

## PETERBOROUGH PUBLIC HEALTH

### Board of Health

#### POLICY AND PROCEDURE

<b>Section:</b> Board of Health	<b>Number:</b> 2-120	<b>Title:</b> By-Law Number 3 - Calling of and Proceedings at Meetings
<b>Approved by:</b> Board of Health		<b>Original Approved by Board of Health</b>
<b>Signature:</b> _____		<b>On (YYYY-MM-DD):</b> 1989-10-11
<b>Date (YYYY-MM-DD):</b> 2022-08-10		<b>Author:</b>
<b>Reference:</b> Municipal Act, 2001 By-Law Number 10 – Conduct of Open and In-Camera Meetings		

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### By-Law Number 3 Calling of and Proceedings at Meetings

#### Section 1 - Interpretation

In this By-law:

- 1.1. "Act" means the *Health Protection and Promotion Act*;
- 1.2. "Board" means the Board of Health for Peterborough Public Health;
- 1.3. "Director of Operations" means the business administrator of the Board as defined in the Regulations under the Act;
- 1.4. "Chairperson" means the presiding officer at a meeting;
- 1.5. "Chairperson of the Board" means the Chairperson elected under the Act;
- 1.6. "Committee" means an assembly of members, appointed by the Board of Health, that must meet together to transact business on behalf of the Board;
- 1.7. "Councils" means the municipal Councils of the Corporations of the County of Peterborough and the City of Peterborough, and the Councils of Curve Lake and Hiawatha First Nations;
- 1.8. "Medical Officer of Health" means the Medical Officer of Health of the Board as defined under the *Act* and *Regulations*;
- 1.9. "Meeting" means an official gathering of members of the Board or a committee to transact business;

- 1.10. "Member" means a person who is appointed to the Board by a Council or the Lieutenant Governor-in-Council or a person who is appointed to a committee by the Board;
- 1.11. "Motion" means a formal proposal by a member in a meeting that the Board or a committee take certain action;
- 1.12. "Resolution" means a motion that is carried at a meeting by a majority vote in the affirmative of the members present; and
- 1.13. "Vice-Chairperson of the Board" means the Vice-Chairperson elected under the Act.

## **Section 2 – General**

- 2.1. The rules in this By-law shall be observed in the calling of and the proceedings at all meetings of the Board and committees.
- 2.2. Except as herein provided, the most recent edition of Robert's Rules of Order shall be followed for governing the calling of and proceedings of meetings of the Board and committees.
- 2.3. Sections 2.1 and 2.2 above do not apply to the Indigenous Health Advisory Circle (IHAC) to the Board of Health. The IHAC follows procedural rules that are better aligned with Indigenous cultural practices which are incorporated into its terms of reference that are approved by the Board of Health.
- 2.4. No persons shall consume alcohol or tobacco products at a meeting.
- 2.5. In accordance with the *Municipal Act, 2001*, electronic participation is permitted for open, closed and special meetings of the Board and committees. A member who participates through electronic means (e.g., video/audio teleconference or through an electronic meeting platform such as Zoom or Microsoft Teams), is deemed to be present and counted for the purpose of establishing quorum, and will have full participation, including voting rights.
- 2.6. Meetings of the Board and committees are open to the general public, unless there are matters to be considered in closed session (refer to By-Law 10. By-Law Number 10 – Conduct of Open and In-Camera Meetings). In instances where physical attendance of the public cannot be accommodated due to health and safety concerns, or in the event that an emergency has been declared to exist in all or part of a municipality within the Health Unit pursuant to the *Emergency Management and Civil Protection Act*, electronic means (e.g. video/audio teleconference) may be employed to facilitate the participation of members of the public.

## **Section 3 - Convening of Meetings**

- 3.1 The Medical Officer of Health shall call the first meeting of each calendar year.
- 3.2 The first meeting shall be held after the municipal members, appointed to the Board by their respective councils, are confirmed, and shall be held no later than the 1st day of February.
- 3.3 At the first meeting of each calendar year, the Board shall:
  - 3.3.1 elect the Chairperson and the Vice-Chairperson of the Board for the year;

- 3.3.2 appoint members to its committees;
  - 3.3.3 fix, by resolution, the date and time of regular meetings; and,
  - 3.3.4 establish the honourarium paid to each member eligible for compensation in accordance with the Health Protection and Promotion Act.
- 3.4 A meeting may be rescheduled or cancelled due to the following circumstances:
- 3.4.1 in the event that an emergency has been declared by the Medical Officer of Health;
  - 3.4.2 if there is indication from members in advance of the meeting that quorum will not be achievable; or
  - 3.4.3 if upon consultation with the Medical Officer of Health, the Chairperson determines there is insufficient business to be considered.
- In all instances, the Chairperson will poll members to obtain consensus to proceed with a cancellation. If approval is obtained through a majority vote, members will be notified and a public notice will be issued.
- 3.5 The Chairperson of the Board can call a special meeting and shall call a special meeting at the written request of a majority of the members.
- 3.6 The Medical Officer of Health shall:
- 3.6.1 give notice of the first and each regular and special meeting;
  - 3.6.2 ensure that the notice accompany the agenda and any other matter, so far as known, to be brought before such meeting;
  - 3.6.3 cause the notice to be delivered to the residence or place of business of each member or by e-mail or telephone so as to be received not later than two clear days in advance of the meeting.
- 3.7 The lack of receipt of the notice shall not affect the validity of the holding of the meeting or any action taken thereat.
- 3.8 No business other than that stated in the notice of a special meeting shall be considered at such meeting except with the unanimous consent of the members present.

#### **Section 4 - Agenda and Order of Business**

- 4.1 The Medical Officer of Health shall have prepared for the use of each member at the first and regular meetings an agenda of the following items.
- 4.1.1 Call To Order
  - 4.1.2 Confirmation of the Agenda
  - 4.1.3 Declaration of Pecuniary Interest
  - 4.1.4 Delegations and Presentations

- 4.1.5 Board Chair Report
- 4.1.6 Confirmation of the Minutes of the Previous Meeting
- 4.1.7 Business Arising from the Minutes
- 4.1.8 Staff Reports
- 4.1.9 Consent Items
- 4.1.10 New Business
- 4.1.11 In Camera to Discuss Confidential Matters
- 4.1.12 Motions from In Camera for Open Session
- 4.1.13 Date, Time and Place of the Next Meeting
- 4.1.14 Adjournment
- 4.2 Any items not included on the prepared agenda may be added by resolution.
- 4.3 Agenda packages will be posted on the Peterborough Public Health website on the same day that agendas are distributed to Board of Health members.
- 4.4 On the day following Board of Health meetings, Board members will be contacted and advised of the date, time, and location of the next meeting, and asked about their availability for the next meeting.
- 4.5 The business of each regular meeting shall be taken up in the order described in section 4.1 of this By-law unless otherwise decided by the members.
- 4.6 Consent Items are items to be considered for the Consent portion (4.1.8) of the agenda and shall be determined by the Medical Officer of Health. Matters selected for Consent Items are to be routine, housekeeping, information or non-controversial in nature.
  - 4.6.1 If the Board wishes to comment or seek clarification on a specific matter noted in the list of Consent Items, the member is asked to identify the item and clarification or comment will be provided or made. An item(s) requiring more than clarification or comment will be extracted and moved to the New Business section of the agenda. The Consent Items, exclusive of extracted items where applicable, can be approved in one resolution.
  - 4.6.2 Matters listed under Consent Items shall include an explanatory note as follows:  
"All matters listed under Consent Items are considered to be routine, housekeeping, information or non-controversial in nature and to facilitate the Board of Health's consideration can be approved by one motion".
  - 4.6.3 Consent Items will include:
    - Staff Reports and Presentations – Information, Housekeeping and Non-Controversial.
    - Correspondence – Direction and Information. A Correspondence Report will be prepared and included in the Consent Items section of the agenda. The report will be divided into two sections as follows, Correspondence for Direction and Correspondence for Information. Where possible each item of correspondence for direction will have a staff recommendation included.

- Committee Reports.

- 4.7 New Business items are those that have not been discussed by meeting attendees previously and that do not belong in staff or Committee reports.
- 4.8 The Chairperson of the Board shall direct the preparation of an agenda for a special meeting.
- 4.9 The business of each special meeting shall be taken up in the order as listed on the agenda of such meeting unless otherwise decided by the members.

## **Section 5 - Commencement of Meetings**

- 5.1 As soon as there is a quorum after the time fixed for the meeting, the Chairperson or Vice-Chairperson of the Board or the person appointed to act in their place and stead, shall take the chair and call the members to order.
- 5.2 A quorum for any meeting of the Board or a committee shall be a majority of the appointed members.
- 5.3 If the Chairperson or Vice-Chairperson of the Board or the Chairperson of a committee does not attend a meeting by the time a quorum is present, the Medical Officer of Health shall call the members to order and a presiding officer shall be appointed to preside during the meeting or until the arrival of the person who ought to preside.
- 5.4 Upon any members directing the attention of the Chairperson to the fact that a quorum is not present, the Medical Officer of Health, at the request of the Chairperson, shall record the names of those members present and advise the chairperson if a quorum is or is not present. If there is no quorum within thirty minutes after the time fixed for the meeting, the Chairperson shall then adjourn until the day and time fixed for the next meeting.

## **Section 6 - Delegations and Debate**

- 6.1 The Chairperson shall preside over the conduct of the meeting, including preserving good order and decorum, ruling on points of order and deciding all questions relating to the orderly proceedings of the meeting.
- 6.2 Any individual or group who wishes to make a presentation to the Board shall make a written request to the Chairperson of the Board up to a minimum of forty-eight hours before the start of the meeting.
- 6.3 The Chairperson of the Board (in consultation with the Medical Officer of Health) shall decide whether the delegation may make a presentation at a meeting and accordingly, shall inform the individual or group whether their request has been approved or denied.
- 6.4 The Chairperson shall give due consideration to the length of the agenda and the number of delegation requests received, and may limit the number of delegations to a maximum of five (5) per meeting.

- 6.5 All delegations appearing before the Board shall be permitted to speak only once on an item, unless new information is being brought forward, and/or unless permission is given by the Chairperson of the Board, in consultation with the Medical Officer of Health.
- 6.6 Delegations and presentations of general interest shall not exceed ten minutes except when answering questions posed by the Chairperson for clarification.
- 6.7 Unless otherwise directed by resolution, no action respecting a delegation will be taken until the Board has had an opportunity to discuss the delegation and to receive advice from the Medical Officer of Health.
- 6.8 The Board will be informed of all requests from delegations and the disposition of such requests and, upon review, the Board may reverse the decision of the Chairperson of the Board by resolution.
- 6.9 Every member shall address the Chairperson respectfully previous to speaking to any motion.
- 6.10 When two or more members ask to speak, the Chairperson shall name the member who, in their opinion, first asked to speak.
- 6.11 If the Chairperson desires to leave the Chair to participate in a debate or otherwise, they shall call on the Vice-Chairperson to fill their place until they resume the Chair.
- 6.12 A member may speak more than once to a motion, but after speaking, shall be placed at the foot of the list of members wishing to speak.
- 6.13 No member shall speak to the same motion at any one time for longer than ten minutes except that extensions for speaking for up to five minutes for each time extended may be granted by resolution.
- 6.14
  - 6.14.1 A member may ask a question of the previous speaker and then only to clarify any part of their remarks.
  - 6.14.2 When it is a member's turn to speak, before speaking, they may ask questions of the Medical Officer of Health or staff present, to obtain information relating to the matter in question and with the consent of the speaker, or other members may ask a question of the same persons.
  - 6.14.3 All questions shall be stated concisely and shall not be used as a means of making statements or assertions.
  - 6.14.4 Any question shall not be ironical, offensive, rhetorical, trivial, vague or meaningless or shall not contain epithet, innuendo, ridicule, or satire.
- 6.15 Any member who has the floor may require the motion under discussion to be read.

## **Section 7 - Decorum and Discipline**

- 7.1 A member shall not:

- 7.1.1 speak disrespectfully of Her Majesty the Queen or any member of the Royal Family, the Governor-General, a Lieutenant Governor, the Board or any member thereof;
- 7.1.2 use offensive words or unparliamentary language;
- 7.1.3 disobey the rules of the Board or a decision of the Chairperson or the Board on questions of order, practice or an interpretation of the rules;
- 7.1.4 speak other than to the matter in debate;
- 7.1.5 leave their seat or make any disturbance when the Chairperson is putting a question and while a vote is being taken and until the result is declared; and
- 7.1.6 interrupt a member while speaking except to raise a point of order.
- 7.2 If a member commits an offense, the Chairperson shall interrupt and correct the member.
- 7.3 If an offense is serious or repeated, the Board may decide, by resolution, not to permit the member to resume speaking.
- 7.4 If a member ignores or disregards a decision of the Chairperson or the Board, the Chairperson shall not recognize the member except to receive an apology by the member and until it has been accepted by the Board.
- 7.5 If a member persists in committing an offense, the Board may order, by resolution, the member to leave the meeting and not resume their seat until they have tendered an apology and it has been accepted by the Board.

## **Section 8 - Questions of Privilege and Points of Order**

- 8.1 The Chairperson shall permit any member to raise a question relating to the rights and benefits of the Board or one or more of the members thereof and questions of privilege shall take precedence over all other motions except to adjourn and to recess.
- 8.2 When a member desires to assert that a rule has been violated, they shall ask leave of the Chairperson to raise a point of order with a concise explanation and then shall not speak until the Chairperson has decided on the point of order.
- 8.3 The decision of the Chairperson shall be final unless a member appeals immediately to the Board.
- 8.4 If the decision is appealed, the Board shall decide the question "Shall the decision of the chair be sustained?" by majority vote without debate and its decision shall be final.
- 8.5 When the Chairperson calls a member to order, the member shall cease speaking immediately until the point of order is dealt with and they shall not speak again without the permission of the Chairperson unless to appeal the ruling of the Chairperson.

## **Section 9 - By-laws**

- 9.1 No motion to pass a By-law shall be considered unless written notice has been received by the members in the manner set out in section 3.6 of this By-law.

- 9.2 A motion to pass a By-law shall be carried by a two-thirds vote in the affirmative of the members present at that meeting.
- 9.3 A By-law shall come in to force on the date of passing thereof unless otherwise specified by the Board.
- 9.4 No motion for the amendment or repeal of the By-laws, or any part thereof, shall be considered unless written notice has been received by the members in the manner set out in section 3.6 of this By-law.
- 9.5 A motion to amend or repeal the By-laws, or any part thereof, shall be carried by a two-thirds vote in the affirmative of the members present at the meeting at which the amendment or repeal is to be considered.

## **Section 10 - Motions**

- 10.1 Every motion shall be verbal unless the Chairperson requests that the motion be submitted in writing.
- 10.2 Debate on a debatable motion shall not proceed unless it has been seconded.
- 10.3 Every motion shall be deemed to be in possession of the Board for debate after it has been presented by the Chairperson, but may, with permission of the members who moved and seconded a motion, be withdrawn at any time before amendment or decision.
- 10.4 A main motion before the Board shall receive disposition before another main motion can be received except a motion:
  - 10.4.1 to adjourn;
  - 10.4.2 to recess;
  - 10.4.3 to raise a question of privilege;
  - 10.4.4 to lay on the table;
  - 10.4.5 to order the previous question (close debate);
  - 10.4.6 to limit or extend limits of debate;
  - 10.4.7 to postpone definitely (defer);
  - 10.4.8 to commit or refer;
  - 10.4.9 to postpone indefinitely (withdraw); or
  - 10.4.10 to amend;which have been listed in order of precedence.
- 10.5 When a motion that the vote be taken is presented, it shall be put to a vote without debate, and if carried by resolution, the motion and any amendments under debate shall be put forthwith without further debate.
- 10.6 A motion relating to a matter not within the jurisdiction of the Board shall not be in order.

10.7 A motion to adjourn a meeting or debate shall be in order, except:

10.7.1 when a member has the floor;

10.7.2 when it has been decided that the vote be now taken; or

10.7.3 during the taking of a vote;

and when rejected, shall not be moved again on the same item.

## **Section 11 - Voting**

11.1 Only one primary amendment at a time can be presented to a main motion and only one secondary amendment can be presented to a primary amendment, but when the secondary amendment has been disposed of, another may be introduced, and when a primary amendment has been decided, another may be introduced.

11.2 A secondary amendment, if any, shall be voted on first, and, if no other secondary amendment is presented, the primary amendment shall be voted on next, and if no other primary amendment is presented, or if any amendment has been carried, the main motion as amended shall be put to a vote.

11.3 A main motion may be divided by resolution and each division thereof shall be voted on separately.

11.4 After the Chairperson commences to take a vote, no member shall speak or present another motion until the vote has been taken on such motion.

11.5 Every member present at a meeting shall vote when a vote is taken unless prohibited by statute and if any member present refuses or fails to vote, he shall be deemed as voting in the negative.

11.6 Any member may require that a vote be recorded.

11.7 If a member disagrees with the declaration by the Chairperson of the result of any vote, the member may object immediately and require that the vote be retaken and recorded.

11.8 After any matter has been decided, any member may move for reconsideration of the matter at a subsequent meeting in the same year but no discussion of the question that has been decided shall be allowed until the motion for reconsideration has carried by two-thirds of the members, and no matter shall be reconsidered more than once in the same calendar year.

## **Section 12 - Committees**

12.1 The Board may strike committees and appoint members to such committees to consider such matters as directed by the Board.

12.2 The Medical Officer of Health shall preside over the first meeting of each calendar year until a Chairperson and Vice-Chairperson of the committee are elected by its members.

12.3 The Chairperson of a committee shall:

12.3.1 preside over all meetings of the committee;

- 12.3.2 report on the deliberations and recommendations of the committee to the Board; and
- 12.3.3 perform such other duties as may be determined from time to time by the Board or the committee.
- 12.4 The Chairperson of a committee may appoint non-Board members to the committee.
- 12.5 The number of non-Board members of a committee shall not exceed the number of Board members of the same committee at any time.
- 12.6 The number of Board members on a committee shall not be a majority of the members of the Board of Health.
- 12.7 It shall be the duty of a committee:
  - 12.7.1 to report to the Board on all matters referred to it and to recommend such action as it deems necessary;
  - 12.7.2 to forward to an incoming committee for the following year any matters not disposed of; and
  - 12.7.3 to provide to the Board any information relating to the committee that is requested by the Board.
- 12.8 All committees shall be dissolved no later than immediately preceding the first meeting as set out in section 3 of this By-law.
- 12.9 The Board may dissolve, by resolution, any committee at any time.

### **Section 13 - Minutes**

The Medical Officer of Health shall ensure that full and accurate minutes are kept of the proceedings of all meetings including a text of the By-laws and the resolutions passed by the Board.

This By-law shall be deemed to have come in to force on the 11th date of October, 1989.

Dated at the City of Peterborough the 25th date of October, 1989.

### **Review/Revisions**

**On** (YYYY-MM-DD): 1992-10-14  
**On** (YYYY-MM-DD): 1998-10-28  
**On** (YYYY-MM-DD): 2003-07-03  
**On** (YYYY-MM-DD): 2005-01-12  
**On** (YYYY-MM-DD): 2007-10-11  
**On** (YYYY-MM-DD): 2010-10-13  
**On** (YYYY-MM-DD): 2013-04-10  
**On** (YYYY-MM-DD): 2013-12-11  
**On** (YYYY-MM-DD): 2014-06-11

**On** (YYYY-MM-DD): 2015-09-09  
**On** (YYYY-MM-DD): 2015-12-09  
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