

BY-LAW NO. 2054

BEING A BY-LAW to regulate the proceedings of the Council of the Corporation of the City of North Bay, Ontario.

WHEREAS By-laws No. 1327, as amended by By-law No. 1403 is found to be inadequate to regulate the proceedings of the Council of the Corporation of the City of North Bay.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY ENACTS AS FOLLOWS:-

1. THAT By-laws numbered 1327 and 1403 and all other By-laws inconsistent with this by-law are hereby repealed.
2. THAT the Rules of Order referred to in Schedule "A" attached hereto shall form part of this by-law.
3. THAT this by-law be headed as follows when in printed or typewritten form:-

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

A By-law to regulate the proceedings
of Council

READ A FIRST TIME IN OPEN COUNCIL THIS 17TH DAY OF SEPTEMBER 1962.

.....
MAYOR

.....
CITY CLERK

READ A SECOND TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER 1962.

READ A THIRD TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER 1962.

.....
MAYOR

.....
CITY CLERK

SCHEDULE "A"
to
BY-LAW # 2054

RULES AND ORDERS
of the
MUNICIPAL COUNCIL
of the
CITY OF NORTH BAY

MEETINGS OF THE COUNCIL

1. In all cases not provided for hereafter or by by-law of this Council, the usages and customs of the House of Commons of Canada as in force at the time shall be followed as far as they may be applicable to this Council.
2. After the Inaugural meeting, the number of regular council and regular committee meetings of Council shall be established by resolution passed at the inaugural meeting.

That the days upon which the regular council and regular committee meetings shall be held shall be established by resolution passed at the inaugural meeting.

That the inaugural meeting date shall be established by the retiring Council in each year there is an election, and this date shall be binding upon the new Council.

That in the event any regular council or committee meeting falls upon a statutory or proclaimed holiday, the selection of another day in lieu thereof shall be by resolution of City Council.
3. The Mayor, or in his absence or death, the Deputy Mayor, may at any time summon a special meeting of the Council; and he shall summon a special meeting whenever requested, in writing, so to do by a majority of the members of the Council.
4. Notices calling special meetings shall be served by the Clerk or his Deputy or appointee upon all members by direct phone contact or by written notice to the members usual place of abode.

Emergent meetings, being meetings where the health and welfare of the community is at stake resulting from any of the natural or man-made causes, may be summoned by the Mayor without notice. The call to such a meeting may be served by any mode of communication possible.
5. The Council shall always adjourn at the hour of eleven o'clock in the afternoon, if in session at that hour, unless otherwise determined by a vote of the majority of the members present.

ORDER OF PROCEEDINGS

6. A majority of the whole number of members of the Council shall constitute a quorum.
7. As soon after the hour of meeting as there shall be a quorum present, the Mayor shall take the chair and call the members to order.
8. In case the Mayor does not attend at a council meeting at the appointed time, the Deputy Mayor, who has been so appointed by by-law for the term of Council, shall take the chair and proceed in the normal manner as elsewhere prescribed in this by-law. In case the Mayor or Deputy Mayor does not attend within fifteen minutes after the time appointed, the Clerk or Acting Clerk shall call the members to order, and if a quorum be present, a Chairman shall be chosen from among themselves who shall preside during the meeting or until the arrival of the Mayor or the Deputy Mayor.
9. If there be no quorum present within half an hour 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 Council shall stand adjourned until the next day of meeting subject to the provisions of Section 3 of this by-law.
10. In the election of a temporary Chairman the Clerk shall call the meeting to order and preside.
11. Immediately after the Mayor has taken his seat, the minutes of the preceding meeting shall be presented by the Clerk, if required by majority of the members of the Council present, in order that any mistake therein may be corrected by the Council.
12. The Mayor shall preserve order and decorum and shall decide all questions of order, subject to an appeal to the Council by any member.
13. The Mayor of the Council may expel and exclude from any meeting any person who has been guilty of improper conduct at such meeting.
14. The Mayor, or in his absence, the Deputy Mayor, or in his absence the Chairman appointed by Council, may vote with other members on all questions, and any question where there is an equality of votes shall be referred to Committee. When the question has been considered in committee and a report on the question is presented to City Council for consideration and disposal, then the Mayor or Deputy Mayor or Chairman shall vote on the report, and should an equality of votes then result, the question and report shall be deemed to be negatived.
15. If the Mayor desires to leave the chair for the purpose of taking part in the debate or otherwise, he shall call another member of the Council to fill his place until he resumes the chair.
16. When two or more members arise simultaneously, the Mayor shall name the member who, in his opinion, first arose in his place.
17. When the Mayor is called upon to decide a point of order or practice, the point shall be stated without unnecessary comment and the Mayor shall cite the rule or authority applicable to the case.
18. Every member, previous to his speaking, shall arise from his seat and respectfully address the Mayor.

19. Whenever the Mayor is of the opinion that a motion which he has received and read is contrary to these rules, he shall apprise the Council thereof, before the question on such motion is put and shall cite the rule or authority applicable to the case.
20. While the Mayor is putting the question no one shall walk across or out of the Council Chamber or make any noise or disturbance or hold any private discourse.
21. The Mayor may call to order any member while speaking and the debate shall be suspended, and the member called to order shall sit down and shall not speak until the point of order has been stated and determined by the presiding officer, unless permitted to explain or for the purpose of appealing from the decision of the Chair to the Council and the Council, if appealed to, shall decide the case, but without debate. If there be no appeal, the decision of the presiding officer shall be final.
22. (a) No member of City Council shall speak disrespectfully of Her Majesty the Queen or of any of the Royal Family, or of the Governor-General, Lieutenant Governor, or person administering the Government of the Dominion or of this Province.
- (b) No member of City Council shall use offensive words in or against the Council or against any member thereof.
- (c) (i) No member of City Council shall speak beside the question under debate.
- (ii) No member of City Council shall reflect upon any vote in the Council except for moving that such vote be rescinded. No previous vote shall be rescinded unless the vote to rescind is passed favourably by at least seven members (where the Mayor, Deputy Mayor or Chairman elects not to vote) and upon a favourable vote of at least eight members (where the Mayor, Deputy Mayor or Chairman elects to vote with the Council).
- (d) No member of City Council shall resist the rules or disobey the decision of the presiding officer of the Council on questions of order or practice or upon the interpretation of the rules of the Council, and in case any member shall so resist or disobey, he may be ordered by the Council to leave his seat for that meeting, and in case he refuses, he may, on the order of the presiding officer, be removed by the Police; but in case of ample apology being made by the offender, he may, by a vote of the Council, be permitted to re-take his seat.
23. When a member is speaking, no member shall hold any private discourse or make any noise or disturbance or pass between the speaker and the chair, or interrupt the speaker, except to raise a point of order.
24. 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.
25. No member shall speak more than once on the same question without the leave of the Council, except in explanation of a material part of his speech which may have been misconceived, and in doing so he shall not introduce new matter. A reply is allowed to any member who has made a substantive motion, but not to any member who has moved an order of the day, an amendment, the previous question or an instruction to a committee. NO MEMBER, WITHOUT LEAVE OF THE COUNCIL, SHALL SPEAK TO THE SAME QUESTION OR IN REPLY FOR LONGER THAN A QUARTER OF AN HOUR

26. After a question is finally put by the Mayor or Chairman, no member shall speak to the question nor shall any other motion be made until after the result of the vote has been declared, and the decision of the Mayor as to whether the question has been put shall be conclusive.
27. Questions and enquiries relating to any matter previously before City Council may be raised by any member of City Council and put to the Mayor or other presiding officer or through him, to any member of City Council or any officer of the Corporation and shall be in writing and handed to the Clerk or Deputy Clerk to be recorded in the minutes, which relates to any by-law, motion or other matter connected with the business of the Council on the affairs of the Corporation, but no argument or opinion is to be offered or facts to be stated except so far as may be necessary to explain the same, and in answering any such question, a member is not to debate the matter on which the same refers. All such questions and/or enquiries shall be directed to the member or officer concerned and shall be replied to in writing and presented to the Council in reasonable time.
28. Every member who shall be present in the Council Chamber when a question is put shall vote thereon unless the Council shall excuse him or unless he has a direct pecuniary interest in the question, not held in common with the interest of the citizens at large, in which case he shall not vote; and if any member present persists in refusing to vote for other than reasons herein specified he shall be recorded as voting in the negative.
29. No person, except a member or officer of the Council, shall be allowed to come within the bar during the sittings of the Council without the permission of the Mayor or other presiding officer.
30. When the Council adjourns, the members shall keep their seats until the Mayor leaves the chair.
31. All special or regular meetings of Council shall be open as provided for in Chapter 59, Section 4, The Municipal Act, S.O. 1960-61. All other meetings where the legislation so provides, may be closed or open, according to the decision of City Council, expressed by resolution in writing.
32. Upon a division of the Council, the names of those who vote for and of those who vote against the question shall be entered upon the minutes only in the cases required by Statute, and whenever any member shall call for the yeas and nays.

ORDERS OF THE DAY

33. The Clerk shall cause to be prepared for the use of the members, at the ordinary meetings of the Council, "The General Orders of the Day" as follows:
 - (1) Roll Call
 - (2) Presentation of minutes and adoption thereof
 - (3) Original communications
 - (4) Reports of officers
 - (5) Petitions
 - (6) Public presentations
 - (7) Unfinished business
 - (8) Presentation and consideration of reports of committees
 - (9) Introduction and consideration of by-laws
 - (10) Motions
 - (11) Questions and enquiries
 - (12) Giving notices
 - (13) Motion to adjourn.

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34. The business shall in all cases be taken up in the order in which it stands upon "The General Orders of the Day."
35. Every motion shall be in writing and shall be seconded and shall be read by the Clerk or the Deputy 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.
37. No motion shall be considered which contains any blanks or is in imperfect shape, except a motion to authorize the first reading of a by-law, and the Mayor or other presiding officer shall rule on all such motions and index his decision on the written motion.
38. When a question is under debate the only motions in order shall be:
- (1) To extend the time of the meeting
 - (2) To refer or commit
 - (3) To amend
 - (4) To lay on the table
 - (5) To postpone to a certain time and day
 - (6) To move the previous question

These several motions shall have precedence in the order in which they are named.

On a motion to postpone to a certain time and day, only the question of time and day so mentioned is open to debate.

PRIVILEGE

39. Whenever any matter of privilege arises it shall be immediately taken into consideration.
40. A motion to refer or commit to a committee, until it is decided, shall preclude all amendments of the main question.

TO AMEND

41. Except as herein otherwise provided, an amendment to a motion shall be in order. Only one amendment shall be allowed to an amendment.
42. Every amendment shall be reduced to writing and shall be decided or withdrawn before the main question is voted on.
43. Amendments shall be put in the reverse order to that in which they were moved, except when a motion properly put is put in the following words "That the Question be now put" and should such motion be defeated, then the amendment or amendments shall be considered in reverse order. Should an amendment be carried, then the main motion will be carried as amended. Should an amendment to the amendment, and the amendment - or if only one amendment is proposed, is lost, then the main question is put.

6.

44. When putting an amendment, the presiding officer shall first read the paragraph as it appears in the main motion, then the proposed amendment, and finally the paragraph as it would be if the amendment carried.

TO LAY ON THE TABLE

45. A motion to lay a question on the table simply, shall not be debatable.

INDEFINITE POSTPONEMENT

46. A motion to adjourn the Council or the debate simply, cannot be amended and is not open to debate, but a motion to adjourn to a given day may be amended and is open to debate.

RECONSIDERATION

47. After any question has been decided, any member may, at the same or at the first meeting held thereafter, move for a reconsideration thereof, but no discussion of the main question shall be allowed, unless reconsidered and there shall be no reconsideration unless notice thereof be given at the meeting at which the main motion is decided, and after such notice is given no action shall be taken by the Council on the main motion until such reconsideration is disposed of.
48. If the motion for reconsideration be made at the same meeting, the question shall not be considered unless a majority of the members of the Council present vote therefor, and if the motion for reconsideration be made at the next meeting, the question shall not be considered unless a majority of the whole Council vote therefor. No question shall be reconsidered more than once nor shall a vote to reconsider be reconsidered.

PROCEEDINGS IN COMMITTEE OF THE WHOLE

49. Whenever it shall be moved and carried that the Council go into a Committee of the Whole, the Mayor or other Presiding Officer may leave the Chair, but he shall first appoint a Chairman who shall maintain order in the Committee of the Whole, and report the proceedings thereof.
50. No by-law or report of a committee shall be discussed in Committee of the Whole unless such by-law or report has been previously placed in the hands of the members except it shall be otherwise decided by a vote of two-thirds of the members present without debate.
51. The rules of the Council shall be observed in Committee of the Whole so far as they may be applicable, except that no motion shall require to be seconded nor to be in writing nor shall a motion for the previous question or for an adjournment be allowed; and in taking the yeas and nays the names of the members shall not be recorded. Members of Committee of the Whole may retain seats when speaking.

52. Questions of order arising in Committee of the Whole shall be decided by the Chairman, subject to an appeal to the Council, and if any disorder shall arise in the committee the Mayor or Chairman of the Council shall immediately resume the Chair, without any question being put. On motion in Committee of the Whole to rise and report, the question shall be decided without debate.
53. A motion in the Committee of the Whole to rise without reporting shall always be in order, and shall take precedence over any other motion. On such motion debate shall be allowed and on an affirmative vote the subject referred to the Committee shall be considered as disposed of in the negative and the Mayor or Chairman of the Council shall resume the Chair and proceed with the next order of business.

READING OF BY-LAWS AND PROCEEDINGS THEREON

54. Every by-law shall be introduced upon motion for leave specifying the title of the by-law or upon motion to appoint a committee to prepare and bring it in and each member of the Council shall be supplied with a copy of every by-law so introduced with the exception of money by-laws with the schedules attached thereto shall be supplied to each member.
55. No by-law shall be introduced for second reading either in blank or in an imperfect shape.
56. No proposed by-law shall receive more than two readings at any one meeting except upon a vote representing at least a majority of all the members of Council, and two-thirds of the members present, but on such vote it may be passed through all its several stages and finally passed at one meeting.
57. The preparation of every by-law, unless otherwise provided for by any General or Special Act or prior by-law, shall be by authority of Council by a resolution passed by majority vote.

The first reading of a by-law shall be decided, by a resolution of the Council to authorize the reading, without amendment or debate.

The second reading of a by-law shall be authorized by resolution of the Council at which time the contents of the by-law may be spoken to by any or all members of City Council in the order prescribed by the adopted Rules of Order, and the contents of the by-law may be corrected or changed on an amending resolution introduced in the prescribed form and be considered as an amendment to the original resolution then before the City Council to authorize the second reading, or such amending resolution may be introduced to refer the whole by-law back to a standing committee for further consideration or such amending resolution may refer the whole by-law to committee of the whole Council, in which case the rules of procedure applicable to Committee of the Whole, shall apply, and City Council shall move into Committee of the Whole at the same meeting - thence rise from Committee of the Whole, and submit a report for City Council's formal action.

58. In proceedings in Committee of the Whole or in meetings of a standing committee upon by-laws, each clause shall be considered in its proper order, then the preamble and then the title.
59. The clerk shall endorse on all by-laws read in Council the dates of the several readings thereof.

60. All amendments made in Committee of the Whole shall be reported by the Chairman to the Council. Likewise all amendments made by a standing committee shall be reported to the Council by the Chairman of the standing committee, who shall receive the same forthwith. After the report has been received, the second reading of the by-law as amended, shall be authorized by resolution, and then shall be open to debate and further amendment by resolution before a vote is taken to authorize second reading.

When a by-law is reported without a further amendment, it shall then be read a second time.

Any by-law may then be read a third time and finally passed at the same meeting on a three-quarters majority of all members of City Council given to a resolution so to authorize.

Or the third reading may be given and finally passed, to any by-law at the next or any succeeding meeting of the Council on a majority vote of the Council taken on a resolution so to authorize the third reading.

61. Every by-law which has passed the Council shall be numbered and shall be forthwith entered and copied at full length in a book to be kept for that purpose and after being sealed with the seal of the Corporation and signed by the Mayor and the Clerk, shall be deposited by the Clerk for security in the safe connected with his office.

PETITIONS AND COMMUNICATIONS

62. All correspondence, addressed to and received by the head of the Council, any Alderman or the City Clerk, and having reference to the business and affairs of the Corporation, contrary to established policy or where no policy of Council has been established, shall be filed with the Clerk of the Municipality at least by 4.00 p.m. of the day of the Council meeting in which case all matters so received shall be laid before the Council at that meeting or the first regular meeting of the Council thereof following receipt, in accordance with the time limit.

63. Every petition, remonstrance or other written application to be presented to the Council shall be fairly written or printed on paper or parchment and signed by at least one person.

64. Any petition, remonstrance or other written application may be presented to the Council by any member thereof not signing or being a party to the same on any day, but not later than the hour of 4.00 o'clock in the afternoon of the day on which Council meets except on extraordinary occasions; and every member presenting any petition, remonstrance or other written application to the Council shall present same at next meeting provided the same is respectful and temperate in its language; he shall also endorse thereon the name of the applicant and the substance of such application, and sign his name thereto, which endorsement only shall be read by the Mayor unless a member shall require the reading of the document, in which case the whole shall be read.

65. (a) All petitions and other communications on any subject within the cognizance of any committee shall, upon presentation, be considered as referred to the committee to which it properly belongs without any motion unless

otherwise ordered; and no member shall speak upon, nor shall a debate be allowed upon the presentation of a petition or other communication to the Council; but a member may move that in referring a petition or other communication certain instructions may be given by the Council, or that the petition or communication may be referred to a special committee, and if the petition or communication complain of some present personal grievance requiring immediate remedy, the matter contained therein may be brought into immediate discussion and disposed of forthwith.

- (b) The City Clerk, with the approval of the Mayor, may hand petitions or communications to the heads of appropriate committees for immediate investigation and for report at first meeting of Council, said petitions or communications, however, to be returned to Clerk before said meeting.
- (c) Each Committee Chairman shall on the last committee meeting of each month and while in committee, report to all the Council present verbally, all the matters still remaining or being retained on committee file, giving a reason for so retaining the matter.

APPOINTMENT OF STANDING COMMITTEES AND ALL NECESSARY BOARDS AND COMMISSIONS

66. (a) There shall be appointed annually at the first meeting of each newly elected Council, all necessary Boards and Commissions unless otherwise provided for by any special or general Act, and the following standing committees of the Council:

- (1) General Government
- (2) Protection to Persons and Property (including Waterworks)
- (3) Public Works
- (4) Sanitation and Waste
- (5) By-laws and Planning
- (6) Health and Public Welfare
- (7) Community Services
- (8) Traffic and Transportation (including other protection)

(b) The committee to recommend appointments to such Boards and Commissions and standing committees shall consist of the Mayor and the four Aldermen who have obtained the largest number of votes at the last municipal election, and this committee shall be known as "The Striking Committee".

66. (c) There shall be a Striking Committee appointed each year to consider appointments to Standing Committees, Boards and Commissions, whether biennial (2 year term) elections are in effect or not.

67. Each of the aforesaid committees shall consist of four Aldermen and the Mayor.

68. A quorum of each standing committee shall consist of a majority of the members of the committee, including the Mayor as a member of the committee.

69. The Clerk or his Assistant of the City shall be ex-officio secretary of all standing or special committees of the Council, and it shall be the duty of the Clerk (or in case of his absence, of his assistant) to attend all meetings of the said committees and to take down and record the minutes thereof, and prepare all reports as directed by the various committees.

70. All standing committees shall meet in accordance with the days and times set at the inaugural meeting by resolution (see clause 2).

All reports completed during the time prescribed for such committee meeting shall be presented for adoption at the Council meeting immediately following.

All reports of such committee meetings which are incomplete may then be dealt with at the next following committee meeting.

The order of seniority of committees shall be the order as indicated in clause 69 above.

71. The Chairman of each standing committee through which normal municipal business is presented to City Council shall sign or initial all documents and accounts vouchers before presentation to Council, and then such signature and initialing by a Chairman shall not be made unless proper indication appears thereon, that the goods and/or merchandise have been received and that the prices are fair and just, by a responsible department head so qualified to deal with such matters.

STANDING COMMITTEES

72. All standing committees as elsewhere established shall be subject at all times to approval of City Council and/or legislation of the Province where and when such is applicable.

73. The following shall be the duties, responsibilities and standing of the General Government Committee:

The General Government Committee shall be the senior committee in order of seniority.

The General Government Committee, generally speaking, is to have control of all matters financial, including the issue and sale of debentures, all revenues, grants receivable by the Council from any and all sources, the sale of any assets of the Corporation, including the revenue from the sale of City-owned lands, which shall be payable only to the credit of the general revenue accounts and shall not be applied as a credit to any budget account to indicate a net budget figure; all reserves, their creation and application to determined use; all working capital funds, audits, insurances (including Fire, public liability, indemnity, etc.); all assets of the Corporation.

To supervise and maintain all administrative buildings (City Hall, etc.).

The appointment and salaries of all department heads and secondary department heads and their supervision and control (unless such is otherwise controlled by employee agreements).

To control all fringe benefits under which such employees are employed (pension and retirement plans, medical, surgical and hospitalization plans, cumulative sick pay plans, etc.)

Where employee agreements involve employees under the jurisdiction and control of this committee, along with employees under the jurisdiction of other committees, the General Government Committee shall form part of the bargaining or negotiating team of City Council, unless the bargaining or negotiations do not involve employees of the Administrative group.

73. (Contd.)

To consider and recommend upon all grants payable to outside organizations and supervise the execution of such grants payable upon the approval of City Council; all Council indemnities, allowances and Council expense; all banking and banking procedures, including the borrowing of current and/or capital requirements when approved by by-law.

To receive, assemble and recommend to City Council on all budget items, which form all or any part of the annual municipal budget.

The General Government Committee is authorized to -

Forbid the signing or delivery of any cheque or security, or payment of any money by the Treasurer if the said Committee shall think it expedient so to do until the matter can be further considered or can be referred to Council for consideration.

To consider and report upon all matters relating to the issue of license in regard to matters within the control of the Council and the regulation and government of persons to whom licenses shall be issued, and the premises in respect of which licenses may be issued and the license fees to be paid in all cases not covered by any by-law.

To recommend any policy to be implemented in by-law form where it is considered essential so to do.

74. The following shall be the duties and responsibilities of the Protection to Persons and Property Committee:

The Protection to Persons and Property Committee shall be the second of the standing committees in order of seniority.

The Protection to Persons and Property Committee, generally speaking, is to have control of all matters respecting the Police and Fire services, and of the municipal waterworks, or any matter in whole or in part under the control of any senior standing committee, or where any matter is under the control of more than one committee or committees, the senior committee chairman shall preside at all meetings, unless so decided otherwise by City Council.

Shall examine the annual estimates of the departments or utility above mentioned and make recommendation thereon to the Council with respect to same.

To meet with, consider and recommend to City Council on any employee agreement or where such agreement affects more than this committee, then to proceed to deal with the matter as outlined above.

To recommend to Council any policy matter, establishing regulations to be applied to the fire or waterworks department and where applicable, recommend adoption of such policy matters to the North Bay Police Commission.

To make such other regulations as are considered essential.

To supervise and recommend upon the matter of buildings in use by any of the departments under the jurisdiction of this committee so long as such does not in any way affect the authority of a senior committee.

To recommend any policy pertaining to this Committee to be implemented by By-law where it is considered essential so to do.

75. The following shall be the duties and responsibilities of the Public Works Committee:

The Public Works Committee shall be the third of the standing committees in order of seniority.

The Public Works Committee, generally speaking is to have control of any matter in whole or in part under the control of any senior standing committee, or where any matter is under the control of more than one committee or committees, the senior committee chairman shall preside at all such joint meetings unless so decided otherwise by City Council.

The Public Works Committee shall, generally speaking, have control and jurisdiction over such matters as construction and maintenance of roads, streets, sidewalks, storm sewers, drainage (both surface and underground); snow plowing and removal on roads, streets and sidewalks, including snow removal culverts and bridges; control and maintain all essential mechanical equipment of all departments; control and maintain all garage and maintenance buildings; to recommend from time to time the need of replacement of any such mechanical equipment or buildings or to recommend the purchase or provision of such new or additional equipment and buildings.

To recommend any policy pertaining to this Committee to be implemented by By-law where it is considered essential so to do.

76. The following shall be the duties and responsibilities of the Sanitation and Waste Committee:

The Sanitation and Waste Committee shall be the fourth of the standing committees in order of seniority.

The Sanitation and Waste Committee shall, generally speaking, have control and jurisdiction over such matters as construction of sanitary sewers and appurtenances and the maintenance, supervision and control thereof; sewage treatment and disposal so far as the Ontario Water Resources Commission operation affects North Bay; septic tank maintenance and repair; control of pollution in Chippewa Creek and the Lake Nipissing shoreline and any other water courses within the city limits; the cleaning of streets; the collection of garbage and waste and disposal thereof as determined from time to time by City Council; ~~the collection and disposal of night soil under such terms and conditions as are prescribed by City Council;~~ the removal and disposal of dead animals from any public thoroughfare, highway, street or lane within the city limits; and generally attend to all such other matters incidental to the operation of the sanitation and waste department and as provided for in the annual budget.

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by By-law
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To recommend any policy pertaining to this Committee to be implemented by By-law where it is considered essential so to do.

77. The following shall be the duties and responsibilities of the By-laws and Planning Committee:

The By-laws and Planning Committee shall be the fifth of the standing committees in order of seniority.

The By-laws and Planning Committee shall have jurisdiction and control over all matters related to:-

- (a) the amendment of or repeal of any of the existing by-laws of the City of North Bay,
- (b) the examination, study and recommendations upon any and all proposed by-laws,
- (c) the regulation and control of the duties of the Building Inspector, who shall report to City Council through this committee,
- (d) building and construction within the limits of the Corporation,

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77. (Contd.)

- (e) the Chairman of the By-laws and Planning Committee to be City Council's representative to the Town Planning Board,
- (f) the By-laws and Planning Committee to work closely with the Town Planning Board to consider, study and report on all matters related to the recommendations of the Town Planning Board as it applies to zoning, land usage regulations and the official plan of the Corporation, to sponsor such changes and amendments as are considered essential to good conduct and control of the usages of all lands within the limits of the City of North Bay presently established or as may hereafter be established in the future.

78. The following shall be the duties and responsibilities of the Health and Public Welfare Committee:

The Health and Public Welfare Committee shall be the sixth of the standing committees in order of seniority.

The Health and Public Welfare Committee shall have jurisdiction and control over all matters related to public health and public welfare including such other matters as the Board of Health or District Health Unit budget and public health services; child hygiene; local ambulance service; indigent hospitalization; indigent medicals; indigent nursing; general welfare assistance; transient relief; moving of indigents; burial of indigents; child welfare (Children's Aid wards and Industrial School wards); East Nipissing Home of the Aged assessment and levies.

To recommend any policy pertaining to this Committee to be implemented by By-law where it is considered essential so to do.

79. The following shall be the duties and responsibilities of the Community Services Committee:

The Community Services Committee shall be the seventh of the standing committees in order of seniority.

The Community Services Committee shall have jurisdiction and control over all matters related to recreation; parks and beauty spots (both memorial and monumental); public markets; Gateway and other tourist information signs; maintenance and care of boulevards; the control, appointment and supervision of the Weed Inspector; any and all capital matters relating to new parks and recreational areas and all matters related thereto.

To recommend any policy pertaining to this Committee to be implemented by By-law where it is considered essential so to do.

80. The following shall be the duties and responsibilities of the Traffic, Transportation and Other Protections Committee:

The Traffic, Transportation and Other Protections Committee shall be the eighth of the standing committees in order of seniority.

The Traffic, Transportation and Other Protections Committee shall have jurisdiction and control over all matters related to traffic and transportation and other protection which includes street, flood and ornamental lighting; traffic lights; traffic signs and street markings; traffic parking on-street and off-street and parking meters; animal control; emergency measures; City bus transportation; elimination and/or protection of grade crossings, including overpasses and underpasses.

To recommend any policy pertaining to this Committee to be implemented by By-law where it is considered essential so to do.

81. The Council may from time to time on a majority vote of those present at any regular or special meeting, appoint a special committee of at least three members to deal with any matter within the competence and authority of a Municipal Corporation.

*Deleted
by By-laws
2/13/8*

- 82. Every member who introduces a by-law, petition or motion upon any subject which may be referred to a special committee shall be one of that committee, and the first named shall be Chairman of that committee unless the Council decides otherwise.
- 83. A majority of the members of any committee, exclusive of ex officio members, shall constitute a quorum.
- 84. The meetings of any of the committees of the Council may be attended by other members of the Council, and such members may, with the permission of the majority of the members of the committee, take part in any discussion or debate, but shall not be allowed to vote.
- 85. Every committee to which anything has been referred, shall report in writing to the Council the state of the facts with their opinions thereon, which report shall be signed by a majority of the committee and shall not be received unless so signed.
- 86. All members of a committee approving of any report of such committee shall sign the same, and those members not so signing shall be deemed to have dissented therefrom.
- 87. A special committee shall be considered discharged on the acceptance of a final report therefrom.

SUSPENSION OF RULES

- 88. No rule contained herein shall be suspended except by a vote of a majority of the whole Council, and no rule shall be repealed, altered or amended unless one week's previous notice has been given to the City Clerk of the intended motion.

REGULATIONS RESPECTING THE CONDUCT OF BUSINESS IN COMMITTEES

- 89. The business of the respective committees, whether special or otherwise, shall be conducted under the following regulations:
 - (a) The Chairman shall preside at every meeting and may vote on all questions submitted, and in case of an equal division the question shall be negatived.
 - (b) In the absence of the Chairman, the Vice-Chairman shall preside, or in the absence of the Chairman and Vice-Chairman one of the other members shall be elected to preside (provided there is a majority of committee members present), and he shall discharge the duties of the Chairman during the meeting or until the arrival of the Chairman or Vice-Chairman.
 - (c) A quorum to qualify any committee shall be any three members of the committee. Committees being composed of 4 (four) Aldermen and the Mayor.

(d) (1) See By-Law 2135

- 90. The General rules of all committees of Council shall be as follows:-
 - (a) To report to the Council from time to time on any matters on the file of the committee or whenever desired by the Council, and as often as the interests of the City may require, on all matters connected with the duties imposed on them respectively and to recommend such action by the Council in relation thereto as may be deemed necessary.

90. (Contd.)

- (b) To examine and certify all documents connected with the purchasing of any material or goods under their supervision.
- (c) To perform respectively such other duties as may be assigned by statute or by any resolution or by-law of the Council.
- (d) To present to the Council, quarterly, during the months of March, June, September and December in each year, for the information of the Council and of the inhabitants generally, a general report of the state of the various matters referred to the committee from time to time and which matters have not been disposed of.

91. Every member of a committee approving of any report or proceedings thereof shall sign the same, otherwise he shall be deemed to have dissented therefrom, provided that dissenting members may make and present a minority report.

MONEY APPROPRIATIONS, ACCOUNTS,
EXPENDITURES, CONTRACTS AND IMPROVEMENTS

92. Notwithstanding anything in this by-law contained, the Treasurer may pay:

- (a) All sums not exceeding \$100.00 on the order of the Mayor or in his absence on the order of the Deputy Mayor or the Chairman of General Government Committee, the account therefor having been first certified by the superior officer under whose supervision the expenditure was incurred.
- (b) All daily, weekly, semi-weekly and monthly wages and salaries appearing by any pay sheet to be due any person in the employ of the Corporation; all accounts for freight charges, customs duties, telegrams, and insurance premiums on Corporation property; or for gas power or light supplied to Corporation buildings; all progress certificates (but not final certificates) given on account of any contract bearing the Seal of the Corporation; and every such pay sheet, account or progress certificate shall be certified as to the correctness thereof and signed by the superior officer of the department in which such payments are due, or under whose supervision such contract is being performed, if any, having control of the same, and countersigned by the Chairman of the General Government Committee or such other member thereof appointed by the said committee for the purpose.
- (c) The particulars of all such payments shall be reported by the Treasurer to the Council at its next meeting.

93. In cases of emergency or necessity and on a report in writing of the superior officer of the department in which the emergency or necessity arises stating generally the locality and nature of the service or work required and the probable cost of the work to be done and upon the Chairman of the Committee to which the same appertains, if there be such a committee, endorsing thereon his approval and the date of his signing the same, the Council may appropriate a sum not exceeding \$500.00 in all for any one service or work which may be expended by the committee or the head of the department in charge of such service or work; and the Mayor shall have power to order the service or work to cease, if deemed prudent and the said service or work shall be reported at the next meeting of the Council thereafter.

94. No committee or officer shall exceed the appropriation made to any committee for any purpose, or expend money appropriated to any particular purpose for any other purpose, work or service.
95. The Treasurer shall report to Council the unexpended balances at the credit of any committee monthly after the budget is passed and on the 31st day of December in each year and after making due provision for all ascertained liabilities on account of such committee or service, carry such balances to the general credit of the City.
96. Except as herein otherwise provided no committee or member of the Council and no officer of the Corporation shall on behalf of the Corporation enter into any contract or incur or authorize any expenditure without having obtained by by-law or resolution the sanction of the Council; and no contract shall be entered into until the necessary appropriation shall have been made either from the general fund or by passing a local improvement or other by-law.
97. No contract or expenditure whereby a debt is incurred requiring the approval of the electors, shall be authorized or permitted until after the by-law to provide the necessary funds or authorize the expenditure has been assented to by the electors according to statute and passed by the Council.
98. No work or improvement shall be authorized by the Council without either having an estimate of the probable cost thereof or (in the absence of an estimate) limiting the amount therefor; and no contract shall be entered into for any work or improvement at a larger sum or involving a larger expenditure than the amount so estimated or limited; whenever such amount is found insufficient the fact shall be immediately reported to the Council.
99. Money authorized to be expended for any purpose other than is provided for in the annual budget shall not be credited by the Treasurer to any committee or department, but he shall credit the same to a special account opened for the object for which the money is voted and at the same time charge the amount against the fund out of which the same is to be paid to show from time to time how much of such fund has been appropriated; and he shall, from time to time, charge against the special account the sums paid out of the money so voted.
100. In case money appropriated to any particular purpose exceeds the amount actually required therefor, the Treasurer shall carry the surplus to the general account at December 31st.
101. Every report recommending the expenditure of money shall state the grounds on which the recommendation is made with sufficient fulness to enable the Council to judge of the propriety of the proposed expenditure.
102. The Provincial statutes as enacted and amended or re-enacted which apply to or be in respect of any interest, of any or all members of City Council or of any or all members of Boards or Commissions under Council jurisdiction and who are so appointed by the Council and all appointed officers of the municipality shall apply in respect to any interest in any contract, agreement or municipal works undertaken and which is to be paid for out of public funds either by capital or current levy.
103. No property, equipment or materials belonging to the Corporation of the City of North Bay shall be delivered or used outside the limits of the City of North Bay except in cases where municipal plant and installation are located outside the limits of the City of North Bay and such equipment or material is required for the construction or maintenance of such plant in the interests of the residents of the City of North Bay.

103. (Contd.)

No property, equipment or materials shall be made available to outside interests whether for use privately within the limits of the city of North Bay or elsewhere except as provided for herewith.

- (a) Use of real property owned by the Corporation of the City of North Bay (excepting dedicated or surveyed streets and lanes) shall only be put to personal or private use on authority of City Council by agreement and in no such cases shall the compensation to be paid be less than the equivalent of current taxes which would normally accrue were such real property privately owned.
- (b) Use and rental of equipment owned by the Corporation of the City of North Bay shall only be available to private interests on approval of the Council and after having deposited with the City a sum sufficient to cover the outside rental rate for the estimated period of required rental, subject at all times that such equipment may be available and not in present use by the Corporation and also that such equipment is subject to recall without notice.
- (c) Sale and disposal of materials (stores, stock or otherwise). The sale of any materials is only permitted when an emergency exists and the materials sought are unavailable from local wholesale or retail sources and are not required for immediate use by the Corporation as certified by the City Engineer on the following terms:-
 - * To individuals by payment of the cost plus taxes and handling charges in cash to the Treasurer of the City of North Bay.
 - * To outside municipalities and Limited Companies on production of an order of such municipality or Limited Company, which order is to show the cost of the materials with taxes and handling charges added.
 - * No materials are to be loaned on the understanding of replacement by any authority other than that of City Council.

104. No contractor or other person engaged on any work for the City shall be paid the compensation mentioned in his contract or any part thereof (unless otherwise provided as a condition of the contract) except for progress payments when certified by the department head or formally by a board or commission under whose jurisdiction the supervision of the contract in question has been authorized. In all such cases the Treasurer after making payment will report without delay to the first Council meeting by submitting the progress certificate so handled for approval. In the case of certificates by a department head or the formal action by any board or commission, such will mean that the work has been examined, the quantities of materials used have been computed and are in place in accordance with the plans and specifications of the contract.
105. No material or goods shall be ordered except upon an authority signed by the head of the department requiring the same and countersigned by the City Clerk; and no account for goods or material supplied shall be paid, unless the same have been ordered as aforesaid and unless the account is accompanied by such an authority.
106. Every account for work done or for materials, goods, wares or merchandise furnished for the Corporation shall be examined, checked and certified by the superior officer under whose superintendence the work was done or materials, goods, wares or merchandise provided, and such certificate shall also refer

106. (Contd.)

in a distinct manner to the by-law or resolution of the Council by or under which the expenditure was authorized; and where the account is for supplies it shall also be certified as correct by the person who actually received and checked such supplies.

107. If the account relates to any committee, it shall also be signed by the Chairman of such committee.

108. After the accounts and invoices have been certified by the department head responsible that the goods and merchandise have been received and the prices charged are fair and just, the responsible committee chairman will also examine and initial each such account and invoice, following which the Treasurer shall cause a complete list of all accounts to be prepared in statement form and transmit same to City Council for approval and authority for payment.

109. After the pay sheet has been passed on by the Council and the accounts represented therein have been ordered to be paid, the Treasurer shall issue the necessary cheques which shall be signed by the City Treasurer or his Deputy and by the Mayor or his deputy duly appointed and promptly delivered to the persons to whom the same are payable respectively.

110. All contracts for work and material under a written contract shall provide for such bonds and holdback as the Council shall determine and no payments under any conditions may be made until all contract documents, bonds, etc. have been examined by the City Solicitor and reported to Council, the contract then signed and the bond posted.

111. In the case of building contracts no money shall be paid on account thereof, except upon the written progress estimates of the architect, consulting engineer or city engineer who are in charge of such work.

TENDERS

112. All work exceeding in value \$1,000.00 to be executed by contract shall be tendered and such tender call shall be advertised giving at least 10 days clear, or as otherwise approved and established by City Council, of the closing date for the reception of tenders for the work being advertised.

113. All materials to be purchased for stores, or for works to be undertaken by day labour, by the Council shall be submitted to all local and outside suppliers on record for sealed bid with a closing date by the purchasing agent of the City of North Bay; and where all conditions and prices are equal, the local suppliers are to receive the preference by the purchasing agent.

114. The specifications or general conditions attached to every contract with the Corporation for the performance of work of any kind shall include and have incorporated a clause that the contractor shall not assign any part or all of his interest in the contract without the prior knowledge and approval of the Council of the City of North Bay.

115. All bonds offered as a guarantee or security by tenderers or contractors shall be referred to and approved by the City Solicitor before being accepted by the Corporation.

WORKS BY DAY LABOUR

- 116. Notwithstanding anything herein contained, the Council may, by resolution to be passed by majority of the members present and voting, direct that any particular work or undertaking may be done by day labour instead of by contract.
- 117. The City Engineer or such other officer shall report upon the request of the responsible committee how the cost of work done and materials supplied for the work authorized by such resolution compare with the cost of the said work and materials as shown by him in his estimates before such work was authorized to be undertaken.

FRAUDS BY CONTRACTORS

- 118. The various officers of the Corporation shall forthwith report all frauds or attempted frauds of which any of them may become cognizant to the superior officer, and the superior officer shall report the same to the Council or the committee having control of the department in which the fraud has been committed, and any officer failing to do so shall be dismissed forthwith.

MINUTES OF THE COUNCIL

- 119. 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 of a minute communicated to any committee of the Council as hereinbefore required shall bear the number of the minute to which it refers.

CUSTODY OF DOCUMENTS

- 120. All original documents, including by-laws, contracts, agreements, deeds, leases, bonds or other securities, shall remain in the custody of the City Clerk.
- 121. The City Clerk shall, upon the application of the head of any department, furnish such head with typewritten or printed copies of any such documents whenever required for the use of the head of such department.

CLAIMS FOR DAMAGES

- 122. The Council shall investigate and report on all claims for damages, from time to time preferred against the Corporation for alleged negligence on the part of the Corporation or any of their servants, workmen, agents or contractors.
- 123. The City Clerk shall forthwith after the receipt of a notice of any such claim for damages, forward the same to the City Solicitor, who shall investigate and report on the same to the Council.
- 124. In order to ascertain the facts connected with any such claim and the legal liability (if any) of the Corporation in respect thereto, the City Solicitor may require any officer of the Corporation to report to him upon the claim, and such officer shall thereupon immediately inquire into the circumstances and report the facts fully in writing to the City Solicitor, and all such reports shall be obtained in such a manner as to make them privileged from production and inspection.

- 125. The City Solicitor shall report to the Council on every such claim referred to him.
- 126. No claim shall be settled except with the approval of the Council first obtained.

APPOINTMENT TO A MUNICIPAL OFFICE

- 127. (a) 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 otherwise provided for by statute.
- (b) No member of Council for the year in which he has been elected, nor any candidate for municipal office for the year during which he was candidate, shall be eligible for any office to which there is attached any salary, remuneration or emolument payable by the Council except as is otherwise provided by statute.