



Building Markham's Future Together
Journey to Excellence

Procedural By-law Overview

Presentation to General Committee
February 2, 2015



Presentation Objectives

1. To provide Council with a “refresher” as to the provisions of Procedural By-law 2001-1
2. To advise Council of the Procedural By-law review currently underway
3. To provide effective meeting management tips
4. To review Next Steps

1. Procedural By-law Overview

- The Municipal Act requires Ontario municipalities to adopt a Procedural By-law to govern the proceedings of Council meetings & the calling of meetings
- A well crafted Procedural By-law should help facilitate the business of Council
- Markham's By-law:
 - Governs the proceedings of all Council & Committees of Council
 - Based on Robert's Rules of Order

"It is difficult to find another branch of knowledge where a small amount of study produces such great results in increased efficiency in a country where the people rule, as in parliamentary law." – Henry M. Robert

1. Procedural By-law Overview

Meeting Chair Responsibilities

- To keep meetings on track and on time
- To put all appropriate motions to a vote
- To decline motions that contravene the Procedural By-law
- To decide all questions of order
- To enforce proper conduct & decorum
- To request any Member who persists in breaching the Rules of Procedure to leave meeting

1. Procedural By-law Overview

Meeting Decorum

- Do not use offensive or unparliamentary language
 - Speak only on the subject being debated
 - Do not criticize decisions of Council except for the purpose of moving that a decision be reconsidered
 - Obey the Rules of Procedure & decisions of the Meeting
- Chair on questions of order or on the interpretation of Rules of Procedure
- Do not speak more than once on an item until every Member who wishes to speak has spoken

1. Procedural By-law Overview

Meeting Decorum (Cont'd)

- Markham's Council Code of Conduct also references Member conduct
- Members will:
 - show respect for public, other Members & Staff
 - not distract from the business of Council during presentations & when other Members are speaking
 - be courteous
 - ensure their behaviour does not bring the reputation of the City into disrepute

1. Procedural By-law Overview

Refer: sent to staff or a Subcommittee, etc. for action
or further investigation

Defer: postponed to a specific date or indefinitely

- If either of the above motions are moved, the Chair should request that the motion not be seconded until the speaker's list has been exhausted
- Once moved & seconded, & until these motions are decided, the main motion is not to be discussed

1. Procedural By-law Overview

Point of Order

- A Point of Order may be raised by a Member at any time if they believe there has been a deviation from the Rules of Procedure
- The ruling of the Chair is final unless a Member appeals the ruling to Council – Council then decides the question without debate

1. Procedural By-law Overview

Point of Privilege

- A Point of Privilege may be raised by a Member at any time if they believe his/her or Council's integrity has been impugned by another Member or delegate
- The ruling of the Chair is final unless a Member appeals the ruling to Council – Council then decides the question without debate
- Where a breach of personal privilege has taken place, the Chair shall take appropriate disciplinary action

2. Procedural By-law Review

- Staff are currently reviewing the Procedural By-law
- Areas of review include:
 - Reconsideration
 - Delegations/Deputations
 - New Business

2. Procedural By-law Review

Reconsideration

- Matters cannot be reconsidered by Council until 4 regular meetings have been held
- Decisions which contractually bind the City cannot be reconsidered

2. Procedural By-law Review

Delegations/Deputants

- Delegates are:
 - encouraged to speak at Standing Committees
 - usually heard at the beginning of a meeting
 - requested to respond to any questions from Council/Committee & speak only through the Chair
 - permitted to speak for 5 min. or 10 mins. if representing a group
- Request forms may be filled out prior to or at meeting
- Delegations for in-camera items heard prior to going in-camera
- If not speaking to a matter on agenda, 2/3 Members must consent to hear a delegate

2. Procedural By-law Review

New Business

- Members are permitted to raise new matters under the “New Business” section of the agenda
- In accordance with the Procedural By-law matters of “New Business” are not to be substantive in nature but rather information items

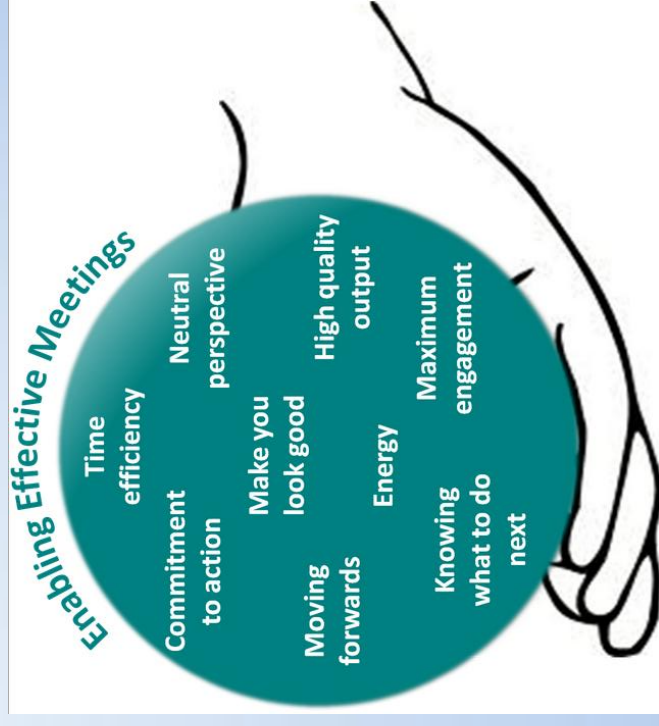
3. Effective Meetings

- Arrive on time & be prepared to fully participate
- Read agenda materials prior to meetings
- Address questions or comments through the meeting Chair
- Disagree with ideas & motions - not individuals
- Carefully word motions to ensure they achieve intended objective(s)

**“A meeting is an event at which the minutes are kept
and the hours are lost.” – Unknown**

3. Effective Meetings

- Know and follow the Rules of Procedure
- Be courteous
- Start & end meetings on time
- Listen attentively to others
- Be conscious of your behaviour
- Respect and build on other Member's ideas
- Understand & abide by confidentiality requirements



4. Next Steps

- Staff will set-up individual appointments with Members of Council to obtain additional feedback on Procedural By-law amendments (during the month of February, 2015)
- Staff will continue best practice research on Procedural By-laws
- Staff will report back to General Committee with proposed Procedural By-law amendments
- Staff will provide an overview of any By-law changes to all local boards, advisory committees, etc.



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