



CITY OF YELLOWKNIFE

## **CONSOLIDATION OF BY-LAW NO. 4975**

**Adopted September 10, 2018**

**AS AMENDED BY**

**By-law No. 5006 – October 15, 2019**

**By-law No. 5034 – January 25, 2021**

**By-law No. 5036 – April 12, 2021**

**(This consolidation is prepared for convenience only.  
For accurate reference, please consult the  
City Clerk's Office, City of Yellowknife)**



CITY OF YELLOWKNIFE

**BY-LAW NO. 4975**

**BC 25**

A BY-LAW of the Council of the Municipal Corporation of the City of Yellowknife in the Northwest Territories, to allow for orderly, open and efficient conduct of its meetings and to establish terms of reference for its standing committees.

PURSUANT TO Sections 29 – 40 inclusive of the *Cities, Towns and Villages Act*, S.N.W.T. 2003, c.22.

WHEREAS Council shall, by-law, make rules respecting procedures for Council.

NOW, THEREFORE, THE COUNCIL OF THE MUNICIPAL CORPORATION OF THE CITY OF YELLOWKNIFE, in regular sessions duly assembled, enacts as follows:

**PART 1 – SHORT TITLE AND INTERPRETATION**

**Short Title**

1. This By-law may be cited as the “Council Procedures By-law”.

**Interpretation**

2. In this By-law, unless the context otherwise requires:

“City” means the Municipal Corporation of the City of Yellowknife;

**Definition “City Administrator”**

**deleted and replaced with “City Manager” by By-law No. 5036 on April 12, 2021**

“City Clerk” means the person duly appointed as such from time to time and includes his or her deputy;

**As amended by By-law No. 5036 April 12, 2021**

“City Manager” means the Senior Administrative Officer of the City appointed pursuant to the *Cities, Towns and Villages Act* of the Northwest Territories and includes any person

appointed or designated by the City Manager to act on his or her behalf.

“Confidential”	means containing information whose unauthorized disclosure could be prejudicial to the interest of the City or persons involved;
“Conflict of Interest”	includes a Pecuniary Interest or circumstances where an individual is, or could be, influenced, or appear to be influenced, by a personal interest when carrying out their public duty including anything that gives rise to bias, prejudice, close mindedness, or undue influence;
“Council”	means the Council of the City of Yellowknife;
“Councillor”	means a Member of Council other than the Mayor;
“CTV Act”	means the <i>Cities, Towns and Villages Act</i> of the Northwest Territories;
“Director”	means the head of any department of the City or any person appointed to act on their behalf;
“Mayor”	means the Mayor of the City of Yellowknife;
“Member”	means a member of Council, inclusive of the Mayor;
“Minister”	means the Minister of Municipal and Community Affairs;
“Officer”	means the City Manager, or an employee of the City appointed as an Officer pursuant to the CTV Act, of the Northwest Territories;
“Peace Officer”	means a peace officer as defined in the <i>Criminal Code</i> ;
“Pecuniary Interest”	means a direct or indirect pecuniary interest as defined in the <i>Conflict of Interest Act</i> ;
“Public Notice”	means public notice in accordance with the CTV Act;
“Presiding Officer”	means: (a) the Mayor; (b) in the absence of the Mayor, the Deputy Mayor; or (c) in the absence of both the Mayor and the Deputy

Mayor, any other Member chosen to preside over a meeting in accordance with section 15(2), or, as the context requires, a Member that temporarily assumes the chair;

“Private Meeting”	means a meeting or a portion of a meeting which is closed to the public;
“Special Resolution”	means a resolution requiring the approval of two-thirds of the Members in attendance at a regular meeting of Council or two-thirds of the members of a standing or special committee present at a meeting; and
“Statutory Public Hearing”	means a hearing required to be held pursuant to a statute of the Northwest Territories or a by-law of the City before a proposed by-law may be enacted.

### **Appointment of Acting Mayor**

3. Where both the Mayor and the Deputy Mayor are absent or unable to perform their duties, the Mayor or Deputy Mayor, as the case may be, shall appoint an acting Mayor.

### **Paramount Rules**

4. If the provisions of any other by-law conflict with the rules of this By-law, this By-law will prevail.

### **Suspension or Modification**

5. Except where bound by the terms and provisions of an Act of the Northwest Territories or an Act of Parliament, Council may suspend, by a resolution unanimously approved by all Members present at a meeting, any or all of the rules established by this by-law for the whole or part of that meeting.

### **Reference Source**

6. In all cases not provided for in this By-law, Bourinot’s Rules of Order, Fourth Revised Edition shall be followed so far as they are applicable.

## **PART 2 – MEETINGS – GENERAL CONDUCT THEREOF**

### **First Meeting**

7. (1) Prior to commencement of the first meeting of Council following a general election, every Member shall take the Oath of Office.

- (2) Where the Mayor does not designate the time and place of the first meeting of Council following a general election, the Mayor shall be deemed to have designated the second Monday in November at 7:00 p.m., unless that day is a holiday, in which case the meeting shall be held on the next regular working day at 7:00 p.m.
- (3) At this meeting Council shall, by resolution:
  - i. appoint, on the recommendation of the Mayor, a Deputy Mayor. This appointment shall be reviewed annually;
  - ii. appoint Councillors to Special Committees of Council based on the best interests of the City and desires expressed by Councillors. These appointments shall be reviewed annually; and
  - iii. review the Council Code of Ethics By-law.
- (4) The seating of newly-elected Councillors shall be determined by lots drawn by the City Manager prior to the commencement of the first regular meeting of Council after an election.

### Regular Meetings

8. (1) Subject to Section 7, regular meetings of Council shall be held on the second and fourth Monday of each month, at 7:00 p.m., unless that day falls on a holiday, in which case the meeting shall be scheduled for the next regular working day at 7:00 p.m.
- (2) Regular Council meetings and Statutory Public Hearings shall be held in the Council Chamber, City Hall unless otherwise determined by the Mayor.
- (4) The Mayor may cancel any regular meeting of Council if he or she anticipates that there will not be a quorum for the meeting or if there are no items for the agenda provided that notice of the cancellation is given at least 24 hours in advance.

### Section 8.(5) as amended by By-law No. 5036 April 12, 2021

- (5) Notwithstanding subsection (1), Council shall not meet on the second Monday in the months of July and August, and shall meet once, as determined by the Mayor, in December in each calendar year unless a special meeting of Council is called for that date.
- (6) Where the time, date or location of any regular meeting is changed, or a meeting is canceled pursuant to subsections 8(4), the City Clerk will provide Public Notice, cause the Public Notice to be posted on the City's website and provide notice to:
  - (a) all Members;
  - (b) the City Manager; and
  - (c) all Directors.

### Special Meetings

9. (1) A special meeting of Council may be called by the Mayor or any two Councillors at any time and the calling of such meetings shall be in accordance with the requirements of the CTV Act.
- (2) Section 23 relating to the holding of a Private Meeting applies to a special meeting of Council.
- (3) Where a special meeting has been called pursuant to subsection (1), the City Clerk shall provide Public Notice, cause the Public Notice to be posted on the City's website, and give at least 48 hours notice to:
  - (a) all Members;
  - (b) the City Manager; and
  - (c) all Directors.
- (4) The notice referred to in subsection (3) shall indicate the time, date, location and purpose for the special meeting of Council.
- (5) No other business shall be conducted at a special meeting except that which is included on the notice referred to in subsection (4), unless all Members are present and they all agree.

### **Emergency Meetings**

10. A Member may call an Emergency Meeting of Council where the Member considers that an emergency exists or may exist in the City and the calling of such a meeting shall be in accordance with the CTV Act.

### **Attendance**

11. (1) Any Member absent for three (3) consecutive regular meetings of Council, without Council's permission by resolution passed at a regular meeting of Council, shall be deemed to have resigned.
- (2) Permission for a Member to be absent from a regular meeting of Council pursuant to subsection (1) shall not be unreasonably denied.
- (3) (a) A Member may participate in a meeting using an electronic means of communication if it enables the Members to hear and speak to each other, and allows the public to hear the Members.
- (b) A Member participating in a meeting in a manner referred to in subsection (a) is deemed to be present at the meeting.
- (c) Only Members who, at the time of the meeting, are outside the municipality or are

physically unable to attend the meeting, may participate in the manner described in subsection (a).

12. The City Clerk and all Directors shall attend regular meetings of Council unless the City Manager has given permission for them to be absent.

### Quorum

13. (1) A quorum for a regular or special meeting of Council is a majority of the Members then holding office.
- (2) A quorum of Council for an emergency meeting shall be those Members in attendance.
- (3) Where the number of Members who, by reason of having disclosed a Pecuniary Interest in a matter pursuant to this by-law are prevented from participating in a meeting, is such that the remaining number of Members present does not constitute a quorum, the remaining number of Members present shall be deemed to constitute a quorum, provided that such number is not less than two.

### Section 14 as amended by By-law No. 5006 October 15, 2019

#### Vacancies on Council

14. (1) Where the office of a Member becomes vacant for any reason before the term of office expires, the vacancy shall be filled at the next general election or before then by:
  - (a) appointing a person who is eligible as a candidate; or
  - (b) holding a by-election.
- (2) For the purposes of appointing a new mayor under paragraph (1)(a), Council shall appoint only a Member of Council as Mayor.
- (3) Subject to subsection (4), a person appointed under paragraph (1)(a) holds office until the date of the next general election.
- (4) Where the vacancy occurs after nominations have closed but before the general election, a person appointed under paragraph (1)(a) holds office until the date of the following general election.
- (5) A person elected at a by-election holds office for the balance of the term of his or her predecessor

**Commencement of Proceedings**

15. (1) As soon after the time set for the meeting as a quorum exists, the Presiding Officer shall take the chair and call the meeting to order.
- (2) Where the Mayor and the Deputy Mayor do not attend the meeting within five minutes after the time set for the meeting, the City Manager shall call the Members to order and, if a quorum is present, call for a motion for the appointment of a Presiding Officer from among those Members present.
- (3) If a quorum is still not present fifteen minutes past the time set for the meeting, the City Clerk shall record the names of those Members present and the meeting shall stand adjourned until the next regular meeting. The agenda for the adjourned meeting will be dealt with at the next regular meeting of Council unless a special meeting is called before the next regular meeting to deal with the business of the adjourned meeting.

**Recess and Adjournment**

16. At all regular meetings of Council and its standing committees, there shall be a ten (10) minute recess after ninety minutes of continuous business, unless such recess is waived by the unanimous consent of the Members in attendance.
17. Every regular meeting of Council shall be adjourned at or before 11:00 p.m., unless a motion to extend the meeting beyond 11:00 p.m. is passed by the unanimous consent of all Members present.

**Duties of the Presiding Officer**

18. The Presiding Officer of Council shall have the following duties at meetings of Council:
  - (1) to open the meeting of Council by assuming the chair and calling the Members to order;
  - (2) to announce the business before Council in the order in which it is to be acted upon;
  - (3) to receive, submit to Council and put to a vote, in accordance with the rules of procedure, all matters presented by the Members, and to announce the result;
  - (4) to decline to put to a vote any motion that infringes upon the rules of procedure;
  - (5) to recognize any Member who wishes to speak on any matter that is debatable and determine the right of precedence where two or more Members request the floor of Council;
  - (6) to enforce the rules of procedure;
  - (7) to preserve order and decorum at meetings of Council;
  - (8) to rule on any point of order or question of privilege raised by any Member; and
  - (9) to authenticate by signature all by-laws and minutes of Council.



**Duties of a Member of Council**

19. A Member shall have the following duties at meetings of Council:
- (1) to deliberate the business submitted to Council;
  - (2) to respect the rules of procedure;
  - (3) to disclose a Conflict of Interest in any matter before Council in accordance with this by-law the *Conflict of Interest Act*, and the common law and remove him or herself from the meeting when this item is under consideration.

**Duties of the City Manager**

20. The City Manager shall have the following duties at meetings of Council:
- (1) to provide information to Council, through the Presiding Officer;
  - (2) to respond to any question directed to him or her through the Presiding Officer or refer the question to the appropriate Director for response; and
  - (3) to provide advice to Council through the Presiding Officer on any matter.

**Duties of the City Clerk**

21. The City Clerk shall have the following duties at meetings of Council:
- (1) to prepare and distribute the agenda and supporting material for all meetings of Council in accordance with the provisions of this by-law;

**Section 21.(2) as amended by By-law No. 5036 on April 12, 2021**

- (2) Except for those portions of meetings held during a Private Meeting provide for the video recording and webcasting of the Governance and Priorities Committee, Council Administration Round Table and Council meetings;
- (3) to keep the minutes of Council;
- (4) to inform the Members, when requested, on the rules of procedure;
- (5) to advise the Presiding Officer, when requested, on all questions of procedure;
- (6) to receive and file the original of any document presented to Council during a meeting;
- (7) to follow up on undertakings made to or from Members, Administration or the public;
- (8) to keep in his or her office or in the place appointed for that purpose the originals of all by-laws and of all minutes of the proceedings of Council;
- (9) to cause all minutes of Council and all by-laws enacted to be properly stored in an electronic document management system;
- (10) to cause to be printed and indexed all minutes of Council in any Council year; and
- (11) to cause to be printed and indexed all by-laws enacted by the Council in any Council year.

**Duties of Directors**

22. Directors shall have the following duties at meetings of Council:

- (1) inform themselves of any matter within their respective departments that is likely to be considered at a meeting of Council; and
- (2) respond, through the Presiding Officer, to any question referred to him or her by the City Manager.

### Meetings Open to the Public

23. (1) Subject to this section, all meetings of Council and its Committees must be held in public.
- (2) A member of the public may only be excluded from a meeting of Council or one of its Committees for improper conduct.
- (3) Council or a Committee of Council may, by resolution approved by at least 2/3 of the Members present, authorize its meeting to be closed to the public if it decides to discuss any of the following:
  - (a) commercial information that, if disclosed, would likely be prejudicial to the municipal corporation or the persons involved;
  - (b) information received in confidence that, if disclosed, would be prejudicial to the municipal corporation or the persons involved;
  - (c) personal information, including personal information about employees;
  - (d) the salary, benefits or performance record of an employee;
  - (e) a matter still under consideration and on which Council has not yet publicly announced a decision, if discussion in public would likely prejudice the municipal corporation's ability to carry out its activities or negotiations;
  - (f) the acquisition or disposition of property by or on behalf of the municipal corporation;
  - (g) the setting of minimum tax sale prices under the *Property Assessment and Taxation Act*;
  - (h) the conduct of existing or anticipated legal proceedings;
  - (i) the conduct of an investigation under, or enforcement of, an enactment or by-law;
  - (j) information, the disclosure of which could prejudice public security or the maintenance of law and order;
  - (k) the security of documents or premises.
- (4) Council has no power to make a by-law or a resolution at a meeting that is closed to the public, other than a resolution to:
  - (a) give instructions to the municipal corporation's lawyers or to any persons negotiating a contract on behalf of the municipal corporation;
  - (b) give directions to staff on confidential personnel issues; or
  - (c) adjourn the closed meeting or to revert to a public meeting.
- (5) Council shall make a public record of any meeting that is closed to the public, specifying at a minimum:

- (a) that Council met in private;
  - (b) the date of the meeting; and
  - (c) the general nature of the issues discussed.
- (6) Following a Private Meeting a motion may be made to place on the agenda any recommendations arising from the Private Meeting. Once placed on the agenda, the normal rules of procedure shall apply.

### **PART 3 – AGENDAS AND MINUTES**

#### **Agenda Format**

- 24. The agenda for regular Council meetings shall follow the Order of Business set out in Section 34 and shall be in the format established in Schedule A attached to and forming part of this by-law.
- 25. The supporting material for each agenda shall follow the Order of Business set out in Section 34.
- 26. Items to be discussed at a Private Meeting shall be marked “Confidential”.

#### **Deadline for Submission of the Agenda Items**

- 27. The deadline for the submission of items to the City Clerk for inclusion on the agenda for Council and its standing committee meetings shall be 10:00 a.m. on the Thursday preceding the meeting.
- 28. Items of an urgent nature may be submitted to the City Clerk for inclusion on the agenda of Council or its standing committees after the deadline referred to in Section 27 if they cannot be delayed to a future meeting.
- 29. Once a meeting has been called to order an item may be included on the agenda of Council or its standing committees by approval of two-thirds (2/3) majority of Members present.

#### **Agenda Distribution**

- 30. The City Clerk shall prepare and distribute the agenda and all supporting materials for regular meetings of Council and its standing committees to Members by 12:00 noon on the Friday preceding the meeting.
- 31. The City Clerk shall make electronic copies of the agenda and supporting materials available to Directors, media representatives and the general public with the exception of supporting material scheduled to be considered at a Private Meeting and only after the agenda and supporting materials have been delivered to all Members.

#### **Minutes of Council**

32. The Minutes of Council shall record:

- (1) the date, time and location of the meeting;
- (2) the name of the Presiding Officer and the names of Members and City Administration present at the meeting;
- (3) the adoption of the minutes of previous meetings of Council;
- (4) the name of any Member who discloses a Conflict of Interest in any matter on the agenda, the general nature and extent thereof and the time that the Member excused him or herself from and returned to the meeting;
- (5) any motion moved and seconded by Council and the name of the mover and seconder and each Member who voted with the minority from voting;
- (6) a summary of the proceedings of Council with the exception of those proceedings conducted during a Private Meeting; and
- (7) the signatures of the Presiding Officer and the City Manager.

### **Recordings of Meetings**

#### **Section 33.(1) as amended by By-law No. 5036 on April 12, 2021**

33. (1) Except for those portions of meetings held during a Private Meeting, the City Clerk shall make a replayable audio-recording of all Governance and Priorities Committee, Council Administration Round Table and Council meetings.
- (2) The City Clerk shall supervise access to the recordings of meetings.
- (3) The audio-recordings may be copied under the supervision of the City Clerk. Anyone other than a Member requesting a copy of the audio-recordings will be required to pay a fee equal to the City's cost except for copies which are required by the City's legal counsel in connection with litigation.
- (4) The audio-recordings may only be transcribed by resolution of Council unless the transcript is required by the City's legal counsel in connection with litigation. Any transcript of the recordings authorized by Council must be prepared under the direction of the City Clerk. Anyone other than a Member requesting a transcript of the audio-recording will be required to pay a fee equal to the City's cost except for transcripts which are required by the City's legal counsel in connection with litigation.

### **PART 4 – ORDER OF BUSINESS**

#### **Order of Business**

#### **Section 34.(1) as amended by By-law No. 5036 on April 12, 2021**

34. (1) The Order of Business at regular meetings of Council shall be as follows, insofar as applicable, and as set out by the City Clerk:

- (a) Opening Statement
  - (b) Disclosure of Conflict of Interest and the General Nature Thereof
  - (c) Awards, Ceremonies and Presentations
  - (d) Adoption of Minutes from Previous Meeting(s)
  - (e) Correspondence and Petitions
  - (f) Statutory Public Hearings
  - (g) Delegations Pertaining to Items on the Agenda
  - (h) Member Statements
  - (i) Introduction and Consideration of Committee Reports
  - (j) New Business
  - (k) Enactment of By-laws
    - i) Involving Second Reading
    - ii) Involving First or Third Reading Only
  - (l) Deferred Business and Tabled Items
  - (m) Old Business
  - (n) Notices of Motion
  - (o) Delegations Pertaining to Items not on the Agenda
  - (p) Administrative Enquiries
  - (q) Adjournment
- (2) The business of Council shall always be dealt with in the order established in subsection (1) unless Council decides, by resolution, on a different Order of Business.
- (3) At all special meetings of Council, the Order of Business shall be set out and printed in a manner decided by the City Clerk, but should this not be done, then the Order of Business set out in subsection (1) shall be used so far as it is applicable.

### **Disclosure of Conflict of Interest and the General Nature Thereof**

35. (1) When a Member has a Conflict of Interest in any matter before Council and is present at a meeting when this matter is the subject of consideration, that member shall disclose his or her interest in the matter and the general nature and extent thereof and remove himself/herself from the meeting during consideration of the matter.
- (2) When the interest of the Member has not been disclosed by reason of:
- (a) the Member being absent from the meeting in which the matter was the subject of consideration; or
  - (b) the Member acquired the interest after the meeting,
- the Member shall disclose his or her interest in the matter at the next meeting of Council at which the matter is considered.
- (3) All Members shall inform the City Clerk, in writing, of:

- (a) any taxes owed to the City which have not been paid by December 31 of the year in which they were levied;
- (b) any debt, with the exception of property taxes, owed to the City in excess of \$500 for more than 90 days; and
- (c) any controlling interest, as defined in the *Conflict of Interest Act*, in a private or public corporation that is indebted to the City, with the exception of property taxes, for a sum exceeding \$500 for more than 90 days.

#### **Adoption of Minutes From Previous Meeting**

36. (1) The minutes of each meeting shall be circulated with the agenda of the meeting at which they are to be adopted.
- (2) If Council is of the opinion that the minutes contain no errors or omissions, a motion to adopt the minutes shall be passed.
- (3) If errors or omissions are noted in the minutes, a motion to amend shall be introduced and the minutes shall be adopted as amended.
- (4) Minutes that have been adopted by Council shall be signed by the Presiding Officer and the City Manager.

#### **Correspondence and Petitions**

37. (1) All correspondence addressed to the Mayor and/or Council shall be distributed to all Members by the Mayor's Office.
- (2) Subject to subsection (3), the full text of correspondence addressed to the Mayor and/or Council shall be included in the agenda package for a meeting of Council when:
- (a) the correspondence is directly related to a matter being considered by Council at a regular or special meeting; or
  - (b) a Member or the City Manager requests, prior to 10:00 a.m. on the Thursday preceding a meeting, that the full text of the correspondence be placed on the agenda for the next regular meeting.
- (3) Any correspondence which reaches the City Clerk for inclusion on the agenda of a meeting of Council must:
- (a) be legible and coherent;
  - (b) be signed by at least one person who provides a printed name and address;
  - (c) be on paper; and
  - (d) not be libelous, impertinent or improper.
- (4) Any petition submitted to the Mayor, any Member or the City Manager shall be

distributed to all Members and included on the agenda for the next regular meeting of Council, or as soon thereafter as is reasonably possible.

- (5) When an item of correspondence or a petition has been included on the agenda of Council, Council may:
  - (a) refer it to Administration or a standing committee for a report or recommendation;
  - (b) consider motions on the correspondence or petition in accordance with the Order of Business; or
  - (c) give other instructions on the correspondence or petition.

### **Statutory Public Hearings**

38. All Statutory Public Hearings on a proposed by-law shall be both conducted during a regular or special meeting of Council and held after First Reading and before Second Reading.
39. Notice of all Statutory Public Hearings must be provided and shall state:
  - (1) the purpose of the proposed by-law;
  - (2) the place or places, one of which shall be the Office of the City Clerk, where a copy of the proposed by-law may be inspected by the public during regular office hours;
  - (3) the place or places, one of which shall be the Office of the City Clerk, where a copy of all written submissions filed for consideration at a Statutory Public Hearing may be inspected by the public during regular office hours;
  - (4) the deadline for submission of written submissions for consideration at the Statutory Public Hearing;
  - (5) the time and place at which the Council will hold the Statutory Public Hearing on the proposed by-law;
  - (6) the procedure to be followed by any persons who wish to make submissions concerning the proposed by-law.
40. Council shall hold a Statutory Public Hearing at the time and place stated in the notice referred to in Section 39, and shall hear every person who wishes to make a submission.
41. Any person wishing to make a verbal submission at a Statutory Public Hearing shall contact the Office of the City Clerk before noon on the day of the hearing and provide his or her name and whether or not he or she will be speaking in favour of or against the proposed by-law.
42. Any person wishing to make a verbal submission at a Statutory Public Hearing who has not notified the Office of the City Clerk as required in Section 41 may speak after all those persons who have given notification have spoken.
43. Any person wishing to submit a written submission to Council for consideration at the Statutory Public Hearing shall deliver it to the Office of the City Clerk no later than 4:30 p.m. on the Wednesday preceding the Statutory Public Hearing. All written submissions received before this

deadline will be available for public viewing at the Statutory Public Hearing and at the Office of the City Clerk during normal office hours up to and including the day of the hearing.

44. If a person is unable to attend a Statutory Public Hearing, that person may authorize another person to speak on his or her behalf and this authorization must:
  - (1) be in writing;
  - (2) name the individual authorized to speak;
  - (3) indicate the proposed by-law to be spoken to;
  - (4) be signed by the person giving the authorization; and
  - (5) be received at the Office of the City Clerk before noon of the day of the Public Hearing.
  
45. The following procedure shall be followed at all Statutory Public Hearings:
  - (1) the Presiding Officer shall introduce the proposed by-law;
  - (2) the Presiding Officer shall inform Council of the number and nature of the written submissions received in accordance with Section 43;
  - (3) no person shall speak for more than ten minutes unless an extension is granted by resolution of Council;
  - (4) individuals opposed to the proposed by-law who have given notice of their intention to speak pursuant to Section 41 shall be invited to speak first by the chair followed by those opposed to the proposed by-law who have not given notice pursuant to Section 41;
  - (5) individuals in favour of the proposed by-law who have given notice of their intention to speak pursuant to Section 41 will then be invited to speak followed by those in favour of the proposed by-law who have not given notice pursuant to Section 41;
  - (6) after a person has spoken, any Member may ask that person questions followed by any other person present, provided such questions are relevant, directed through the Presiding Officer and are asked in a courteous and respectful manner;
  - (7) after all persons who wish to speak have been heard, Members may ask relevant questions of the City Manager through the Presiding Officer who may then refer the question to the appropriate Director or other member of City Administration, or answer the question him or herself;
  - (8) any person who has made a submission shall have an opportunity to respond to any new information that has arisen during the Statutory Public Hearing for a period not exceeding two minutes unless an extension is granted by resolution of Council;
  - (9) the Presiding Officer shall then close the Statutory Public Hearing.



46. (1) Once the Presiding Officer has closed a Statutory Public Hearing with respect to the proposed by-law, no additional submissions shall be considered by Council, except at an additional Public Hearing called by Council in accordance with this by-law.
- (2) Council may by resolution adjourn a Public Hearing to a subsequent Council Meeting.
- (3) Following the closing of a Statutory Public Hearing wherein no submissions in opposition to the proposed by-law, nor any submissions recommending an amendment to the proposed by-law, are received Council may consider the submissions received (if any), debate the merits of the proposed by-law and proceed with Second Reading.
- (4) Following the closing of a Statutory Public Hearing wherein one or more submissions in opposition to the proposed by-law are received, or any submission recommending an amendment to the proposed by-law is received, Council shall defer its consideration of the submissions received, any debate of the merits of the proposed by-law, and Second Reading of it, to a subsequent meeting. Council may, by resolution, direct Administration to prepare a summation of the points raised during the Statutory Public Hearing.
- (5) Notwithstanding subsection (4), Council may by resolution:
- (a) consider the submissions received, debate, if it deems advisable, the merits of the proposed by-law and proceed with Second Reading at the meeting in which the Statutory Public Hearing was conducted;
  - (b) consider the submissions received and debate, if it deems advisable, the merits of the proposed by-law at the meeting in which the Statutory Public Hearing was conducted, and refer the proposed by-law to Administration with direction to draft an amendment to the proposed by-law; or
  - (c) refer the proposed by-law back to Administration.

### Delegations

47. (1) Any delegation wishing to appear before Council shall make a written request to the City Clerk no later than 10:00 a.m. on the Thursday preceding the meeting.
- (2) The written request shall be legible and contain adequate information to enable Council to deal with the matter. Adequate information includes, but is not limited to, the following:
- (a) name, address and telephone number of the person wishing to make the presentation;
  - (b) clearly identify the topic to be discussed;
  - (c) clearly identify the request being made to Council, if applicable; and
  - (d) contain any background information to support the request, if applicable.
48. Notwithstanding Section 47, any request to appear before Council pertaining to an item on the

agenda shall be received by the Office of the City Clerk up to noon on the day of the meeting and the City Clerk shall provide the Presiding Officer, under separate cover, with their names and the general nature of the presentation.

49. Council may, by resolution, hear a delegation that has not met the notice requirements set out in Sections 47 and 48.
50. All presentations pertaining to items on the Agenda for the meeting shall be heard under the "Delegations Pertaining to Items on the Agenda," portion of the Order of Business. All presentations pertaining to items not on the Agenda shall be heard under the "Delegations Pertaining to Items Not on the Agenda" portion of the Order of Business.
51. Presentation regarding a matter for which a Statutory Public Hearing has been, or will be, held can only be done in accordance with the process for Statutory Public Hearings as set out in this by-law.
52. The Mayor and City Manager together may deny a request if the subject matter pertains to legal matters, personnel matters, matters already heard before Council, matters considered during Private Meetings in accordance with the CTV Act or matters not within the jurisdiction of Council.
53. The following procedures apply to all delegations before Council:
  - (1) all delegations shall address their remarks directly to the Presiding Officer and shall not pose questions to individual Members or Administration, or deviate from the topic of their presentation;
  - (2) each presenter shall be afforded five minutes to make their presentation;
  - (3) the time allowed to each presenter may be extended by up to two minutes by a Special Resolution of Council;
  - (4) after a person has spoken, any Member may, through the Presiding Officer, ask that person or the City Manager relevant questions;
  - (5) no debate shall be permitted on any delegation to Council either between Members or with an individual making a delegation.
54. When making a presentation to Council or its standing or special committees, no person shall:
  - (1) speak disrespectfully of the Crown, any Member of Council, the public or an employee of the City;
  - (2) use offensive language;
  - (3) make personal remarks about any Member of Council, the public or an employee of the City;
  - (4) reflect upon the motives of Members who may have voted for a particular motion;
  - (5) reflect upon the motives of advice given to Council by Administration;
  - (6) refuse to comply with the decision of the Presiding Officer regarding any interpretation of this by-law.

55. Once a delegation has been heard, Council may respond by:
- (1) referring the matter to Administration or the appropriate standing committee; or
  - (2) considering a motion on the subject matter of the presentation in accordance with the Order of Business.

### **Member Statements**

56. (1) Any Member wishing to make a statement concerning any matter not included on the Order of Business may do so under the “Member Statements” portion of the Agenda.
- (2) Where possible, a written copy of the statement shall be filed with the City Clerk prior to the commencement of the meeting at which the statement will be made.
- (3) No Member shall have the floor for more than five (5) minutes to make statements unless otherwise decided by a resolution of Council.

**Paragraph 56 (4) deleted by By-law No. 5034 on January 25, 2021**

### **Introduction and Consideration of Committee Reports**

57. (1) All reports and recommendations of standing and special committees shall be put in writing and no report shall be referred to the Committee of the Whole or Council until printed or electronic copies of the report have been given to the Members unless decided otherwise by resolution.
- (2) Committee reports shall be attached to the Agenda for the meeting at which they are to be introduced.
- (3) The Presiding Officer shall request a Member of Council to introduce the report to Council and move any motions arising from the report. Items on the report which are labeled “For Information Only” shall only be read at the request of a Member.

### **Enactment of By-laws**

58. All proposed by-laws must have a by-law number assigned to them by the City Clerk and a concise title indicating the purpose of the by-law.
59. By-laws requiring Second Reading shall be dealt with by Council first followed by those requiring First or Third Reading only.
60. A proposed by-law must be introduced at a Council meeting by a motion that “By-law Number XXXX be read a first time.” Council may hear an introduction to the proposed by-law from Administration but shall vote on the motion for First Reading without amendment or debate.

61. After First Reading of a by-law has been given, any Member may move that “By-law Number XXXX be read a second time.” Once a motion for Second Reading has been made, Council may:
  - (1) debate the substance of the by-law; and
  - (2) propose and consider amendments to the by-law.
62. After Second Reading has been given, any Member may move that “By-law Number XXXX be read a third time. A vote on Third Reading of a by-law shall be decided without amendment or debate, unless otherwise decided by a resolution of Council.
63. All Members must be given the opportunity to review the full text of the amendments prior to giving the by-law Third Reading.
64. Where a by-law requires the approval of the Minister, the voters, the ratepayers or some other authority, the approval must be obtained before the by-law receives Third Reading and no amendment at Third Reading will be permitted.
65. Council may not give a by-law more than two readings at a meeting unless all Members are present at the meeting and, before the Third Reading, a motion to present the by-law for Third Reading at the same meeting is approved by unanimous consent.
66. If any reading of a proposed by-law fails, the by-law shall be deemed to have been defeated.
67. A by-law is effective on the day that it is:
  - (1) in writing;
  - (2) under the seal of the Municipal Corporation;
  - (3) signed by the Mayor or other Presiding Officer; and
  - (4) signed by the City Manager.or at a later date that the by-law may specify.
68. The Mayor or the Presiding Officer must sign and the City Manager must sign and seal the by-law as soon as reasonably possible after Third Reading is given.
69. Once a by-law has been given Third Reading, it may only be amended or repealed by another by-law made in the same way as the original by-law, unless another method is specifically authorized by statute.

### Notices of Motions

70. (1) Any Member who, during a meeting, intends to bring any new matter before Council at a subsequent regular meeting of Council shall give notice of such intent by verbally stating their intention to bring forward a motion.

- (1) Notices of Motion shall give sufficient detail so that the subject of the motion and any proposed action can be determined, and it must state the date of the meeting at which the motion will be introduced.
- (2) A Notice of Motion must be given without verbal or written comment on its merits.
- (3) The Member shall provide the City Clerk with the wording of the motion prior to 10:00 a.m. on the Thursday preceding the meeting at which it will be considered. The City Clerk shall list on the Order of Business for the appropriate regular meeting of Council any motion for which notice was given in accordance with subsection (1).

### **New Business**

71. (1) Any Member desiring to bring any new matter before Council which is not included in the report of a standing committee or included elsewhere on the Order of Business for the meeting may do so only if:
  - a) Notice of Motion has been given at a previous meeting pursuant to Section 70; or
  - b) a legible copy of the proposed motion is provided to the City Clerk no later than 10:00 a.m. on the Thursday preceding the meeting; or
  - c) Council passes a Special Resolution dispensing with the notice.
- (2) A motion to refer a new matter to committee for consideration is always in order.

### **Administrative Enquiries**

72. (1) Any Member may submit at a meeting an enquiry on any matter relevant to the business of the City.
- (2) The Member submitting the enquiry may speak to the merits of the enquiry for a period of time not exceeding two (2) minutes and the enquiry shall not be debatable.
- (3) The City Manager shall, wherever possible, provide information to immediately respond to the enquiry.
- (4) Where the response to the enquiry requires verification of facts or a considered opinion, the City Manager shall provide a written response to the Mayor and Members as soon as is reasonably possible.
- (5) Where an enquiry is referred to a standing committee by Council, the enquiry shall be received and considered by the standing committee at its next regular meeting, or as soon thereafter as is reasonably possible.
- (6) If the City Manager reports that the financial or other resources required to answer the

enquiry are substantial and will affect the City's budget, Council may direct the City Manager to abandon the enquiry.

### **Adjournment**

73. Council shall conclude its proceedings by adopting a motion to adjourn.

## **PART 5 - MOTIONS**

### **Introduction of Motions**

74. All motions must be concise and unambiguous and must either be given in writing or dictated to the City Clerk.
75. Wherever possible, motions shall be composed:
- (1) to avoid the use of any double negative statement; and
  - (2) to result in a positive course of action upon receiving an affirmative vote.
76. A motion shall be considered to be in the possession of Council when it has been moved, seconded and stated by the Presiding Officer.
77. No debate or vote on a motion shall be permitted until the motion is in the possession of Council.
78. The mover of a motion shall have the right to speak first to a motion for a period of up to five minutes and the right of the mover to introduce that motion takes precedence over all other motions.
79. No motion shall be introduced that is substantially the same as one which the judgement of Council has already been expressed during the same meeting.

### **Motion Out of Order**

80. Wherever a motion is contrary to the rules of procedure, the Presiding Officer shall rule the motion to be out of order.

### **Features and Order of Precedence of Motion**

81. The features of individual motions and the order of precedence shall be those established in Schedules B and C attached to and forming a part of this by-law.

**Motion to Amend**

82. A Member may move that a motion be amended in one of the following ways:
  - (1) by “adding” certain words;
  - (2) by “striking out” words or paragraphs; or
  - (3) by “striking out” certain words and “inserting” others.
83. An amendment proposed to a motion must be provided in writing to Members and Administration and must be relevant to its subject matter and must not propose a direct negative of the motion.
84. A motion to amend shall be disposed of by Council prior to considering the main motion.
85. Only one amendment shall be allowed to an amendment.
86. Where more than one motion to amend is introduced, Council shall consider the amendments in the reverse order in which they were introduced.
87. The Presiding Officer may recess the proceedings to allow for the amendment to be finalized and provided in writing to Members and Administration.
88. Where all amendments to a main motion have been voted on, Council shall vote on the main motion prior to considering any other matter.

**Reconsideration of Motion**

89.
  - (1) After any motion has been voted on, any Member who voted with the majority on that motion may, at the same or any later regular meeting, serve notice that the Member will move, at the next regular meeting held thereafter, for reconsideration of the motion.
  - (2) A motion to reconsider requires a Special Resolution.
  - (3) A motion to reconsider allows for the amendment, withdrawal, or renewal of any previous motion.
  - (4) A motion to reconsider may not be applied to:
    - (a) a vote which has caused an irrevocable action;
    - (b) a motion to give Third Reading to a by-law; or
    - (c) a motion to reconsider.
  - (5) A motion to reconsider must take place within 6 months of the original motion.

**Withdrawal of Motion**

90. The mover of a motion may, with the consent of Council, withdraw his or her motion at any time prior to the commencement of the taking of the vote on the motion.

**Reading of Matter**

91. (1) Any Member may, at any time, request that the motion under consideration be read by the Presiding Officer or the City Clerk.
- (2) The request shall be made in such a manner as to not interrupt any Member who has obtained the floor of Council.

**Dividing Motion Into Parts**

92. Where a matter relating to a single subject contains several parts, each capable of standing as a complete proposition, the matter may, at the request of any Member, be divided and each part shall be considered and voted on separately.

**Motion to Adjourn**

93. A motion to adjourn is not debatable or amendable.
94. Before putting the motion for adjournment, the Presiding Officer must allow an opportunity for any new notices of motion to be heard.

**Personal Privilege**

95. (1) Where a Member desires to address a matter that concerns the right or privilege of Council or the personal privilege of any individual Member, the Member shall be entitled to raise such a matter.
- (2) A question of personal privilege shall take precedence over any motion or matter and shall be immediately taken into consideration of Council.
- (3) The Member raising the question of personal privilege shall provide a concise explanation to the Presiding Officer.

**Point of Order**

96. (1) Where a Member rises on a point of order, the Member shall request leave from the Presiding Officer, and after being recognized shall state the point of order.
- (2) A point of order is not debatable or amendable.



- (3) The Presiding Officer shall immediately rule on the point of order.

### **Motion to Challenge**

97. (1) Any ruling of the Presiding Officer on Council Procedure may be challenged.
- (2) Where a ruling of the Presiding Officer on any matter is challenged, the Presiding Officer must state the question “Is the ruling of the chair upheld?” and the Presiding Officer and the Member who challenged the ruling may debate the question.
- (3) If the Presiding Officer refuses to put the question on a challenge, the person who would preside if the individual occupying the chair were absent must put the question to Council.
- (4) A motion to sustain the chair shall be decided by a simple majority.

### **Numbering of Motions**

98. The resolutions of Council shall be numbered in order each year, commencing with number one for the first resolution of the calendar year; this number to be followed by the year, and continuing through to the last meeting of the calendar year.

## **PART 6 – CONDUCT DURING DEBATE**

### **Address Through Presiding Officer**

99. (1) Every Member intending to speak on any matter shall signify their intent to the Presiding Officer and, upon being recognized, shall address only the Presiding Officer.
- (3) Members shall address the Presiding Officer as “Mr. Mayor,” “Madam Mayor,” “Your Worship,” “Mr. or Madam Acting Mayor,” or “Mr. or Madam Chair” as the case may be, and shall refer to each other as “the Mayor” or “Councillor \_\_\_\_\_” as the case may be.
- (3) Any question addressed to a member of City Administration shall be put through the Presiding Officer to the City Manager who shall refer the matter to the appropriate Director if necessary.

### **Order of Speakers**

100. (1) The Member who has moved a motion that is debatable shall be entitled to speak first to the motion and have a final reply when all Members wishing to speak have spoken.
- (2) When two or more Members signify their intent to speak, the Presiding Officer shall recognize the Member who, in the opinion of the Presiding Officer, first requested the floor of Council and next recognize the remaining Members wishing to speak in the same

order.

### Limits on Debate

101. (1) No Member may speak more than twice to a motion and no speech longer than five minutes shall be permitted except with the consent of Council by resolution.
- (2) No Member shall speak a second time to the same motion as long as any Member who desires to speak has not yet spoken.

### Opportunity to be Heard

102. Each Member will be given the opportunity to speak to a motion before it is put to a vote, unless a motion to limit or end debate is passed.

### Interruptions

103. Any Member who has the floor of Council may only be interrupted by another Member:
  - (1) when the Member is discussing a matter and no motion is on the floor;
  - (2) when a Member has exceeded the time limit to speak;
  - (3) by a call for the Orders of the Day;
  - (4) by a question of privilege;
  - (5) by a point of order;
  - (6) by an objection to the consideration of a matter;
  - (7) by a Challenge of the ruling of the Presiding Officer.

### Prohibited Acts

104. No Member shall:
  - (1) speak disrespectfully of the Crown, other Members, the public or any employee of the City;
  - (2) use offensive language in Council Chamber, or in reference to any Member, the public or any employee of the City;
  - (3) speak on any matter except the subject being considered by Council;
  - (4) make personal remarks about other Members, the public or any employee of the City;
  - (5) reflect upon the motives of Members who may have voted for a particular motion;
  - (7) reflect upon the motives of advice given to Council by Administration;
  - (6) debate the merits of a past vote of Council, unless to move to reconsider a motion;
  - (7) walk out of the room while the chair is putting the question;
  - (8) hold discourse which may interrupt a Member who has the floor of Council;
  - (9) pass between a Member who has the floor of Council and the Presiding Officer;
  - (10) speak to a question after the question is finally put by the Presiding Officer;
  - (11) willfully contravene the provisions of this by-law;

- (12) refuse to comply with the decision of the Presiding Officer on any point of order, question of personal privilege or any other interpretation of the provisions of this by-law.

### **Disciplinary Procedures**

105. (1) The Presiding Officer may call to order any Member who is out of order.
- (2) Subject to subsection (3), where a Member persists in refusing to comply with the ruling of the Presiding Officer or a decision of Council on any point of order, question of personal privilege or other interpretation of the provisions of this by-law, the Presiding Officer may consider such action to be improper conduct and order such a Member to leave the Council Chamber and Council must vote immediately on a motion to expel that Member from the meeting without debate.
- (3) Where a Member presents an apology, the Presiding Officer shall permit the Member to remain in his or her seat.
- (4) The Presiding Officer shall have the authority to determine whether the use of any word, phrase, term or expression was offensive.

### **Disturbance by Public**

106. (1) The Presiding Officer may order any member of the public who disturbs the proceedings of Council by words or action to be expelled.
- (2) The Presiding Officer may call upon a Peace Officer to remove any member of the public who refuses to leave a meeting voluntarily after having been expelled.

### **Participation of Presiding Officer in Debate**

107. (1) The Presiding Officer may participate in debate and vote on all matters before Council, without relinquishing the chair.
- (2) The Presiding Officer may make motions, but must vacate the chair in order to do so and while the motion is being debated.
- (3) When the Presiding Officer vacates the chair pursuant to subsection (2), it shall not be resumed until after the vote has been taken on the motion.

### **Committee of the Whole**

108. (1) Where Council, in consideration of any matter, requires additional information through questions to staff or wishes to allow for a less formal discussion of a matter, Council may, by resolution, move into Committee of the Whole.

- (2) The Presiding Officer of Council shall chair the Committee of the Whole.
  - (3) A quorum of Committee of the Whole is a majority of Members.
109. The rules of procedure for Council shall be observed in Committee of the Whole with the following exceptions:
- (1) Members may speak more than twice to a matter provided that all Members who wish to speak to a matter have been permitted to speak;
  - (2) the only motions permitted are to adopt reports or recommendations, to amend reports or recommendations, to rise without reporting, to rise and report or to revert to or from a Private Meeting in accordance with Section 23.
  - (3) If a motion to rise and report is passed, any matter which has not been decided shall be considered lost and the Presiding Officer shall report the business of the Committee of the Whole when Council is reconvened.
  - (4) Any Member may move to adopt the recommendations of the Committee of the Whole and debate will only be allowed on any amendments proposed by the Committee of the Whole.

## **PART 7 - VOTING**

### **Voting Procedure**

110. Votes on all motions shall be taken as follows:
- (1) Members shall be in their designated seat when the motion is put;
  - (2) The Presiding Officer shall put the motion;
  - (3) Members shall vote by a show of hands;
  - (4) The Presiding Officer shall declare the result of the vote and, in the case of a recorded vote, how each Member voted.

### **Duty of Member to Vote**

111. (1) All Members present shall vote when the question is put by the Presiding Officer.
- (2) Should any Member not indicate his or her vote when any question is put, the Member will be regarded as having voted in opposition and his or her vote must be counted accordingly.
  - (3) Notwithstanding subsection (2), a Member not voting due to a Conflict of Interest will not be regarded as having voted in the affirmative (or in opposition).

- (4) If there are an equal number of votes for and against a motion, the motion is defeated.

### **Secret Ballot Prohibited**

112. No vote shall be taken in Council by ballot or by any other method of secret voting, and every vote so taken is of no effect.

### **Errors in Good Faith**

113. Where a Member, immediately after casting his or her vote, states to the Presiding Officer that he or she has made an error in good faith, the matter may be resubmitted for a vote with a resolution of Council.

## **PART 7 – COMMITTEES OF COUNCIL**

### **Establishment of Standing Committees**

114. (1) The Governance and Priorities Committee is hereby established.
- (2) The Mayor shall chair the Governance and Priorities Committee. The Mayor shall be counted in the determination of quorum and has all the rights and privileges of the other committee members including, in accordance with section 107, the right to make motions and vote.

### **Terms of Reference**

115. The terms of reference for the standing committees of Council shall be as prescribed in Schedule D attached to and forming part of this by-law.

### **Quorum**

116. A quorum for all standing committees of Council shall be a majority of the Members who comprise the committee.

### **Duties of Standing Committees**

117. (1) All committees of Council are advisory in nature.
- (2) Committees have the responsibility to analyze all matters referred to them by Council or the City Manager and submit recommendations to Council on ways and means of addressing these matters.

**Rules of Procedure**

118. Meetings of standing committees shall be conducted in accordance with the following provisions:

- (1) the Mayor shall be the Chairperson to the standing committees of Council;
- (2) in the absence of the Chairperson, the Deputy Mayor shall discharge the duties of the Chairperson;
- (3) informal discussion of any matter is permitted when no motion has been made;
- (4) members of the public shall be permitted to participate in the discussion of any matter before a standing committee;
- (5) Any delegation wishing to appear before a standing committee with regard to any matter not currently before the committee shall make a request in the prescribed form through the Office of the City Clerk who will schedule the presentation for an upcoming meeting. Any such delegation is subject to the approval of the Mayor and City Manager together in accordance with s. 51 of this by-law.
- (6) every member of a standing committee shall have one vote for each item presented at a meeting provided that member is in attendance;
- (7) a member shall be entitled to speak more than once on any matter provided the total speaking time does not exceed ten minutes;
- (8) when any motion is approved by committee, the motion shall be included in the report to Council in the form of a recommendation to Council;
- (9) should any member disagree with the recommendation of a standing committee, that Member's dissent will be noted in the report to Council if requested by the member;
- (10) the Presiding Officer shall provide a clear summary of Committee's direction following each item of business on the agenda;
- (11) the length of any standing committee meeting shall not exceed three (3) hours. If the order of business has not been completed at the conclusion of the three (3) hours, the meeting shall be recessed and reconvened at a date and time set by the majority of the committee members presents, unless a motion to extend the meeting beyond the three (3) hours is passed by the unanimous consent of all members present.

**Section 118.(12) added by By-law No. 5036 on April 12, 2021**

- (12) The Presiding Officer may determine the time allowed for each presenter on any matter before a standing committee.

119. The rules of procedure for Council shall apply to all standing committees in so far as they are appropriate.

**Special Meetings**

120. (1) A special meeting of any standing committee shall be called whenever it is deemed necessary by the Chairperson or any two members of that committee.
- (2) Where a special meeting of any standing committee has been called pursuant to subsection (1), the City Clerk shall provide Public Notice, cause the Public Notice to be

posted on the City's website and give at least 24 hours notice to:

- (a) all members of the standing committee and the Members;
  - (b) the City Manager; and
  - (c) all Directors.
- (3) The notice referred to in subsection (2) shall indicate the time, date, location and purpose for the special meeting of the standing committee.
- (4) No other business shall be conducted at a special meeting of a standing committee except that which is included in the notice referred to in subsection (2) unless all Members are present and they all agree.

### Subcommittees

121. (1) Any standing committee of Council may, from time to time, appoint a subcommittee of its members to investigate and report back on any item of business which is within the area of responsibility of the standing committee.
- (2) The appointment of any person to a subcommittee who is not a member of the standing committee must be approved by Council.
- (3) Where a subcommittee is established in accordance with the provisions of this by-law, the subcommittee shall meet as soon as possible to establish the date and time of its meetings.
- (4) A Member shall preside and discharge the duties of the Chairperson.
- (5) Every subcommittee to which a matter has been referred shall report in writing to its standing committee.
- (6) Any report of a subcommittee shall be subject to review by the appropriate standing committee and shall be included in that standing committee's report to Council. A subcommittee shall be considered discharged on the consideration of its final report by the standing committee.

### Special Committees of Council

122. Where Council deems it necessary to establish a special committee to investigate and consider any matter, Council shall:
- (1) name the committee;
  - (2) establish a terms of reference;
  - (3) appoint members to it;
  - (4) establish the term of appointment of members;

- (5) establish requirements for reporting to Council or a standing committee; and
- (6) allocate any necessary budget or other resources to it.

**PART 9 – REPEAL AND EFFECT**

**Repeal**

123. By-law Nos. 4250, 4401, 4462, 4498 and 4611 are hereby repealed.

**Effect**

124. This by-law shall come into effect upon receiving Third and Final Reading and otherwise meeting the requirements of Section 75 of the CTV Act.

**PART 10 – SEVERABILITY**

125. Each provision of this By-law is independent of all other provisions. If a Court of competent jurisdiction declares any provision invalid for any reason, all other provisions of this By-law shall remain valid and enforceable, and the By-law shall be interpreted as such.



CITY OF YELLOWKNIFE  
BY-LAW NO. 4975  
Schedule A

COUNCIL AGENDA FORMAT

COUNCIL AGENDA

Monday, January XX, 20XX at 7:00 p.m.

Page

<u>Item No.</u>	<u>Page No.</u>	<u>Description</u>
1.		Opening Statement
		<b><u>DISCLOSURE OF CONFLICT OF INTEREST AND THE GENERAL NATURE THEREOF</u></b>
2.		Does any Member have a Conflict of Interest in any matter before Council tonight?
		<b><u>AWARDS, CEREMONIES AND PRESENTATIONS</u></b>
3.		There were no awards, ceremonies or presentations for the agenda.
		<b><u>ADOPTION OF MINUTES FROM PREVIOUS MEETING (S)</u></b>
Previously Distributed		
4.		Minutes of Council for the regular meeting of Monday, January XX, 20XX are presented for adoption.
		<b><u>CORRESPONDENCE &amp; PETITIONS</u></b>
5.		There was no correspondence or petitions for the agenda.
		<b><u>STATUTORY PUBLIC HEARINGS</u></b>
6.		There were no Statutory Public Hearings for the agenda.
		<b><u>DELEGATIONS PERTAINING TO ITEMS ON THE AGENDA</u></b>
7.		There were no delegations pertaining to items on the agenda.

Monday, January XX, 20XX at 7:00 p.m.

Page 2

**MEMBER STATEMENTS**

8. There were no statements for the agenda.
9. Are there any Member statements from the floor?

**INTRODUCTION AND CONSIDERATION OF COMMITTEE REPORTS**

ANNEX

10. Governance and Priorities Committee Report for Month XX, 20XX.

**NEW BUSINESS**

11. There was no new business for the agenda.
12. Is there any new business from the floor?

**ENACTMENT OF BY-LAWS**

ANNEX

13. By-laws involving Second Reading

ANNEX

14. By-laws involving First and Third Reading

**DEFERRED BUSINESS AND TABLED ITEMS**

15. There was no deferred business and there were no tabled items for the agenda.
16. Is there any deferred business or are there any tabled items from the floor?

**OLD BUSINESS**

17. There was no old business for the agenda.
18. Is there any old business from the floor?

**NOTICES OF MOTION**

19. There were no notices of motion for the agenda.

Monday, January XX, 20XX at 7:00 p.m.

Page 2

20. Are there any notices of motion from the floor?

**DELEGATIONS PERTAINING TO ITEMS NOT ON THE AGENDA**

21. There were no delegations pertaining to items not on the agenda.

**ADMINISTRATIVE ENQUIRIES**

22. There were no administrative enquiries for the agenda.

23. Are there any administrative enquiries from the floor?

**ADJOURNMENT**

**CITY OF YELLOWKNIFE  
BY-LAW NO. 4975  
Schedule B**

**LIST OF MOTIONS BY ORDER OF PRECEDENCE**

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**PRIVILEGED MOTIONS**

1. Personal Privilege
  2. Appeal - Ruling on Question of Personal Privilege
  3. Adjourn
  4. To Fix Time to Adjourn
  5. Recess
  6. Point of Order
  7. Challenge - Rulings on Point of Order
- 

**SUBSIDIARY MOTIONS**

8. To put the matter to a vote
  9. Lay on the Table
  10. Defer to a Time Specific
  11. Refer
  12. Amendment - Primary
  13. Amendment - Secondary
- 

**MAIN MOTION**

14. Main or Substantive
- 

**PROCEDURAL MOTIONS**

15. Motions to Suspend the rules of Procedures
  16. Move into Committee of the Whole
  17. Rise and Report out of Committee of the Whole
  18. Move into Committee of the Whole Private Meeting
  19. Rise and Report out of Committee of the Whole  
Private Meeting
-

**PRIVILEGED MOTIONS FEATURES AND ORDER OF PRECEDENCE**

MOTION	INTERRUPT MEMBER HAVING FLOOR	FIRST RECOGNIZED BY THE PRESIDING OFFICER	SECONDER	WRITTEN FORMAT	DEBATABLE	AMENDABLE	CAN OTHER MOTIONS BE APPLIED TO IT?	MAJORITY REQUIRED	OTHER
1. Privilege	YES	NO	NO	NO	NO	NO	MOTION 2	N/A	RULING BY THE PRESIDING OFFICER
2. Appeal - Ruling of Privilege	YES	YES	NO	NO	NO	NO	NO	SIMPLE	SEE COMMENT
3. Adjourn	NO	YES	YES	NO	NO	NO	NO	SIMPLE	SEE COMMENT
4. To Fix Time to Adjourn	NO	YES	YES	NO	NO	YES-TIME ELEMENT	NO	SIMPLE	SEE COMMENT
5. Recess	NO	YES	YES	NO	NO	YES	NO	SIMPLE	N/A
6. Point of Order	YES	YES	NO	NO	NO	NO	MOTION 7	N/A	RULING BY THE PRESIDING OFFICER
7. Challenge Ruling on Point of Order	YES	YES	NO	NO	NO	NO	NO	SIMPLE	SEE COMMENT

**COMMENTS:**

1. Appeal of Ruling for Motions 2 and 7 - Mover shall have the right to state the reason for the moving an appeal of the ruling of the Chair.
25. Simple majority is required to approve a motion to adjourn a meeting of Council even where the meeting has been extended beyond 11:00 p.m.

**SUBSIDIARY MOTIONS FEATURES AND ORDER OF PRECEDENCE**

MOTION	INTERRUPT MEMBER HAVING FLOOR	FIRST RECOGNIZED BY THE PRESIDING OFFICER	SECONDER	WRITTEN FORMAT	DEBATABLE	AMENDABLE	CAN OTHER MOTIONS BE APPLIED TO IT?	MAJORITY REQUIRED
7. To Put the Matter to a Vote	NO	YES	YES	YES	NO	NO	NO	SIMPLE
8. Lay on the Table	NO	YES	YES	YES	SEE COMMENT	NO	NO	SIMPLE
9. Defer to a Time Specific	NO	YES	YES	YES	SEE COMMENT	YES-TIME ELEMENT	MOTION 11 and 12	SIMPLE
10. Refer	NO	YES	YES	YES	SEE COMMENT	YES	MOTION 11 and 12	SIMPLE
11. Amendment (Primary)	NO	YES	YES	YES	YES	YES SEE COMMENT	MOTION 8, 9, 10 and 12	SIMPLE UNLESS OTHERWISE PROVIDED IN BY-LAW
12. Amendment (Secondary)	NO	YES	YES	YES	YES	NO	NO	SIMPLE
13. Main or Substantive	NO	YES	YES	YES	YES	YES	ALL SUBSIDIARY MOTIONS	SIMPLE UNLESS OTHERWISE PROVIDED IN BY-LAW

**COMMENTS :**

Motion 8,9 and 10 - Debate is limited to the merits or the desirability to approve these individual motions.

Motion 11 - Amendment (Primary) - For the purpose of amendments relating to time, order of precedence shall be given to the motion having the longest period of time.

Motion 11 - Amendment (Primary) - For the purpose of amendments relating to amounts, order of precedence shall be give to the motion having the largest amount.

**CITY OF YELLOWKNIFE  
BY-LAW NO. 4975  
Schedule D**

**Schedule D as amended by By-law No. 5036 on April 12, 2021**

**TERMS OF REFERENCE FOR STANDING COMMITTEES**

**GOVERNANCE AND PRIORITIES COMMITTEE (GPC)**

(time 12:05 p.m. on the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> Mondays of the month with the exception of the months of July and August when Committee will meet on the 2<sup>nd</sup> and 4<sup>th</sup> Mondays of the month and the month of December when Committee will meet at least once, as determined by the Mayor).

All matters referred to Committee by Council or the City Manager.