

APPENDIX "A"

Advisory Committee Procedures

This Appendix is supplementary to the Procedural By-law. The procedures outlined below are meant to promote efficient and effective meetings.

1. Definitions – In this Section

"Committee" means Advisory Committees established by Council.

"Motion" means a subject being presented for consideration of the Advisory Committee and duly moved and seconded.

"Secretary" means a staff Member of the Town of Pelham appointed to compile the agenda and record official minutes.

"Terms of Reference" means a document approved by Council outlining the purpose and structure of the Committee.

"Time Sensitive" means a topic or matter which requires immediate attention before the next regular meeting of Committee.

2. General

2.1. The provisions of this section shall be observed in all Committee meetings and shall be the rules for the order and dispatch of Committee business.

2.2. Unless specified in this Section, all provisions of the Town of Pelham Procedural By-law shall be observed.

3. Role and Conduct of Committees

3.1. The Terms of Reference established for each Committee sets out, including but not limited to: the purpose, mandate, Membership, schedule and location of meetings of the Committee.

3.2. The Terms of Reference of each Committee shall be received and approved by Council at the beginning of the term of Council or the establishment of the Committee.

3.3. Committees will provide recommendations, advice and information to Council on matters which relate to the mandate of the Committee.

- 3.4. Committees shall not give direction to staff, except directions that are of minor administrative nature and necessary to support the operation and goals of the Committee. If requests(s) for service can be reasonably accommodated within existing workloads and resources, staff may proceed.
- 3.5. Where a Committee Member has a Conflict of Interest in a particular matter, they shall disclose the Conflict of Interest and general nature thereof prior to the item being considered.
- 3.6. Committee Members shall complete the required Written Statement of Disclosure of Pecuniary Interest which shall state the Member name, Meeting date, Agenda item number and title, and the general nature of the Pecuniary Interest. The statement shall be dated and signed by the Member and submitted to the Clerk for retention and publication in the Registry of Disclosure.
- 3.7. As a result of disclosure, the Member shall remove themselves from the table for the duration of the time that the matter is being considered and during an in-camera session, remove themselves from the room. The Member shall not take part in discussion or the vote on any recommendation in respect of the matter. They shall not attempt in any way to influence the voting on any such question or recommendation.
- 3.8. Committees, when carrying out their responsibilities, shall abide by the provisions of the Ontario Human Rights Code, Town of Pelham Code of Conduct, policies and procedures and any other applicable statutes and in doing so, treat every person, including other Committee Members and Town staff with dignity, understanding and respect for the right to equality and the right to an environment that is safe and free from harassment and discrimination.
- 3.9. Where a complaint is filed against a Committee Member by a member of the public, staff or fellow Committee Member, the complaint shall be filed with the Clerk. Should three (3) complaints be received against the Committee Member, within the current term of appointment, the Clerk shall advise Council of such complaints.

4. Qualification for Appointment

- 4.1. No more than three (3) Members of Council may be appointed to a Committee.
- 4.2. Members of Council appointed to a Committee shall act in a liaison capacity without voting privileges, unless the Committee has fewer than five (5) members of the public. The attendance of the Member of Council shall not impact Quorum.
- 4.3. Specific qualifications for appointment are outlined within the Terms of Reference of each Committee and shall be adhered to.

5. Term of Appointment

- 5.1. Appointments to Committees shall be a four- (4) year term, aligned with the term of Council; however, Committees shall cease on Nomination Day as identified within the *Municipal Elections Act, 1996*, as amended, following 2:00 p.m., unless otherwise specified within the Terms of Reference.

6. Remuneration

- 6.1. Committee Members shall serve without remuneration, unless otherwise specified within the Terms of Reference or By-law.

7. Resignations

- 7.1. Should a Committee Member wish to resign, the Member shall advise in writing to the Clerk of their resignation.

8. Filling a Vacancy

- 8.1. When a resignation is received by the Clerk or a vacancy occurs, the Clerk will work with Town staff to commence the standard practice of recruitment for Committees.
- 8.2. Committee applications to fill a vacancy will be brought forward for Council consideration at the next available meeting of Council and shall be considered in Closed Session.
- 8.3. Committee applications are confidential and shall solely be considered by Council and Town staff. Committee Members, including the Chair, are prohibited from participating in the appointment process. All applications shall be treated as any other employment application with the Town of Pelham and will be

handled by the Clerk's Department and Human Resources in a manner consistent with privacy obligations of an employer.

- 8.4. Notice will be provided to individuals who were unsuccessful and will have the opportunity to re-apply for a vacancy.

9. Support Staff

- 9.1. Committee Meetings shall be attended by staff representative(s) of the lead department(s) to provide resources, support and general liaison, as applicable. The Department Director shall determine the representative from the Department who shall attend the Committee Meetings. Where the regular representative cannot attend, the Department Director shall determine and send an alternative representative.
- 9.2. The preparation of Committee Agendas and minutes shall be facilitated by the Secretary.

10. Expenditures

- 10.1. Any annual budget allocation to a Committee shall be at the sole discretion of Council and subject to the annual budget process and shall be aligned with the mandate of the Committee.
- 10.2. All Committee expense information is considered to be public information and shall be made available upon request.
- 10.3. Expenses associated with communication and/or promotional efforts being undertaken by a Committee within its mandate, are to be approved by the Communications Specialist for consistency in messaging and proper branding, prior to those expenses being incurred.

11. Chair, Vice Chair and Secretary

- 11.1. The Committee shall appoint a Chair and Vice Chair at their first meeting of the term.
- 11.2. Ex-Officio Members are ineligible to act in the capacity of Chair or Vice Chair.

11.3. In the absence of the Chair or Vice Chair, the Committee shall appoint a temporary Presiding Officer.

11.4. The identity of the Secretary shall be determined by the Town Clerk.

12. Schedule and Location of Meetings

12.1. Committees shall meet at a frequency outlined within the Terms of Reference for the Committee.

12.2. The Chair may, at any time, call a Special Meeting. Staff shall coordinate a Special Meeting as directed by the Chair, based on the Committee Members availability and notifying the Committee of the item(s) for discussion.

12.3. Committee meetings shall be held at the Town facility, or electronically, or in hybrid manner (combination of in-person and electronic participation), as identified in the Terms of Reference and shall be open to the public, except during Closed Session. Committee Meetings may be held at a location away from a Town facility for a specified purpose; however, the location shall be accessible to persons with disabilities and shall be deemed so by the Town's Accessibility Consultant prior to formal recommendation of the use.

13. Curfew

13.1. The meeting shall not exceed the prescribed time as identified in the Terms of Reference for the Committee. Where business has not concluded, the remaining items will be referred to the next meeting scheduled. The curfew shall not be extended for greater than fifteen (15) minutes.

14. Agendas

14.1. Committee Agendas shall be compiled of items aligned with the Committee's mandate. In consultation with the Chair and staff liaison, the Secretary will prepare the agenda. The following headings shall be on the agenda:

- a. Call to Order;
- b. Land Recognition Statement;
- c. Adoption of Agenda;

- d. Declaration of Pecuniary Interest;
- e. Adoption of Minutes;
- f. Unfinished Business;
- g. Regular Business; and
- h. Adjournment.

The following headings may be added, as required:

- a. Presentations;
- b. Delegations;
- c. Administration (Training/Education);
- d. Correspondence; and
- e. Closed Session.

14.2. Agendas shall be distributed to all Committee Members electronically.

14.3. Committee Meetings shall not consider matters that are not listed on the Agenda, unless such a matter is deemed to be Time Sensitive. Where a matter is deemed to be Time Sensitive, a motion to amend the Agenda to include such item is required.

15. Notice

15.1. Notice shall be provided of Meetings by posting the date and time of the Meeting on the Town's website.

15.2. Agendas shall be posted to the Town's website at least three (3) business days prior to the date of the meeting.

16. Minutes

16.1. The Secretary shall record, without note or comment the minutes of each meeting, including the following information:

- a. The place, date and time of the Meeting;
- b. The name of the Chair, Member and staff in attendance;
- c. Disclosure of any Pecuniary Interest and the general nature thereof;
- d. All Resolutions, decisions and other proceedings of the Meeting without note or comment; and
- e. The time of commencement and adjournment.

16.2. After the Committee minutes have been approved by the Committee, they shall be signed by the Chair and Secretary, and shall be the official record of the Meeting.

16.3. The approved minutes of the Committee shall be forwarded to Council through the Clerk to be received for information, including all Closed Session minutes.

16.4. Any matter or issue of a Committee that requires specific approval of Council shall be brought forward in a written report or letter from the Committee, staff liaison or Council representative for Council's consideration.

17. Closed Session

17.1. The Secretary shall consult with and receive approval from the Clerk prior to scheduling a Closed Session Meeting.

18. Attendance

18.1. Any Committee Member missing three (3) consecutive Meetings without reasonable cause or explanation will be deemed to have resigned.

18.2. The Secretary shall be required to give written notice to any Member who has exceeded the absentee threshold advising that their appointment to the Committee is vacant.

19. Quorum

19.1. Ex-officio Members do not impact Quorum.

19.2. If no Quorum is present fifteen (15) minutes after the time appointed for a meeting, the meeting shall stand adjourned until the next appointed time.

19.3. Unless notified, where the Chair does not attend within fifteen (15) minutes after the time appointed for the meeting, and if Quorum is present, the Vice Chair shall call the meeting to order.

19.4. No meeting shall occur without Quorum.

20. Roles and Duties

20.1. The Chair or Vice Chair shall:

- a. Maintain order and preserve the decorum of the meeting;
- b. Rule whether a motion or proposed amendment is in order;
- c. Rule upon all other procedural matters and debate;
- d. Maintain a speaker's list of those Members who have signaled the Chair that they wish to speak or ask questions, and recognize such Members in the order in which they appear; and
- e. Call a Member to order where appropriate.

20.2. No Member shall:

- a. Speak disrespectfully, use indecent, offensive or insulting language; or
- b. Speak on any subject other than the subject in debate; or
- c. Where a matter has been discussed in a meeting or part of a meeting closed to the public (Closed Session) and where the matter remains confidential, disclose the content of the matter or substance of deliberation of the Closed Session meeting.

20.3. Where a Member persists in any such conduct contrary to the provisions of this Section, after being called to order by the Chair:

- a. The Chair shall forthwith put the question that the Member be ordered to leave their seat for the duration of the meeting, and adjournments, amendments and or debates shall not be allowed upon such question; and
- b. If the question carries, the Chair will order the Member to leave for the remainder of the meeting, unless the Member wishes to apologize to the rest of the Committee, at which time the Chair may permit the Member to return to their seat.

21. Conduct of the Public Gallery

21.1. Members of the public present at Committee Meetings shall maintain order and shall not address the Committee except with the permission of the Committee through a written request to the Chair or Secretary with respect to an item on the Committee Agenda.

21.2.No person shall display signs, applaud or jeer participants in debate or engage in conversation or other behavior which may disrupt the proceedings of the Committee.

21.3.When invited to address the Committee, no person shall use indecent, offensive or insulting language or speak disrespectfully.

21.4.Any person who contravenes any provisions of this Section may be expelled from the meeting by the Chair or Secretary.

APPENDIX "B"

Order of Precedence and Rules Governing Common Motions

All referenced page numbers below refer to Lochrie, James, editor. *Meeting Procedures, Parliamentary Law and Rules of Order for the 21st Century*. The Scarecrow Press Inc. Lanham, Maryland and Oxford, 2003.

1. Order and Precedence of Motions (P. 49)

The order in which motions shall take precedence over one another, in declining order, is set out as follows. Each Motion takes precedence over those that are below it in this list.

- a. Main Motion;
- b. Postpone Indefinitely;
- c. Amend;
- d. Refer to a Committee;
- e. Postpone to a Certain Time (Defer);
- f. Limit and Extend Limits of Debate;
- g. Close Debate;
- h. Postpone Temporarily;
- i. Raise a Question of Privilege - Individual;
- j. Raise a Question of Privilege - Assembly;
- k. Recess;
- l. Adjourn; and
- m. Fix the Time for a Continued Meeting.

2. Main Motion (P. 50)

- a. A Main Motion:
 - i. Must be seconded;
 - ii. Is debatable;
 - iii. Is amendable; and
 - iv. Requires a Majority Vote of the Members present.
- b. A Motion to Amend a Previous Decision: (P. 55)
 - i. Must be seconded;
 - ii. Is debatable;
 - iii. Is amendable; and

- iv. Requires the same vote as originally required [Majority Vote or Two-Thirds (2/3) Vote].
 - c. A Main Motion to Reconsider a Vote: (P. 58)
 - i. Must be seconded;
 - ii. The reasons for reconsidering are debatable;
 - iii. Is not amendable; and
 - iv. Requires a Majority Vote of the Members present.
 - d. A Main Motion to Remove a Decision from a Committee: (P. 61)
 - i. Must be seconded;
 - ii. Is debatable;
 - iii. Is amendable; and
 - iv. Requires a Majority Vote of the Members present.
- 3. Motion to Amend (P. 68)
 - a. A Motion to Amend:
 - i. Must be seconded;
 - ii. Is debatable;
 - iii. Is amendable;
 - iv. Requires a Majority Vote of the Members present; and
 - v. Must be decided (or withdrawn) before the main motion is put to a vote.
- 4. Motion to Postpone Indefinitely (P. 74)
 - a. A Motion to Postpone Indefinitely:
 - i. Must be seconded;
 - ii. Is debatable;
 - iii. Is not amendable; and
 - iv. Requires a Majority Vote of the Members present.
- 5. Motion to Refer to a Committee (P. 76)
 - a. A Motion to Refer to a Committee:
 - i. Must be seconded;
 - ii. Is debatable as to why the matter should or should not be referred;

- iii. Is amendable;
- iv. Requires a Majority Vote of the Members present;
- v. Must include the reason(s) for the referral; and
- vi. Must include the time at which the matter is to be returned.

6. Motion to Defer

a. A Motion to Defer:

- i. Must be seconded;
- i. Is debatable as to why the matter should or should not be deferred;
- ii. Is amendable as to the time or date to which the matter is to be deferred; and
- ii. Requires a Majority Vote of the Members present.

7. Motion to Postpone to a Certain Time (Defer) (P. 81)

a. A Motion to Postpone to a Certain Time:

- i. Must be seconded;
- ii. Is debatable as to why the matter should or should not be postponed/ deferred;
- iii. Is amendable as to the time or date to which the matter is to be postponed/ deferred; and
- iv. Requires a Majority Vote of the Members present.

8. Motion to Postpone Temporarily (P. 84)

a. A Motion to Postpone Temporarily:

- i. Must be seconded;
- ii. Is not debatable;
- iii. Is not amendable; and
- iv. Requires a Majority Vote of the Members present.

9. Motion to Resume Consideration (P. 85)

a. A Motion to Postpone Temporarily:

- i. Must be seconded;
- ii. Is not debatable;
- iii. Is not amendable; and
- iv. Requires a Majority Vote of the Members present.

10. Motion to Limit and Extend Limits of Debate (P. 89)
 - a. A Motion to Limit and Extend Limits of Debate:
 - i. Must be seconded;
 - ii. Is debatable;
 - iii. Is amendable; and
 - iv. Requires a Two-Thirds (2/3) Vote.
11. Motion to Close Debate (P. 91)
 - a. A Motion to Close Debate:
 - i. Must be seconded;
 - ii. Is not debatable;
 - iii. Is amendable; and
 - iv. Requires a Two-Thirds (2/3) Vote.
12. Raise a Question of Privilege – Individual / Assembly (P. 95)
 - a. Raising a Question of Privilege:
 - i. Does not require a seconder to raise a question of privilege;
 - ii. Must be seconded if raised in the form of a main motion;
 - iii. Raising a question of privilege is not debatable;
 - iv. If raised in the form of a main motion, it is debatable;
 - v. The raising of a question of privilege is not amendable;
 - vi. If raised in the form of a main motion, it is amendable;
 - vii. The raising of a question of privilege is ruled on by the presiding officer; and
 - viii. If raised in the form of a main motion, it requires a majority vote.
13. Recess (P. 98)
 - a. Motion to Recess
 - i. Must be seconded;
 - ii. Is debatable;
 - iii. Is amendable; and
 - iv. Requires a Majority Vote of the Members present.

14. Adjourn (P. 100)
 - a. Motion to Adjourn Moved After Time Set for Concluding the Meeting:
 - i. May be made when business is pending;
 - ii. May be made when business is not pending;
 - iii. Must be seconded;
 - iv. Is not debatable;
 - v. Is amendable; and
 - vi. Requires a Majority Vote of the Members present.
 - b. Motion to Adjourn Moved Before the Time Set for Concluding the Meeting:
 - i. Cannot be made when business is pending;
 - ii. May be made when business is not pending;
 - iii. Must be seconded;
 - iv. Is debatable (restricted);
 - v. Is amendable; and
 - vi. Requires a Majority Vote of the Members present.
15. Fix the Time for a Continued Meeting (P. 102)
 - a. Motion to Fix the Time for a Continued Meeting:
 - i. Must be seconded;
 - ii. Is debatable;
 - iii. Is amendable; and
 - iv. Requires a Majority Vote of the Members present.

Incidental Motions

1. Point of Order (P. 108)
 - a. A Point of Order:
 - i. Does not require a seconder;
 - ii. Is not debatable if decided by the Presiding Officer;
 - iii. Is debatable if decided by Council;
 - iv. Is not amendable;
 - v. If decided by the Presiding Officer, does not require a vote; and

- vi. If decided by Council, require a Majority Vote of the Members present.
- 2. Appeal a Decision of the Presiding Officer (P. 110)
 - a. A Motion to Appeal a Decision of the Presiding Officer:
 - i. Must be seconded;
 - ii. Is not debatable if the underlying motion to which the appeal is applied to is not debatable then the appeal is not debatable;
 - iii. Is not amendable;
 - iv. Requires a 50% vote or higher to sustain the decision of the Presiding Officer; and
 - v. Requires a Majority Vote in the negative to overturn the decision of the Presiding Officer.
- 3. Suspend the Rules (P. 113)
 - a. A Motion to Suspend the Rules:
 - i. Must be seconded;
 - ii. Is not debatable;
 - iii. Is not amendable; and
 - iv. Requires a Two-Thirds (2/3) Vote.
- 4. Request to Withdrawal a Motion (P. 120)
 - a. A Motion to Request to Withdrawal a Motion:
 - i. Must be seconded;
 - ii. Is not debatable;
 - iii. Is not amendable; and
 - iv. Requires a Majority Vote of the Members present.