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June 11, 2014

To: Members of City Council

From: City Clerk

Re: Council Procedures re: Bills

The Deputy Speaker has asked me to distribute the rules regarding bills contained in the Council Procedures.

I would like to draw attention to the following portions that address the information requested by Councillor Mammoliti when he had the floor earlier in the meeting.:

- Council must, at the request of any member, deal separately with any bill.
- A motion to introduce and pass a bill, other than a confirmatory bill, is debatable and may be amended, but only as to:
  - Form; and
  - To ensure that it correctly implements the decision that it is intended to implement.
- The debate on a motion to introduce and pass a bill may not reopen or consider the substance of the decision or part of the decision
- Council may refer a bill to the appropriate Council Committee to report back to Council on the bill to ensure that the bill correctly implements the Council decision that it is intended to implement.

## **CITY OF TORONTO**

### **EXTRACT OF CHAPTER 27, TORONTO MUNICIPAL CODE, COUNCIL PROCEDURES**

#### **Article XV - Bills**

##### **§ 27-113. Bills.**

###### **A. Interpretation.**

Despite the definition of meeting in § 27-1, as used in this article, the term has the following meaning:

MEETING — Any regular, special, or other meeting of Council, or of a Council Committee to which legislative authority has been delegated under Article XVIII.

###### **B. Solicitor prepares bills.**

For each meeting, the City Solicitor prepares any bills to be introduced at the meeting.

###### **C. Clerk submits bills.**

The Clerk ensures each bill is in the approved format and submits the bill to Council, or in the case of delegated matters, to the Council Committee.

###### **D. Content of bills.**

All bills, except confirmatory bills, must:

- (1) Have a concise title;
- (2) Be numbered;
- (3) Refer to the decision on the bill's subject matter; and
- (4) Give the date of the meeting at which the bill is to be introduced.

##### **§ 27-114. Listing of bills on agenda and bill index.**

A. The meeting agenda includes the bill's number and title;

B. The Clerk:

- (1) Prepares a bills index to distribute to members with the agenda or during the meeting;  
and
- (2) Provides a copy of a bill to a member, if the member requests it.

##### **§ 27-115. Subject matter of bills approved.**

A. Only bills implementing matters Council has approved may be presented to Council.

B. Only bills implementing delegated matters a Council Committee has approved may be presented to the Council Committee.

**§ 27-116. Rules about introducing and passing bills.**

A. A bill is valid even if introduced and passed at a meeting on a date other than that shown on the bill.

B. A number of bills may be introduced and passed together in one motion and referred to only by number.

C. Despite Subsection B, Council, or in the case of a delegated matter, the Council Committee, must, at the request of any member, deal separately with any bill.

D. Except for a bill to amend the procedures by-law under § 27-9B(1), a bill may be introduced and passed the same day as the bill's subject matter is approved.

**§ 27-117. Council may refer bills to Council Committee.**

Council may refer a bill to the appropriate Council Committee to report back to Council on the bill to ensure that the bill correctly implements the Council decision that it is intended to implement.

**§ 27-118. Rules on motions to introduce and pass bills.**

**A. A motion to introduce and pass a bill, other than a confirmatory bill.**

A motion to introduce and pass a bill, is always in order and a member may make the motion at any time.

**B. Contents of the motion.**

A motion to introduce and pass a bill other than a confirmatory bill, must specify the title or number of the bill.

**C. Form of the motion.**

A motion to introduce and pass a bill, other than a confirmatory bill, must be in the following form:

“That (Council or the relevant Council Committee) pass and declare as a by law bill number \_\_\_\_\_, prepared for the (date) meeting (of Council or the relevant Council Committee).”

**D. Limitations on debating the motion.**

(1) A motion to introduce and pass a bill, other than a confirmatory bill, is debatable and may be amended, but only as to:

(a) Form; and

(b) To ensure that it correctly implements the decision that it is intended to implement.

(2) The debate on a motion to introduce and pass a bill may not reopen or consider the substance of the decision or part of the decision, except in accordance with § 27-67 or 27-85.

### **§ 27-119. Confirmatory bills non-debatable.**

#### **A. Member makes motion to introduce and pass confirmatory bill.**

When the business of the day is complete, or immediately before the meeting is adjourned, or at any other time determined by the Chair, a member may put the following motion to introduce and pass a confirmatory bill:

“That (Council or the relevant Council Committee) pass and declare as a by law a confirmatory bill to confirm the (In the case of a Council meeting, proceedings of the Council meeting or part of it as specified; in the case of a Council Committee meeting, legislative proceedings of the relevant Council Committee acting under delegated authority at the meeting, or part of a meeting, as specified).”

#### **B. Motion on confirmatory bill not debatable.**

(1) A motion to introduce and pass a confirmatory bill, or any part of one, is not debatable and cannot be amended.

(2) A motion to introduce and pass a confirmatory bill is voted on immediately.

(3) Despite Subsection B(2), on an affirmative vote of two-thirds of the members present, Council, or in the case of delegated matters, the Council Committee, may defer to its next meeting the vote on a motion to introduce and pass any part of a confirmatory bill.

### **§ 27-120. What happens when members request a separate vote on a matter.**

#### **A. The bill is considered automatically amended to exclude the matter.**

When a member requests a separate vote on a particular matter covered by a confirmatory bill, the bill will be considered to be automatically amended to exclude the matter in question.

#### **B. Presentation of another bill.**

After Council, or in the case of delegated matters, the Council Committee, votes on the confirmatory bill under Subsection A, a member will present another bill to confirm the proceedings on the other matter in question and the confirmatory bill is presented as if it had been included in the motion to introduce and pass the original bill.

### **§ 27-121. Steps after bill is passed and Clerk’s authority to make minor changes.**

### **A. Steps after a bill is passed.**

A bill becomes a duly enacted by-law after:

- (1) Council, or in the case of delegated matters, the Council Committee, passes the bill;
- (2) The bill is printed in the form of a by-law;
- (3) The Mayor or Chair of the meeting at which the bill was passed, and the Clerk, sign it; and
- (4) The Clerk affixes the corporate seal of the City and the by-law number on it.

### **B. Effective date of the by-law.**

A by-law is effective on the day it is enacted, unless the by-law specifies otherwise.

### **C. Clerk authority to make minor changes.**

- (1) The Clerk may make minor deletions, additions, or other changes in form to any bill before the bill is signed, sealed, numbered, and enacted as a by-law.
- (2) Any changes made under Subsection C(1) are for the purpose of ensuring correct and complete implementation of the actions that form the subject matter of the bill in accordance with the procedures by-law.

### **§ 27-122. Amending a by-law and changes to a bill.**

A. All changes made to a bill to reflect changes to the decision on the matter that the bill implements, are considered part of the bill.

B. Once enacted, a by-law may only be amended or repealed by another by-law, unless the by-law or legislation specifies otherwise.

### **§ 27-123. Security of by-laws.**

The Clerk deposits every by-law enacted in a safe and convenient place connected with the Clerk's office.

### **§ 27-124. Indexed volume of by-laws.**

All by-laws are printed in an indexed volume separated according to the year in which they are enacted.