Member's request. At such time, the Chair allows the Member to return to the Meeting solely to apologize to the Commission and after an apology, the Commission, may consent to allow the Member to return to the Meeting.

Section 33 – Chief Financial & Administration Officer's Responsibilities

A. The Chief Financial & Administration Officer is the Meeting manager of the Commission and may assign any of his or her duties to another employee of the Commission.

B. The Chief Financial & Administration Officer is responsible for:

(1) Establishing and enforcing deadlines for agenda business;
(2) Preparing, publishing, and distributing an agenda for each Meeting, and providing appropriate notice;
(3) In the absence of the Chair, Vice-Chair or any other Member designated to Chair in the Chair's absence, calling the meeting to order and presiding until the Commission immediately elects an Acting Chair;
(4) Providing procedural advice to Members on agenda business and on preparing Motions;
(5) Informing the Chair and the Commission when items need to be added to or removed from agenda;
(6) Serving as the parliamentary expert to the Commission by advising the Chair on the rules and on matters of parliamentary procedures;
(7) Calling to the attention of the Chair any error in proceedings that may affect the rights of any Member or the Commission;
(8) Advising the Commission or Members on matters of procedure subject to the duty of the Chair to make the final ruling;
(9) Informing the Chair, if, in the Chief Financial & Administration Officer's opinion, an issue that the Commission is discussing in a Closed Meeting is not procedurally appropriate under the Act or the Procedures By-law;
(10) Taking minutes and keeping a record of all the proceedings, including the votes, of the Commission;
(11) Maintaining records of the by-laws, special rules of order, standing rules, and minutes, including any amendments to these documents;
(12) Making the minutes and records of Commission meetings available to members and the public on request, in accordance with any applicable law and subject to receiving payment of any fee the Commission has approved; and
(13) Performing other duties that the Commission assigns.

ARTICLE VII - AGENDA

Section 34 - Agenda and order of business

A. The Chief Financial & Administration Officer prepares an agenda for all Commission Meetings.

B. The business of the Commission is to be taken up in the order in which it is listed on the agenda, unless otherwise decided by the Commission.

C. When an alteration of the order of business is desired, the Commission, without debate, may by a majority vote of the Members present make any such alteration of the order of the business (whether or not the time for considering such business has previously been determined by the Commission) provided that it does not delete any portion of the business which has been set out in the agenda.

D. All notices of Motions on the agenda and not dealt with at a Meeting are placed on the agenda for the next regular Meeting of the Commission.

Section 35 – Supplementary Agenda

If agreed by the Chair, Chief Executive Officer and Chief Financial & Administration Officer, a supplementary agenda will be prepared when reports are submitted to the Commission for consideration after the regular agenda has been released. A supplementary agenda will be issued no later than two (2) Business Days prior to the Meeting.

Section 36 – Time Period for Communications to the Commission

All communications to be brought before the Commission for consideration are to be received by the Chief Financial & Administration Officer not later than 4:00 p.m. of the Business Day immediately before the day of the Meeting, failing which such correspondence is held until the following Meeting. Notwithstanding the above, any correspondence directly relating to reports before the Commission for consideration at the Meeting are submitted to the Commission at the Meeting.

Section 37 – Special Meeting Agenda

At all Special Meetings or Emergency Meetings, the agenda is prepared by the Chief Financial & Administration Officer as the Chair or the Members may direct.

Section 38 - Matters to be held for consideration

A. Members may submit to the Chief Financial & Administration Officer a written list on the matters on the Meeting agenda that they wish to hold for debate or questions:

(1) After the Meeting agenda has been distributed to the Members; and
(2) Before 4:00 p.m. of the last Business Day before the Meeting.

B. The Chief Financial & Administration Officer maintains a list of Members that have asked to have matters held for debate or questions under Section 38(A).

C. Only the first Member to submit to the Chief Financial & Administration Officer a request to hold a matter under Section 38(A) is the Member holding the matter and is named on the list as holding the matter.

D. When the Chair calls the matter for debate, the Member who held the matter, if present, will be the first speaker.

E. If the Member who held the matter is not present, the Commission will continue to debate and consider the matter.

F. Despite Section 38(D) and (E), the Commission may consent to allow the hold to continue before the matter is called for debate or questions, if the Member who held the matter has stated the reasons for continuing the hold.

Section 39 - Motion to consider matter previously deferred

A motion that the Commission consider a matter previously deferred indefinitely or to a time or eventuality which has not yet been reached or occurred, respectively, is presented only if the Commission so decides, by a two-thirds vote of the Members present and voting.

Section 40 - Administrative inquiries

A. A Member who wants information about affairs of the Commission must:

(1) Make an administrative inquiry in writing; and
(2) Deliver it to the Chief Financial & Administration Officer at least seven Business Days before the Commission Meeting.

B. The relevant TTC official answers the administrative inquiry in writing and delivers it to the Chief Financial & Administration Officer at least one hour before the Commission Meeting.

C. The Chief Financial & Administration Officer distributes the answer to Members before the start of the Meeting or reads the answer to the Commission.

D. Despite Section 40(B), a TTC official may decide that the answer to an administrative inquiry requires work that exceeds the normal duties of his or her staff.

E. If Section 40(D) applies, the Commission official informs the Commission of that decision in a written letter to the Chief Financial & Administration Officer at least one hour before the Meeting and the Chief Financial & Administration Officer distributes the letter to the Members before the Meeting starts.

F. If, in response to an administrative inquiry, a TTC official has told the Commission that the work of answering the inquiry exceeds the normal duties, the Commission, without debate, may vote on whether the TTC official should answer the administrative inquiry.

G. The Commission receives, or refers to the appropriate TTC official or department, all administrative inquiries and answers, without debate.

ARTICLE VIII – ADDING NEW BUSINESS

Section 41 – New Business
Any report on new business that the Commission requests be submitted to a future Commission Meeting is added to the agenda if;

A. The agenda deadline is met.

B. The Commission consents to receive the request after the agenda deadline.

Section 42 – Notices of Motion
A Member may make a Notice of Motion to introduce new business if;

A. The Notice of Motion is in a form the Chief Financial & Administration Officer approved and is signed by the Member who moves it and the Member who seconds it.

B. The Member moving the Notice of Motion submits the Notice of Motion to the Chief Financial & Administration Officer in its final form by 4:00 p.m. on the day of the agenda deadline.

C. If agreed by the Chair, Chief Executive Officer and Chief Financial & Administration Officer, a supplementary agenda will be prepared when Notices of Motion in final form are submitted to the General Secretary for consideration after 4:00 p.m. on the day of the agenda deadline. A supplementary agenda will be issued no later than two (2) Business Days prior to the Meeting.

Section 43 – Motions Without Notice
A. All Motions Without Notice must:

(1) Be in writing in a form the Chief Financial & Administration Officer approves and be signed by the Member moving the Motion Without Notice and the Member seconding the Motion without notice; and
(2) Relate to an Urgent Matter and clearly state the reason why the matter is an Urgent Matter.

B. The Member moving the Motion Without Notice submits it in writing to the Chief Financial & Administration Officer by noon of the Business Day preceding the Meeting.

C. The Chief Financial & Administration Officer, consulting with the Chair, reviews all Motions Without Notice before the Meeting to ensure that the matter addressed by the Motion Without Notice complies with the definition of Urgent Matter. If the Chief Financial & Administration Office agrees that the Motion Without Notice relates to an Urgent Matter, the Chief Financial & Administration Officer lists the Motion Without Notice on the agenda. If the Chief Financial & Administration Officer determines that the Motion Without Notice is not related to an Urgent Matter, the Chief Financial & Administration Officer presents a list of these Motions Without Notice to the Commission for information only.

D. Members may not submit Motions Without Notice to the First Meeting, a Special Meeting or an Emergency Meeting.

ARTICLE IX - Motions

Section 44 – Motions

A. A Member may make a Motion that:

(1) Affects the Meeting's procedures, as set out in this Procedures By-law; or
(2) Takes action on the matter that is currently before the Commission for debate.

B. A Member may make procedural Motions defined in Section 44(G):

(1) At any time when the Member has the floor; or
(2) Subject to Section 44(B)(1), when the Commission is considering a matter, a Member may only make Motions to adopt, amend, receive, defer or refer the matter, and may only do so when the Member has the floor.

C. A Member may make a Motion, other than a procedural Motion defined in Section 44(G), if it is:

(1) In writing in a form acceptable to the Chief Financial & Administration Officer ; and
(2) Signed by the Member making the Motion.

D. Motions must be concise and unambiguous.

E. A Member makes his or her Motion by reading it before:

(1) Any Member speaks about the Motion;
(2) The Motion is debated; or
(3) The Motion is put to a vote.

F. The Chair may refuse to recognize any Member who wishes to make a Motion that does not meet the requirements in Section 44(A)(B)(C)(D) or (E).

G. The Commission will consider the following procedural Motions in the following order:

(1) Motion to Amend the order of business/agenda;
(2) Motion to adjourn;
(3) Motion to recess;
(4) Motion to End Debate;
(5) Motion to extend debate;
(6) Motion to limit debate;
(7) Motion to fix a time for a reconvened meeting;
(8) Motion to reopen;
(9) Motion to resolve into Committee of the Whole;
(10) Motion to Refer; and
(11) Motion to Defer.

H. The following Motions are not in order:
(1) A Motion that breaks the rules of the Procedures By-law; and
(2) A Motion on a matter beyond the Commission's authority.

I. The Chair rules on whether motions are in order.

J. The recommendations in the reports to the Commission are the main Motions for the Commission to debate and:

(1) Must be introduced;
(2) Are considered moved when they are announced; and
(3) Are considered adopted without amendment by consent, unless the Commission decides otherwise.

K. Only Notices of Motion and Motions Without Notice require seconding. No other Motions require seconding.

Section 45 - Withdrawal of notice of motion from the Commission
After a Member has made a Motion, the Member may only withdraw it with the consent of the Commission.

Section 46 - Amendments
A. A Motion to Amend has the effect of varying the main Motion.

B. The amendment must relate to the main Motion, and cannot propose:

(1) A contrary action to the Motion it is proposing to amend; or
(2) A new or changed Commission policy unless the subject of the proposed policy is the main Motion's subject.

C. An amendment may propose that a different or additional action be taken on the subject matter of the main Motions provided it is directly relevant to the main Motion.

D. An amendment is out of order if it is a substantive motion on other business beyond the subject matter of the main Motion.

E. On an amendment, Members may only debate the merits of the amendment, not the merits of the Motion the amendment proposes to amend.

F. An amendment to an amendment must relate to the amendment.

G. An amendment may only be amended once.

H. An amendment to an amendment is put to a vote before the amendment.

I. Despite Section 46(H), when the amendment changes numbers, the numbers are put to a vote in ascending order dealing with the smallest number first.

Section 47 – Motion to Receive for Information

A. A Motion to Receive for information has the effect of the Commission taking no further action on a matter, or part of a matter, and placing it in the Chief Financial & Administration Officer's records for future reference.

B. A Motion to Receive for information may be made at any time during debate.

C. A Motion to Receive for information:

(1) Is debateable; and
(2) Cannot be amended.

Section 48 – Motion to Defer

A. A Motion to Defer has the effect of postponing consideration of a matter.

B. A Member may make a Motion to Defer at any time during debate.

C. A Motion to Defer is a procedural motion and takes precedence over any non-procedural motion or amendment.

D. A Motion to Defer is put to a vote immediately after it is debated.

E. A Motion to Defer includes:

(1) The time to which the matter is deferred, or a description of circumstances that cause the Motion to be brought back; and
(2) An explanation of the Motion's purpose.

F. On a Motion to Defer, Members may only debate:

(1) The merits of deferring the matter; and
(2) The merits of the time or circumstances to which the matter is to be deferred under Section 48(E)(1).

G. Members may speak about a Motion to Defer or question the mover about a Motion to Defer for up to two minutes.

H. The only allowable amendments to a Motion to Defer are changing the time or circumstances to which the matter is deferred.

I. A Member may question the member amending a Motion to defer for up to two minutes.

J. A Motion to Defer applies to all Motions that have been made to that point in time, including all Motions that the Commission has not yet debated.

K. A Motion to Defer must be disposed of before debate on the main Motion may resume.

L. A matter that the Commission has deferred may only be brought back for debate before the time of circumstances to which it was deferred with an affirmative vote of two-thirds of the Members present.

M. A Motion to Defer a matter includes a Motion to Refer that matter, so there will be only one debate for each matter before the Commission.

Section 49 – Motion to Refer

A. A Motion to Refer has the effect of requesting a Commission official, department or other body to investigate the matter and report back on the matter.

B. A Member may make a Motion to Refer at any time during debate.

C. A Motion to Refer is a procedural motion and takes precedence over any non-procedural motion or amendment.

D. A Motion to Refer is put to a vote immediately after it is debated.

E. A Motion to Refer includes:

(1) The name of the body, department or official to whom the matter is referred;
(2) The subject matter or question to be investigated;
(3) The time period within which the matter will be reported back to the Commission; and
(4) Any additional information.

F. On a Motion to Refer, Members may only debate:

(1) The merits of referring the matter;
(2) To whom the matter should be referred; and
(3) The time period within which the matter is to be reported back.

G. Members may speak about a Motion to Refer or question about a Motion to Refer for up to two minutes.

H. A Member may question a Member amending a Motion to Refer for up to two minutes.

I. A Motion to Refer may apply to:
(1) The entire matter, including all Motions that have been made to that point in time; or
(2) Part of the matter, including specific Motions to Amend that have been made to that point in time.

J. The Motion to refer under Section 49(I)(1) must be disposed of before debate on the main Motion resumes.

K. A Motion to Refer a matter includes a Motion to Defer the matter, so that there will be only one debate for each matter before the Commission.

Section 50 - Reconsideration

A. Subject to Sections 50(B) and 50(C) once the Commission decides a matter, no Member may make a Motion that would change the decision within the twelve-month period following the decision of the Commission unless the Term of all of the Commissioners has expired.

B. Subject to Section 50(C), A Member who voted with the prevailing side on a matter may make a Notice of Motion or Motion Without Notice to reconsider a matter originally decided. The Motion to reconsider a matter previously decided is not heard at the same Meeting as the Motion.

C. A Member who voted with the prevailing side on a matter may make a Motion to reconsider the matter originally decided at the same Meeting at which the matter

was originally decided and if passed, the matter may be reconsidered at the same Meeting.

D. A Motion to reconsider made under Sections 50(B) or 50(C) requires the consent of the Commission on a two-thirds vote of the Members present to pass.

E. A Motion to reconsider a matter is:

(1) Not debateable; and
(2) May not be amended.

F. A Motion to reconsider a matter, unless it specifies otherwise, opens the entire matter, and either:

(1) Amends the previous decision; or
(2) Cancels the entire previous decision.

G. If a Motion to reconsider a matter passes, all previous decisions on the matter remain in force, unless the Commission decides otherwise.

H. A Motion to reconsider a matter is a procedural motion.

Section 51 - Motion to adjourn Meeting

A. A Member who has the floor may make a Motion to adjourn any time during a Meeting except when another Member has indicated to the Chair his or her desire to speak on a matter before the Commission.

B. A Motion to adjourn:

(1) Is not debateable; and
(2) Cannot be amended.

C. A Motion to adjourn will be put to a vote immediately.

D. A Motion to adjourn is a procedural motion.

ARTICLE X – POINTS OF ORDER AND PRIVILEGE

Section 52 - Points of Order and Privilege

A. If the Chair agrees, a Member may present a Point of Order at any time and must sit back down in his or her seat after doing so. The Commission cannot debate or amend a Point of Order and the Chair immediately rules on the Point of Order and gives reasons for the Ruling.

B. If the Chair agrees, a Member may present a Point of Privilege at any time and must sit back down in his or her seat after doing so. The Commission cannot debate or amend a Point of Privilege and the Chair immediately rules on the Point of Privilege and gives reasons for the Ruling.

C. Immediately following a Chair's Ruling, a Member may make a Motion to appeal that Ruling, despite another Member having the floor.

D. Member cannot debate or amend a Motion to appeal the Chair's Ruling.

E. When a member makes a Motion to appeal, the Chair:

(1) Asks the Members, "Is the Ruling of the Chair upheld?"; and
(2) Immediately puts the Motion to appeal to a vote.

F. A Chair's Ruling that is not appealed, or is supported on appeal, is final.

G. When the Chair's Ruling is not supported on appeal, the Commission's decision is final.

H. If the Chair states or reads from the Procedures By-law, legislation, or another document of authority, the Chair has not made a Ruling and no Member may make a Motion to appeal.

I. A Motion to appeal the Chair's Ruling is a procedural motion.

ARTICLE XI - RULES OF DEBATE

Section 53 - Questioning

A. The Chair maintains a list of Members who have indicated they wish to ask questions on a matter.

B. With the consent of the Commission, Members may question officials of the TTC or other bodies on any matter.

C. A Member's questions asked under Section 53(B), and their answers may not exceed a total of five minutes on any matter.

D. A Member may ask questions under Section 53(B) only:

(1) To clarify the main Motion; and
(2) Obtain facts related to the main Motion.

E. A Member may ask questions of the previous speaker only:

(1) If the previous speaker makes a Motion; and
(2) To clarify the Motion made by the previous speaker.

F. A Member's questions asked under Section 53(E), and their answers to them, may not exceed a total of three minutes.

G. When the Chair, Member, an official of the TTC or an official of another body is on the floor to answer questions under Section 53(B) or (E), any Member may ask them questions.

H. Members may ask questions on a matter only once each under Section 53(B) and (E).

I. Questions must be clear and concise and may not be used to make statements or assertions.

J. The Chair may rule a question out of order if a Member has already asked substantially the same questions in the same form.

K. All questioning on a matter is finished before debate on the matter begins except for questions of the previous speaker under Section 53(E).

Section 54 - Order of Speakers

A. The Chair:

(1) Keeps a list of Members who have requested to speak on a matter; and
(2) During debate, calls them to speak in the order of the list.

B. Every Member, presenter or official addresses the Chair when questioning or speaking.

C. Members may speak only once on a matter during debate of the matter.

D. A Member may speak on a matter for up to five minutes, but the Commission may consent to extend that time for up to two more minutes.

E. Unless acknowledged by the Chair to raise a Point of Order or a Point of Privilege, a Member cannot interrupt a Member who is speaking.

F. The Chair may not speak on a matter, question Commission officials or other Members or make any Motions while in the chair.

G. If the Chair leaves the chair for any reason, Section 26(C) applies.

Section 55 - Right to be heard
Every Member has an opportunity to speak on a Motion before it is put to a vote, unless a Motion to adjourn has passed.

Section 56 - Request to read motion
Any Member may request that a Motion be read or re-read any time during debate of the Motion, as long as the request does not interrupt a Member speaking.

ARTICLE XII - VOTING

Section 57 - Chair reads the motion
When necessary, the Chair reads each Motion before putting it to a vote.

Section 58 - Members present duty to vote

A. Every Member present at a Meeting must vote on every matter put to a vote, except any Member who declares a conflict of interest and removes himself or herself from the vote.

B. The Chief Financial & Administration Officer records as voting in the negative any Member present at a Meeting who does not vote, except a Member who has declared a conflict of interest.

C. Unless the Procedures By-law specifies otherwise, a Motion passes when a majority of Members present vote for it.

D. A Motion does not pass if the same number of Members vote for it as against it.

Section 59 - Order of motions for voting

A. Unless decided otherwise by the Commission, and subject to Section 59(B), the Chair, in consultation with the Chief Financial & Administration Officer, lists all Motions on a matter for voting in the following order:

(1) Motion to Refer;
(2) Motion to Defer;
(3) Motion to Receive;
(4) Motion to Amend, dealing with an amendment to an amendment immediately before the amendment it proposes to amend;
(5) Main Motion, or the main Motion as amended, if any amendments have carried; and
(6) Separating the vote on the “main Motion, as amended” into more than one part, which may only be done to comply with the *Municipal Conflict of Interest Act*.

B. Despite Section 59(A), when an amendment changes numbers, the amendments are put to a vote in ascending order dealing with the smallest number first.

Section 60 - Dividing motions into parts

A. If a matter under consideration contains distinct propositions, a Member may request that Members vote on each proposition separately.

B. If the Chair agrees that the matter contains distinct propositions, the Chair will rule that Members vote on each proposition separately.

Section 61 - Voting Procedures

A. Members must:

(1) Be in their seats when the Motion is put to a vote; and
(2) Be silent and remain in their seats until the Chair announces the result of the vote.

B. When necessary, the Chair reads the Motion.

C. When the Motion is put to a vote, a Member may not speak on, or make a Motion on, the matter.

D. Subject to Section 62(C), Members vote by a show of hands.

E. The Chair or the Chief Financial & Administration Officer declares the result of the vote.

Section 62 - Recorded votes

A. A Member may request a Recorded Vote on any matter and must make the request immediately before or after the vote is taken.

B. If the request for a Recorded Vote is made immediately after the vote is taken, the first vote is nullified and a second, Recorded Vote must be held.

C. When a Member requests a Recorded Vote, the Chief Financial & Administration Officer records the name and vote of every member on the matter.

ARTICLE XIII - Committee of the Whole

Section 63 - Motion to go into Committee of the Whole

A. A Motion to resolve into the Committee of the Whole:

(1) May be made at any time, for the purposes set out in Section 63(B);

(2) Is not debateable; and
(3) Cannot be amended.

B. The Commission resolves itself into the Committee of the Whole to consider a matter to be considered in a Closed Meeting under Section 29.

Section 64 - Chair of Committee of the Whole.
Whenever the Commission resolves into Committee of the Whole, the Chair or Acting Chair, as determined in accordance with Section 26, chairs the Committee of the Whole Meeting.

Section 65 - Appointment of Acting Chair
The Chair may designate the Vice-Chair or another Member present as Acting Chair during any part of a Meeting of the Committee of the Whole when he or she leaves the chair for any reason.

Section 66 - Equality of votes
The Chair of the Committee of the Whole is entitled to one vote as a Member of the Committee of the Whole, and if there is an equality of votes on any Motion it is deemed to be lost.

Section 67 - Observance of rules governing procedures of the Commission
The rules as set out in this Procedures By-law are observed in the Committee of the Whole, so far as they are applicable, provided that:

A. The Chair may participate in debate from the chair;

B. Subject to Section 67(C), Members may speak or ask questions again on any matter.

C. Members may speak or ask questions only once each until every Member who wishes to speak has done so; and

D. A majority vote decides any matter the Committee of the Whole debates.

Section 68 - Confirmation of reports; amendments.
A report adopted in the Committee of the Whole, save and except for those matters as set out in Section 29, are put to the Commission for adoption, and is subject to amendment by the Commission.

Section 69 – Absence of the Public
Subject to Section 29, the Chair may refuse to permit any member of the public or employee of the TTC from attending any part of a Committee of the Whole during any portion of the Meeting.

Section 70 - Public Presentations
If the Committee of the Whole decides to hear Public Presentations, the rules for Public Presentations as set out in this Procedures By-law apply.

ARTICLE XIV – Term of Office

Section 71 –Vice-Chair

A. The Vice-Chair shall be appointed by the Commission in accordance with this Procedures By-law and any applicable City by-law and shall no longer serve as Vice-Chair upon:

(1) Resignation;
(2) Expiration of his or her Term; or
(3) The majority vote of all Members, provided that notice of at least one scheduled Meeting has been provided. A Meeting in which the removal of a Vice-Chair is on the agenda shall not be held on the same day in which a Meeting has occurred in which the notice of removal of the Vice-Chair has been given.

B. If the Vice-Chair is removed in accordance with Section 71(A)(1), the removal takes place effective upon the date of resignation. If the Vice-Chair is removed in accordance with Section 71(A)(2) or (3) it takes place immediately