



The Corporation of the City of Peterborough

By-Law Number 26-014

Being a by-law to establish rules of procedure for meetings of Council and its standing committees.

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Whereas subsection 238(2) of the Municipal Act, 2001 requires every municipality to pass a procedure by-law for governing the calling, place and proceedings of meetings;

Now therefore, The Corporation of the City of Peterborough by its Council hereby enacts as follows:

Short Title

1. This By-Law may be referred to as the “Procedure By-law”.

Interpretation

2. Unless otherwise stated:
 - a) a reference to any statute or regulation refers to a statute or regulation of Ontario as it may be amended or replaced from time to time;
 - b) a reference to a by-law refers to a by-law of the City as it may be amended or replaced from time to time; and
 - c) a reference to a section, paragraph, clause or schedule is a reference to this By-law’s section, paragraph, clause or schedule.
3. The table of contents and headings in this By-law are for convenience only and do not form part of this By-law.
4. If any part of this By-law is determined to be invalid by a court of competent jurisdiction, the invalid part is severed and the remainder continues to be valid.
5. Nothing in this By-law may derogate from or conflict with:
 - a) any requirements at law governing the calling, place and proceedings of Meetings including under the Municipal Act, 2001;
 - b) the Chair’s jurisdiction under subsection 241(2) of the Municipal Act, 2001 to expel from a Meeting any person for conduct that, in the Chair’s sole determination, is improper;
 - c) any requirements at law respecting minimum standards for Members’ conduct including under the Code of Conduct.

Definitions

6. In this By-law:
 - a) “Advisory Committee” is as defined in Advisory Committee By-law 22-088.
 - b) “Agenda” means the planned business of a Meeting including as set out in sections 19 and 20.
 - c) “By-law” means this by-law.
 - d) “Chair” means the presiding officer at a Meeting.
 - e) “City” means The Corporation of the City of Peterborough or the geographic area of the City of Peterborough as the context requires.
 - f) “City Clerk” means the Clerk of the City and includes the individuals from time to time acting as the Clerk of the City.
 - g) “City Website” means the uniform resource locator (URL) www.peterborough.ca.
 - h) “Closed Meeting” means a Meeting or part of a Meeting which is closed to the public.
 - i) “Code of Conduct” means City of Peterborough Council Code of Conduct By-law 19-028.
 - j) “Committee” is as defined in subsection 238(1) of the Municipal Act, 2001.
 - k) “Confirmation By-law” means a by-law passed for the purpose of giving effect to a previous decision or proceedings of Council.
 - l) “Council” means the City’s Council.
 - m) “Delegate” means a person who addresses or seeks to address Council or a Committee at a Meeting;
 - n) “Delegation” means the content of a Delegate’s address to Council or a Committee at a Meeting.

- o) "Electronic Means" includes any device, software or technology that, in the determination of the City Clerk, reasonably enables a person to participate in a Meeting.
- p) "Hearing" means a Meeting or part of a Meeting for the hearing of a proceeding by Council or a Committee in the exercise of a statutory power of decision conferred under a provincial statute.
- q) "Inaugural Meeting" means the first Meeting of Council after a regular election.
- r) "Majority Vote" means an affirmative vote of more than one-half of the Members present and voting.
- s) "Mayor" means the head of Council and includes the Members from time to time acting as Mayor.
- t) "Meeting" is as defined in subsection 238(1) of the Municipal Act, 2001.
- u) "Member" means a member of Council.
- v) "Motion" means a proposal by a Member at a Meeting to adopt, amend or to otherwise deal with a matter.
- w) "Point of Order" means a question as to whether there has been a contravention of this By-law.
- x) "Public Meeting" means a Meeting held to hear public input, as may be prescribed by legislation or where public input is sought on a matter.
- y) "Public Service Announcement" means a Member's statement about a matter of interest to the community that does not require or contemplate a decision by Council.
- z) "Quorum" means a majority of the Members.
- aa) "Regular Meeting" means a Meeting held pursuant to section 12.
- bb) "Special Meeting" means a Meeting held pursuant to section 14.
- cc) "Two-Thirds Vote" means an affirmative vote of at least two-thirds of the Members present and voting at a Meeting.

Requirements to be Observed

7. Meetings must be undertaken pursuant to:
 - a) the requirements of this By-law; and to
 - b) any statutory or regulatory requirements respecting:
 - i) Public Meetings; and
 - ii) Hearings.
8. In the event of any inconsistency between a requirement under paragraph 7.b) and any other requirement of this By-law, the former prevails to the extent of any such inconsistency.
9. This By-law applies, with necessary modifications, to meetings of Advisory Committees including such modifications established by Advisory Committee By-law 22-088.
10. If a matter arises that, in the Chair's determination, is not addressed by this By-law, the Chair may refer for guidance to the most recent edition of Roberts Rules of Order and the Chair's determination respecting the matter is final and not subject to review including review pursuant to section 40.

Scheduling Meetings

11. The Inaugural Meeting will be convened pursuant to the Municipal Act, 2001 and the Municipal Elections Act, 1996.
12. Subject to section 11, Council may establish the place, date and time for the holding of each Regular Meeting.
13. The City Clerk must, for each Regular Meeting, give notice of the Agenda:

- a) to each Member no later than 5 days prior to the Regular Meeting; and
- b) to the public no later than 4 days prior to the Regular Meeting.

14. A Special Meeting may be held subject to the following:

- a) notice of the request for the Special Meeting is given to the City Clerk by the Mayor or by a majority of Members;
- b) the notice of the request includes particulars of one or more proposed Agenda items;
- c) subject to paragraph d), at least 48 hours' notice of the Agenda for the Special Meeting is given by the City Clerk to each Member and to the public;
- d) where the notice of the request is given by the Mayor or by at least two-thirds of the Members, the Special Meeting may be held with fewer than 48 hours' notice of the Agenda for the Special Meeting; and
- e) the Special Meeting is held within the City.

Participation by Electronic Means

15. A Member may participate by Electronic Means in a Meeting subject to the following:

- a) the Member must give to the City Clerk notice of the Member's intention to participate by Electronic Means as soon as is practicable and, in any event, no later than three (3) hours prior to the Meeting; and
- b) the Member may be counted in determining whether Quorum exists at any time during the Meeting.

Chair

16. The Mayor presides at Meetings of Council provided that the Member from time to time appointed as Deputy Mayor may preside at Meetings of Council when the Mayor is absent.

17. The Chair's authority and duties at a Meeting include the following:

- a) opening each Meeting by taking the chair and calling the Meeting to order;
- b) receiving and submitting to a vote all Motions which do not contravene this By-law;
- c) announcing the results of Members' votes on all Motions for which votes were cast;
- d) declining to put to a vote all Motions which, in the Chair's determination, contravene this By-law;
- e) authenticating, by the Chair's signature, all by-laws of the Council at the Meeting;
- f) ruling on any Points of Order;
- g) directing persons at the Meeting respecting their conduct at the Meeting;
- h) suspending or recessing the Meeting for such time and pursuant to such conditions as the Chair may determine; and
- i) adjourning the Meeting.

Members

18. Without limiting any requirements at law respecting minimum standards for Members' conduct including under the Code of Conduct, each Member must, at a Meeting:

- a) comply with any ruling or direction made or given by the Chair;
- b) comply with this By-law;
- c) not speak on subject matter other than the subject under consideration in debate or otherwise;
- d) not communicate except through and pursuant to any direction by the Chair; and

- e) not be in possession of any electronic device that could facilitate a communication that does not comply with paragraph d).

Order of Business – Meetings

19. The business of a Meeting of Council will be undertaken in the following order unless otherwise decided by a Majority Vote at the Meeting:

- a) land acknowledgment;
- b) recognition of Canadian Constitution and of the Canadian Charter of Rights and Freedoms;
- c) thirty (30) seconds of reflection;
- d) National Anthem;
- e) adoption of minutes of past Council Meeting(s);
- f) disclosures, if any, of Members' pecuniary interests;
- g) registered delegations;
- h) reports of Committees;
- i) by-laws;
- j) other business;
- k) Confirmation By-law; and
- l) adjournment of Meeting.

20. The business of a Meeting of a Committee will be taken in the following order unless otherwise decided by a Majority Vote at the Meeting:

- a) land acknowledgment;
- b) recognition of Canadian Constitution and of the Canadian Charter of Rights and Freedoms;
- c) thirty (30) seconds of reflection;
- d) National Anthem;
- e) adoption of minutes of past Committee Meeting(s);
- f) disclosures, if any, of Members' pecuniary interests;
- g) registered delegations if the Meeting is a Public Meeting;
- h) reports of City staff organized by City Department;
- i) notices of Motion;
- j) other business; and
- k) adjournment of Meeting.

21. As soon as practicable after the time established for the holding of a Meeting and provided there is a Quorum present, the Chair will call the Members to order.

22. If there is no Quorum present within fifteen (15) minutes after the time established for the holding of a Meeting, the City Clerk will record the names of the Members present following which the Meeting will be adjourned.

23. After calling the Members to order at a Meeting, the Chair will:

- a) read aloud the following land acknowledgment:

"We acknowledge that we gather on the traditional and treaty territories of the Williams Treaties First Nations, including the Anishinaabeg peoples of Hiawatha, Curve Lake, Alderville, Beausoleil, Georgina Island, Rama, and the Mississaugas of Scugog Island. For generations, the Michi Saagiig Anishinaabeg have cared for these lands and waters, guided by knowledge, ceremony, and responsibility. We recognize the ongoing impacts of these treaties, the injustices that occurred, and the enduring strength and resurgence of Indigenous communities. As we live and work here, we commit to reflection, respect, and meaningful action in the spirit of reconciliation.";

- b) read aloud the following statement:

“The Council for the City of Peterborough recognizes the principles contained in our Constitution and in the Canadian Charter of Rights and Freedoms.”;
- c) invite Members and others present at the Meeting to reflect for thirty (30) seconds; and
- d) invite Members and other present at the Meeting to sing Canada’s National Anthem.

24. Prior to consideration of a Motion to hold part of a Meeting to be closed to the public for consideration of reports, the Chair will inquire of Members and determine which reports, if any, require consideration during the proposed closed part of the Meeting and the Motion will be scoped to consideration of only such reports. All reports not requiring such consideration will be disposed of by one (1) Motion during the open part of the Meeting prior to a vote on the Motion to hold part of the Meeting to be closed to the public.

25. Prior to consideration of reports at a Meeting that is open to the public, the Chair will inquire of Members and determine which reports require separate consideration. All reports not requiring separate consideration will be disposed of by one (1) Motion prior to consideration of any individual reports.

Meeting Records

- 26. The City Clerk may amend by-laws, minutes and other records related to Meetings for technical, typographical or other administrative errors or omissions to ensure, in the City Clerk’s determination, accuracy and completeness.
- 27. The City Clerk will cause approved minutes of Meetings to be posted on the City Website as soon as is practicable.

Recordings of Meetings

- 28. The City Clerk will endeavour to cause Meetings that are not Closed Meetings to be recorded in real time by live-streaming and by posting the live-streamed records on the City Website.
- 29. The City Clerk will endeavour to cause Closed Meetings to be recorded aurally and must maintain such aural records securely and in confidence.
- 30. The City Clerk may disclose to Ontario’s Ombudsman parts of aural recordings of Closed meetings subject to the following:
 - a) the Ombudsman is undertaking a Closed Meeting investigation in accordance with applicable law;
 - b) the Ombudsman requests the aural recording;
 - c) the request is for an aural recording of the Closed Meeting the subject of the Ombudsman’s investigation; and
 - d) a requested part of a recording under consideration for disclosure does not include information that is subject to solicitor-client privilege or communications related to the privilege.

Public Participation

- 31. Members of the public may participate in a Meeting that is not a Closed Meeting by:
 - a) viewing the Meeting via live-stream on the City Website;
 - b) viewing the Meeting by attending in person, subject to any restrictions on numbers of participants by reason of Meeting room capacity limits or otherwise; and
 - c) subject to the requirements of sections 32, 33, 34, 36 and 37, by
 - i) addressing Council; or by
 - ii) addressing a Committee for that part of the Committee’s Agenda respecting a Public Meeting.

Delegations

32. A Delegate must submit to the City Clerk an application that:

- a) is complete, legible, in a form acceptable to the City Clerk and includes:
 - i) if the Delegate is an individual, the Delegate's residential address;
 - ii) if the Delegation is solely on behalf of a corporation as Delegate, the corporation's full legal name, the address of the corporation's head office and the presenter's relationship to the Delegate;
 - iii) the Delegate's telephone number; and
 - iv) the Delegate's e-mail address;
- b) concerns a matter that is on an Agenda;
- c) indicates whether the Delegate is in support of or opposes the proposed course of action for the matter;
- d) outlines the proposed Delegation;
- e) includes an electronic copy of any proposed presentation to accompany the Delegation;
- f) does not include inappropriate or offensive language;
- g) indicates whether the Delegate wishes to present in person or by Electronic Means at the Meeting; and that
- h) is given to the City Clerk no later than 11:00 a.m. on the day of the Meeting.

33. The City Clerk may decline to include a Delegation on an Agenda if:

- a) in the City Clerk's determination, any of the requirements of section 32 are not met; or
- b) except for a Public Meeting, the number of Delegations for an item on the Agenda will exceed four (4).

34. Subject to section 35, the presentation of a Delegation must not exceed five (5) minutes.

35. Where a Delegate has been requested by Council or by City staff to attend a Meeting, the presentation of the Delegation must not exceed ten (10) minutes.

36. At the conclusion of a Delegation, each Member may ask two (2) questions of a Delegate respecting a matter specifically addressed in the Delegation.

37. A Delegate's answer to a question posed pursuant to section 36 must not exceed ninety (90) seconds.

Withdrawal of Motion

38. A Motion may be withdrawn at any time before the Chair calls the vote on the Motion:

- a) at the request of the Member who made the Motion if no other Member objects to the withdrawal; or
- b) by Motion by the Member who made the Motion.

Motion to Amend

39. A Member may make a Motion to amend a Motion subject to the following respecting the Member's amending Motion:

- a) it is debatable;
- b) it must not be, in the Chair's determination, contrary to the Motion sought to be amended;
- c) it must be, in the Chair's determination, relevant to the Motion sought to be amended;

- d) if the Motion relates to a report from City staff, the Chair must, before any debate, direct a question to City staff for advice as to the implications of the proposed amendment, if any, respecting the matters the subject of the report;
- e) a second Member may make a Motion to amend the first Member's amending Motion and the requirements of paragraphs a), b), c) and d) apply to such further amending Motion;
- f) before consideration of any further Motion, except a Motion to call the question pursuant to section 45:
 - i) any Motion pursuant to paragraph e) must be decided prior to determining the first Member's amending Motion; and
 - ii) the first Member's amending Motion must be decided.

Motion to Appeal Chair's Decision

40. A Member may make a Motion to appeal against a decision of the Chair subject to the following:

- a) it must be made when the Chair has made the decision and before any further business has been undertaken;
- b) it must be seconded by another Member;
- c) it may not be debated or amended;
- d) the moving Member may succinctly state the Member's reasons for making the Motion and the Chair may then reply;
- e) all Members present will then vote on the question as to whether the Chair's decision is to be upheld (by a positive vote) or struck down (by a negative vote);
- f) a Majority Vote determines the appeal, is final and is not subject to review.

Motion to Suspend Rules

41. A Member may make a Motion to suspend a requirement of this By-law subject to the following:

- a) it may not be debated or amended;
- b) it is not subject to a Motion to Reconsider; and
- c) a Two-Thirds Vote determines the Motion.

42. Where a Motion under section 41 carries, the Chair will determine whether it is advisable to establish a requirement to substitute the suspended requirement and, if so:

- a) the Chair will make a Motion to establish the substituted requirement; and
- b) a Majority Vote determines the Chair's Motion.

Motion to Defer

43. A Member may make a Motion to defer further consideration of a matter at a Meeting subject to the following:

- a) it must include particulars of:
 - i) the date of a Regular Meeting to which the matter is to be deferred;
 - ii) the moving Member's reasons for the deferral and, if applicable, for any referral pursuant to clause iii); and
 - iii) whether the matter is also to be referred to City staff for research and advice respecting any issue arising from the moving Member's reasons stated pursuant to clause ii);
- b) it may be debated and amended; and

- c) if the Motion relates to a report from City staff, the Chair must, before any debate, direct a question to City staff for advice as to the implications of a deferral, if any, respecting the matters the subject of the report.

Motion to Reconsider

44. A Member may make a Motion to reconsider a matter that has been decided at a Meeting subject to the following:

- a) the Motion is made during the other business part of an Agenda;
- b) the Motion is debatable and may not be amended;
- c) no Delegations are permitted respecting the Motion;
- d) the matter must not have been decided at the Meeting at which the Motion is made;
- e) a Majority Vote determines the Motion if:
 - i) the matter was not decided by Council; or if
 - ii) the matter was decided by Council prior to the then current term of Council and the Majority Vote occurs at a Meeting of Council;
- f) if the matter was decided by Council within the then current term of Council:
 - i) the Motion will not be considered unless the Member has given notice of the Motion pursuant to section 48;
 - ii) the Motion is determined at a Meeting of Council; and
 - iii) a Two-Thirds Vote determines the Motion;
- g) if the Motion is determined in the affirmative, the original decision respecting the matter is deemed not to have occurred.

Motion to Call the Question

45. A Member may make a Motion to forthwith call the question subject to the following:

- a) it may not be debated or amended;
- b) if made during consideration of a Motion to amend under section 39 or a Motion to amend an amending Motion under paragraph 39.e), it will only apply to the particular amending Motion under consideration at that time;
- c) it precludes all further Motions to amend the main Motion under consideration; and
- d) if determined in the affirmative, the main Motion as it may have been amended subject to this section and to section 39 will forthwith be presented for a vote.

Recess of Meeting

46. A Member may make a Motion to recess a Meeting subject to the following:

- a) it must specify the duration of the recess;
- b) it may be debated; and
- c) it may be amended only with respect to the duration of the recess.

47. The Chair may direct that a Meeting be recessed and must specify the duration of the recess.

Notices of Motion

48. A Member may cause to be added to the notices of Motion part of a Committee Agenda contemplated by paragraph 20.i) notice of a Motion respecting a matter that would not otherwise be considered at the Meeting subject to the following:

- a) the Member gives to the City Clerk a written copy of the notice of Motion no later than seven (7) days prior to the Meeting; and
- b) the Motion is signed by the moving Member.

49. The City Clerk will include under the other business part of a Committee Agenda contemplated by paragraph 20.i) a notice of a Motion that complies with section 48.
50. A Motion the subject of a notice of Motion included on an Agenda pursuant to section 49 will not be:
 - a) considered unless the Motion's moving Member is present at the Meeting at which the Motion is to be considered; or
 - b) included on a subsequent Agenda.

Motions: Other Business

51. A Member may make a Motion during the other business part of an Agenda respecting a matter that would not otherwise be considered at the Meeting subject to the following:
 - a) the Motion is not a Motion to Reconsider; and
 - b) the Motion carries on a Two-Thirds Vote.

Rules of Debate

52. A Member must not speak at a Meeting except pursuant to the following:
 - a) the Member is seated in the chair assigned to the Member;
 - b) the Member has signaled to the Chair an intention to speak by raising the Member's hand;
 - c) the Chair has authorized the Member to speak;
 - d) the Member directs each of the Member's questions and statements to and through the Chair; and
 - e) the Member complies with any direction by the Chair.
53. A Member may not make a Motion unless the Member has given to the City Clerk by Electronic Means the text of the proposed Motion before any consideration of the Motion at the Meeting.
54. The Chair may rule out of order a Motion that, in the determination of the Chair,
 - a) is not within the City's jurisdiction; or that
 - b) does not comply with this By-law.
55. A Motion at a Meeting of Council must be seconded by another Member before it is debated or voted on.
56. The City Clerk will endeavour to display electronically each Motion that is under consideration at a Meeting.
57. The Chair will recognize a Member in the order in which the Members have signaled an intention to speak to a matter with preference for those Members who have not yet spoken to the matter.
58. If the Chair wishes to move a Motion, other than a Motion pursuant to paragraph 42.a), the Chair will request another Member to chair the Meeting and the other Member will act as the presiding chair until the Chair's Motion is decided.
59. When a Member is speaking, no other Member except the Chair may interrupt the speaking Member but may signal an intention to speak. When the speaking Member has finished speaking, the Chair will inquire of any signaling Member respecting that Member's intention. If the signaling Member advises of an intention to raise a Point of Order, the Chair will determine whether to permit the signaling Member to speak next to the Point of Order. The Chair's determination to permit the signaling Member to speak to a Point of Order and the Chair's determination, if any, respecting the merits of the Point of Order are final and not subject to review including review pursuant to section 40.
60. A Member may speak to a Motion no more than two (2) times subject to the following:
 - a) each opportunity to speak must not exceed:

- i) five (5) minutes at a Meeting that is not a Meeting of Council; and
- ii) three (3) minutes at a Meeting of Council;

- b) the Chair may, at the Member's request, permit the Member to use the Member's second opportunity to speak in succession to the first; and
- c) the Member may, through the Chair, use all or part of the Member's time to succinctly pose questions of City staff or of other Members for information directly related to the subject Motion provided that the time required for any answers will be included in the Member's allotted time.

61. The Chair may summarize the Chair's position on a Motion after all other Members have had an opportunity to speak and prior to the vote on the Motion.

Voting

62. When the Chair calls for a vote, each Member who is present and seated in the chair assigned to the Member may cast the Member's vote, subject to the following:

- a) a negative vote will be counted for each Member who is present:
 - i) but not seated in the chair assigned to the Member at the time of the calling of the vote and until the Chair has announced the result of the Members' votes; or
 - ii) who does not cast a vote;
- b) no vote will be counted for each Member who:
 - i) is present and has made a declaration under the Municipal Conflict of Interest Act respecting the matter the subject of the vote; or who
 - ii) is not present;
- c) the manner of determining a vote is by electronic voting or, as the Chair may direct, by a show of Members' hands;
- d) the City Clerk will record each Member's vote; and
- e) a Member's vote, when cast, is final and may not be changed.

63. At a Member's request, a Motion that includes distinct parts may be divided for a separate vote on one or more of such parts provided that, in the Chair's determination, the Motion is reasonably capable of such requested division.

64. A Majority Vote is required to pass a Motion except as otherwise provided in this By-law or at law.

65. If there is an equal division of votes, the Motion will be deemed to have been lost.

Public Service Announcements

66. At the discretion of a Chair, each Member present at a Meeting may make Public Service Announcements not exceeding two (2) minutes in the aggregate during the other business part of a Meeting's Agenda.

By-laws

67. A by-law for consideration at a Meeting of Council:

- a) will be listed on the Agenda with a brief description;
- b) may be, at a Member's request, explained by the City Clerk or other City staff with knowledge of the by-law; and
- c) may be debated and amended.

68. Each by-law that is passed by Council will be:

- a) numbered, dated, sealed with the City's Seal and signed by the Mayor and the City Clerk or by appropriate officers of the City; and be
- b) kept by the City Clerk.

69. A Confirmation By-law will be passed at the conclusion and prior to the adjournment of all Meetings of Council.

Adjournment

70. No item of business except for a Confirmation By-law may be considered at a Meeting of Council after 10:00 p.m. except pursuant a Motion to extend the hour that carries on a Two-Thirds Vote.

71. A Member may make a Motion to adjourn a Meeting subject to the following:

- a) it may not be debated;
- b) any outstanding items of business will be included on an Agenda for the next scheduled Meeting; and
- c) if the Meeting the subject of the Motion is a Council Meeting, a Confirmation By-law will be presented for a vote on all matters that have been disposed of at the Meeting prior to the Motion.

Notice

72. Notice of a document or thing to be given to:

- a) a Member is effective:
 - i) when sent by e-mail to the Member's e-mail address at the City;
 - ii) when published to the City's Escribe meeting platform;
 - iii) at noon (12:00 p.m.) on the day following the day when placed in the Member's mail slot at the City; or
 - iv) when delivered by courier to the address from time to time provided by the Member to the City Clerk for such purpose;
- b) the public is effective when published on the City Website; and to
- c) Council or to the City Clerk is effective:
 - i) when delivered by courier or in person to the office of the City Clerk at 500 George Street North, Peterborough; or
 - ii) when received by e-mail transmission to clerks@peterborough.ca

General

73. By-law 21-104 is repealed.

74. This By-law is in effect on the day on which it is passed.

By-law passed this 2nd day of February 2026.

Sgd. Jeff Leal, Mayor

Sgd. John Kennedy, City Clerk