

Niagara Central Dorothy Rungeling Airport Commission

Procedural By-law 2022-01

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Niagara Central Dorothy Rungeling Airport Commission

By-law No. XXXXXXXX

Being a By-law to Govern the Proceedings of the Niagara Central Dorothy Rungeling Airport Commission

Whereas section 238(2), of the *Municipal Act, S.O. 2001, c. 25* requires that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings; and

AND WHEREAS pursuant to Subsection 238 (2.1) of the *Municipal Act, 2001*, as amended, the procedure by-law shall provide for public notice of meetings;

Now therefore the Commission of the Niagara Central Dorothy Rungeling Airport Commission enacts as follows:

Definitions

In this by-law:

- 1.1 "Abstain" means a Member who is lawfully entitled to vote but chooses not to exercise their right to vote on a matter. When a Member abstains from a vote without declaring a pecuniary interest they will be counted as opposed to the motion.
- 1.2 "Act" means the *Municipal Act, S.O. 2001, c. 25. as amended.*
- 1.3 "Airport" means Niagara Central Dorothy Rungeling Airport
- 1.4 "Chair" means the person presiding over a meeting of the Commission.
- 1.5 "Clerk" means the Clerk of the Commission and/or designate(s).
- 1.6 "Closed Session" means a meeting or part of a meeting that is not open to the public.
- 1.7 "Commission" means the Commission of the Niagara Central Dorothy Rungeling Airport. The term Commission also refers to Committees when no alternate rules are stated.
- 1.8 "Committee" means a Committee of the Commission. This may be a standing committee or an advisory committee.

- 1.9 "Electronic Participation" means a Commission Member who participates in a Commission meeting remotely via electronic means in accordance with the provisions of the *Municipal Act, 2001* as amended.
- 1.10 "Emergency" means a serious, unexpected and potentially dangerous event or situation requiring immediate action.
- 1.11 "Majority" means more than half of the votes cast by Members entitled to vote and present at time of voting.
- 1.12 "Member" means a Member of the Commission or Committee.
- 1.13 "Meeting" means any regular, special, or other meeting of the Commission, or Committee; where
- a) a Quorum of Members is present, and
 - b) Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Commission or Committee.
- 1.14 "Pecuniary Interest" means a direct or indirect financial impact of a Member as defined under the *Municipal Conflict of Interest Act, R.S.O. 1990, c.M. 50*.
- 1.15 "Point of Order" means a matter that a Member considers to be a departure from or contravention of the rules, procedures and/or generally accepted practices of the Commission.
- 1.16 "Point of Privilege" means a matter that a Member considers to question their integrity and/or the integrity of the Commission.
- 1.17 "Quorum" means a majority of the voting Members of the Commission or Committee.
- 1.18 "Regular Meeting" means a scheduled meeting held in accordance with the approved calendar/schedule of meetings.
- 1.19 "Rules of Procedure" means the rules and regulations contained in this by-law.
- 1.20 "Special Meeting" means a meeting not scheduled in accordance with the approved calendar/schedule of meetings.

- 1.21 "Vice Chair" means a Member who has been appointed to act for a designated period of time in the absence of the Chair.

General Provisions

2. Rules

- 2.1 This by-law shall be known as the "Procedural By-law" of the Airport Commission.
- 2.2 The rules and regulations contained in this by-law shall be the rules and regulations for the order and dispatch of business in meetings of the Commission and Committee. All committees of the Airport are expected to adopt procedures regarding the calling and conduct of meetings, and in the absence of such procedures, these rules shall apply.
- 2.3 Any rules or regulations contained in this by-law may be temporarily suspended, except for those rules or regulations that are set out by legislation, with the consent of at least two-thirds of the Commission Members present.
- 2.4 The Clerk will be responsible to interpret the rules of procedure under this by-law.
- 2.5 All points of order or procedure for which rules have not been provided in this by-law will be decided by the Chair in accordance, as far as is reasonably practicable, with the rules of parliamentary law as contained in Robert's Rules of Order.

Roles and Duties

3. Chair

- 3.1 The Chair will act as presiding officer over the conduct of the meeting, including the preservation of good order and decorum, ruling on points of order and deciding on all questions relating to the orderly procedure of the meetings, subject to an appeal by any Member of any ruling of the Chair.
- 3.2 If the Chair desires to leave the Chair for the purpose of taking part in the debate or otherwise, they will call on the Vice-Chair, or in the absence of the Vice-Chair, on another Member, to fill their place until resuming the Chair.

- 3.3 It is the role of the Chair to:
- a) represent and support the Commission and its decisions in all matters;
 - b) represent the Airport at official functions;
 - c) represent the Commission with respect to all levels of government, their agencies, and private organizations.
 - d) preside as Chair over all Commission meetings, unless unavailable, in which case the Vice Chair will act as the presiding officer.

4. Vice Chair

- 4.1 The role of Vice Chair shall be appointed by the Members of the Commission, who in the absence of the Chair shall act in the Chair's place and shall preside at the Commission meetings with all powers and obligations of the Chair.
- 4.2 In the absence of the Chair, or if the office is vacant or if they refuse to act, and in the absence of the Vice Chair, the Clerk shall call the Commission to order and, if a quorum be present, the Members thereof shall choose a presiding officer from amongst the Members present and such presiding officer, during such absence or vacancy or refusal to act, has all the powers of the Chair.

5. Members of Commission

- 5.1 It is the role of the Members of the Commission to:
- a) carry out the responsibilities of their roles as described in the *Municipal Act, S.O. 2001*;
 - b) uphold the by-laws and policies of the Airport
 - c) deliberate on the business submitted to the Commission;
 - d) vote on all motions before the Commission;
 - e) respect the rules of procedure at all meetings.

6. Clerk

- 6.1 It is the role of the Clerk to:
- a) provide procedural advice to the Chair and to Members on agenda business and on preparing motions;
 - b) ensure notice of meetings is provided as set out in this by-law;
 - c) make minor deletions, additions or other administrative changes to any by-law, motion, and/or minutes to ensure the correct and complete implementation of the actions of the Commission;
 - d) authenticate by signature when necessary, all resolutions, by-laws and minutes of meetings and certify copies of such documents when required;

- e) perform such other duties as prescribed by law, or by direction of the Commission.

6.2 The Clerk will be present at all meetings of the Commission.

Committees of the Commission

7. Advisory Committees

- 7.1 The Commission may, at any time, establish a committee to advise the Commission on matters within their jurisdiction.
- 7.2 Members of the Committee will be appointed by the Commission at the recommendation of the Clerk.
- 7.3 Up to two Members of the Commission will be appointed to each Advisory Committee to act as a liaison to the committee. The Chair is an ex-officio non-voting member of every Committee.
- 7.4 Members of the Commission are not eligible to act as Chair or Vice-Chair and are non-voting Members.
- 7.5 Advisory Committees will be reviewed at the beginning of each term of the Commission.
- 7.6 All Advisory Committees will follow the rules of Committees unless otherwise stated in their terms of reference approved by the Commission.
- 7.7 If a quorum for an Advisory Committee meeting is not present within fifteen (15) minutes of the time fixed for the commencement of the meeting, the Committee may proceed without a quorum, provided that at least three Members are present. The Clerk is not required to be present and no motions will be passed or minutes prepared.

Commission

8. General

- 8.1 Meetings are held at the Airport unless otherwise decided by the Clerk, in consultation with the Chair.
- 8.2 Meetings are held on the fourth Thursday of each month at 6:00 p.m., except when Thursday is a public holiday, in which case the meeting is held at the call of the Chair.

8.3 Commission meetings will not take place in July and August of each year, unless the Chair calls a Special Meeting.

8.4 Where circumstances warrant, the Clerk may, in consultation with the Chair, cancel a meeting. Where possible notice of cancellation will be given to the Members and staff by e-mail or telephone. Public notice of the cancellation will be provided by way of the Airport's website and/or posting a written notice at the Airport. The business of the cancelled meeting shall be considered at the next regularly scheduled meeting, or at a special meeting called in accordance with this by-law.

9. Meetings Open to the Public

9.1 Except as provided in this by-law, all meetings will be open to the public.

9.2 The Chair may expel or exclude from any meeting any person who has engaged in improper conduct at the meeting.

10. Special Meetings

10.1 The Chair may at any time call a Special Meeting of the Commission.

10.2 The Chair shall call a Special Meeting upon direction of a majority vote of the Members at a regular Commission meeting.

10.3 The Clerk shall call a Special Meeting whenever requested by written petition of a majority of the Members of the Commission so to do, for the purpose and at the time mentioned in the petition.

10.4 Special Meetings should only be called when business cannot wait until the next regularly scheduled meeting in order to promote transparency.

10.5 Notice will be provided by the Clerk in accordance with section 13 of this by-law.

10.6 No business may be considered at a special meeting of the Commission other than that specified in the notice, or agenda.

11. Closed Session

11.1 No meeting or part of a meeting may be closed to the public unless the subject matter meets the legislated criteria for a closed meeting. The decision to close a meeting is discretionary.

- 11.2 In accordance with sections 239(2), 239(3), and 239(3.1) of the *Municipal Act, S.O. 2001, c. 25*, a meeting, or part of a meeting may be closed to the public if the subject matter being considered is:
- a) the security of the property of the municipality or local board;
 - b) personal matters about an identifiable individual, including municipal or local board employees;
 - c) a proposed or pending acquisition or disposition of land by the municipality or local board;
 - d) labour relations or employee negotiations;
 - e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
 - h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
 - i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
 - j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value;
 - k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board;
 - l) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act;
 - m) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman referred to in subsection 223.13 (1) of the *Municipal Act*, or the investigator referred to in subsection 239.2 (1) of the *Municipal Act*;
 - n) educational or training of the members where at the meeting, no member discusses or otherwise deals with any matter in a way that materially

advances the business or decision-making of the council, local board or committee.

- 11.3 Prior to moving into a closed session for one of the reasons listed in section 12.2, the Commission will pass a motion stating:
 - a) the fact that the Commission is convening into closed session;
 - b) the specific provision under the *Municipal Act* that permits the item to be considered in a closed session; and
 - c) the general nature of the matter to be considered.
- 11.4 Attendance in closed sessions will be limited to the Members of the Commission, Clerk, and those specifically invited to remain by the Chair.
- 11.5 Members are prohibited from discussing any additional matters during a closed session other than those identified by the motion passed under section 12.3.
- 11.6 When in closed session a vote will not be taken unless the vote is for a procedural matter, or for giving direction to staff or other individuals under section 239(6) of the *Municipal Act*.
- 11.7 On reconvening in public session, the Chair will accept a motion regarding the matters discussed in closed session, or alternatively advise that direction had been given to staff during the closed session in accordance with the *Municipal Act*.
- 11.8 The Clerk is responsible for maintaining a confidential copy of all original documentation distributed and confidential minutes of all closed sessions.
- 11.9 All information, documentation or deliberations received, reviewed or taken in closed session is confidential.
 - a) Members shall hold in strict confidence all information concerning matters dealt with in closed session. No Member shall release, make public, or in any way divulge any such confidential information or any aspect of closed session deliberations, unless expressly authorized by the Commission or required by law.
 - b) Any member who contravenes these provisions shall be deemed not to be acting in the interest of, on behalf of, or with the authority of Niagara Central Dorothy Rungeling Airport Commission.
- 11.10 Any person may file a complaint as to whether the Commission has complied with the open meeting legislation by filing a complaint with the Ontario Ombudsman.

12. Electronic Participation

- 12.1 Electronic participation will be permitted by Members of the Commission or Committee.
- 12.2 A Member of the Commission shall be present in person at the meeting in order to Chair the meeting. If all Members are participating electronically then the Chair would be appointed as prescribed in this by-law.
- 12.3 The Member of the Commission who wishes to participate in a meeting electronically shall provide the Clerk a minimum of 24 hours' notice in advance.
- 12.4 Members participating electronically will count towards quorum in accordance with Section 238 (3.3) of the *Municipal Act*.

13. Notice of Meeting

- 13.1 The Clerk will provide notice to the public of all meetings of the Commission, agendas, cancellations and re-scheduling by:
 - a) posting the annual schedule of meetings on the Airport's website and by distributing copies upon request;
 - b) updating the Airport's website calendar within twenty-four hours of any changes made to the schedule;
- 13.2 The agenda for a regular Commission or Committee meeting will be posted to the Airport's website not less than forty-eight hours before the hour appointed for the holding of the meeting.
- 13.3 Items or matters will not be added to the agenda after distribution to the Commission or Committee unless they are of an urgent nature and require a decision prior to the next Commission or Committee meeting. In these cases, an Addendum will be prepared, distributed and posted to the Airport's website calendar.
- 13.4 The agenda for each Special Meeting of the Commission or Committee will be posted on the Airport's website not less than forty-eight hours before the time set for such Special Meeting.
- 13.5 A Special Meeting of the Commission may be held, without notice, to deal with an emergency situation provided that an attempt has been made to reach the

Members by telephone and/or e-mail. No business except business dealing directly with the emergency situation will be transacted at that meeting.

- 13.6 Lack of receipt of the notice will not affect the validity of holding the meeting nor any action taken at the meeting.
- 13.7 The Chair may, if it appears that an emergency weather event will prevent the Members from attending a meeting, postpone that meeting by advising the Clerk and as many Members as they are able to reach. Postponement will not be for any longer than the next regularly scheduled meeting of the Commission.

14. Call to Order and Quorum

- 14.1 The Chair will call the meeting to order as soon after the hour of meeting as a quorum is present. Quorum is achieved when a majority of the Members are present.
- 14.2 If the Chair is not present within fifteen (15) minutes of the time appointed for the meeting, the Vice Chair shall call the meeting to order and shall preside during the meeting or until the arrival of the Chair.
- 14.3 If a quorum for a Commission, or Committee meeting is not present within fifteen (15) minutes of the time fixed for the commencement of the meeting, the Clerk will indicate that no quorum is present and the meeting will stand adjourned until the next meeting of the Commission.
- 14.4 Where the number of Members who are unable to participate in a meeting by reason of the provisions in the *Municipal Conflict of Interest Act, R.S.O. 1990, c.M. 50*, such that at that meeting the remaining Members are insufficient to constitute quorum, the remaining Members will be deemed to constitute a quorum, provided such number is not less than two.
- 14.5 If during the course of a Commission meeting, a quorum is lost, the Chair will declare that the meeting will stand recessed temporarily or be adjourned until the date of the next regular meeting.

15. Meeting Recess

- 15.1 The Commission may, after ninety minutes of consecutive deliberation, recess for a period deemed appropriate by the Chair.

16. Adjournment Hour

- 16.1 All meetings will adjourn when the Commission has completed all business listed on the agenda, or at 11 p.m., whichever is earlier.
- 16.2 Where the business before the Commission has not been completed by the adjournment hour, a motion may be passed by two-thirds vote of the Members present to proceed beyond the hour of 11 p.m. to continue any unfinished business.
- 16.3 Notwithstanding section 17.2 above, no meeting will proceed beyond the hour of 12 a.m.
- 16.4 Unless decided otherwise prior to the adjournment of the meeting, any unfinished business will be discussed at the next scheduled Commission meeting.

17. Recording of Meetings

- 17.1 Anyone may use a device(s) to transmit and/or record proceedings of open meetings of the Commission, unless doing so causes a disruption, interferes with the conduct of the meeting or jeopardizes safety, as determined by the Chair.
- 17.2 Closed Session meetings may be recorded electronically and retained by the Airport. The Clerk shall be responsible for the care and retention of the recording. A recording of a Closed Session meeting shall only be accessed or disclosed for the purposes of a closed meeting investigation described under the Act, or otherwise required by law.
- 17.3 No Member or staff, except the Clerk, shall record the proceedings of a Closed Session meeting.

Commission Agendas and Minutes

18. General

- 18.1 Prior to each regular meeting, the Clerk in consultation with the Chair, shall prepare an agenda of all the business to be brought before the Commission.
- 18.2 The agenda shall include the date, time and location of the meeting, and shall accurately reflect the matters intended to be considered at the meeting.

- 18.3 Agendas, along with supporting materials, shall be delivered to the Members and the public on the Tuesday prior to a regular meeting.
- 18.4 All information and communications intended to be presented to the Commission shall be submitted to the Clerk in writing.
- 18.5 All documents intended to be submitted to the Commission shall be delivered to the Clerk no later than 12 p.m. on the Monday prior to the meeting.
- 18.6 Addendums to the agenda will be avoided for all but urgent matters in order to provide transparency in decision-making. Matters will not be added to the agenda after distribution to the Commission unless they are of an urgent nature and require a decision prior to the next Commission meeting.
- 18.7 All business will be taken up in the order as listed on the agenda unless otherwise decided by a vote of the majority of Members present.

19. Commission Agenda

- 19.1 Agendas shall be generally formatted as follows but modifications to the matters to be included or to the order of business may be made by the Clerk without requiring amendment to this by-law.
 - a) Adjournment

20. Notice of Motion

- 20.1 A Notice of Motion is a statement of intention to introduce a motion at a future meeting. A Notice of Motion is not debatable.
- 20.2 A Notice of Motion may be given by any Member during the appropriate part of a meeting of the Commission. The item will be added to the agenda of the next regularly scheduled Commission meeting.
- 20.3 Where it is deemed necessary to not delay the consideration, a notice of motion may be considered by the Commission immediately upon its introduction by a successful two-thirds vote of the Members present.
- 20.4 After having provided a Notice of Motion, the Member shall prepare and submit a memorandum including information on the item and the proposed motion to the

Clerk by Monday at 12 p.m. before the Commission meeting so that it can be included in the agenda.

- 20.5 Memorandums submitted to the Clerk by the prescribed time will be permitted on the agenda even if notice was not provided at the previous meeting. The memorandum will act as notice and the item will be discussed at the regular meeting of the Commission.

21. By-laws

- 21.1 All by-laws being considered will be listed and included in the Commission agenda.
- 21.2 Subject to the provisions of any statute or regulation which requires otherwise, by-laws shall require only one reading prior to being passed by the Commission.
- 21.3 Unless separated at the request of a Member, all by-laws proposed for adoption will be passed collectively by a single motion.
- 21.4 Every by-law passed by the Commission will be signed by the Chair of the meeting at which the by-law was passed, and by the Clerk present at the meeting, and deposited with the Clerk to become part of the official record.
- 21.5 The Clerk is authorized to make minor corrections to any by-law resulting from technical or typographical errors prior to the by-law being signed.

22. Minutes

- 22.1 Minutes shall record:
- a) the place, date and time of meeting;
 - b) the name of the Chair and the record of the attendance of the Members;
 - c) declarations of pecuniary interest;
 - d) the motions considered and votes taken by the Commission; and
 - e) except as provided elsewhere in this by-law, all the other decisions or authorized actions without note or comment.
- 22.2 The minutes of each Commission meeting shall be presented to the Commission at the next regular meeting for confirmation.

Public Participation

23. Public Conduct at Meetings

- 23.1 Public attendees must maintain order and will not display signs or placards, applaud, heckle, engage in telephone or other conversation, or demonstrate any behaviour that may be considered disruptive. No person will use indecent, offensive, or insulting language or speak disrespectfully to anyone in attendance at a Commission meeting.
- 23.2 All electronic devices must be turned off or switched to silent during a Commission meeting. Photography and video should be kept to a minimum during a meeting and will only be permitted so long as it does not interfere with the meeting in any way. At any time during the meeting, at the discretion of the Clerk, use of electronic devices may also be prohibited if it is believed that the use is interfering with any audio or video broadcast of the meeting.
- 23.3 Any person who contravenes any provision of this section may be expelled from the meeting by the Chair.

24. Presentations

- 24.1 Presentations addressing matters relevant to the Airport and seeking to provide information or receive input from the Commission will be permitted from any local board or similar authority including relevant agencies, boards, commissions as well as other levels of government and Airport staff.
- 24.2 Presentations also include those appearing before the Commission to accept an award or receive recognition from the Airport.
- 24.3 Those wishing to make a presentation must provide a written submission to the Clerk by 12 p.m. on the Monday prior to the meeting, outlining the name(s), title(s), etc of those making the presentation and clearly stating the subject matter of the presentation.
- 24.4 Presentations will be limited to a maximum of ten minutes unless the representative has requested and been granted extra time from the Clerk before the agenda is published.
- 24.5 The Committee may limit or extend the time allowed for a presentation by a majority vote.

25. Delegations

25.1 Requests to delegate regarding an item on the Commission agenda must be made by request to the Chair at the Commission meeting.

25.2 Any person, group of persons, or organization may request to speak to an item listed on the agenda provided that the subject matter of the delegation directly relates to the item on the agenda.

25.3 If a delegate requests to speak regarding a matter not listed on the agenda they must request approval of the Chair at the Commission meeting. It will be at the discretion of the Chair if the item is an appropriate matter to be considered by the Commission.

25.4 Delegations will not be permitted:

- a) when the subject matter is beyond the jurisdiction of the Airport;
- b) on matters relating to litigation or potential litigation, including those matters which are before and under the jurisdiction of any court or administrative tribunal, unless such matter is referred to the Commission by the said court or administrative tribunal; or
- c) on any Closed meeting agenda items

25.5 Delegations must abide by the rules of procedure and public conduct at meetings. They will accept any decisions of the Chair and not enter into cross debate with Members, other delegations, or staff. Any discourse between Members and the delegation will be limited to Members asking questions for clarification and obtaining additional, relevant information only.

25.6 Where the Chair or the Clerk determines that a person requesting to delegate is likely to engage in unreasonable or offensive conduct, make unreasonable or offensive statements or demands, repeatedly speak on a subject matter that is not within the Airport's jurisdiction, or otherwise misuse the privilege of addressing the Commission, the person will not be permitted to appear as a delegate at the meeting.

26. Communications

26.1 Communications containing obscene or defamatory language shall not be accepted or presented to the Commission.

- 26.2 Every communication addressed to the Commission and submitted to the Clerk shall be directed to the agenda of the next regularly scheduled Commission meeting.
- 26.3 All communications addressed to the Commission, included on an agenda or otherwise considered in open session by the Commission is deemed to be a communication in the public domain. Such information shall form part of the public record unless the author expressly requests the removal of particular information. This includes names, addresses and other personal information contained therein. Such information shall be made available to the general public and published in agendas and/or minutes. Any person with questions regarding the public disclosure of this information should contact the Clerk.

Rules of Conduct and Debate

27. Conduct of Members

- 27.1 Members of the Commission will:
- a) discharge with integrity all responsibilities of the Commission and the Airport, in keeping with approved Airport policies;
 - b) treat the Chair, other Members, staff, and delegates from the public with courtesy, respect and good faith;
 - c) hold in strict confidence all information concerning matters dealt with in closed session. The Member will not release, make public or in any way divulge any such confidential information or any aspect of the closed session deliberations, unless expressly authorized or required by law;
 - d) not leave their seat or make any noise or disturbance while a vote is being taken and until the result is declared;
 - e) not criticize any decision of the Commission except for the purpose of introducing a motion for reconsideration;
 - f) not disobey the rules of the Commission or a decision of the Chair or Commission on a question of order, practice or interpretation of the rules of the Commission;
 - g) turn off, or silence, all electronic devices except those in use to facilitate the meeting; and
 - h) adhere to the Airport's Code of Conduct
- 27.2 Where a Member has been called to order by the Chair for disregarding the rules of procedure and the Member persists in such conduct, the Chair may order the

Member to vacate the meeting place. If the Member apologizes, the Chair may permit the Member to retake their seat.

- 27.3 If the Member called out of order does not apologize and will not leave their seat, the Chair will recess the meeting and request that the Clerk contact security.

28. Disclosure of Pecuniary Interest

- 28.1 It is the responsibility of each member to identify and disclose a pecuniary interest on any item or matter before the Commission in accordance with the *Municipal Conflict of Interest Act*, R.S.O.1990, c.M. 50.

- 28.2 Where a Member has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Commission at which the matter is the subject of consideration, the Member will, in accordance with *Municipal Conflict of Interest Act*, R.S.O.1990, c.M. 50 (5):

- a) file a written statement of the interest and its general nature with the Clerk prior to the meeting;
- b) not take part in the discussion of, or vote on any question with respect to the matter;
- c) not attempt in any way before, during and/or after the meeting to influence the vote on the matter.

- 28.3 Where a meeting is not open to the public, in addition to complying with the requirements under the *Municipal Conflict of Interest Act*, the Member will forthwith leave the meeting for the part during which the matter is under consideration.

- 28.4 The Clerk will record the particulars of any disclosure of pecuniary interest made by Members of the Commission in the minutes of that meeting and update the Pecuniary Interest Registry. The Registry will be available for public inspection.

29. Questions/Speaking

- 29.1 A Member may ask a question only for the purpose of obtaining facts relevant to the matter under discussion and necessary for a clear understanding. All questions will be stated succinctly and will not be used as a means of making statements, or assertions.

- 29.2 All Members will address their questions and comments through the Chair.

- 29.3 When all questions have been addressed a Member may move a motion. The Chair will allow the mover to address the Commission first.

- 29.4 To address the Commission, a Member will request to speak by raising their hand and wait to be recognized by the Chair.

- 29.5 The Chair will recognize the Members who wish to speak in the order that they come to the Chair's attention. When a Member has been recognized by the Chair as having the floor, the Member will direct their comment to the Chair and speak only to the matter under consideration.
- 29.6 When a Member is speaking, no other Member will interrupt, except to raise a Point of Privilege or Point of Order.
- 29.7 Any Member may require the motion under discussion to be read at any time during the debate so long as they do not interrupt a Member while speaking.
- 29.8 No Member will be permitted to speak a second time on an item of business until every Member who desires to speak has spoken.
- 29.9 Each Member will have a limit of five minutes to speak on a motion and will be given the option of an additional five minutes after every Member has been allowed to speak. An additional five minutes will only be provided to Members through the passing of a two-thirds vote.
- 29.10 The Chair may ask questions, or comment in a general manner without leaving their position. If the Chair wishes to make a motion, or speak to a motion taking a definite position then they must first leave the Chair position by calling on the Vice-Chair to fill their place until their comments are finished.

30. Motions

- 30.1 In Commission meetings, the following motions may be introduced verbally, without notice and without leave, except as otherwise provided by this by-law:
- a) a point of order or privilege;
 - b) to suspend the rules of procedure;
 - c) to postpone definitely (deferral motion with a specified date/meeting);
 - d) to refer;
 - e) to amend;
 - f) to postpone indefinitely (deferral motion without specifying a date/meeting);
 - g) to close debate;
 - h) to adjourn;
 - i) any other procedural motion.
- 30.2 A motion must be seconded before being debated or put to a vote.
- 30.3 A negative motion is not permitted.
- 30.4 The Chair may not move or second any motion.
- 30.5 The mover and seconder may withdraw a motion or a notice of motion at any time

prior to it being opened for discussion by the Chair. If withdrawn prior to discussion, the motion is not included in the minutes of the meeting.

- 30.6 After a motion has been opened for discussion by the Chair, it will be deemed to be in the possession of the Commission, but may be withdrawn by the mover at any time before a decision or amendment, provided the Commission does not object.
- 30.7 When a motion is under consideration, no new main motion will be accepted. Non-main motions are acceptable including procedural motions, and motions to refer, defer, and amend.
- 30.8 A Member may request the Chair to "call the question," which, if granted by the Chair, closes debate and puts the motion to a vote. Unless a Member immediately appeals the decision, the decision of the Chair is final.
- 30.9 After a motion has been put to vote by the Chair, no Member may speak to the motion nor will any other motion be made until after the vote is taken and the result has been declared.
- 30.10 A motion regarding a matter that is beyond the jurisdiction of the Commission will not be in order except a matter that, in the opinion of the majority of the Commission, has to do with the welfare of the Airport generally. The question of the opinion is to be decided without debate.
- 30.11 Schedule A of this by-law describes the form and standard descriptive characteristics of motions commonly used by the Commission.

31. Voting

- 31.1 Voting will be conducted in the following order:
 - a) amendment to any amending motion;
 - b) upon determination of a) above, any subsequent amendment to the amending motion;
 - c) the amending motion;
 - d) the main motion (as amended or as originally presented).
- 31.2 A motion shall be put to a vote by the Chair immediately after all the Members who wished to speak on the motion have spoken.
- 31.3 After a Motion is put to a vote by the Chair, no Member shall speak on that Motion nor shall any other Motion be made until after the result of the vote is announced by the Chair.
- 31.4 When the motion under consideration contains distinct recommendations, a Member may request that the vote be taken separately on each recommendation and no vote will be required to be taken on the matter as a whole.

- 31.5 When a vote is called by the Chair, each Member, unless they have declared a pecuniary interest, will vote by a clear show of hands. The Chair will first ask those in favour to raise their hands, followed by those opposed and will then declare the result of the vote. A vote will never be taken by secret vote, or ballot.
- 31.6 Every Member present at a meeting will vote on every motion, unless prohibited by legislation. Failure to vote for any reason will be deemed to be a negative vote.
- 31.7 The Chair shall vote on a motion but shall not have a second or casting vote in the event of an equality of votes on any question.
- 31.8 The Chair or shall announce the result of every vote taken as either "carried" or "lost".
- 31.9 Except as provided elsewhere in this by-law, a motion will be considered carried when a majority of the Members present and voting have voted in favour of the motion. When there is a tie vote the motion is lost.
- 31.10 If a Member disagrees with the result as announced by the Chair, the Member may, immediately after the declaration of the result, object to the declaration and require the Chair to call for another vote on the matter.
- 31.11 Recorded votes are only permitted in Commission meetings and only on main motions.
- 31.12 When a Member requests, immediately prior to the taking of the vote, that the vote be recorded, the Clerk shall call the names of all the Members present in alphabetical order to vote, unless a Member has declared a pecuniary interest, and except that the Chair shall vote last. Each Member shall answer "yes" or "no" to the motion. The result of the recorded vote shall be announced by the Clerk and the name of each Member who voted and the manner in which they voted shall be recorded in the minutes.

32. Reconsideration

- 32.1 Any proposal to reconsider, amend or rescind a previous decision of the Commission made within its current term shall require a motion of reconsideration.
- 32.2 A motion to reconsider a previous decision of the Commission made earlier in a meeting:
- a) may be presented at any time prior to the meeting's adjournment by any Member who voted in the majority when the decision was made;

- b) may not be applied to a decision to postpone indefinitely; and
- c) requires an affirmative vote of the majority of the Members present.

32.3 A motion to reconsider a previous decision of the Commission at a subsequent meeting:

- a) may only be introduced by a Member who was present at the meeting and voted in the majority when the decision was made or who was not present at the meeting when the decision was made;
- b) will be introduced as a notice of motion in accordance with section 21 for consideration; and
- c) requires an affirmative vote of two-thirds of the Members present.

32.4 Debate on a motion for reconsideration will be confined to reasons for or against reconsideration.

32.5 Discussion of the previous decision will not be in order until the motion to reconsider has been adopted.

32.6 Where the motion to reconsider is approved, reconsideration will become the next order of business. Debate on the original motion shall proceed as though it had never previously been voted on.

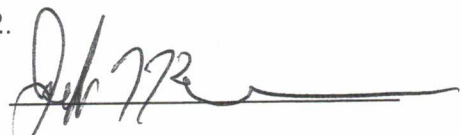
32.7 A decision of the Commission can only be reconsidered once during a term of the Commission. A motion to reconsider a previous reconsideration will never be in order.

32.8 Actions of the Commission that cannot be reversed or suspended cannot be reconsidered.

32.9 The effect of a Notice of Motion to Reconsider a decided matter is the suspension of all action that depends on the result of the matter to be reconsidered.

Schedule A as affixed hereto form part of this by-law; and

Enacted and passed this 29th day of September, 2022.



John MacLellan – Chair



Nicole Rubli - Clerk

Schedule A – Common Motions

1. Motion to Adjourn

- 1.1 A Motion to adjourn:
- a) is always in order except as provided by this by-law;
 - b) is not debatable;
 - c) is not amendable;
 - d) is not in order when a Member is speaking or during the verification of the vote.
 - e) is not in order immediately following the affirmative resolution of a motion to close debate; and
 - f) when resulting in the negative, cannot be made again until after some proceedings have been completed by the Commission.
- 1.2 A motion to adjourn without qualification, if carried, brings a meeting or a session of the Commission to an end.
- 1.3 A motion to adjourn to a specific time, or to reconvene upon the happening of a specified event, suspends a meeting of the Commission to continue at such time.

2. Point Of Privilege

- 2.1 A Member may at any time raise a point of privilege directing attention to a matter that affects the integrity, character or reputation of an individual, individuals or the entire Commission, or the ability of an individual to participate.
- 2.2 A point of privilege will take precedence over any other matter and a Member will not be permitted to enter into any debate or introduce any motion not related to the point of privilege.
- 2.3 The Chair will decide upon the point of privilege and advise the Members of the decision.
- 2.4 Where the Chair recognizes that a breach of privilege has taken place the Chair shall demand that the offending Member or individual apologize and failing such apology shall require said Member or individual to vacate the premises for the duration of the meeting.
- 2.5 The Chair's decision is final unless a Member immediately appeals the decision.
- 2.6 If the decision of the Chair is appealed, the Chair will immediately call a vote on the decision. The vote will occur without debate and the results will be final, based on a two-thirds vote.

3. Motion to Close Debate (Previous Question)

- 3.1 A motion to close debate:
- a) is not debatable;
 - b) is not amendable;
 - c) cannot be moved with respect to the main motion when there is an amendment under consideration;
 - d) should be moved by a Member who has not already debated the question.
 - e) requires a two-thirds majority vote of members present for passage; and
 - f) when resolved in the affirmative, the question is to be put forward without debate or amendment.

4. Motion to Defer (Motion to Postpone Definitely)

- 4.1 A motion to defer:
- a) will state a fixed time, or date;
 - b) is debatable, but only as to whether the matter should be postponed and to what time;
 - c) is amendable as to time and/or date;
 - d) requires a majority vote of Members present to pass; and
 - e) will have precedence over the motions to refer, to amend, and to postpone indefinitely.

5. Motion to Refer (To Committee or Staff)

- 5.1 A motion to refer:
- a) will state the committee, or staff Member where the motion is to be referred to and the reason for referral;
 - b) is debatable;
 - c) is amendable; and
 - d) will take precedence over all amendments of the main question and any motion to postpone indefinitely.

6. Motion to Amend

- 6.1 A motion to amend:
- a) is debatable;
 - b) is amendable;
 - c) will be relevant and not contrary to the principle of the motion under consideration;
 - d) may propose a separate and distinct disposition of a question provided that such altered disposition continues to relate to the same issue which was the subject matter of the question and
 - e) will be decided (or withdrawn) before the main motion is put to a vote.
- 6.2 Only one motion to amend an amendment to the original motion will be allowed at

one time. Further amendments will be considered after a vote on the amendment to the proposed amendment.

7. Motion to Postpone Indefinitely

- 7.1 A motion to postpone indefinitely:
- a) stops a motion and avoids a direct vote on the question;
 - b) is debatable;
 - c) is not amendable; and
 - d) requires a majority vote.

8. Point of Order

- 8.1 A Member may raise a point of order when they consider a matter to be a departure from or contravention of the rules, procedures and/or generally accepted practices of the Commission.
- 8.2 A Member will raise the point of order by requesting the floor, and after being granted the floor by the Chair, they will state the point of order to the Chair. The Chair will make a timely decision on the point of order. Thereafter, the Member will only address the Chair for the purpose of appealing the decision to the Commission.
- 8.3 If the Member does not appeal, the decision of the Chair will be final. If the Member appeals, the Chair will immediately call a vote on the decision. The vote will occur without debate and the results will be final, based on a two-thirds vote.

9. Motion to Suspend the Rules (Waive the Rules)

- 9.1 A motion to suspend the rules:
- a) is not debatable;
 - b) is not amendable;
 - c) requires a two-thirds majority vote to carry; and
 - d) takes precedence over any motion if it is for a purpose connected with that motion.