

## **Summary of the Proposed Revisions**

### **Throughout the by-law:**

- Gender neutral language has been used;
- Senior Management Team has been replaced with Senior Leadership Team;
- Emergency and Community Services Committee and Department has been replaced with Healthy and Safe Communities Committee and Department;
- Where the by-law refers to the City's website, the location of the information has been added (i.e. Committee and Council Meeting Calendar; Request to Speak);
- "Regular" meeting(s) or "scheduled" meeting(s) has been included where required for clarity.

## **Section 1 – Definitions**

- Addition of "confirming by-law"; "consent item"; "friendly amendment" and "Question".
- Revisions made to "meeting" to align with the definition within the Municipal Act;
- Revision made to "refer" for clarity purposes.
- "Table" has been deleted, as "defer" and "table" are similar with the only difference being the requirement for a motion to lift from the table.
- Revised "website" by removing "internet" as its not required.
- Revised "Standing Committee", in order to differentiate a Standing Committee from a Sub-Committee comprised entirely of Members of Council, by adding "reports directly to Council".
- Added "Selection Committee", in order to differentiate Selection Committee from a Sub-Committee, as it reports directly to Council.
- "Deputy Mayor" was amended to reflect "act" rather than "exercise" and "with" rather than "exercising".
- "Committee of the Whole" has been changed to reflect the following "Committee comprised of all Members of Council that directly reports to Council".
- The definitions of "By-law"; "Committee of the Whole"; "Member of Council" and "Notice of Motion", "Receive" and "Refer" have been revised for clarity purposes.

## **Section 2- Application**

- Sub-section 2.2 has been revised to include the edition of Bourinot's Rules of Order

## **Section 3 – Council Meetings**

### **3.1 - First Council Meeting**

- Amendment to subsection (1) to reflect the Act;

### **3.2– Regular Council Meeting Times**

- Amendment to subsection (1) to reflect Council’s direction respecting the scheduling of Council meetings;

### **3.4 – Special Meetings of Council**

- Amendment to subsection (4) has been revised to remove the particulars respecting ‘other business’;
- Addition of subsection (5) to address the addition of ‘other business’ to an agenda of a Special Council meeting;
- Addition of subsection (6) to provide the Clerk with flexibility in preparing the agenda with the appropriate agenda categories for Special Council meetings;

### **3.5 – Meetings of Council for Emergencies**

- Addition of subsection (4) to provide the Clerk with flexibility in preparing the agenda with the appropriate agenda categories for emergency Council meetings.

### **3.6 – Cancellation of a Council Meeting**

- Added to provide for a provision for the cancellation of a regular Council meeting;

### **3.7 - Quorum**

- Amendment to subsection (3) to reflect that a quorum is present;

### **3.10 – Communication Items**

- Amendment to subsection (4) to include “anonymous” and to be more explicit as to what type of communications are not acceptable;
- Addition of subsection (6) reflects the current practice for the disposition of resolutions from other municipalities;
- Addition of subsection (7) refers to the receipt of resolutions from other municipalities;
- Addition of subsection (8) addresses the disposition of communication items received respecting labour relation matters or the conduct of a member(s) of staff or another body;
- Addition of subsection (9) addresses the disposition of communication items received respecting the conduct of member(s) of Council.
- Addition of subsection (10) addresses the instances when a Councillor adds a letter respecting a matter noted in subsection (8) and (9) to the Council Agenda.

### **3.12 – Rules of Debate**

- Addition of subsection (5) refers to speaking only to the matter being debated;
- Addition of subsections (6) and (7) reflect Council’s direction respecting time limits;
- Amendment to subsection (8) to include “amend”; “refer” and “suspend the rules of procedure” as there is no requirement that these type of motions are to be in writing;
- Amendment to subsection (8) deleting “table”;

- Amendment to subsection (9) to remove “and shall be entitled to vote as a Member of Council”, as all members are entitled to vote, therefore, the reference is not required;

### **3.13 – Voting Procedures**

- The entire section has been amended to include provisions for electronic voting;
- Addition of subsection (1) for clarity;
- Subsection (7) has been amended for clarity;
- Amendment to subsection (13) to include “distinct propositions” for clarity;

### **3.14 – Motion Procedures**

- Section 3.13 was split into two sections, one respecting Voting Procedures (3.13) and one respecting Motion Procedures (3.14)
- Amendment to subsections (1)(b) and (c) to reflect “motion” as a notice of motion for consideration at a subsequent meeting is a motion not a notice of motion;
- Amendment to subsection (2) to include when the waiving of notice would be in order;
- Amendment to subsection (3) to include “by the mover” for clarity purposes;
- Addition of subsection (4) to address “friendly amendments”;
- Amendment to subsection (5) to delete “table”;
- Amendment to subsection (6)(e) and (f) to add the current practice of allowing all first time speakers to speak to the matter before a motion to refer is introduced and that a member who has spoken to the matter cannot move a motion to refer.
- Amendment to subsection (7) to replace the word “resolved” with “when decided in the negative” for clarity;
- Amendment to subsection (9) the title has been revised to include “Council” and the content of the subsection has been revised for clarity;
- Original subsection (10) Motion to Rescind, has been removed as a Motion to Reconsider the matter would be required and rescinding the decision would be a result of a reconsideration motion;
- Amendment to subsection (10) Added the title “Order of Procedural Motions”;
- Amendment to subsection (11) Added the title “Non-Debatable Motions”; added “a point of order” to the list and removed “suspend the rules of procedure” from the list;
- Added subsection (12) to have a separate subsection on “Motion to Suspend the Rules of Procedure”;

### **3.18 – Conflict of Interest Declarations**

- Added Section 3.18 as per the *Municipal Conflict of Interest Act* amendments;
- Noted that this section is effective March 1, 2019;

### **3.19 – Provisional Governance Committee During a Declared Emergency**

- Added Section 3.19, (originally Section 5.9) as the Committee acts as Council during a declared Emergency.

## **Section 4 – Committee of the Whole**

- Amendment to Subsection 4.1(a) to add “Standing” and “Selection Committee” to be consistent with the other sections of the by-law.

## **Section 5 – Standing Committee Meetings**

### **5.3 – Standing Committee Membership**

- Amendment to subsection (4) to remove the maximum number of members for consistency;

### **5.5 – Standing Committee Meeting Times**

- Amendments to subsection (1) reflects a less prescriptive meeting schedule as well as addresses when a meeting date falls on a public or civic holiday;
- Amendment to subsection (2) to include “Standing Committee” for clarity and include “at the call of the Chair”;
- Amendment to subsection (3) to include “Committee” to reflect the definition of Committee;

### **5.6 – Cancellation of a Committee Meeting**

- Added subsection 5.6 to provide for a provision for the cancellation of a Committee meeting;

### **5.7 – Standing & Selection Committee Reports**

- Amendment to the title “Standing & Selection” for clarity;
- Amendment to subsection (2) to remove the reference to “Ward Councillor” and reword the clause for clarity;

### **5.8 – Rules of Procedure**

- Amendment to subsection (1) to refer to all Committees;
- Amendment to subsection (2) removed “a member of Council who is not a member” and moved the reference to subsection (4);

### **5.10 – Order of Business**

- Amended to include Ceremonial Activities and Communications;

### **5.11 Delegations**

- Amendment to subsection (1)(a) to clarify that the request will be on the next published agenda, so that these requests are not changes to the agenda if they don’t pertain to a matter on the agenda;
- Amendment to subsection (2) as per the current practice of redacting the addresses and phone numbers, unless required by an Act (i.e. Planning Act requires the address be included);
- Amendment to subsection (6) to include the asterisked section in the subsection;

- Subsection (7) has been added to provide for an extension to the five minute time limit;
- Subsection (8) has been added to provide a delegation with a further option of submitting additional written information;
- Added subsection (9) based on the requests that have been received and to be consistent with the communications sections;
- Amendment to subsection (10) addresses delegations who have appeared at a Committee Meeting on a subject matter previously, to specify that they would have to present 'new' information at that Committee;
- Subsection (11) has been added to provide a Councillor with the ability to add a delegation noted in subsection (10) to the Committee Agenda.

#### **5.12 – Public Hearings**

- Amendment to subsection (C)(5) to reflect the revised number of copies required;

#### **5.13 – Communication Items**

- Added Section 5.13 to provide procedural rules surrounding the inclusion of communications on a Standing Committee agenda, in a form similar to Section 3.10 – Communication Items (Council).

#### **5.14 – Reconsideration of a Matter Decided Within a Standing Committee Meeting**

- Added Section 5.14 to provide procedural rules for instances during a Standing Committee meeting when a matter requires reconsideration;

#### **5.15 - Conflict of Interest Declarations**

- Added Section 5.15 as required as per the *Municipal Conflict of Interest Act* amendments;

#### **5.16 - Special Meetings of a Standing Committee**

- Added Section 5.16 to address the calling and the agenda of a special meeting of a Standing Committee.

### **Section 7 – Order and Decorum**

- Amendment to the title of Section 7 to remove “Conduct of Members” as Council has a Code of Conduct and refer to the Order and Decorum of everyone in attendance at the meeting;
- Amendment to subsection 7.1 to reflect the conduct of everyone in attendance at the meeting;
- Added subsection 7.2 addresses instances where individuals are not abiding by the rules of order and decorum;
- Added subsection 7.3 addresses instances where individuals who are posing at threat to others in attendance;
- Added subsection 7.4 addresses instances where members of Council are not abiding by the rules of order and decorum;
- Section 7.5 was Section 7.2;

- Section 7.6 provides guidelines respecting signs and placards;
- Section 7.7 was Section 7.4 and has been updated.

## **Section 8 – Meetings Closed to the Public**

- Amendment to subsection 8.1(h) to (k) to reflect the amendments from Bill 68;
- Amendment to subsection 8.4(b) and (c) have been included as per the current practice.

## **Section 9 - Electronic Participation at Council and/or Committee Meetings**

- Added Section 9 to reflect the amendments from Bill 68;
- Added Section 9.1 to reflect the decision Council made with respect to Electronic participation at Council and/or Committee meetings.

## **Section 10 – Role of the Clerk**

- Amendment to subsection 10.3 to note “shall”;
- Amendment to subsection 10.7 to remove “All matters not covered by this By-law shall be decided by the Mayor or Chair” as the by-law stated that Bourinots Rules of Order will be referred to when this by-law is silent on a matter.

## **Section 11 – General**

- Removed subsection 11.2 as the Notice By-law would apply;

## **Appendices**

- Appendices A through F have been amended to remove the composition, as it sufficient to only state the number of members.

### **Appendix A – General Issues Committee**

- Amendment made to the Mandate to include Departmental Organizational Structure Changes.

### **Appendix D – Planning Committee**

- Amendment made to General to include “transportation planning” as per the change made to the Planning Committee’s responsibilities.

### **Appendix E – Healthy & Safe Communities Committee**

- Amendment to the Mandate to reflect the new Healthy and Safe Communities Committee Mandate;

- Amendment made to remove the Maximum number of members to reflect the same language within the by-law.

#### **Schedule F1 – Audit Services Charter**

- The Appendix' title has been changed to reflect the formation of the Audit Services Charter in 2015.

#### **Appendix G – Roles of Council, Mayor and Committee Chair**

- Amendment to Duties of the Committee Chair(s) to include “(tie vote)” for clarity.
- (Deputy Mayor while fulfilling the duties of Mayor) has been added under the title “ROLE OF MAYOR”.

#### **Appendix H – Criteria for the Creation of Advisory Committees or Task Forces**

- Amended to referred to Appendix I, the Code of Conduct for Advisory Committee / Task Force members.

#### **Appendix I - Hamilton Advisory Committee/Task Force Code of Conduct**

- Added Appendix I.