

Table of Proposed Changes to Procedure By-law

Procedure By-law Section and page number	Current By-law Wording	Proposed Change and/or Wording	Rationale for Change
1. Definitions (p. 5)	(omitted due to length)	<p>Add definition for “Agenda”: means the order of proceedings for a Meeting setting out the business to be considered at the Meeting which shall include any addendum agenda.</p> <p>Add definition for “Ceremonial Presentation”: means presentations from external groups and staff that are ceremonial or commemorative in nature, or used to present award(s) to Council or residents.</p> <p>Add definition for: “Motion to Defer” means a Motion to delay action on a main Motion under consideration by Council or a Committee until later in the same Meeting or to a future Meeting.</p> <p>Add definition for: “Motion to Table” means to postpone a matter without setting a definite date for future discussion for a matter.</p> <p>Add definition for “Municipal Conflict of Interest Act”: means Municipal Conflict of Interest Act, R.S.O.1990, c.M. 50., as amended.</p> <p>Add definition for “Quorum”: means the number of members that must be present at a Meeting of Council or a Committee in order for business to be transacted.</p>	<p>Definition included to provide clarification around commonly used terms in the procedure by-law.</p> <p>Aligned with Roberts Rules.</p>
4. Deputy Mayor (p. 8)	<p>1. Except as outlined in section 3 , when the Mayor gives notice to the Clerk that they will be absent from the City, or is absent through illness, or their office is vacant, then the Deputy Mayor will act in the place of the Mayor, and while so acting, has and may exercise all the rights, powers and authority of the Head of Council. The function of the Deputy Mayor is for corporate/administrative purposes, and will be filled by two members, on a quarterly rotating basis by ward.</p> <p>2. The rotation of the Deputy Mayor will be on a quarterly basis, determined by the mayor in consultation with council prior to the start of each calendar year, subject to the provisions of section 4.1 and availability.</p>	<b>Discussion regarding Section 4 Deputy Mayor will be facilitated at the Council Workshop.</b>	
8. Organization and Rules (p. 9)	<p>1. There are five Standing Committees of Council being Community Planning, Regulation and Mobility; Environment, Infrastructure and Community Services; Corporate Services, Strategy, Risk and Accountability; Council Workshop and Audit.</p>	<p>Change Committee titles:</p> <p>Community Planning, Regulation &amp; Mobility Committee (CPRM) to <b><i>Planning and Development Committee</i></b></p> <p>Corporate Services, Strategy, Risk &amp; Accountability Committee (CSSRA) to <b><i>Corporate Services and Strategy Committee</i></b></p>	<p>The names for the Committees have been chosen to align with the City’s departmental structure. Compared to other municipal jurisdictions they are long and are typically referred to by their abbreviated name.</p> <p>Shorter, simpler names would better reflect the Standing Committees mandate and add clarity for members of the public</p>

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		Environment, Infrastructure & Community Services Committee (EICS) to <b><i>Environment and Community Services Committee</i></b>	interested in City business that are not familiar with the City’s meeting structure.
8. Organization and Rules (p. 9)	2. Committees will observe the rules of Council unless otherwise stated in this by-law. Exceptions include, but are not limited to the following: <ul style="list-style-type: none"> <li>a. motions do not require a seconder;</li> <li>b. motions may be made verbally and are not required to be made in writing;</li> <li>c. recorded votes are not permitted.</li> </ul>	Remove c. and insert a provision that permits recorded votes at standing committees under Section 51 Voting.	Current practice is a roll call vote at Standing Committee upon request. Removing this provision will allow for recorded votes to be taken at Standing Committee. See Section 51 Voting.
20. Meetings Open to the Public (p. 14)	2. The Chair may expel or exclude from any meeting any person who has engaged in improper conduct at the meeting	Move to Section 44 Public Conduct at Council and Committee Meetings.	This provision is a better fit for the Public Conduct at Council and Committee Meetings section.
22. Notice of Meeting	6. The Chair may, if it appears <i>that a storm or like occurrence</i> 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 will not be for any longer than the next regularly scheduled meeting of that Committee or Council.	Replace “a storm or like occurrence” with “inclement weather or an emergency situation”	To keep language consistent with section 23.5
23. Regular Meetings (p. 15)	4. Council may, by resolution, alter the time, day, and place of any meeting previously approved under section 23.1.  5. The Mayor or Chair may, with appropriate notice, postpone or cancel any regular Council, or Committee meeting if, in consultation with the Clerk, it has been determined that there are insufficient agenda items for the meeting, or if it appears that inclement weather or an emergency situation will prevent the members from attending.	Replace 23.4 with:  Council may, by resolution, amend the calendar previously approved under section 23.1 without being subject to the rules set in Section 52 Reconsideration.  Replace 23.5 with:  The Mayor or Chair may, with appropriate notice, postpone or cancel any regular Council, or Committee meeting if, in consultation with the Clerk, it has been determined that there are insufficient agenda items for the meeting, <b><i>quorum cannot be achieved</i></b> , or if it appears that inclement weather or an emergency situation will prevent the members from attending.	The changes to this rule will allow Council and staff flexibility to amend the Council meeting calendar as necessary. Currently a reconsideration is required since the calendar is approved through a staff report.
28. Call to Order and Quorum (p. 18)	1. The Chair will call the meeting to order as soon after the hour of meeting as a quorum is present. Quorum is achieved when a majority of the members are present. For Standing Committee and Council purposes, four members will constitute a quorum. For Audit Committee purposes, at least one member present must be a member of Council and at least one member must be a community member.	Add “The Clerk will conduct a roll call to confirm quorum at the beginning of every Council and Standing Committee meeting”:  The Chair will call the meeting to order as soon after the hour of meeting as a quorum is present. Quorum is achieved when a majority of the members are present. <b><i>The Clerk will conduct a roll call to confirm quorum at the beginning of every Council and Standing Committee meeting.</i></b> For Standing Committee and Council purposes, four members will constitute a quorum. For Audit	This is to ensure quorum is achieved prior to the start of the meeting. This is a current practice. It is helpful to the public as some members may be participating virtually.

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		Committee purposes, at least one member present must be a member of Council and at least one member must be a community member.	
30. Meeting Recess (p. 19)	1. Council may, after ninety minutes of consecutive deliberation, recess for a period deemed appropriate by the Chair.	<p>Add the following as section 30.2:</p> <p>During a regularly scheduled meeting, Council shall recess for a one-hour break at approximately 12 p.m. If regular business is not completed by 5 p.m., Council shall recess for an additional ninety-minute break.</p> <p>OR</p> <p>During a regularly scheduled meeting, Council shall recess for a one-hour break at approximately 12 p.m. If regular business is not completed by 4 p.m., Council shall recess for an additional 2.5 hour break.</p>	This change is to codify meeting recesses at Standing Committee and Council. Current practice is a recess for a one-hour lunch break at around noon, and a dinner break from 4 p.m. for 2.5-hours returning to finish business at 6:30 p.m. Two recess schedules are being proposed based on feedback from Council.
32. Council Agenda (p. 20)	1. The Clerk will prepare for the members of Council the order of business as follows:  a. Call to Order b. National Anthem c. Land Acknowledgement d. Regrets e. Proclamations f. Recognitions and Achievements g. Motion to approve Council Minutes h. Presentations i. Declarations of Interest j. Delegations k. Petitions l. Recommendations from Standing Committees m. Motion to Approve Standing Committee Minutes n. Urgent Business o. Motions of Members p. Council Information Package q. Motion to Receive and File Information Items r. Motion to Consider Confidential Items s. Notice of Motion t. Motion to Approve By-laws u. Confirmatory By-law v. Statements by Members w. Motion to Adjourn	<p>Add and/or change the following sections:</p> <ul style="list-style-type: none"><li>• Add section for “Approval of the Agenda” after Regrets, before Proclamations</li><li>• Move Declarations of Pecuniary Interest after Approval of the Agenda</li><li>• Change Presentations to “Ceremonial Presentations”</li><li>• Change “Motion to Consider Confidential Items” to “Confidential Items and Closed Session”</li><li>• Add “Rise and Report”</li></ul> <p>New order would be:</p> <ol style="list-style-type: none"><li>Call to Order</li><li>National Anthem</li><li>Land Acknowledgement</li><li>Regrets</li><li><b>e. Approval of the Agenda</b></li><li><b>f. Declarations of Interest</b></li><li>Proclamations</li><li>Recognitions and Achievements</li><li>Motion to approve Council Minutes</li><li><b>j. Ceremonial Presentations</b></li><li>Petitions</li><li>Recommendations from Standing Committees</li><li>Motion to Approve Standing Committee Minutes</li><li><b>o. Municipal Officers Reports</b></li><li><b>q. Confidential Items and Closed Session</b></li><li><b>r. Rise and Report</b></li><li>Motions of Members</li></ol>	<p>Addition of the Approval of the Agenda puts the Burlington Council in line with best meeting practices and aligns with Robert’s Rules of Order (RONR (11th ed.), p. 372, l. 1). This section allows Council to approve and/or amend the order and contents of the agenda and manage additional material such as delegations and addendum items.</p> <p>Changing presentations to “Ceremonial Presentations” clarifies that the section is to be used for presentations from external groups and staff that are ceremonial or commemorative in nature or used to present award(s) to Council or residents.</p> <p>Adding back Municipal Officers Reports. There is nuance in terms of what can be brought straight to Council for consideration. For example, items that can only be dealt with by Council or items that had been previously considered Council and should not come back through the committee system.</p> <p>“Confidential Items and Closed Session” and “Rise and Report” have been added to reflect the changes made to the agenda with the introduction of the confidential e-agenda. Moving these sections will allow for better agenda flow.</p>

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		t. Council Information Package  ...	
32. Council Agenda (p. 32)	2. The business of Council will be taken up in the order on which it appears on the agenda unless otherwise directed by the Mayor, or at the request of a member, or the Clerk.	Change to:  The business of Council will be taken up in the order on which it appears on the agenda unless a motion is passed to change the order of the agenda under “Approval of the Agenda”.	Placing the responsibility to approve changes to the agenda on all of Council ensures that the process is fair and decided on by all of Council. Current wording allows Mayor or Clerk to change the order without any input from Council.
Add Section – Approval of the Agenda	n/a, section to be added after Section 32.	1. The Clerk shall be responsible for assembling the Agenda for a Meeting. 2. The Chair shall request approval of the Agenda which shall be approved by way of a majority vote by the Members of Council. 3. A motion to add an item that was not the original agenda or not issued as an addendum agenda issued by the Clerk prior to the meeting requires a successful two-thirds vote of the members present. 4. A motion to add a motion memorandum submitted after the deadline requires a successful two-thirds vote if published on an addendum agenda. 5. A motion to change the order of the Agenda requires a successful two-thirds vote of the members present. 6. A motion to approve the agenda as amended requires a majority vote of the members present.	This section codifies what is permitted under Approval of the Agenda and the type of votes needed to pass a motion to add or change the agenda at approval.
34. Standing Committees (p. 21)	a. Land Acknowledgement b. Declarations of Interest c. Presentations d. Statutory Public Meetings e. Delegations f. Consent Agenda g. Regular Agenda h. Confidential Items i. Procedural Motions j. Information Items k. Staff Remarks l. Committee Remarks m. Adjournment	Add and/or change the following sections: <ul style="list-style-type: none"><li>Change section from “Confidential Items” to “Confidential Items and Closed Session”</li><li>Add section “Rise and Report”</li></ul> New order would be: a. Land Acknowledgement <b>b. Approval of the Agenda</b> c. Declarations of Interest d. Presentations e. Statutory Public Meetings f. Delegations g. Consent Agenda h. Regular Agenda i. Confidential Items <i>and Closed Session</i> <b>j. Rise and Report</b> k. Procedural Motions l. Information Items	Addition of the Approval of the Agenda puts the Burlington Council in line with best meeting practices and aligns with Robert’s Rules of Order (RONR (11th ed.), p. 372, l. 1). This section allows Council to approve and/or amend the order and contents of the agenda and manage additional material such as delegations and addendum items.  Confidential Items and Closed Session” and “Rise and Report” have been added to codify the new Standing Committee agenda order. The changes were made to allow Closed Session agendas to be published in eScribe.

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36. Notice of Motion (p. 22)	3. Submitted motions will be reviewed as per form by the Clerk, and then reviewed by the City Manager to ensure the motion is in accordance with the approved Code of Good Governance and Council Staff Relations Policy.	Add “and that staff have capacity to handle any increase in workload”:  Submitted motions will be reviewed as per form by the Clerk, and then reviewed by the City Manager to ensure the motion is in accordance with the approved Code of Good Governance and Council Staff Relations Policy, <b>and that staff have capacity to handle any increase in workload.</b>	This change is to reflect that workload and capacity are factors when reviewing Notices of Motion, a current practice that is not indicated in the by-law.
40. Staff Directions (p. 23)	n/a	Change section title to “Council Directions”	New section title to reflect that the directions are from Council.
42. Minutes (p. 24)	1. Minutes shall record: a. the place, date and time of meeting; b. the names of the Chair and the record of the attendance of the members and any other attendees; c. a description of the substantive and procedural matters discussed, including specific reference to any documents considered; d. the procedural motions considered and votes taken by Council, or Committee; and e. all directions given.	Change section e. to:  except as provided elsewhere in this by-law, <b>the minutes will only contain</b> decisions or authorized actions without note or comment.	To reflect the provisions in the Municipal Act: <b>Clerk</b> <b>228</b> (1) A municipality shall appoint a clerk whose duty it is, (a) to record, without note or comment, all resolutions, decisions and other proceedings of the council;
42. Minutes (p. 24)	3. The minutes of each Council and Committee meeting shall be presented to Council at the next regular meeting for confirmation.	Add “including Closed Session”:  The minutes of each Council and Committee meeting <b>including Closed Session</b> shall be presented to Council at the next regular meeting for confirmation.	Update section to reflect current practice and Closed Session Protocol.
44. Public Conduct at Council and Committee Meetings (p. 25)	1. Only members and authorized City staff will be allowed to proceed beyond the speaker’s podium without permission of the Chair or Clerk.  2. Public attendees must maintain order and will not display signs or placards, applaud, heckle, or engage in telephone or other conversation, or any behaviour that may be considered disruptive. No person will use indecent, offensive, or insulting language or speak disrespectfully to anyone in Council Chambers.  3. All electronic devices must be turned off or switched to silent during Council and Committee meetings. Photography and video should be kept to a minimum during a meeting and will only be permitted so long as it does not interfere with the meeting in any way. At any time during the meeting, at the discretion of the	Add from Section 20 Meetings Open to the Public:  The Chair may expel or exclude from any meeting any person who has engaged in improper conduct at the meeting	This provision is a better fit for Section 44.

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	<p>Clerk, use of electronic devices may also be prohibited if it is believed that the use is interfering with any audio or video broadcast of the meeting.</p> <p>4. Any person who contravenes any provision of this section may be expelled from the meeting by the Chair.</p>		
45. Presentations (p. 26)	<p>1. Presentations addressing matters relevant to the City and seeking to provide information, or receive input from Council, or Committee will be permitted from any local board or similar authority including relevant agencies, boards, commissions as well as other levels of government and City staff.</p> <p>2. Presentations of a maximum of ten minutes will be permitted provided that the presenter, or their representative has requested and been granted status from the Clerk before the agenda is published.</p> <p>3. Council may limit or extend the time allowed for a presentation by a majority vote.</p>	<p>Add sections 45.4 and 45.5:</p> <p>All staff presentations relating to an agenda item at Council will be listed under Urgent Business</p> <p>Presentations from external groups and staff that are ceremonial or commemorative in nature, or used to present award(s) to Council or residents will be listed under Ceremonial Presentations</p>	<p>This change is to provide clarification on the types of presentations permitted under the “Presentations” section at Council. Staff presentations relating to an item should be provided at the time the item is considered.</p>
49. Questions/Speaking (p. 29)	<p>1. Members will be permitted to ask each delegation two questions at a time directly relating to the matter under consideration.</p> <p>2. Prior to accepting a motion, the Chair will permit two questions at a time from each member directly relating to the matter under consideration.</p> <p>3. A member may ask a question only for the purpose of obtaining facts relevant to the matter under discussion and necessary for a clear understanding. All questions will be stated succinctly and will not be used as a means of making statements, or assertions.</p> <p>4. All members will address their questions and comments through the Chair.</p> <p>...</p>	<p>Delete “at a time” and add “An additional five minutes will only be provided to members through the passing of a two-thirds vote” to 49.2:</p> <p>2. Prior to accepting a motion, the Chair will permit two questions <del>at a time</del> from each member directly relating to the matter under consideration. <b><i>Additional questions will only be provided to members through the passing of a two-thirds vote.</i></b></p>	<p>Currently at Council and Committee, debate often takes place during the question period before a motion is put on the floor. Limiting questions to two per Councillor will encourage meeting efficiency and move debate to after the motion is made. Councillors will continue to have up to ten minutes of speaking time to debate the item in addition to time allotted for questions.</p> <p>Roberts Rules of Order prescribes a maximum of ten minutes of speaking time per item (RONR (11th ed.), p. 387, I. 29). Best practice research shows that a maximum of ten minutes of speaking time (often broken into two five-minute segments) is standard amongst similarly sized municipalities.</p>
50. Motions at the Meeting (p. 31)	<p>2. The mover and seconder may withdraw a motion or a notice of motion at any time prior to it being opened for discussion by the Chair. If withdrawn prior to discussion, the motion is not included in the minutes of the meeting.</p>	<p>Remove the last sentence from 50.2:</p> <p>2. The mover and seconder may withdraw a motion or a notice of motion at any time prior to it being opened for discussion by the Chair. <del>If withdrawn prior to discussion, the motion is not included in the minutes of the meeting.</del></p>	<p>The deletion of this sentence would permit all withdrawn motions to be noted in the minutes, closing the loop on items published on an agenda that were later withdrawn.</p>

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	3. After a motion has been opened for discussion by the Chair, it will 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.		
51. Voting (p. 31)	<p>...</p> <p>5. Except as provided elsewhere in this by-law, a motion will be considered carried when a majority of the members present and voting have voted in favour of the motion. When there is a tie vote the motion is lost.</p> <p>6. In a Council meeting, a recorded vote will be taken on all motions that move the business of the organization, where electronic voting is available.</p> <p>7. During a recorded vote, the Chair will call the vote in accordance with section 51.3, while also asking members to vote electronically.</p> <p>8. When electronic voting is not available, a recorded vote will be taken only upon the request by a member immediately before or after a vote is taken.</p>	<p>Add sections between 5.6 and 5.7:</p> <p>At Council the following items are classified as routine and their associated votes can be conducted orally without a recorded vote:</p> <ul style="list-style-type: none"><li>• Motion to Approve Council Minutes</li><li>• Motion to Approve Standing Committee Minutes</li><li>• Council Information Package</li><li>• Motion to Receive and File Information Items</li><li>• Motion to Confirm Proceedings of the Council Meeting</li><li>• Motion to Adjourn Meeting</li></ul> <p>In a Standing Committee meeting, a recorded vote will be taken at the request of a Committee member. (<b>Note:</b> See Section 8 for removal of corresponding section)</p>	<p>Routine votes that do not require a recorded vote were identified and approved as part of the Electronic Meeting Guide. The addition of this section to the procedure by-law reflects current practice.</p> <p>Current practice is a roll call vote at Standing Committee upon request. Removing this provision will allow for recorded votes to be taken at Standing Committee.</p>
Schedule A (p. 34) 4. Motion to Close Debate (Previous Question)	5. A motion to close debate: <ul style="list-style-type: none"><li>a. is not debatable;</li><li>b. is not amendable;</li><li>c. cannot be moved with respect to the main motion when there is an amendment under consideration;</li><li>d. should be moved by a member who has not already debated the question.</li></ul>	<p>Change title to “Motion to Call the Question”</p> <p>Remove “d”</p>	<p>This motion is more commonly referred to as a Motion to Call the Question and would add clarity and distinction for those who are not familiar with procedure</p> <p>The requirement of Section D is to be removed as it does not align with Robert’s Rules of Order and is impractical to apply at meetings.</p>
Schedule A (p. 35) 4. Motion to Postpone Definitely (Motion to Defer)	Title change, content remains the same	Change title to “Motion to Defer”	This motion is more commonly referred to as a Motion to Defer and would add clarity and distinction for those who are not familiar with procedure
Schedule A (p. 35) 5. Motion to Refer (To Committee or Staff)	1. A motion to refer:	Change title to “Motion to Refer (To Committee)”, removing “or Staff”	To keep referrals to Committee (or another body) and not to staff as directed by Robert’s Rules (RONR (11th ed.), p. 168, I. 8.

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	<div>a. will state the committee, or staff member where the motion is to be referred to;</div> <div>b. is debatable;</div> <div>c. is amendable; and</div> <div>d. will take precedence over all amendments of the main question and any motion to postpone indefinitely.</div>	<div>Add section e.:</div> <div>Referrals can only be made to other Committees of Council</div>	
Schedule A (p. 35) 7. Motion to Postpone Indefinitely	<div>1. A motion to postpone indefinitely:</div> <div>a. stops a motion and avoids a direct vote on the question;</div> <div>b. is debatable;</div> <div>c. is not amendable; and</div> <div>d. requires a majority vote.</div>	<div>Change title to “Motion to Table”</div> <div>Add section e.:</div> <div>Motions that are tabled will be monitored for 6 months. After 6 months, the item will be noted as unfinished business and communicated as such on the CIP.</div>	<div>This motion is more commonly referred to as a Motion to Table and would add clarity and distinction for those who are not familiar with procedure.</div> <div>This additional wording would ensure that tabled motions are dealt with in a timely manner.</div>