POLICY: **PROCEDURAL BY-LAW**

SECTION: **I – Toronto Public Library Board**

MOTION#/DATE: **08 - 203 – December 15, 2008**
REVISED **11 - 052 April 4, 2011**

Toronto Public Library Board Procedural By-law

Notice of Amendment June 25, 2012

Toronto Public Library Board

Procedural By-law

Amended by the TPL Board at its meeting of April 4, 2011 (11 - 052)

Table of Contents

General

Officers

Meetings

Addressing the Board

Minutes

Committees

Waiver of By-Law Provisions

By-law amendment

The Toronto Public Library Board enacts as follows:

General

1 Definitions

Abstain	To decline to vote for or against a motion.
Adjourn	To end the meeting.
Acclamation	Unanimous election to office without the need for a vote, where only one candidate is nominated and agrees to stand.
Agenda	A list of items of business to be considered at a meeting, arranged in the order in which they are intended to be addressed.
Agenda deadline	Six clear days before a regular scheduled meeting.
Amendment	A formal proposal to change the words of a pending motion.
Board	The Toronto Public Library Board.
Casting vote	A single vote (usually the prerogative of the chair) that decides an issue when the vote has resulted in a tie.
Chair	.1 For purposes of the Board, the Chair of the Board.
	.2 For purposes of meetings, the person who presides over the meeting.
Chief Executive Officer	The Chief Executive Officer appointed by the Board.
Clear days	.1 For receipt of items for agendas, any days that do not include the day on which the item was received by the Secretary or the day of the Board or Committee meeting.
	.2 For distribution of agendas, any days that do not include the day the Secretary distributes the agenda and the day of the Board or Committee meeting.

Closed meeting A meeting held in private, at which only Board Members, the Chief Executive Officer and persons authorized by the Board may be present.

Committee An advisory or other committee, sub-committee or similar group appointed by the Board are all Members of the Toronto Public Library Board.

Council The Council of the City of Toronto.

Ex officio By virtue of office or position.

First meeting After a municipal election, the first meeting of the new Board following its appointment by Council. In other years, the first meeting of the Board in the calendar year.

Floor, on the The current subject of debate.

Floor, to have the To have the right to speak without interruptions except on a Matter of Privilege or a Point of Order.

Informal consideration The entire Board meeting on a more informal basis than generally required under this By-law, as permitted by section 44 of this By-law.

Library The Toronto Public Library.

Member A member of the Toronto Public Library Board.

Minutes The legal record of the Board's, or a committee's, proceedings and decisions.

Motion A formal proposal placed before the meeting by one Member, the mover of the motion, for debate and decision.

Motion without notice A motion to introduce new business for which no notice has been given.

Move To formally propose a motion or amendment.

Mover The person who proposes a motion or amendment.

Notice of motion A motion to introduce new business for which notice is considered to have been given.

Objection	A way for a Member to express disagreement with a proposed course of action or ruling by the Chair.
Order	Behaviour in a meeting which allows Members to conduct business without disruption.
Order, call the meeting to	An announcement by the Chair to indicate that he or she is about to start the meeting and a way for the Chair to enforce discipline in the meeting after procedural rules have been broken.
Order, call a Member to	A way for the Chair to point out to a Member that he or she has broken the procedural rules or is speaking out of turn.
Order, point of	A way for a Member to draw attention to a breach of the rules.
Precedence	The order in which motions and amendments are discussed and voted on as identified in section 49 of this By-law.
Procedural motion	A motion described in section 47 of this By-law.
Public presentation	One or more members of the public who address the Board.
Recess	A short break during a meeting.
Quorum	The minimum number of Members who must be present at a meeting to make the proceedings valid.
Recorded vote	A vote in which each Member is asked individually and publicly to announce his or her vote for or against the motion.
Rescind	To revoke a previous decision.
Resolution	A motion that has been moved, seconded and carried.
Robert's Rules of Order	The most current version of "Robert's Rules of Order Newly Revised".
Ruling	A decision by the Chair on a procedural point.

Second To formally endorse a motion or amendment immediately after it has been moved.

Seconder The person who formally endorses consideration of a motion or amendment.

Secretary The Secretary of the Board.

Show of hands The usual way of voting in a meeting where those for and those against the motion are asked in turn to raise their hands, the hands are counted, the result announced and the motion declared either carried or lost.

Simple majority One more than half.

Tie vote An equal number of votes for and against a motion.

Time limit Depending on the context, either:

.1 the maximum time allowed for a speech by an individual Member as set by the Chair; or

.2 the time previously established to adjourn the meeting,

both of which may be extended by resolution.

Treasurer The Chief Financial Officer of the Board.

Two-thirds majority Two-thirds, or the closest whole number that is greater than two-thirds.

Unparliamentary language Words or expressions which a) are disrespectful, abusive or offensive or b) make unsubstantiated charges that a Member is being dishonest or attribute false or undeclared motives to a Member.

Urgent matter Matters that cannot be delayed for reasons of health, safety, emergency, financial or legal deadline or prudent management.

Vice-Chair The Vice-Chair of the Board.

2	**Only By-law**	This By-law replaces the previous Procedural By-law of the Board originally adopted by the Board at its meeting held on January 15, 1998, as amended.
3	**Head office**	The head office of the Board will be at the Toronto Reference Library, 789 Yonge Street, Toronto, Ontario, M4W 2G8.
4	**Language**	The Board will conduct its meetings and business in English.

Board Officers and Appointees

5	**Officers**	The Board will have the following officers: .1 Chair; .2 Vice-Chair.
6	**Chair**	The Chair: .1 establishes the Board agenda in consultation with the Secretary; .2 presides at Board meetings; .3 represents the Board; .4 serves as an ex-officio member of all Committees; .5 will not commit the Board to any course of action unless directed by the Board.

7	**Vice-Chair**	The Vice-Chair:
		.1 presides at Board meetings:
		    .1 if the Chair is absent from the meeting;
		    .2 for any periods during which the Chair is present at the meeting but temporarily leaves the chair;
		    .3 for the discussion of any item in which the Chair has declared a conflict of interest.
		.2 performs the remaining duties of the Chair if the Chair is unable for any reason to perform them.

8	**Acting Chair**	.1	If both the Chair and the Vice-Chair are absent from a Board meeting or are unable to take the chair, the Board will elect an Acting Chair from among the Members present. The Secretary will conduct the election.
		.2	While presiding, the Acting Chair will have all the rights, duties and responsibilities of the Chair.
9	**Term of Chair and Vice-Chair**	.1	The Chair and Vice-Chair will each hold office for one year, and until a successor is appointed.
		.2	The Chair and Vice-Chair may be removed from office by a two-thirds majority vote of the Board.
		.3	If either the Chair or the Vice-Chair resigns or is removed from office, their successors will hold office for the balance of their term.
10	**Procedure for election of Chair and Vice-Chair**	.1	The Board will elect a Chair and a Vice-Chair by majority vote at its First Meeting.
			Procedures for Electing the Chair of the Board
		.2	The Secretary will take the chair to conduct the election of the Chair.
		.3	The Board Secretary shall call for nominations. To be valid: a. A nomination must be moved and seconded; b. The nominee must agree to stand for election to the position
		.4	A nominee for the position of Chair requires the vote of a majority of the Members present to be elected. A person who is not present at the meeting may be nominated, but must provide written consent to the Secretary in advance of the meeting.
		.5	Nominations will be closed by motion.
		.6	If there is only one nomination, the Secretary will declare that person duly elected by acclamation.

.7 When more than one nominee stands for election, a vote shall be taken.

.8 If there are two or more nominations, the Secretary will conduct the vote and voting will be by show of hands. Each member may vote for only one person (who may be him or herself). The Secretary will announce the number of votes cast for each candidate.

.9 If there are two nominations, the Secretary will declare the person with the highest number of votes elected. If the result is a tie, the Secretary will reopen nominations and call for another vote. If there is still a tie, the Secretary will supervise the drawing of lots to decide who is elected. (For the purpose of this subsection, “lot” means the method for determining the candidate to be excluded or the candidate to fill the position, as the case may be, by placing the names of the candidates on equal size pieces of paper placed in a box and one name being drawn by the Board Secretary.)

.10 If there are three or more nominations, the person with the lowest number of votes after the first ballot will be dropped from voting, and balloting will be repeated until a winner is declared.

Procedures for Electing the Vice Chair of the Board
The Vice Chair shall be elected in the same manner as the Chair, except that the Chair will conduct the election of the Vice Chair.

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11 Appointees

In accordance with the *Public Libraries Act*, the Board will appoint individuals to the following positions:
.1 Chief Executive Officer, who will also be deemed appointed to the position of Secretary of the Board;
.2 Treasurer.

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12 Secretary

.1 The Chief Executive Officer will supervise and direct the operations of the Library and its staff, and will also be the Secretary of the Board but may delegate that function to a Library employee who may, in turn at his or her discretion, designate another Library employee to perform some of the Secretary's functions.

.2 The Secretary or his or her designate will be present at all meetings of the Board and its Committees.

.3 The Secretary will:

.1 maintain the Board's By-laws, policies, minutes, correspondence, lists of Members, meeting schedules and other official records;

.2 advise the Chair on procedures and By-laws;

.3 facilitate meeting arrangements;

.4 keep minutes of every Board and Committee meeting;

.5 give notice of Board and Committee meetings.

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13 Treasurer

The Treasurer will receive, keep safely and account for all money of the Library and will open bank accounts, deposit money into those accounts and disburse funds as required by provincial and federal legislation, City and Library By-laws, and Board resolutions.

Meetings

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14 Rules of order for meetings

In proceedings of the Board or its Committees where matters arise not addressed by this By-law, the Chair will rule on the matter in consultation with the Secretary, and may use Robert's Rules of Order as an aid in ruling.

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15 Scheduled meetings

.1 The Board will hold at least ten scheduled meetings each year.

.2 The schedule of Board meetings for the year, including the dates, time, locations and time limit for meetings, will be approved at the First Meeting. The schedule will include regular monthly meetings from January to June and from September to December.

.3 The meeting schedule and approved revisions will be posted in all Library branches.

.4 Any change in the date, time or location of any meeting must be approved by Board resolution.

16 Special meetings

.1 Special meetings of the Board may be held at any time at the call of the Chair or any two Members.

.2 There must be at least one clear day between Members' receipt of the notice of special meeting and the day of the meeting.

.3 Notice will be given by the Secretary in writing (which includes facsimile transmission ("fax") or electronic mail) or by telephone. If telephone notice is given, it will be confirmed by a written notice before the special meeting.

. 4 The purpose of the special meeting must be stated in the notice and no other business will be transacted at that special meeting without the consent of the majority of the Board.

17 Notice of meetings

.1 Members will receive notice in writing of every meeting.

.2 The notice must include the date, time, time limits, location and agenda of the meeting.

.3 Notice may be sent by fax, electronic mail or courier.

.4 Notices will be sent to a Member at the street address, fax number or electronic mail address provided by the Member to the Secretary.

.5 For scheduled meetings, there must be at least three clear days between sending the notice to the Member and the day of the meeting.

.6 Lack of receipt of notice by any one Member will not invalidate the meeting.

.7 Notices of meetings and agendas will be posted in all Library branches and on the website.

18 Agenda

.1 The Chair will establish an agenda for each meeting in consultation with the Secretary. The agenda will include: call to order; declarations of conflicts of interest; approval of agenda; confirmation of minutes; public presentations; considerations of communications and reports; consideration of new business from Library officials, notices of motion, and motions without notice; and adjournment.

.2 Matters proposed for Closed meeting consideration will be indicated on the public agenda.

.3 The order of business set out in the agenda may be changed only by Board resolution.

.4 Items appearing on a meeting agenda which are not dealt with by the Board at that meeting will be deferred to the next meeting, or removed from the agenda by resolution.

19 Adding New Business to Library Board Meetings

.1 New Business from Library Officials

.1 can be introduced if the Library official has met the agenda deadline;

.2 can also be added to the agenda after the agenda deadline if it relates to an Urgent Matter.

.2 Notices of Motion by Board Members

.1 require provision of written notice respecting the new business to the Secretary prior to the agenda deadline; and

.2 must be in a form that the Secretary approves and be signed by the Board member moving it and the Board member who seconds it. No signature required for notices received via email.

.3 Motions without Notice by Board Members

.1 must be in a form that the Secretary approves and be signed by the Board member moving it and the Board member who seconds it;

.2 must relate to an Urgent Matter;

.3 must be reviewed by the Secretary in consultation with the Chair to ensure the matter addressed by it is an Urgent Matter;

.4 are listed on the agenda if the Secretary and Chair agree that it deals with an urgent matter;

.5 even if it fails to comply with the requirements of section 19.3.1, 19.3.2 and 19.3.3, can be considered by the Board by a two-thirds vote of the Members present and voting; and

.6 if the Secretary and Chair do not agree that the motion without notice deals with an Urgent Matter, the Secretary refers it to the next Board meeting and presents a list of these motions without notice to the Board for information only.

.4 Making a Motion without Notice during a Board Meeting

.1 a Member may make a motion without notice during a meeting if it complies with the requirements outlined in sections 19.3.1 and 19.3.2; the Chair reviews it in advance; the Chair agrees that it concerns an Urgent Matter and allows the Member to ask the Board's permission to introduce the motion without notice; and

.2 two thirds of all Members (9 members) vote in favour of its introduction.

.5 A member of the public may introduce business to the Board agenda either through a communication or through a request to address the Board as provided in sections 36 through 39.

20 Communications

.1 Communications may be made by letter, fax, or electronic mail addressed to the Board, to the Chair or to the Secretary.

.2 Communications must:

.1 be in a legible hand-written or printed form;

.2 contain a name, address and telephone number, fax number if delivered by fax, or electronic mail address if delivered by electronic mail;

.3 contain a signature unless delivered by electronic mail;

.4 not contain unparliamentary or offensive language.

. 3 Communications received by the Secretary by the agenda deadline or a meeting will be included on the agenda.

.4 Communications received by the Secretary after the agenda deadline for a meeting may be dealt with by the Board after adoption of a Board resolution to deal with the matter. These communications will be treated in the same way as new business items as described in section 19.

.5 All communications about a matter on a meeting agenda that the Board receives becomes part of the public record.

.6 Personal information and opinions in communications are part of the public record, unless the author of the communication requests the removal of his or her personal information when submitting it, or the Secretary determines the personal information contravenes the *Municipal Freedom of Information and Protection of Privacy Act.*

21	**Tabled documents**	.1	Supporting documents for items on the Agenda not available by the Agenda deadline or new business introduced after the agenda deadline may be distributed prior to the meeting or at the meeting.
		.2	No other materials may be distributed at Board meetings without the consent of the Chair.
22	**Time limit for meetings**	.1	The established time limit for meetings may be extended at a meeting by Board resolution.
		.2	Items on the agenda that have not been concluded by the time limit or the extended time limit for the meeting will be re-submitted on the agenda of the next regular meeting unless a special meeting is called for the purpose of considering those items.
		.3	A special meeting will not be adjourned until the business on the agenda of that meeting is complete, or until the Board determines a time and date to continue the meeting unless the Chair has been authorized by the Board to determine a time and date for continuation of the meeting.
23	**Public meetings**		According to the *Public Libraries Act*, all meetings of the Board and its Committees will be open to the public, except as provided in section 24 described below.
24	**Closed meetings**		For closed meetings, the Board follows the *Public Libraries Act*, section 16 as outlined below. **Closed meetings** (4) 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 Board;

(b) personal matters about an identifiable individual;

(c) a proposed or pending acquisition or disposition of land by the board;

(d) labour relations or employee negotiations;

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the Board;

(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(g) a matter in respect of which a board or committee of a board may hold a closed meeting under another Act.

Other criteria

(5) A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy* Act if the board or committee of the board is the head of an institution for the purposes of the Act.

Resolution

(6) Before holding a meeting or part of a meeting that is to be closed to the public, a Board or committee of the board shall state by resolution,

(a) the fact of the holding of the closed meeting; and

(b) the general nature of the matter to be considered at the closed meeting.

Open Meeting

(7) Subject to section (8), a meeting shall not be closed to the public during the taking of a vote.

Exception

(8) A meeting may be closed to the public during a vote if,

(a) subsection (4) or (5) permits or requires the meeting to be closed to the public; and

(b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the board or committee of the board or persons retained by or under contract with the board.

25	**No disclosure of closed meeting deliberations**	.1	No person will disclose the deliberations or discussions that occurred at a closed meeting unless the Board has authorized that disclosure.
26	**Notification of absence**	.1	Members will notify the Secretary if they: .1 will not be attending; .2 will be arriving late for; or .3 will be leaving early from; any meeting of the Board or a Committee.
		.2	The Secretary will advise the Board of any Member who will be absent from meetings of the Board for three consecutive months and advise the Board of an explanation provided by the Member, if any. The Board will then decide whether to authorize the Member's absence by a Board resolution.
		.3	The Board will notify Council if any Member is absent from the meetings of the Board for three consecutive months if the absence is not authorized by a Board resolution.
27	**Quorum**	.1	The quorum for Board meetings is a majority of the Members.
		.2	If no quorum is present within thirty minutes after the time fixed for a meeting of the Board, or the resumption of a meeting after adjournment, or should a quorum be lost for a period of thirty

consecutive minutes, the meeting will be cancelled and the Secretary will record the names of the Members present.

.3 The meeting will stand adjourned until the next scheduled meeting or the Chair calls a special meeting.

.4 To ensure that the Chair knows when a quorum may be lost during the meeting, Members will inform the Chair each time they leave or re-enter the meeting.

.5 If a quorum is not possible because of the number of members disabled from participating due to declared conflicts of interest under the Municipal Conflict of Interest Act**,** the remaining Members will constitute a quorum. However, a quorum may never be less than two.

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28 Cancellation of meeting due to lack of quorum

.1 The Secretary, after consultation with the Chair, will cancel a Board or Committee meeting if notice has been received from a majority of the Members that they will not be present.

.2 The Secretary will ensure that all Members are promptly notified of the cancellation.

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29 Meeting procedures

.1 The Chair will preside at all meetings of the Board, maintain order, decide whether motions are in order and rule on all procedural matters.

.2 If the Chair is not present within fifteen minutes after the time set for the meeting to begin, the Vice-Chair will call the meeting to order and will preside for that meeting or until the arrival of the Chair.

.3 If both the Chair and the Vice-Chair are not present within 15 minutes after the time for the meeting to begin, the Secretary will call the meeting to order and will preside for the election of an Acting Chair.

.4 The Chair will not take part in the discussion of any item while in the chair. The Chair will ask the Vice-Chair (or if the Vice-Chair is not present, any other Member) to preside while the Chair participates in the discussion.

.5 The Chair will maintain a list of Members who have signaled the Chair that they wish to speak or ask questions and recognize Members in the order in which they signaled that they wish to speak or ask questions.

.6 All questions on a matter, including questions of Library staff, must be finished before debate on the matter begins, except for questions to a Member who has made a motion and only to clarify the motion.

.7 A Member who has already spoken may speak again only after all other Members have been given the opportunity to speak.

.8 A Member may not speak more than twice on an issue without a Board resolution.

.9 If the Chair rules that a question is properly one of privilege and admissible, it must be dealt with immediately.

.10 The Chair's rulings on order or procedure are not debatable, but may be appealed by any Member by motion, duly seconded. If the motion is carried, the Chair's decision is overturned.

.11 If the Chair rules that a motion is contrary to the rules of the Board, the Chair will tell the Members immediately before putting the question, and will cite the rule or authority applicable to the case without argument or comment.

.12 The Chair may place time limits on speeches. The time limit must be announced before the debate begins and must be the same for all Members.

.13 The Chair will not put any matter to the vote, nor will any Member move a procedural motion to have the vote taken, until every Member who wishes to speak has spoken at least once.

30 Conduct of Members

.1 A Member will be courteous and will not engage in any action which disturbs the meeting.

.2 A Member will not:

.1 use unparliamentary or offensive language, including any expressions or statements in debate or in questions that attribute false or undeclared motives to another Member, charge another Member with being dishonest, be abusive or insulting or cause disorder;

.2 make any noise or disturbance that prevents Members from being able to participate in the meeting;

.3 interrupt another Member who is speaking, except to raise a Matter of Privilege or a Point of Order;

.4 disobey the rules of the Board, or disobey a decision of the Chair or the Board on questions of order or practice or on the interpretation of the rules of the Board.

.3 A Member who wishes to speak will signal the Chair by a raised hand and will wait for recognition by the Chair.

.4 All remarks and questions, including questions intended for another Member or staff, will be addressed to the Chair.

.5 The Chair may deny a Member the right to speak on a particular topic if the Member is disruptive or persistently interrupts others.

.6 The Chair may exclude a Member from the meeting who has been given a warning but continues to disregard the rulings from the Chair.

31 Conduct of the public

.1 Members of the public will be courteous and will not engage in any action which disturbs the meeting.

.2 Members of the public will not:

- .1 make any noise or disturbance that prevents Members from being able to participate in the meeting;
- .2 address the Board without a prior appointment or without the permission of the Board at the meeting;
- .3 use unparliamentary or offensive language.

.3 The Chair may exclude any person from the meeting for improper conduct.

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32 Conflict of Interest

.1 Members must observe the requirements of the *Municipal Conflict of Interest Act* by declaring any conflict of interest they have, directly or indirectly, in any matter before the Board.

.2 A Member must declare any conflict of interest at the beginning of the meeting, on arrival at the meeting, or if not present at the meeting, at the next meeting attended.

.3 A Member who has declared a conflict of interest in a matter must not take part in the discussion, must not vote, and must not try to influence the voting, on the matter.

.4 If the discussion takes place in a Closed meeting, the Member must leave the room.

.5 All declarations of conflict of interest are recorded in the public minutes. Declarations of conflict of interest made in public must also specify the general nature of the interest declared. Declarations of conflict of interest made in a Closed meeting are recorded in the public minutes but do not have to specify the nature of the interest.

33 Motions and Procedural Rules

.1 All decisions will be made on the basis of motions.

Comment [T1]: Combined motions and procedural rules

.2 A motion will not be debated until it has been moved and seconded.

~~.3 A motion that has been moved and seconded can be withdrawn only by motion of the original mover, seconded and carried.~~

~~.4 There will be only one substantive motion before the meeting at any one time. This rule does not prevent procedural motions.~~

~~.5 An amendment may be made to a motion, but may not negate the main motion or materially alter the intent.~~

Comment [T2]: All three points (.3,.4 & .5) are covered in the 33a. Table.

.3 The following types of motions are admissible at Board or Committee meeting. The purpose of each type of motion and any special rules applicable to it are also stated.

a. Motions Related to Main or Substantive Motions

Comment [T3]: Motions separated by different type to make the By-law easier to use in practice

Motion	**Purpose**	**Special rules applicable**

Main or substantive	To place before the meeting a proposal for consideration and decision. Usually in the form "That…	• Only one substantive motion at a time is allowed
		• A motion may be:
		  • adopted, in which case it becomes a resolution
		  • defeated
		  • amended
		  • ~~received~~
		  • deferred
		  • read
		  • reconsidered
		  • referred
		  • reopened
		  • ~~rescinded~~
		  • limited in terms of debate time
		  • withdrawn

Amendment	To alter the main motion by adding, deleting or substituting words	• Must be relevant to the main motion and may not negate it or materially alter its intent • Only two amendments at a time are allowed • Amendments are voted on in reverse order of presentation • The main motion, as amended, is

Comment [T4]: See Section 33b

Comment [T5]: No provisions elsewhere in the by-law refers to motion to Rescind. Members can still move to Reconsider.

Motion	Purpose	Special rules applicable
		then voted on
Amendment to the amendment	To alter the amendment by adding, deleting or substituting words in the amendment	• Only one amendment to the amendment is allowed at a time • Voted on before the amendment
Defer	To delay a decision on a matter by postponing consideration of the matter: • Indefinitely • Until, or within, some specified time or time period • Until a specified event happens • Until a report or communication is presented	• Debatable • Members may only debate the merits of deferring the matter and the time frame for deferral
Divide the motion	To allow a complicated motion to be put to the vote in distinct parts	• The motion must contain distinct parts which can stand alone • At the discretion of the chair, or by resolution (not debatable)
Reconsider	To re-examine a previous decision (usually with a view to changing it) (Not to be confused with a motion to Reopen)	• After the result of the vote is announced, any Member who voted with the majority may move a motion to reconsider: o at the same meeting by way of a motion without notice during a Board meeting following the procedures outlined in section 19.4: or o at a subsequent meeting by way of a notice of motion or motion without notice following the procedures outlined in sections 19.2 or 19.3. • In situations where there has been no recorded vote, the vote shall be deemed to have been unanimous in respect to all Members who participated in the vote.

Comment [T6]: Point of clarification.

Motion	Purpose	Special rules applicable
		• No discussion of the matter will be allowed until the motion to reconsider has carried. • No matter will be reconsidered more than once in a twelve-month period.
Refer	To send an issue to a committee or to staff for study before the Board makes a decision on it	• If this motion Is moved while a motion or amendments are on the floor, the motion and amendments are referred
Read the motion/amendment under discussion	To ensure that the motion or amendment under discussion is clearly understood	• May not interrupt • Otherwise, may be requested at any time • Does not need to be seconded
Reopen	To resume consideration of a matter which has been postponed by being deferred (Not to be confused with a motion to Reconsider)	• Not debatable • May not be amended
Withdraw	To remove a motion from consideration of the meeting	• Only the original mover and seconder may propose

Comment [T7]: Point of clarification.

b. Motions Related to Communications, Information Reports and Presentations

Motion	Purpose	Special rules applicable
Receive	To receive a report or other information without taking any action on it	

c. Motions Related to Debate

Motion	Purpose	Special rules applicable
End debate	To end debate of the matter under discussion	• Not debatable • May not be amended • Needs 2/3 majority of the Members present • If carried, the matter must be voted on immediately • If defeated, the Motion to End Debate may be moved again later, at the discretion of the Chair • Cannot be moved until any Member who wishes to speak has spoken at least once (s.29.12)
Limit Debate	To limit debate by reducing the time for the debate or decreasing the time limit allotted to each Member to speak	• Debatable • May be amended but only by changing time • A motion to limit debate must allow all Members the same right to participate

Comment [T8]: Ensures motion to End Debate is not abused.

d. Motions Related to the Continuation of the Meeting

Motion	Purpose	Special rules applicable
Adjourn	To end the meeting	• Not debatable • If carried, any unfinished business is automatically placed on the agenda for the next meeting
Extend the time limit for the meeting	To allow the meeting to continue past the time set for adjournment	• Not debatable except for an amendment as to time • Needs 2/3 majority of the Members present •
Recess	To take a short break during a meeting	• Not debatable

.4 The following procedural rulings may be requested at Board or Committee meetings. The purpose of each rule and any special rules applicable to it are also stated:

Rule	**Purpose**	**Special rules applicable**
Appeal Ruling of the chair	To challenge the ruling of the chair by having the matter decided by the whole assembly	• The chair's ruling must be challenged immediately after it is stated • Not debatable • Must be put to vote immediately
Order, point of	To point out a departure from the rules of procedure	• Must be raised promptly • May interrupt • Must state the rule violated • Not debatable • Decided by the Chair without debate
Privilege, matter of	To correct inaccuracies, or explain circumstances where a Member believes his/her reputation, or the Board's reputation, is adversely affected	• Must be raised promptly • May interrupt • Not debatable • Decided by the Chair without debate

.5 Motions and other procedural rules shall be voted on in the following priority order:

.1 Adjourn

.2 Recess

.3 Matter of privilege

.4 Point of order

.5 Appeal the ruling of the chair

.6 Extend the time limit for the meeting

.7 Withdraw

.8 Defer

.9 Refer

.10 Receive

.11 Limit Debate

.12 End Debate

.13 Amendment to the amendment

.14 Amendments, in reverse order of presentation

.15 Divide the motion

.16 Main motion

.17 Reconsider

.18 Reopen

Comment [T9]: Neither included in current by-law's order of precedence. Order Based on Robert's Rules.

Comment [T10]: Not included in current by-law's order of precedence.

34 Voting

.1 All matters will be decided by a majority vote of the Members present, except for a matter that requires a two-thirds majority vote as a result of the requirements of this By-law.

.2 Each Member will have only one vote on each question.

.3 A Member must be present when the question is put in order to vote.

.4 All Members present when the question is put shall vote, unless prohibited by statute and abstentions are not allowed. Any Member who refuses to vote is deemed to have voted against the motion except where prohibited from voting by statute.

.5 The Chair or Acting Chair must vote with the other Members on all questions.

.6 Voting on all motions will be by a show of hands.

.7 In the event of a tie vote, the Chair has no casting vote and the question is deemed lost.

.8 A motion to reconsider is required to reopen a matter once the result of the vote is announced.

35 Recorded vote

.1 The Chair will conduct a recorded vote if requested by any Member.

.2 The request must be made:

  .1 immediately before the start of voting, or

  .2 immediately after the result of the vote is announced.

.3 The Secretary will record the name and vote of every Member for the minutes and announce the results to the Chair.

.4 Results of the vote, including the name and vote of every Member, will be announced by the Chair immediately after the recorded vote has taken place.

Addressing the Board

36 Appointment required to address the Board

An appointment or the consent of the Board or the appropriate Committee is required for a member of the public to address the Board or that Committee.

37 Requests for an appointment to address the Board

.1 All requests for an appointment to address the Board or a Committee must be made in writing, by letter, fax or electronic mail addressed to the Secretary, Toronto Public Library Board, 789 Yonge Street, Toronto, Ontario, M4W 2G8, and must include:

.1 the name, address and telephone number fax number if delivered by fax, or electronic mail address if delivered by electronic mail, of the person, organization or group wishing to address the Board;

.2 a signature unless delivered by electronic mail; and

.3 an outline of the submission to be made, and any relevant documentation.

38 Where the subject is already on the agenda

.1 If the subject matter of the address is already on the agenda and:

.1 the request is received by the Secretary at least 48 hours before the relevant Board or Committee meeting; and

.2 the applicant has complied in all respects with section 37;

the Chair will grant the request.

.2 If the subject matter of the submission is already on the agenda, but:

.1 the request is received by the Secretary less than 48 hours before the relevant Board or Committee meeting; or

.2 the applicant has not complied in all respects with section 37;

the Chair will place the request before the Board at that meeting.

.3 When considering a request pursuant to section 38.2, the Board may decide:

.1 to hear the submission at that meeting, but require the filing of a written outline with the Secretary within seven days of the meeting; or

.2 to defer hearing the submission until the applicant has complied in all respects with section 37.

39 New Matters

.1 Requests to address the Board or a Committee on new matters not on the agenda must be received by the Secretary by the agenda deadline for the relevant Board or Committee meeting, and must meet the requirements of section 37.

.2 If the applicant has met the requirements of section 39.1, the Secretary will place the request on the agenda of the first Board or Committee meeting following the request as a communication. The Board or Committee will decide by resolution whether or not to grant the request.

.3 If the Board or Committee grants the request, the matter will be considered at the Board or Committee meeting.

.4 Submissions will be heard by the Committee assigned responsibility for the subject matter of the submission unless no Committee has been assigned responsibility, or the Board or Committee decides that the subject matter or circumstances make it appropriate for the submission to be heard by the Board.

40 Limits of speeches

.1 All speakers are limited to five minutes, except that:

.1 the Board or Committee, by resolution, may extend a speaker's time to a maximum of fifteen minutes or limit the time for all speakers at a meeting;

.2 a speaker's time does not include time spent in answering questions from Members, but answers must be kept brief.

.2 Organizations and groups are allowed up to two speakers.

.3 Speakers will not be heard twice on the same matter at any one meeting except when permitted by Board or Committee resolution.

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41 Names and addresses of speakers are part of the public record

The Secretary will obtain the name and address of everyone who addresses the Board. This information and the opinions contained in the address to the Board are part of the public record, unless the speaker requests the removal of his or her personal information, or the Secretary determines the personal information contravenes the *Municipal Freedom of Information and Protection of Privacy Act.*

Minutes

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42 Minutes of meetings

.1 The Secretary will keep minutes of all Board and Committee meetings.

.2 The minutes will record:

.1 the place, time and date of the meeting;

.2 the name of the Chair, the Members present, and the Members absent;

.3 any correction to, and the adoption of, the minutes of the previous meeting;

.4 all resolutions;

.5 any declarations of a conflict of interest, including the Member's name and the reason for the conflict of interest.

.3 Reference will be made in the minutes to an agenda item discussed in a Closed meeting and the reason why the discussion was closed to the public

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.4 The minutes will record that a motion was carried or defeated, with no count of the vote, unless the vote was recorded. For recorded votes, the Members' name and corresponding vote will be recorded in the minutes after the Chair has announced the results.

.5 At the next meeting the minutes of the previous meeting will be considered and, after the minutes have received approval or approval as amended by the majority of the Members present, they will be signed by the Chair or the appropriate Committee chair.

Committees

43 Committees

.1 The Board may establish Committees as required.

.2 The rules applicable to Board meetings in this By-law apply to Committee meetings except that:

.1 the quorum for a Committee will be set by the Board;

.2 there is no time limit for meetings;

.3 the rules of procedure for Informal

Consideration (section 44) will apply.

.3 The Board will approve the terms of reference and membership of all Committees. The terms of reference will include the Committee purpose, time-frame for undertaking its activities, and the requirements for quorum. Committees will select a Chair at their first meeting.

.4 The Chair of the Board will be an ex officio voting member of each Committee.

.5 All Members will be notified of, and may attend, all Committee meetings.

.6 Committee decisions are not binding on the Board. A Committee will report its activities and recommendations to the Board.

.7 Minutes of Committee meetings will be kept in accordance with section 42.

.8 The Board will review the need for continued existence and membership of all Committees at its First Meeting.

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44 Informal Consideration

.1 The Board may resolve, by motion, that a question be considered informally.

.2 The Chair of the Board will Chair during Informal Consideration.

.3 The rules governing the procedure of the Board and the conduct of Members will be observed during Informal Consideration, so far as they are applicable, except that:

  .1 a motion does not need to be seconded;

  .2 the number of times a Member may speak on any question is not limited;

  .3 no Member shall speak more than once until every Member who wishes to speak has spoken.

.4 The Chair may take part in the discussion while in the Chair.

Waiver of By-law Provisions

45 By-law amendment

.1 Subject to Sections 45.2 and 45.3 a motion to waive one of the Procedural By-law's rules on a one time basis will pass if a two-thirds majority of all Members vote for it.

.2 A waiver cannot be contrary to the requirements of the Public Libraries Act or any other applicable legislation.

.3 The Board cannot waive sections

10.1 - Procedure for election of Chair and Vice-Chair
11. - Appointees
12.1, 12.2, and 12.3.1 - Secretary
13 - Treasurer
15.1 - Scheduled Meetings
16.1 - Special Meetings
19 - Adding New Business to Library Board Meetings
23 - Public Meetings
24 - Closed Meetings
25 - No disclosure of closed meeting deliberations
27.1 - Quorum
29 - Meeting Procedure
32 - Conflict of Interest
33.3 a. - Types of motions: "Reopen" and "reconsideration" only
34 - Voting
45 - Waiver of By-law Provisions
45 - By-law amendment

By-law amendment

46 By-law amendment

This By-law may be amended or repealed at any regular or special meeting of the Board if:

.1 notice of the proposed amendment or repeal was given in writing at the previous Board meeting; and

.2 the amendment is approved by a two-thirds majority of the Board.