



City of Hamilton
GOVERNANCE REVIEW SUB-COMMITTEE

Meeting #: 19-006
Date: November 26, 2019
Time: 9:30 a.m.
Location: Council Chambers, Hamilton City Hall
71 Main Street West

Angela McRae, Legislative Coordinator (905) 546-2424 ext. 5987

1. CEREMONIAL ACTIVITIES

2. APPROVAL OF AGENDA

(Added Items, if applicable, will be noted with *)

3. DECLARATIONS OF INTEREST

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 May 28, 2019

(This item was on the October 28, 2019 agenda, but is carried over as quorum was not achieved.)

5. COMMUNICATIONS

6. DELEGATION REQUESTS

6.1 Cameron Kroetsch, respecting changes to the Procedural By-law (For today's meeting)

(This item was on the October 28, 2019 agenda, but is carried over as quorum was not achieved.)

7. CONSENT ITEMS

8. PUBLIC HEARINGS / DELEGATIONS

9. STAFF PRESENTATIONS

10. DISCUSSION ITEMS

10.1 2019 Review of the City's Procedural By-law 18-270 (CL19010 / LS19041) (City Wide)

(This item was on the October 28, 2019 agenda, but is carried over as quorum was not achieved.)

10.2 Civil Marriage Solemnization (CL19012) (City Wide)

11. MOTIONS

12. NOTICES OF MOTION

13. GENERAL INFORMATION / OTHER BUSINESS

14. PRIVATE AND CONFIDENTIAL

15. ADJOURNMENT



Hamilton

MINUTES 19-004
GOVERNANCE REVIEW SUB-COMMITTEE
Thursday, May 28, 2019
1:00 pm, Council Chambers
Hamilton City Hall

Present: Councillors T. Whitehead (Chair), M. Wilson (Vice-Chair), M. Pearson, B. Clark, and L. Ferguson

Absent: Councillor A. VanderBeek - Personal

THE FOLLOWING ITEMS WERE REFERRED TO THE AUDIT, FINANCE & ADMINISTRATION COMMITTEE FOR CONSIDERATION:

1. Pregnancy and Parental Leave for Members of Council Policy (CL19007) (City Wide) (Item 10.1)

(Pearson/Clark)

That Council approve the "Pregnancy and Parental Leave for Members of Council Policy" attached as Appendix 'A' to Report CL19007.

Result: Motion CARRIED by a vote of 4 to 0, as follows:

- NOT PRESENT - Vice-Chair Maureen Wilson
- YES - Chair Terry Whitehead
- NOT PRESENT - Councillor Arlene VanderBeek
- YES - Councillor Lloyd Ferguson
- YES - Councillor Maria Pearson
- YES - Councillor Brad Clark

2. Additional Administrative Support for Councillors' Offices (Item 11.1)

(Whitehead/Pearson)

WHEREAS, the current allotment for vacation and sick leave is insufficient for Councillor administrative staff whose accumulated vacation entitlement exceeds the amount of coverage currently provided in the ward office budgets (2 weeks);

WHEREAS, our social media and engagement policies and practices at the city have been successful in engaging more residents than ever before with their ward Councillors' offices subsequently requiring closer monitoring by staff and Councillor's to these outlets to efficiently respond to constituent concerns;

WHEREAS, a 0.5 FTE administrative support person would provide greater continuity in the office by facilitating coverage of the FTE person resulting in a more seamless exchange between the constituent and the ward office staff on a given issue or concern;

WHEREAS, a single staff person often deals with complex issues or projects to support their Councillor's initiatives requiring them to exercise greater responsibilities beyond basic constituency matters;

WHEREAS, the amount of work in each ward office is substantial and can be clearly demonstrated through activity levels there is a need to ensure we have the resources to protect the health and wellbeing of our admins who may incur negative impacts due to increased stress or burnout;

THEREFORE, BE IT RESOLVED:

That the administrative support previously allocated to old wards 7 & 8 of \$177,000 to be equally allocated across all new wards (or \$11,800 per ward), be approved.

Result: Motion CARRIED by a vote of 4 to 0, as follows:

NOT PRESENT - Vice-Chair Maureen Wilson
YES - Chair Terry Whitehead
NOT PRESENT - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

The Committee Clerk advised that there were no changes to the agenda.

(Pearson/Ferguson)

That the May 28, 2019 Agenda of the Governance Review Sub-Committee be approved, as presented.

Result: Motion CARRIED by a vote of 4 to 0, as follows:

NOT PRESENT - Vice-Chair Maureen Wilson
YES - Chair Terry Whitehead
NOT PRESENT - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES (Item 4)

(i) April 25, 2019 (Item 4.1)

(Pearson/Clark)

That the Minutes of the April 25, 2019 meeting of the Governance Review Sub-Committee be approved, as presented.

Result: Motion CARRIED by a vote of 4 to 0, as follows:

NOT PRESENT - Vice-Chair Maureen Wilson
YES - Chair Terry Whitehead
NOT PRESENT - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(d) MOTIONS (Item 11)

(i) Additional Administrative Support for Councillors' Offices (Item 11.1)

(Whitehead/Pearson)

That sub-section (a) to the motion respecting Additional Administrative Support for Councillors' Offices be amended by deleting sub-section (a) and replacing it with the following in lieu thereof:

~~(a) That an additional 0.5 FTE for administrative support at gross cost of \$339,000 (or \$22,600 per ward) starting on July 1st, 2019 and an annualized gross cost of \$678,000 (or \$45,200 per ward), be approved; and,~~

(a) *That the year-end surplus of the Ward Office Budgets within the Legislative Reserve, be split evenly among the 15 Wards and the Mayor's Office on an annual basis.*

Result: Amendment DEFEATED by a TIED vote of 2 to 2, as follows:

NOT PRESENT - Vice-Chair Maureen Wilson
YES - Chair Terry Whitehead
NOT PRESENT - Councillor Arlene VanderBeek
NO - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
NO - Councillor Brad Clark

(e) ADJOURNMENT (Item 15)

(Pearson/Clark)

That, there being no further business, the Governance Review Sub-Committee meeting be adjourned at 1:54 p.m.

CARRIED

Respectfully submitted,

Councillor T. Whitehead, Chair
Governance Review Sub-Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk

Form: Request to Speak to Committee of Council

Submitted on Friday, October 25, 2019 - 12:09 pm

==Committee Requested==

Committee: Advisory/Sub-Committee

Name of Sub-Committee: Governance Review
Sub-Committee

==Requestor Information==

Name of Individual: Cameron Kroetsch

Name of Organization:

Contact Number:

Email Address:

Mailing Address:

Reason(s) for delegation request: To speak to changes to the Procedural By-laws. I am requesting to speak at the Monday, October 28 meeting.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No



CITY OF HAMILTON
Corporate Services Department
Clerk's Office and Legal Services

TO:	Governance Review Sub Committee
COMMITTEE DATE:	October 28, 2019
SUBJECT/REPORT NO:	2019 Review of the City's Procedural By-law 18-270 CL19010/LS19041 (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Janet Pilon Ext. 4304
SUBMITTED BY:	Andrea Holland City Clerk Office of the City Clerk Nicole Auty, City Solicitor Legal Services
SIGNATURES:	

RECOMMENDATION

- (a) That the Summary of the Proposed Revisions, as detailed in Appendix 'B' attached to Report CL19010/LS19041, be approved; and,
- (b) That a by-law to Amend By-law No. 18-270, the Council Procedural By-law substantially in the form attached as Appendix 'A' to Report CL19010/LS19041, be enacted by Council.

EXECUTIVE SUMMARY

The Governance Review Sub Committee at their meeting of March 25, 2019, directed staff to perform a review of the By-law to Govern the Proceedings of Council and Committees of Council on annual basis and to also consider Mr. Kroetsch's suggested amendments presented at that same meeting, during the review.

Mr. Kroetsch's Suggestions:

Staff have considered and **responded** to Mr. Kroetsch's *suggestions* from March 25, 2019, as follows:

- (a) *Easy Access to Public Votes*
 - (i) *Now that we have a process for electronic voting in place we need a corresponding*

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process to ensure that it's easy for the public to review and see the results of these votes.

- (ii) The current process buries these votes in reports or minutes, which makes it hard for Councillors and the public (some Councillors have commented on this publicly) to access them easily.*

At this time electronic vote results can be found in the minutes of a meeting held in the Council Chamber. The result of the votes are listed immediately following the item under consideration and states whether the motion was CARRIED or DEFEATED.

(b) Grouping Requests

- (i) There's a way, often, to group requests to save a bit of time during meetings.*
(ii) A good example of this is how delegation requests are dealt with; Council or Committee could put forward 1 motion to approve all delegation requests; if someone did not want to approve a particular request, that request could be taken out from the group for separate discussion (an exception).

At this time most of the City's Committees use this manner of considering a number of items at one time.

(c) Breaks & Adjournments

- (i) It's often the case that breaks and adjournments can improve the flow of meetings and aid in decision-making; long meetings are hard on everyone.*
(ii) Including language around breaks and meeting time maximums (for length/duration) would help everyone to better manage their time and give the proper energy and attention to decisions (long meetings can erode this)

This was considered as part of the 2018 review of the Procedural By-law and it was determined that Councillors take breaks as needed and are mindful of quorum.

(d) Copyediting & Tracking

- (i) There are always a number of small copyediting changes that need to be made during every term; things that may not have been caught.*
(ii) We need time to develop a process for all changes to be tracked; I know Councillor VanderBeek & Partridge, in the last term, expressed some desire for there to be a clearer way to see changes made to the bylaw.

In the case of amendments made to the By-Law to Govern the Proceedings of Council and Committees of Council (Procedural By-law):

- **amendments enacted during the current term of Council are documented in a Consolidated version of the by-law, located on the web:**

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CONSOLIDATED BY-LAW NO. 18-270

Incorporating amendments made by:

<u>By-law Number</u>	<u>Effective Date</u>
19-090	May 9, 2019

Amended Section 5.2 - Appointment of Standing Committee Chairs and Vice Chairs to provide for the appointment of a Vice-Chair for the Board of Health, as follows:

- (1) The Board of Health shall recommend to Council the appointment of a Vice-Chair for the required term.

19-212	September 11, 2019
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Deleted and replaced Appendix F1 - Office of the City Auditor Charter.

The amending by-laws are available online for reference purposes.

Staff prior to the beginning of a new Term of Council, prepares a report that repeals and replaces the current by-law, with an Appendix that lists the proposed amendments to current by-law for Council's consideration.

Proposed Amendments:

The Ombudsman of Ontario in the Final Report respecting Closed meetings on February 9 and 23, 2019, recommended that the City's Procedural By-law be updated to include a provision for notice of all Committee meetings, in addition to those of its Standing Committees, staff are therefore, recommending that the following section be included to address the Ombudsman's recommendation:

5.17 Change to a Scheduled Committee Meeting

- (1) The Clerk may change the time or location of a Committee meeting in consultation with the Committee Chair or the Committee Vice Chair in the Committee Chair's absence.
- (2) The Clerk shall give each Member of the Committee, or their designated staff, notice of the change to the Committee meeting at least two business days prior to the time appointed for such meeting by:
 - (a) delivering a written notice personally;
 - (b) delivering such notice at their residence or place of business; or

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- (c) facsimile transmission or electronic mail to such residence or place of business.
- (3) The written notice to be given under subsection 5.17(2) shall state the reason for the change to the meeting.
- (4) The Clerk shall ensure that the change to the Committee meeting is posted to the Committee and Council Meeting Calendar on the City's website at www.hamilton.ca.

Staff have also noted occurrences where the Procedural By-law was lacking in clarity; was silent; conflicted with other sections of the by-law; required revisions, etc., and are recommending the amendments to By-law 18-270, which are listed in Appendix 'B' to this report.

FINANCIAL – STAFFING – LEGAL IMPLICATIONS (for recommendation(s) only)

Financial: There are no financial implications.

Staffing: There are no staffing implications.

Legal: Section 238(2) of the *Municipal Act*, 2001, provides that every municipality shall pass a procedure by-law for governing the calling, place and proceedings of meetings.

HISTORICAL BACKGROUND (Chronology of events)

On September 12, 2018, Council enacted By-law No. 18-270, a By-law to Govern the Proceedings of Council and Committees of Council (the Procedural By-law), which was amended by By-law 19-090 on May 9, 2019 and by By-law 19-212 on September 11, 2019.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Section 238(2) of the *Municipal Act*, 2001, provides that every municipality shall pass a procedure by-law for governing the calling, place and proceedings of meetings.

RELEVANT CONSULTATION

Clerks and Legal Services staff worked together in reviewing the suggestions brought forward by Mr. Kroetsch along with the notes respecting occurrences where the Procedural By-law was lacking in clarity; was silent; conflicted with other sections of the by-law; required revisions, etc., and revisions to the procedural by-law have been prepared to address those issues and changes to the *Municipal Act* since By-law 18-270, as amended, was enacted.

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ANALYSIS AND RATIONALE FOR RECOMMENDATION**(Include Performance Measurement/Benchmarking Data if applicable)**

The City's current Procedural By-law (By-law 18-270), as approved by Council in 2018 and amended in 2019, required revisions in order to address areas of the By-law that required clarity and updating.

A summary of the proposed amendments has been included as Appendix 'B' to Report CL19010/LS19041.

ALTERNATIVES FOR CONSIDERATION**(Include Financial, Staffing, Legal and Policy Implications and Pros and Cons for each alternative)**

None.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**Community Engagement & Participation**

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix 'A' – Draft By-law To Amend By-law No. 18-270, the Council Procedural By-law

Appendix 'B' – Summary of the Proposed Revisions

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Revised Appendix A to Report CL19010/LS19041

Authority: Item __, Audit, Finance &
Administration Committee
TBD
CM: TBD
Ward: City Wide

Bill No. ____

CITY OF HAMILTON

BY-LAW NO. 19-____

To Amend By-law No. 18-270, the Council Procedural By-law

WHEREAS Council enacted a Council Procedural By-law being City of Hamilton By-law No. 18-270;

AND WHEREAS it is necessary to amend By-law 18-270.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That By-law No. 18-270, be amended:
 - (i) to replace Healthy and Safe Communities Committee with Emergency and Community Services Committee;
 - (ii) to amend the instances where acronyms have been used, in order to fully describe the meaning of acronyms being referred to throughout the by-law;
 - (iii) to replace the term “48 hours” and “2/two business days” with “2 days”;
 - (iv) to add the definition of “Time Sensitive”;
 - (v) to add the definition of “Public Hearing”;
 - (vi) to expand upon the definition of “Motion”;
 - (vii) to expand upon the definition of “Notice of Motion”;
 - (viii) to amend the definition of “Senior Leadership Team”;
 - (ix) to add subsection (4) to section 3.10 – Communication Items, to address the instance when a communication item is not relevant to a matter that appears on an agenda;
 - (x) to add subsection (8)(l) to section 3.12 – Rules of Debate, to include “a motion to lift”;
 - (xi) to amend subsection (3) of section 3.13 – Voting Procedures to remove “move into Closed Session” to change the votes to move into Closed Session to be by electronic vote;
 - (xii) to add subsections (6) and (7) to section 3.13 – Voting Procedures to address the procedure to be followed when a member advises the Chair of a point of privilege with respect to the taking of an electronic vote;
 - (xiii) to add subsections 4.2 and 4.3 to include a procedure for lifting an information item from a Committee Report;
 - (xiv) to add subsection (5) to section 5.2 - Appointment of Standing Committee Chairs and Vice Chairs to address the possible reappointment of the Chair or Vice-Chair of a Sub-Committee or an

To Amend By-law No. 18-270, the Council Procedural By-law

Page 2 of 2

- Advisory Committee or Task Force for more than one year in a Council term;
- (xv) to amend the times of the Board of Health and Public Works Committee meetings to: Board of Health at 9:30 a.m. and Public Works Committee at 1:30 p.m.;
 - (xvi) to add section 5.10 (ii) to provide the Clerk with the ability to adjust the general Order of Business for regular Standing Committee meetings when it is deemed necessary;
 - (xvii) to amend section 5.11 - Delegations to remove any requirements pursuant to legislation as it applies to the holding of Public Hearings;
 - (xviii) to delete and replace section 5.12 - Public Hearings to address the City's requirements for holding Public Hearings pursuant to legislation;
 - (xix) to add subsection (5) to section 5.13 – Communication Items, to address the instance when a communication item is not relevant to a matter that appears on an agenda;
 - (xx) to add section 5.17 - Change to a Scheduled Committee Meeting, to address the Ombudsman of Ontario recommendation to include a provision for notice of all Committee meetings;
 - (xxi) to add "Climate Change" to the MANDATE of the General Issues Committee;
 - (xxii) to delete the reference to MPMP (Municipal Performance Measurement Program);
 - (xxiii) to expand upon the reference to OMBI, to: Ontario Municipal Benchmarking Initiative (OMBI); to expand upon the reference to GRIDS;
 - (xxiv) to replace the reference to the Ontario Municipal Board to the Local Planning Appeal Tribunal (LPAT); and
 - (xxv) **to add "to hold hearings on complaints made pursuant to Section 20 of the Development Charges Act, 1997" to the MANDATE of the Audit, Finance & Administration Committee.**

2 This By-law comes into force on the day it is passed.

PASSED this _____ day of _____, 2019.

F. Eisenberger
Mayor

A. Holland
City Clerk

Revised Appendix B to Report CL19010/LS19041

Summary of the Proposed Revisions

Throughout the by-law:

- Healthy and Safe Communities Committee has been replaced with **Emergency and Community Services Committee**;
- Acronyms have been expanded upon to fully describe their meaning (i.e. OMBI, is now expanded upon when first referred to in the by-law, as follows: Ontario Municipal Benchmarking Initiative (OMBI);
- “48 hours” and “2/two business days” has been replaced with “**2 days**”.

Section 1 – Definitions:

- Added “Time Sensitive”, in order to define the term when it appears in the by-law:

“Time Sensitive” means useful for a specific amount of time only or has to be used or completed by a specific time.

- Added “Public Hearing”, as it applies to a meeting or a portion of a meeting held pursuant to the requirements of a statute, regulation or by-law:

“Public Hearing” means a Meeting or portion of a Meeting held pursuant to the requirements of a statute, regulation or by-law to hold a public meeting to hear representations on a matter from any person who attends the public meeting.

- The definition of “Motion” has been expanded upon to state that a motion is included in the published agenda:

“Motion” means a proposal by a member for the consideration of Council or a Committee **included in the published agenda** that is moved by a member and seconded by another member.

- Amended the definition of “Senior Leadership Team”, as follows:

“Senior Leadership Team” means the City Manager and General Managers appointed by Council and **anyone designated by the City Manager**.

- The definition of “Notice of Motion” has been expanded upon to state that it is a motion that may be included in the published agenda or in the addendum:

“Notice of Motion” means advanced, written notice, given by a member and received by the Clerk, advising Council or Committee that a Motion will

Revised Appendix B to Report CL19010/LS19041

be brought forward at a future Meeting of Council or Committee, that may be included in the published agenda or in the addendum.

Section 3 – Council Meetings**3.10 Communication Items**

- Added subsection (4) to address the instance when a Communication Item is not relevant to a matter that appears on an agenda:

(4) If the Communication Item is not relevant to a matter that appears on the Council Agenda for that meeting, and is not received for inclusion in the Agenda package, it may be included in a future agenda.

3.12 Rules of Debate

- Added subsection (8)(l) to include “a motion to lift”:

(8) The following matters may be introduced orally without written notice and without leave:

- (a) a point of order
- (b) a point of privilege
- (c) a motion to adjourn
- (d) a motion to call the question
- (e) a motion to go into committee of the whole
- (f) a motion to recess
- (g) a motion to refer
- (h) a motion to defer
- (j) a motion to go into a closed meeting
- (k) a motion to suspend the rules of procedure
- (l) a motion to lift

3.13 Voting Procedures

- amendment to subsection (3) to remove “move into Closed Session” to change the votes to move into Closed Session to be by electronic votes:

(3) When an electronic voting system is available every Member of Council or Committee present and participating in a vote on a motion, excluding those motions referred to in (i) and (ii) below, shall vote electronically:

Revised Appendix B to Report CL19010/LS19041

- (i) procedural (majority vote: refer, defer, withdraw, recess, call the question; ~~move into Closed Session~~ and adjourn); and
 - (ii) Consent Items.
- subsections (6) and (7) have been included to address the procedure to be followed when a member advises the Chair of a point of privilege with respect to the taking of an electronic vote:

(6) When an electronic vote is taken and a member advises the Chair of a point of privilege immediately following and prior to the taking of another vote, with respect to their vote being omitted or in error, the vote will be considered void and a new electronic vote will be retaken immediately.

(7) When an electronic vote is taken and a member advises the Chair of a point of privilege following the taking of another vote, with respect to their vote being omitted or in error, the member's request will be considered through a vote to reconsider the matter:

- (i) If a two-thirds majority vote to reconsider is decided in the affirmative, the electronic vote will be retaken immediately;
- (ii) If a two-thirds majority vote to reconsider is decided in the negative, the original electronic vote stands.

Section 4 - Committee of the Whole

- 4.2** During the consideration of Standing Committee Reports and Selection Committee Reports, a member may lift an item from the Information Section with the approval of a majority of the members present, for the matter:
- (a) to be voted upon by Council; or
 - (b) to be debated and/or amended by Council.
- 4.3** An information item that is lifted from a Standing Committee Report or a Selection Committee Report and amended, will be given an item number and added to the appropriate section of the Standing Committee Report or Selection Committee Report.

Section 5 – Standing Committee Meetings

5.2 - Appointment of Standing Committee Chairs and Vice Chairs

- Addition of subsection (5) to address the possible reappointment of the Chair or Vice-Chair of a Sub-Committee or an Advisory Committee or Task Force for more than one year in a Council term, as they may only meet a few times per term or there may not be sufficient interest from the other members of the Committee:

Revised Appendix B to Report CL19010/LS19041

- (5) Despite subsection 5.2 (1)(b) the Chair or Vice-Chair of a Subcommittee or an Advisory Committee or Task Force established by Council may serve for more than one year in a Council term.

5.5 - Standing Committee Meeting Times

- Switching the times of the Board of Health and Public Works Committee meetings will provide Councillors with time between meetings:
 - (1) Unless otherwise decided by Council, scheduled meetings of the Standing Committees will be as follows:
 - (a) (i) General Issues Committee shall meet at least once per month on a Wednesday commencing at 9:30 a.m.;
 - (ii) Board of Health shall meet at least once per month commencing at 9:30 a.m.;
 - (iii) Public Works Committee shall meet at least once per month commencing at 1:30 p.m.;
 - (iv) Planning Committee shall meet at least once per month on a Tuesday commencing at 9:30 a.m.;
 - (v) Audit, Finance & Administration Committee shall meet at least once per month on a Thursday commencing at 9:30 a.m.;
 - (vi) Emergency & Community Services Committee shall meet at least once per month on a Thursday commencing at 1:30 p.m.;

5.10 Order of Business

This section has been amended to add a section that would provide the Clerk with the ability to adjust the general Order of Business for the regular meetings of Standing Committees, if it was deemed necessary (i.e. Planning Committee – separating Public Hearings and Delegations, and putting Delegations first):

- (i) The general Order of Business for the regular meetings of Standing Committees, unless changed by the Standing Committee in the course of the meeting, shall be as follows:
 - (a) Ceremonial Activities
 - (b) Approval of Agenda
 - (c) Declarations of Interest
 - (d) Approval of Minutes of Previous Meeting
 - (e) Communications
 - (f) Delegation Requests

Revised Appendix B to Report CL19010/LS19041

- (g) Consent Items
- (h) Public Hearings/Delegations
- (i) Staff Presentations
- (j) Discussion Items
- (k) Motions
- (l) Notice of Motions
- (m) General Information/Other Business
- (n) Private and Confidential
- (o) Adjournment

(ii) The Clerk may prepare the Order of Business for the regular meetings of Standing Committees with slight adjustments to the general Order of Business when deemed necessary.

5.11 Delegations

This section has been amended to remove any requirements pursuant to legislation as it applies to the holding of Public Hearings:

- (1) Persons who wish to appear as a delegation to address a Standing Committee on a matter that:
 - (a) is not listed on a Standing Committee agenda, shall make a request in writing to the Clerk, the Clerk will list the delegation request on the respective Standing Committee's upcoming agenda. The requester will be notified of the date of the meeting where their delegation will be heard following Council's ratification of the Standing Committee's Report.
 - (b) is listed on the agenda for a Standing Committee meeting, shall make a request in writing to be listed as a delegation, such request to be received by the Clerk no later than 12:00 noon the business day before the meeting. If the Standing Committee is meeting on a Monday, the deadline will be 12:00 noon on the Friday.
 - ~~(c) provided that a person may attend as a delegation in the absence of a request under paragraphs (a) or (b) where prescribed by applicable legislation or allowed by the Standing Committee.~~

The "Request to Speak to a Committee of Council" form is available on the City's website at www.hamilton.ca.

- (2) A request to attend as a delegation shall include the person's name, reason(s) for the delegation, and if applicable the name, address and telephone number of any person, corporations or organizations which they represent.

Revised Appendix B to Report CL19010/LS19041

- (3) Upon receipt of a request to attend as a delegation, the Clerk shall list the delegation request on the next appropriate agenda for the relevant Standing Committee and the decision whether or not to entertain the delegation will be made by the Standing Committee.
- ~~(4) A delegation granted permission to appear before the Standing Committee is encouraged to provide the Clerk with a brief of their presentation, which in turn will be provided by the Clerk to the Members of the Standing Committee in advance of the meeting.~~
- (5) When a person is listed as a delegation on a Standing Committee agenda and such person, without notification to the Clerk, does not attend said meeting, that person must make a new request to be considered as a delegation and must re-apply in accordance with subsections 5.11(1) and 5.11(2).
- (6) A delegation, which can be made by two or more individuals, shall be limited to an oral presentation of not more than five minutes, ~~except as otherwise prescribed for at a public meeting by applicable legislation.~~
- (7) Notwithstanding subsection 5.11(6), an extension of a specific allotment of time to the five-minute speaking restriction may be granted with the approval of a majority of the members of the Committee present.
- (8) Delegations are encouraged to provide a written brief of their presentation to the Clerk, at least 5 days in advance, which will be provided to the members of the Standing Committee and become part of the public record.
- ~~(9) Notwithstanding subsection 5.11(6),~~ A delegation may provide additional written material regarding the subject matter, for the public record, by providing a copy of such written material to the Clerk at least 5 days in advance of the meeting.
- ~~(9) A delegation making a request to address a Standing Committee pursuant to their rights under applicable legislation shall be heard without a written request being received in accordance with subsections 5.11(1) and 5.11(2), if advanced notice is not required by such applicable legislation.~~
- (10) Except as required by by-law, any Delegations who have previously appeared before a particular Committee on a subject matter shall be limited to providing only new information in their second and subsequent appearances at that Committee.
- (11) Notwithstanding subsection 5.11(10), a Committee member may add the delegation on a Committee Agenda.

5.12 Public Hearings

Revised Appendix B to Report CL19010/LS19041

The entire section has been amended to address the City's requirements for holding Public Hearings pursuant to legislation:

- (1) Public Hearings shall be held at Standing Committee meetings.
- (2) Advertising or notice of a Public Hearing shall be undertaken as required by applicable legislation, by-law, or according to City policy, to advise interested persons.
- (3) Public Hearings shall commence with:
 - (a) an introduction of the subject matter by the Chair or by staff;
 - (b) the staff presentation, if any and if not waived by the members of the Standing Committee;
 - (c) the signing in of all delegations on a sheet, provided by staff, with their name, address, including postal code, phone number and e-mail address (optional).
- (4) Persons who wish to appear as a delegation to address Standing Committee on a matter that is the subject of a Public Hearing may make a delegation in accordance with section 5.11.
- (5) Notwithstanding subsection (4), Standing Committee shall hear oral representations from any person in attendance at a Public Hearing, whether or not a request was made in advance.
- (6) There is no limitation to the length of oral representations made at a Public Hearing, except that the Chair may encourage the delegation to conclude where the representations are irrelevant or repetitive.
- (7) Where a delegation wishes to provide written material to the members of the Standing Committee at a Public Hearing, which will become public record, the delegation shall:
 - (a) comply with subsection 5.11(9); or
 - (b) provide 25 copies of the written material to the Clerk at the meeting for distribution at the meeting, with the exception of the General Issues Committee, which requires 45 copies.

5.13 Communication Items

- Added subsection (5) to address the instance when a Communication Item is not relevant to a matter that appears on an agenda:

Revised Appendix B to Report CL19010/LS19041

- (5) If the Communication Item is not relevant to a matter that appears on the Standing Committee Agenda for that meeting, and is not received for inclusion in the Agenda package, it may be included in a future agenda.

The Ombudsman of Ontario in the Final Report respecting Closed meetings on February 9 and 23, 2019, recommended that the City's Procedural By-law be updated to include a provision for notice of all Committee meetings, in addition to those of its Standing Committees, staff are therefore, recommending that the following section be included to address the Ombudsman's recommendation:

5.17 Change to a Scheduled Committee Meeting

- (1) The Clerk may change the time or location of a Committee meeting in consultation with the Committee Chair or the Committee Vice Chair in the Committee Chair's absence.
- (2) The Clerk shall give each Member of the Committee, or their designated staff, notice of the change to the Committee meeting at least 2 days prior to the time appointed for such meeting by:
 - (a) delivering a written notice personally;
 - (b) delivering such notice at their residence or place of business; or
 - (c) facsimile transmission or electronic mail to such residence or place of business.
- (3) The written notice to be given under subsection 5.17(2) shall state the reason for the change to the meeting.
- (4) The Clerk shall ensure that the change to the Committee meeting is posted to the Committee and Council Meeting Calendar on the City's website at www.hamilton.ca.

Appendices

Appendix A - GENERAL ISSUES COMMITTEE

- Added "Climate Change" to the MANDATE of the General Issues Committee;
- The reference to MPMP (Municipal Performance Measurement Program) has been removed as it was discontinued effective the 2014 reporting year;
- The reference to OMBI, has been expanded upon: Ontario Municipal Benchmarking Initiative (OMBI); and

Revised Appendix B to Report CL19010/LS19041

- The reference to G.R.I.D.S. was expanded upon and changed to the manner in which it is currently being referred to as GRIDS:

MANDATE

General:

To report and make recommendations to Council on matters relating to:

- MPMP, Ontario Municipal Benchmarking Initiative (OMBI)
- Growth Related Integrated Development Strategy (GRIDS)
- Climate Change

Specific duties shall include:

- To consider and recommend to Council on matters relating to GRIDS

Appendix D - PLANNING COMMITTEE

- Local Planning Appeal Tribunal (LPAT) has replaced Ontario Municipal Board:

Specific duties shall include:

- To advise and assist Council in any matters arising from the work of the Committee of Adjustment in considering applications for consent and minor variance under the *Planning Act*, including possible City participation at any Local Planning Appeal Tribunal (LPAT) Hearings to consider the appeal of Committee of Adjustment decisions

Revision:

Appendix F – AUDIT, FINANCE & ADMINISTRATION COMMITTEE

Council at their meeting of October 23, 2019, delegated its authority to hold any further hearings; pursuant to any other complaints made pursuant to Section 20 of the *Development Charges Act, 1997*; to the Audit, Finance & Administration Committee:

Revised Appendix B to Report CL19010/LS19041

- Added “to hold hearings on complaints made pursuant to Section 20 of the *Development Charges Act, 1997*” to the MANDATE of the Audit, Finance & Administration Committee;



CITY OF HAMILTON
CORPORATE SERVICES DEPARTMENT
City Clerk's Office

TO:	Governance Review Sub-Committee
COMMITTEE DATE:	November 26, 2019
SUBJECT/REPORT NO:	Civil Marriage Solemnization (CL19012) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Janet Pilon (905) 546-2424 Ext. 4304
SUBMITTED BY:	Andrea Holland City Clerk Office of the City Clerk
SIGNATURE:	

RECOMMENDATION(S)

- (a) That the City of Hamilton provide Civil Marriage Solemnization services as of February 1, 2020;
- (b) That the Proposed 2020 User Fees and Charges respecting Civil Marriage Ceremony services attached as Appendix 'C' to Report CL19012, be approved, and included in Schedule 'A' of the By-law to Establish Certain 2020 User Fees and Charges for Services, Activities or the Use of Property; and
- (c) That a By-law to Authorize Civil Marriage Solemnization Services and To Delegate the Authority to Solemnize Marriages in the City of Hamilton attached as Appendix 'A' to Report CL19012, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.

EXECUTIVE SUMMARY

In 2004, *Ontario Regulation 285/04* amended the *Marriage Act, R.S.O. 1990, c. M.3*, to authorize the clerk of a local municipality to solemnize marriages under the authority of a licence. The legislation is discretionary, and municipalities can choose whether or not to offer this service.

Currently, there are a considerable number of municipalities in the Province of Ontario providing Civil Marriage Solemnization services onsite (within their town/city halls) and

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SUBJECT: Civil Marriage Solemnization (CL19012) (City Wide) - Page 2 of 6

offsite (halls, restaurants, homes, etc.) during regular business hours and outside of regular business hours.

Staff are recommending that the Civil Marriage Solemnization services be offered at the City of Hamilton at City Hall during regular business hours, in order to provide a service that has been requested by a large number of citizens over the past several years, as well as a new revenue source for the Clerk's Office.

Staff will initiate the monitoring of requests received for Civil Marriage Solemnization services offsite and outside of regular business hours, and staff will report back to the Governance Review Sub-Committee with further recommendations, if it is deemed necessary to expand the service.

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial:

Revenue: Fees and Charges

In determining the fee, staff reviewed the fees of neighbouring municipalities (attached as Appendix 'B'), and determined that the average charge was \$339.00 (includes HST) with additional charges for the facility, travel, witnesses, and a cancellation fee.

Civil Marriage Ceremony

\$339.00 (includes HST) held at City Hall or Meeting Room 830 during regular business hours and subject to availability, a cancellation fee would apply in the amount of \$113.00 (includes HST).

Civil Marriage Ceremony – Renewal of Vows

\$56.50 (includes HST) held at City Hall or Meeting Room 830 during regular business hours and subject to availability, a cancellation fee would apply in the amount of \$28.25 (includes HST).

Civil Marriage Ceremony - Witness Fee

\$28.25 (includes HST) per witness.

Staffing:

Civil Marriage Solemnization services will be managed through the Legislative Services Division of the Clerk's Office and by offering the service onsite and within regular business hours, there will be no overtime costs incurred.

The City Clerk will delegate the authority to solemnize marriages in the City of Hamilton, to individuals who are City of Hamilton staff in writing with the ability to revoke the delegation(s) in the same manner (Appendix 'A'). Any requests for offsite services in the first year will be evaluated on a case by case basis.

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SUBJECT: Civil Marriage Solemnization (CL19012) (City Wide) - Page 3 of 6

Legal:

There are legal requirements that must be met before the ceremony takes place and in addition couples must attend a consultation meeting with the Officiant prior to the marriage ceremony. The consultation meeting appointment will be mandatory and takes place at City Hall. Couples will need to make sure that they meet all of the requirements for a civil marriage and provide the following at the consultation meeting:

- A valid Province of Ontario marriage licence. Marriage Licences can be obtained at Hamilton City Hall and the Municipal Service Centres, information can be found on the City's website at: [//www.hamilton.ca/life-events/marriage-licences/marriage-licence-certificates](http://www.hamilton.ca/life-events/marriage-licences/marriage-licence-certificates) to find more information on obtaining a marriage licence.
- The names and addresses of two (2) witnesses and confirmation that they will be present at the ceremony or the City can provide witnesses for a fee.
- Identification – couples must present a valid piece of government-issued photo identification for each applicant. Parental consent is required for persons who are 16 or 17 years of age.
- A completed Civil Marriage Ceremony Questionnaire (Appendix 'D').
- Language Interpreter – couples are responsible for bringing a language interpreter, and the cost is borne by the applicants. The interpreter cannot act as one of the witnesses and is required to complete and sign the Interpreter Certificate (Appendix 'E'), confirming that they have interpreted the marriage ceremony.

The City Clerk and/or designate will ensure that the mandatory declarations, as noted in **bold** font in the example of a Civil Ceremony Option attached as Appendix 'F' are declared without exception.

The City Clerk and/or designate will not solemnize a marriage of any person and deem it ineligible if:

- One or both parties are under physical or mental duress;
- As per the *Marriage Act, R.S.O. 1990, c. M.3*, "No person shall issue a licence to or solemnize the marriage of any person who, based on what he or she knows or has reasonable grounds to believe, lacks mental capacity to marry by reason of being under the influence of intoxicating liquor or drugs or for any other reason".

HISTORICAL BACKGROUND

Over the last 5 years the City of Hamilton has issued an average of 2211 marriage licences annually, with an interest from approximately 45% of the applicants of the licences issued, for a civil marriage ceremony at City Hall. When informed that the City

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SUBJECT: Civil Marriage Solemnization (CL19012) (City Wide) - Page 4 of 6

does not provide this service, they were advised to refer to the Provincial website for a list of authorized officiants.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

As previously noted, *Ontario Regulation 285/04*, provides the Clerk or designate of a local municipality with the authority to solemnize marriages under the authority of a licence.

As per Section 10 (1) of the *Municipal Act, 2001*, as amended, a single-tier municipality may provide any service that the municipality considers necessary or desirable for the public.

As per Section 228 (4) of the *Municipal Act, 2001*, as amended, the clerk may delegate in writing to any person, other than a member of Council, any of the clerk's power and duties under this and any other Act.

A marriage ceremony requires two (2) witnesses, the minimum age of a witness, although there isn't a minimum age requirement, will be set at fourteen (14) years of age, as the witnesses should be able to understand and appreciate the ceremony which is taking place and be able to give evidence of such at a later date, if required.

There are instances where an interpreter is required, if the applicants do not speak English or if they require language assistance, in those instances, it is the couples responsibility to provide for an interpreter who cannot act as one of the witnesses and is required to complete and sign the Interpreter Certificate (Appendix 'E'), confirming that they have interpreted the marriage ceremony.

RELEVANT CONSULTATION

Other municipalities were contacted and staff have determined from those conversations and based on the requests the City has received, the City should consider providing the Civil Marriage Solemnization service.

While most municipalities who provide Civil Marriage Solemnization service provide the service onsite and offsite and during regular business hours and outside of business hours, staff felt it would be prudent to begin providing the service onsite and during regular business hours with a provision to examine the possibility of expanding the service to offsite and outside of regular business hours in the future.

Staff also obtained a wide variety of information from a number of municipal websites (Appendix 'B') in order to establish the City's process, fees & charges, the location, ceremony schedule.

Overall municipalities were consistent in ensuring there was a consultation meeting prior to the ceremony with the Officiant, that requires the completion of a Civil Marriage

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SUBJECT: Civil Marriage Solemnization (CL19012) (City Wide) - Page 5 of 6

Ceremony Questionnaire (Appendix 'D') to assist the Officiants in providing high quality service and in order to ensure that the couple have met all of the requirements.

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)

Staff are recommending that the Civil Marriage Solemnization services be offered at the City of Hamilton, in order to provide a service that has been requested by a high number of citizens over the past several years, as well as a new revenue source for the Clerk's Office.

ALTERNATIVES FOR CONSIDERATION

Staff are recommending the provision of the Civil Marriage Solemnization services at City Hall and within regular business hours, with the requests being monitored to determine whether there would be a need to expand the service to offsite locations and outside of business hours in the future.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix 'A' – Draft By-law To Authorize Civil Marriage Solemnization Services and To Delegate the Authority to Solemnize Marriages in the City of Hamilton

Appendix 'B' - Civil Marriage Solemnization at Neighbouring Municipalities

Appendix 'C' – Proposed 2020 User Fees and Charges

Appendix 'D' – Civil Marriage Ceremony Questionnaire

Appendix 'E' - Interpreter Certificate

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SUBJECT: Civil Marriage Solemnization (CL19012) (City Wide) - Page 6 of 6

Appendix 'F' – Example of a Civil Marriage Ceremony Option

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Authority: Item TBD, Audit, Finance &
Administration Committee Report 19-
TBD (CL19012)
CM: TBD
Ward: City Wide

Bill No. TBD

CITY OF HAMILTON

BY-LAW NO. 19-

To Authorize Civil Marriage Solemnization Services and To Delegate the Authority to Solemnize Marriages in the City of Hamilton

WHEREAS on September 24, 2004, the Minister of Consumer and Business Services announced that changes to the regulations under the *Marriage Act* through *Ontario Regulation 285/04* authorizing clerks of “local municipalities to perform civil marriages;

WHEREAS through the passage of an appropriate resolution or by-law “local municipalities” have the option to offer civil marriages as a municipal service if they so choose and to set fees to recover the cost of providing this service;

WHEREAS municipal clerks may delegate their authority to solemnize marriages pursuant to Section 224 (4) of the *Municipal Act* which states that the clerk may delegate in writing to any person, other than a member of council, any of the clerk’s powers and duties under this and any other Act:

WHEREAS pursuant to *Regulation 285/04* made under the *Marriage Act* now designates Municipal Clerks as a class of persons authorized to solemnize marriages in Ontario and pursuant to Regulation 738 subsection 24 (1) Regulation of the Revised Regulations of Ontario, 1990 as amended states that for the purposes of subsection 24 (1) of the Act, the clerk of a local municipality is authorized to solemnize marriages under the authority of a Marriage Licence;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. THAT civil marriage solemnization service be implemented in the City of Hamilton.
2. THAT Council recognizes that the City Clerk is authorized to solemnize civil marriages in the City of Hamilton as set out in *Ontario Regulation 285/04* and the *Marriage Act, R.S.O. 1990, Chapter M3*, as amended.
3. THAT should the City Clerk delegate their authority, to City of Hamilton staff, that it be done in writing.
4. THAT the Clerk may revoke such delegation(s) by providing a notice in writing, no less than fourteen (14) days prior to the termination of the designation.

5. That this by-law shall come into force on January 1, 2020.

PASSED this _____ day of _____, 2019.

F. Eisenberger
Mayor

A. Holland
City Clerk

Civil Marriage Solemnization at Neighbouring Municipalities

City of Burlington – Does not provide this service

Haldimand County

\$291.25 (plus HST) for ceremonies held at their Central Administration Building or Haldimand County Museum and Archives, Monday to Friday 9:00 a.m. to 3:30 p.m.

A consultation session must take place prior to the ceremony with both applicants in attendance, bringing with them, the valid Marriage Licence and payment for the ceremony.

Witnesses – two witnesses are required, being over the age of 14, with the ability to understand and appreciate what is taking place and have the ability to give evidence of such at a later date. If the applicants are unable to provide witnesses, the Council will provide Municipal staff to act in this capacity.

Town of Oakville

\$339.00 (includes applicable taxes) (which includes a \$113 non-refundable cancellation fee) with travel fees of \$28.25 (includes applicable taxes) within Oakville and \$56.50 (includes applicable taxes) outside of Oakville. There are also fees for using the Town's facilities: Town Hall Meeting Room - \$118.65 (includes applicable taxes) – Thursdays and Fridays, noon to 7 p.m. and \$237.30 (includes applicable taxes) – Second Saturday of each month, noon to 7 p.m.

Consultations are held Thursdays and Fridays. The applicants are required to meet with the officiant at least one day prior to the marriage ceremony (mandatory requirement) at the Town Hall. To book a civil marriage ceremony, the applicants is to bring with them to Town Hall, the valid marriage licence, their availability for the consultation; preferred time, date and location for the marriage ceremony; payment for the bookings.

Applicants are required to bring with the following to the Consultation: valid marriage licence; the completed civil ceremony questionnaire; receipt of payment for the civil ceremony; one piece of current, valid photo identification for each person; written copies of any personal vows or use the available vows on the Town's website.

They also stipulate that there to be no bubbles, candles, confetti, decorations or incense permitted in or around the Town Hall; and seating is not available.

Town of Lincoln

\$300.00 (HST included) for the civil ceremony (deposit of \$150.00); \$25.00 (HST included) for a witness; and \$50.00 (including HST) for the renewal of vows.

This was just approved by the Town of Lincoln's Council (September 23, 2019) no further details on their website.

Town of Grimsby – Does not provide this service

Town of Milton – Does not provide this service

City of Niagara Falls

Just recently received approval to perform Civil Marriage Solemnizations, the particulars as well as the fees have not been set at this time.

Town of Halton Hills – Does not provide this service

City of St. Catharines

\$316.45 (including HST) for a civil ceremony at City Hall and \$342.90 (including HST) after hours/off site with a cancellation fee of \$52.75.

They also stipulate that there are to be no bubbles, confetti, rice, etc. permitted.

City of Mississauga

\$260.00 + \$33.80 (HST) = \$293.80, \$100 administration fee is retained by the City should the scheduled ceremony be cancelled after the consultation.

The booking of the venue (Civic Centre Chapel or the Queen Elizabeth II Jubilee Rose Garden) for the civil ceremony is the responsibility of the applicants, the applicants are then required to have a copy of their booking invoice with them on the day of their ceremony.

They require 2 witnesses, they have a suggested age of 14 (as there isn't a minimum age requirement) in order for the witnesses to be able to understand and appreciate the ceremony which is taking place and be able to give evidence of such at a later date, if required.

A mandatory consultation with both applicants in attendance with the officiant should be scheduled at least three (3) days prior to the day of the ceremony, full payment is required at that time. The applicants should also bring the receipt of payment for the ceremony location; photo identification; a valid marriage licence, as well as a completed Marriage Ceremony Questionnaire and written vows.

Applicants are also advised that they should be wearing the proper attire for the occasion, that alcohol or stimulants are not be used by the applicants or their witnesses prior to or during the Marriage ceremony (the Officiant may cancel the ceremony if they believe the applicants or the witnesses have used alcohol or stimulants).

They also stipulate that there to be no bubbles, candles, confetti, decorations or incense permitted in or around the Town Hall; and seating is not available.

City of Welland

\$325.00 (including HST) in the City of Welland's Council Chamber; or \$250.00 (including HST) at an offsite location. The City requires that an Administration Fee of \$100.00 is paid to reserve the date of after business hours ceremonies, which is non-refundable, if the ceremony is cancelled less than 30 days from the date of the ceremony.

Ceremonies are available Monday to Friday from 8:30 a.m. to 4:30 p.m. They offer same day service, they do however, suggest that the applicants prearrange their date in order to personalize their ceremony.

After hours onsite and offsite locations are to be scheduled prior to the ceremony.

PROPOSED 2020 USER FEES AND CHARGES

Department: Corporate Services

Division: City Clerk's

Service or Activity Provided or Use of City Property	Fee
Civil Marriage Ceremony – City Hall (HST = \$39.00)	\$339.00
Civil Marriage Ceremony – Cancellation Fee (HST = \$13.00)	\$113.00
Renewal of Vows – City Hall (HST = \$6.50)	\$ 56.50
Renewal of Vows – Cancellation Fee (HST = \$3.25)	\$ 28.25
Civil Marriage Ceremony - Witness Fee (HST = \$3.25)	\$ 28.25

*** Note: Fees include HST.**

CITY OF HAMILTON CIVIL MARRIAGE CEREMONY QUESTIONNAIRE

Please complete the following information prior to attending the Consultation.
(PLEASE PRINT in block or capital letters)

1. MARRIAGE LICENCE: *Marriage Licences are valid for 90 days only.*

Licence Number: _____ Date Issued: _____

2. APPLICANTS: *Please bring Photo I.D. to the Consultation*

Applicant:

Name: _____

Photo I.D.: _____

Occupation: _____

Joint Applicant:

Name: _____

Photo I.D.: _____

Occupation: _____

3. WITNESSES: *(Witnesses to the marriage must be able to communicate in English and must be 14 years of age or older)*

Witness 1:

Name: _____

Full Address: _____

Witness 2:

Name: _____

Full Address: _____

5. CEREMONY DETAILS:

Date:_____ Time:_____ a.m. or p.m. Receipt #:_____

Location of Ceremony: Council Chamber or Meeting Room 830 (Please circle)

(Please note: Council Chamber can accommodate 191 people and Meeting Room 830 can accommodate 16 people)

Number of Guests:_____ Ceremony Option #:_____

Will there be personalized vows? Yes or No (if you answered 'Yes', please bring a copy of the vows to the Consultation meeting)

Would you like to acknowledge any family members? Yes or No, if yes, please provide their names:

Will anyone be giving away the applicant(s)? Yes or No (Please circle)

If you answered 'Yes', Name(s):_____

Will rings be exchanged? Yes or No (Please circle)

Will there be an exchange of embrace? Yes or No (Please circle)

Will there be photographs taken during the ceremony? Yes or No (Please circle)

Additional Comments/Details:_____

5. CITY OF HAMILTON POLICY REVIEW:

Please check (√) that you have reviewed and will comply with the following:

- No alcohol is permitted on City of Hamilton property.
- No consumption of alcohol or stimulants shall be permitted prior to or during the ceremony for the applicants and witnesses. (the Officiant may cancel the ceremony if this rule is violated)
- No music or flowers will be provided by the City during the ceremony.
- No religious connotation shall be contained in the ceremony.

- No decorations or confetti, bubbles, rice, candles or incense are allowed in or outside of City Hall.**

Personal Information contained on this form, is collected under the authority of Section 24 of the Marriage Act, R.S.O.1990, Chapter M3 and will be used for the purpose of performing a civil marriage ceremony. Questions regarding this collection should be directed to the Manager, Legislative Services/Deputy Clerk, 71 Main Street West, Hamilton, ON L8P 4Y5 or (905) 546-2424 Ext. 4304

CITY OF HAMILTON

INTERPRETER CERTIFICATE

I, _____, of the
(Interpreter's Name)

_____ certify
(City where the Interpreter resides)

that on the _____ day of _____, 20_____, at

the City of Hamilton, I faithfully performed the services of an Interpreter

from English language into _____ (and from
(Language)

_____ back in to the English language) in or in
(Language)

connection with a Civil Marriage Ceremony solemnized between:

_____ and
(Name)

_____.
(Name)

Dated this _____ day of _____, 20_____.

Signature of Interpreter
Print Name: _____

Signature of Witness
Print Name: _____

Civil Marriage Ceremony

Option #1

THE PURPOSE

"We are gathered together to witness the formal joining of _____ and _____ in legal matrimony according to the custom and law prevailing by the Government of the Province of Ontario.

Marriage is not to be entered upon thoughtlessly or irresponsibly but with a due and serious understanding and appreciation of the ends for which it is contracted. Therefore, if there is anyone present who can show just cause why these two persons may not be lawfully joined together in matrimony, they should now declare it or hereafter remain silent.

_____ and _____, you have made it known that you want to be joined in marriage and no one has shown any valid reason why you may not. If either of you know of any lawful impediment why you should not be married, you are now to declare it.

Officiant to 1st person: Repeat after me please:

"I do solemnly declare that I do not know of any lawful impediment why I, _____, may not be joined in matrimony to _____".

Officiant to 2nd person: Repeat after me please:

"I do solemnly declare that I do not know of any lawful impediment why I, _____, may not be joined in matrimony to _____".

If either person is escorted forward, Officiant states:

"Who is it that gives this _____ (man/woman/these individuals) in marriage?"

Answer "I/we do". (father, mother, children, relatives, etc.)

DECLARATION OF INTENT AND VOWS

"Would you please face each other, join hands and repeat after me"

Officiant to 1st person:

"I call upon these persons here present to witness that I, _____ do take you, _____ to be my lawful wedded _____ (wife/husband/partner)"

Officiant to 2nd person:

"I call upon these persons here present to witness that I, _____ do take you, _____ to be my lawful wedded _____ (wife/husband/partner)"

EXCHANGE OF RINGS

"This ring is a symbol of your marriage and a symbol of your love and life together."

Officiant to 1st person:

Please place this ring on the third finger of _____'s left hand saying after me:

"With this ring, I thee wed. I shall love, honour and cherish thee and this ring is the symbol of my love."

"This ring is a symbol of your marriage and a symbol of your love and life together."

Officiant to 2nd person:

Please place this ring on the third finger of _____'s left hand saying after me:

"With this ring, I thee wed. I shall love, honour and cherish thee and this ring is the symbol of my love."

As you wear these rings may you find them reminders of an endless love which may grow more meaningful with each passing day.

PRONOUNCEMENT

_____ and _____ have pledged themselves to each other and have declared this symbolically by their vows and the exchange of rings.

I, _____, by virtue of the powers vested in me by the *Ontario Marriage Act*, do hereby pronounce you _____ and _____ to be _____ (husband and wife, partners in life/married).

You may exchange a kiss as a token of your joy.

SIGNING OF THE REGISTER

At this time, the wedded parties and their witnesses will sign the Official Marriage Register.

CEREMONY CONCLUSION

I wish you a long life, happiness, prosperity and may the vows you have made to each other today, sustain you forever.

Officiant: May I introduce to you the married couple.

Please note: Bolded text is mandatory for the ceremony