

THE REGIONAL MUNICIPALITY OF PEEL

BY-LAW NUMBER 52-2018

A by-law to amend By-law 9-2018 being a by-law to govern the calling, place and proceedings of the meetings of Council and its committees and the conduct of their members.

WHEREAS, the Council of the Regional Corporation enacted By-law 9-2018 on February 8, 2018, being a by-law to govern the proceedings of Council and its committees pursuant to Section 238(2) of the *Municipal Act, S.O. 2001*, Chapter 25, as amended, and the *Regional Municipality of Peel Act, S.O. 2005*, Chapter 20;

AND WHEREAS, the Council of the Regional Corporation has by resolution authorized the enactment of the by-law herein to amend By-law 9-2018;

NOW THEREFORE, the Council of the Regional Corporation enacts as follows:

- 1.1 That Schedule "A" attached hereto is hereby enacted and added to By-law 9-2018 as Appendix 4;
- 1.2 That Part 1.1.3 of By-law 9-2018 is deleted and the following substituted therefor;
 - 1.1.3. The Rules of Procedure, with the exception of Appendix 4, may be suspended with respect to the consideration of one or more matters or questions during the course of a single meeting by a two-thirds vote. Such a motion shall identify the basis of the request for the suspension of rules.
2. That Part 2.1 of By-law 9-2018 is deleted and the following substituted therefor;

2.1. GENERAL

2.1.1 The Regional Chair shall be appointed by Council at its Inaugural Meeting in accordance with the procedures as set out in Appendix 4 – Appointment of the Regional Chair. For the purpose of clarity, the Regional Chair appointed by the previous Council is not entitled to vote for the appointment of the Regional Chair at the Inaugural Meeting, under any circumstances.

2.1.2 It shall be the role of the Regional Chair to carry out the responsibilities set forth in the *Municipal Act, 2001*, sections 225 and 226.1, as amended from time to time, as well as the responsibilities outlined in this by-law.

2.1.3 The Regional Chair shall be an ex-officio member of all committees but shall not be counted in determining the size of the committees and shall have the full voting privileges and be counted for quorum.

2.1.4 The Regional Chair shall not be eligible to be a Council Section Chair or Vice-Chair but may preside in place of a Council Section Chair or Vice-Chair when both are absent from a meeting.

2.1.5 The Regional Chair shall not vote in a Council meeting except in the event of an equality of votes.

3. That Part 4.1.4 of By-law 9-2018 is deleted and the following substituted therefor;

4.1.4 The Regional Clerk shall preside at the Inaugural Meeting until the Regional Chair is appointed and has taken the required declaration of office.

4. This by-law takes effect on the date it is enacted.

READ THREE TIMES AND PASSED IN OPEN COUNCIL this 13th day of September, 2018.

K. Lockyer
Regional Clerk

F. Dale
Regional Chair

**APPENDIX 4
APPOINTMENT OF THE REGIONAL CHAIR**

1. DEFINITIONS

- (a) "Inaugural Meeting" means the first meeting of Regional Council following a regular election at which Regional Council is obligated to appoint a Chair, and at which a sufficient number of Members are present to form a quorum.
- (b) "Lot" is the method of determining the nominee to either fill the vacancy or go forward to the next ballot, as determined by the particular circumstance. The names of the tied nominees shall be placed on equal sized pieces of paper, placed in a container and one name shall be drawn by a person chosen by the Regional Clerk.
- (c) "Majority Vote" means, for the purpose of the appointment of the Chair at the Inaugural Meeting, more than half the votes cast by all the Members present at the Inaugural Meeting.
- (d) "Member" means, for the purpose of the appointment of the Chair at the Inaugural Meeting, a person who is described in paragraphs 2, 3 and 4 of subsection (1) of the *Regional Municipality of Peel Act, 2005 S.O. 2005 c. 20* and who has taken the declaration of office required to take a seat on Regional Council;
- (e) "Nominee" is a person named in a motion at the Inaugural Meeting that he or she be appointed to the position of Regional Chair and who has consented in writing to take office as Regional Chair if appointed, and who is:
 - (i) eighteen years of age or older;
 - (ii) a Canadian citizen;
 - (iii) a resident of The Regional Municipality of Peel or is the owner or tenant of land in the Regional Area or is the spouse of such owner or tenant; and
 - (iv) not otherwise legally disqualified from holding such office.

2. MOTIONS FOR THE APPOINTMENT OF THE CHAIR

- (a) Following the organization of the new Regional Council at the Inaugural Meeting, the Regional Clerk, as Presiding Officer, shall call for motions to appoint the Chair. Each motion must be in writing, moved and seconded by a Member present.
- (b) Each Nominee named in a motion for appointment of the Chair must consent in writing to take office as Regional Chair if appointed.
- (c) The Regional Clerk shall take as many motions for the appointment of the Chair as may be made by Members present and after seeing no further motions shall call for a motion that no further motions for the appointment of the Chair be received which shall be carried by a Majority Vote.

- (d) Following the passing of a motion that no further motions for the appointment of the Chair be received, the Regional Clerk shall call upon the mover, seconder and Nominee of each motion to appoint the Chair, in the order that the motions were received, to speak to that motion, once, for no longer than five minutes each.
- (e) A Nominee may withdraw his or her name at any time up until a motion to appoint the Nominee as Chair has been passed and the Nominee has taken the required declaration of office as Chair.

3. VOTING PROCESS

- (a) Nominees shall be voted on in alphabetical order of surnames.
- (b) All votes shall be conducted in open Council by an open vote and shall be recorded.
- (c) There shall be one Nominee vote per member of Council per round of voting. A Councillor's first vote is deemed to be the Councillor's vote. If a Councillor votes a second time in the same round of voting, the Regional Clerk shall advise the Councillor and the Councillor's vote shall not count.
- (d) Once voting commences, the only motion permitted will be a motion to recess.
- (e) One Nominee:
 - (i) The Nominee requires a majority of votes to be elected to the position of Regional Chair.
- (f) Two Nominees Only:
 - (i) The Nominee who receives a majority of votes becomes the nominee named by resolution as the Nominee for appointment to the position of Regional Chair. A majority vote on this resolution appoints the Nominee to the position of Regional Chair.
 - (ii) If there is a tie vote, the Regional Clerk shall declare a 10 minute recess to allow Council time to consider the matter, after which the vote shall be retaken. If the vote is again tied, the Regional Clerk shall declare a second 10 minute recess, after which the vote shall be retaken. If the vote is again tied, the vacancy shall be filled by the Nominee selected by lot. The person whose name is drawn becomes the Nominee named by resolution as the Nominee for appointment to the position of Regional Chair. A majority vote on this resolution appoints the Nominee to the position of Regional Chair.
- (g) Three or More Nominees:
 - (i) First and Successive Ballots:
 - (1) A Nominee who receives a majority of votes becomes the Nominee named by resolution as the nominee for appointment to

Schedule "A" to By-Law 52-2018

the position of Regional Chair. A majority vote on this resolution appoints the Nominee to the position of Regional Chair.

- (2) If no Nominee receives a majority of votes, the Nominee with the least number of votes shall be excluded from subsequent voting and Council shall proceed with the next round of voting.
- (3) If there is a tie vote with respect to the Nominees receiving the least number of votes, then a lot shall be conducted until there is one name not drawn, and the name (or names) drawn shall go forward to the next round of voting, and the name not drawn shall be excluded from subsequent rounds of voting.
- (4) When there are only two Nominees remaining, the procedure for two Nominees [Procedure (f)] shall apply.