PROCEDURAL BY-LAW
To Govern the Meetings of the McCormick Playground Arena Board of Management

WHEREAS Subsection 189(2) of the City of Toronto Act, 2006, as amended, provides that every local board of the City shall have a procedural by-law that establishes rules for governing the calling, the place and the proceedings of meetings;

AND WHEREAS the McCormick Playground Arena Board of Management wishes to ensure that those rules reflect the principles of accessibility, accountability and responsiveness to the local community; fairness, respect and full debate in the conduct of its meetings; and flexibility in responding to changing circumstances at its meetings;

AND WHEREAS the McCormick Playground Arena Board of Management wishes to ensure that the application and interpretation of the procedural rules within this By-Law are consistent with those principles;

NOW THEREFORE the McCormick Playground Arena Board of Management hereby enacts this By-Law as follows:

ARTICLE 1: DEFINITIONS AND INTERPRETATION

1-1 Unless the context otherwise requires, in this By-Law:

"**Act**" shall mean the City of Toronto Act, 2006 as amended from time to time;
"**Acting Chair**" shall mean the member appointed by the Board to act from time to time in the place and stead of the Chair at a meeting;
"**Acting Secretary**" shall mean the member appointed by the Board to act from time to time in the place and stead of the Secretary at a meeting;
"**Agenda**" shall mean a schedule of discussion items for the Board to consider at a meeting;
"**Applicable City Regulations**" shall mean all by-laws, municipal codes, relationship frameworks, policies, procedures, orders and requirements of the City of Toronto having jurisdiction at any time that are in force;
"**Applicable Laws**" shall mean all statutes, by-laws, regulations, orders and requirements of governments or other public authorities having jurisdiction at any time that are in force;
"**Arena**" shall mean the McCormick Playground Arena;
"**Arena Manager**" shall mean the person employed by the Board to manage and operate the facility;
"**Board**" shall mean the McCormick Playground Arena Board of Management;
"**Board Meeting**" shall mean any regular or special meeting of the Board that is not a committee meeting;
"**Board Member**" and "**Member**" shall mean a member of the Board;
"**By-Law**" shall mean this by-law as amended from time to time;
"**Call a Member to Order**" shall mean identifying a member and requesting the member to cease any disruptive action or behaviour;

"**Call the Roll**" shall mean calling out or reciting a list of members to determine which members are present or to obtain responses from those present;
"**Candidate**" shall mean a member who is nominated to stand for election;
"**Chair**" shall mean the Chair of the Board;
"**City**" shall mean the City of Toronto;
"**City Council**" and "**Council**" shall mean the Council for the City of Toronto;
"**City Official**" shall mean any manager, officer or employee of the City of Toronto;
"**Closed Meeting**" shall mean a meeting, or a part of a meeting, from which the public has been excluded;
"**Committee**" shall mean a committee established by the Board;
"**Committee Chair**" shall mean the member who is the Committee Chair;
"**Committee Meeting**" shall mean a meeting of a committee that is not a regular or special meeting of the Board;
"**Delegate**" shall mean a person who is authorized to act as a representative;
"**Deputation**" and "**Public Deputation**" shall mean an appearance by any member of the general public to speak to a matter before the Board;
"**Election**" shall mean the process of selecting members for executive offices of the Board;
"**Electronic Meeting**" shall mean a meeting called and held in full or in part by electronic methods that includes, but is not limited to, audio teleconference, video teleconference or teleconference through the Internet;
"**Emergency**" shall mean a situation or impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or not;
"**Employee**" shall mean an employee of the Board;
"**Established Rules of Council for the City of Toronto**" shall mean Chapter 27 of the Toronto Municipal Code, Council Procedures, as amended;
"**Executive Office**" and "**Office**" shall mean a designated position within the Board;
"**Improper Conduct**" shall mean disruptive action or behaviour which causes any obstruction to the deliberations or proper proceedings of a meeting;
"**Meeting**" shall mean a regular or special meeting of the Board or a committee meeting;
"**Meeting Schedule**" shall mean a calendar of regular meetings of the Board;
"**Minutes**" shall mean the minutes of a meeting;
"**Motion**" shall mean a member's formal proposal that the Board take specific action;
"**Motion to Adjourn**" shall mean a motion to end a meeting;
"**Motion to Amend**" shall mean a motion to modify the main motion under consideration by the Board;
"**Motion to Defer**" shall mean a motion made for the purpose of disposing of a matter, with or without any proposed amendment, by delaying its consideration indefinitely or until some specified time or event;
"**Motion to Receive**" shall mean a motion made for the purpose of acknowledging receipt of a particular item and placing the item in the records of the Board for future reference;
"**Motion to Refer**" shall mean a motion made for the purpose of disposing of a matter under consideration, with or without any proposed amendment, by postponing it and seeking its consideration by any designated committee, body or official;
"**Motion to Suspend the Rules**" shall mean a motion to temporarily set aside a rule of procedure so that the Board can do something that it cannot do otherwise;
"**Nomination**" shall mean the act of submitting a member's candidacy in an election;
"**Nominee**" shall mean a member who is a candidate in an election;

"**Non-Voting Members**" shall mean members who are not eligible to vote on matters under consideration by the Board;
"**Offensive Language**" shall mean any comment or expression that is derogatory, obscene or otherwise hurtful;
"**Officer**" shall mean a person who holds a designated position within the Board;
"**Open Meeting**" shall mean a meeting from which the public has not been excluded;
"**Open Voting**" shall mean a voting method where a member's vote is known and transparent to all other members;
"**Point of Order**" shall mean the raising of a question for the purpose of calling attention to any departure from the terms of this By-Law or the customary manner of proceedings in debate or in the conduct of the Board's business;
"**Point of Privilege**" shall mean a question directed to the Chair for the purpose of calling the attention of the Board to a breach of rights or privileges of a member, or the Board as a whole, or to a contempt committed against a member, or the Board as a whole, in order to seek a remedy;
"**Point of Procedure**" shall mean a question directed to the Chair to obtain information on the rules of the Board bearing on the business at hand in order to assist a member to make an appropriate motion, raise a point of order or understand the effect of a motion;
"**Quorum**" shall mean the number of members to be present at a meeting to lawfully conduct business at the meeting;
"**Recess**" shall mean a temporary break during a meeting;
"**Recorded Vote**" shall mean a vote for which the Secretary records all the members present and how they voted;
"**Regular Meeting**" shall mean a meeting of the Board that is not a special meeting;
"**Relationship Framework**" shall mean the Relationship Framework for the City of Toronto and the Arena Boards of Management, as amended;
"**Resolution**" shall mean the decision of the Board on any motion that has been approved by the Board;
"**Ruling**" shall mean the Chair's interpretation of the By-Law to settle a procedural matter;
"**Secretary**" shall mean the Secretary of the Board;
"**Special Meeting**" shall mean a meeting of the Board that is not a regular meeting;
"**Treasurer**" shall mean the Treasurer of the Board;
"**Vice-Chair**" shall mean the Vice-Chair of the Board; and
"**Voting Members**" shall mean members who are eligible to vote on matters under consideration by the Board.

1-2 Unless the contrary intention appears:

(a) The word "shall" will be construed as imperative and the word "may" will be understood as permissive;
(b) Words in the singular shall include the plural and vice versa;
(c) Words importing one gender shall include all genders; and
(d) Words in the past or present tense shall include the future tense.

1-3 This By-Law shall be interpreted in accordance with the following fundamental principles:

(a) The majority of members have the right to decide;
(b) The minority of members have the right to be heard;
(c) All members have the right to information to help them make decisions, unless otherwise prevented by law;
(d) Members have a right to an efficient meeting;

(e) All members have the right to be treated with courtesy and respect; and
(f) All members have equal rights, privileges and obligations.

1-4 A specific statement or rule shall have greater authority than a general one.

1-5 The division of this By-Law into parts and the insertion of headings shall be only for the purposes of convenient references.

ARTICLE 2: APPLICATION

2-1 This By-Law shall be observed in all meetings of the Board and shall govern the order and dispatch of business conducted by the Board.

2-2 This By-Law shall be subject to all applicable laws and applicable City regulations.

2-3 In the event of a conflict between this By-Law and a resolution of the Board, this By-Law shall prevail to the extent of the conflict.

2-4 Where there is a conflict between two (2) or more procedural rules of this By-Law, or when there is no specific rule in this By-Law on a matter, the Chair shall make a ruling.

2-5 When applying the rules in this By-Law or making a ruling, the Chair may decide, as far as is reasonably possible, first, in accordance with the Board's practices and past decisions, including previous rulings, and second, in accordance with the established rules of Council for the City of Toronto.

2-6 The Board may temporarily suspend a rule of procedure of this By-Law during a meeting as the Board considers appropriate, except for the following:

(a) Meetings open to the public (Articles 5-12 to 5-13);
(b) Closed meetings (Article 5-14);
(c) Quorum necessary for meetings (Articles 7-1 to 7-6);
(d) Voting on a matter (Articles 9-1 to 9-6);
(e) Reconsidering decisions (Articles 9-18 to 9-19); and
(f) Amending or repealing this By-Law (Articles 15-1 to 15-2).

ARTICLE 3: OFFICERS OF THE BOARD

3-1 The Board may appoint an employee as the Arena Manager who shall be responsible to the Board for the daily management of the arena.

3-2 In addition to any other duty assigned under the Act, this By-Law or otherwise, the duties of the Arena Manager shall include, but not be limited to, the following:

(a) Attending all meetings in person, remotely or by delegated representative;
(b) Distributing the minutes to the Board for approval at the next meeting;
(c) Delivering the notice of meeting and the agenda to the Board;
(d) Posting the meeting schedule, agendas and other public notices related to meetings in a public location within the facility,on the Board's website or other digital storage;

(e) Maintaining custody of Board documents as required by law and subject to the directions of the Board;
(f) Receiving and distributing to the Board all correspondence sent by Board members, employees, City officials or the general public;
(g) Executing all instructions, directions and resolutions of the Board in accordance with the requirements of the law;
(h) Reporting to the Board from time to time and as requested by the Board on all matters related to the arena; and
(i) Performing any other duty that may be assigned by the Board from time to time that is reasonably within the job description.

3-3 By the third meeting of the new Board following the appointment of members by City Council, the Board shall elect from among its voting members a Chair, a Vice-Chair, a Secretary and a Treasurer.

3-4 Unless otherwise decided by the Board, each member elected by the Board shall hold office for a term of two (2) years and until a successor is elected.

3-5 No member shall be elected to more than one (1) executive office at any time.

3-6 The election shall be conducted in the following manner:

(a) The Arena Manager or a delegate shall preside during the election and call for nominations;
(b) Each nomination shall be made openly and shall have the consent of the nominee;
(c) Where more than one (1) nominee stands for election, a vote shall be taken;
(d) A nominee may withdraw at any time except during a vote being taken;
(e) Every voting member present shall vote unless prohibited by law ;
(f) A nominee shall require the votes of a majority of the members present to be elected;
(g) If there are more than two (2) nominees who choose to stand for election, and upon the first vote where no nominee receives the majority required for election, the name of the nominee receiving the fewest number of votes shall be dropped and the Board shall proceed to vote again and continue to do so until a nominee receives the majority required for election;
(h) Where no nominee receives the required majority after successive ballots, additional rounds of voting shall be conducted until a nominee receives a majority
(i) In the event of a tie between two nominees after multiple ballots, the tie shall be resolved by a casting vote of the presiding officer

3-7 In addition to any other duty assigned under the Act, this By-Law or otherwise, the duties of the Chair shall include, but not be limited to, the following:

(a) Presiding at all meetings of the Board;
(b) Setting the agenda for all meetings of the Board;
(c) Acting as the spokesperson for the Board and representing the interests and decisions of the Board to external parties;
(d) Providing information to members on any matter related to the business of the Board;
(e) Commencing the meetings of the Board by taking the chair and calling the meeting to order as soon as a quorum is present at or after the scheduled time;

(f) Announcing the business before the Board and the order in which it is to be acted upon;
(g) Receiving and submitting, in the proper manner, all motions presented by the members;
(h) Putting to a vote all motions which are moved and seconded, or necessarily arise in the course of the proceedings, and announcing the result;
(i) Speaking to all business of the Board and introducing motions while in the chair;
(j) Sitting as a member of any committee of the Board by virtue of the office with the all rights and privileges of participating at all such committee meetings;
(k) Declining to put to a vote, with explanation, any motion which does not comply with this By-Law or which is not within the jurisdiction of the Board;
(l) Enforcing the rules of procedure, maintaining order and preserving the decorum of the meeting;
(m) Where it is not possible to maintain order, recessing for a short intermission or adjourning the meeting without any motion being put;
(n) Ruling on any points of order, points of procedure or points of privilege raised by any member;
(o) Authenticating the minutes and other Board documents by signature when necessary;
(p) Permitting questions to be asked by a member in order to provide information and assist in any discussion as appropriate;
(q) Adjourning a meeting when business is concluded or upon a motion to adjourn; and
(r) Performing any other duty that may be assigned by the Board from time to time.

3-8 In addition to any other duty assigned under the Act, this By-Law or otherwise, the Vice-Chair shall have the authority to perform any or all the duties of the Chair if the Chair is absent or otherwise unable or unwilling to act, together with any other duty that may be assigned by the Board from time to time.

3-9 In addition to any other duty assigned under the Act, this By-Law or otherwise, the duties of the Secretary shall include, but not be limited to, the following:

(a) Recording the minutes of a meeting;
(b) Submitting the minutes to the Arena Manager for subsequent review and approval by the Board at the next meeting; and
(c) Performing any other duty that may be assigned by the Board from time to time.

3-10 In addition to any other duty assigned under the Act, this By-Law or otherwise, the duties of the Treasurer shall include, but not be limited to, the following:

(a) Authenticating business cheques and expenditure records by signature when necessary;
(b) Reporting to the Board about any consultation with the Arena Manager or the external auditor on financial matters related to the Board; and
(c) Performing any other duty that may be assigned by the Board from time to time.

3-11 The Board may establish other executive offices as it considers appropriate and determine the duties of such officers.

3-12 A member elected by the Board may be removed from an executive office by a majority vote of all Board members.

3-13 A vacancy in an executive office held by a Board member shall be filled by election as soon as possible after the vacancy occurs and the successor shall hold office for the remainder of the term.

3-14 The Board shall oversee financial management, including review of financial reports, budgets, and audit findings

ARTICLE 4: COMMITTEES OF THE BOARD

4-1 The Board may establish a committee from time to time to consider any matter that is within the authority of the Board and assign duties to the committee as it may consider appropriate.

4-2 Members of a committee shall be appointed by the Board and the Board may determine the Committee Chair.

4-3 A member appointed to a committee may be removed from a committee at the discretion of the Board.

4-4 The Board shall fill a vacancy on a committee as soon as possible after it occurs.

4-5 The rules governing the procedures of the Board and the conduct of members shall be observed in all committees insofar as they are applicable.

4-6 The principal function of a committee shall be to make recommendations to the Board for its consideration.

4-7 A committee shall report on its work to the Board at the next regular meeting of the Board following the date of the committee meeting or as soon as possible.

4-8 No sub-group of a committee shall be established without the consent of the Board.

4-9 The Board may dissolve a committee at any time as the Board considers appropriate.

ARTICLE 5: BOARD MEETINGS

5-1 The Board shall meet a minimum of six (6) times per year with no more than three (3) months between meetings.

5-2 All members shall receive notice of Board meetings, generally seven (7) days in advance of the meeting date.

5-3 The Board shall establish a schedule of regular meetings for a one-year period and shall adhere to such schedule unless otherwise decided by the Chair or by a Board resolution.

5-4 The meeting schedule shall be posted in a public location within the facility or on the Board’s website and shall include the date, time and location of the meetings.

5-5 The Chair may cancel or reschedule a meeting of the Board if quorum is uncertain, the meeting location is unavailable or any other unforeseen circumstances prevent such a meeting and shall immediately notify the Board of any such change.

5-6 Any change to the meeting schedule shall be posted as soon as possible to provide the public with sufficient advance notice.

5-7 The Chair may at any time summon a special meeting of the Board on twenty-four (24) hours' notice to the members and shall summon a special meeting of the Board when requested in writing to do so by a quorum of members.

5-8 The notice calling a special meeting of the Board shall state the business to be considered at the special meeting and no business other than that stated in the notice shall be considered at such meeting.

5-9 A notice of a special meeting shall be posted in a public location within the facility or on the Board's website as soon as possible and shall include the date, time and location of the special meeting.

5-10 Despite any other provision of this By-Law, the Board and any committee may hold a meeting where some or all members participate electronically in accordance with the following rules:

(a) Any voting member participating in an electronic meeting shall be deemed present for the purposes of determining quorum under Article 7, for the purposes of voting under Article 9 and for all other purposes;
(b) Any Board member participating in an electronic meeting shall be entitled to participate in any portion of the meeting that is closed to the public under Article 5-14;
(c) A person making a public deputation may be permitted to participate in an electronic meeting in accordance with Article 12; and
(d) This By-Law shall apply to the electronic meeting with any other minor modifications as may be required.
(e) Where technical difficulties prevent a member from participating meaningfully in an electronic meeting, the Chair may recess or adjourn the meeting until such issues are resolved

5-11 No inadvertent error or omission to give, deliver or post any meeting notice, meeting schedule or change to the meeting schedule shall affect the validity of a meeting.

5-12 All meetings shall be open to the public except as authorized under the Act or as required by law.

5-13 No person shall be excluded from a meeting that is open to the public except for improper conduct.

5-14 A meeting, or a part of a meeting, may be closed to the public in accordance with Section 190 of the Act if the subject matter being considered by the Board relates to:

(a) The security of the property;
(b) Personal matters about an identifiable individual, including an employee;

(c) A proposed or pending acquisition or disposition of land;
(d) Labour relations or employee negotiations;
(e) Litigation or potential litigation, including matters before administrative tribunals;
(f) Legal advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
(g) Information supplied in confidence by the Government of Canada, the Government of Ontario or any other provincial or territorial government within Canada;
(h) A trade secret or scientific, technical, commercial, financial or labour relations information which could impair the competitive position or interfere with the contractual or other negotiations of a person, a group of persons or an organization;
(i) A trade secret or scientific, technical, commercial or financial information that has monetary value or potential monetary value;
(j) A position, plan, procedure, criteria or instruction to be applied to negotiations;
(k) Education or training of members, as long as no decision-making is advanced; and
(l) A matter in respect of which the Board may hold a closed meeting under any other statute.

5-15 When the Board decides to move from an open meeting to a closed meeting, the reason for the closed meeting shall be recorded in the minutes.

5-16 Where a matter has been discussed in a closed meeting, and where the matter remains confidential, Board members shall not disclose the content of the matter or the substance of deliberations of the closed meeting.

5-17 After the Board moves from an open meeting to a closed meeting, where a matter under consideration no longer satisfies any one of the categories to warrant a closed meeting, the Board shall immediately move to an open meeting.

5-18 The Board shall not vote or keep minutes in a closed meeting except for:

(a) A procedural matter; or
(b) Giving directions or instructions to the Arena Manager or a delegate.

5-19 Following a closed meeting, the Board shall report in open session, as much as is permissible by law, on the general nature of the matters considered

5-20 The minutes of each meeting shall be submitted to the Board for approval at the next meeting, or as soon as possible, and shall include:

(a) The date, time and location of the meeting;
(b) The names of all members present and absent at the meeting;
(c) Approval of, and any correction to, the minutes of the prior meeting;
(d) All motions, decisions and other proceedings of the Board;
(e) For recorded votes, a record of how each member present voted on the motion; and
(f) Any member who declared a conflict of interest and the reason for the conflict of interest.

5-21 The Board may notify the appropriate City official if a member is absent for three (3) consecutive Board meetings without cause or notice.

ARTICLE 6: AGENDA

6-1 The Chair shall set the agenda in consultation with the Arena Manager for distribution to the Board members, generally seven (7) days in advance of the meeting at which the agenda is to be considered.

6-2 Any member may submit a request to the Chair to place an item on the agenda. The Chair shall include such item on a future agenda, provided it relates to matters within the jurisdiction of the Board.

6-2(a) Where the Chair declines to include an item, any member may raise the matter at a meeting and, by majority vote, require its inclusion on a future agenda.

6-3 Any item not included on the agenda may only be introduced by a member at a meeting with the consent of the majority of the Board members present.

6-4 After the agenda has been distributed to the Board members, the agenda shall be posted in a public location within the facility or on the Board's website in advance of the meeting.

6-5 Unless otherwise decided by the Board, the business of the Board at a meeting shall be considered in the order in which it is listed on the agenda.

6-6 The Board may, by majority vote, amend the agenda, including reordering, deferring, or removing items.

6-7 Items on the agenda that are not dealt with by the Board at that meeting may be deferred to the next Board meeting.

6-8 No inadvertent error or omission to give, deliver or post any agenda shall affect the validity of the proceedings of a meeting or any subsequent action undertaken by the Board.

6-9 Agendas shall include sufficient detail to inform members and the public of the nature of the business to be considered

6-10 The Board may adopt a consent agenda for routine matters, which may be approved by a single motion without debate. Any member may request that an item be removed from the consent agenda for separate consideration

ARTICLE 7: QUORUM

7-1 Fifty (50) percent of the voting members of the Board who were appointed by City Council shall constitute a quorum for a meeting.

7-2 The member of Council appointed to the Board shall not be included for the purpose of determining what constitutes quorum but the member of Council attending a meeting of the Board shall be counted in order to achieve quorum.

7-3 A vacant position shall not be counted to calculate quorum.

7-4 The Chair shall be counted in determining a quorum, but non-voting members of the Board and representatives of absent Board members shall not be counted for the purpose of determining a quorum.

7-5 As soon as a quorum is present at or after the time appointed for a meeting of the Board, the Chair shall call the members to order.

7-6 Where members are disqualified by law from participating and voting in a meeting, or a part of a meeting, because they declared a conflict of interest on a matter and if it results in too few members for a quorum, then:

(a) A minimum of two (2) or more voting members shall constitute a quorum; or
(b) The procedures in the Municipal Conflict of Interest Act, as amended, shall apply when there is only one (1) voting member or none.

7-7 In the event quorum is not present within thirty (30) minutes after the time appointed for a meeting, the members present may ask the Secretary to call the roll and record the names of the members present and the meeting shall stand adjourned until the next scheduled meeting or at the call of the Chair.

7-8 If quorum is lost during a meeting for a period of thirty (30) minutes, the members present may ask the Secretary to record the names of those members present and the meeting shall stand adjourned until the next scheduled meeting or at the call of the Chair.

7-9 If neither the Chair nor the Vice-Chair has arrived thirty (30) minutes after the time the meeting is to start and, if a quorum is present, the Board may appoint a member as the Acting Chair who shall preside and perform the duties of the Chair during the meeting, or until the arrival of the Chair or Vice-Chair.

7-10 If the Secretary has not arrived thirty (30) minutes after the time the meeting is to start and, if a quorum is present, the Board may appoint a member as the Acting Secretary who shall perform the duties of the Secretary during the meeting.

7-11 A member who has a pecuniary interest in a matter, as defined under the Municipal Conflict of Interest Act, shall:
(a) Declare the interest prior to any discussion of the matter;
(b) Not participate in discussion or voting on the matter; and
(c) Leave the meeting room or electronic session during consideration of the matter

7-12 The declaration of interest and its general nature shall be recorded in the minutes.

ARTICLE 8: RULES OF DEBATE

8-1 When two (2) or more members wish to speak, the Chair shall designate the Board member who first requested to speak as the member who speaks first.

8-2 For each matter under consideration, the Chair shall determine the order of Board members who have requested to speak and may maintain a list of speakers and designate such members to speak in accordance with that list.

8-3 At the discretion of the Chair, no member may speak more than once until every member who wishes to speak on a matter has done so.

8-4 A member may speak more than once on the same matter.

8-5 When a member is speaking, no other member shall interrupt except to raise a point of order, point of procedure or point of privilege.

8-6 Any member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a member while speaking.

8-7 A member may ask a question only for the purpose of obtaining information relating to the matter then under discussion and questions may be asked only:

(a) Of a member who has already spoken on the matter under discussion;
(b) Of the Chair;
(c) Of the Arena Manager;
(d) Of an official of the City; and
(e) Of any other person addressing the Board through a deputation.

8-8 The following matters may be introduced by members at a meeting of the Board without written notice and without the consent of the Board:

(a) A point of order, a point of procedure or a point of privilege;
(b) A motion to suspend or not follow a rule of procedure;
(c) A motion to recess or adjourn the meeting;
(d) A motion that the vote on a matter be taken; and
(e) Any other motion of a purely procedural nature.

8-9 A motion to adjourn a meeting shall always be in order, except when:

(a) Another member is speaking;
(b) A vote has been called;
(c) The members are voting; or
(d) A member has indicated to the Chair of a wish to speak on the matter under consideration.

ARTICLE 9: VOTING

9-1 Unless this By-Law otherwise specifies, a matter shall be decided by a majority vote of the members present.

9-2 When the Board acts by unanimous consent, a formal vote shall not be necessary.

9-3 The Chair shall ensure that all members who wish to speak on a matter have spoken and that the members are ready to vote and shall then put the matter to a vote.

9-4 The Chair shall not exercise a vote, except to break a tie.

9-5 Unless otherwise specified in this By-Law, each member who is qualified to vote on a question shall have only one (1) vote on each question.

9-6 A voting member participating electronically in accordance with Article 5-10 shall be deemed present for all purposes, including quorum and voting.

9-7 Every member present at a meeting who is qualified to vote shall vote on every question that is put to a vote, unless prohibited by law from doing so, in which case the fact of the prohibition shall be recorded in the minutes of the meeting.

9-8 The matter put to a vote shall be in the form of a motion addressing the matter then under consideration.

9-9 Any voting member present at a meeting may propose a motion on the matter then under consideration, which the Secretary shall record in the minutes, and the member may restate the motion to ensure that the wording is recorded properly and the Board members present understand the intent.

9-10 A member who has introduced a motion may withdraw the motion with the consent of the Board at any time prior to the vote being taken.

9-11 If there is more than one (1) motion with respect to a matter, the Secretary shall record all motions in writing and read the various motions to the members prior to the vote being taken.

9-12 Unless the Board decides otherwise, when a vote is taken, the order of the vote shall be as follows:

(a) Motion to refer;
(b) Motion to defer;
(c) Motion to receive;
(d) Any amendments to a motion; and
(e) The motion itself.

9-13 If a motion under consideration contains distinct parts, a member may request that each distinct part be voted separately prior to the vote being taken.

9-14 When a vote is taken and a member requests that the vote be recorded, the Secretary shall record each member's vote.

9-15 A vote shall be taken by open voting and may be by voice, a show of hands, standing up or otherwise.

9-16 On a recorded vote, a failure to vote by a member who is present at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.

9-17 Any motion on which there is an equality of votes shall be deemed to be lost unless the tie is broken by a vote by the Chair.

9-18 After any matter has been decided by the Board, and where the matter was not subject to a recorded vote, any voting member may move a motion to reconsider the matter during the same meeting.

9-19 In the case of a recorded vote, after any matter has been decided, any member who voted with the prevailing side may move a motion to reconsider the matter during the same meeting.

9-20 A motion or resolution on a matter that is beyond the jurisdiction of the Board shall not be in order.

ARTICLE 10: POINTS OF ORDER, PROCEDURE AND PRIVILEGE

10-1 Subject to being overruled by a majority vote of the members, in which case the vote shall be taken without debate, the Chair:

(a) Shall maintain order and preserve decorum of the meeting;
(b) Shall rule upon points of order, points of procedure or points of privilege without debate or comment, other than to state the applicable rule;
(c) Shall rule as to whether a motion or proposed amendment is in order or out of order; and
(d) May call a member to order.

10-2 Whenever any point of order, point of procedure or point of privilege is raised by a member, it shall be immediately taken into consideration and ruled upon by the Chair.

10-3 If no member immediately appeals the Chair's decision to the Board, the Chair's decision shall be final.

10-4 The Board, if appealed to, shall decide the matter without debate and its decision shall be final.

10-5 If the Chair considers that the integrity of the Arena Manager, delegate or City official has been impugned or questioned by a member, the Chair may allow the Arena Manager, delegate or City official to make a statement to the Board on the matter.

ARTICLE 11: CONDUCT OF BOARD MEMBERS

11-1 All Board members shall:

(a) Treat other members and any person appearing before or speaking to the Board with courtesy and respect;
(b) Speak only on the subject in debate; and
(c) Obey the rules of the Board or a decision of the Chair or the Board on questions of order, procedure or privilege or upon the interpretation of the rules of the Board.

11-2 If a member fails to adhere to these standards of conduct after being called to order by the Chair, the Chair may immediately move a motion, which shall not be subject to debate, amendment or adjournment, to expel the member for the remainder of the meeting.

11-3 A member who has been ordered expelled may remain at the meeting if the member apologizes and, by a vote of the Board, is permitted to remain at the meeting.

11-4 The Board has no authority under the Relationship Framework to remove a member from the Board but may recommend such removal to City Council by a majority vote of two-thirds of all Board members.

ARTICLE 12: PUBLIC DEPUTATIONS

12-1 At its discretion, the Board may decide to hear any person who wishes, either on the person's own behalf or as a representative of an organization or group, to appear at any open meeting of the Board and address the Board with respect to any matter over which the Board has jurisdiction.

12-2 Unless otherwise decided by the Board, a public deputation to the Board by a person shall be limited to five (5) minutes.

12-3 A deputation on behalf of any organization or group may be made by more than a single representative but the entire deputation on behalf of an organization or group shall be limited to five (5) minutes.

12-4 The time involved in answering questions from the members shall not be included in the time limit for the deputation.

12-5 A person making a deputation shall:

(a) Only speak on a matter for which the person has received approval to address the Board;
(b) Obey the rules of procedure and any decision of the Chair;
(c) Avoid using offensive language; and
(d) Refrain from speaking disrespectfully of another person.

12-6 If a person making a deputation fails to abide by the rules of procedure after receiving a warning by the Chair, the Chair may limit or conclude the deputation and the person appearing before the Board shall immediately withdraw.

12-7 The Board may require advance registration for deputations and may establish deadlines and procedures for submissions

12-8 Written submissions may be accepted in lieu of or in addition to oral deputations

12-9 The Board may extend deputation time limits by majority vote

12-10

ARTICLE 13: PUBLIC ATTENDANCE AND CONDUCT

13-1 Every person who wishes to attend a meeting that is open to the public shall be courteous and not engage in any action or behaviour which disrupts the meeting.

13-2 No person from the general public shall:

(a) Make any noise or disturbance that prevents Board members from being able to participate in a meeting;

(b) Address the Board without permission;
(c) Use offensive language; or
(d) Display signs or placards in a manner that disrupts proceedings or obstructs the view of others.

13-3 The Chair may exclude any person from a meeting for improper conduct.

ARTICLE 14: COMMUNICATIONS FROM THE PUBLIC

14-1 Communications from the general public may be made in writing and addressed to the Board, to the Chair or to the Arena Manager.

14-2 The Board may receive communications that:

(a) Relate to matters over which the Board has jurisdiction;
(b) Are in a legible handwritten or printed form;
(c) Include the person's name and contact information; and
(d) Does not contain offensive language.

14-3 The Board may respond to the communication as the Board considers appropriate.

ARTICLE 15: AMENDMENT AND REPEAL

15-1 This By-Law may only be amended or repealed at a Board meeting if notice of the proposed amendment or repeal was listed on the agenda.

15-2 A decision to amend or repeal this By-Law shall require a majority vote of two-thirds of the members present.

ARTICLE 16: SHORT TITLE, ADMINISTRATION AND COMMENCEMENT

16-1 This By-Law may be cited as the Procedural By-Law.

16-2 All previous procedural by-laws and any amendments to them are hereby repealed and shall be replaced with this By-Law.

16-3 This By-Law shall come into force on the day after its enactment and the validity of all decisions made by the Board prior to such date shall not be affected.

THIS BY-LAW IS HEREBY APPROVED AND ENACTED by the McCormick Playground Arena Board of Management on the 31st day of May, 2023.

ARTICLE 17: ACCESSIBILITY

17-1 The Board shall conduct its meetings and provide materials in accordance with the Accessibility for Ontarians with Disabilities Act and applicable City of Toronto accessibility policies.

17-2 Upon request, the Board shall make reasonable efforts to provide accessible formats, communication supports, and accommodations for persons participating in meetings or deputations

ARTICLE 18: CODE OF CONDUCT

18-1 Members shall conduct themselves in accordance with applicable City of Toronto codes of conduct and ethical governance standards.

18-2 Breaches may be addressed through procedures established by the Board or applicable City policies