

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 93-2010

A by-law to provide for the rules of order of Council and its Committees, to provide rules for members' conduct, to outline standards for adequate notice, and to repeal By-laws 37-2008 and 94-2009.
File: 110-04-1

WHEREAS section 238(2), of the *Municipal Act, 2001* S.O. 2001, c. 25 requires that every Council and local board adopt a procedure by-law for governing the calling, place and proceedings of meetings, and

WHEREAS the Council of the City of Burlington has identified a need to update By-law 37-2008, as amended, and

WHEREAS section 11 (2) of the *Municipal Act, 2001* S.O. 2001, c. 25 provides that upper and lower tier municipalities may pass by-laws respecting accountability and transparency of the municipality and its operations and of its local boards and their operations, and

WHEREAS the City of Burlington Procedural By-law is recognized as a key document describing the municipality's accountability, transparency, and notice requirements,

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BURLINGTON HEREBY ENACTS AS FOLLOWS:

1. DEFINITIONS

In this by-law, and its appendices:

- 1.1 "Accountability" means the principle that the City of Burlington will be responsible to its stakeholders for decisions made and policies implemented, as well as its actions or inactions.
- 1.2 "Abstain" means a Member who is lawfully entitled to vote but chooses not to exercise their right to vote on a matter.
- 1.3 "Act" means the *Municipal Act, 2001*, S.O. 2001, c. 25.
- 1.4 "Adjourned Meeting" means the continuation of a regular or special meeting, which deals with unfinished business of the regular or special meeting.
- 1.5 "Board" in this by-law means a local authority established for the purpose of the municipality and does not include the Public Library Board.
- 1.6 "Chair" means the person presiding over a meeting of a Committee or Council.

- 1.7 “City” means The Corporation of the City of Burlington
- 1.8 “Civic or Public Holiday” means those dates listed as holidays in the *Interpretation Act*, R.S.O. 1990, c.I.11 Section 29, as amended from time to time, with the exception of Easter Monday and Remembrance Day.
- 1.9 "Clerk" means the City Clerk of The Corporation of the City of Burlington and/or designate.
- 1.10 “Committee” means a Committee of Council (Standing and/or Advisory).
- 1.11 “Confidential” includes any matter in respect of which:
- (a) the Council has made a decision to treat the matter in confidence and not release it to the public; or
 - (b) where the Council is authorized or required to receive information or deal with a matter before it as a confidential matter, and the Council or Committee:
 - has not yet made a decision as to whether or not the matter is to be treated as “confidential” or otherwise;
 - has decided to deal with the matter at a meeting closed to the public;
 - has the matter before it at such a meeting; or
 - has dealt with the matter at such a meeting in accordance with this By-law.
- 1.12 “Confidential item” shall include the following:
- any matter marked “confidential”;
 - any matter or item of a confidential nature that has not been lawfully published, disclosed or provided to the public, or introduced, received or made available to the public at a public meeting;
 - a record of any matter in respect of which a meeting or part of a meeting may, shall or has been closed to the public pursuant to the *Municipal Act, 2001*, or under this By-law; or
 - any matter in respect of which the Clerk, or the Clerk after consultation with the Mayor or respective Committee Chair, is uncertain as to whether or not the matter is or should be confidential.
- 1.13 “Consent Agenda” means a listing of items of a routine nature, which are not expected to require discussion and/or debate.
- 1.14 “Correspondence” includes, but is not limited to, the following: letter, memorandum, report, notice, electronic mail, facsimile, petition, brochure, newspaper article, etc.
- 1.15 “Council” means The Council of the Corporation of The City of Burlington.
- 1.16 “Deputy Mayor” means a title held on a monthly rotation by Members who are not Committee Chairs.

- 1.17 “Division of Question” means a request by a Member to have a motion containing separate questions, recommendations or amendments, voted on in sections or parts.
- 1.18 “Ex-officio” means a member of a committee by reason of holding another position, who has the rights and privileges of a full Member or as otherwise outlined in this by-law or the Committee’s Terms of Reference.
- 1.19 “Head of Council” means the Mayor of The Corporation of The City of Burlington.
- 1.20 “Improper Conduct” means conduct that obstructs in any way the deliberations and/or proper action of Committee or Council.
- 1.21 “In closed session” means a meeting, or portion thereof, closed to the public in accordance with s. 239 of the *Municipal Act, 2001*, S.O. 2001, c. 25.
- 1.22 “Majority” means more than half of the votes cast by Members entitled to vote.
- 1.23 “Meeting” means a gathering of the Members where quorum is achieved and at which either public business or public policy over which Council or Committee has jurisdiction or control may be discussed or deliberated by the Members collectively and/or during which formal action may be taken or recommended; or where training or education is provided exclusively to the Members.
- 1.24 "Member" means a member of the Council of The Corporation of the City of Burlington, and, where the context allows, a member of a Standing Committee of the Council, in respect of such membership.
- 1.25 “Notice of Motion” means an advance notice to Members of a matter on which Council will be asked to take a position.
- 1.26 “Order of Business” means the sequence of activities and/or discussions and decisions to be introduced and considered.
- 1.27 “Pecuniary Interest” means a direct or indirect Pecuniary Interest within the meaning of the *Municipal Conflict of Interest Act*, R.S.O. 1990, chapter M. 50, as amended.
- 1.28 “Point of Order” means a matter that a Member considers to be a departure from or contravention of the rules, procedures and/or generally accepted practices of Council.
- 1.29 “Point of Personal Privilege” means a matter that a Member considers to question their integrity and/or the integrity of the Council.

- 1.30 “Quorum” means the majority of the whole number of Members required to constitute Council or a Standing Committee. For Standing Committee and Council purposes, four Members shall constitute a quorum. For Audit Committee purposes, two Council members plus one citizen member shall constitute a quorum.
- 1.31 “Recorded Vote” means documenting in the minutes of a Council meeting the name of each Member and their vote on a public matter or question, in favour, opposed, abstained or absent.
- 1.32 “Regular Meeting” means a scheduled meeting held in accordance with the approved calendar/schedule of meetings.
- 1.33 “Rules of Procedure” means the applicable regulations contained in this by-law.
- 1.34 “Special Meeting” means a meeting not scheduled in accordance with the approved calendar of meetings.
- 1.35 “Special Purpose Committee” means a Committee established by Council to consider a specific matter and disbanded once they have reported to Council.
- 1.36 “Standing Committee” means any Committee outlined in the Procedural By-law and having an ongoing mandate or purpose.
- 1.37 “Transparency” means the principle that the City of Burlington actively encourages and fosters stakeholder participation and openness in its decision-making processes. Additionally, transparency means that the City of Burlington’s decision-making process is open and clear to the public.

In this by-law, words in the singular include the plural and vice versa, and all references to gender are intended as gender neutral.

2. APPLICATION

- 2.1 The rules of procedure contained in this by-law shall be observed in all proceedings of Council and shall be the rules for the order and dispatch of business in Council and, with the necessary changes being made, in Standing Committees.
- 2.2 Except as provided elsewhere in this by-law, in Council or Standing Committee, any one or more of the rules contained in this paragraph may be temporarily suspended by Council or the Standing Committee by a vote of two-thirds of the members present:
- rules about a change to the order of proceedings in the agenda and content.
 - rules about delegation status.
 - rules about the increase or decrease of delegation speaking time and debate limitations.
 - rules to introduce a motion without standard notice.

- 2.3 All points of order or procedure for which rules have not been provided in this by-law and its appendices shall be decided by the Chair in accordance, as far as is reasonably practicable, with the rules of parliamentary law as contained in Robert's Rules of Order.
- 2.4 All boards, citizen committees or citizen advisory committees of the City that may be described as Local Boards under the *Municipal Act, 2001*, S.O. 2001, c. 25 are expected to adopt relevant provisions such as public access to meetings similar to this by-law.
- 2.5 All groups, agencies, firms or corporations that receive money from Council and/or the City of Burlington shall adopt provisions related to access of public meetings similar to this by-law, where such meetings are related to the purpose of the City's funding.

2.6 ROLE OF COUNCIL

It is the role of Council:

- a) To represent the public and to consider the well being and interests of the municipality.
- b) To develop and evaluate the policies and programs of the municipality.
- c) To determine which services the municipality provides.
- d) To ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council.
- e) To ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality.
- f) To maintain the financial integrity of the municipality.
- g) To carry out the duties of Council under the *Municipal Act, 2001* S.O. 2001, c. 25 or any other Act.

2.7 COUNCIL CHAIR

The Mayor shall chair Council meetings, unless the Mayor is unavailable, in which case the Deputy Mayor will chair the Council meeting.

3. DUTIES OF THE MAYOR

3.1 It is the role of the head of Council to:

- (a) Act as chief executive officer of the municipality, which means to:
 - Uphold and promote the purposes of the municipality
 - Promote public involvement in the municipality's activities
 - Act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally, and internationally
 - Participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.
- (b) Preside over Council meetings so that its business can be carried out efficiently and effectively.
- (c) Provide leadership to the Council.

- (d) Provide information and recommendations to the council with respect to the role of council described in section 2.6.
- (e) Represent the municipality at official functions.
- (f) Carry out the duties of the head of council under the *Municipal Act, 2001*, S.O. 2001, c. 25 or any other Act.

3.2 The Mayor is responsible for the presentation of Civic Recognition Awards at Council meetings and, where circumstances warrant, to present Civic Recognition Awards in venues within Burlington other than Council meetings. See Schedule A, part of this by-law, describing Civic Recognition Awards.

3.3 The Mayor may designate one member of Council to act in the place of the head of council for the purposes of the City of Burlington Emergency Plan. If the Mayor does not so designate and/or when the Mayor and the designate are both unavailable, the Deputy Mayor duties and rotation will be in effect.

4. DUTIES OF THE DEPUTY MAYOR

4.1 Except as outlined in section 3, when the Mayor gives notice to the City Clerk that he will be absent from the City, or is absent through illness, or his office is vacant, then the Deputy Mayor shall act in the place and stead of the Mayor, and while so acting, has and may exercise all the rights, powers and authority of the Head of Council.

4.2 The function of the Deputy Mayor is for corporate/administrative purposes, and shall be filled by the Members who are not Chair of the Standing Committees.

4.3 The rotation of the Deputy Mayor shall be on a monthly basis starting with the Member from Ward 1, and continuing in numerical order through each ward, subject to the provisions of section 4.2 and availability.

5. DUTIES OF THE CHAIR

5.1 The Chair shall preside over the conduct of the meeting, including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meetings, subject to an appeal by any Member to the Committee or Council of any ruling of the Chair.

5.2 If the Chair desires to leave the Chair for the purpose of taking part in the debate or otherwise, they shall call on the Vice Chair, or in the absence of the Vice Chair, on another Member, to fill their place until resuming the Chair.

5.3 When two or more Members wish to speak, the Chair shall name the Member who, in her opinion, should speak first.

6. STANDING COMMITTEES OF COUNCIL

6.1 Membership

6.1.1 All Members of Council are members of the Community Development, Community Services, Budget & Corporate Services and Committee of the Whole Standing Committees.

6.1.2 The Audit Committee is made up of the following voting members: three members of Council, two citizen representatives (community volunteers) and the Mayor, who is an ex-officio voting member of the Committee.

6.2 Election of Chair and Vice Chair

6.2.1 Each Standing Committee except for Audit shall meet as soon as possible after the day of the inaugural meeting of Council and/or in November each subsequent calendar year to formulate its recommendations about a Chair and Vice-Chair from its membership for a term commencing December 1st and terminating November 30th or until a successor is appointed. For the purpose of clarity, a member of the Committee who served as Committee Chair or Vice Chair in the first and/or second and/or third annual term of the Committee is not prohibited from serving in the same position during the second and/or the third and/or the fourth annual term of the term of the Council. The Audit Committee Chair and Vice-Chair will be elected from the committee's membership for a 2-year term as soon as possible after the day of the inaugural meeting of Council and in November of the end of the second year of the Council's term for a term commencing December 1st and terminating two years hence on November 30th or until a successor is appointed.

6.2.2 The Chair of any Standing Committee may be removed by a majority vote of the Members of the Committee, but no such motion to remove the Chair shall be in order unless written notice of the motion is given at a regular meeting of the Committee held at least one cycle of meetings prior to the meeting at which the motion will be considered.

6.3 Date, Time, and Place of Meetings:

The Standing Committees shall meet in the Council Chambers of Burlington City Hall, 426 Brant Street, generally on the following days and times, in accordance with the calendar set annually and approved by Council:

Community Development Committee (CDC)

Scheduled Mondays at 6:30 p.m. (Tuesday or Thursday when the Monday is a statutory holiday)

Community Services Committee (CCS)

Scheduled Wednesdays at 6:30 p.m. (Thursday when the Wednesday is a statutory holiday)

Budget & Corporate Services Committee (B&CS)

Tuesdays at 9:30 a.m.

Audit Committee (Audit)

Tuesdays at 3:30 p.m.

Committee of the Whole

As scheduled, Mondays at 2:00 p.m. for matters where committee time is required for training, discussions with other levels of government and outside agencies, workshops on complex matters or consideration of additional matters that were not able to be handled on the agenda times for the other Standing Committees that are consent, routine or administrative matters where no delegations are anticipated and/or as scheduled by the City Clerk or Manager of Committee Services.

6.4 Duties of the Standing Committees

It shall be the duty of the Standing Committees to receive public delegations for input and to report to Council on all matters connected with their duties or referred to them by the Mayor and/or by Council and to recommend such action as they deem necessary.

6.5 Duties of the Community Development Committee

6.5.1 It shall be the duty of the Community Development Committee to study and report to Council on:

- (a) matters under the jurisdiction of the Development and Infrastructure Division, comprised of Planning & Building and Fire Departments.
- (b) all public hearings pursuant to the *Planning Act, R.S.O. 1990 c. P. 13*, as amended.
- (c) all matters relating to development and redevelopment.
- (d) the study of housing needs in the City.
- (e) matters arising from the following boards and citizen advisory committees:
 - Burlington Economic Development Corporation (BEDC)
 - Committee of Adjustment
 - Heritage Burlington

- Sustainable Development Committee
- Housing and Development Liaison Committee (HDLC)
- Property Standards Committee

6.5.2 It shall be the duty of the Community Development Committee to meet as required in special purpose daytime meetings on matters within the jurisdiction of the Development and Infrastructure Division.

6.6 Duties of the Community Services Committee

6.6.1 It shall be the duty of the Community Services Committee to study and report to Council on:

- (a) matters under the jurisdiction of the Community Services Division comprised of Engineering, Parks & Recreation, Transit & Traffic, and Roads & Parks Maintenance Departments;
- (b) the purchase and sale of other disposable or City owned lands.
- (c) matters arising from the following boards, citizen committees and citizen advisory committees:

- Burlington Accessibility Advisory Committee (BAAC)
- Burlington Art Centre Board (BAC)
- Burlington Crime Prevention Committee
- Burlington Cycling Committee
- Burlington Inclusivity Advisory Committee (BIAC)
- Burlington Mundialization Committee
- Burlington Museums Board
- Burlington Public Library Board (BPL)
- Burlington Transit Advisory Committee (BTAC)
- Civic Recognition Committee
- Heritage Umbrella Group (HUG)
- Mayor's Seniors Advisory Committee (MSAC)
- Mayor's Youth Advisory Committee (MYAC)
- Tourism Burlington

6.6.2 It shall be the duty of the Community Services Committee to meet as required in special purpose daytime meetings on matters within the jurisdiction of the Community Services Division.

6.7 Duties of the Budget & Corporate Services Committee

6.7.1 It shall be the duty of the Budget & Corporate Services Committee to meet as required, to study and report to Council on:

- (a) the current and capital budgets.
- (b) the City Manager's office including the Corporate Strategic Initiatives Department.
- (c) the Corporate Services Division; comprised of Clerks, Finance, Human Resources, Information Technology Services, and Legal Departments.
- (d) employee and labour relations matters including all matters relating to the details of the negotiation process as reported by the Management Negotiating Team, including the labour negotiation process, directions, strategies and conflict resolutions.
- (e) all public meetings under the *Development Charges Act, 1997*, S.O. 1997, c. 27.
- (f) matters relating to Council and Committee procedures.
- (g) the development, implementation and update of the City's Strategic Plan.
- (h) matters arising from the operation of Burlington Hydro Electric Inc. (BHEI).
- (i) issues relating to the Greater Toronto Area (GTA) and governance.

6.7.2 It shall be the duty of the Budget & Corporate Services Committee to meet as required in special purpose daytime meetings on matters within the jurisdiction of the committee's duties.

6.8 Duties of the Audit Committee

6.8.1 It shall be the duty of the Audit Committee to meet as required, to study and report to Council on:

- (a) the proper environment for management of public funds, including appropriate financial reporting, policies and controls and the efficiency and effectiveness of the utilization of the City's resources on programs and projects.
- (b) the annual financial statements.

- (c) all external and internal audit matters, including selection of the external auditor, the annual audit of the City's financial statements and matters recommended by the external auditor.
- (d) compliance with laws, regulations and policies.

7. SPECIAL PURPOSE COMMITTEES

- 7.1 Special Purpose Committees may be established by Council to consider a specific matter.
- 7.2 When a Special Purpose Committee is established by Council, the Mayor shall name the member of that Committee who is to Chair the Committee.
- 7.3 When a Special Purpose Committee has made its report and completed its work, the Committee shall be deemed to be dissolved, unless otherwise determined by Council.

7.4 Interview Committee

- 7.4.1 It shall be the duty of the Interview Committee, consisting of all Members of Council, to meet as required at the beginning of the Council term of office to study and report to Council in January, or as soon as possible thereafter, on:
 - (a) the appointment of citizens to the City's boards, and to those regional boards and committees as required.
 - (b) the appointment of citizens to citizen advisory committees, as required.

8. APPOINTMENTS OF MEMBERS TO BOARDS AND COMMITTEES

- 8.1 As much as possible, only one Member of Council shall be appointed to each board and/or citizen advisory committee. Members of Council shall not be eligible to act as Chair or Vice Chair of such boards or committees.
- 8.2 The Member of Council appointed as a liaison for each citizen advisory committee is not required to attend meetings or to take part in sub-committee meetings. Their role is to be available as a liaison to the citizen advisory committee. The Council representative is not counted when considering quorum and does not have a vote at citizen committee meetings.
- 8.3 It is the duty of Council to appoint individuals to the BHEI Board of Directors in accordance with the *Shareholder Direction* and the *Business Corporations Act*, R.S.O. 1990, c.B.16.

9. INAUGURAL MEETING OF COUNCIL

- 9.1 The inaugural meeting of Council shall be held in Burlington at 7:00 p.m. on the first Monday in December following a regular municipal election, except when the day is a public holiday, in which

case the meeting shall be held on the following business day. The Mayor-elect may designate officiating clergy to open the proceedings with a special prayer and a judge to administer the oath and declaration of office for all Members of Council.

9.2 The Clerk shall have prepared for the Members of Council at the inaugural meeting an "Order of Business" as follows, to also include other ceremonial proceedings as deemed necessary and/or desirable:

- (a) Call to Order
- (b) National Anthem
- (c) Regrets
- (d) Declarations of office
- (e) Report of Municipal Officers (if required)
- (f) Correspondence (if required)
- (g) Presentations
- (h) Motion to Receive and File Correspondence (if required)
- (i) Mayor's Inaugural Address
- (j) Confirmation By-law
- (k) Statements by Members (non-debatable)
- (l) Adjournment

10. REGULAR MEETINGS OF COUNCIL

10.1 Time and Place - The regular meetings of Council shall be held in the Council Chambers of Burlington's City Hall at 426 Brant Street, commencing at 7:00 p.m. on Mondays according to the calendar set annually and approved by Council. If the said Monday is a civic holiday, the meeting shall be held on the following business day.

10.2 Council may by resolution alter the time, day, and place of any meeting previously approved under section 10.1.

11. SPECIAL MEETINGS OF COUNCIL AND/OR COMMITTEES

11.1 The Mayor and/or City Manager may at any time call a special meeting of Council and, upon receipt of a petition of the majority of Members of Council or upon approval of a Council resolution authorizing a special Council meeting, the Clerk shall call a special meeting of Council for the purpose and/or at the time mentioned in the petition or resolution.

11.2 The Chair and/or Clerk may at any time summon a special meeting of Committee or upon receipt of a written petition of the majority of Members of the Council, the Clerk shall summon a special meeting of Committee for the purpose and at the time mentioned in the meeting booking or petition.

11.3 No business may be transacted at a special meeting of Council or of a Committee other than that specified in the notice or Agenda.

- 11.4 A joint meeting of two or more Committees may be called at the request of the Chair, the Chairs of the participating Committees, at the request of a majority of the members of each Committee and/or by the City Clerk based on the agenda items submitted for a particular meeting.
- 11.5 The Manager of Committee Services, City Clerk, and Manager of Council Services are the key contacts for scheduling of all public meetings, working sessions, special purpose daytime meetings and other gatherings that involve all members of Council.
- 11.6 Departments will ensure that their Department Director and General Manager are aware of and agree to the intended session with members of council prior to discussing dates with the City Clerk or Manager of Committee Services and issuing any invitations.
- 11.7 Working sessions and special purpose daytime meetings will be booked through Outlook Calendar by the City Clerk or Manager of Committee Services, identified as Special CCS meetings, such booking to convey information about the purpose, clerk to attend, method of providing notice, and delegation opportunities.
- 11.8 The only actions that may be taken at working sessions and special purpose daytime meetings that are not identified as standing committee meetings are Recommendations to Receive and File and Staff Directions.
- 11.9 In the case of an emergency, meetings may be held at any convenient location within the municipality, or outside the municipality in one of Burlington's adjacent municipalities: Oakville, Hamilton or Milton.
12. THE CALLING OF MEETINGS TO ORDER AND QUORUM
- 12.1 The Chair shall call the members to order as soon after the hour of meeting as there shall be a quorum present.
- 12.2 If a quorum for a regular/special Council meeting is not present within thirty (30) minutes of the time fixed for the commencement of the meeting, the Clerk or designate shall indicate that no quorum is present and the meeting shall stand adjourned until the next meeting of Council called in accordance with the provisions of this by-law.
- 12.3 If a quorum for the regular or special Standing Committee meeting is not present within fifteen (15) minutes of the time fixed for the commencement of the meeting, the Standing Committee may proceed without a quorum, provided that at least three Members are present. The report of the Committee meeting shall clearly indicate what parts of the meeting were conducted without a quorum present.
- 12.4 Where the number of Members who are unable to participate in a meeting by reason of the provisions of the *Municipal Conflict of Interest Act*, R.S.O.1990, c.M. 50, such that at that meeting the remaining members are insufficient to constitute quorum, the remaining members shall be deemed to constitute a quorum, provided such number is not less than two.

- 12.5 If during the course of a Council meeting, a quorum is lost, the Chair shall declare that the meeting shall stand recessed temporarily or be adjourned until the date of the next regular meeting or other meeting called in accordance with the provisions of this by-law.

13. COUNCIL AGENDA

- 13.1 The Clerk shall have prepared for the Members of Council at the regular meetings the "Order of Business" as follows:

- (a) Call to Order
- (b) National Anthem
- (c) Regrets
- (d) Proclamations (if required)
- (e) Confirmation of Minutes
- (f) Recognition and Achievements (if required)
- (g) Presentations (if required)
- (h) Declarations of Interest
- (i) Delegations
- (o) Correspondence (if required)
- (p) Reports of the Standing Committees
- (q) Report of Special Committees (e.g. Licensing Committee*)
- (r) Reports of Municipal Officers (if required)
- (s) Motions of which Notice has previously been given (if required)
- (t) Notices of Motion (if required)
- (u) Motion to Receive and File Correspondence (if required)
- (v) Motions
- (w) Consideration of By-laws
- (x) Confirmation By-law
- (y) Statements by Members (non-debatable)
- (z) Adjournment

* Licensing Committee reports will come directly to Council and delegations will be allowed to speak for a first time to these matters.

14. INFORMATION PACKAGE

- 14.1 The Clerk shall have prepared weekly, or as frequently as may be required, an Information Package for Members of Council. If any Member of Council prefers to have an item of correspondence contained therein dealt with by a standing committee, she shall contact the Clerk and it shall be placed on the appropriate committee agenda.

- 14.2 Items within the Information Package shall include, but not be limited to: information reports, and correspondence from other levels of government.

15. SPECIAL COUNCIL MEETING AGENDA

The Clerk, when it is reasonably possible, shall cause an agenda to be prepared, in the following order, for the use of members at special meetings of Council:

- (a) Declarations of Interest
- (b) Delegations (if required)
- (c) Items to be considered at the Special Meeting
- (d) Consideration of By-laws (if required)
- (e) Confirmation By-law
- (f) Statements by Members (non-debatable)
- (g) Adjournment

16. STANDING COMMITTEE AGENDA

The Clerk, in conjunction with the Standing Committee Chair, shall have prepared for the Members of Standing Committees, the Order of Business, which may include, but not be limited to, the following:

- (a) Declarations of Interest
- (b) Consent Agenda.

Note: Staff are not generally in attendance to respond to queries on items contained in the Consent Agenda. Members of Council are required to contact the department head or author of the report prior to the meeting for any necessary clarification or the consent item will be considered without questions of staff.

- (c) Public Meetings (if required)
- (d) Delegations
- (e) Unfinished Business
- (f) Regular Agenda
- (g) Confidential Matters for Consideration
- (h) Motion to move into "Closed Session"
- (i) Motion to move out of "Closed Session" and into "Public Session"
- (j) Passage of "Closed Session" Items.
- (k) Staff Remarks
- (l) Committee Remarks (non-debatable)
- (m) Adjournment

17. ACCOUNTABILITY AND TRANSPARENCY

Burlington Council is responsible to provide good government for its stakeholders in an accountable and transparent manner by:

- Encouraging public access and participation to ensure that decision making is responsive to the needs of its constituents and receptive to their opinions;
- Delivering high quality services to its citizens; and
- Promoting the efficient use of public resources.

Accountability, transparency and openness are standards of good government that enhance public trust. They are achieved through the City of Burlington adopting measures ensuring, to the best of its ability, that all activities and services are undertaken using processes that are open and accessible to stakeholders. Wherever possible, the City of Burlington will engage stakeholders throughout the decision-making process which will be open, visible and transparent to the public. The principles of accountability and transparency apply equally to the City of Burlington's political process and decision-making and to its administrative management.

17.1 Financial Matters - The municipality will be open, accountable and transparent to its stakeholders in its financial dealings.

17.2 Internal Governance

The City of Burlington's administrative practices and policies ensure specific accountability on the part of its employees through initiatives that include:

- a) code of conduct
- b) individual performance management
- c) employment policies
- d) health and safety policies and programs.

17.3 Public Participation and Information Sharing

The City of Burlington ensures that it is open and accountable to its stakeholders and encourages public awareness of, and participation in, its activities and decision-making processes by providing appropriate notice of when and where meetings of City Council and Standing Committees take place. These meetings will be open to the public except in the limited situations specifically authorized by the Act.

The City of Burlington provides transparency in the conduct of its business as outlined in this Procedural By-law. The City of Burlington ensures that participation by the public can be meaningful and effective, through timely disclosure of information by various means including print media through City Talk, and an Update feature in the Burlington Post, and the City's website www.burlington.ca.

The City of Burlington has adopted:

- a) a code of conduct for members of council
- b) a strategic plan
- c) a records retention policy.

18. NOTICE OF MEETING

- 18.1 The Clerk shall ensure that the agenda for each regular meeting of Council and each regular meeting of a Standing Committee shall be delivered to each member of the Committee or Council, at the address provided to the Clerk by the Member for delivery of such notice, not less than seventy-two (72) hours before the hour appointed for the holding of such meeting. At the same time, the Clerk shall also ensure that the agenda is provided to the City Manager, General Managers, and to the heads of all civic departments. All meetings will be open to the public and no person will be excluded except where Council or Committee agrees to meet in closed session for confidential discussion in accordance with this by-law.
- 18.2 The Clerk shall deliver notice of each special meeting of Council and each special meeting of a Standing Committee to each member of the Committee or Council personally or leave notice at his residence or place of business at least forty-eight (48) hours before the time set for such special meeting and in the notice shall specify the business to be transacted. An Outlook Calendar booking as described in section 11.7 and/or an agenda constitutes such notice. At the same time, the Clerk shall also ensure that the agenda is provided to the City Manager, General Managers, and to the heads of all civic departments.
- 18.3 A Special Meeting may be held, without notice, to deal with an emergency situation as defined under the *Emergency Management and Civil Protection Act*, provided that an attempt has been made to reach the Members by telephone and/or e-mail at their respective residence and/or place of business. No business, except business dealing directly with the emergency situation, shall be transacted at that meeting. The forty-eight (48) hour notice required by Section 18.2 may be waived in the case of emergency as may be determined by the Mayor (or alternate) and/or City Manager (or alternate) and documented in writing (memo or e-mail) to the City Clerk.
- 18.4 Lack of receipt of the notice shall not affect the validity of holding the meeting nor any action taken at the meeting.
- 18.5 The business of each meeting shall be taken up in the order in which it stands upon the "Order of Business", unless otherwise decided by Council.
- 18.6 The Chair of a Standing Committee or Council may, if it appears that a storm or like occurrence will prevent the members from attending a meeting, postpone that meeting by advising the Clerk and as many members as they are able to reach. Postponement shall not be for any longer than the next regularly scheduled meeting of that Committee or Council.

19. DISCLOSURE OF PECUNIARY INTEREST

- 19.1 Where a Member, either on his own behalf or while acting for, by, with and/or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Council or Standing Committee at which the matter is the subject of consideration, the member shall:
- a) prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof.
 - b) not take part in the discussion of or vote on any question with respect to the matter, except when such interest is so remote or insignificant in its nature that it cannot reasonably be regarded as likely to influence the member.
 - c) not attempt in any way before, during and/or after the meeting to influence the voting on any such question.
- 19.2 Where a meeting is not open to the public, in addition to complying with the requirements, the Member shall forthwith leave the meeting for the part of the meeting during which the matter is under consideration.
- 19.3 Where the interest of a Member has not been disclosed by reason of his absence from the particular meeting, the Member shall disclose his interest and otherwise comply at the first meeting of Council or Standing Committee, as the case may be, attended by him after the particular meeting.
- 19.4 The Clerk shall record the particulars of any disclosure of pecuniary interest made by members of Council or Committees, as the case may be, and any such record shall appear in the minutes of that particular meeting.
- 19.5 Where the number of members disabled from participating in a meeting is such that at that meeting the remaining members are not of sufficient number to constitute a quorum, then the remaining number of members shall be deemed to constitute a quorum, provided such number is not less than two.
- 19.6 A Member may declare an affiliation or personal interest in any item before Committee or Council which is not pecuniary in nature, and such declaration will not preclude the Member from participating in debate nor voting on the item.

20. COMMUNICATIONS TO COMMITTEE AND/OR COUNCIL

- 20.1 Every item of correspondence intended to be presented to Committee and/or Council must be legible, include the author's name and must not contain any defamatory allegations, impertinent or improper matter.
- 20.2 Where the item of correspondence is provided to the Clerk in advance of any meeting or for the preparation of an agenda, it shall be the responsibility of the Clerk to ensure that said correspondence is in compliance with Section 20.1. Where the Clerk is required to alter the correspondence to ensure compliance with Section 20.1, the Clerk shall make such notation either on the correspondence or provide an explanation of the alteration(s) in a separate document affixed to the altered item of correspondence.
- 20.3 Where only one copy of the item of correspondence is received, the Clerk shall, upon the request of any Member, read the item of correspondence in whole or in part (if altered in accordance with Section 20.2) for the benefit of the Committee and/or Council.
- 20.4 Correspondence intended for Committee and/or Council is generally received as public information. The Clerk shall be advised of any confidential items, the general nature of the confidentiality and will determine whether the item meets identified criteria for confidential correspondence and whether it will be circulated within the public agenda, circulated under separate cover or printed in the confidential section of the agenda.
- 20.5 Petitions are a specific form of correspondence that must be presented to the Clerk for Committee or Council action. Petitions must include a statement or position that the signers are supporting, the legible printed names of the signers, and original signatures of each of the signers. Individuals who are represented by photocopies of their signatures will not be considered valid supporters of the petition. The individual or group initiating the petition, or submitting the petition to the Clerk, Committee or Council must provide a key contact name, mailing address, and telephone contact information to the Clerk.

21. DELEGATIONS

- 21.1 Any person, group of persons or organization not being a member of the Council or Committee or an appointed official of the City of Burlington, wishing to address Committee or Council, as the case may be, may be heard by leave of Council or Committee concerned, provided that such person(s) shall advise the Clerk outlining the particulars of the matter(s) on which they wish to address Council or Committee. Delegations shall focus their remarks to the stated business.
- 21.2 The Clerk shall not register a delegation on the Order of Business of Committee or Council unless there is a specific item listed on the Order of Business on which the delegate wishes to speak. Delegations will be encouraged by the Clerk to appear before the appropriate Standing Committee rather than appearing before Council. For Standing Committee meetings, delegations wishing to address Committee on an additional matter must provide the Clerk with a written submission outlining their request and their delegation topic, prior to the printing of the Standing Committee agenda.

- 21.3 Delegations will be permitted from the floor without prior registration only during a public hearing under the provisions of the *Planning Act*, R.S.O. 1990 c. P.13 .
- 21.4 Specific types of audiovisual equipment may be used to assist in presentations to Committee/Council, provided that permission for use of such equipment has been obtained from the Clerk at the time the delegation contacted the Clerk to register for the meeting. PowerPoint presentations must be provided electronically, in DVD or flash drive format, to the Clerk by 12 noon on the date of the meeting.
- 21.5 The Chair may curtail any delegation, any questions of a delegation and/or debate during a delegation for disorder or any other breach of this by-law and, if the Chair rules that the delegation is concluded, the person or persons appearing shall withdraw.
- 21.6 Only Members of Council, Members of the Audit Committee, the City Manager or his designate, the Clerk and/or his designate, shall be allowed to proceed beyond the speaker's podium during the Committee/Council meetings.
- 21.7 The Chair of the Committee/Council meeting may grant a person permission to proceed beyond the speaker's podium during the Committee/Council meeting.
- 21.8 Attendees at a meeting shall maintain order and quiet and shall not display signs or placards, applaud, heckle, or engage in telephone or other conversation, or any behaviour that may be considered disruptive, inconsiderate, disrespectful, or intimidating to others. No delegation shall:
- i) speak disrespectfully of any person.
 - ii) use offensive words or unparliamentary language.
 - iii) speak on any subject other than the subject for which they have received approval to address Committee/Council.
 - iv) disobey the rules of procedure or a decision of the Chair of Committee or Council.
- 21.9 Upon the completion of comments to Committee or Council by a delegation, the Chair will acknowledge members of Committee or Council who wish to ask questions of the delegation; then members of Committee or Council who wish to ask questions of staff; then members of Committee or Council who wish to comment on the matter under consideration. Any discourse between members of Council and the delegation shall be limited to members asking questions for clarification and obtaining additional, relevant information only. Members of Council shall not enter into debate with the delegation respecting their comments.
- 21.10 Delegations to Standing Committee
- Delegations must register, either in writing or by telephone, with the Clerks Department, prior to noon the day of the meeting. At the time of registration, the delegate shall be specific about the purpose for their appearance before the committee and identify the matter on the Order of Business they will be speaking to. After the agenda has been prepared, the Clerk shall prepare a list of delegations who, by 12:00 noon of the meeting day, have requested to speak. This delegation list

will be distributed electronically to Committee members and Management Committee prior to the meeting and on paper to Committee members at the meeting.

- 21.11 Committee will allow a maximum of ten minutes for each delegation to present their position in support or opposition to the relevant item. If there are numerous delegates wishing to address an issue, the Clerk will encourage them to select one spokesperson to present their views within the ten-minute allocation. Where the Committee deems it necessary to extend or shorten the ten-minute limit, Committee may, by majority vote, approve the change.

21.12 Delegations to Council

Any person who has appeared before a Standing Committee must make application to the Clerk to be placed on the Order of Business to appear before Council at the meeting at which it will be dealing with the recommendation of the Standing Committee. Such delegations may present new information only. A written brief is encouraged and must be submitted to the Clerk by noon on the Friday preceding the Council meeting in order to be included within the printed agenda.

- 21.13 A person who has not appeared before a Standing Committee, but who has an interest in, or who is affected by a recommendation to be dealt with by the Council shall make application to the Clerk by 12:00 noon the day of the meeting. A written brief is encouraged and must be submitted to the Clerk by noon on the Friday preceding the Council meeting in order to be included within the printed agenda.

- 21.14 If application is made to the Clerk after the deadline for registering as a delegation, the Clerk will bring the request to the attention of the Chair of Council. After the agenda has been prepared, the Clerk shall prepare a list of delegations who, by 12:00 noon of the meeting day, have requested to speak. This delegation list will be distributed electronically to Council members and the City Manager prior to the meeting and on paper to Council members at the meeting.

- 21.15 Council will allow a maximum of five minutes for each delegation to present their position of support or opposition to the relevant committee recommendation and/or motion. Since Council Members have previously considered the matter in the Standing Committee, delegates are requested to provide new information only. If there are numerous delegates taking the same position on a matter, the Clerk will encourage them to select one spokesperson to present their views.

22. STANDING COMMITTEE RECOMMENDATIONS TO COUNCIL

- 22.1 The report of a Standing Committee shall be referred to Council provided that a copy of it has been placed in the hands of the Members. Where a special meeting of a Standing Committee is held, without an opportunity to present a report to Council, the recommendations arising from the special meeting shall be transmitted to Council by way of motions. The report of a Standing Committee may recommend to Council that an item be dealt with in any manner outlined in the motions noted in Schedule C. Motions defeated by the Standing Committee will not be noted within the Committee minutes. Standing Committee may approve a motion to receive and file an item, which leaves the item on the Council agenda for consideration. Hence, if Committee wishes to postpone

their consideration of, or give further consideration to, an item until or at the Council meeting, they may either receive and file the item or approve a motion to postpone the item to the Council meeting of 'meeting date' and 'time'.

23. BY-LAWS

23.1 The business, by-laws and resolutions of the City of Burlington will be conducted and maintained in English. Each by-law being considered will be listed in the Council agenda by an identifying number, followed by a brief description of the intention of the by-law.

23.2 Every by-law shall, without amendment or debate, be introduced by motion, and shall be entitled and numbered and considered.

23.3 The by-laws considered shall be open to amendment and debate.

23.4 Upon conclusion of the debate, the Head of Council will report all amendments and recommendations.

(a) The Clerk shall endorse on all by-laws read in Council the date of the passing thereof and shall be responsible for the correctness of such by-laws should they be amended.

(b) Every by-law which has been passed by Council shall be sealed with the seal of the Corporation, signed by the Mayor or by the Head of Council of the meeting at which the by-law was passed, and by the Clerk, and deposited with the Clerk for record-keeping/to become part of the official record.

(c) All by-laws adopted by Council must be printed, pages numbered, and bound in a separate volume, with an index for the year in which they are passed.

23.5 By-laws approved in accordance with this Procedural By-law will be available on the City's website www.burlington.ca.

24. RULES OF PROCEDURE

24.1 The rules governing the procedure of Council shall be observed in the Standing or special purpose committees, except that:

(a) motions shall not be required to have a seconder.

(b) recommendations which are lost shall not be recorded in the Committee minutes.

24.2 Schedule B forms part of this by-law and shall describe the differences between Committee and Council.

25. CONDUCT OF MEMBERS AND SPEAKING

25.1 Conduct of Members

Members of Council and members of the Audit Committee shall:

- (a) act in accordance with their Oath of Allegiance and Oath of Elected/Appointed Office.
- (b) discharge with integrity all responsibilities to Council, the City of Burlington, and the public, in keeping with approved corporate policies.
- (c) serve their constituents in a conscientious and diligent manner.
- (d) encourage public respect for, and try to improve the administration of, the by-laws of the City.
- (e) where the Member is involved in an issue outside the Member's own ward, inform the Ward Councillor of such involvement, and make reasonable efforts to invite the Ward Councillor to any meetings in conjunction therewith unless:
 - (i) the issue is clearly of City-wide significance, or
 - (ii) the Member is the Chair of the Committee handling the matter or the Mayor, and the involvement related only to the procedural aspects and not the merits of the issue.
- (f) not speak disrespectfully of the Reigning Sovereign, any member of the Royal Family, the Governor-General, the Lieutenant-Governor, the Head of the Government of Canada, or the Province of Ontario.
- (g) treat the Chair, other Members, staff, and the delegates from the public with courtesy, respect and good faith.
- (h) hold in strict confidence all information concerning matters dealt with in closed session. The Member shall not release, make public or in any way divulge any such confidential information or any aspect of the closed session deliberations, unless expressly authorized or required by law.
- (i) be respectful of the tradition that staff are expected to make recommendations to Committee and Council that reflect professional and corporate management, judgement, and opinions which are not unduly influenced by any single member of a Standing Committee or Council.
- (j) not leave his seat or make any noise or disturbance while a vote is being taken and until the result is declared.
- (k) not criticize any decision of the Council except for the purpose of introducing a motion for reconsideration.

- (l) not disobey the Rules of the Council or a decision of the Chair or Council on a question of order, practice or interpretation of the Rules of the Council.
 - (m) not consume food in the Council Chambers.
- 25.2 If a Member disregards the Rules of Procedure or a decision of the Chair or Council on questions of order, practice and/or interpretation of the Rules, and persists in such conduct, after having been called to order by the Chair, the Chair shall forthwith put the question with no amendment or debate -
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“That *such Member* be ordered to leave *his* seat for the duration of the meeting”. If, following such vote by the Council, the Member apologizes, Council may, by a further vote of those present, permit the Member to retake his seat.
- 25.3 If the Member called out of order does not apologize or will not leave his seat, the Chair shall adjourn the meeting until a time or date to be named by the Chair.
- 25.4 Speaking
- 25.4.1 A Member shall not speak until they have been recognized by the Chair. In order to be recognized, the Member shall raise their hand and wait to be recognized by the Chair.
- 25.4.2 When a Member has been recognized by the Chair as having the floor, the Member shall turn on their microphone if in public session, direct his question or comment to the Chair and speak to the matter under consideration/debate.
- 25.4.3 When a Member is speaking, no other Member shall interrupt, except to raise a Point of Personal Privilege or Point of Order.
- 25.4.4 Any Member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.
- 25.4.5 A Member shall not speak more than once on the question without leave of the Chair, except for the purpose of providing an explanation of a material part of his speech which may have been misunderstood and in doing so he is not to introduce new matters. The Chair will hear from members in the following order: first time speakers, then repeat speakers (if required).
- 25.4.6 A Member shall not speak to the same question, or in reply, for longer than fifteen minutes, without leave of Council.
- 25.4.7 A Member shall be restricted to asking questions related directly to the matter under discussion.

26. MOTIONS

- 26.1 In Council, the following matters, and motions with respect thereto, may be introduced verbally, without notice and without leave, except as otherwise provided by this by-law:
- a) a point of order or personal privilege.
 - b) to close debate.
 - c) to adjourn.
- 26.2 Except as provided in Section 26.1, all motions shall be in writing and signed by the mover and seconder.
- 26.3 In Council, the following motions may be introduced without notice and without leave, except as otherwise provided by this by-law:
- a) to suspend the rules of procedure.
 - b) to postpone definitely (deferral motion with a specified date/meeting).
 - c) to refer.
 - d) to amend.
 - e) to postpone indefinitely (deferral motion without specifying a date/meeting).
 - f) any other procedural motion.
- 26.4 The mover and seconder may withdraw a motion or a notice of motion at any time prior to its being read by the Chair. If withdrawn prior to being read, the motion is not included in the minutes of the meeting.
- 26.5 After a motion has been read or stated by the Chair, it shall be deemed to be in the possession of Council, but may be withdrawn by the originator at any time before a decision or amendment, provided Council does not object.
- 26.6 A motion regarding a matter that is beyond the jurisdiction of the Council shall not be in order except a matter that, in the opinion of the majority of Council, has to do with the welfare of the citizens generally. The question of the opinion is to be decided without debate.
- 26.7 Schedule C forms part of this by-law and shall describe the form and standard descriptive characteristics of motions commonly used in Committee and Council.

27. NOTICE OF MOTION

- 27.1 Except as otherwise provided in this by-law, a notice of motion to be made in Council or Committee Meetings shall be given in writing and shall be delivered to the Clerk so that it can be included in the agenda for the Council or the Standing Committee Meeting at which the motion is to be introduced.
- 27.2 The Clerk shall include such notice of motion in full in the Order of Business for the meeting concerned.
- 27.3 Reports of Committees included in the Council agenda shall constitute notice of motion with respect to any matter contained in such reports and recommended by any such Committee for adoption by Council.
- 27.4 Staff reports in the Council agenda, listed as Reports of Municipal Officers, not having been considered by any Committee for adoption by Council, shall constitute notice of motion for the purposes of any relevant motion brought at Council.
- 27.5 Notwithstanding the foregoing, any motion or other business may be introduced for consideration of Council provided that it is made clear that to delay such motion or other business for the consideration of an appropriate Standing Committee would not be in the best interest of the City of Burlington and that the introduction of the motion or other business shall be upon an affirmative vote of two-thirds of the members of Council present.

28. VOTING

- 28.1 Voting shall be conducted in the following order:
- a) amendment to any amending motion;
 - b) upon determination of a) above, any subsequent amendment to the amending motion;
 - c) the amending motion;
 - d) the main motion (as amended or as originally presented).
- 28.2 When the motion under consideration contains distinct recommendations, a Member may request that the vote be taken separately on each proposal.
- 28.3 The manner of determining the decision of the Council or Committee, as the case may be, on a motion where no recorded vote is called for shall be at the discretion of the respective Chair, and may be by a show of hands or by standing, but not by secret vote or ballot.
- 28.4 Each Member is qualified to vote at all meetings, and shall have one vote, except when such Member has declared a pecuniary interest that can reasonably be regarded as likely to influence the member.

28.5 Except as provided elsewhere in this by-law, a motion shall be deemed to have been carried when a majority of the members present and voting have expressed agreement with the question. Consequently, on a tie vote, a motion is lost.

28.6

- a) Any member, in Council Meetings, immediately before or after a vote is taken, may require a recorded vote to be taken on the question concerned. Recorded votes shall not be permitted in Committee Meetings.
- b) When a recorded vote is permitted and required, the Chair shall pose the question and the Clerk will call for those members in favour to rise, at which time the Clerk shall record the name of each Member standing and his vote in favour, and upon completion of the recording, the Clerk will call for those members opposed to rise, at which time the Clerk shall record the name of each Member standing and his vote in opposition. On the appropriate form, the Clerk will also record the number of Members absent and/or abstained.
- c) On a recorded vote, a failure to vote by a member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed a negative vote.

29. CLOSED SESSION

29.1 Standing Committee and Council meetings, or portions thereof may be held “In Closed Session” only in accordance with the *Municipal Act, 2001*, S.O. 2001, c. 25. The Clerk, in conjunction with the City Manager or General Manager and Standing Committee Chair or Vice-Chair, will place the “Closed Session”, if required, at either the beginning or end of the meeting wherever deemed appropriate. The only matters to be considered “In Closed Session” are as follows:

- (a) the security of the property of the municipality or local board.
- (b) personal matters about an identifiable individual, including municipal or local board employees.
- (c) a proposed or pending acquisition or disposition of land by the municipality or local board.
- (d) labour relations or employee negotiations.
- (e) litigation or potential litigation affecting the municipality or local board, including matters before administrative tribunals.
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
- (g) a matter in respect of which a council, board, committee or other body has authorized a meeting to be closed under another Act.

- (h) consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act* if the council, board, commission or other body is the head of an institution for the purpose of that Act.
 - (i) educational or training sessions where both of the following conditions are satisfied:
 - The meeting is held for the purpose of educating or training the members; and
 - At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.
- 29.2 Prior to moving “In Closed Session” for one of the reasons listed in Section 29.1, Committee/Council shall pass a motion stating:
- (a) the fact that the Committee/Council is convening into closed session, and
 - (b) the general nature of the matter to be considered, so that the information available to the public is maximized without undermining the reason for excluding the public.
- 29.3 A meeting may be closed to the public during the taking of a vote if Section 29.1 permits it, or requires that the meeting be closed to the public; and the vote is for a procedural matter or for giving direction or instructions to officers, employees, and/or agents of the municipality and/or local board or persons retained by, or under contract to, the municipality or local board.
- 29.4 A meeting held for the purpose of educating or training the Members of Council or Committees may be closed to the public, provided that no Member discusses or otherwise deals with any matter in any way that materially advances the business or decision-making of the Council or Committee.
- 29.5 The Clerk shall be responsible for maintaining a confidential copy of all original documentation distributed, relating to closed sessions, and for keeping confidential minutes of all closed sessions.
- 29.6 On reconvening in public session, the Chair shall accept a motion to resolve the matter publicly, or alternatively advise that direction had been given to staff during the closed session in accordance with the *Municipal Act*.
- 29.7 Any person may file a complaint as to whether the municipality has complied with the open meeting legislation by filing the complaint with an Investigator appointed under section 239(2) of the *Municipal Act*.
30. MEETING RECESS
- Committee/Council may, after two consecutive hours of deliberation, recess for a period deemed appropriate by the Chair.

31. ADJOURNMENT HOUR

- 31.1 Committee and Council meetings shall stand adjourned at 10:30 p.m., if in session at that hour, unless a resolution is passed by two-thirds vote of the Members present to proceed beyond the hour of 10:30 p.m. to continue any unfinished business.
- 31.2 Unfinished business of a Regular Standing Committee shall be adjourned to the Thursday following the Regular Standing Committee.
- 31.3 Notwithstanding section 31.1 above, no meeting shall proceed beyond the hour of 11:00 p.m.

32. DUTIES OF THE CLERK

It shall be the duty of the Clerk:

- (a) to attend or cause a designate to attend all meetings of the Council, Standing Committees and special purpose committees of Council except for specific Closed Session portions of meetings, where the City Manager or Director of Human Resources acts as Clerk.
- (b) to record, without note or comment, all resolutions, decisions, and other proceedings of the Council meetings and of the meetings of the Standing Committees of Council.
- (c) to forward a copy of all resolutions, enactments and orders of the Council and Committees to those concerned in order to provide notice.
- (d) to forward all reports of Committees so that they may be considered by the Council at the subsequent or next closest possible regular meeting.
- (e) if required by any member present at a vote, to record the name and vote of every member voting on any matter or question.
- (f) to keep the official records of the City, including the minutes of the proceedings of Council.
- (g) to keep in his office or in the place appointed for that purpose, the originals or copies of all by-laws and of all minutes of the proceedings of Council.
- (h) to make such minor clerical, typographical or grammatical deletions, additions or other changes in form to any by-law, motion, resolution and/or minutes as may be required for the purpose of ensuring correct and complete implementation of the actions of Council.
- (i) where a video or audio recording of a regular/special Council meeting is made, to retain the recording as specified in the Records Retention By-law.

- (j) to forward, by way of delegated authority, housekeeping or consolidation by-laws directly to Council for consideration.
- (k) to present annually a meeting calendar for consideration by Committee and Council outlining the proposed regular Committee and Council meeting schedule for the next year and to provide the public with notice of the meeting calendar by posting the calendar of meetings on the City's website.
- (l) to provide to each member of Council a copy of this by-law when the Member of Council makes a declaration of office and is sworn into office and upon request thereafter.
- (m) to interpret and administer the rules of procedure under this by-law.
- (n) to perform such other duties as are prescribed by law or by direction of Council.
- (o) to be a Municipal Officer for The Corporation of the City of Burlington.

33. DUTIES OF THE CITY SOLICITOR:

It shall be the duty of the City Solicitor:

- (a) to examine all reports of the Standing Committees and notices of motion before the Council and to report whenever any matter contained therein is beyond the power of a Committee or Council or is otherwise illegal.
- (b) to advise the Standing Committees and the Council as to the legality of all matters considered or proposed to be considered by the said bodies of which he shall have notice.
- (c) to be a municipal officer for The Corporation of the City of Burlington.

34. DUTIES OF THE CITY MANAGER:

It shall be the duty of the City Manager:

- (a) to review all staff recommendations and reports prior to their submission to Standing Committees and Council and, when deemed necessary, to submit her comments on the said reports.
- (b) to ensure that all resolutions and by-laws submitted to Committee and Council accurately reflect the goals and objectives of the City.
- (c) to assist all members of Council to discharge their responsibilities in a non-partisan manner.
- (d) to attend all Council meetings with the right, with the consent of the Chair, to speak but not to vote; and to attend meetings of the Standing Committees when invited or when the City Manager deems it advisable to do so, with the right, with the consent of the Chair, to speak but not to vote.
- (e) to act as Clerk during specific Closed Session portions of meetings of a Standing Committee of Council or a Special Committee of Council, upon the request of the said Standing Committee or Special Committee.
- (f) to manage and control the affairs of the municipality according to the objectives, policies, plans, directions and budgets established and approved by Council.
- (g) Without limiting the generality of the foregoing, to perform such other duties as may be necessary to fulfill the intent of the City Manager Appointment By-law and to exercise the powers which, from time to time, may lawfully be assigned by the Council.
- (h) Where the City Manager is unavailable to act as Clerk during the Closed Session portion(s) of any Standing Committee or Council meeting(s) dealing strictly with personnel related matters, the Director of Human Resources shall be appointed as the alternate Acting Clerk.

35. CITY MANAGER EVALUATION

Council shall, at least once each calendar year, meet with the City Manager to review his performance and remuneration.

36. CITY MANAGER SELECTION COMMITTEE

The City Manager Selection Committee shall be comprised of the Mayor, Chairs or designates of the Standing Committees, Members of Council interested in participating, with the Director of Human Resources or a designate as a resource.

37. GENERAL MANAGER SELECTION COMMITTEE

The General Manager Selection Committee shall be comprised of the Mayor, Chairs or their designates of the Standing Committees, Members of Council interested in participating, the City Manager, with the Director of Human Resources or a designate as a resource.; and

THAT By-laws 37-2008 and 94-2009 be hereby repealed; and

THAT this by-law shall come into full force and take effect on the final day of passing thereof.

ENACTED AND PASSED this 12th day of October, 2010.

Cam Jackson

MAYOR

Angela Morgan

CITY CLERK

SCHEDULE A TO PROCEDURAL BY-LAW

CIVIC RECOGNITION AWARDS PRESENTED BY THE MAYOR'S OFFICE

Program Purpose: The purpose of Civic Recognition Awards presented by Council is to recognize Burlington individuals who bring positive recognition to the City of Burlington through individual or team initiatives.

Nominations: Award nominations may be made by any individual or group to the Mayor's Office within six months of the achievement.

Approvals: Nominations will be reviewed by Mayor's Office staff to ensure that nominated individual(s) or group(s) meet the program criteria. Those nominations that meet the program criteria will be forwarded to the Mayor for approval to recognize the individual(s) or group(s) at a Council meeting.

Approved nominations will be co-ordinated by Mayor's Office staff with the award nominees and the Clerks Department as per agreed procedures.

Award Criteria:

Individual Citation

A Burlington resident who wins an athletic, cultural*, educational, scientific competition championship recognized by a sanctioning body, which is a provincial, national, or international title.

Team Citation

A Burlington team or group, or a Burlington resident who is a member of a team or group located outside of Burlington, who wins an athletic, artistic, heritage*, educational or scientific competition championship event recognized by a sanctioning body, which is a provincial, national, or international title.

**Culture* is defined in the Community Cultural Policy and includes heritage activities including history, architecture, archaeology, ethnology, natural heritage, archive/library and man-made material heritage (artefacts) as they relate to the aforementioned arts. Heritage issues that go beyond the scope of artistic disciplines are not included. The term 'culture' is not used to imply 'multi-cultural'.

Citation

A Burlington resident, or residents, who individually or collectively, through honourable endeavours, assist or benefit other individual(s) thereby bringing favourable publicity and honour to the City of Burlington provincially, nationally or internationally.

Method of Recognition: Award recipients will be presented with two forms of recognition:

- (1) an engraved medallion award on a ribbon to be placed around the neck of the recipient by the Mayor or his representative, or some other item of recognition as determined by the Mayor's Office and
- (2) a personalized certificate of recognition signed by the Mayor or his representative.

Method of Presentation: Awards will be presented at a Council meeting or as scheduled with the Mayor's Office, including, where circumstances warrant, presentation of Civic Recognition Awards in venues within Burlington other than Council meetings.

In all cases, the Mayor or his representative will give introductory remarks about the award recipient(s) and the respective achievement(s) that is being recognized.

Award recipients will be assembled in the order of presentations and briefed by Mayor's Office or Clerks Department staff as to the procedure to be followed. If numerous teams are in attendance to receive awards, they will be assembled outside the Council Chamber doors to be called in one team at a time. As called, each recipient will proceed to the presenter. Mayor's Office staff will hand the award to the Mayor or his representative for presentation to the recipient, the award recipient will shake hands with the presenter and return to their original position either in the Council Chamber or outside the Council Chamber doors. Upon request, the presenter will join the award recipient(s) for photographs following the award presentations.

At the discretion of the Mayor or by council resolution, recipients of national or international titles may be recognized by other Members of Council and invited guests at a reception prior to the Council Meeting where Civic Recognition Awards will be presented.

Civic Recognition Award Procedures

Division of responsibilities for administering Civic Recognition Awards is as follows:

The nominee(s) will:

A minimum of one month prior to an award presentation:

- (1) provide in writing the names of all individuals to receive an award;
- (2) confirm in writing the name of the award or achievement received;
- (3) confirm their availability and attendance at the Council Meeting scheduled for their presentation

Mayor's Office staff will:

- (1) confirm with Clerks staff a Council meeting date where the award(s) can be presented;
- (2) provide the required information to Clerks for inclusion on the Council meeting agenda;
- (3) communicate with the nominee(s) to confirm details of their achievement(s), number of people to receive awards; date, time and location of Council meeting where presentations will be made; explain logistics/procedures of the presentations; greet award recipients upon arrival and assemble into alphabetical order for presentations by the presenter;
- (4) prepare introductory remarks for the presenter about the achievement(s) of the individual or group receiving awards and prepare appropriate remarks for the presenter for the award presentations at Council.

Clerks Department staff will:

- (1) confirm a Council meeting for Civic Recognition Awards to be included on the agenda, once confirmed by the Mayor's Office;
- (2) assist Mayor's Office staff with award presentations as necessary, particularly when there are large groups or several groups being acknowledged at the same Council meeting.

SCHEDULE B TO PROCEDURAL BY-LAW

COUNCIL/COMMITTEE DIFFERENCES

ISSUE	IN COUNCIL	IN STANDING COMMITTEE
Delegations	5 minute limit	10 minute limit
Motions – making	Motions must be in writing other than those specified in Section 26	Motions may be verbal or in writing
Motions- seconding	All motions must be seconded	Seconding not required
Motion to close debate	Allowed	Not allowed
Notice of Motion	Required	Not required
Recorded Vote	Allowed	Not Allowed

SCHEDULE C TO PROCEDURAL BY-LAW

COMMON MOTIONS

1. MOTION TO ADJOURN

1.1 A Motion to adjourn:

- a) is always in order except as provided by this by-law.
- b) is not debatable.
- c) is not amendable.
- d) is not in order when a member is speaking or during the verification of the vote.
- e) is not in order immediately following the affirmative resolution of a motion to close debate; and
- f) when resulting in the negative, cannot be made again until after some proceedings have been completed by Council.

1.2 A motion to adjourn without qualification, if carried, brings a meeting or a session of Council to an end.

1.3 A motion to adjourn to a specific time, or to reconvene upon the happening of a specified event, suspends a meeting of Council to continue at such time.

2. POINT OF PERSONAL PRIVILEGE

2.1 When a Member considers that his integrity or the integrity of Council or Committee has been impugned, the Member may, as a matter of personal privilege and with the leave of the Chair, draw the attention of Council or Committee, as the case may be, to the matter by way of a point of personal privilege. When a point of personal privilege is raised, it shall be considered and decided by the Chair immediately. The decision of the Chair on a point of privilege may be appealed to Council.

3. MOTION TO CLOSE DEBATE (PREVIOUS QUESTION)

3.1 A motion to close debate:

- a) is not debatable.
- b) is not amendable.

- c) cannot be moved with respect to the main motion when there is an amendment under consideration.
- d) should be moved by a member who has not already debated the question.
- e) requires a two-thirds (2/3) majority vote of members present for passage; and
- f) when resolved in the affirmative, the question is to be put forward without debate or amendment.
- g) is not permitted in Committee.

4. MOTION TO POSTPONE DEFINITELY

4.1 A motion to postpone definitely (to a fixed time or date):

- a) is debatable, but only as to whether a matter should be postponed and to what time.
- b) is amendable as to time and/or date.
- c) requires a majority vote of members present to pass.
- d) shall have precedence over the motions to refer, to amend, and to postpone indefinitely.

5. MOTION TO REFER (TO COMMITTEE OR STAFF)

5.1 A motion to refer:

- a) is debatable.
- b) is amendable.
- c) shall take precedence over all amendments of the main question and any motion to postpone indefinitely, to postpone definitely or to table the question.

6. MOTION TO AMEND

6.1 A motion to amend:

- a) is debatable.
- b) is amendable.
- c) shall be relevant and not contrary to the principle of the report or motion under consideration.

- d) may propose a separate and distinct disposition of a question provided that such altered disposition continues to relate to the same issue which was the subject matter of the question.
- 6.2 Only one motion to amend an amendment to the question shall be allowed at one time and any further amendment must be to the main question.
- 6.3 Notwithstanding anything herein to the contrary, no motion to amend the motion to adopt any report of a Standing Committee shall be permitted.
7. MOTION TO POSTPONE INDEFINITELY
- 7.1 A motion to postpone indefinitely:
- a) is debatable, and debate may go into the merits of the main question, which effectively stops a motion and avoids a direct vote on the question.
 - b) is not amendable.
 - c) requires a majority vote.
8. POINT OF ORDER
- 8.1 The Chair shall decide all points of order. When a Member wishes to raise a point of order, the Member shall ask leave of the Chair and after leave is granted, the Member shall state the point of order to the Chair/Committee Chair, after which the Chair shall decide on the point of order. Thereafter, the Member shall only address the Chair for the purpose of appealing the decision to Council or Committee, as the case may be. If the Member does not appeal, the decision of the Chair shall be final. If the Member appeals to Council or Committee as the case may be, Council/Committee shall decide the question without debate and the decision shall be final.
9. MOTION TO SUSPEND THE RULES (WAIVE THE RULES)
- 9.1 A motion to suspend the rules:
- a) is not debatable.
 - b) is not amendable.
 - c) requires a two-thirds majority vote to carry.
 - d) takes precedence over any motion if it is for a purpose connected with that motion and yields to a motion to table.

10. MOTION TO RECONSIDER

10.1 A motion to reconsider a Council decision:

- a) is debatable. Note that a motion that was adopted can only be reconsidered if it is possible to reverse or modify the action that was authorized by the motion.
- b) is not amendable.
- c) requires a majority vote approved by at least two-thirds of the members present, regardless of the vote necessary to adopt the motion being reconsidered.

10.2.1 When Burlington's Council members are all members of the noted Standing Committees, after any question, except one of indefinite postponement, has been decided by Council, any Member may move for reconsideration at the appropriate Community Development, Community and Corporate Services, Budget and Strategic Planning Committee or Council meeting (not Audit Committee), provided due notice of such intention is given as required by this by-law, but no discussion of the main question by any person shall be allowed unless the motion to reconsider has first been adopted. To clarify, a defeated motion can be re-visited at the same meeting through a motion to reconsider and a defeated motion can be revisited at a subsequent meeting by being re-introduced as new business.

10.2.2 The mover of a motion to reconsider shall specify whether the reconsideration will address the entire original motion or part of the original motion.

10.2.3 No motion shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered, during the term of the Council.

10.2.4 If a motion to reconsider is approved, reconsideration shall become the next order of business, unless the motion to reconsider calls for a future definite date to consider the item.

10.2.5 The debate on the original motion or part of the original motion shall proceed as though it had never previously been voted on. To clarify, a simple majority vote will carry the item.

SCHEDULE D TO PROCEDURAL BY-LAW

PROCLAMATIONS AND PRESENTATIONS

A proclamation is an official announcement to the public, generally conveying information about a specific day, week, month or year of significance to the community. As noted in Section 13.1, Proclamations are declared at Council meetings and not at Standing Committee meetings.

Criteria: Proclamations will be included in the Council agenda only if they meet all of the following criteria:

A request for a proclamation:

- Shall be submitted by representatives of a recognized charity with offices located in Burlington or by a community group based in Burlington;
- Will be issued only in respect of activities that support residents of the City of Burlington or related events taking place in Burlington;
- Must demonstrate respect and tolerance for all Burlington residents; and
- Should foster a sense of community; and
- Should not be used as a vehicle to attempt to influence government policy.

Individuals and institutions seeking proclamations that recognize regional, provincial or national causes or events will be referred to the appropriate other order of government for recognition.

Process:

1. Proclamations must be submitted to the Mayor's Office in writing, at least three weeks in advance of the Council meeting at which the proclamation is requested (electronic correspondence welcome).
2. The Mayor's Office will review the proclamation to ensure that it meets the criteria noted above. If not, the request will be kept on file in the Mayor's Office in keeping with Corporate Records policies and procedures.
3. The Mayor (or designate) will approve the proclamation and send it to the City Clerk for inclusion in the agenda.
4. The Clerks Department will note approved proclamations within the Council agenda.

Presentations:

A presentation is noted in agendas as unique from delegations because:

- An item is being given to Committee or Council in recognition of a corporate achievement and/or
- Speaking on a particular topic is seen to be of broad interest and/or importance to the community by the meeting Chair and by the Clerk
- The Committee or Council have approved a motion to welcome dignitaries from beyond Burlington in a formal way.

As noted in Section 13.1, Presentations are included on the Order of Business at Council meetings when required. Presentations during Standing Committee meetings are only open to City staff and associated Boards and Committees as required, subject to the approval of the Chair. Council's expressed preference is that information sharing be completed through delegations to Committee and Council, rather than through presentations.

Criteria:

- Meet the requirements of a presentation as described above;
- Meet the timelines and requirements outlined in the process described below;
- Must be delivered by the official representatives of a non-profit organization recognized by the City;
- Must be delivered by a maximum of two speakers within a maximum of fifteen (15) minutes;
- Does not convey the same or similar information presented to a prior Region of Halton standing committee and/or Halton's Regional Council; and
- The City Clerk is able to schedule the presentation to be manageable with the anticipated agenda for the meeting date.

Process for Presentations at Council:

1. Presentations must be requested through the Clerks Department in writing, prior to printing of the Council agenda for the Council meeting at which the presentation is requested (electronic correspondence welcome).
2. Clerks staff will review the presentation to ensure that it meets the criteria noted above. If not, the request will be kept on file in the Clerks Department in keeping with Corporate Records policies and procedures and the request will be acknowledged by phone or email.
3. The Mayor or City Manager (or designate) will review the inclusion of the presentation on the Council agenda and notify the City Clerk.
4. The Clerks Department will include approved presentations within the Council agenda, indicating the time allocated for the presentation, and will notify anyone requesting a presentation of the outcome. Clerks will also book ITS equipment and staff as required for the presentation.
5. Upon the Mayor's or City Manager's approval, Clerks staff will consult with the presenter about suitable meeting dates, need for ITS and technological support and will forward the request to the Mayor for decision. Note that delegations will not be permitted to use overhead projectors and video presentations during their delegation. Those wishing PowerPoint presentations must provide the Clerk with an electronic, DVD or flash drive format of the presentation by 12 noon on the day of the meeting. Only City of Burlington equipment may be used within Council Chambers.

SCHEDULE E TO PROCEDURAL BY-LAW

NOTICE

1. DEFINITIONS

For the purposes of this Schedule, the following additional definitions shall apply:

“Amending such budget” means for the purposes of the notice required under subsection 291(1) of the *Act*, any change to the council adopted budget that results in a change to the City’s net tax levy.

“Committee” means a Standing Committee of Burlington City Council and does not include a Citizen Advisory Committee.

“Newspaper” means a printed publication in sheet form, intended for general circulation at intervals of not longer than a week, within the City of Burlington, and consisting in great part of news of current events of general interest and sold to the public and to regular subscribers.

“Notice by Mail” means prepaid, first-class mail or mail hand delivered or delivered by courier or mail delivered to an individual’s known and current street or e-mail address unless otherwise specified.

“Website” means the official City of Burlington Internet website (www.burlington.ca).

2. APPLICATION

- 2.1 Where the City is required to give notice to the public under a provision of the *Act*, the notice shall be given in a form and manner and at the times indicated in Schedule “E”, unless:
- (a) the *Act* or other statute or regulation prescribes otherwise for the notice to the public;
 - (b) council directs that other public notice is to be given that Council considers adequate to give reasonable notice under the circumstances.

3. NOTICE

- 3.1 A notice given under this Schedule “E” is sufficient even if there are times during the notice period when the City’s website is not accessible.

Subject & Section	Requirement of <i>Municipal Act, 2001</i>	City of Burlington Requirements	Notice Given By/Other
Section 48 Change/naming of private road	A local municipality may name or change the name of a private road after giving public notice of its intention to pass the by-law.	Notice of proposed by-law published in a newspaper at least one week prior to the Committee or Council meeting at which the by-law will be considered and Website posting at least 48 hours prior to the Committee or Council meeting at which the by-law will be considered.	Director of Engineering or designate
Section 173 Restructuring Proposal	Before council votes on whether to support or oppose a restructuring proposal, council shall or may, as applicable, do the following things when the proposal is being developed or after it is developed: 1. Council shall consult with the public by giving notice of, and by holding, at least one public meeting. 2. Council shall consult with such persons or bodies as the Minister may prescribe. 3. Council may consult with such other persons and bodies as the municipality considers appropriate	Notice in newspaper at least two weeks prior to the public meeting and Website posting at least two weeks prior to the public meeting.	City Clerk or designate
Section 187 Change of name of municipality	A municipality that passes a by-law changing its name shall send a copy of the by-law to the Director of Titles appointed under the <i>Land Titles Act</i> and to the Minister promptly after its passage. The procedure by-law shall provide for public notice of meetings. (s. 238 (2.1)).	Notice of Council's intention to pass a by-law: <ul style="list-style-type: none"> • In a newspaper prior to the meeting; and • On the website prior to the public meeting. 	City Clerk or designate

<p>Section 217</p> <p>Change in council composition</p>	<p>The procedure by-law shall provide for public notice of meetings. (s. 238 (2.1))</p>	<p>Notice of both the public meeting and Council’s intention to pass a by-law:</p> <ul style="list-style-type: none"> • In a newspaper at least two weeks prior to the public meeting; and • On the website at least two weeks prior to the public meeting. 	<p>City Clerk or designate</p>
<p>Section 222</p> <p>Divide or re-divide municipality into wards or dissolve existing wards</p>	<p>A municipality may divide or re-divide the municipality into wards or dissolve existing wards.</p> <p>Within 15 days after a by-law is passed the municipality shall give notice of the passing of the by-law to the public specifying the last date for filing a notice of appeal.</p> <p>The procedure by-law shall provide for public notice of meetings. (s. 238 (2.1))</p>	<p>Notice of both the public meeting and Council’s intention to pass a by-law:</p> <ul style="list-style-type: none"> • In a newspaper at least two weeks prior to the public meeting; and • On the website at least two weeks prior to the public meeting. 	<p>City Clerk or designate</p>
<p>Section 238</p> <p>Procedural By-law governing the calling, place and proceedings of meetings</p>	<p>The procedure by-law shall provide for public notice of meetings. (s. 238 (2.1))</p>	<p>Notice in a newspaper at least one week prior to the Committee or Council meeting at which the by-law will be considered and</p> <p>Website posting at least one week prior to the Committee or Council meeting at which the by-law will be considered.</p>	<p>City Clerk or designate</p>
<p>Section 291</p> <p>Adopt or amend budget</p>	<p>The procedure by-law shall provide for public notice of meetings. (s. 238 (2.1))</p>	<p>Notice in a newspaper prior to the Committee or Council meeting when the budget will be considered & Website posting at least 48 hours prior to the Committee or Council meeting when the budget will be considered.</p>	<p>City Treasurer or designate</p> <p>Note amendment is defined in the definition section (section 1)</p>

<p>Subsection 318 (15)</p> <p>Demand of taxes payable when there is a phase-in</p>	<p>A notice of demand of taxes payable in respect of which there is a phase-in shall indicate the amount of taxes that would have been payable without the phase-in, the amount of taxes that are payable and the difference.</p>	<p>Notice to be given on the property tax bill.</p>	<p>City Treasurer or designate</p>
<p>Subsection 351 (8)</p> <p>Public auction of personal property seized for taxes arrears</p>	<p>In the event of seizure of goods for the purpose of auction, to recoup tax arrears, the treasurer or their agent is to give the public notice of the time and place of the public auction and of the name of the person whose personal property is to be sold.</p>	<p>Notice of auction to be published in a newspaper at least once a week for two consecutive weeks prior to the auction and</p> <p>Posting on website at least two weeks prior to the auction.</p>	<p>City Treasurer or designate</p>
<p>Section 374</p> <p>Tax Sale - Registration of tax arrears certificate</p>	<p>Within 60 days after the registration of a tax arrears certificate, the treasurer shall send a notice of the registration of the certificate</p>	<p>Along with the requirements for notice set out in section 374, any and all notices shall be sent by registered mail</p>	<p>City Treasurer or designate</p>
<p>Section 391</p> <p>Fees and Charges</p>	<p>The procedure by-law shall provide for public notice of meetings. (s. 238 (2.1))</p> <p>Fees or charges for inspections or the issuance of permits for fire purposes.</p>	<p>Notice by mail or e-mail to those requesting notice and</p> <p>Notice in a newspaper at least one week prior to the Committee or Council meeting at which the by-law will be considered and</p> <p>Website posting at least one week prior to the Committee or Council meeting at which the by-law will be considered.</p> <p>In accordance with the provisions of section 13 of Ontario Regulation 244/02</p>	<p>City Clerk or designate</p> <p>Fire Chief or designate</p>

<p>Section 400 and Section 6 of Ontario Regulation 586/06</p> <p>Local Improvement Charges</p>	<p>Before passing a by-law to undertake a work as a local improvement the municipality shall give notice of its intention to pass the by-law imposing fees and charges to the public and to the owners of the lots liable to be specially charged</p>	<p>In addition to the requirements for notice as set out in section 6 of Ontario Regulation 586/06, notice shall:</p> <p>Be given by mail to those owners of lots liable to the special charge and</p> <p>Notice in a newspaper at least two weeks prior to the Council meeting at which the by-law will be considered and</p> <p>Website posting at least two weeks prior to the Council meeting at which the by-law will be considered.</p>	<p>Director of Engineering or designate</p>
<p>Dissolution of Local Boards</p>	<p>The procedure by-law shall provide for public notice of meetings. (s. 238 (2.1))</p>	<p>Notice by registered mail to the local board prior to the Committee or Council meeting at which the matter will be considered.</p>	<p>City Manager or designate</p>
<p>Permanently closing a highway</p>	<p>The procedure by-law shall provide for public notice of meetings. (s. 238 (2.1))</p>	<p>Notice to utilities and Region of Halton in advance by Engineering.</p> <p>Notice of proposed by-law to be published in a newspaper prior to the Committee or Council meeting at which the by-law will be considered and</p> <p>Website posting at least 48 hours prior to the Committee or Council meeting at which the by-law will be considered.</p>	<p>Director of Engineering or designate</p> <p>Legal prepares by-law and approves timeline</p>
<p>Permanently altering a highway</p>	<p>The procedure by-law shall provide for public notice of meetings. (s. 238 (2.1))</p>	<p>Notice of proposed by-law published in a newspaper prior to the Committee or Council meeting at which the by-law will be considered and</p> <p>Website posting at least 48 hours prior to the Committee or Council meeting at which the by-law will be considered.</p>	<p>Director of Engineering or designate</p> <p>Ad with sketch</p>

<p>Change/naming of highway</p>	<p>The procedure by-law shall provide for public notice of meetings. (s. 238 (2.1))</p>	<p>Notice of proposed by-law published in a newspaper prior to the Committee or Council meeting at which the by-law will be considered and</p> <p>Website posting prior to the Committee or Council meeting at which the by-law will be considered.</p>	<p>Director of Engineering or designate</p>
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The following sections of the *Municipal Act, 2001* require notice but the notice requirements are prescribed in the Act (position responsible for notice):

Subsections 110(5) & (8) regarding Agreements for Municipal Capital Facilities (City Clerk)

Section 206 and Subsections 210(1) and 211(1) regarding Business Improvement Areas (City Clerk)

- Subsection 295(1) regarding Publication of Financial Statements (City Treasurer)
- Subsection 331 (10) regarding Taxes on Eligible Property (City Treasurer)

Subsection 342 (5) regarding By-laws for instalments in tax collection (City Treasurer)

- Subsection 348 (2) regarding Determination of Tax Status (City Treasurer)
- Subsection 350 (1) regarding Obligations of tenant (City Treasurer)
- Subsections 356 (4) & (5) regarding Division of Parcels (City Treasurer)

Subsections 357 (5) & (6) regarding Cancellation, reduction, refund of taxes (City Treasurer)

- Subsections 358 (8), (9) & (10) regarding Overcharges (City Treasurer)
- Subsections 359 (3) & (4) regarding Increase of taxes (City Treasurer)
- Subsection 361 (10.1) regarding Change of Assessment (City Treasurer)

Subsection 365 (2) and Subsections 365.2 (5) & (6) regarding Cancellation, reduction or refund of taxes and Notice to upper-tier municipality (City Treasurer)

Subsections 379 (1), (2),(4) and 380 (3) regarding Public sale, Advertisement and Payment (City Treasurer)

Subsections 386.1, 386.2 (1) and 386.3 regarding Power of entry, Inspection without warrant and Inspection warrant (City Treasurer)