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RULES AND ORDERS  
OF THE  
MUNICIPAL COUNCIL  
OF THE  
CITY OF NORTH BAY

BY-LAW NO. 100-84

PART I - MEETINGS OF THE COUNCIL

Rules  
of Order

1. In this by-law:
  - (a) "emergency meeting" means a meeting where the health or welfare of the community is involved.
  - (b) "corporation" means The Corporation of the City of North Bay.
  - (c) "Council in Committee meeting" means a meeting of the whole of the Council where the Chairman of each Committee may act, in turn, as a presiding officer to report to the Council on the deliberations of each Committee.
  - (d) "Presiding Officer" means
    - (i) the Mayor, or
    - (ii) in his absence, the Deputy Mayor, or
    - (iii) a member appointed pursuant to section 7
  - (e) "Petition" means a written request signed by one or more persons.
  - (f) "Clerk" means the City Clerk or the Deputy City Clerk.
  - (g) "member" means any alderman or the mayor of the Council.
  - (h) "Officer" includes the Chief Administrative Officer and all Department Heads employed by The Corporation of the City of North Bay.

Inaugural  
Meeting

2. (a) The Inaugural Meeting date shall:
  - (i) be established by the retiring Council in each election year;
  - (ii) be binding upon the new Council;
  - (iii) be held not later than the second Tuesday in December;and the meeting shall be held at 11:00 a.m.

2. (b) The dates of regular Council meetings shall be established by resolution at the inaugural meeting.

(c) Council may change the date of any regular meeting by resolution.

Special Meetings

3. (a) The Mayor may summon a special Council meeting at any time upon notice to each member.

(b) Upon the receipt of a petition of the majority of the members, the Clerk shall summon a special meeting for the purpose and at the time mentioned in the petition.

Notice

(c) Notice of special meetings shall be given by the Clerk to each member by telephone or by written notice to the members' usual residence.

Emergency Meeting

4. An emergency meeting may be summoned by the Mayor by communication of the summons to every member.

Adjournment

5. A meeting shall always adjourn at 11:00 p.m., unless a majority of members vote otherwise.

Quorum

6. A majority of all members shall constitute a quorum.

Meeting Time

7. (a) The Mayor, or in his absence, the Deputy Mayor shall call members to order as soon after the meeting time as a quorum is present.

(b) If the Mayor and Deputy Mayor are not present within ten minutes after the meeting time, the Clerk shall call the members to order and if a quorum is present, a member shall be chosen from among those present to preside during the meeting or until the arrival of the Mayor or Deputy Mayor.

(c) In the election of a Presiding Officer, the Clerk shall call the meeting to order and preside.

(d) If there is no quorum within fifteen minutes after the meeting time, the Clerk shall call the roll, take down the names of the members present, and declare the meeting cancelled.

- Conduct
8. (a) The Mayor shall preserve order and decorum.
- (b) The Mayor may expel or exclude from any meeting any person who is guilty of improper conduct.
- Decorum
9. (a) No member shall speak disrespectfully of Her Majesty the Queen or of any of the Royal Family, the Governor-General or a Lieutenant-Governor.
- (b) No member shall use offensive words in or against the Council or against any member thereof.
- Duties of Presiding Officer
10. If the Presiding Officer leaves the Chair to take part in the debate or otherwise, he shall call another member to fill his place until he resumes the Chair.
11. When two or more members arise simultaneously, the Presiding Officer shall name the member whom he first recognizes.
12. Upon being recognized by the Presiding Officer, a member shall stand and address the Presiding Officer.
13. While the question is being put, no one shall walk across or out of the Council Chamber, make any noise or disturbance or hold any private conversation.
- Points of Order
14. (a) The Presiding Officer may call to order any member who is speaking.
- (b) A member called to order shall sit down and shall not speak until the point of order has been determined by the Presiding Officer, unless permitted to explain.
- (c) Whenever the Presiding Officer elects or is required to decide a point of order, the point shall be stated, a ruling made and the reason therefore given by the Presiding Officer.
- (d) A member may appeal from the decision of the Presiding Officer to the Council which shall vote on whether or not to support the decision of the Presiding Officer.

15. (a) No member shall disobey the decision of the Presiding Officer on questions of order or upon the interpretation of the rules of the Council.
- (b) In case a member refuses to obey the order of Council, he may, on the order of the Mayor, be removed from his seat by the police, but, upon an apology by the offender, he may retake his seat.
16. (a) When a member is speaking, no member shall make any disturbance or pass between the speaker and the Chair or interrupt the speaker, except to raise a point of order.
- (b) A member shall speak to the matter under debate.
17. Any member may require the motion under discussion to be read at any time, but not so as to interrupt a member speaking.
18. (a) Without leave of the Presiding Officer, no member shall speak more than once on the same question, except to explain, without introducing new matter, a material part of a speech which may have been misconceived.
- (b) A reply is allowed to any member who has made a substantive motion, or amendment, but not to any member who has moved an order of the day, the previous question or an instruction to a committee except with the permission of the presiding officer.
- (c) No member shall speak to the same question or in reply for longer than ten minutes without leave of the Presiding Officer.
19. (a) When a question is finally put by the Presiding Officer, no member shall speak to the question nor shall any other motion be made until after the results of the vote has been declared.
- (b) A decision by the Presiding Officer that the question has been finally put shall be conclusive.

Debate

The Question

Inquiries

20. (a) Inquiries about any matter may be raised by any member and put to the Presiding Officer or through him to any officer.
- (b) Inquiries may be in writing or may be made orally.
- (c) No argument or opinion shall be offered or fact stated except as is necessary to explain the inquiry.
- (d) In answering any inquiry, a member is not to debate the matter.
- (e) All such inquiries shall be directed by the Presiding Officer to the member or officer.
- (f) An officer shall reply in writing within a reasonable time.

Sittings

21. No person except a member or officer shall be allowed to come within the bar during a Council meeting without the permission of the Presiding Officer.
22. When the Council adjourns, the members shall keep their seats until the Mayor leaves the chair.

Public Meetings

23. (a) All meetings of Council shall be public.
- (b) Council may meet in private in committee to discuss matters of personnel, property or litigation.

PART 2 - VOTING

Conflict of Interest

24. Subject to the Municipal Conflict of Interest Act, the Mayor may vote with the other members on all questions.

Tie Votes

25. (a) When there is a tie vote on a resolution, the subject matter of the resolution shall be referred to Committee.
- (b) When a Committee report on the subject matter is presented to Council, the Presiding Officer shall vote on the report and in the event of a tie, the motion is lost.

- Negative  
Vote
26. If any member present refuses to vote for other than a conflict of interest, he shall be recorded as voting in the negative.
- Recorded  
Votes
27. (a) Where required by statute, and whenever any member shall request a recorded vote, the names of those who vote for and against the question shall be entered in the Minutes.
- (b) Subject to the Municipal Conflict of Interest Act, where a recorded vote is requested, each member present in the chamber shall announce his vote openly.
- To  
Amend  
Rules
28. No rule contained in this by-law shall be suspended, repealed, altered or amended unless the Clerk receives two weeks prior written notice thereof.
- Rescission
29. No member shall comment upon any vote by the Council.
30. During the calendar year, no matter decided within the year shall be considered without the prior consent of a majority of the whole Council.
- Reconsi-  
deration
31. (a) After any question has been decided, any member may, at the first meeting held thereafter, move for a reconsideration thereof.
- (b) No discussion of the main question shall be allowed unless reconsidered.
- (c) There shall be no reconsideration unless notice thereof is given at the meeting at which the question was decided.
- (d) After such notice is given, no action shall be taken by the Council on the main motion until such reconsideration is disposed of.
32. (a) If a motion for reconsideration is made at the next meeting, the question shall not be considered unless a majority of the whole Council votes therefore and such vote shall be by a recorded vote.
- (b) No question shall be reconsidered more than once nor shall a vote to reconsider be reconsidered.



PART 3 - ORDERS OF THE DAY

- Agenda
33. The Clerk shall prepare for the use of the members an Agenda as follows:
- (1) Roll Call
  - (2) Presentation and adoption of Minutes
  - (3) Public Presentations
  - (4) Presentation and consideration of reports of Committees
  - (5) Introduction and consideration of by-laws
  - (6) Motions
  - (7) Questions and enquiries
  - (8) Giving notice
  - (9) Motion to adjourn
34. (a) The business shall be taken up in the order in which it stands upon the Agenda in all cases except where a majority of the members otherwise agree.
- (b) A motion which is not listed on the Agenda may be presented at Council meetings, if not more than one member of Council present at the meeting objects to its consideration.
- Motions
35. Every motion shall be in writing, shall be seconded and shall be read by the Clerk before debate or before being put from the Chair.
36. After a motion is read by the Clerk, it shall be deemed to be in the possession of the Council, but may, with the permission of the Council, be withdrawn at any time before decision or amendment.
- Precedence
37. (a) When a question is under debate, the only motions in order shall be:
- (1) to extend the time of the meeting
  - (2) to refer
  - (3) to amend
  - (4) to lay on the table
  - (5) to postpone to a certain time and day
  - (6) to move the previous question

38. (b) These six motions shall have precedence in the Order in which they are listed.
- (c) On a motion to postpone to a certain time and day, only the question of time and day so mentioned is open to debate, after an explanation by the mover of the motion.
- (d) A motion to refer to Committee shall not be debated and shall be decided before any motion to amend the resolution.

Privilege

39. Whenever any matter of privilege arises, it shall immediately be considered.

Amendments

40. Every amendment shall be in writing and shall be decided or withdrawn before the main question is put.
41. Only one amendment shall be allowed to an amendment.
42. (a) Amendments shall be put in reverse order to that in which they are moved, except when a motion properly put is put in the following words: "That the question be now put".
- (b) If such a motion is defeated, then the amendment or amendments shall be considered in reverse order.
- (c) (1) Any member may request the Presiding Officer to divide any motion or report into such parts as the member may submit in writing and the Presiding Officer shall make a ruling on whether to divide the motion.
- (2) A member may appeal from the decision of the Presiding Officer to the Council which shall vote on whether or not to support the decision of the Presiding Officer.
- (d) If a proposed amendment or an amendment to an amendment is lost, then unless a further amendment is put, the main question shall be put.
43. When putting an amendment, the Clerk shall read the wording as it appears in the main motion, read the proposed amendment and then read the wording as it would be if the amendment carried.

PART 4 - STANDING COMMITTEES, BOARDS

Striking  
Committee

44. (a) A Striking Committee to recommend appointments to Boards, Commissions and Standing Committees shall consist of the Mayor and the four members who obtained the most votes at the last election.
- (b) The Mayor shall be Chairman of the Striking Committee
45. (a) At the first meeting of a newly elected Council:
- (i) all required appointments to local boards and commissions shall be appointed for the term of the Council unless otherwise provided by statute or by-law.
- (ii) the following Standing Committees shall be appointed:
1. General Government
  2. Public Works
  3. Planning and Development
  4. Community Services
- (b) The Striking Committee shall recommend appointments to local Boards, Commissions and Committees which may be required during the life of the Council.

Standing  
Committees

46. (a) The Mayor shall be a member of each Standing Committee ex officio.
- (b) Five members shall be appointed to each Standing Committee.
- (c) Every member shall be appointed to two Standing Committees and may be a Chairman or a Vice-Chairman of only one Standing Committee.
47. A majority of the members of a Standing Committee, including the Mayor, shall constitute a quorum.
48. The Clerk shall attend all meetings of Standing Committees to record all reports as directed by the Chairman thereof.
49. All completed reports of Standing Committees shall be presented for adoption at the next Council meeting.

General  
Government

50. The General Government Committee shall have jurisdiction over the following matters:
- (a) finance, budgets, borrowing approvals, spending, revenue, insurance, banking and grants
  - (b) municipal buildings and assets, purchase or sale of property
  - (c) personnel matters and labour relations, appointment of department heads, compensation plans
  - (d) licences
  - (e) matters not specified for other Standing Committees

Public Works

51. The Public Works Committee shall have jurisdiction over:
- (a) Roads, sewers and waters
  - (b) Sewage Treatment and Water Treatment
  - (c) Transit
  - (d) Municipal fleet management, and
  - (e) Engineering

Planning and  
Development

52. The Planning and Development Committee shall have jurisdiction over all planning matters and building inspection.

Community  
Services

53. The Community Services Committee shall have jurisdiction over the following matters:
- (a) Parks
  - (b) Recreation activities
  - (c) Arenas and Community Centres
  - (d) Fire Protection
  - (e) Police Service liaison
  - (f) Social and Family Services

Standing  
Committee  
Procedures

54. The Clerk shall distribute a list of matters referred to each Standing Committee prior to Council in Committee meetings.
55. The Chairman of each Standing Committee shall advise the Clerk of the matters to be dealt with by twelve o'clock noon of the day of a Standing Committee meeting.
56. The Chairman of a Standing Committee shall consult with the Clerk prior to fixing a meeting time to determine whether any other Standing Committee meeting has been scheduled for the same time.

57. Any member of Council may attend, but not vote at any Standing Committee meeting.
58. (a) A Standing Committee shall report to Council on each matter referred to it.
- (b) All members of a Standing Committee shall sign the report as assenting to or dissenting from the terms thereof.
- (c) Any report of a Standing Committee may be voted upon item by item upon the request of any member.
59. (a) No report of a Standing Committee shall be considered by Council unless such report has been noted on the agenda for the Council meeting.
- (b) Any report of a Standing Committee may be divided into one or more reports upon the request of any member and with the consent of the Standing Committee Chairman.
60. (a) Any other committee appointed by Council shall include the Mayor as a member ex officio and at least two other aldermen to be nominated by the Striking Committee.
- (b) No committee shall have the authority to bind the Corporation.
- Council in Committee 61. (a) Council shall hold a Council in Committee meeting every second week to consider any matter on Standing Committee files which might be raised by the Chairman of each Standing Committee, provided that Council may resolve not to hold the next scheduled Council in Committee meeting.
- (b) During a Council in Committee meeting, the Mayor may direct the Chairman of each Standing Committee to preside, maintain order and report the proceedings of each Standing Committee.
62. (a) The rules of Council shall be observed during Council in Committee meetings except that:
- (i) no recommendation has to be moved or seconded or in writing;
- (ii) no motion for the previous question or for an adjournment is allowed;

62. (a) (iii) the names of the members shall not be recorded on a vote; and  
(iv) members may sit when speaking.
63. (a) Questions of order arising during Council in Committee shall be decided by the Chairman, subject to an appeal to the Council.  
(b) If any disorder shall arise in the Committee, the Mayor shall immediately resume the Chair, without any question being put.
64. (a) A motion during Council in Committee to rise without reporting shall always be in order, shall be debatable and shall take precedence over any other motion.  
(b) On an affirmative vote to rise without reporting, the subject referred to the Committee shall be considered as disposed of in the negative.

PART 5 - BY-LAWS, CORRESPONDENCE

By-laws

65. (a) No by-law shall be presented to Council unless there is a resolution to authorize the by-law.  
(b) Each member shall be supplied with a copy of every by-law prior to consideration of the by-law by the Council.  
(c) No by-law shall be introduced for first reading in blank or in imperfect form.
66. (a) A by-law shall be passed by being given three readings.  
(b) Each reading of a by-law shall be given by way of a motion specifying the number and the title of the by-law.

First Reading

67. The first reading of a by-law shall be decided by resolution without amendment or debate.

Second  
Reading

68. (a) The second reading of a by-law shall be decided by resolution at which time the contents of the by-law may be debated.
- (b) The contents of the by-law may be changed by an amending resolution to the resolution to authorize the second reading.
- (c) An amending resolution may be introduced to refer the by-law to a Standing Committee for further consideration.
- (d) A by-law referred to a Standing Committee shall be considered during the next Council in Committee meeting and a report shall be submitted for Council's consideration.
69. No proposed by-law shall receive more than two readings at any one meeting except upon a vote of at least a majority of all the members, but on such vote, it may be given three readings and passed at one meeting.

Third  
Reading

70. Any by-law may be read a second and third time and passed at the same meeting on a vote of a majority of all members.

Records

71. The Clerk shall endorse on every by-law the dates of the three readings thereof.
72. Every by-law passed by Council shall be numbered, sealed with the corporate seal, signed by the Mayor and the Clerk and the by-law shall be entered in a by-law register to be kept by the Clerk.

Minutes

73. There shall be attached to every Minute of the proceedings of the Council a progressive marginal number in each year and every document or certified copy or Minute communicated to any Committee of the Council as hereinbefore required shall bear the number of the Minutes to which it refers.

- Documents 74. All original documents, including by-laws, contracts, agreements, deeds, leases, bonds or other securities, shall remain in the custody of the City Clerk.
- Corres-  
pondence 75. All correspondence addressed to the Mayor, Aldermen or the City Clerk, which refers to the business of the Corporation, shall be filed with the Clerk prior to 1:00 p.m. of the day the Agenda is prepared.
76. Every communication to be considered by Council shall be in writing.
77. (a) All correspondence relating to a matter previously referred to a Standing Committee shall be referred by the Clerk to the Standing Committee to which it properly belongs unless otherwise directed by the Committee Chairman.
- (b) If a correspondent complains of a present personal grievance requiring immediate remedy, the complaint may be considered and disposed of forthwith.

PART 6 - ACCOUNTS, CONTRACTS, PROPERTY, CLAIMS

- Financial 78. No Committee or officer shall exceed the appropriation made to any Department for any purpose.
- Budget  
Reports 79. The Treasurer shall provide a monthly financial report to Council.
- Contract  
Approval 80. (a) No Committee or member or officer shall enter into any Contract or incur or authorize any expenditure on behalf of the Corporation, without Council approval, by by-law or resolution.
- (b) No contract shall be made until the necessary appropriation has been made from either the general fund and/or a capital by-law approved by the Ontario Municipal Board.
- Use of  
City  
Property 81. (a) No property of the Corporation shall be delivered or used outside the limits of the City of North Bay without Council approval.
- (b) No property shall be made available to outside interests except as herein provided.



81. (c) Use of real property owned by the Corporation (excepting public highways and lanes) shall only be put to personal or private use upon Council approval of a written agreement.
- (d) The Chief Administrative Officer, or his authorized delegate, may authorize the rental and use of vehicles or equipment of the City to other municipalities, corporations and individuals for specialized work or services, subject to the following conditions:
- (i) that the vehicles and equipment are operated by and the services are rendered by City employees;
  - (ii) that the vehicles, equipment and services cannot be provided by a contracting firm or company in North Bay.
  - (iii) that the rental and use of the vehicles and equipment shall not prejudice or delay work or services required by the City;
  - (iv) that the rental fees shall be fixed and determined by the Chief Administrative Officer or his authorized delegate and they shall include the following:
    - (a) the wages of the operator
    - (b) the cost of the necessary public liability insurance
    - (c) the cost under the Workers' Compensation Act
    - (d) all other applicable costs and expenses as determined by the Director of Planning and Works
  - (v) The Chief Administrative Officer or his authorized delegate shall consider, and if deemed advisable, revise the rental fees annually.

Payment

82. (a) No contractor or other person engaged on any work for the City shall be paid except according to the Purchasing By-law or according to written contracts authorized by by-law.
- (b) In all cases, the Treasurer, after making payment, will report without delay, to the next Council meeting by submitting the progress certificate so handled for approval.
83. (a) No goods or services shall be ordered except upon the authorization of the department head or his authorized delegate.
- (b) No account for goods or services supplied shall be paid, unless the account is authorized by the department head.

Accounts

84. (a) Every account for work done or for goods furnished shall be checked and certified by the superior officer under whose superintendence the work was done or goods provided.
- (b) A payment certificate shall refer to the by-law or resolution under which the expenditure was authorized.
85. After the accounts have been certified by the department head, the responsible committee chairman may also examine each such account and invoice, following which the Treasurer shall cause an itemized summary of all accounts to be prepared and signed by the Chairman of the appropriate Standing Committee.
86. (a) After the list of accounts has been approved by Council, the Treasurer shall issue the necessary cheques for payment thereof.
- (b) The list of accounts may include paid and unpaid accounts.

Fraud

87. The various officers of the Corporation shall forthwith report any frauds or attempted frauds of which any of them may become cognizant to the Chief Administrative Officer who shall report the same to the Council.

Claims  
for  
Damages

88. The Council shall investigate and report on all claims for damages, unless such claims are covered by insurance in which case the claim shall be referred to the insurer for disposition according to law.

89. Subject to Section 88, the City Clerk shall forward any notice of claim to the City Solicitor, who shall investigate and report on the same to the Council.

Officers'  
Reports  
on Claims

90. The City Solicitor may require any officer of the Corporation to report to him upon the claim, and such officer shall immediately inquire into the circumstances and report the facts fully in writing to the City Solicitor.

91. Subject to Section 88, no claim shall be settled without the prior approval of the Council.

Salary for  
a Municipal  
Office

92. No member of Council, while retaining his seat therein, shall be eligible for any office to which there is attached any salary, remuneration or emolument payable by the Council except as is provided by statute.

93. By-law No. 2054, as amended, is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THE 7TH DAY OF AUGUST , 1984.

READ A SECOND TIME IN OPEN COUNCIL THE 20TH DAY OF AUGUST , 1984.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 20TH DAY OF AUGUST , 1984.

  
DEPUTY MAYOR

  
CITY CLERK