

The following **suggestions** were taken into consideration during a further review of the proposed Procedural By-law by staff (attached to Report CL18007/LS18039):

1. All votes should be recorded votes

Current provision within the proposed Procedural By-law:

3.13 Voting Procedures

- (5) When a recorded vote is requested by a Member of Council immediately before or after a question is put, the Clerk shall record the name and vote of every Member of Council on the question.

Recommendation:

Staff have included amendments for the inclusion of electronic voting to Section 3.13, Section 3.13 which would provide for recorded votes to be taken on all votes, with limited exceptions. Section 3.13 now reads as follows and the revised wording has therefore been included in Appendix "A":

3.13 Voting Procedures

- (1) Once a motion is moved and seconded it shall be deemed to be in the possession of Council or Committee.
- (2) Where a Member of Council present at a meeting of Council or Committee is prohibited from voting by statute, the Clerk shall record the name of the Member of Council and the reason that they are prohibited from voting.
- (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:***
 - (i) ***procedural (majority vote: refer, defer, withdraw, recess, call the question; move into Closed Session and adjourn); and***
 - (ii) ***Consent Items.***
- (4) ***When an electronic voting system is used for a vote, the results will be displayed and recorded in the proceedings.***
- (5) ***When an electronic voting system is not available every Member of Council or Committee present shall vote by a show of hands;***
- (6) When a vote is taken and a tie results, a question is deemed to be lost.
- (7) When a Member of Council at a meeting of Council or Committee does not disclose a pecuniary interest, and does not vote on a Motion, the member will be deemed as having voted in the negative ***and when an electronic voting system is in use the recusal will be displayed and noted in the proceedings.***
- (8) When ***an electronic voting system is not available and*** a recorded vote is requested by a Member of Council or Committee immediately before or after a

question is put, the Clerk shall record the name and vote of every Member of Council on the question.

- (9) When the Mayor or Chair calls for a vote on a question, each Member of Council or Committee shall occupy their seat and shall remain in their seat until the result of the vote has been declared by the Mayor or Chair, and during such time no Member of Council shall walk across the room or speak to any other Member of Council or make any noise or disturbance.
- (10) After a question is put by the Mayor or Chair, no Member of Council or Committee shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.
- (11) No vote shall be taken by ballot or by any other method of secret voting and every vote so taken is of no effect, except where permitted by statute.
- (12) Despite subsection 3.13(11), a meeting may be closed to the public during a vote if:
 - (a) the vote relates to an issue permitting the meeting to be closed to the public in accordance with section 8 (Meetings Closed to the Public) of this By-law; and
 - (b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the City or persons retained by or under a contract with the City.
- (13) The Mayor or Chair shall, upon request of a Member of Council or Committee, divide a question, if the question under consideration contains distinct propositions, and the vote upon each proposal shall be taken separately.
- (14) If a Member of Council or Committee disagrees with the announcement of the Mayor or Chair that a question is Carried or Lost **on a vote by show of hands**, they may immediately after the declaration by the Mayor or the Chair, object to the Mayor's or the Chair's declaration and require that a recorded vote be taken.

2. Add "cultural" practices to the Procedural By-law (ie: meal breaks and meeting end times)

Current provision within the proposed Procedural By-law:

3.7 Quorum

- (5) If Quorum cannot be maintained during a meeting, the Clerk will advise the Chair that quorum is lost and the decision to continue the meeting will rest with the Chair. During the absence of quorum, no decisions may be approved.

Recommendation:

Staff recommend that the provision as proposed remain as the current practice of staff advising the Chair that quorum has been lost, and the Chair then asking members to return to the meeting, is sufficient and should be maintained.

3. Ensure all votes are called at meetings

Current provisions within the proposed Procedural By-law:

3.13 Voting Procedures

- (9) When the Mayor calls for a vote on a question, each Member of Council shall occupy their seat and shall remain in their seat until the result of the vote has been declared by the Mayor, and during such time no Member of Council shall walk across the room or speak to any other Member of Council or make any noise or disturbance.

Appendix G

DUTIES OF COMMITTEE CHAIR

- (d) Put to a vote all motions, which are moved, or necessarily arise in the course of the proceedings, and to announce the result.

Recommendation:

As the proposed Procedural By-law requires votes to be called, and in staff's experience the Chair currently does call for a vote on every motion duly moved and seconded in accordance with the Procedural By-law, staff do not recommend any change.

4. Amend the Procedural By-law so that it maintains the same By-law number instead of repealing and replacing it

Current provision within the proposed Procedural By-law:

SECTION 11 – GENERAL

- 11.5 By-law No. 14-300, governing the rules and procedures of Council of the City of Hamilton is repealed.

Recommendation:

Staff recommend that the current practice of repealing and replacing the Procedural By-law when numerous/significant changes are made be maintained, as this is considered to be a best practice and results in a document that is easier to read and understand.

5. Provide track changes document

Recommendation:

Staff can create and make available a comparison document upon request.

Staff have outlined the changes made in Appendix B to the report so that the public has an easy reference for the purpose of reviewing the changes.

6. Add a provision to the By-law which addresses late starts to meetings to ensure that they are avoided.

Current provisions within the proposed Procedural By-law:

3.7 Quorum (5.4 for Standing Committees)

- (1) As soon as there is a quorum after the time set for the meeting, the Mayor shall take the chair and call the meeting to order.
- (3) If the Mayor does not attend within 15 minutes of the time appointed for a Council meeting and a quorum of Council is present, the Deputy Mayor shall take the Chair and call the meeting to order and will preside until the arrival of the Mayor.

Recommendation:

The proposed Procedural By-law is consistent with Procedural By-laws from other municipalities in that it provides that once there is quorum, the meeting can commence and allows for 15 minutes grace for the Mayor or Chair to arrive, after which, if there is quorum, the meeting is to be called to order by the Deputy Mayor or Vice Chair. As such, staff do not recommend any further provisions to address this issue within the by-law.

7. Add more definitions - suggestions include definitions for “point”, “motion” and “Question”

Current provisions within the proposed Procedural By-law:

SECTION 1 - DEFINITIONS

“Motion” means a proposal by a member for the consideration of Council or a Committee that is moved by a member and seconded by another member;

“Point of Order” means a question by a member with respect to any departure from the Procedural By-law or in the practised conduct of Council or Committee business;

“Point of Privilege” means a question by a member with respect to the rights of a member individually or that Council or a Committee collectively hold, that ensure Council’s or a Committee’s ability to function freely;

Recommendation:

As “Motion”, “Point of Order” and “Point of Privilege” are already defined within the proposed By-law, staff are recommending that the following definition of “Question” be included and it has therefore been included in Appendix “A”.

“Question” means an issue before a meeting on which a decision has to be made. A question cannot be debated, amended or voted on until it has been proposed as a motion.

8. Use only one term to encompass the action of putting something off until a later time

Current provisions within the proposed Procedural By-law:

SECTION 1 - DEFINITIONS

“Defer” means to delay consideration of a matter by Council or a Committee until a specified time or event;

“Table” means to delay consideration of a matter by Council or a Committee until a specified time or event and requires a motion to lift from the table, when discussion of the item is to resume;

3.14 Motion Procedures

(4) Motion to Table

A motion to table a question:

- (a) is debatable; and
- (b) requires a motion to lift from the table when discussion of the item is to resume.

(5) Motion to Defer

A motion to defer a question:

- (a) is debatable; and
- (b) shall include the date when the question is to be considered.

Recommendation:

Staff would concur that one term to encompass the action of putting something off until a later time would be less confusing, and therefore the term “table” has been removed throughout the proposed By-law (Appendix “A”) and the term “defer” will be used when Council or Committee wishes to delay consideration of a matter until a specified time.

9. Clarify the definition of Deputy Mayor to set out when and how long someone is the Deputy Mayor and clarify the term “refuses to exercise” and “when the Mayor is absent from the city or when the office of Mayor is vacant”

Current provisions within the Procedural By-law:

“Deputy Mayor” means a Member of Council who is appointed from amongst Council on a scheduled basis:

- (a) to assist the Mayor; and
- (b) to act from time to time in the place of the Mayor, exercising:

- (i) all the rights, powers and authority of the Mayor when the Mayor is absent from the City or the office of Mayor is vacant; and
- (ii) subject to paragraph (i), those rights, powers and authority of the Mayor that:
 - 1. the Mayor is unable to exercise for the time being due to illness, incapacity or other reason, including acting in the place of the Mayor at any Council or Committee meeting when the Mayor is absent; or,
 - 2. the Mayor refuses to exercise;

Recommendation:

Staff recommend changing the term “exercise” to “act” to alleviate any confusion and including confirmation that the rotation is on a monthly basis, determined by the Clerk, as follows. It has therefore been included in Appendix “A”:

“Deputy Mayor” means a Member of Council who is appointed **for a one month period** from amongst **members of Council** on a **rotation** basis **determined by the Clerk at the beginning of the term of Council**:

- (a) to assist the Mayor; and
- (b) to act from time to time in the place of the Mayor, **with**:
 - (i) all the rights, powers and authority of the Mayor when the Mayor is absent from the City or the office of Mayor is vacant; and
 - (ii) subject to paragraph (i), those rights, powers and authority of the Mayor that:
 - 3. the Mayor is unable to **act** for the time being due to illness, incapacity or other reason, including acting in the place of the Mayor at any Council or Committee meeting when the Mayor is absent; or,
 - 4. the Mayor refuses to **act**;

Staff can also make the rotation list available on the City’s website.

10. That a section relating to the Deputy Mayor be added to Appendix G

Recommendation:

Staff recommend adding to Appendix “G” the following to confirm that the Deputy Mayor has all of the same powers as the Mayor while fulfilling the duties of the Mayor, and it has therefore been included in Appendix “A”:

ROLE OF THE MAYOR

(including the Deputy Mayor while fulfilling the duties of Mayor)

11. ***Amend definitions that refer to themselves (i.e.: committee of the whole)***

Current provisions within the proposed Procedural By-law:

“By-law” means a by-law, in a form approved by Council, passed for the purpose of giving general effect to a previous decision or proceedings of Council.

“Committee of the Whole” means all Members of Council present, sitting in committee of the whole.

“Member of Council” means a member of Council, including the Mayor.

“Notice of Motion” means a notice of motion received by the Clerk in writing, moved by a member for inclusion on a future agenda of a meeting of Council or Committee.

“Receive” means to receive information and to include it in the official record;

“Refer” means to refer a matter currently under consideration to an individual; a department; a Committee or Council for their consideration;

Recommendation:

Staff recommend that the following definitions be revised as follows, and it has therefore been included in Appendix “A”:

“By-law” means a ***Bill***, in a form approved by Council, passed for the purpose of giving general effect to a previous decision or proceedings of Council.

“Committee of the Whole” means ***a Committee comprised of all Members of Council that directly reports to Council.***

“Member of Council” ***is a person who has been elected to City Council.***

“Notice of Motion” ***means advanced, written notice, given by a member and received by the Clerk, advising Council or Committee that a Motion will be brought forward at a future Meeting of Council or Committee.***

“Receive” means ***to acknowledge the receipt of information and to include it in the official record.***

“Refer” means ***to send a matter currently under consideration to an individual; a department; a Committee or Council for their consideration.***

12. ***Specify which version of Bourinot’s Rules of Order will be relied on when the Procedural By-law is silent***

Current Provision within the proposed Procedural By-law:

2.2 All matters relating to the proceedings of Council and Committees for which rules have not been provided for in this By-law and its Appendices shall be decided, as far as is

reasonably practicable, with reference to the parliamentary rules as contained in the most recent edition of *Bourinot's Rules of Order*.

Recommendation:

Staff recommend that the version of Bourinot's Rules of Order be included, as follows, and it has therefore been included in Appendix "A":

2.2 All matters relating to the proceedings of Council and Committees for which rules have not been provided for in this By-law and its Appendices shall be decided, as far as is reasonably practicable, with reference to the parliamentary rules as contained in *Bourinot's Rules of Order, Geoffrey H. Stanford, Fourth Edition*.

13. Amend and clarify the practice of referring certain communication items directly to the relevant department or body

Current provision within the proposed Procedural By-law:

3.10 Communication Items (same reference under 5.11(9))

(8) Communications respecting labour relation matters, conduct of a member(s) of Council or a member(s) of staff and matters before another body (i.e. Police Services Board) will not be placed on the Council Agenda and will be forwarded to the respective office.

Recommendation:

Staff recommend amendments to clarify where matters respecting the conduct of a Councillor are to be forwarded and they have therefore been included in Appendix "A":

3.10 Communication Items

(8) Communications respecting labour relation matters, conduct of a member(s) of staff and matters before another body (i.e. Police Services Board) will not be placed on the Council Agenda and will be forwarded ***forthwith by the City Clerk to the relevant City Department or body for consideration and appropriate action.***

(9) Communications respecting the conduct of a member(s) of Council will not be placed on a Council Agenda and the author will be advised of the process for filling a complaint with the Integrity Commissioner.

(10) Notwithstanding subsections 3.10(8) and 3.10(9), Council may add any communication item to a Council Agenda.

5.13 Communication Items

(8) Communications respecting labour relation matters, conduct of a member(s) of staff and matters before another body (i.e. Police Services Board) will not be placed on the Committee Agenda and will be forwarded ***forthwith by the City Clerk to the relevant City Department or body for consideration and appropriate action.***

(9) Communications respecting the conduct of a member(s) of Council will not be placed on a Committee Agenda and the author will be advised of the process for filling a complaint with the Integrity Commissioner.

(10) Notwithstanding subsections 5.13(8) and 5.13(9) a Committee member may add any communication item to a Committee Agenda.

14. Amend the By-law to allow members to refrain from voting even when they are not prohibited from doing so by statute

Current provisions within the proposed Procedural By-law:

3.13 Voting Procedures

- (2) Every Member of Council present at a meeting of Council or Committee when a question is put shall vote unless prohibited by statute, in which case, the Clerk shall record the name of the Member of Council and the reason that they are prohibited from voting.
- (4) If any Member of Council at a meeting of Council or Committee does not vote when a question is put and a recorded vote is taken, they shall be deemed to have voted in the negative except where prohibited from voting by statute.

Recommendation:

Staff recommend revising subsection (2) and (7), formerly (4), to confirm that there is no requirement for a Member to vote, and the following has been included in Appendix "A":

3.13 Voting Procedures

- (2) Where a Member of Council present at a meeting of Council or Committee is prohibited from voting by statute, the Clerk shall record the name of the Member of Council and the reason that they are prohibited from voting.
- (7) When a Member of Council at a meeting of Council or Committee does not disclose a pecuniary interest, and does not vote on a Motion, the member will be deemed as having voted in the negative and when an electronic voting system is in use the recusal will be displayed and noted in the proceedings.

15. Where verbiage is taken from another piece of legislation (ie: the Municipal Act) a reference to the section of the Act should be included within the Procedural By-law

Current provisions within the proposed Procedural By-law:

Example of where this occurs:

- 8.1 No meeting of Council or a Committee or part thereof shall be closed to the public unless the subject matter being considered is:
 - (a) the security of the property of the City;

- (b) personal matters about an identifiable individual, including City employees;
- (b) a proposed or pending acquisition or disposition of land for City purposes;
- (c) labour relations or employee negotiations;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the City;
- (f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (g) a matter in respect of which Council or a Committee may hold a closed meeting under an Act other than the *Municipal Act, 2001*;
- (h) information explicitly supplied in confidence to the City by Canada, a province or territory or a Crown agency of any of them;
- (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- (j) a trade secret or scientific, technical, commercial or financial information that belongs to the City and has monetary value or potential monetary value; or
- (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the City.

Recommendation:

There are many instances throughout the Procedural By-law where the verbiage is taken directly from an Act or paraphrased in order to ensure consistency with the requirements of the relevant legislation.

Staff recommend that the current practice of restating the relevant sections of an Act without a specific reference to the section within the Act be continued and that no change to the By-law be made.

16. Amend the section on Notice of Motion to clarify the process

Current provisions within the proposed Procedural By-law:

- (12) Notice of Motion
 - (a) Notice of all new motions, except motions listed in subsection 3.12(9) shall be given in writing:
 - (i) at a meeting of Council, but shall not be debated until the next meeting of Council; or
 - (ii) delivered to the Clerk at any time before noon on the last business day preceding the date of the meeting at which the notice of motion is to be introduced.

- (b) Where a Member of Council's motion has been called by the Mayor at the subsequent meeting and not proceeded with, it shall be dropped from the agenda unless Council decides otherwise.
- (c) Where Council has determined not to drop a motion from the agenda, and at the second meeting such motion is called by the Mayor and not proceeded with, it shall be deemed to have been withdrawn.

Recommendation:

In response to Item 11 staff have recommended that the definition of "Notice of Motion" be expanded upon and clarified and it has therefore been included in Appendix "A".

17. Amend the process of withdrawing a motion such that only the moving member be permitted to withdraw a motion

Current provision within the proposed Procedural By-law:

3.14 Motion Procedures

(3) Motion to Withdraw

After a motion is moved and seconded it shall be deemed to be in possession of Council, but may, by the majority vote of Council, be withdrawn at any time before decision or amendment.

Recommendation:

Staff recommend that subsection 3.14(3) of the Procedural By-law be amended as follows to provide clarity and to reflect Council's current practice, and it has therefore been included in Appendix "A":

3.14 Motion Procedures

(3) Motion to Withdraw

After a motion is moved and seconded it shall be deemed to be in possession of Council, but may be withdrawn **by the mover** at any time before decision or amendment.

18. Amend the Procedural By-law to require unanimous consent for suspension of the rules of procedure

Current provision within the proposed Procedural By-law:

3.14 Motion Procedures

(12) Motion to Suspend the Rules of Procedure

The rules governing the procedure of the Council at Council meetings may be suspended and shall require the approval of at least two-thirds of members present.

Recommendation:

Based on best practice, staff recommend that the provision within the Procedural By-law remain unchanged and that suspension of the rules require two-thirds approval.

19. Amend the Procedural By-law to remove the Mayor's status as an ex-officio member of all Standing Committees.

Current provisions within the proposed Procedural By-law:

"Ex-officio" means by virtue of the office or position and the Mayor is an ex officio member of all Standing Committees who, when attending a Standing Committee meeting, shall have full voting privileges and shall be counted for the purposes of the Standing Committee's quorum as such quorum is set out in subsection 5.4 of this By-law;

5.2 Standing Committee Membership

- (8) The Mayor is an ex-officio member of all Standing Committees who, when attending a Standing Committee meeting, shall have full voting privileges and shall be counted for the purpose of the Standing Committee's quorum as set out in subsection 5.4.

Recommendation:

Staff recommend that the provisions within the Procedural By-law remain unchanged and that the Mayor continue to be an ex-officio member of all Standing Committees.

20. Remove time restrictions for delegations

Current provision within the proposed Procedural By-law:

5.11 Delegations

- (6) A delegation, which can be made by two or more individuals, shall be limited to a presentation of not more than five minutes, except as otherwise prescribed for a public meeting by applicable legislation.

Recommendation:

Imposing a time limit on delegations is a best practice, however staff appreciate the need for flexibility and are therefore recommending that Council's current practice of permitting an extension of the time limit on an as needed basis be included in the By-law by adding the following provisions, which have been included in Appendix "A":

5.11 Delegations

- (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) ***Notwithstanding subsection 5.11(6), a delegation may provide additional written material regarding the subject matter, for the public record.***

21. Amend the Procedural By-law to clarify the intention of section 5.11(10)

Current provision within the proposed Procedural By-law:

5.11 Delegations

- (10) Except as required by by-law, any Delegations who have previously appeared before a Committee on a subject matter shall be limited to providing only new information in their second and subsequent appearances.

Recommendation:

This subsection was intended to address delegations who have appeared at a Committee Meeting on a subject matter previously, to specify that they would have to present 'new' information.

Current practice at Committee meetings would be for the Chair to remind delegates who have appeared previously on a matter, that new information is to be presented.

As the intention was not to restrict a delegate from making delegations to more than 1 committee on a similar issue, but rather to ensure delegations are not presenting the same information to the same Committee at subsequent appearances, staff recommend that subsection 5.11(10) be amended as set out below and that subsection 5.11(11) be added to provide Committee members with the ability to add the delegation regardless of subsection 5.11(10).

5.11 Delegations

- (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.***

22. Amend the proposed By-law to delete the prohibitions in subsection 7.1(a) and (b)

Current Provisions within the proposed Procedural By-law:

7.1 No person in attendance at a Council or Committee meeting shall:

- (a) speak disrespectfully of any vote of Council or a Committee;
- (b) use offensive words or unparliamentary language in or against Council or a Committee or against any member, or any officer or employee of the City;

Recommendation:

Preserving order at Council meetings is an important objective and therefore staff recommend replacing the specific prohibitions found in 7.1 (a) and (b) with a provision which reinforces the objective of fostering order as follows, and it has therefore been included in Appendix "A":

- 7.1 No person in attendance at a Council or Committee meeting shall:
- (a) **fail to maintain mutual respect and order or disrupt the Meeting in any manner;**
 - (b) bring food or beverages, water excepted, into the Council Chamber when a meeting is being held;
 - (c) address remarks to anyone but the Chair;
 - (d) interrupt a person who has the floor;
 - (e) applaud participants in debate.

23. Amend the Procedural By-law to provide clarity relating to the removal of a person from a meeting

Current provision within the proposed Procedural By-law:

- 7.2 Should a person persist in conducting themselves in a manner contrary to the rules set forth in subsection 7.1 after having been called to order by the Mayor or a Chair of a Committee, the person may be removed from the meeting.

Recommendation:

Staff recommend that sections 7.2, be replaced with the following, and it has therefore been included in Appendix "A":

- 7.2 Should a person persist in conducting themselves in a manner contrary to the rules set forth in subsection 7.1 after having been called to order by the Mayor or a Chair of a Committee, **the Mayor or a Chair of a Committee may expel that person and may request the assistance of security and/or Police in doing so.**

24. Amend Appendix G of the Procedural By-law to clarify the relationship and authority structure between the Mayor and City Manager.

Current provisions within the proposed Procedural By-law:

Appendix G

ROLE OF THE MAYOR

The Mayor is responsible to act as the Head of Council, as detailed in the *Municipal Act, 2001* providing leadership to other Members of Council.

- (a) To act as the Council's corporate representative when dealing with other government agencies and the private sector consistent with the vision and direction expressed by the Council of the day.

- (b) The Mayor and the City Manager must work in close liaison as the pivotal link between the policy-making body of Council and the administrative organization of the City.
- (c) The role of Mayor is considered as statutory and policy-related, to act as the Head of Council and to co-ordinate political representation on behalf of the City when required at meetings, receptions, functions, and community activities, and to direct administrative functions to the attention of the City Manager.

Recommendation:

Staff recommend that the provision within the Procedural By-law remain unchanged. This provision confirms the City Manager or their delegate would be responsible for administrative functions.

25. Use clear writing principles

Staff have provided for clarity within the proposed Procedural By-law and will continue to provide for clarity in any future by-laws and therefore recommend that the Procedural By-law remain unchanged.

26. Include provisions relating to the use of physical violence within the Procedural By-law.

Recommendation:

In 2016 the Council Code of Conduct was removed as an Appendix to the Procedural By-law and became a standalone by-law. The Code of Conduct adequately addresses matters relating to violence in subsection 11(4) (reproduced below). The City's Integrity Commissioner investigates alleged contraventions of the Code of Conduct. Moreover, acts of violence are matters under Federal jurisdiction and are prohibited under the Criminal Code of Canada. Therefore, staff do not recommend that provisions relating to physical violence be included within the Procedural By-law.

SECTION 11: CONDUCT RESPECTING CITY EMPLOYEES

11. (4) It is the policy of the City that all persons be treated fairly in the workplace in an environment free of discrimination and of personal and sexual harassment and workplace violence. Accordingly:
- (a) under this section, "harass" and "harassment" include any behaviour by a person that is directed at, or is offensive to, another person, on grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, handicap, sexual orientation,
 - (b) no Member of Council shall harass or engage in acts of workplace violence towards another Member of Council, any City officer or employee, or any member of the public; and
 - (c) every Member of Council shall:
 - (i) treat other Members, City officers and employees, and members of the public, appropriately, and without bullying, abuse, intimidation or violence; and
 - (ii) make all reasonable efforts to ensure that his or her work environment is free from discrimination, harassment and violence