



THE CORPORATION OF THE CITY OF MISSISSAUGA COUNCIL PROCEDURE BY-LAW 421-03

(amended by 327-08, 326-09, 323-10)

WHEREAS Council at its meeting of October 22, 2003, adopted the joint report of the Commissioner of Corporate Services and City Solicitor recommending amendments to Council's procedures to streamline procedures and to meet the requirements of the Municipal Act, 2001 as amended; and

AND WHEREAS section 238 of the Municipal Act, 2001 as amended authorizes Council to pass a procedure by-law governing the calling place and proceedings of meetings; and

AND WHEREAS section 251 of the Municipal Act, 2001 requires Council to establish the form and manner of notice Council determines is appropriate for matters coming before it; and

NOW THEREFORE The Council of The Corporation of the City of Mississauga hereby ENACTS as follows:

PART I - INTERPRETATION

APPLICATION

1. The rules and regulations contained in this By-law shall be observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business conducted by the Council.
2. The rules and regulations contained in this By-law shall be observed in the proceedings of any committee of Council, except any such rules and regulations may, where permitted by law and subject to section 63(2) hereof, be superceded or altered by a majority vote of the Members of the committee.

DEFINITIONS

3. In this By-law:

"AGENDA" means the order of proceedings for a meeting setting out the business to be considered at the meeting;

"BILL" means a draft or proposed form of by-law;

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“CHAIR” means the person presiding at a meeting, and includes the Mayor, Acting Mayor, or Committee Chair while they presiding at a meeting or such other person as may be authorized to preside in their absence;

“CLERK” means the City Clerk, or his/her designate;

“COMMITTEE” means a committee of Council or an advisory or ad hoc committee established by Council from time to time but does not include Committee of the Whole;

“COMMITTEE OF THE WHOLE” means a committee consisting of all Members of Council sitting as a Committee of the Whole;

“COUNCIL” means the Council of The Corporation of the City of Mississauga;

“COUNCIL FLOOR” means that part of the Council Chambers in the foreground and between the podium and the seats of the Mayor and Members of Council;

“HEAD OF COUNCIL” means the Mayor who shall preside at all meetings of the Council, and who is the Chief Executive Officer of the City;

“IN-CAMERA” means that part of a meeting closed to the public, other than those persons specifically invited by Council or Committee to remain;

“MAYOR” means the head of the Council of The Corporation of the City of Mississauga;

“ACTING MAYOR” [acting Head of Council] means the Member of Council who is appointed by Council to act from time to time in the place and stead of the Mayor when the Mayor is absent or refuses to act or the Office of Mayor is vacant;

“MEETING” means any regular, special, informal, ad hoc or other meeting of Council, or a Committee;

“MEMBER” means a member of Council;

“MOTION” means a proposal by a Member, received by the Clerk, in writing, moved by a Member and seconded by another member, for inclusion on an agenda of a meeting of Council or and includes proposals by a Member moved verbally in a meeting, that Council or Committee resolve and effect a decision;

“POINT OF ORDER” means a question by a member with the view to calling attention to any departure from the Procedural By-law or in the practiced conduct of the Council's business;

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“POINT OF PERSONAL PRIVILEGE” means a question by a Member who is concerned and believe that another member has spoken disrespectfully towards that Member, or who considers that his or her integrity has been impugned;

“POINT OF PRIVILEGE” means a question affecting the rights and immunities of the Council collectively or the position and conduct of Members as elected representatives;

“POINT OF PROCEDURE” means a question to obtain information on a matter of parliamentary procedure where the rules of the Council bearing on the business at hand in order to assist a Member to make an appropriate motion, raise a point of order, or understand the parliamentary situation or the effect of a motion;

“QUORUM” means the number of Members required to be present at a meeting to validate the transaction of its business;

“RECORDED VOTE” means the recording by the Clerk of the name and the vote of each Member present at a meeting on any matter or question;

“REGULAR ELECTION” means a regular election as defined in section 1 of the Municipal Elections Act, 1996, as amended from time to time;

“SUBCOMMITTEE” means a committee consisting of at least two (2) Members of the committee establishing the sub-committee, to consider one or more matters;

“STANDING COMMITTEE” means a committee established by Council and consisting solely of Members of Council.

PART II - COUNCIL MEETINGS

INAUGURAL MEETING

4. 1. The Inaugural Meeting of Council shall be held on such date and at such time and place as may be fixed by by-law of the previous Council and not later than thirty-one (31) days after the Council's term commences.
2. At the Inaugural Meeting the Council shall organize as a Council, and the first order of business shall be the declarations of office and Oaths of Allegiance in accordance with the Municipal Act, 2001 as amended.

REGULAR MEETINGS

5. Unless otherwise decided by Council, regular meetings of the Council shall be held at 9:00 a.m. on every second and fourth Wednesday of each month.

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6. When the day for a regular meeting of Council falls on a public, statutory or civic holiday, Council shall direct the regular meeting to be held on the business day immediately before or following the originally scheduled date for that meeting.
7. All Meetings of Council and Committees shall be convened at the Civic Centre unless the notice of meeting stipulates the Meeting shall be held at another location.
8. A Motion passed by a majority of the Members present is required to continue a meeting of Council or of a Committee past 11:00 p.m. local time.

SPECIAL MEETINGS

9. The Mayor may, at any time, summon a special meeting of Council on twenty-four (24) hours' notice, in writing, or by electronic mail to the Members of Council, and the Clerk shall summon a special meeting of Council upon the direction of Council given at a regular meeting of Council or upon receipt of a petition from a majority of the Members of Council.
10. The notice calling a special meeting of Council shall state the business to be considered at the special meeting and no business other than that stated in the notice shall be considered at such meeting except with the consent of a majority of the Members present and voting.
11. Written notice of all special meetings of Council must be delivered not less than forty-eight (48) hours before the time set for the meeting to all Members of Council by mail or electronically.

QUORUM – COUNCIL AND COMMITTEES

12. A majority of Members of Council sitting in their assigned seats is necessary to form a quorum at a meeting of Council, General Committee and Planning and Development Committee.
13. As soon as there is a quorum after the time appointed for the start of the meeting, the Mayor or Committee Chair will call the Members to order.
14. If no quorum is present thirty (30) minutes after the time appointed for a meeting of Council or Committee, the Mayor, or the Committee Chair shall call the roll and the Clerk shall record the names of the members present and the meeting will stand adjourned until the next appointed time.
15. Where the Mayor does not attend within fifteen (15) minutes after the time appointed for the meeting, the Acting Mayor shall call the members to order and, if a quorum is present, preside during the meeting or until the arrival of the Mayor at that meeting.

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16. If during the course of a Council or Committee meeting a quorum is lost, then the meeting shall stand adjourned, to reconvene when quorum is regained. If a quorum is not present within thirty (30) minutes, the Clerk will record the names of the Members present and the meeting shall be adjourned to the next appointed time.
17. If a meeting of Council or Committee cannot be convened or does not continue because of a lack of quorum, the remaining business on the Agenda for that meeting shall be placed on the Agenda for the next scheduled meeting of that body.
18. Despite any other provision in this section, Council or a Committee may receive submissions or information from the public or staff on a matter where a quorum is not present, except submissions or information in respect of a hearing or public meeting required by statute.

CLOSED MEETINGS

19. All Meetings shall be open to the public unless the subject-matter being considered is:
 - (1) the security of the property of the municipality;
 - (2) personal matters about an identifiable individual, including a municipal employee;
 - (3) a proposed or pending acquisition or disposition of land for municipal purposes;
 - (4) labour relations or employee negotiations;
 - (5) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality;
 - (6) receiving advice that is subject to solicitor-client privilege, including communication necessary for that purpose; and
 - (7) a matter in respect of which the Council or Committee has authorized a meeting to be closed under another Act.

NOTICE

20. The Clerk shall provide notice to the public respecting matters coming before Council for decision in the manner required by the City's Notice By-law or as otherwise required by statute.

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PART III - RULES OF ORDER AND DEBATE

21. The Chair shall:
- (1) maintain order and preserve the decorum of the meeting;
 - (2) rule upon points of order, points of procedure, points of privilege and points of personal privilege, without debate or comment;
 - (3) rule whether a Motion or proposed amendment is in order;
 - (4) rule upon all other procedural matters;
 - (5) maintain a speaker's list of those members who have signalled the Chair that they wish to speak or ask questions, and recognize such members in the order in which they appear;
 - (6) call a Member to order where appropriate.
22. No Member shall:
- (1) speak disrespectfully of any member of the Royal Family, the Governor General, the Lieutenant Governor of any Province, any member of the Federal, Provincial or Regional Council, any member of Council or any employee of the City;
 - (2) use indecent, offensive or insulting language;
 - (3) speak on any subject other than the subject in debate;
 - (4) where a matter has been discussed in a meeting or part of a meeting closed to the public (in-camera) and where the matter remains confidential, disclose the content of the matter or the substance of deliberations of the in-camera meeting;
 - (5) disobey the rules of the Council or a decision of the Chair on questions of order or practice or the interpretation of the Rules;
23. Where a Member persists in any such disobedience or conduct contrary to the provisions of this section, after having been called to order by the Chair:
- (1) the Chair shall forthwith put the question that the member be ordered to leave his/her seat for the duration of the Meeting, and adjournments, amendments or debates shall not be allowed upon such question;

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- (2) if the question carries, the Chair will order the Member to leave the Council Chamber for the remainder of the Meeting; and
- (3) if the Member advises the Clerk that the Member wishes to apologize to Council, the Clerk will inform the Chair, who will permit the Member to do so, and with Council's consent, the Member may return to his/her seat.

PUBLIC AT COUNCIL AND COMMITTEE MEETINGS

- 24. Members of the public present during a Council or Committee meeting shall maintain order and quiet and shall not address Council or the Committee except with the permission of Council or the Committee. (326-09)
- 25. No person shall display signs or placards, applaud participants in debate or engage in conversation or other behavior which may disrupt the proceedings of Council or the Committee. (326-09)
- 26. No person shall bring into the Council Chamber or Committee meeting room food or drinks, or cellular telephones, pagers or other electronic devices which emit a sound unless such devices are turned off or silenced. (326-09)
- 27. When invited to address Council or a Committee, no person shall use indecent, offensive or insulting language or speak disrespectfully of the Royal Family, the Governor General, the Lieutenant Governor of any Province, any member of the Federal, Provincial or Regional Council, any Member of Council or any employee of the City; (326-09)
- 28. Persons invited to address the Council or Committee shall only speak on the subject in debate and shall not speak on any other subject.
- 29. Any person, not being a member of Council, who contravenes any provision of this section may be expelled from the Meeting by the Chair.

ORDER OF BUSINESS

- 30. The Clerk will prepare an Agenda for regular meetings of Council and the business of Council shall be taken up in the order in which it appears on the Agenda, under the following headings: (327-08)
 - (i) Call to Order;
 - (ii) Declarations of (Direct or Indirect) Pecuniary Interest;
 - (iii) Minutes of Previous Council Meetings;

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- (iv) Approval of Agenda;
 - (v) Presentations;
 - (vi) Deputations;
 - (vii) Public Question Period;
 - (viii) Introduction and Consideration of Corporate Reports
 - (ix) Presentation of Committee Reports;
 - (x) Unfinished Business;
 - (xi) Petitions;
 - (xii) Correspondence;
 - (xiii) Motions;
 - (xiv) Introduction and Consideration of By-laws;
 - (xv) Other Business;
 - (xvi) Inquiries;
 - (xvii) Notices of Motion;
 - (xviii) Closed Session (if applicable);
 - (xix) Confirmatory Bill;
 - (xx) Adjournment.
31. The recommendations of a Committee embodied in a report to Council are:
- (1) the main Motion(s) when the clause is called;
 - (2) deemed to have been moved; and
 - (3) deemed to have been adopted by Council without any amendments unless Council decides otherwise.
32. Notwithstanding the Order of Business set out in Section (1), Council may otherwise direct that business be considered in a different order.

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33. Where the same or related subject-matters appear in more than one place on the Agenda, Council may deal with all items related to the matter together, deal with such items in the order they appear on the Agenda or refer the items for consolidation into one report.
34. Any person wishing to address Council on any matter shall submit a request to the Clerk at least six (6) days prior to the meeting at which the person desires to be heard, stating the nature of the business to be discussed.
35. A person granted permission to address Council shall confine their remarks to the stated business.
36. The Agenda for all Council meetings shall include a Public Question Period, subject to the following provisions: (326-09)
 - (1) persons invited to address Council during Public Question Period shall be restricted to questions pertaining to subjects that appear on the Agenda for that specific Council meeting;
 - (2) persons invited to address Council with a question shall be limited to a preamble to their question of a maximum of two statements sufficient to establish the context for the question. The chair shall direct more extensive comments or presentations to the Clerk for addition to a future agenda as a delegation;
 - (3) Public Question Period shall be limited to a total of 15 minutes;
 - (4) despite subsection (3) of this section, a motion passed by a majority of the Council Members present may extend the length of time allotted to the Public Question Period at any meeting;
 - (5) where a response to a question posed to Council under the provisions of this section is not available at the meeting, a written response shall be provided by City staff before the matter under discussion is finalized at Council.

MOTIONS - COUNCIL AND COMMITTEES

37. A Notice of Motion shall be in writing and signed by the Mover and shall be received by the Clerk by 12:00 p.m. on the Wednesday preceding a regular meeting of Council for inclusion in the Agenda for that meeting of Council. (323-10)
38. The Mover of a Motion under subsection (1) may, when the Motion is called by the Chair for Council's consideration, request the matter be deferred to the next regular meeting of Council.

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39. When a Notice of Motion has been on the Agenda for two successive meetings after notice has been given, and not proceeded with, it shall be deemed withdrawn unless Council decides otherwise.
40. Except as provided for in subsections (42) (43) and (47), every Motion and proposed amendment shall be in writing and signed by the Mover and Secunder and presented through the Chair before being debated or put to a vote.
41. A Motion or an Amendment to a Motion shall be moved before a Member speaks to the Motion.
42. Despite Section (40), Motions respecting the following matters may be introduced orally without written notice and without leave:
 - (1) a Point of Order or Personal Privilege;
 - (2) a Motion to defer decision on a question;
 - (3) presentation of a Petition;
 - (4) a Motion to refer a matter;
 - (5) a Motion to withdraw a Motion before the Chair;
 - (6) a Motion to recess;
 - (7) a Motion to call the vote on a question;
 - (8) a Motion that Council move into Committee of the Whole, or that Committee of the Whole rise and return to Council;
 - (9) a Motion to divide the question;
 - (10) a Motion to request short reading of a Motion which is provided to Council in written format;
 - (11) a Motion to enact a by-law;
 - (12) a Motion to continue a Council Meeting beyond 11:00 p.m.;
 - (13) a Motion to move into, or out of, Closed Session;
 - (14) a Motion to suspend or not to follow a rule of procedure;

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- (15) a Motion to change the Order of Business;
 - (16) a Motion to move in camera; or
 - (17) a Motion to Adjourn.
43. The following are deemed to be procedural Motions and shall be considered in the following order:
- (1) to change the Order of Business;
 - (2) to adjourn or to fix the time to adjourn;
 - (3) that the vote be taken now;
 - (4) that Council resolve itself into Committee of the Whole;
 - (5) Motions to refer;
 - (6) Motions to defer.
44. No Member shall present a Motion on any matter to Council for its consideration unless:
- (1) the Motion is relevant to a matter that appears on the Agenda for that meeting of the Council; or
 - (2) Leave is granted to deal with a matter not on the agenda; or
 - (3) the Motion relates to a matter which for reasons of emergency health or safety, or legal deadline, cannot be first considered by the appropriate Committee of Council.
45. After a Motion is moved in Council, it shall be deemed to be in the possession of Council and may only be withdrawn with the leave of Council and only prior to a decision or amendment on such Motion has been rendered by the Council.

REQUIREMENT FOR DISPOSITION

46. A Motion properly before Council for decision must receive disposition before any other motion can be received for debate, except where:
- (a) a motion on procedure has been made to amend, to defer decision on the question, to refer the matter, to call the vote on the question, or to extend the hour of closing proceedings; or

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- (b) the Meeting has failed for lack of a quorum.

MOTION TO AMEND

47. (1) A motion to amend the main question shall:
- (a) be relevant to the main question received by the Chair;
 - (b) not be a direct negative to the main question;
 - (c) receive the disposition of Council before any prior motion for amendment; and
 - (d) receive disposition of Council before the main question.
- (2) Only one motion to amend an amendment motion shall be allowed.
- (3) A motion of referral may be amended to identify an alternate body to which the matter be referred, or for the purpose of giving additional instructions to the body to which the matter is referred.

DIVIDED MOTION

48. When a question has been divided with the leave of Council, debate shall be restricted to each proposal in its turn.

MOTION TO CALL VOTE ON A QUESTION

49. (1) A motion to call the vote on a question shall:
- (a) not be amended;
 - (b) not be proposed when there is a motion for amendment under consideration; and
 - (c) preclude all amendments of the main question, once made.
- (2) When a motion to call the vote on a question is resolved in the affirmative, the vote is to be taken without debate or consideration of amendment.

MOTION TO DEFER

50. A motion to defer or adjourn debate shall:
- (a) always be in order, except as provided in this Section;

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- (b) be put immediately without debate;
- (c) not be made again, when resolved in the negative, until after an intermediate proceeding has been completed by Council;
- (d) be deemed not to be in order in any of the following circumstances:
 - (i) when a Member is speaking;
 - (ii) during the verification of a vote;
 - (iii) immediately following the affirmative note on a motion to call the vote on a question.

MOTION FINALLY PUT

51. After a question is finally put by the Chair:
- (1) no Member shall speak to the question nor shall any other motion be made, until after the vote is taken and the result declared by the Mayor, Acting Mayor, or Chair; and
 - (2) no Member absent from the Council Chamber when the question is put shall vote on the question.
52. (1) On the result of a vote taken pursuant to Section 49 of this By-law, a Member may request that the vote be taken again, provided that the request is made immediately after such declaration of the results.
- (2) When requested by a Member, the Chair, shall again take the vote on the question.

MOTION TO RECONSIDER

53. (1) Subject to this section, no matter after being decided by Council shall be reconsidered during one year of the decision of Council.
- (2) A Motion to Reconsider may not be made at the same meeting that the decision proposed for reconsideration was made.
 - (3) A Motion to Reconsider can only be made by a Member who voted on the prevailing side.
 - (4) No discussion of the main question shall be allowed until the Motion for reconsideration is carried.

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- (5) A Motion to Reconsider may not be introduced, without notice, unless the Council, without debate, dispenses with notice.
- (6) Once the matter is reopened, it is reopened in its entirety unless the Motion to Reconsider specifies otherwise.
- (7) If the question is reopened, all previous decisions of Council remain in force unless Council decides otherwise.

54. Confirmatory Bill

- (1) Upon completion of the business of the day or at any other time Council deems it appropriate, the Chair shall, upon a motion for the introduction of a confirmatory bill, duly moved and seconded, put the following motion, which is not debatable: “that a confirmatory bill to confirm the proceedings of the Council meeting (or part thereof) be passed and hereby declared as a by-law”.
- (2) Passage of a confirmatory bill does not in any way remove, and is not a substitute for, the requirement of a specific bill authorizing the execution of any agreements.

MOTION TO ADJOURN

55. A motion to adjourn Council shall:

- (a) be in order, except:
 - (i) when a Member is speaking;
 - (ii) during the verification of a vote; or
 - (iii) immediately following the affirmative vote on a motion to call the vote on a question.
- (b) be put immediately without debate;
- (c) not be made again, when resolved in the negative, until after an intermediate proceeding has been completed by Council;
- (d) not be amended.

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RULES OF VOTING

56. (1) Every Member present at a Meeting must vote on all matters unless prohibited by statute, and if any Member refuses to vote, the Member is deemed to have voted in the negative except where prohibited from voting by statute.
- (2) If a motion contains distinct parts, a Member may require separate votes on any or all parts.
- (3) The vote will be recorded when required by law or when any Members requests, and otherwise the manner of determining the decision of council on a Motion shall be by a signal from the voter, and the result of the vote declared by the Chair. (327-08)
- (4) If a Member disagrees with the announced result of any vote, except a recorded vote, the Member must object immediately to require that the vote be retaken.
- (5) Unless provided otherwise, if there is an equality of votes on any question, the vote shall be deemed to be lost.
57. A motion “that the vote be taken” may be moved at any time by the Member who is speaking and will put to a vote immediately, without debate, and, if carried, the motion will be voted on without further debate.
58. When the Chair calls for a vote on a question, each Member shall occupy his/her seat and shall remain in his/her seat until the result of the vote has been declared by the Chair, and during such time no Member shall leave his/her seat or speak to any other Member or make any noise or disturbance. (327-08)
59. Motions will be voted on in the following order:
- (1) Receipt motion
- (2) Referrals
- (3) Deferrals
- (4) Amendments, in the order moved.
- (5) Main motion.

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MINUTES

60. (1) Unless otherwise decided by the Council, the Minutes of each Meeting of the Council shall be submitted for confirmation or amendment to the Council at its next regular meeting or as soon thereafter as is reasonably practicable.
- (2) Once adopted by Council, the Minutes shall be signed by the Mayor or Acting Mayor and the Clerk.

BILLS

61. (1) No Bill shall be presented to Council as a Bill unless the subject-matter thereof has been considered and approved by the Council.
- (2) Any number of Bills may be introduced together in one motion, and it may be referred to only by number, but the Council shall, at the request of any Member, deal separately with any Bill.
- (3) A motion to enact a by-law other than a confirmatory by-law is debatable and amendable in respect only of the issues of whether or not the Bill prepared for that purpose is in proper form and whether it will, if enacted as a by-law, duly implement the decision of the Council that lead to its introduction, and no debate shall be allowed which would involve a reconsideration of or reflection upon the substance of such decision or of any part thereof.
62. (1) The Clerk is hereby authorized to make such minor deletions, additions or other changes in form, to any Bill before same is signed, sealed and numbered, for ensuring correct and complete implementation of the actions of Council forming the subject-matter of the Bill in accordance with this by-law.
- (2) All amendments to any Bill approved by the Council shall be deemed to be incorporated into the Bill and if the Bill is enacted and passed by the Council as a by-law, the amendments shall be inserted therein by the Clerk.

PART IV – COMMITTEES OF COUNCIL

COMMITTEE OF THE WHOLE

63. (1) There shall be a Committee of the Whole, which shall be the Council sitting as Committee of the Whole.

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- (2) The rules governing the procedure of Council and the conduct of Members of Council shall be observed in Committee of the Whole, insofar as they are applicable, excepting that:
 - (1) motions may be moved and seconded orally; and
 - (2) as determined by the Committee of the Whole, latitude may be allowed in the time for discussion.

STANDING COMMITTEE

- 64. (1) There shall be the following Standing Committees of Council: (327-08)
 - (a) Audit Committee;
 - (b) Budget Committee;
 - (c) General Committee; and
 - (d) Planning and Development Committee.
- (2) Council may establish from time to time, one or more Advisory Committees.
- (3) Council may establish from time to time, one or more Ad Hoc Committees.
- (4) Council or a Committee of Council may establish from time to time, a Subcommittee.

JURISDICTION

- 65. (1) Any Standing Committee established pursuant to subsection 64(1) of this By-law:
 - (a) shall be responsible for formulating major and general policies for recommendation to Council;
 - (b) shall consider such other matters as may be referred to it from time to time by the Council or any Committee of the Council;
 - (c) shall be subject to any Terms of Reference for the particular Standing Committee, adopted by Council, or from time to time;

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- (d) despite clause (c) of this subsection, the Audit Committee shall be subject to the By-laws enacted by Council for the regulation of the matters assigned, and for the operations and perimeters on the matters delegated to the Audit Committee. (327-08)
- (2) Any Advisory Committee established pursuant to subsection 64(2) of this By-law:
 - (a) shall be responsible for the review of one or more matters assigned to it by the Council, and the formulation of recommendations on such matters; and
 - (b) shall consider such other matters as may be referred to it from time to time by the Council or any Committee of the Council; and
 - (c) shall be subject to any Terms of Reference for the particular Advisory Committee, adopted by Council from time to time.
- (3) Any Ad Hoc Committee established pursuant to subsection 64(3) of this By-law:
 - (a) shall be responsible for the review of one or more matters assigned to it by the Council, and the formulation of recommendations on such matters; and
 - (b) shall consider such other matters as may be referred to it from time to time by the Council or any Committee of the Council; and
 - (c) shall be subject to any Terms of Reference for the particular Ad Hoc Committee, adopted by Council from time to time.

COMPOSITION

- 66. (1) Any Standing Committee established pursuant to subsection 64(1) of this By-law:
 - (a) shall consist of all Members of Council;
 - (b) despite clause (a) of this subsection, the Audit Committee shall consist of the Mayor and four (4) members of Council. (323-10)

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- (2) Any Advisory Committee established pursuant to subsection 64(2) of this By-law shall consist of such number of Council Members and citizen representatives, as determined by Council.
- (3) Any Ad Hoc Committee established pursuant to subsection 64(3) of this By-law shall consist of such number of Council Members, citizen and staff representatives, as determined by Council.
- (4) Any Subcommittee established from time to time, pursuant to subsection 64(4) of this By-law, shall consist of such Members of the parent Committee, as may be determined by such parent Committee.
- (5) The Mayor shall be an *ex officio* member of any Advisory, Ad Hoc or other Committee struck by Council.

APPOINTMENTS

- 67. (1) The Members of a Standing Committee established pursuant to subsection 64(1) of this By-law shall be appointed by Resolution of Council.
- (2) The Members of an Advisory Committee established pursuant to subsection 64(3) of this By-law shall be appointed by Resolution of Council.
- (3) (a) The Members of an Ad Hoc Committee established pursuant to subsection 64(4) of this By-law shall be appointed by Resolution of Council.
- (b) Despite clause (a) of this subsection, Council may direct the appointed Members to invite additional members of the public to participate in a volunteer capacity on an Ad Hoc Committee, with leave from the requirement that these volunteers be formally appointed by Resolution of Council.

TERM OF OFFICE

- 68. (1) The term of office for Members of any Standing Committee shall be the term of the Council, or until successor(s) are appointed.
- (2) The Members of an Advisory Committee shall hold office for the term as may be determined by the Council in its Resolution of appointment, or until appointment of successor(s).

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- (3) The term of office for Members of an Ad Hoc Committee, including both appointed and volunteer Members, shall end upon completion of the assigned task(s) and the subsequent reporting by such Ad Hoc Committee of its findings to General Committee, unless otherwise directed by Council.
- (4) The term of office for Members of a Subcommittee shall end upon completion of the assigned task(s) and the subsequent submission of the Subcommittee's findings to the parent Committee, unless otherwise directed by Council.

VACANCIES

- 69. (1) Except where the Terms of Reference of a Committee provide otherwise, the seat of a Member of a Committee shall be declared vacant if the Member is absent from the meetings of the Committee for three (3) consecutive months without first being authorized to be absent by a Resolution of Council.
- (2) In any case where the seat of an appointed Member of an Advisory or an Ad Hoc Committee is declared vacant, the filling of the vacancy shall be made by Resolution of Council.
- (3) Subsections (1) and (2) of this Section shall not apply to volunteer Members of an Ad Hoc Committee.

EXCEPTIONS, RULES OF ORDER AND DEBATE IN COMMITTEE MEETINGS

PROCEDURES

- 70. (1) For Meetings of a Committee of Council, the following exceptions to the rules of order and debate apply:
 - (a) a motion shall not be required to be seconded.
 - (b) the vote on any particular item shall not be recorded.
 - (c) despite clause (b) of this subsection, a Member may request that his/her vote be recorded in the minutes of the meeting, as being opposed to a motion.
 - (d) despite Section 51 of this By-law, at the request of any Member of a Committee, any item on the Agenda of a Committee Meeting may be reconsidered prior to the adjournment of such Meeting, subject to the concurrence of a majority of the Members present.

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- (e) a Notice of Motion, as contemplated in Section 30 of this By-law, shall not be presented at a meeting of a Committee.
- (2) (a) Except as provided by law or in subsections 27(2) to (4) of this By-law, a person not a Member of a Committee shall not be allowed to address such Committee except upon first obtaining the approval of the Committee.
- (b) Clause (a) of this subsection, and Section 27 of this By-law, do not apply to a person afforded to be heard on a matter by the authority of statute, including:
 - (i) a person addressing the Planning and Development Committee on a matter which is the subject of a public meeting or hearing for which notice was required pursuant to the Planning Act, R.S.O. 1990, c.P-13 as amended;

EXCEPTIONS, PROCEDURES IN COMMITTEE MEETINGS

CHAIR, STANDING COMMITTEES

71. (1) The Chair of a Standing Committee shall be appointed as follows: (327-08)
- (a) The Chair of the Audit Committee shall be appointed from its membership at the first meeting of the term; (323-10)
 - (b) The Chair of the Budget Committee shall be the Mayor or the Acting Mayor;
 - (c) The Chair of both the General Committee and the Planning and Development Committee shall be a Member of such Committee, as assigned on a rotating basis.
- (2) (a) The Chair and Vice-Chair of an Advisory Committee or Ad Hoc Committee, unless appointed by Council at the time the Committee was established, shall be recommended at the first meeting of the Committee, and reported to Council for ratification.
- (b) Any recommendation of an Advisory Committee or an Ad Hoc Committee for appointment to the office of Chair and Vice-Chair, as contemplated in clause (a) of this subsection, shall not be effective until adopted by Council.

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- (3) The Chair of a Committee may vote on all questions submitted to the Committee.
- (4) In the absence of both the appointed Chair and Vice-Chair of any Committee, the Members may appoint from among those Members present at the Meeting, an Acting Chair to preside that particular meeting.

SCHEDULING COMMITTEE MEETINGS

STANDING COMMITTEES

72. (1) Meetings of the Standing Committees of Council shall be scheduled by the Clerk on the following basis: (327-08)
- (a) Audit Committee is to meet at least four (4) times each year subject to any additional meetings being convened from time to time, at the call of the Chair.
 - (b) Budget Committee is to meet at least one (1) time per year to deliberate on each of the Capital Budget and the Current Budget.
 - (c) General Committee is to meet two (2) times each month at 9:00 a.m. on the Wednesdays alternate to the week in which the Council meets.
 - (d) Planning and Development Committee is to meet two (2) times each month, and each meeting is to have both an afternoon session scheduled to commence at 1:30 p.m. and an evening session scheduled to commence at 7:00 p.m., on the Mondays alternate to the week in which the Council meets.
- (2) Meetings of Advisory Committees and Ad Hoc Committees of Council shall be scheduled by the Clerk on the following basis:
- (a) The date and time of the first meeting of any such Committee shall be determined by the Clerk after first canvassing the Committee's membership.
 - (b) Unless otherwise set in the Terms of Reference for any such Committee, the next and each succeeding meeting of shall be held on a regular basis as determined by the Committee, or at the call of its Chair.

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- (3) Despite the guidelines in subsections (1) and (2) of this Section, the scheduling of Committee meetings may be amended from time to time by the Clerk to recognize insufficient agenda items or identified scheduling conflicts.

PROCEEDINGS FOR COMMITTEE MEETINGS

OPEN MEETINGS

73. (1) All Meetings shall be open to the public, except as otherwise provided by law, or as set out in subsections (2) and (3) of this Section.
- (2) A Meeting or part of a Meeting of a Standing Committee may be closed to the public if the subject matter being considered includes any one or more of the following matters:
- (a) the security of the property of the municipality;
 - (b) personal matters about an identifiable individual, including a municipal employee;
 - (c) a proposed or pending acquisition or disposal of land for municipal purposes;
 - (d) labour relations or employee negotiations;
 - (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality; and
 - (f) the receiving of advice that is subject to solicitor-client privilege, including communication necessary for that purpose.

QUORUM COMMITTEES

74. (1) A quorum for each of the Budget Committee, General Committee, and the Planning and Development Committee, is established by the presence of a majority of the Members of such Committee. (327-08)
- (2) Despite subsection (1) of this Section, a quorum for the Audit Committee is established by the presence of three (3) Members of Audit Committee. (323-10)
- (3) A quorum for an Advisory Committee or an Ad Hoc Committee, except where any Terms of Reference otherwise provide, is established by the presence of a majority of the Members of such Committee.

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- (4) A quorum for a Subcommittee shall be established by the presence of a majority of its Members.

NOTICE OF MEETING, COMMITTEES

75. (1) The Clerk shall give notice of each regular and any special meeting of a Committee, to the Members of such Committee by delivery of an Agenda, identifying the date, time and location at which the meeting is scheduled, and listing the matters to be considered at the meeting.
- (2) The Agenda required under Subsection (1) of this Section, shall be delivered to the Members not later than twenty-four (24) hours preceding the time at which the meeting is scheduled to commence.
- (3) Despite subsections (1) and (2) of this Section, the time of delivery of the notice for a Subcommittee meeting may be altered by the direction of the Subcommittee.

UNFINISHED BUSINESS, COMMITTEES

76. Unless otherwise directed by the Committee, an item of business not disposed of by a Committee, shall be placed on the Agenda of the next regular meeting of Council, under the heading "Unfinished Business".

REPORTING, COMMITTEES

77. (1) Standing Committees shall report to Council.
- (2) Advisory Committees shall report to General Committee.
- (3) (a) Ad Hoc Committees shall report to General Committee.
- (b) Upon direction of Council, an Ad Hoc Committee shall report its findings to the General Committee of Council, by way of a Corporate Report.
- (4) A Subcommittee shall report directly to the parent Committee.

MINUTES, COMMITTEE

78. (1) The Clerk shall record the proceedings of the Meetings of the Committees of Council, in the form of annotated Minutes.

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- (2) The Minutes of a meeting of a Standing Committee shall be distributed to the Members of such Standing Committee for information, and shall not require adoption by that Standing Committee or the Council to give effect to any direction of the Committee, or a request made by a Committee Member, which is not represented in the Committee's recommendations to Council.
- (3) Despite subsection (2) of this Section: (327-08)
 - (a) The portion of the Minutes of a Planning and Development Committee meeting related to a public meeting for which notice was given pursuant to the Planning Act, shall be extracted from the annotated Minutes of the Planning and Development Committee and subsequently presented for receipt by Council.
 - (b) The Minutes of the Audit Committee meeting shall be presented for adoption by that Committee, at the next succeeding meeting of the Audit Committee
 - (c) The Minutes of an Advisory Committee or an Ad Hoc Committee meeting shall be presented at the next succeeding meeting of such Committee for receipt by that Committee.

DISBANDING, COMMITTEES

- 79. (1) Unless otherwise directed by the Council, an Ad Hoc Committee shall be considered disbanded upon completion of the assigned task(s) and submission of its findings.
- (2) Unless otherwise directed by the Council, a Subcommittee shall be considered disbanded upon completion of the assigned task(s) and submission of its findings.

CLERK'S DUTIES

DELEGATION OF CLERK'S DUTIES

- 80. (1) The Clerk shall be the Secretary of all Committees of the Council and may assign any such duties as Secretary of any Committee to an employee in the Office of the City Clerk.
- (2) The Clerk may assign to any employee in the Office of the City Clerk, the Clerk's duties related to the giving of notice and the recording of the proceedings of meetings of Council and its Committees.

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- (3) Every by-law, upon enactment, shall be signed by the Mayor or the Acting Mayor, and, the Clerk or Deputy Clerk, with the date of enactment thereof entered and the Corporate Seal of The Corporation of the City of Mississauga affixed thereto.

CITY SOLICITOR

81. (1) The City Solicitor is authorized to commence or to defend any proceeding appeal, or other form of action in a court or before an administrative tribunal to meet statutory or regulatory time limits and to seek costs where appropriate in accordance with the rules of the Court or Tribunal.
- (2) The City Solicitor shall report to Council at the first available opportunity on such any action taken, and Council shall determine whether the matter should be continued or discontinued.

GENERAL PROVISIONS

82. (1) This By-law shall not be amended or repealed except by a majority vote of all Members of Council.
- (2) No amendments or repeal of this By-law shall be considered at any meeting of the Council unless notice of the proposed amendment or repeal was given at a previous regular meeting of the Council and in accordance with section 20.
- (3) The applicable Rules of Debate of the Provincial Legislature shall prevail in all circumstances not covered by this By-law or where there is a conflict between any two or more provisions of this By-law.
- (4) Any reference in this By-law to one or more sections of legislation of the Province of Ontario includes any successor section of legislation enacted from time to time.
- (5) (a) No suspension or amendment of any provision of this By-law shall be considered at any meeting of the Council, or a Committee of Council, unless notice of the proposed suspension or amendment is given at a previous regular meeting of the Council.
- (b) No repeal of this By-law shall be considered at any meeting of the Council unless notice of the proposed repeal is given at a previous regular meeting of the Council.
- (c) Council, or a Committee of Council, shall not waive the notice requirement set out in subsections (1) and (2) of this Section.

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- 83. Upon enactment of this By-law, By-law 272-92, as amended, is hereby repealed.
- 84. This By-law may be referred to as the “Council Procedure By-law”.
- 85. This By-law shall be in force and effect upon the date of enactment.

ENACTED and PASSED this 22nd day of October, 2003.

Signed by: Pat Saito, Acting Mayor and Crystal Greer, City Clerk