

THE CORPORATION OF THE TOWN OF CALEDON

BY-LAW NO. 2024-100

A by-law to amend Procedural By-law 2015-108,
as amended, with respect to the proceedings of
Council and its Committees

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c. 25, section 238 provides that a municipality shall establish a procedure by-law to govern meetings;

WHEREAS The Corporation of the Town of Caledon deems it necessary to amend By-law 2015-108, as amended, to update parts related to meeting proceedings;

NOW THEREFORE the Council of The Corporation of the Town of Caledon ENACTS AS FOLLOWS:

1. Procedural By-law 2015-108, as amended, is hereby further amended by:
 - (1) Deleting the words 'are generally routine in nature and' from the consent item definition within section 1.1.
 - (2) Deleting and replacing the delegation definition within section 1.1 with the following:

"Delegation" means an opportunity to appear before *Council* or *Committee* for their consideration of the matter being presented to them.
 - (3) Adding the words 'or *Committee*' after the word '*Council*' from the motion definition within section 1.1.
 - (4) Deleting and replacing the notice of motion definition within section 1.1 with the following:

"Notice of motion" means an advanced notice of a motion provided by a *member* brought forward to *Committee* or *Council* for consideration as a motion at a subsequent *meeting*.
 - (5) Deleting the words 'community announcements' and adding the word 'corporate' prior to 'projects' from the presentation definition within section 1.1.
 - (6) Replacing the words "commence with" with "include" in section 8.2.2.
 - (7) Reordering the existing section 8.2.3 to become section 8.2.4 and adding the following to become section 8.2.3:

8.2.3 Every regular Council meeting shall commence with a fifteen (15) second moment of silent contemplation.
 - (8) Deleting and replacing section 8.4.2 a) and b) with the following:
 - a) Where reasonably possible, disclose the *pecuniary interest* and general nature thereof upon the *Chair's* request under the appropriate agenda item, or prior to any consideration of the matter at the *meeting* if not reasonably possible to do so under the appropriate agenda item;
 - b) leave the *meeting* so that they are visibly absent for the part of the *meeting* during which the matter is under consideration;
 - (9) Deleting and replacing section 8.4.3 with the following:

8.4.3 Where a *member* has left the *meeting* due to a declared *pecuniary interest* in accordance with subsection 8.4.2, the *Clerk* or their designate shall notify or return the *member* to the meeting upon the completion of the related agenda item.
 - (10) Reordering the existing section 8.4.5 to become section 8.4.6 and adding the following to become section 8.4.5:

- 8.4.5 At a *meeting* at which a *member* discloses an interest, or as soon as possible afterwards, the *member* shall file a written statement of the interest and its general nature with the *Clerk*.
- (11) Deleting the words 'of the municipality or secretary of the committee or *local board*, as the case may be' from the end of reordered section 8.4.6.
- (12) Deleting and replacing section 8.5 with the following:
- 8.5 *Awards and Recognition*
- 8.5.1 A person may appear before *Council* or *Committee* for the purpose of presenting or receiving an award or recognition provided that:
- a) A *member* submits a request in writing to the *Clerk* describing the nature and purpose of the award or recognition by the agenda deadline;
 - b) The person or representative of such persons receiving the award or recognition has expressed written acceptance to the *member* the receipt of the award or recognition at a *meeting*;
 - c) The award or recognition is relevant to Town of Caledon residents or staff and the recognition does not explicitly come at the expense or detriment of other residents or staff;
 - d) If presented at a *Committee meeting*, the award or recognition is relevant to that *Committee*.
- (13) Deleting and replacing section 8.6.1 replacing with the following:
- 8.6.1 Reports and *motions* listed on the *Committee* or *Council* agenda which do not have the following conditions shall be approved collectively as *consent items* prior to proceeding with the items of business requiring debate:
- a) a *member* has declared a *pecuniary interest*,
 - b) is related to a *delegation* or *presentation* at the same *meeting*,
 - c) requires debate through selecting an option from the report,
 - d) requires a *two-thirds vote* to carry.
- (14) Reordering the existing sections 8.6.2 to 8.6.5, respectively, to become sections 8.6.4 to 8.6.7, respectively, and adding the following to become sections 8.6.2 and 8.6.3:
- 8.6.2 The *Clerk* shall inform the *Chair* of reports and *motions* subject to any conditions listed in subsection 8.6.1.
- 8.6.3 Any reports and *motions* listed on the agenda, unless subject to any conditions listed in subsection 8.6.1, are determined by *Council* or *Committee* as to whether they are *consent items* through a *member* requesting to hold the listed report or *motion*.
- (15) Reordering section 8.7 to become section 3.9 and sections 8.8 to 8.10 including all subsections therein to become the reordered sections 8.7 to 8.9 including all subsections therein, respectively.
- (16) Deleting and replacing the reordered section 8.7 with the following:
- 8.7 *Presentations*
- 8.7.1 *Presentations* shall be scheduled by the *Clerk*.
- 8.7.2 When reasonably possible, a maximum of three (3) *presentations* and a total of thirty (30) minutes of *presentation* items will be permitted at each *meeting* that is not considered a workshop *meeting*.

- 8.7.3 When reasonably possible, the *Clerk* shall limit to scheduling one *presentation* at a *meeting* if the *presentation* is estimated to exceed twenty (20) minutes and the *meeting* is not considered a workshop *meeting*.
- 8.7.4 When reasonably possible, the *Clerk* shall add any *presentation* exceeding twenty (20) minutes to the next scheduled workshop *meeting* or call and schedule a new workshop *meeting* for the completion of such a *presentation* in accordance with section 5.4.4 of this By-law, provided that a *Council* decision or *Committee* recommendation on the matter does not coincide with the *presentation* at the same *meeting*.
- 8.7.5 The *presentation* rules of order outlined in sections 8.7.2 to 8.7.3 of this By-law do not apply to workshop *meetings*.
- 8.7.6 When reasonably possible, workshop *meetings* shall be limited to two (2) hours of *presentations*.
- 8.7.7 The *Presiding Officer* will call for a vote of the *Committee* or *Council* to waive the rules for *presentations* to allow the person presenting to continue if its *presentation* length exceeds the permitted time allotment outlined in subsections 8.7.2 or 8.7.6, and upon a *majority vote* in the affirmative the person presenting will be permitted to continue to address *Committee* or *Council* for an extended amount of time as determined by *Committee* or *Council*.
- 8.7.8 *Members* may ask questions of the presenter following each *presentation*.
- (17) Deleting and replacing the reordered section 8.8 with the following:
- 8.8 *Delegations*
- 8.8.1 Any person desiring to be heard at a *Committee* or *Council* meeting shall submit a request to the *Clerk* clearly stating the nature of the business to be discussed.
- 8.8.2 A person desiring to be heard on business that is not on an upcoming *meeting* agenda item shall be considered for a future *Committee* meeting provided the topic is not related to the following matters:
- a) Labour or management disputes, labour relations, union negotiations and employee relations,
 - b) Litigation or potential litigation with respect to The Corporation of The Town of Caledon,
 - c) Bidder or potential bidder on a tender, or unsolicited product marketing initiatives,
 - d) Requests for financial assistance which are administered within the context of existing policies and procedures,
 - e) Requests for By-law exemptions, including waivers of fees and charges associated with the application of any Town of Caledon By-law,
 - f) A request for a reconsideration of a decided matter within one year of the original decision,
 - g) Repetitive information which does not provide significantly new material from their own previously made delegation,
 - h) Topics beyond the jurisdiction of the municipality.

8.8.3 The *Clerk* shall:

- a) Determine whether a person's request to speak contains sufficient detail and if deemed necessary may require additional information related to their proposed *delegation* request,
- b) Schedule a maximum of three (3) *delegations* per *Committee meeting* on business that is not on an upcoming *meeting* agenda if there are no *presentations* on the *meeting* agenda, and if deemed necessary, may limit delegations unrelated to an agenda item,
- c) Determine and deny a person from being heard if their request is subject to a matter contained within section 8.8.2, replying to the person who submitted the request with the cited reason for denying the request.

8.8.4 A person desiring to address a closed session agenda item that is also subject to any of the matters contained within section 8.8.2 shall have their request to address *Council* or *Committee* replied to by the *Clerk* providing denial and the reason for denying the request.

8.8.5 A person who desires to appeal a denied request to being heard at a *Committee meeting* shall submit a request to any *member* for an exemption.

8.8.6 A *member* who desires to support a person's appeal of a denied request to be heard at a *Committee meeting* shall:

- a) For a denied delegation on business that is not on an upcoming *meeting* agenda item, submit a *notice of motion* for recommending a *Council* decision to grant an exemption to the cited section 8.8.2 reason provided by the *Clerk*, and the person shall then be granted to speak to *Committee* upon a *majority vote* in the affirmative by *Council*.
- b) For a denied delegation on a closed session agenda item that is also subject to any of the matters contained within section 8.8.2, submit an agenda amendment in accordance with section 8.3.1, for recommending a *Council* decision to grant an exemption to the cited section 8.8.2 reason provided by the *Clerk*, and the person shall then be granted to speak to *Committee* upon a *majority vote* in the affirmative by *Council*.

8.8.7 *Council* or *Committee* may in their discretion, refuse to hear or limit any *delegation* upon a *majority vote* in the affirmative.

8.8.8 A person desiring to address *Committee* or *Council* concerning an item on the agenda shall submit a request through the *Clerk* by the agenda addendum deadline clearly stating which agenda item is to be discussed and any relevant supporting documentation for the proposed *delegation*.

8.8.9 A person desiring to address *Committee* or *Council* concerning an item on the agenda may request a *delegation* through the *Clerk* before the *Committee* or *Council* meeting begins, the *Clerk* will advise the *Presiding Officer* of the request.

8.8.10 When a request for a *delegation* has been given to the *Presiding Officer* by the *Clerk*, the *Presiding Officer* will call for a vote of the *Committee* or *Council* to waive the rules for delegations to allow the person to speak and upon a *majority vote* in the affirmative the person will be permitted to address *Committee* or *Council*.

- 8.8.11 A person wishing to address Committee or Council may speak in person or through electronic means, with the leave of Committee or Council for up to ten (10) minutes and successive extensions of ten (10) minutes may be granted.
- 8.8.12 A Person addressing *Committee* or *Council* shall:
- a) Confine their remarks to the stated business,
 - b) Only present significantly new information to *Council* if they previously addressed *Committee* concerning the same item on the agenda,
 - c) Only address *Council* or *Committee* without entering debate,
 - d) Obey the rules of procedure or a decision of the *Mayor* or *Presiding Officer*,
 - e) Speak respectfully without use of offensive language.
- 8.8.13 *Members* shall only ask questions for clarification and obtaining additional relevant information after the person addressing *Committee* or *Council* has finished their formal address.
- 8.8.14 *Members* may ask staff to provide clarifying remarks or answer questions in response to a person who addressed *Committee* or *Council*.
- (18) Deleting and replacing the reordered section 8.9 with the following:
- 8.9 *Notices of Motion*
- 8.9.1 *Notices of Motion* shall be submitting in writing, authored by a *member*, and delivered to the *Clerk* by the agenda deadline if it is to be included on the agenda at the scheduled *meeting*.
- 8.9.2 *Notices of Motion* received before a *Committee* agenda deadline shall be deemed a completed *notice of motion* and placed on the agenda by the *Clerk* as a *motion* for *Committee* consideration at that *meeting*.
- 8.9.3 *Notices of Motion* received in between a *Committee* agenda deadline and its agenda addendum deadline, or before a *Council* agenda deadline shall be placed on the agenda as a *notice of motion* for consideration at the next scheduled relevant *meeting*.
- 8.9.4 *Notices of Motion* delivered to the *Clerk* in accordance with section 8.9.3 may be considered as a *motion* at the same *meeting* through the passage of a *majority vote* as a proposed agenda amendment in accordance with section 8.3.1, immediately prior to, or immediately after the *notice of motion* is before *Council* or *Committee* at the *meeting*.
- 8.9.5 *Notices of Motion* received in between a *Council* agenda deadline and its agenda addendum deadline shall be placed on the agenda as a *notice of motion* for consideration at the next scheduled relevant *Committee meeting*.
- 8.9.6 *Notices of Motion* delivered to the *Clerk* in accordance with section 8.9.5 may be considered as a *motion* at the same *meeting* through the passage of a *two-thirds vote* as a proposed agenda amendment in accordance with section 8.3.1, immediately prior to, or immediately after the *notice of motion* is before *Council* at the *meeting*.
- 8.9.7 When a *notice of motion* is before *Council* or *Committee* at a *meeting*, the *Presiding Officer* shall call upon the *member* who submitted a *notice of motion* to read and may provide introductory remarks, without entering debate, to the *motion* to being considered at a subsequent *meeting*.

- 8.9.8 Upon completion of reading all *notices of motion* listed on the *meeting* agenda, the *Presiding Officer* shall inquire if there are any verbal *notices of motions* to be presented by any *member* for consideration at a subsequent *meeting*, and any *member* may verbally introduce a *notice of motion*.
- 8.9.9 The *Clerk* shall record any presented verbal *notices of motion* in the *meeting* minutes.
- (19) Adding the following section to become section 8.10:
- 8.10 Motions
- 8.10.1 The *Clerk* shall place deemed completed *notices of motions* on the specified relevant *meeting* agenda as a *motion* for *Council* or *Committee* consideration.
- 8.10.2 Notwithstanding section 8.9 of this By-law, *motions* submitted to *Committee meeting* agendas concerning the Town Budget to amend the Budget are placed on its agenda by the *Clerk* as *motions* in the order which they are received.
- 8.10.3 Where it would be beneficial to obtain a staff report on any *motion* arising from a deemed completed *notice of motion*, during its consideration as a *motion*, *members* may refer such *motion* to staff upon its introduction for report and consideration as an item of business at a future *meeting*.
- (20) Reordering the existing sections 8.11.1 to 8.11.11, respectively, to become sections 8.11.2 to 8.11.12, respectively, and adding the following to become sections 8.11.1:
- 8.11.1 Internal correspondence prepared for *Council* or *Committee* explanatory or information purposes without required Council resolution shall be placed on the agenda as memorandums on the agenda by the *Clerk*.
- (21) Adding the following sections as sections 8.11.13 and 8.11.14:
- 8.11.13 *Correspondence* received in response to an agenda item not specified in sections 8.11.11 and 8.11.12 shall be placed on an addendum as a written comment upon review by the *Clerk* that the written comments follow the procedures for addressing *Council* or *Committee* as described in section 8.8.13 of this By-law.
- 8.11.14 The *Presiding Officer* shall inquire if any correspondence items listed on the agenda require further discussion at which time any *member* may hold the item to discuss or move a *motion* related to the held correspondence item.
- (22) Adding the following section as section 8.12.2:
- 8.12.2 The *Mayor* shall first call upon the *Acting Mayor* for announcements, followed by any *members* wishing to make an announcement when this matter is before *Council* at its *meetings*.
- (23) Reordering sections 8.13 and 8.14 including all subsections therein to become the reordered sections 8.14 and 8.15 including all subsections therein, respectively, and adding the following section as section 8.13:
- 8.13 Council Inquiries
- 8.13.1 The *Mayor* shall first call upon the *Acting Mayor* for Council inquiries, followed by any *members* wishing to make an inquiry when this matter is before *Council* at its *meetings*.

- (24) Deleting the words 'Unless separated at the request of a member' and replacing the word 'shall' with 'may' within reordered section 8.14.2.
 - (25) Adding the words 'as the last order of business prior to *meeting adjournment*' to the end of the reordered section 8.14.4.
 - (26) Adding the words 'and in the absence of a verbal motion to adjourn moved by a member' after the words 'Upon completion of the agenda' within reordered section 8.15.1.
2. Subject to the amendments made in this By-law, in all other respects, By-law 2015-108 is hereby confirmed unchanged.

Enactment

This By-law shall come into full force and effect on the day of its passing.

Enacted by the Town of Caledon Council this 26th day of November, 2024.

Annette Groves, Mayor

Kevin Klingenberg, Municipal Clerk