

# HL2.03 Appendix 2

Appendix 2

Authority: Board of Health Item HL XXX as adopted by the Board of Health on XXXX

## Bill

### BOARD OF HEALTH FOR THE CITY OF TORONTO HEALTH UNIT

#### BY-LAW -2019

**To govern the proceedings of the Board of Health for the City of Toronto Health Unit.**

As Subsection 56(1) of the Health Protection and Promotion Act provides that the Board of Health must pass by-laws respecting the calling of and proceedings at meetings;

The Board of Health for the City of Toronto Health Unit enacts:

#### **A. Interpretation**

##### **1. Definitions**

**Act** - Health Protection and Promotion Act.

**Board** - Board of Health for the City of Toronto Health Unit.

**Chair** - Chair of the Board of Health.

**City** - City of Toronto.

**City Official** - The Medical Officer of Health, City Manager, Deputy City Manager, Chief Financial Officer, Treasurer, City Clerk, City Solicitor, and any general manager, director, or executive director reporting to any of these positions

**Clerk** - The City Clerk of the City of Toronto.

**Committee** - A committee of the Board.

**Council** - The Council of the City of Toronto.

**Meeting** - A meeting of the Board.

**Member** - A Member of the Board.

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

- (1) indefinitely,

- (2) until, or within, some specified time or time period,
- (3) until a specified event happens, or
- (4) until a report or communication is presented.

**Motion to Receive for Information** - 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 Secretary's records for future reference.

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

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

**Point of Privilege** - A request to the Chair and to the Board to immediately consider and take action to remedy a situation negatively affecting the rights or privileges of Members or the Board, despite other pending business currently before the Board.

**Procedures By-law** - This by-law as amended from time to time.

**Quorum** - The number of Members to be present at a meeting to legally conduct business at the meeting.

**Recorded Vote** - A vote for which the Secretary records all Members present and how they voted.

**Secretary** - The Clerk or designate.

**Special Meeting** - A Board meeting other than a regular meeting, a continued meeting, or a reconvened meeting

## **B. Conduct of Business**

### **2. Principles of the procedures by-law.**

- (1) The following members' rights are the principles upon which the procedures by-law is based:
  - (a) The majority of members have the right to decide;
  - (b) The minority of members have the right to be heard;

- (c) All members have the right to information to help make decisions, unless otherwise prevented by law;
  - (d) Members have a right to an efficient meeting;
  - (e) All members have the right to be treated with respect and courtesy; and
  - (f) All members have equal rights, privileges and obligations.
- (2) The procedures by-law is interpreted in accordance with the principles set out in Subsection 1.

### **3. Business conducted according to the by-law**

The Board observes the rules in this by-law in all proceedings of the Board of Health and, where applicable, its Committees.

### **4. Procedures By-law has Priority**

In the case of a conflict with this by-law and any other by-law of the Board of Health, this by-law will take precedence.

### **5. Chair's use of Chapter 27, Council Procedures, of the City of Toronto Municipal Code**

If there is a conflict between two or more rules in this procedures by-law, or if there is no specific rule on a matter, the Chair will rule. The Chair may use Chapter 27, Council Procedures, of the City of Toronto Municipal and the Board's practices and former decisions, including previous rulings, as an aid in ruling.

## **C. Order and Decorum and Conduct of Members**

### **6. Chair to maintain order**

The Chair:

- (1) maintains order and preserve the decorum of the meeting;
- (2) rules upon points of order and points of privilege without debate or comment;
- (3) rules upon all other procedural matters;
- (4) if considered necessary because of grave disorder, adjourns or recesses the meeting for a specified time;

- (5) determines which Member has the right to speak;
- (6) determines that all Members who wish to speak on a motion have spoken and that the Members are ready to vote, and then putting all motions to a vote;
- (7) rules whether a motion or proposed amendment is in order; and
- (8) may call a Member to order.

## **7. Conduct of members**

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) Refraining from using any offensive, disrespectful or unparliamentary language about any Member, any City Official, or the Board or City Council as a whole.
- (8) Speaking only on the matter under debate or related motions during debate.
- (9) Respecting the confidentiality of matters discussed in closed Meetings and not disclosing the subject or substance of these discussions, unless authorized to do so.

## **8. Removing and reinstating a disciplined member**

- (1) In case any Member persists in a breach of section 7 after having been called to order by the Chair, the Chair-without debate puts the question, "Shall the Member be ordered to leave for the rest of the meeting?"
- (2) If the Board votes in the affirmative, the Chair orders the Member to leave for the rest of the meeting.

- (3) If the Member apologizes, the Chair, with the approval of the Board, may permit the Member to return to the meeting.

#### **D. Points of Order and Privilege**

#### **9. Permitting statements by city official when integrity questioned**

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 Medical Officer of Health or other official to make a statement to the Board.

#### **10. Point of Order or Privilege.**

##### **(1) Member May Present**

If the Chair agrees, a member may present a point of order or privilege at any time and must sit back down in their seat after doing so.

##### **(2) No Debate or Amendment**

The Board or a Committee cannot debate or amend a point of order or privilege.

##### **(3) Chair to Immediately Rule**

The Chair will immediately rule on the point of order or privilege and give reasons for the ruling.

##### **(4) When a Member may Appeal the Chair's Ruling**

Immediately following a Chair's ruling, a member may make a motion to appeal that ruling, despite another member having the floor.

##### **(5) No Debate or Amendment on Motion to Appeal**

Members cannot debate or amend a motion to appeal.

##### **(6) Steps Taken After Motion to Appeal**

When a member makes a motion to appeal, the Chair:

- (a) Asks the members, "Is the ruling of the Chair upheld?" and
- (b) Immediately puts the motion to appeal to a vote.

(7) **Chair's statement of authoritative rules is final**

If the Chair states or reads a rule from this procedures by-law or legislation, the Chair has not made a ruling and no Member may make a motion to appeal.

**E. Rules of Debate**

**11. (1) Order of speaking**

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

(2) **Questioning not to be statements**

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

(3) **Question of members and officials authorized by Board only**

Members may question only:

- (a) the Chair;
- (b) the Medical Officer of Health, the City Solicitor, the Secretary or an official of the City or other body;
- (c) the previous speaker, if that speaker has moved a motion, for clarification of the motion only;
- (d) Members of the public, for clarification purposes.

(4) **Member not to ask the same question**

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

**12. Procedural motions and their order**

- (1) A member may make procedural motions defined in Subsection (2) at any time when the member has the floor.

- (2) The Board will consider the following procedural motions in the following order:
- (1) Motion to amend the 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 or reconsider;
  - (9) Motion to resolve into committee of the whole;
  - (10) Motion to refer; and
  - (11) Motion to defer.

**(3) Procedural motions voted on first**

A procedural motion takes precedence over any other motion and is put immediately to a vote following its debate in accordance with Sections 13, 14, 15, 16 and 17.

**13. Motion to defer or refer - limited debate**

The Board may debate a motion to defer, or a motion to refer, only on the desirability of deferring or referring and the terms of the deferral or referral

**14. Motion to defer or refer**

- (1) A Member who moves a motion to defer includes in the motion:
  - (a) the time to which the matter is deferred, or a description of circumstances that cause the motion to be brought back; and
  - (b) an explanation of the motion's purpose.
- (2) A Member who moves a motion to refer includes in the motion:
  - (a) the name of the Committee, body or official to whom the motion is referred;
  - (b) the subject matter or question to be investigated; and
  - (c) the time period within which the matter will be reported back to the Board or Committee.

**15. (1) Motion to adjourn**

A motion to adjourn the Board meeting is always in order except:

- (a) when another Member is speaking;
- (b) when a vote has been called;
- (c) when the Members are voting; or
- (d) when a Member has indicated to the Chair their desire to speak on the matter before the Board.

**(2) Motion to adjourn to be voted on immediately**

The Board votes immediately on a motion to adjourn and amendments to that motion, without debate.

**(3) Motion to End Debate**

- (a) A member who has the floor may make a motion to end debate on the matter currently under debate any time during debate.
- (b) A motion to end debate:
  - (1) Is not debatable;
  - (2) Cannot be amended; and
  - (3) Is carried by a two-thirds vote of members present.
- (c) A motion to end debate is put to a vote immediately.
- (d) If a motion to end debate passes, the matter before the Board, including the main motion and any amendments, will immediately be put to a vote.
- (e) If a motion to end debate fails to pass, the member who made the motion to end debate cannot speak again on the matter

**16. Motion to consider matter previously deferred requires two-thirds vote**

A matter that the Board or a committee has deferred, or deferred indefinitely, may only be brought back for debate before the time or circumstances to which it was deferred with an affirmative two-thirds vote of members present.

**17. Reconsideration of matter previously decided by the Board**

- (1) Subject to Subsection 2, once the Board decides a matter, no member may make a motion that would change the decision within the twelve-month period following the decision.
- (2)
  - (a) 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, or at a subsequent meeting at which the matter is to be reconsidered.
  - (b) A motion to reconsider made under Subsection (2)(a) requires the consent of the Board on a two-thirds vote of the members present to pass.
- (3) A motion to reconsider a matter is:
  - (a) Not debatable; and
  - (b) May not be amended.
- (4) If a motion to reconsider a matter passes, all previous decisions on the matter remain in force, unless the Board decides otherwise.

**F. Votes****18. (1) (a) Members present must vote**

Every member present at a meeting must vote on every matter put to a vote, except any member who declares a conflict of interest.

**(b) Not voting is a negative vote.**

The Secretary 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.

**(2) Majority vote required for motion to pass**

Unless this by-law specifies otherwise, a motion passes when a majority of Members present vote for it.

**(3) Motion fails with tied votes**

A motion does not pass if the same number of members vote for it as against it.

**(4) Withdrawing a motion**

After a Member has made a motion, the member may only withdraw it with the consent of the Board.

**(5) No seconder required**

A motion does not require a seconder.

**(6) Limit on speaking and questioning**

Unless the Board decides otherwise, the number of times of speaking on any question is limited to two.

**(7) Every member has a chance to speak before a second round**

A Board member may speak or ask questions only once until every member who wishes to speak or question has done so.

**(8) Motions not in mandate of board**

The Chair rules that a motion relating to a matter not within the jurisdiction of the Board is not in order.

**(9) Recorded vote**

- (1) A member may request a recorded vote on any matter and must make the request immediately before or after the vote is taken.
- (2) 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.
- (3) When a member requests a recorded vote the Secretary records the name and vote of every member on the matter.

**19. Separate votes**

- (1) If a matter under consideration contains distinct propositions, a member may request that members vote on each proposition separately.
- (2) If the Chair agrees that the matter contains distinct propositions, the Chair will rule that members vote on each proposition separately.

**20. Order of voting**

Unless the Board decides otherwise, when a vote is taken the order of the vote is as follows:

- (1) Motion to refer;
- (2) Motion to defer;
- (3) Motion to receive;
- (4) Amendments in the reverse order of presentation, dealing with an amendment to an amendment immediately before the amendment it proposes to amend; and
- (5) Motion to Adopt or Motion to Adopt as Amended, if any amendments have carried.

**G. Committees of the Board****21. Establishment of Committees**

- (1) The Board may establish Committees and assign duties to the Committees as it may desire, and the reports of all the Committees, unless otherwise decided by the Board, are forwarded to the Board for consideration.
- (2) The Board considers a Committee's recommendation as the main motion on the item under discussion.
- (3) The Board at its first meeting in each year or as soon as practicable establishes the Committees and designates the Chairs of the Committees.

**H. Board Chair and Vice Chair****22. Election of Chair and Vice Chair**

The Board elects a Chair and Vice Chair at its first meeting in each year in accordance with Balloting Procedures set out in Chapter 27, Council Procedures, of the City of Toronto Municipal Code.

**23. Duties of the Chair**

The Chair of the Board:

- (1) presides at all meetings of the Board;
- (2) may cancel and/or reschedule a regular meeting of the Board or call a Special Meeting or Special Emergency Meeting of the Board as necessary;
- (3) represent the Board at public or official functions or designate another Member to do so; and
- (4) conducts the election of the Vice Chair of the Board.

**24. Duties of Vice Chair**

The Vice Chair has all the powers and perform all the duties of the Chair of the Board in the absence or disability of the Chair of the Board, together with powers and duties, if any, as may be from time to time assigned by the Board.

**I. Board Meetings****25. Regular meetings**

The Board determines the place, day and hour of its regular meetings and the schedule of those meetings is publicly available by the first meeting of the Board in each calendar year.

**26. Absence of Chair**

In the absence of the both the Chair and the Vice Chair for a period of fifteen minutes after the appointed time of the meeting, if a quorum is present, the Board appoints one of the other Members as Acting Board Chair to preside and discharge the duties of the Chair during the meeting, or until the arrival of the Board Chair or Vice Chair.

**27. Special Meetings****No other Business Considered**

- (1) The Board only considers the business on the agenda and no other business at a Special meeting.

**Special Meeting called by the Chair:**

- (2) The Chair may call a Special meeting of the Board provided that:
  - (a) Members are notified at least 24 hours before the scheduled beginning of a Special meeting.
  - (b) The notice for the Special meeting must include the time, date, and location of the meeting.
  - (c) The notice states the purpose of the meeting.
  - (d) The notice is delivered either in person or sent by e-mail to each member.

**Special Meeting by Petition of the Members**

- (3) The Secretary calls a Special meeting of the Board, whenever requested, in writing, to do so by a majority of the Members. The request includes:
  - (a) original signatures of Members;
  - (b) a clear statement of the meeting's purpose; and
  - (c) the time and date for the meeting, which must be held within 48 hours of the time the request is given to the Secretary.
- (4) The Secretary gives at least 24 hours' notice of the Special Meeting by Petition of the Members and the notice for this meeting must be delivered in person or sent by email to each Member.

**Special Emergency Meeting**

- (5) Despite Subsection 27(2), the Chair of the Board may call a Special Emergency Meeting of the Board without giving notice as required under Subsection 27(2), whenever the Chair considers it necessary to do so, if:
  - (a) All Board members are notified of the meeting either personally, by electronic mail, or by any other means necessary, and
  - (b) A majority of Board members agree to the meeting by giving written consent to the Secretary personally before the beginning of the meeting.

**28. Closed meetings**

- (1) The Board may close a meeting to the public to discuss the following:
  - (a) Receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
  - (b) Security of the property of the board;
  - (c) Acquisition or disposal of land;
  - (d) Personal information about an identifiable individual, including City of Toronto or Board employees;
  - (e) Labour relations or employee negotiations;
  - (f) Litigation or pending litigation, including matters before administrative tribunals;
  - (g) Education or training of the Members;
  - (h) A matter for which the Board has authorized a meeting to be closed under another Act;
  - (i) information explicitly supplied in confidence to the Board by Canada, a province or territory or a Crown agency of any of them;
  - (j) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the Board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
  - (k) a trade secret or scientific, technical, commercial or financial information that belongs to the Board and has monetary value or potential monetary value; or
  - (l) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the Board.
- (2) The Board must close a Meeting to the public to discuss:
  - (a) a request under the Municipal Freedom of Information and Protection of Privacy Act; or

- (b) an ongoing investigation respecting the Board by the Ombudsman or the Open Meeting Investigator.

(3) **Meetings beginning and end always public**

A meeting begins and end in public.

(4) **Motion details for closed meetings**

Before holding a closed meeting, the Board passes a motion to hold a closed meeting. The motion states:

- (a) That the meeting is a closed meeting;
- (b) The general nature of the matter the Board is considering at the closed meeting; and
- (c) The reasons the matter requires a closed meeting under subsection 3(a).

(5) **When a closed meeting becomes public**

If the matter the Board is considering at a closed meeting no longer falls into one of the categories set out in subsection (1), the meeting is no longer a closed meeting and continues in public.

(6) **Voting and minutes in closed meeting**

The Board in a closed meeting does-not vote or keep minutes except for:

- (a) A procedural matter; or
- (b) Giving directions or instructions to the Medical Officer of Health or designate;

**29. Quorum**

- (1) A quorum of the Board is a majority of Members.
- (2) If no quorum is present fifteen minutes after the time appointed for a meeting, the Secretary calls the roll and record the names of the Members present and the meeting is adjourned until the next scheduled day of meeting, or the next regular meeting, or at the call of the Chair.

**30. Absence of quorum**

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

**31. Improper conduct**

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

**J. Secretary of the Board and City Solicitor****32. Clerk is Secretary**

The Clerk is the Secretary of all Board meetings and may assign any duties as Secretary to an employee in the City Clerk's Office.

**33. Duties of the Secretary**

The Secretary:

- (1) gives notice of each regular meeting of the Board together with an Agenda of the matters to be considered;
- (2) gives notice of each Special Meeting of the Board and
- (3) conducts the election of the Chair of the Board.

**34. Duties of the City Solicitor**

The City Solicitor receives prior notice of all matters intended for Board or committee consideration, examine all reports of the Board and its committees and advise on whether these matters are beyond the jurisdiction of the Board or its committees.

**K. Board Agenda****35. (1) Agenda**

The Secretary establishes agenda deadlines, prepare, publish and distribute the agenda for regular meetings of the Board, which includes:

- (a) Declarations of Interest pursuant to the Municipal Conflict of Interest Act;
- (b) Confirmation of Minutes (if available);
- (c) Agenda Items;
- (d) Bills (if any).

**(2) Agenda order**

Unless otherwise decided by the Board, the Board considers the items on the Agenda in the order in which it is listed on the Agenda.

**(3) Changes to agenda**

The Board, without debate, may by a majority vote, make any alteration to the order of the business but may not delete any item from in the agenda.

**(4) Notice given by publishing agenda**

The published Agenda for the Board meeting is notice of all business included in that Agenda subject to other notice provisions in this by-law and of any applicable legislation.

**36. (1) Deadlines and content of board agenda**

If the Secretary receives the following matters by the Agenda deadline and the matters are within the Board's mandate, the Secretary places them on the agenda for the next regular Board meeting:

- (a) Communications from Members;
- (b) Communications from City Council;
- (c) Communications from a Council Committee;
- (d) Reports from City officials;

(e) Communications related to a matter on the agenda.

(2) **Secretary prepares supplementary agenda for supplementary business**

If necessary the Secretary prepares a supplementary agenda for reports and other communications supplementing business on the regular Board agenda.

(3) **Adding late supplementary reports or communications**

The Secretary adds any report or communication after the regular agenda deadline to the supplementary agenda if the Secretary decides that either supplements the regular agenda business

**37. Late new business reports or communications**

(1) Subject to subsection 2, if after the regular agenda deadline for the Board meeting, the Secretary receives any of the following, the Secretary adds them to the agenda for the next Board meeting:

(a) New business reports from City officials; and

(b) New business communications from a Member, a Board Committee or City Council.

(2) With the consent of the Board, the Secretary may add to the agenda new business reports or communications the Secretary receives after the agenda deadline for the Board meeting.

**38. Members' options for presenting communications**

(1) Members may present communications to the Board about

(a) Any matter on the meeting agenda; or

(b) Matters not on the meeting agenda but within the Board's mandate.

(2) In submitting communications under subsection 1(b), Members must comply with any applicable notice requirements and must meet agenda deadlines.

## **L. Board Report to Council**

### **39. Recommendations to Council**

Board recommendations on budget matters are reported to Council. Any other matters are reported to Council at the discretion of the Board.

## **M. Public Presentations at Board Meetings**

### **40. (1) Any person may address the Board**

Any person may address the Board of Health on an item on the Board's agenda.

### **(2) Register to speak**

Any person may address the Board on any agenda item on the Board's current agenda by notifying the Secretary by 12:00 p.m. on the day before the Board meeting. If other persons wish to speak to the Board on an item on the Board's agenda, the Board may still hear from them.

### **(3) Time allotted for speaking**

Unless the Board or a Committee decides otherwise, a public presentation has a five-minute limit.

### **(4) Language and Procedures for public presentations**

Public Presenters to the Board must:

- (1) Not speak disrespectfully about anyone;
- (2) Not use offensive language
- (3) Speak only about the subject on which the Board has invited them to make a public presentation; and
- (4) Obey the procedures by-law and any Chair's ruling

### **N. Minutes of Board Meetings**

**41. (1) Secretary submits minutes to next regular meeting**

The Secretary prepares the minutes of every Board meeting for submission to the Board for confirmation or approval as amended, at the next meeting of the Board, or as soon as is reasonably practicable, and after the Board adopts the minutes, the Chair signs them.

**(2) Member may request reading of the minutes**

If any Member requests, the Secretary reads the minutes or any requested portion of the minutes, before the minutes are adopted or amended.

### **O. Bills**

**42. (1) Solicitor prepares bills**

The Solicitor prepares any bills to be introduced at the meeting at which it will be considered by the Board.

**(2) Content of bills**

All bills must:

- (1) Have a concise title;
- (2) Be numbered; and
- (3) Refer to the decision on the bill's subject matter.

**(3) Secretary submits bills**

The Secretary ensures each bill is in the approved format and will submit the bill to the Board. The meeting Agenda includes the bill's number and title. The Secretary prepares a bills index to distribute to Members with the Agenda or during the meeting, and provides a copy of a bill to a Member if the Member requests it.

**43. Subject matter of bills approved**

Only bills implementing matters the Board has approved may be presented to the Board.

**44. Rules about introducing and passing bills**

- (1) A bill is valid even if introduced and passed at a meeting on a date other than that shown on the bill.
- (2) A number of bills may be introduced and passed together in one motion and referred to only by number.
- (3) Despite subsection 44(2), the Board must, at the request of any Member, deal separately with any bill.
- (4) Except as otherwise provided, a bill may be introduced or passed on the same day upon which the subject matter of the bill is decided by the Board.

**45. Rules on motion to introduce and pass bills**

- (1) A motion to introduce and pass a bill is always in order and a Member may make the motion at any time.
- (2) The Board may refer the bill to the appropriate Board Committee for a report to the Board.

**46. (1) Form of the motion to introduce and pass a bill**

A motion to introduce and pass a bill must specify the title or number of the bill and be in the following form:

"that the Board of Health pass and declare as a by-law bill number \_\_\_\_\_, prepared for this meeting of the Board."

**(2) Limitations on debating motion**

- (1) A motion to introduce and pass a 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 section 17.

**47. Steps after bill is passed and Secretary's authority to make changes**

(1) A bill becomes a duly enacted by-law after:

(a) The Board passes the bill;

(b) The bill is printed in the form of a by-law;

(c) The Chair of the Board or Chair of the meeting at which the bill was passed, and the Secretary, sign it; and

(d) The Secretary affixes the corporate seal of the Board and the by-law number on it.

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

(3) The Secretary 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.

(4) Any changes made under subsection 47(3) are for the purpose of ensuring correct and complete implementation of the actions that form the subject matter of the bill in accordance with this by-law.

**48. Amending a by-law and changes to a bill**

(1) 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.

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

**49. Security of by-laws**

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

## **P. Board Seal**

### **50. Board Seal**

The seal of the Board is in the form impressed on this by-law and is kept by the Secretary of the Board.

## **Q. Waiving and Suspension of By-law Provisions**

### **51. Waiver of rules**

- (1) Subject to subsection (2), a motion to waive, or not to follow a rule of procedure established by this by-law on a one-time basis requires a two-thirds vote of the Members present.

#### **Rules that cannot be waived**

- (2) The Board cannot waive the following rules:
  - (a) Amending the procedures by-law (Section 53)
  - (b) Quorum necessary for Board and committee meetings (Section 29);
  - (c) Meetings open to the public (Subsection 28(2));
  - (d) Closed meetings (Section 28)
  - (e) Reconsidering decisions (Section 17)
  - (f) Two-thirds vote required to waive the rules (Subsection 51(1))

### **52. Suspension of Rules**

#### **Criteria for suspending rules and substituting special rules.**

- (1) Subject to Subsection 3 and by a two-thirds vote of Members present, the Board may suspend any rule in the procedures by-law and may replace it with a special rule if:
  - (a) It has given notice at a previous Board meeting; and
  - (b) The suspension is only for a defined period.

- (2) Any special rules adopted under Subsection 1 are considered part of the procedures by-law.
- (3) The Board cannot suspend the following rules:
  - (a) Amending the procedures by-law (Section 53)
  - (b) Quorum necessary for Board and committee meetings (Section 29);
  - (c) Meetings open to the public (Subsection 28(2));
  - (d) Closed meetings (Section 28)
  - (e) Reconsidering decisions (Section 17)

### **R. Amendments to By-law**

#### **53. Two-thirds vote required**

- (1) To pass a motion to amend or repeal this by-law requires a two-thirds vote of Members present.

#### **Notice to be given at previous Board meeting**

- (2) The Board will only consider amendments or repeal of the procedures by-law at a Board meeting if a previous regular Board meeting received notice of the proposed amendment or repeal.

### **S. Effective Date**

- 54.** This by-law comes into force on February 26, 2019

Enacted and passed on XXXX.

(Chair's Name),  
Chair  
(Seal of the Board of Health)

Ulli S. Watkiss,  
Secretary