

COUNCIL

Chapter 15 PROCEDURE

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Article 1 INTERPRETATION

15.1.1 Acting Mayor - defined

“Acting Mayor” means the member of Council appointed by by-law to act in the place and stead of the head of Council in accordance with section 242 of the *Municipal Act, 2001*, as amended.

15.1.2 Board or Advisory Committee - defined

“Board or Advisory Committee” means a board or advisory committee created under Chapter 26 of the City of Brantford Municipal Code.

15.1.3 Chair – defined

“Chair” means the person who presides over a Meeting.

15.1.4 Committee of the Whole – defined

“Committee of the Whole” means a committee comprised of all members of the Council, which reports directly to Council.

15.1.5 Construction - general

This Chapter shall be liberally construed to secure a just and thorough discussion of municipal issues, in the most expeditious and least expensive manner reasonably possible.

15.1.6 Council - defined

“Council” means the municipal Council of The Corporation of the City of Brantford and shall not include when Council meets as Shareholder of the Brantford Energy Corporation. By-law 98-2019, 11 June, 2019.

15.1.7 Declared Emergency – defined

“Declared Emergency” means an emergency which has been declared pursuant to sections 4 or 7.0.1 of the Emergency Management and Civil Protection Act, as amended or changed as needed. By-law 75-2020, 26 May, 2020

15.1.8 Discriminating - defined

Repealed: By-law 26-2019, 26 February, 2019.

15.1.9 Emergency – defined

“Emergency” shall have the same definition of “emergency” as prescribed by the *Emergency Management and Civil Protection Act*, as amended.

15.1.10 Germane – defined

“Germane” means closely or significantly related or relevant to a subject under consideration.

15.1.11 Harassing - defined

Repealed: By-law 26-2019, 26 February, 2019.

~~**15.1.12 Hearing – defined**~~

~~“Hearing” means a hearing in any proceeding held under any statute.~~

15.1.13 Impugned – defined

“Impugned” means challenged or called into question.

15.1.14 Leering– defined

Repealed: By-law 26-2019, 26 February, 2019.

15.1.15 Local Board Defined

“Local board” shall have the same definition of “local board” as prescribed by the *Municipal Act, 2001, as amended*. By-law 205-2021, 26 October, 2021.

15.1.16 Meeting – defined

“Meeting” means any regular, special or other meeting of the Council, of a local board or of a committee of either of them.

15.1.17 Motion to Call the Question – defined

“Motion to Call the Question” means a motion to end debate and to put the matter to an immediate vote. It is applicable to the immediately pending debatable motion, or a series of pending motions, starting with the immediately pending motion. By-law 205-2021, 26 October, 2021.

15.1.18 Municipal Staff – defined

“Municipal Staff” means direct employees of The Corporation of the City of Brantford whether full-time, part-time, contract (including employees of staffing agencies) or casual (including students) but does not include volunteers, employees of local boards, subsidiaries of the City, bodies that have independent corporate existence or independent contractors and their employees.

15.1.19 Point of Order – defined

“Point of Order” means a statement made by a member during a Meeting, drawing to the attention of the Chair a breach of the rules of procedure.

15.1.20 Point of Privilege – defined

“Point of Privilege” means the raising of a question when a member believes that there has been a willful disregard by another member or any other person at the Meeting, wherein the member believes that the freedom, dignity and lawful authority of a member or of Council as a whole have been Impugned.

15.1.21 Presentation – defined

“Presentation” means a delegation initiated by Council or Municipal Staff.

15.1.22 Recorded Vote – definition

“Recorded Vote” means the recording of each name of each member present and how the member voted on a matter or question, which recording is entered in the minutes. By-law 205-2021, 26 October, 2021.

15.1.23 Resolution – definition

“Resolution” means a main motion initiated by an individual member, which requires prior notice of motion. No requests for donations and/or waiving of municipal fees for a special event may be made to Council by way of Resolution. By-law 184-2017, 19 December, 2017.

15.1.24 Standing Committee – definition

“Standing Committee” means either the Finance Committee, Social Services Committee, or Human Resources Committee or **Planning Committee**. By-law 21-2020, 25 February, 2020.

15.1.25 Statutory Public Meeting - defined

“Statutory Public Meeting” means a public meeting in any proceeding held under any statute.

15.1.26 Task Force - defined

“Task Force” means a short-term body established by Council to carry out a specified task, at the completion of which – that is, on presentation of its final report to the assembly – it automatically ceases to exist , but shall not include any Meeting of the Strategic Growth Negotiations Task Force when meeting with the Office of the Provincial Development Facilitator for the purposes of boundary discussions. By-law 205-2021, 26 October, 2021.

15.1.27 Urgent - defined

“Urgent” means requiring immediate action or attention.

15.1.28 Web site – defined

“Web site” means the official Web site of The Corporation of the City of Brantford.

Article 2**COUNCIL AND COMMITTEES OF COUNCIL****15.2.1 Application**

Unless Council authorizes the application of alternative procedures, this Chapter shall apply to the proceedings of the municipal Council of the City of Brantford, the committees created or continued under this Chapter and, with necessary modifications, to all Boards and Advisory Committees created under Chapter 26 of the City of Brantford Municipal Code and to any Task Forces created by Council. Proceedings not specifically governed by this Chapter, and for which Council has not authorized alternative procedures, shall be interpreted in

accordance with Robert's Rules of Order. By-law 169-2019, 19 November, 2019

15.2.2 Council - statutory obligations

Council shall fulfill all of the statutory obligations of a municipal Council, including, but not limited to, the consideration of such matters as are required to be considered by a municipal Council and the conduct of such Hearings as may be required or permitted to be held by a municipal Council under any statute.

15.2.3 Advisory bodies - creation - reporting structure

Any advisory or other body that is required to report to Council shall do so through the Committee of the Whole or a Standing Committee herein identified, unless a different reporting structure is established in this Chapter. The foregoing shall not restrict Council from creating advisory or other bodies from time to time and defining any reporting relationship it may choose for such advisory or other body.

15.2.4 Committee of the Whole - Planning and Administration - composition

The Committee of the Whole – Planning and Administration is created as a Committee of the Whole of Council consisting of the Mayor and all members of Council. By-law 64-2016, 26 April, 2016.

15.2.5 Committee of the Whole – Planning and Administration - functions

The Committee of the Whole - Planning and Administration shall generally consider, but is not limited to, all matters from the People, Legislated Services and Planning Commission and matters from the Office of the CAO ~~–The Committee of the Whole –Planning and Administration shall hold public Meetings pursuant to the Planning Act, as amended, the Development Charges Act, 1997, as amended, and subsection 173(3) of the Municipal Act, 2001, as amended, regarding a restructuring proposal,~~ and shall report to Council in connection therewith. By-law 64-2016, 26 April, 2016. By-law 205-2021, 26 October, 2021.

15.2.6 Committee of the Whole - Planning and Administration - Chair

The Clerk shall maintain a list (the “List”) of Members of Council interested in chairing meetings of the Committee of the Whole – Community Development on a monthly rotational basis, where Members of Council may add or remove themselves from the List at any time by notifying the Clerk in writing.

~~The Statutory Public Hearings portion of all Committee of the Whole – Planning and Administration meetings shall be chaired by the Mayor. In the absence of the Mayor or as a result of declaring a pecuniary interest under the Municipal Conflict of Interest Act on matters subject to the Statutory Public Hearing the Member of Council identified in the List maintained by the City Clerk shall automatically serve as Chair.~~

~~Upon completion of the Statutory Public Hearings portion of the Committee of the Whole – Planning and Administration meetings, the Member of Council so~~

~~identified on the List shall Chair the remainder of the meeting.~~

Should the Member of Council identified on the List be unable to chair portion(s) of the meeting as a result of declaring a pecuniary interest under the Municipal Conflict of Interest Act on matter(s) considered at the meeting, or has notified the Clerk, or designate, that they are no longer available or interested in chairing all or a portion of said meeting, by default, the Mayor shall serve as chair for part or all of the meeting, as the case may be.

In the event that the Mayor too is unable to chair through absence or as a result of declaring a pecuniary interest under the Municipal Conflict of Interest Act on matter(s) considered at the meeting, the member designated to chair for the following month and who is in attendance shall automatically serve as chair. By-law 64-2016, 26 April, 2016; By-law 168-2018, 18 December, 2018. By-law 91-2019, May 28, 2019; By-law 21-2020, 25 February, 2020

15.2.7 Committee of the Whole - Operations - composition

The Committee of the Whole - Operations is created as a Committee of the Whole of Council consisting of the Mayor and all members of Council.

15.2.8 Committee of the Whole - Operations - functions

The Committee of the Whole - Operations shall generally consider, but is not limited to, all matters from the Public Works Commission and matters from the Community Services & Social Development Commission that are not identified in Section 15.2.20. By-law 181-2017, 19 December, 2017. By-law 205-2021, 26 October, 2021.

15.2.9 Committee of the Whole - Operations - Chair

The Clerk shall maintain a list (the "List") of Members of Council interested in chairing meetings of the Committee of the Whole – Operations on a monthly rotational basis, where Members of Council may add or remove themselves from the List at any time by notifying the Clerk in writing.

Meetings of the Committee of the Whole – Operations shall be chaired by the Member of Council so identified on the List.

Should the Member of Council identified on the List be unable to chair portion(s) of the meeting as a result of declaring a pecuniary interest under the Municipal Conflict of Interest Act on matter(s) considered at the meeting, or has notified the Clerk, or designate, that they are no longer available or interested in chairing all or a portion of said meeting, by default, the Mayor shall serve as chair for part or all of the meeting, as the case may be.

In the event that the Mayor too is unable to chair through absence or as a result of declaring a pecuniary interest under the Municipal Conflict of Interest Act on matter(s) considered at the meeting, the member designated to chair for the following month and who is in attendance shall automatically serve as chair. By-law 168-2018, 18 December, 2018. By-law 91-2019 May

28, 2019.

15.2.10 Estimates Committee - composition

The Estimates Committee is created as a Committee of the Whole of Council consisting of the Mayor and all members of Council.

15.2.11 Estimates Committee - functions

The Estimates Committee shall consider and recommend the annual budget to Council, including any Council-approved reviews of services (*i.e.*, Continuum of Service) needed to meet budget targets.

15.2.12 Estimates Committee – Chair – Vice-Chair

The Estimates Committee shall be chaired by the Chair of the Finance Committee of the previous budget year. If the Chair of the Finance Committee of the previous budget year is no longer a member of Council, the Estimates Committee shall be chaired by the Vice-Chair of the Finance Committee of the previous budget year. If both the Chair and Vice-Chair of the Finance Committee are no longer members of Council, the Estimates Committee shall be chaired by such other member as determined by the Estimates Committee.

15.2.13 Finance Committee – composition

The Finance Committee is created as a Standing Committee of Council consisting of:

- (a) the Mayor; and
- (b) five (5) members of Council, with one (1) member from each ward.

The Ward Councillor who has not been appointed to the Committee shall serve as an alternate to the Ward Councillor who was so appointed, and may fully participate in Meetings of the Committee during the absence of the appointed ward representative. Members shall be appointed annually and, at the end of each term of appointment, continuation of membership to the next year shall require agreement by the Councillor’s Ward mate.

15.2.14 Finance Committee - functions

The Finance Committee shall advise Council on matters relating to the finances of the municipality, including, without limitation, the development and implementation of the City’s long-term strategic financial plan, internal and external audits, budget policy, budget monitoring, tax policies and policy direction and prioritization relating to financial matters and budgets.

The Finance Committee shall report directly to the Estimates Committee on the following matters:

- additional and future budget reduction options and strategy; and
- future annual Operating and Capital Budgets

The Finance Committee shall report directly to City Council on all other matters within its mandate.

The Finance Committee shall also serve as the audit committee of the municipality, but shall not perform the tasks of the Estimates Committee. By-

law 24-2017, 28 February, 2017.

15.2.15 Finance Committee – Chair and Vice-Chair

The Finance Committee shall elect annually from its membership, a member to serve as Chair and Vice-Chair. The Chair of the Finance Committee shall not sit as Chair for consecutive years.

15.2.16 Appointments Committee - composition

The Appointments Committee shall be a Committee of the Whole of Council consisting of the Mayor and all members of Council.

15.2.17 Appointments Committee - functions

The Appointments Committee shall make recommendations to Council where Council exercises a power of appointment.

15.2.18 Appointments Committee - Chair

The Clerk shall maintain a list (the “List”) of Members of Council interested in chairing meetings of the Appointments Committee on a monthly rotational basis, where Members of Council may add or remove themselves from the List at any time by notifying the Clerk in writing.

Meetings of the Appointments Committee shall be chaired by the Member of Council so identified on the List.

Should the Member of Council identified on the List be unable to chair portion(s) of the meeting as a result of declaring a pecuniary interest under the Municipal Conflict of Interest Act on matter(s) considered at the meeting, or has notified the Clerk, or designate, that they are no longer available or interested in chairing all or a portion of said meeting, by default, the Mayor shall serve as chair for part or all of the meeting, as the case may be.

In the event that the Mayor too is unable to chair through absence or as a result of declaring a pecuniary interest under the Municipal Conflict of Interest Act on matter(s) considered at the meeting, the member designated to chair for the following month and who is in attendance shall automatically serve as chair. By-law 168-2018, 18 December, 2018. By-law 91-2019 May 28, 2019.

15.2.19 Social Services Committee - composition

The Social Services Committee is created as a Standing Committee of Council consisting of:

- a) the Mayor;
- b) five (5) members of Brantford Council, with one (1) member from each ward. The Ward Councillor who has not been appointed to the Committee shall serve as an alternate to the Ward Councillor who was so appointed, and may fully participate in Meetings of the Committee during the absence of the appointed ward representative. Upon arrival of the appointed Ward Councillor, however, the appointed Ward Councillor

would immediately assume all voting rights from their alternate, if one is present. Members shall be appointed annually and, at the end of each term of appointment, continuation of membership to the next year shall require agreement by the Councillor's Ward mate; and

- c) six (6) nominees of the County of Brant chosen from among the Mayor and Council of the County of Brant, for such portion of the term of County Council as it may choose.

By-law 258-2021, 21 December, 2021

15.2.20 Social Services Committee – Services defined

For purposes of Article 15.2, the term “Services” means:

- a) Child Care Services, being the services set out in section 15.2.20.1, and such other services that the City may provide as the designated service system manager pursuant to the Child Care Act and Early Years Act, 2014, S.O. 2014, c.11, Schedule 1, and its regulations, all as amended from time to time;
- b) Ontario Works Services, being the services set out in section 15.2.20.2, and such other services that the City may provide as the delivery agent pursuant to the *Ontario Works Act, 1997*, S.O. 1997, c.25, Schedule A, and its regulations, all as amended from time to time);
- c) the Housing Services, being the services set out in section 15.2.20.3 of Schedule A and such services that the City of Brantford may provide as the designated service manager pursuant to the Housing Services Act, 2011, S.O. 2011, c.6, Schedule 1, and its regulations, all as amended from time to time; and
- d) the SPO Services (being services related to special programs and operations (“SPO”), including the services set out in section 15.2.20.4 and such other services as may be approved by the Committee; but SPO Services do not include services which would otherwise constitute Child Care Services, Ontario Works Services, or Housing Services.

By-law 258-2021, 21 December, 2021

15.2.20.1 Social Services Committee – Services – Child Care Services defined

The Child Care Services may include some or all of the following services:

- a) Complete such applications, reports, or other documents reasonably necessary to maximize subsidies, grants, and funding from either or both the provincial and federal governments;
- b) Collect, protect, and share information in accordance with the Child Care Act and Early Years Act, 2014, S.O. 2014, c.11, Schedule 1, and the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, their regulations, all as amended from time to time, as may be applicable;
- c) Develop, implement, monitor and review a Child Care and Early Years Programs and Services plan;
- d) Determine eligibility of applicants to receive financial assistance;
- e) Develop and administer local policies respecting the operation of child care and early years programs and services;

- f) Administer the delivery of financial assistance provided by the Minister pursuant to the Child Care Act and Early Years Act, 2014, S.O. 2014, c.11, Schedule 1, and its regulations, all as amended from time to time;
- g) Assess the economic viability of the child care and early years programs and services in the service area and, if necessary, make or facilitate changes to help make such programs and services economically viable;
- h) Establish, administer, operate and fund Child Care and Early Years Programs and Services;
- i) Provide financial assistance for eligible persons who are charged fees in respect of licensed child care, authorized recreational and skill building programs and extended day programs;
- j) Fund and provide financial assistance for other programs and services that provide or support temporary care for or supervision of children;
- k) Provide assistance to persons who operate Child Care and Early Years Programs and Services to improve their capabilities in relation to matters such as governance, financial management and the planning and delivery of programs and services;
- l) Evaluate and assess the impact of public funding; and
- m) Such other matters as may be required or permitted pursuant to the Child Care Act and Early Years Act, 2014, S.O. 2014, c.11, Schedule 1, and its regulations, all as amended from time to time.

By-law 258-2021, 21 December, 2021

15.2.20.2 Social Services Committee – Services – Ontario Works Services defined

The Ontario Works Services may include some or all of the following services:

- a) Determine eligibility of applicants to receive assistance;
- b) Appoint persons to act for recipients;
- c) Provide assistance to eligible recipients or third parties on behalf of recipients;
- d) Recover overpayments;
- e) Conduct internal reviews and manage appeals to the Social Benefits Tribunal;
- f) Implement decisions of the Social Benefits Tribunal;
- g) Manage appeals to the Divisional Court and such further judicial appeals, as may arise;
- h) Collect, protect, and share information in accordance with the Ontario Works Act, 1997, S.O. 1997, c.25, Schedule A, and the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, their regulations, all as amended from time to time, as may be applicable;
- i) Establish a local fraud control unit;
- j) Designate persons as family support workers;
- k) Apply the prescribed policy statements (O.Reg.564/05) in the interpretation and application of the Ontario Works Act, 1997, S.O. 1997, c.25, Schedule A, and its regulations, all as amended from time to time);
- l) Submit such applications, reports, or other documents reasonably necessary to maximize subsidies, grants, and funding from the provincial or federal government;

- m) Contract for emergency hostel services;
- n) Such other matters as may be required or permitted pursuant to the Ontario Works Act, 1997, S.O. 1997, c.25, Schedule A, and its regulations, all as amended from time to time).

By-law 258-2021, 21 December, 2021

15.2.20.3 Social Services Committee – Services – Housing Services defined

The Housing Services may include some or all of the following services:

- a) Complete such applications, reports, or other documents reasonably necessary to maximize subsidies, grants, and funding from either or both of the provincial and federal governments;
- b) Develop, implement, monitor and review the plan to address housing and homelessness;
- c) Develop and maintain an access system for providing assistance related to housing and homelessness in its service area;
- d) Carry out measures to meet the objectives and targets relating to housing needs, in accordance with the housing and homelessness plan;
- e) Establish, administer and fund housing and homelessness programs and services;
- f) Administer a coordinated access by-name list for supportive housing and conduct enumeration of persons who are homeless;
- g) Make available to the public such information as prescribed;
- h) Determine eligibility and priority of applicants;
- i) Provide assistance to eligible recipients, including rent-geared to income assistance and special needs housing;
- j) Apply any prescribed policy statements in the development of the housing and homelessness plan;
- k) Monitor the operations of designated housing projects and providers, and manage issues as they arise;
- l) Provide subsidies to providers operating designated housing or homelessness projects;
- m) Conduct audits and investigations of providers operating designated housing or homelessness projects;
- n) Manage funding received from the province and other levels of government;
- o) Develop a system for dealing with reviews requested from households or housing providers;
- p) Collect, protect, and share information in accordance with the Housing Services Act, 2011, S.O. 2011, c.6, Schedule 1, Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, their regulations, all as amended from time to time, as may be applicable;
- q) Such other matters as may be required or permitted pursuant to the Housing Services Act, 2011, S.O. 2011, c.6, Schedule 1, and its regulations, all as amended from time to time).

By-law 258-2021, 21 December, 2021

15.2.20.4 Social Services Committee – Services – SPO Services defined

The SPO Services may include any or all of the following services:

- a) Administration and implementation of the Affordable Housing Program (being Canada-Ontario Housing Program (COAHP), Canada-Ontario Housing Program – Extension (COAHP-E), Investment in Affordable Housing Program (IAH), Investment in Affordable Housing Program – Extension (IAH-E), Strong Communities Program, Canada-Ontario Community Housing Initiative (COCHI), and Ontario Priorities Housing Initiative (OPHI);
 - b) Administration and implementation of Community Homelessness Prevention Initiative (CHPI);
 - c) Administration and implementation of the Community Capacity Building Project;
 - d) Administration and implementation of Home for Good;
 - e) Implementation and review of the Housing Master Plan and the Task Force Action Plan;
 - f) Administration and implementation of the Reaching Home program;
 - g) Administration and operation of the Social Services Relief Fund (SSRF) program;
 - h) Developing and constructing municipally owned social housing projects, to the extent not forming part of Housing Services;
 - i) Operating, managing, and maintaining municipally owned social housing projects, to the extent not forming part of Housing Services;
 - j) Operating the housing resource centre, to the extent not forming part of Housing Services;
 - k) Operating and providing services to or for the benefit of the Brant and Brantford Local Housing Corporation;
 - l) Operating and providing services to or for the benefit of the Brantford Municipal Non-Profit Housing Corporation;
 - m) Complete such applications, reports, or other documents reasonably necessary to maximize subsidies, grants, and funding from the provincial or federal government, as approved by the Committee;
 - n) The administration and operation of the program governing funerals, burials and cremations, to the extent not captured as part of the Ontario Works Services;
 - o) Such other matters as may be recommended by the Committee, and following receipt of feedback or input by County, if any, which City Council shall consider in its determination, is approved by City Council; and
 - p) Such other matters as may form part of the approved budget for the Services.
- By-law 258-2021, 21 December, 2021

15.2.21 Social Services Committee - Scope

The scope of responsibilities for the Social Services Committee is:

- a) to discuss, consider, advise and make recommendations to the City Council concerning the Services that may come before it, in advance of City Council making decisions on such matters;
- b) to take action on such matters as are lawfully delegated to it by the City's by-laws and policies; and
- c) to take such other steps not inconsistent with this bylaw that the Committee reasonably considers necessary to carry out its mandate, being the governance

and oversight of the Services.

By-law 258-2021, 21 December, 2021

15.2.22 Social Services Committee – Specific Duties

Without limiting the generality of the scope set out in section 15.2.21, the Social Services Committee is hereby authorized and directed to:

- a) monitor and report on compliance with all laws which apply to the provision of the Services or its operations, which may include but is not limited to the Child Care and Early Years Act, 2014, S.O. 2014, c.11, Schedule 1, Ontario Works Act, 1997, S.O. 1997, c.25, Schedule A, Housing Services Act, 2011, S.O. 2011, c.6, Schedule 1, Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, and the Municipal Act, 2001, S.O. 2001, c.25, and all their regulations, all as may be amended from time to time;
- b) comply with all City approved policies, practices or procedures;
- c) recommend the Draft Budget for approval, in accordance with section 15.2.23;
- d) advise the Councils of budget variances, in accordance with section 15.2.24;
- e) provide minutes of its meetings to the Clerks of the Councils for information;
- f) establish and recommend, to City Council, service levels for the operations of the Services;
- g) monitor service levels and report to the Councils whether operations are exceeding or failing to achieve the established service levels;
- h) recommend to City Council appropriate policies, principles, procedures and roles to guide and enhance the administration, provision, or governance of the Services;
- i) provide oversight of such adopted policies, principles, procedures and roles related to the Services;
- j) discuss, consider and advise on strategic planning for the future of the Services;
- k) understand, assess, and address risks in terms of likelihood and magnitude of impact;
- l) make recommendations regarding the apportionment of funding amongst the various discretionary benefits pursuant to the Ontario Works Act, 1997, S.O. 1997, c.25, Schedule A, and its regulations, all as amended from time to time;
- m) receive, at least annually, a detailed report about the current level of service being provided to all City and County residents.
- n) monitor and report on progress of the effectiveness of policies and response strategies; and
- o) such further duties, responsibilities and authority as are specifically delegated to the Committee in this bylaw.

By-law 258-2021, 21 December, 2021

15.2.23 Social Services Committee – Budget Recommendation

The Social Services Committee will prepare and recommend a draft budget to

City Council and County Council for the Services for the following calendar year (“Draft Budget”). Such recommendation of the Draft Budget, including appropriate breakdowns and detail, shall be delivered to The Corporation of the City of Brantford and The Corporation of the County of Brat no later than October 1st of each calendar year. Should the Social Services Committee fail to provide a recommended Draft Budget on or before October 1st, the prior year’s approved budget shall be deemed to be the Draft Budget. Any amendment of the Draft Budget pursuant to this Article, shall, upon approval by the Committee, be deemed to thereafter be the Draft Budget. By-law 258-2021, 21 December, 2021

15.2.24 Social Services Committee – Budget Variance

The Social Services Committee will, on a semi-annual basis, review the approved budget for the Services with year-to-date totals, and provide a variance report to City Council and County Council, to be included in their Social Services Committee minutes. Such variance report, will minimally include the following information:

- a) The estimated amount of the total variance by service;
- b) The reason for the variance;
- c) Any measures that will be taken to reduce or eliminate the total annual variance; and
- d) Any other information necessary for a comprehensive understanding by City Council and County Council of the impact to their budgets or to the Services.

By-law 258-2021, 21 December, 2021

15.2.25 Social Services Committee – Chair and Vice-Chair

A Chair and a Vice-Chair of the Social Services Committee shall be appointed by the Social Services Committee from amongst the members of the Committee, for such term as determined by the Social Services Committee, but shall cease to hold such office should the officer cease to be a Social Services Committee member. By-law 258-2021, 21 December, 2021

15.2.26 Social Services Committee – Voting Rights

All members of the Social Services Committee members, including the Chair and Vice-Chair, shall have equal voting rights. By-law 258-2021, 21 December, 2021

15.2.27 Social Services Committee – Meeting Frequency

The Social Services Committee shall meet no less frequently than quarterly, but may meet on such more frequent basis as determined by the Social Services Committee, or otherwise at the call of the Chair. By-law 258-2021, 21 December, 2021

15.2.28 Human Resources Committee – Composition

The Human Resources Committee is created as a Standing Committee of Council consisting of:

- (a) the Mayor; and
- (b) five (5) members of Council, with one (1) member from each ward.

The Ward Councillor who has not been appointed to the Committee shall serve as an alternate to the Ward Councillor who was so appointed, and may fully participate in meetings of the Committee during the absence of the appointed ward representative. Members shall be appointed annually, and at the end of each term of appointment, continuation of membership to the next year shall require agreement by the Councillor's Ward mate.

By-law 21-2020, 25 February, 2020

15.2.29 Human Resources Committee – Functions

The Human Resources Committee shall:

1. Monitor the implementation of and advocate on behalf of the Human Resources master Plan; and
2. Consider reports from staff regarding the reorganization and restructuring of the City's administration, which shall be the overarching position of the City when filling vacancies in the future; and
3. Consider reports from staff regarding the filling of all new positions (Note: the Executive Leadership Team (ELT), led by the Chief Administrative Officer, shall resume the responsibility of reviewing and approving the replacement of vacant positions only after ELT has considered the potential efficiencies that may be realized through reorganization or restructuring as a result of the vacancy. Where no reorganization or restructuring options are being recommended, ELT may proceed in the filling of the vacancy. Where reorganization and restructuring are being recommended, a report to the Human Resources Committee would be required in keeping with Item 2 above.); and
4. Review and recommend any amendments to the Chief Administrative Officer Appointment By-law, when required; and
5. Consider other matters regarding human resources as identified by the Chief Administrative Officer; and
6. Consider reports for all new positions deemed necessary by the CAO and which do not increase the total labour budget.

The Human Resources Committee shall report directly to City Council on all matters within its mandate. By-law 21-2020, 25 February, 2020

15.2.30 Human Resources Committee – Chair and Vice-Chair

The Human Resources Committee shall elect annually from its membership, a member to serve as Chair and Vice-Chair. The Chair of the Human Resources Committee shall not sit as Chair for consecutive years.

By-law 21-2020, 25 February, 2020

15.2.31 Planning Committee – composition

The Planning Committee is created as a Standing Committee of Council consisting of:

- (a) the Mayor; and
- (b) five (5) members of Council, with one (1) member from each ward.

The Ward Councillor who has not been appointed to the Committee shall serve as an alternate to the Ward Councillor who was so appointed, and may fully participate in Meetings of the Committee during the absence of the appointed ward representative. Members shall be appointed annually and, at the end of each term of appointment, continuation of membership to the next year shall require agreement by the Councillor's Ward mate.

15.2.32 Planning Committee – functions

The Planning Committee shall hold public Meetings pursuant to the *Planning Act*, as amended, the *Development Charges Act, 1997*, as amended, and subsection 173(3) of the *Municipal Act, 2001*, as amended, regarding a restructuring proposal, and shall report to Council in connection therewith.

Notwithstanding the above, the Committee may from time to time hear non-Statutory matters, provided they are specifically relevant to development or long range planning.

At the discretion of the Chief Planner and/or City Clerk, certain Statutory Public Meetings may be heard at a Committee of the Whole or Council Meeting.

15.2.33 Planning Committee – Chair

The Planning Committee shall elect annually, from its membership to serve as Chair and Vice-Chair. The Chair of the Planning Committee shall not sit as Chair for consecutive years. The Mayor may be elected to serve as Chair or Vice-Chair.

15.2.34 Task Forces – Creation

Members of Council or Staff considering the creation of a new Task Force shall consult with the City Clerk's Department prior to the presentation of a Notice of Motion, Resolution or Staff Report to determine if there are existing Advisory Committees or Task Forces in place with related mandates that could be assigned additional tasks by Council, rather than creating a new Task Force.

In the event that a new Task Force is required, all Resolutions or Reports from Staff recommending the creation of a Task Force shall be required to complete a template, developed by the City Clerk's Department, including, at a minimum, the following components:

- Name of Task Force
- Mandate of Task Force
- Composition of Task Force
- Term of Task Force
- Reporting Structure of Task Force
- Departments of the City to provide administrative and/or clerking support to Task Force

By-law 21-2020, 25 February, 2020

15.2.35 Task Forces – First Meeting

Every Task Force, at its first meeting shall:

- (a) Establish a meeting schedule, to give Members, staff and the public as much advance notice as possible. Meetings at the Call of the Chair should be avoided; however that would not preclude a Special Meeting being called by the Chair to address an Urgent Item;
- (b) Identify specific tasks and report back dates in order to complete its mandate within the term identified by Council, a copy of which shall be appended to each Task Force agenda and updated to reflect status of identified tasks.

All existing Task Forces shall be required to comply with provisions (a) and (b) above. By-law 21-2020, 25 February, 2020

15.2.36 Task Force – Automatic Disbandment

Following consultation with the Chair of the Task Force, a recommendation to disband a task force shall be forwarded to the Appointments Committee if:

- a) A Task Force has not met within 12 months of being established; or
- b) A Task force has not met within 12 months of having a meeting

Section 15.2.27 does not apply to Task Forces that serve as an ad-hoc body. By-law 205-2021, 26 October, 2021.

~~15.2.34 — Statutory Public Meetings~~

~~All Statutory Public Hearings shall be chaired by the Mayor. In the absence of the Mayor, or as a result of declaring a pecuniary interest under the Municipal Conflict of Interest Act on matters subject to the Statutory Public Hearing, the Member of Council identified in the List maintained by the City Clerk shall automatically serve as Chair. By-law 205-2021, 26 October, 2021.~~

Article 3 SCHEDULE

15.3.1 Inaugural - date

The inaugural Meeting of Council will be held within the timelines as set out in the Municipal Elections Act. By-law 205-2021, 26 October, 2021.

15.3.2 Schedule of regular Meetings - preparation

The Clerk shall prepare a schedule of regular Meetings of Council, the Finance Committee, the Social Services Committee, the Human Resources Committee, **the Planning Committee**, the Committee of the Whole - Planning and Administration, and the Committee of the Whole - Operations. The Clerk, or designate, shall attend and take minutes at all such Meetings. By-law 64-2016, 26 April, 2016.

The Treasurer shall prepare a schedule of regular Meetings of the Estimates Committee. The Clerk, or designate, shall attend and take minutes at all such

Meetings.

The Clerk shall schedule Meetings of the Appointments Committee as needed.

Meetings will be scheduled on weekdays, with the exception of any Special Committee of the Whole retreats held for the purpose of strategic planning, and such Meetings may be scheduled on a Saturday.

15.3.3 Special meeting - Council - Committees of the Whole

A special meeting of Council or a Committee of the Whole of Council will be convened:

- (a) at the call of the Mayor; or
- (b) upon receipt by the Clerk of a petition of the majority of the members of Council.

Special meetings of Council for consideration of Private and Confidential Reports shall be presented at one Special City Council Meeting per month, the schedule of which is to be determined in consultation with the Mayor.

Notwithstanding the above, urgent reports may be considered at a Special Council Meeting convened under clauses (a) or (b) above. By-law 21-2020, 25 February, 2020

15.3.4 Petition received - special meeting summoned

Upon the filing of the petition referenced in Section 15.3.3(b), the Clerk will summon a special meeting for the purpose(s) and at the time stated in the petition. If the petition makes no reference to the place where the meeting is to be held, the location shall be in the Council Chambers.

15.3.5 Petition filed - removal of name - prohibited

Once received by the Clerk, no member may remove their name from a petition filed under Section 15.3.4.

15.3.6 Special meeting - notice

Notice and purpose of all special meetings will be given to all members by delivery to the residence or place of business of the members, or by electronic means (*e.g.*, e-mail) as practical within the circumstances, not less than twenty-four (24) hours in advance of the time fixed for the meeting, with the exception of Emergency Meetings where notice will be given to all members by electronic means only and the timeframe of twenty-four (24) hours in advance of the time fixed for the Meeting shall not apply.

15.3.7 Special meeting - matters limited

No matter will be considered or decided other than those set forth in the notice calling the special meeting. The foregoing is a rule of procedure and deviations therefrom may be authorized in accordance with Section 15.8.9.

15.3.8 Special meeting - other committees

The provisions of this Article shall apply with necessary modifications to the calling of special meetings for other committees that are subject to this Chapter, but the role of the Mayor in Section 15.3.3 shall be exercised by the Chair of the committee in such circumstances.

15.3.9 Special meeting – for the purposes of adopting the budget

- a) A special meeting of Council shall be required for the purpose of adopting the annual budget as recommended by the Estimates Committee when either of the following applies:
 - i. where proposed annual Operating Budget increases exceed 1.5% or the existing rate of inflation (whichever is higher); or
 - ii. where cumulative Operating Budget increases within the current term of Council exceed 4% or the cumulative rate of inflation during that period.
- b) Notice of the required special meeting of Council as identified in section 15.3.9 a) above, shall include reference that delegations regarding the recommended budget will be received by Council at said special meeting. By-law 205-2019, 18 December, 2019.

15.3.10 Meeting location - Council and Committees

All regular and special Meetings of Council, Committee of the Whole – Planning and Administration, Committee of the Whole – Operations and the Estimates Committee shall be held in the Council Chambers at the City Hall in Brantford, Ontario, except in the following circumstances: By-law 64-2016, 26 April, 2016.

- (a) the Meeting is to be held in the absence of the public pursuant to subsection 239(2) of the *Municipal Act, 2001*, as amended;
- (b) the Council Chambers are unavailable;
- (c) the Meeting is for a special Committee of the Whole retreat for the purposes of strategic planning; or
- (d) the Meeting is of the Councils of two (2) or more municipalities for the consideration of matters of common interest, where said Meeting may be held in a location pursuant to subsection 236(2) of the *Municipal Act, 2001*, as amended.
- (e) Where the meeting is held electronically as per section 15.4.1. By-law 205-2021, 26 October, 2021.
- (f) Despite any other provisions of this by-law, during a Declared Emergency:
 - i. Meetings may be conducted by any means, whether in person or electronic, provided they meet conditions required within the *Municipal Act, 2001*, as amended or other applicable law;
 - ii. Regular and special Meetings of Council and its' Committees, may be held outside of the City of Brantford Council Chambers or City Hall in order to provide space for health or safety protocols required of the Emergency insofar as the location chosen is fully accessible to persons with disabilities. By-law 75-2020, 26 May, 2020

All regular and special Meetings of the Finance Committee, **Planning Committee**, and Social Services Committee shall be held at the City Hall in Brantford, Ontario, unless another location is approved by City Council.

All Meetings shall be held in locations that are fully accessible to persons with

disabilities.

Meetings of Boards and Advisory Committees and Task Forces are not required to be held at City Hall, but shall be held in locations that are fully accessible to persons with disabilities.

15.3.11 Cancellation of a scheduled Meeting

Members, where possible, shall notify the Chair and the Clerk, or designate, at least two (2) business days in advance of the Meeting if they cannot attend. Reasons for the absence shall be noted in the minutes as per Council Attendance Policy - 003– Annual Council/Committee Attendance Report for Members of Council

Only the Mayor or Chair, as the case may be, may initiate the cancellation of any scheduled Meeting of Council or any Committee of Council by advising the Clerk, or designate, who shall provide members with the reason(s) for the cancellation

Despite the above, during an emergency the Mayor, Chair, or City Clerk may cancel any scheduled meetings as necessary. By-law 75-2020, 26 May, 2020. By-law 205-2021, 26 October, 2021.

15.3.12 Council - manner through which matters will be taken

All matters proceeding to Council for consideration must first be considered by a Committee of the Whole or Standing Committee pursuant to this Chapter.

The following matters may proceed directly to Council for consideration without the necessity of first having been considered by any Committee of the Whole or Standing Committee:

- (a) matters which, in the opinion of the Chief Administrative Officer and/or Mayor, are Urgent. For all items deemed Urgent pursuant to this clause, the reason(s) for the urgency shall be included within the written report to Council.;
- (b) routine minor real estate items and the stopping up of roads; and
- (c) Confidential Information regarding Minutes of Settlement for Assessment Appeals to be presented as a Private and Confidential Report directly to Special City Council for consideration; and
- (d) such others matters as Council may specifically approve from time to time. By-law 21-2020, 25 February, 2020

Article 4 OPEN MEETINGS

15.4.1 Meetings - open to public

Except as otherwise permitted or required by the Municipal Act, 2001, as amended, all Meetings shall be open to the public. Open and Closed Meetings may be conducted by any means, whether in person or electronic, provided they meet conditions, including impacts to quorum calculations, required within The Municipal Act, 2001, as amended or other applicable law. By-law 75-2020, 26 May, 2020. By-law 205-2021, 26 October, 2021.

15.4.2 Meetings - when closed

A Meeting or part of a Meeting may be closed to the public if the subject matter being considered is:

- (a) the security of the property of the municipality or local board;
- (b) personal matters about an identifiable individual, including municipal or local board employees;
- (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- (d) labour relations or employee negotiations;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
- (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

15.4.3 Meetings - required to be closed

A Meeting or part of a Meeting shall be closed to the public if the subject matter being considered is:

- (a) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
- (b) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13(1) or the investigator referred to in subsection 239.2(1) of the *Municipal Act, 2001*, as amended.

15.4.4 Educational or training sessions

A Meeting of Council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:

1. The Meeting is held for the purpose of educating or training the

members;

2. At the Meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council, local board or committee.

15.4.5 Closed Meetings - resolution required

Before holding a Meeting or part of a Meeting that is to be closed to the public, the municipality or local board or committee of either of them shall state by resolution:

- (a) the fact of the holding of the closed Meeting and the general nature of the matter to be considered at the closed Meeting; or
- (b) in the case of a Meeting under Section 15.4.4, the fact of the holding of the closed Meeting, the general nature of its subject-matter and that it is closed under that Section.

15.4.6 Closed Meeting – Staff Overview

Staff overviews of Closed Session items shall be permitted and the Chair shall have discretion in allowing questions from members regarding the overview. By-law 205-2021, 26 October, 2021.

15.4.7 Meetings - not closed to the public during vote

Subject to Section 15.4.8, a Meeting shall not be closed to the public during the taking of a vote.

15.4.8 Meetings - not closed during vote - exception

A Meeting may be closed to the public during the taking of a vote if:

- (a) Section 15.4.2 or 15.4.3 permits or requires the Meeting to be closed to the public; and
- (b) the vote is for a procedural matter or for giving direction or instructions to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under a contract with the municipality or local board.

15.4.9 Automatic amendment

Sections 15.4.2 to 15.4.7, inclusive, are excerpted from section 239 of the *Municipal Act, 2001*, as amended, and are included here for ease of reference. Sections 15.4.2 to 15.4.7, inclusive, shall be deemed to have been automatically amended to match any amendment to the corresponding provisions of the *Municipal Act, 2001*, as amended without the necessity of the enactment of such amendments by Council.

15.4.10 Record of Meeting - requirements

A municipality or local board or a committee of either of them shall record without note or comment all resolutions, decisions and other proceedings at a Meeting of the body, whether it is closed to the public or not.

15.4.11 Investigation

A person may request that an investigation of whether a municipality or local board has complied with section 239 of the *Municipal Act, 2001*, as amended, or the provisions of this Chapter in respect of a Meeting or part of a Meeting that was closed to the public be undertaken by an investigator.

15.4.12 Investigator

The appointment, powers, duties, functions and reporting requirements of the investigator referred to in Section 15.4.10 shall be established by by-law.

15.4.13 Investigator - report and recommendations

If, after making an investigation, the investigator is of the opinion that the Meeting or part of the Meeting that was the subject-matter of the investigation appears to have been closed to the public contrary to section 239 of the *Municipal Act, 2001*, as amended, or this Chapter, the investigator shall report the opinion and the reasons for it to the municipality or local board, as the case may be, and may make such recommendations as required.

15.4.14 Resolution – Findings

Council is required to pass a resolution on how it intends to address the report findings of the Closed Meeting Investigator. By-law 185-2017, 19 December, 2017.

15.4.15 Publication of investigator’s reports

The municipality or local board shall ensure that reports received under Section 15.4.12 by the municipality or local board, as the case may be, are made available to the public. By-law 185-2017, 19 December, 2017.

Article 5 ORDER OF BUSINESS

15.5.1 Council

For regular Meetings of Council, Members of Council are encouraged to enter the Council Chambers together, approximately two (2) minutes before the start of the Meeting.

Insofar as the same is practicable, the order of business of Council Meetings shall be as follows:

- (a) National Anthem
- (b) Invocation (to include a generic statement to replace congratulatory/condolatory resolutions)
- (c) Roll call
- (d) Declarations of Conflict of Interest
- (e) Separation of Items in Committee Reports for Discussion Purposes
- (f) Statutory Public Meetings
- (g) Recognition of Achievements (at Meetings of Council only in accordance with Corporate-007 Policy – Recognition Awards by Mayor and Members of Council)
- (h) Proclamations (all Proclamations shall be moved and seconded in one (1) motion and are not debatable. No delegations will be permitted on Proclamations)

- (i) Delegations (strict one-hour limit)/Presentations (limit of two (2) Presentations at each Meeting)
- (j) Clerk's Report on Communications
- (k) Minutes
- (l) Committee Reports
- (m) Urgent Reports
- (n) Resolutions
- (o) Notices of Motion (shall be in writing)
- (p) By-laws
- (q) Adjournment

During a declared emergency, the order of business may be limited or changed as needed.

By-law 21-2020, 25 February, 2020; By-law 75-2020, 26 May, 2020; By-law 205-2021, October 26, 2021.

15.5.1.1 Committees

Insofar as the same is practicable, the order of business of Committee Meetings shall be as follows:

- (a) Invocation (to include a generic statement to replace congratulatory/condolatory resolutions)
- (b) Roll call
- (c) Declarations of Conflict of Interest
- (d) Separation of Items for Consideration and Consent Items for Discussion Purposes or in the case of the Finance Committee; Separation of Budget Reports, Items for Consideration and Consent Items for Discussion Purposes
- (e) Statutory ~~Public Hearings~~/Public Meetings
- (f) Delegations (strict one-hour limit for all Committees of the Whole and Standing Committees, with the exception of the Estimates Committee where there shall be a strict two-hour limit) /Presentations (limit of two (2) Presentations at each Meeting ~~with the exception of Committee of the Whole — Planning and Administration where no presentations are permitted where two or more Statutory Public Hearings appear on the agenda~~)
- (g) Budget Reports (for Finance Committee Meetings only)
- (h) Items for Consideration
- (i) Consent Items

- (j) Resolutions
- (k) Notices of Motion (shall be in writing)
- (l) Adjournment

By-law 24-2017, 28 February, 2017; By-law 21-2020, 25 February, 2020; By-law 205-2021, October 26, 2021.

15.5.2 Chair - call to order

As soon after the hour fixed for the Meeting as there shall be a quorum present, the Chair, shall take the chair and call the members to order. A majority of the members shall constitute a quorum.

15.5.3 Chair - absent - selection

In the absence of the Mayor for Meetings of Council, the Acting Mayor for the month shall serve as Chair. In the absence of the Acting Mayor for the month, the member of Council designated as Acting Mayor for the next month and who is in attendance shall serve as Chair.

In the absence of the Chair for Meetings of Standing Committees, Boards and Advisory Committees and Task Forces, the Vice-Chair shall serve as Chair. In the absence of the Vice-Chair, the members may elect another member to serve as Chair.

15.5.4 Chair - temporary

If the Chair desires to leave the chair for the purpose of taking part in the debate or otherwise, the Chair shall call on the Acting Mayor or Vice-Chair, as the case may be, or in their absence, another member of Council to chair the meeting. To maintain neutrality, the Chair shall not resume the position of Chair until the agenda item is disposed of. This section does not apply to instances whereby the Chair is exercising their power under Section 15.8.5. By-law 205-2021, October 26, 2021.

15.5.5 Quorum - lack of – adjournment

If there be no quorum present within fifteen (15) minutes after the time appointed for the Meeting, the Clerk shall call the roll and take down the names of the members then present and the Meeting shall stand adjourned until the next Meeting. At the call of the Chair, the fifteen (15) minutes may be extended for an additional fifteen (15) minutes.

15.5.6 Consent items - summarized

In preparing the agenda for Committee of the Whole and Standing Committee Meetings, the Clerk shall summarize routine matters as “consent items”. Full back-up material will continue to be attached for review by members of Council. By-law 21-2020, 25 February, 2020

15.5.7 Separation of Items

All items not separated for discussion purposes under 15.5.1(f) and 15.5.1.1(d) shall be moved and seconded in one motion and voted on before proceeding to the next Item on the agenda.

All Items separated for discussion purposes shall be moved and seconded in one motion and voted on individually.

All Items relating to matters where a person or persons have filed a written request to appear as a delegation in accordance with the provisions of Section 15.6.2 of the Chapter shall automatically be separated for discussion purposes.

All Items deferred directly to City Council by a Committee of the Whole or Standing Committee due to time constraints shall continue to be listed on the Committee Report to Council however will not be automatically separated for discussion purposes. A Member must identify the Item for separation at City Council if they so wish. By-law 21-2020, 25 February, 2020

15.5.8 Council Agenda - preparation - delivery to Council

Not less than forty-eight (48) hours in advance of the time fixed for each regular Council Meeting, the Clerk will cause an agenda, with supporting material, prepared in accordance with this Chapter, to be prepared and delivered to the residence or place of business of the members, or by electronic means (e-mail) as practical within the circumstances.

15.5.9 Committee of the Whole, Standing Committee, Board or Advisory Committee and Task Force agendas - preparation - delivery to Council

Not less than forty-eight (48) hours in advance of the time fixed for each regular Meeting of the Committee of the Whole, Standing Committee, Board or Advisory Committee and Task Force, the Clerk will cause an agenda, with supporting material, prepared in accordance with this Chapter, to be prepared and delivered to the residence or place of business of the members, or by electronic means (e-mail) as practical within the circumstances.

Article 6

FORMAL PUBLIC INPUT AND PARTICIPATION

15.6.1 Public input and participation - encouraged

Public input and participation in the processes of Council Meetings and the Meetings of its committees through the means set forth in this Chapter are both welcome and encouraged.

15.6.2 Public input and participation - formal means, including delegations

Public input and participation in the processes of Council Meetings and Meetings of its committees shall occur through any one or more of the following means:

- (a) by written communication to Council, or any committee thereof, through delivery of such written communication to the Clerk, and such delivery may occur by personal service, by post, electronically or any other effective means;
- (b) by attendance ~~before the Committee of the Whole - Planning and Administration~~ at a Statutory Public Meeting in accordance with the

provisions of the *Planning Act*, as amended; the *Development Charges Act, 1997*, as amended; subsection 173(3) of the *Municipal Act, 2001*, as amended; and, Article 12 of this Chapter; By-law 64-2016, 26 April, 2016.

- (c) by attendance before any Board or Advisory Committee, in accordance with the procedural requirements established by any such Board or Advisory Committee;
- (d) by appearance before Council, Committee of the Whole - Planning and Administration, Committee of the Whole - Operations, Appointments Committee, or Finance Committee as a delegation, where a strict one-hour time limit is provided for delegations, provided that no such delegation shall be permitted unless: By-law 64-2016, 26 April, 2016; By-law 21-2020, 25 February 2020
 - (i) the subject matter of the delegation directly relates to a matter that already appears on the agenda of the Council or committee Meeting at which appearance is sought, there is a possibility that there will be a decision on that matter at the Meeting, and the person or persons seeking to appear have:
 - 1. Provided to the Clerk, no later than 9:00 a.m. on the day of the Meeting, a written request to appear as a delegation, noting the action they wish the City to take with respect to the agenda item.
- (e) by appearance before the **Planning Committee (non-statutory meeting items)**, Social Services Committee, Brant and Brantford Local Housing Corporation Board of Directors and Brantford Municipal Non-Profit Housing Corporation Board of Directors as a delegation, where a strict one-hour time limit is provided for delegations, provided that no such delegation shall be permitted unless:
 - (i) the subject matter of the delegation directly relates to a matter that already appears on the agenda of the committee or Board meeting at which appearance is sought, there is a possibility that there will be a decision on that matter at the Meeting, and the person or persons seeking to appear have:
 - 1. Provided to the Clerk, no later than 9:00 a.m. on the day prior to the Meeting, a written request to appear as a delegation, noting the action they wish the City to take with respect to the agenda item. By-law 21-2020, 25 February, 2020
- (f) by appearance before the Estimates Committee as a delegation, where a strict two-hour time limit (at the call of the Chair) is provided for delegations, provided that no such delegation shall be permitted unless the agenda provides for delegations to be heard respecting the budget process, and the person or persons seeking to appear have:
 - 1. Provided to the Clerk, no later than 9:00 a.m. on the day of the Meeting, a written request to appear as a delegation, noting the action they wish the City to take with respect to the budget item(s).
- (g) delegations may only appear before the City at a Council, Committee of the

Whole – Planning and Administration, Committee of the Whole – Operations, Appointments Committee, Estimates Committee, Social Services Committee or Finance Committee Meeting, **Planning Committee** once on the same agenda item. Only one (1) delegation from the same group/ organization/ business may appear on the same agenda item, regardless of the members comprising said delegation. No person who appears as an individual may appear on the same agenda item on behalf of a group/business/organization and no person appearing on behalf of a group/business/organization may subsequently appear as an individual on the same agenda item. Agenda items deferred, referred, amended or tabled are deemed to be the same agenda item for the purpose of this Section. By-law 21-2020, 25 February, 2020

- (i) **Where a delegation has appeared before a Committee to speak to Statutory Public Hearing matter, they shall not be permitted to re-appear before Council on the same matter.**
- (h) no individual or group/organization/business shall be listed as separate delegations at the same Meeting. Such delegation may address a number of items appearing on the agenda, but will be considered to be one (1) delegation and will be allotted one (1) block of speaking time only.
- (i) no delegations shall be permitted respecting items listed on the Clerk’s Report on Communications or Proclamations at Meetings of Council.
- (j) no delegations shall be permitted to address the following matters:
 1. Labour relations or employee negotiations;
 2. Litigation that is either expected to proceed, that is currently proceeding, or that has already been decided by a trier of fact;
 3. Tenders, RFPs or other procurement matters;
 4. Any other matter that is properly the subject of the open Meeting exceptions in the *Municipal Act, 2001*, as amended.
- (k) Delegations may make PowerPoint presentations at Meetings, provided that an electronic copy of the presentation is provided to the Clerk, no later than 9:00 a.m. on the day of the Meeting.
- (l) Delegations shall not speak for more than ten (10) minutes without the approval of Council or Committee, as the case may be. Members have the opportunity to ask questions only of the delegation, and such questions shall be included in the prescribed time allotment for delegations.
- (m) Council or Committee, as the case may be, may in their discretion, refuse to hear any delegation.
- (n) During a Declared Emergency subsections 15.6.2 (b) – (l) may be modified as necessary and delegations may be restricted to only written submissions or other means (virtual) that maintain health and safety protocols required of the Emergency. By-law 75-2020, 26 May, 2020

15.6.3 Presentations

- (a) Presentations initiated by Council or Municipal Staff where the subject matter of the Presentation directly related to a matter that already appears on the agenda shall be listed on the agenda as a Presentation. Each Presentation is limited to

ten (10) minutes. By-law 205-2021, October 26, 2021.

- (b) No more than two (2) Presentations shall be permitted at each Meeting.
- ~~(c) Notwithstanding subsection (b) above, no presentations shall be permitted, other than those related to Statutory Public Hearings/Public Meetings at meetings of Committee of the Whole — Planning and Administration, where two or more Statutory Public Hearings/Public Meetings appear on the agenda.~~
- (d) The Clerk, or designate, shall list Presentations under the Delegation/Presentation Section on the agenda. By-law 205-2021, October 26, 2021.
- (e) The Mayor or Chair, as the case may be, shall have the authority to include Presentations to Council or committee agendas where the subject matter of the Presentation does not directly relate to a matter that already appears on the agenda, but where the subject matter falls within the purview of Council or the committee, as the case may be.
- (f) The CAO, shall have the authority to include Presentations from City of Brantford Local Boards to Council or committee agendas, where the subject matter of the Presentation does not directly relate to a matter that already appears on the agenda. Request for such presentations must be submitted to the Office of the City Clerk in writing 30 days before the desired meeting date. By-law 205-2021, October 26, 2021.
By-law 21-2020, 25 February, 2020

15.6.4 Other means - not restricted

Except as expressly regulated in this Chapter, there is no other limitation on the means, including informal means, through which members of the public may interact with their elected representatives or Municipal Staff.

15.6.5 Speaking rights - non-voting members - City – County Councils at Meetings

- (a) Members of Brantford Council who are not voting members of a City of Brantford Standing Committee, a Board or Advisory Committee as identified in Chapter 26 of The City of Brantford Municipal Code or a Task Force created by City Council, shall be permitted to speak to issues on the agendas of these respective Committees, Boards, Advisory Committees or Task Forces without first having to register as a delegation and shall be recognized by the Chair after all voting members have had an opportunity to speak for a first time; and
- (b) Members of Brant County Council who are not voting members of a City of Brantford Standing Committee, a Board or Advisory Committee as identified in Chapter 26 of The City of Brantford Municipal Code or a Task Force created by City Council, whose composition includes one (1) or more Members of Brant County Council, shall be permitted to speak to issues on the agendas of these respective Standing Committees, Boards, Advisory Committees or Task Forces without first having to register as a delegation and shall be recognized by the Chair after all voting members have had an

opportunity to speak for a first time.

Article 7

CONDUCT OF MEETING

15.7.1 Application

This Article applies to Meetings of Council and also applies with necessary modifications to any Meetings of any Committee of Council to which this Chapter applies.

15.7.2 Chair – duties

The duties of the Chair at a Meeting shall include, but are not limited to, the following:

- a) calling the Meeting to order;
- b) announcing the business before Council or committee, as the case may be;
- c) receiving and submitting to a vote, in the proper manner, all motions that do not contravene the rules of procedure and announcing the results;
- d) maintaining a speaker’s list and recognizing speakers in the order in which they have requested to speak;
- e) directing all parties to speak through the Chair;
- f) advising on matters of procedure by way of ensuring an orderly and effective Meeting;
- g) ruling on any point of order, point of privilege and any other matter that requires a ruling of the chair
- h) On an appeal of any ruling of the chair, submitting the appeal to the decision of the assembly, “Shall the decision of the chair be sustained”.
- i) maintaining order and preserving decorum at the Meeting; and
- j) adjourning or recessing the Meeting if necessary because of grave disorder or emergency.

By-law 205-2021, October 26, 2021.

15.7.3 Chair - order - decorum - to preserve

The Chair shall preserve order and decorum (which shall include re- straining breaches of the Code of Conduct for Members of Council set forth in Article 14 but not in the capacity of Integrity Commissioner) and shall decide all questions of order, subject to an appeal to the Council or committee as the case may be, by any member.

15.7.4 Decorum - rules

The following are the rules of decorum at Meetings:

- (a) members shall not leave their seat or make any noise or disturbance while a vote is being taken and until the result of the vote is announced;
- (b) When a member is speaking, no other member shall pass between the Chair and the member or interrupt the member except to raise a Point of Order or a Point of Privilege;

- (c) Members shall address the Mayor using the title of “Mayor” or “Your Worship” and Councillors using the title of “Councillor” or “Chair” where applicable;
- (d) Members shall speak only to the subject matter under debate;
- (e) Members shall turn off all handheld electronic devices or set them to a non-audible signal and shall not engage in private conversation during a Meeting or use electronic equipment that interrupts the proceedings of the Meeting;
- (f) Members shall not disobey the rules of procedure or a decision of the Chair on questions of order;
- (g) Members shall not consume food during Council, Committees of the Whole or Standing Committee Meetings;
- (h) No person, except a Member or an authorized Municipal Staff person shall be allowed on the meeting floor (within the Council horseshoe) during the Meeting without the permission of the Mayor or Chair, as the case may be;
- (i) No person except a Member or an authorized Municipal Staff person shall, before or during a Meeting, place on the desks of members or otherwise distribute any material whatsoever. All such material shall be given to the Chair or Clerk, or designate, for distribution if appropriate.

15.7.5 Indication of wish to speak - to Chair - by members Every member, prior to speaking to any question or motion, shall indicate their wish to speak and receive recognition from the Chair.

15.7.6 Speaking - order

When two (2) or more members indicate a wish to speak, the Chair shall name the member who first gave such indication.

15.7.7 Point of Order - Chair - to decide

A member, without comment, may raise a Point of Order to the Chair. After recognition by the Chair, the member may explain the rule that has been broken. The Chair shall then rule on the point of order as “being well taken” or “not well taken”, stating, by explanation, the applicable rule(s) in question. By-law 205-2021, October 26, 2021.

15.7.8 Point of Order - appeal - decision

In the event that a member disagrees with the decision of the Chair on a Point of Order, the member, upon receiving a seconder, shall have the ability to appeal that decision, and such appeal is not debatable and shall be decided by majority vote of the members. The appeal shall be made immediately following the decision before any further debate or business has occurred. A majority or tie vote sustains the decision of the Chair on the principle that the Chair’s decision stands until reversed by a majority. By-law 205-2021, October 26, 2021.

15.7.9 Power to expel - improper conduct

The Chair may expel any person (other than a member) for improper conduct at a Meeting.

15.7.10 Member - remarks - confined

The member when speaking must confine remarks to the question in debate and shall not resist the rules of the Council or disobey the decision of the Chair, or of the Council, on questions of order and practice or upon interpretation of the rules of the Council, and, in the event any member shall resist or disobey, the member may be ordered by the Chair to be unseated for the remainder of Meeting, but, in the event of an apology being made by the offender, the member may, by vote of the Council, be permitted forthwith to be resealed. By-law 205-2021, October 26, 2021.

15.7.11 Decorum - rules - to be obeyed

Persons addressing Council or its Committees or observing a Meeting of Council or its Committees shall conduct themselves with decorum and shall obey the rules of the Chair in the conduct of the Meeting. Without limiting the generality of the foregoing, the required level of decorum shall include the following rules:

- (a) all persons present in the meeting room shall use polite and respectful language, and shall refrain from the use of any language or the making of any gesture that is disrespectful or offensive;
- (b) all persons invited to address the Council or Committee shall speak only on the subject in debate and shall not speak on any other subject;
- (c) no person shall display any sign, banner or placard in the meeting room, other than:
 - (i) materials that, in the opinion of the Chair, are legitimate audio-visual aids necessary in connection with any presentation to be made to Council or its Committees; or
 - (ii) decorative, commemorative, or other materials erected by or on behalf of Council by authorized agents or employees of the City;
- (d) no person shall applaud participants in debate or engage in conversation or behavior that may disrupt the proceedings of the Meeting;
- (e) no person shall bring into the meeting room any food or drinks, other than drinks for members or for those speaking at the Meeting;
- (f) no person shall bring into the meeting room any cellular telephone, pager or other electronic devices that emit a sound unless such devices are turned off or silenced; and
- (g) no person shall bring into the meeting room any camera or other recording device unless the Meeting is open to the public and the set up and operation of said device in no way interferes with or disrupts the proceedings of the Meeting.

Any person who is not a member of Council who contravenes any provision of this section may be expelled from the Meeting by the Chair.

15.7.12 Quorum - calculation

Quorum for the transaction of business at any Meeting of Council or any Committee of Council to which this Chapter applies shall be the majority of members thereof.

15.7.13 Quorum - Finance Committee - calculation

Notwithstanding Section 15.7.12, quorum for the transaction of business at the Finance Committee shall be three (3) members of the Finance Committee.

15.7.14 Quorum - Planning Committee - calculation

Notwithstanding Section 15.7.12, quorum for the transaction of business at the Planning Committee shall be three (3) members of the Planning Committee.

15.7.15 Point of Privilege - members

- (a) A member may raise a Point of Privilege to direct Council or the Committee's attention to a matter that:
- (i) affects the members collectively;
 - (ii) reflects on the individual member;
 - (iii) affects the member's rights to sit on Council;
 - (iv) affects freedom of speech at the Meeting; or
 - (v) suggests contempt of Council as a whole.
- (b) A member may raise a Point of Privilege for the purpose of correcting any statement made about them or attributed to them.
- (c) No member may rise on a Point of Privilege to:
- (i) correct reports to their speeches; or
 - (ii) comment on allegedly inaccurate statements in the news media.

It is noted that a misinterpretation that affects one (1) Councillor is not the same as one affecting all of Council.

15.7.16 Point of Privilege - immediate consideration - required

Whenever any matter of privilege arises, it shall be immediately acknowledged by the Chair and stated by the member. If a question of privilege has been determined, the Chair shall immediately take action to resolve the situation. By-law 205-2021, October 26, 2021.

15.7.17 Point of Privilege – Municipal Staff

In addition to the circumstances under which a member may raise a Point of Privilege, Municipal Staff members shall be given recognition by the Chair on a Point of Privilege for the purpose of correcting any statement made about them or attributed to them if they consider it necessary to make such correction.

Article 8 RULES OF DEBATE

15.8.1 Application

This Article applies to all Meetings.

15.8.2 Question - read - interruption - prohibited

Any member may require the question or motion under discussion to be read at any

time during the debate but not so as to interrupt a member while speaking.

15.8.3 Speaking – limited

- (a) At Council Meetings, where the Meetings are open to the public, no member shall speak more than once on the same question without leave of the Council.

Notwithstanding (a) above, at Council Meetings, where meetings are open to the public, members may speak twice on the same question without leave of the Council on the following matters only:

- (i) matters identified in Section 15.3.11 of this Chapter that may proceed directly to Council for consideration without the necessity of first having been considered by any Committee of the Whole or Standing Committee; or
 - (ii) a Resolution not previously considered by a Committee of the Whole or Standing Committee where two-thirds of the members present authorize the presentation of the Resolution; or
 - (iii) an original motion that is proposed for reconsideration as identified in Section 15.8.16 of this Chapter if a motion to reconsider is decided in the affirmative.
- (b) At Council Meetings, where the Meetings are closed to the public, no member shall speak more than twice on the same question without leave of the Council.
- (c) At Committee of the Whole and Standing Committee Meetings, excluding the Estimates Committee, no member shall speak more than twice on the same question without leave of the Committee.
- (d) At Estimates Committee Meetings, there is no limit on the number of times that a member can speak on the same question.
- (e) At Council Meetings, no member shall be permitted to speak to Recognition of Achievements and Proclamations.

By-law 59-2018, 24 April, 2018; By-law 21-2020, 25 February, 2020

15.8.4 Speaking - wrap – speaking list – when permitted

A member who moved the original motion may “wrap” by speaking last in respect of the motion.

15.8.5 Speaking - time limited

No Member, without leave of the Committee shall speak to the same motion for longer than four (4) minutes. The Chair shall be entitled to speak in respect of any matter. The four-minute speaking time applies to all separately debatable motions made in respect of any matter.

Notwithstanding the above, at Meetings of City Council and Special City Council, no member, without leave of Council, shall speak to the same motion for longer than five (5) minutes. The five-minute speaking time applies to all separately debatable motions made in respect of any matter.

At meetings of the Estimates Committee, no member, without leave of the Committee, shall speak to the same motion for longer than three (3) minutes. The

three-minute speaking time applies to all separately debatable motions made in respect of any matter. By-law 21-2020, 25 February, 2020

15.8.6 Speaking – Questions of Staff

Municipal Staff may invite consultants retained by the City to join them in responding to questions from members during debate on an Item and/or invite members of a Board, Advisory Committee or Task Force to respond to questions during debate of their Board, Advisory Committee or Task Force reports to Committee. By-law 21-2020, 25 February, 2020

15.8.7 Motion - moved - seconded

All motions shall be seconded before debate or vote.

15.8.8 Motion - read - possession of Council withdrawn - friendly amendment

After a motion is moved and seconded, it shall be deemed to be in possession of the Council or committee, as the case may be, but shall, with the permission of the mover and seconder, be withdrawn at any time before decision or amendment.

Before a decision is made on a motion, it may be restated in such manner as may be suggested by any other member.

The changes to the restated motion must be:

- (a) Germane to the intention of the original motion;
- (b) minor in nature; and
- (c) accepted by both the mover and the seconder in order to be accepted as a “friendly amendment”. The revised wording shall then become the main motion.

15.8.9 Waiving the rules of order - voting

Unless this Chapter provides otherwise, the method of procedure shall be determined by majority vote of Council or committee, as the case may be, and if there is a tie during such a vote, the Chair of the Meeting may break the tie and rule on the question of procedure. Where a method of procedure is prescribed by this Chapter and where Council or committee may authorize such deviation therefrom if two-thirds of the members then present vote in favour of such deviation.

15.8.10 Motion - rules of debate

No motion shall be received when a question is under debate unless to refer it, to amend it, to defer it or to move that the vote be now taken.

15.8.11 Motion – refer

A motion to refer is in order at any time, but shall be moved as a stand- alone motion and not as part of another speaking opportunity.

When a motion to refer is duly moved and seconded, the Chair may ask the mover and seconder to hold the motion to refer until such time as all members have had an opportunity to speak in respect of the question.

If the mover and seconder agree to hold the motion to refer, the Chair will entertain the motion after all members have had an opportunity to speak in respect of the question, provided that it shall not be necessary for all members to have actually

availed themselves of such opportunity. Where any member has spoken more than once in respect of the question, every member shall be deemed to have had an opportunity to speak in respect of the question.

If the mover and seconder do not agree to hold the motion to refer, the motion shall be put immediately and is debatable to its merits only and cannot go into the main question except as necessary for debate of the immediately pending question. A motion to refer the question shall include:

- (a) the name of the body or official to whom the question is to be referred; and
- (b) any instructions respecting the terms upon which the question is to be referred.

15.8.12 Motion - defer

A motion to defer is in order at any time, but shall be moved as a stand- alone motion and not part of another speaking opportunity.

When a motion to defer is duly moved and seconded, the Chair may ask the mover and seconder to hold the motion to defer until such time as all members have had an opportunity to speak in respect of the question.

If the mover and seconder agree to hold the motion to defer, the Chair will entertain the motion after all members have had an opportunity to speak in respect of the question, provided that it shall not be necessary for all members to have actually availed themselves of such opportunity. Where any member has spoken more than once in respect of the question, every member shall be deemed to have had an opportunity to speak in respect of the question.

If the mover and seconder do not agree to hold the motion to defer, the motion shall be put immediately and is debatable as to time and place only.

Motions deferred will come back to the appropriate Committee of the Whole or Standing Committee Meeting, unless Council specifically directs otherwise.

15.8.13 Motion - to call the question

If a member moves that the vote be now taken (which motion may be referred to as a motion to “call the question”) and the motion is seconded, the motion to call the question shall be considered without debate. If the Motion to Call the Question is carried, the motion and amendments under discussion shall be immediately submitted to the Council without further discussion.

A Motion to Call the Question may not be made at a Meeting of a Committee of Council unless all members have had an opportunity to speak in respect of the question, provided that it shall not be necessary for all members to have actually availed themselves of such opportunity. Where any member has spoken more than once in respect of the question, every member shall be deemed to have had an opportunity to speak in respect of the question.

Before proceeding to second time speakers, where permitted, the Chair shall ask if there are any other first time speakers.

15.8.14 Amendments - voting

Amendments shall be put in the reverse order to that in which they are moved. Only one (1) amendment shall be allowed to an amendment, and, if further amendments to

amendments are desired, these amendments must be treated as further amendments to the main question.

15.8.15 Amendments to Municipal Staff recommendations

Before any vote is taken in respect of amendments to by-laws, resolutions or other matters that came before Council or Committee through a staff report in which such by-law, resolution or other matter was recommended by Municipal Staff, the Chair may request input and advice in respect of the proposed amendment from Municipal Staff present at the Meeting.

15.8.16 Motion to Reconsider

After any motion, except one of indefinite postponement has been decided, a member who voted in the majority on a motion may move or give notice for a reconsideration of the matter. The seconder of the motion to reconsider must also be someone who voted in the majority on the motion to be reconsidered. Where previous notice has not been provided, a motion to reconsider will be carried by a two-thirds majority of the members present and voting.

Where notice has previously been provided at a Meeting of Council or by way of notice in the Agenda Package of a Regular or Special Meeting of Council, a motion to reconsider will be carried by a majority of the members present and voting.

Where a previous motion has passed and a Recorded Vote has not been requested by a member, all members shall be deemed to be voting in favour of the motion unless they have advised the Chair that they wish to be recorded as opposed. A member who is absent at the time a vote is taken on a motion, which subsequently becomes the subject of a motion for reconsideration, shall be deemed for the purpose of reconsideration to have voted with the majority.

In the event that a motion is lost through a tie vote, those members who voted against the motion shall be deemed to be the majority for purposes of this Section.

15.8.17 Motion to reconsider - discussion

No discussion of the main motion that is proposed for reconsideration shall be allowed until the motion to reconsider is carried.

If a motion to reconsider is decided in the affirmative, such reconsideration of the original motion shall become the next order of business, unless the motion calls for a future definite date, and debate on the motion to be reconsidered may proceed as though it had never previously been voted on.

15.8.18 Motion to reconsider - frequency

No motion shall be reconsidered more than twice during a period of twelve (12) months following the date on which the motion was originally decided.

15.8.19 Question - put - speaking - prohibited

After a question is finally put by the Chair, no member shall speak to the question, nor shall any other motion be made until after the result of the vote has been declared.

15.8.20 Improper motion - Chair to rule

Whenever the Chair is of the opinion that a motion is contrary to the rules and

privileges of the Council, the Chair shall apprise the members thereof immediately before putting the question and shall cite the rule of authority applicable to the case without argument or comment. The Chair may dismiss such motion, subject to appeal. By-law 205-2021, October 26, 2021.

Article 9 VOTING

15.9.1 Application

This Article applies to all Meetings of Council and also applies with necessary modifications to any Meetings of any Committee of Council to which this Chapter applies.

15.9.2 Voting - Chair - exception

The Chair shall vote with the other members on all questions except as provided in Sections 15.9.3 to 15.9.5, inclusive. Any question on which there is an equality of votes shall be deemed to be decided in the negative.

15.9.3 Voting - all members - exception

Every member present shall be required to vote on every question put before Council or Committee, as the case may be, unless such member is not legally entitled to vote on the question and/or unless such member is excused by Council from voting on the said question.

15.9.4 Voting - refusal

Any member who refuses to vote on any question shall be deemed to be voting in the negative on the question

15.9.5 Recorded Vote - names - entered in minutes

In cases when a Recorded Vote is required on any question, either by law or upon the request by a member, the names of those who vote for and against the question shall be entered in the minutes. The Clerk, or designate, shall also enter in the minutes the names of those members not in the meeting room at the time of the vote.

15.9.6 Recorded Vote - how taken

In taking Recorded Votes, the Clerk, or designate, shall ask all members in favour of the motion to raise their hands collectively and to keep their hands raised until their name is called by the Clerk, or designate. The Clerk, or designate, shall repeat the same process for those members opposed to the motion. The Clerk, or designate, shall then announce the results of the vote. Each member voting for the question shall say "Yes" and each member voting against the question shall say "No."

Where electronic voting equipment is available and used, the results of which will be displayed publicly at the end of the vote, and the results shall be announced by the Clerk, or designate.

Where the meeting is broadcasted on television, the internet or through any other electronic means, the Clerk, or designate, shall also read aloud the names of all Members and how they voted, regardless of whether the vote has been taken electronically or by raised hands. By-law 48-2019, 26 March, 2019.

Where members are participating via teleconference format, the Clerk shall call each name of the member to solicit their vote. Members participating in-person shall have their votes recorded first, followed by teleconference attendees. By-law 75-2020, 26 May, 2020

15.9.7 Vote – distinct clauses

When the question under consideration contains distinct or independent clauses, upon the request of any member, the vote upon each clause shall be taken separately. By-law 205-2021, October 26, 2021.

15.9.8 Voting - Corporate Contingency Reserve Fund

Any approval to use the Corporate Contingency Reserve Fund shall require a two-thirds vote of the members present and voting at Committee and Council.

15.9.9 Voting on multiple items in summary manner - Chair or Clerk to read titles of all items subject to the vote - prior to vote being called

Where a motion has been made to approve multiple items in summary manner, the Chair or Clerk shall read the titles of all items subject to the vote, prior to the vote being called. By-law 26-2018, 27 February, 2018.

Article 10 ADJOURNMENT

15.10.1 Application

This Article applies to all Meetings of Council and also applies with necessary modifications to all committees created or continued under this Chapter, to all Boards and Advisory Committees created under Chapter 26 of the City of Brantford Municipal Code and to all Task Forces created by Council.

15.10.2 Members - to remain seated - until chair vacated

At Regular Meetings of Council only, members of the Council shall rise and remain standing until the Chair has vacated the Council Chambers following adjournment.

15.10.3 Extended hours - motion required

Meetings of Council and its Committees (with the exception of Planning Committee) shall not remain in session after 10:00 p.m. unless a motion to extend the hour is presented and approved by Council or the Committee. Meetings of Planning Committee shall not remain in session after 4:00p.m. unless a motion to extend the hour is presented and approved by the Committee.

A motion to extend the hour at Committee of the Whole and Standing Committee Meetings would result in the extension of the meeting to conclude consideration of the Item under discussion at the time of the motion. Members may, while moving the motion, identify any time sensitive items to be considered prior to adjournment. All unfinished business unless otherwise moved would automatically be deferred to City Council with the exception of Statutory Meetings heard at Planning

Committee.

A motion to extend the hour at Council meetings will be considered in one-hour increments and is non-debatable. By-law 21-2020, 25 February, 2020

15.10.4 Motion - adjourned - exception

A motion to adjourn is non-debatable and is in order, except:

- (a) when a member is in possession of the floor; or
- (b) when the “Yes” and “No” votes have been called for; or
- (c) when the members are voting; or
- (d) when it has been decided that the previous question shall be put forthwith; and
- (e) when a motion to reconsider is decided in the affirmative and is the next order of business as provided for in Section 15.8.16.

Article 11

BY-LAWS AND RESOLUTIONS - PROCEDURE

15.11.1 Confirming By-law

A By-law to confirm the proceedings and decisions of the Council of The Corporation of the City of Brantford shall be presented at the end of each open session Meeting of City Council.

15.11.2 Readings - three - exceptions

Every by-law shall receive three readings before it is finally passed. Each such reading may occur on a single day unless one-third or more of the members of Council present should require that the readings should occur over two (2) days. In the event that one-third or more of the members of Council present so require, such by-laws as the members may have specified shall not be read three (3) times on such date. No by-law shall be amended until it shall have been read twice.

15.11.3 Consideration - signed - sealed

- (a) No by-law shall be presented to Council for adoption unless the subject matter thereof has first been considered by Council or a Committee thereof.

Notwithstanding the above, a By-law may be presented directly to Council without first having been considered by Council or a Committee if a Corporate Policy adopted by By-law, permits this action. By-law 21-2020, 25 February, 2020

- (b) Every by-law of the municipality shall be signed by the Clerk and by the head of Council or presiding officer at the Meeting at which the by-law was passed.
- (c) The head of Council shall sign every agreement where Council has authorized and directed its execution as soon as necessary to give effect to the document, but not later than seven (7) days upon receiving

said agreement from the Clerk.

- (d) Every by-law and agreement referenced under this Section shall be under the seal of the corporation and filed by the Clerk.
- (e) The Clerk shall notify all members of Council forthwith of any breach of the above.

15.11.4 Ward announcements – during signing of by-laws

During the length of time that it takes for the by-laws to be signed at the end of a Council Meeting, members may take the opportunity to make ward announcements.

15.11.5 Resolutions without prior notice of motion

No Resolution shall be presented at any Meeting without prior notice of motion given not less than twenty-four (24) hours in advance of the Resolution being considered unless two-thirds of the members present authorize the presentation of the Resolution. In the event the presentation of the Resolution is so authorized, the Chair of the Meeting shall request input and advice in respect of the proposed Resolution from Municipal Staff present at the Meeting before any vote is taken in respect of the Resolution.

All notices of motion shall be in writing and submitted to the Clerk’s department to be included in the agenda no later than 9:00 a.m. on the Thursday before the scheduled meeting. Notices of motions submitted after the deadline will be added to the agenda for the next scheduled meeting within the current meeting cycle

Members are encouraged to consult with Municipal Staff in the preparation of notices of motion.

By-law 205-2021, October 26, 2021.

15.11.6 Resolutions – timing following notices of motion

All Resolutions resulting from prior notice of motion shall be presented for consideration no later than the end of the next Committee meeting cycle following the Meeting at which the notice of the motion was provided. The notice of motion will be deemed to have expired if the resolution is not presented within the specified time.

Article 12
STATUTORY PUBLIC MEETINGS

15.12.1 Public Meetings

15.12.2 - requirements

This Article shall apply when Public Meetings are held by Council or its Committees.

15.12.3 Agenda - consideration - prior to public Meeting

Prior to the commencement of any Public Meeting at a Committee of Adjustment, there shall be consideration of any requests from applicants or their agents for deletions from the agenda of the Meeting, including, where applicable, the rescheduling of such deleted matters to a future Meeting.

15.12.4 Statutory Public Meetings - Chair

All Statutory Public Meetings shall be chaired by the Mayor. In the absence of the Mayor, or as a result of declaring a pecuniary interest under the Municipal Conflict of Interest Act on matters subject to the Statutory Public Hearing, the Member of Council identified in the List maintained by the City Clerk shall automatically serve as Chair. By-law 205-2021, 26 October, 2021.

This section shall not apply with respect to Statutory Public Meetings held in accordance with the rules of the Planning Act as the Chair shall be appointed by the Committee.

15.12.5 Introduction - application - suggested wording

At the start of the Public Meeting portion of the agenda, the Chair shall read an opening statement, the suggested wording for which is as follows:

“There are ____ ~~Public Hearings~~/Public Meetings to be held. The Public Meetings are held in accordance with the provisions of the Planning Act (or any other applicable Act). The purpose of these meetings are to discuss the applications and to hear from the public either in support or against the applications. At the end of each of the public meetings, the Committee will pass a recommendation which is generally considered for a final decision at the next meeting of Council.

The name of anyone who speaks in regard to any item tonight will appear within the meeting minutes. Anyone wishing notice of any further proceedings regarding the application should also provide their name and address to the Clerk’s office.

The Applicant will speak first, followed by Municipal Staff and then the Public. **Each will have up to 10 minutes to speak, inclusive of questions from the Committee.** The Applicant will then have **up to 5 minutes** to provide clarification to any questions or issues raised during the meeting.”

The Chair shall introduce each individual application prior to commencing the individual Statutory Public Meeting. By-law 205-2021, October 26, 2021.

15.12.6 Delegations - called for - order of presentation

~~The Chair shall call for delegations in the following order: proponent/applicant (to present their application and to describe their proposal in detail); Municipal Staff (how staff addressed the issues that came about through the circulation of the application rather than on the specific details of the application); public; and proponent clarification. Council may waive the requirement for a presentation from Municipal Staff where appropriate. Council or its Committees may ask questions of the delegations following each presentation and may seek further clarification from Municipal Staff following the presentations of all delegations.~~

~~Information on rules for Delegations at Public Hearings shall be posted on the notice board outside of the Council Chambers by the Clerk.~~

The Chair shall call for delegations in the following order:

- (a) proponent/applicant (to present their application and to describe their proposal in detail);
- (b) Municipal Staff
(Committee or Council may waive the requirement for a presentation from municipal Staff where appropriate.)
- (c) Members of the public; and
- (d) Proponent clarification.

In accordance with subsection 15.6.2(l), delegations for subsections (a), (b) and (c) must be limited to no more than 10 minutes, inclusive of questions from the Committee. Delegations made with respect to subsection (d) shall be no greater than 5 minutes in length.

Information on rules for Delegations at Public Meetings shall be posted on the notice board outside of the Council Chambers by the Clerk.

15.12.7 Discussion - application - recommendation

After all delegations for a specific **Statutory Public Meeting** have been heard, the Public Meeting shall be considered complete. A motion in regards to the application is put on the floor for debate. There shall be discussion, in accordance with the rules of debate (including speaking limits) and a decision made (*e.g.*, approve, conditional approval, rejection or deferral) before proceeding to the next specific **Statutory Public Meeting**. By-law 205-2021, October 26, 2021.

15.12.8 Deferment - further consideration

If, during discussion of an item, it is suggested that a special Meeting be held or further information be submitted by Municipal Staff, the proponent or the public, the matter may be deferred for further consideration before making a decision. Where a **Statutory Public Meeting** is at the Committee of the Whole, a deferral in order to acquire new information or to provide a clarification of information may occur directly to Council.

15.12.9 Report - to Council - deferment - notification

In the event that any matter is deferred, notice of the date on which the **Statutory Public Meeting** is to resume or requested information is scheduled to be provided to Council or Committee shall be given in accordance with the requirements of any law that may apply thereto. By-law 205-2021, October 26, 2021.

15.12.10 Additional information - referral - back

If, when a Committee Report is dealt with by Council, new information is presented, Council may, but is not required to, refer the matter back to Committee prior to making a decision.

15.12.11 Delegations - commencement - time for

Where a **Public Meeting** is held under this Article, , delegations will be heard commencing at the time stated on the Notice, but may from time to time be changed, but in no case shall it commence earlier than the appointed time provided in the notice. By-law 205-2021, October 26, 2021.

Repealed: By-law 179-2017, 19 December, 2017.

Article 14
CODE OF CONDUCT FOR MEMBERS OF COUNCIL
Repealed: By-law 26-2019, 26 February, 2019

Article 15
NOTICE

15.15.1 Purpose

This Article is enacted for the purpose of defining general provisions for the giving of notice. The requirements of this Article shall be observed where the municipality is required to give notice to the public or to any other person of any municipal action pursuant to the requirements of any applicable legislation, regulation, or by-law (including this Chapter), but shall not apply to require the giving of any notice in circumstances where there is no requirement in any applicable legislation or regulation that notice be given in respect of any municipal action.

15.15.2 Interpretation - municipal action

For the purposes of this Article, “municipal action” includes any administrative or legislative action of The Corporation of the City of Brantford.

15.15.3 Notice - proposed municipal action - general public

Where any applicable legislation or regulation requires that notice be given to the general public of any proposed municipal action, such notice shall be given as set out in Sections 15.15.4 through 15.15.8, inclusive.

15.15.4 Notice required - means of giving notice specified

Notice shall be given in the manner specified in the applicable legislation or regulation, or within any other City by-law that specifically sets forth the manner in which notice shall be given to the public either for the specific municipal action or generally for municipal actions of that type.

15.15.5 Notice required - means of giving notice not specified

If there is no manner specified in the applicable legislation or regulation, or within any other City by-law that specifically sets forth the manner in which notice shall be given to the public either for the specific municipal action or generally for municipal actions of that type, notice shall be given to the public by way of any one (1) or more of the means set out in Section 15.5.6 and 15.15.7. For Meetings of the Council of the City of Brantford, the Committees created or continued under this Chapter, Boards and Advisory Committees created under Chapter 26 of the City of Brantford Municipal Code and Task Forces created by City Council, notice shall be given to the public not less than forty-eight (48) hours in advance of each regular Meeting and not less than twenty-four (24) hours in advance of each special Meeting by posting on the City’s Web site.

15.15.6 Publication in the local newspaper

Notice may be given by publication of at least one (1) notice in the local newspaper at least one (1) week before:

- (a) the Council Meeting at which the proposed municipal action will be

considered; or

(b) the date on which it is proposed that the municipal action will occur.

15.15.7 Posting on the City’s Web site

Notice may be given by posting a notice on the City’s Web site at least one (1) week before:

- (a) the Council Meeting at which the proposed municipal action will be considered; or
- (b) the date on which it is proposed that the municipal action will occur.

15.15.8 Notice - where notice given directly to affected persons

Where any applicable legislation or regulation requires that notice be given to particular individuals or other persons of any proposed municipal action, such notice shall be given as set out in Sections 15.15.9 through 15.15.13, inclusive.

15.15.9 Notice required - means of giving notice specified

Notice shall be given in the manner specified in the applicable legislation or regulation, or within any other City by-law that specifically sets forth the manner in which notice shall be given to the public either for the specific municipal action or generally for municipal actions of that type, or as set out in Section 15.15.10.

15.15.10 Notice required - means of giving notice not specified

If there is no other manner specified in the applicable legislation or regulation, or within any other City by-law that specifically sets forth the manner in which notice will be given to such particular individuals or other persons either for the specific municipal action or generally for municipal actions of that type, notice shall be given to the particular individuals or other persons by way of any one (1) or more of the means set out in Sections 15.15.11 and 15.15.12.

15.15.11 Prepaid ordinary mail

Notice may be given by mailing a notice by prepaid ordinary mail at least fourteen (14) days before:

- (a) the Council Meeting at which the proposed municipal action will be considered; or
- (b) the date on which it is proposed that the municipal action will occur.

15.15.12 Posting on lands

Notice may be given by posting a notice on the lands owned or occupied by the individual or other person entitled to receive notice by affixing it to the door of any building on the lands or by otherwise posting it in a conspicuous manner on the lands, at least one (1) week before:

- (a) the Council Meeting at which the proposed municipal action will be considered; or

(b) the date on which it is proposed that the municipal action will occur.

15.15.13 Notice - completed municipal action - general public

Where any applicable legislation or regulation requires that notice be given to the general public of the completion of any municipal action, such notice shall be given as set out in Sections 15.15.14 and 15.15.15.

15.15.14 Notice required - means of giving notice specified

Notice shall be given in the manner specified in the applicable legislation or regulation, or within any other City by-law that specifically sets forth the manner in which notice shall be given to the public either for the specific municipal action or generally for municipal actions of that type.

15.15.15 Notice required - means of giving notice not specified

If there is no manner specified in the applicable legislation or regulation, or within any other City by-law that specifically sets forth the manner in which such notice shall be given to the public either for the specific municipal action or generally for municipal actions of that type, notice shall be given to the public through any one (1) or more of the means set out in Sections 15.15.16 through 15.15.17, inclusive.

15.15.16 Publication in the local newspaper

Notice may be given by publication of at least one (1) notice in the local newspaper not later than thirty (30) days following the date on which the municipal action occurred.

15.15.17 Posting on the City's Web site

Notice may be given by posting a notice on the City's Web site not later than thirty (30) days following the date on which the municipal action occurred.

15.15.18 Notice - completed action - given to affected persons

Where any applicable legislation or regulation requires that notice be given to particular individuals or other persons of the completion of any municipal action, such notice shall be given as set out in Sections 15.15.19 and 15.15.20.

15.15.19 Notice required - means of giving notice specified

Notice shall be given in the manner specified in the applicable legislation or regulation, or within any other City by-law that specifically sets forth the manner in which notice shall be given to the public either for the specific municipal action or generally for municipal actions of that type.

15.15.20 Notice required - means of giving notice not specified

If there is no manner specified in the applicable legislation or regulation, or within any other City by-law that specifically sets forth the manner in which such notice shall be given to the public either for the specific municipal action or generally for

municipal actions of that type, notice shall be given to the individuals or other persons by pre- paid ordinary mail not later than thirty (30 days) following the date on which the municipal action occurred.

15.15.21 Notice - proposed - completed municipal action - form

Notice of proposed municipal action or the completion of any municipal action given pursuant to this Article need not be in any particular form, but shall at least include the following information:

- (a) the title or brief description of the proposed or completed municipal action; and
- (b) the date on which it is proposed the municipal action will occur or the date on which the municipal action occurred, as the case may be.

Any such notices may deal with specific municipal actions, or may be multiple notices in respect of multiple municipal actions, and may be contained within a single document or as parts of other documents, reports or notices.

15.15.22 Matters for which notice shall be required

The following table defines certain matters for which notice shall be given, even though the requirements to give notice in respect of the varieties of municipal action may have been eliminated or repealed. The following table is in addition to and not in substitution for any other requirements that may exist pursuant to any City policy or other applicable law. If the means through which notice shall be provided is marked “unspecified” in the following table, the provisions of this Article that refer to “means not specified” shall apply to define the methods through which notice shall be given in respect of the municipal action.

Variety of municipal action	Notice of proposed municipal action to be given			Notice of completion of municipal action to be given		
	Notice to general public	Notice to affected individuals and other persons	Means through which notice shall be provided	Notice to general public	Notice to affected individuals and other persons	Means through which notice shall be provided
Road closings	Yes	Yes	Unspecified	No	No	Not applicable

**Article 16
DELEGATION**

Repealed: By-law 35-2020, 24 March, 2020.

**Article 17
ACCOUNTABILITY**

15.17.1 Purpose

The *Municipal Act, 2001*, as amended, requires that a municipality shall adopt and maintain a policy with respect to the manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public. The purpose of this policy is to provide guidance for the delivery of the municipality's activities and services in accordance with the principles as outlined herein. This Article has been developed in accordance with the *Municipal Act, 2001*, as amended, to comply with paragraph 5 of subsection 270(1) and other applicable sections of that Act.

15.17.2 Definitions

In this Article,

- (a) "accountability" – the principle that the municipality will be responsible to its stakeholders for decisions made and policies implemented, as well as its actions or inactions.
- (b) "transparency" – the principle that the municipality actively encourages and fosters stakeholder participation and openness in its decision-making processes. Additionally, transparency means that the municipality's decision-making process is open and clear to the public.

15.17.3 Policy statement

The Council of the municipality acknowledges that it is responsible for providing good government for its stakeholders in an accountable and transparent manner by encouraging public access and participation to ensure that decision making is responsive to the needs of its constituents and receptive to their opinions, delivering high quality services to its citizens, and promoting the efficient use of public resources. Accountability, transparency and openness are standards of good government that enhance public trust. They are achieved by way of the municipality adopting measures ensuring, to the best of its ability, that all activities and services are undertaken utilizing a process that is open and accessible to its stakeholders. In addition, wherever possible, the municipality will engage its stakeholders throughout its decision-making process, which will be open, visible and transparent to the public.

15.17.4 Policy requirements

The principles of accountability and transparency shall apply equally to the political process and decision making, and to the administrative management of the municipality.

15.17.5 Financial matters

The municipality will be open, accountable and transparent to its stakeholders in its financial dealings as required under the *Municipal Act, 2001*, as amended. Some examples of how the municipality provides such accountability and transparency are as follows:

1. external audit
2. reporting/statements
3. strategic financial plan
4. asset management

5. purchasing/procurement
6. sale of land
7. budget process

15.17.6 Internal governance

The municipality's administrative practices ensure specific accountability on the part of its employees by way of the following initiatives:

1. code of conduct for staff
2. performance management and evaluation
3. hiring policy
4. orientation/continuing education
5. health and safety
6. work/life balance
7. compensation/benefits

15.17.7 Public participation and information sharing

The municipality ensures that it is open and accountable to its stakeholders by way of implementing processes outlining how, when and under what rules Meetings will take place. The municipality's Meetings will be open to the public when and as required under the *Municipal Act, 2001*, as amended, and members of the public will have an opportunity to make delegations or comments in writing on specific items at these Meetings. In addition, the municipality has adopted policies that ensure participation by the public can be meaningful and effective, by way of timely disclosure of information by various means including print media, Web sites, etc. Some specific examples include:

1. procedure by-law
2. code of conduct for Members of Council
3. strategic plan
4. delegation rules
5. records retention
6. planning processes

SCHEDULE A

Schedule "A" – Procedure – sale of municipal land Repealed: By-law 179-2017, 19 December, 2017.

By-law 118-2014, 29 September, 2014; By-law 136-2015, 16 November, 2015; By-law 64-2016, 26 April, 2016; By-law 24-2017, 28 February, 2017; By-law 179-2017, 19 December, 2017; By-law 181-2017, 19 December, 2017; By-law 184-2017, 19 December, 2017; By-law 185-2017, 19 December, 2017; By-law 187-2017, 19 December, 2017; By-law 26-2018, 27 February, 2018; By-law 45-2018, 27 March 2018; By-law 59-2018, 24 April, 2018; By-law 168-2018, 18 December, 2018; By-law 205-2019, 18 December, 2019. By-law 205-2021, 26 October, 2021.