

CITY OF HAMILTON MOTION

Council: May 20, 2020

MOVED BY COUNCILLOR T. JACKSON.....

SECONDED BY COUNCILLOR.....

To Amend the Procedural By-Law

WHEREAS Council on March 20, 2020 amended the Procedural By-law to permit Electronic Participation at Council and/or Committee Meetings during an emergency when attending in-person is not possible;

WHEREAS Council on April 8, 2020 amended the Procedural By-law in order to update sections of By-law 18-270, as amended which applied to Electronic participation by members of Council at electronic Council and/or Committee meetings during an emergency when attending in-person is not possible; and

WHEREAS it is now necessary to amend the Procedural By-law further to update sections of By-law 18-270, as amended, which apply to Electronic participation by members of the public at electronic Committee meetings during an emergency when attending in-person is not possible with respect to the Mayor’s Task Force on Economic Recovery.

THEREFORE BE IT RESOLVED:

That the By-law to Amend By-law No. 18-270, the By-Law to Govern the Proceedings of Council and Committees of Council in the form attached as Appendix ‘A’, be enacted by Council.

Authority: Item _____
CM: _____
Ward: City Wide

Bill No. ____

CITY OF HAMILTON
BY-LAW NO. 20-_____

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;

WHEREAS Council enacted an amendment to By-law 18-270, as amended, to allow for electronic participation pursuant to s. 238(3.1) of the *Municipal Act, 2001* on March 20, 2020;

AND WHEREAS it is necessary to amend By-law 18-270, as amended, further to provide for updated sections of the By-law 18-270, as amended, when members of the public are participating at ELECTRONIC Council and/or Committee meetings during an emergency when attending in-person is not possible with respect to the Mayor's Task Force on Economic Recovery.

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

1. That By-law No. 18-270, be amended:

(i) to add Section 9.2 (2) as follows:

9.2 Electronic Participation During an Emergency

(2) Electronic participation, in accordance with the *Municipal Act, 2001* and/or any other applicable legislation, is permitted by members of public at the Mayor's Task Force on Economic Recovery meetings during an emergency when attending in-person is not possible. (Refer to Appendix 'J' for UPDATED SECTIONS OF BY-LAW 18-270, AS AMENDED as they would apply to Electronic participation by members of Council at ELECTRONIC Council and/or Committee meetings during an emergency when attending in-person is not possible)

2. That By-law No. 18-270, as amended, be further amended:

(i) To include Appendix K, Conducting an Electronic Meeting – Public, Mayor's Task Force on Economic Recovery, attached hereto.

PASSED this 20th day of May, 2020

F. Eisenberger
Mayor

A. Holland
City Clerk

CONDUCTING AN ELECTRONIC MEETING – PUBLIC

MAYOR'S TASK FORCE ON ECONOMIC RECOVERY

The following UPDATED SECTIONS OF BY-LAW 18-270, AS AMENDED applies to Electronic participation by members of the public at ELECTRONIC Committee meetings during an emergency when attending in-person is not possible with respect to the Mayor's Task Force on Economic Recovery only:

2.1 The rules of procedure shall be observed in all ELECTRONIC proceedings of Council and shall be the rules for the order and dispatch of business in Council and unless specifically provided, with necessary modifications, apply to all Committees.

2.2 All matters relating to the ELECTRONIC 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*, Geoffrey H. Stanford, Fourth Edition.

5.4 Quorum

(5) If Quorum cannot be maintained during an ELECTRONIC meeting, DUE TO A LOSS OF ELECTRONIC CONNECTION, the Clerk will advise the Chair that quorum is lost and the MEETING WILL BE RECESSED UNTIL THE ELECTRONIC CONNECTION IS RESUMED, WHICH COULD RESULT IN A DELAY TO THE NEXT AVAILABLE BUSINESS DAY. THE CLERK WILL ENSURE THAT THE PROPER MESSAGING RESPECTING THE CONTINUATION OF A COMMITTEE MEETING TO THE FOLLOWING OR NEXT AVAILABLE DAY IS ON THE CITY'S WEBSITE.

5.10 Order of Business

(i) The general Order of Business for the ELECTRONIC meetings of Standing Committees, unless changed by the Standing Committee in the course of the meeting, shall be as follows:

- (a) Approval of Agenda
- (b) Declarations of Interest
- (c) Approval of Minutes of Previous Meeting
- (d) Communications
- (e) Consent Items

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

5.11 WRITTEN Delegations

- (1) Persons who wish to delegate to COUNCIL OR COMMITTEE on a matter that:
 - (b) is listed OR NOT LISTED on the agenda for a COMMITTEE OF THE WHOLE OR COMMITTEE, shall SUBMIT THEIR DELEGATION in writing TO THE CLERK, the Clerk will list the DELEGATION on the COMMITTEE OF THE WHOLE'S OR THE COMMITTEE'S upcoming agenda. Such WRITTEN DELEGATIONS MUST be received by the Clerk no later than 12:00 noon the business day before the meeting.

10.1 The Clerk shall MAKE the agendas of ELECTRONIC Council and Committee meetings AVAILABLE to members of Council and Senior Leadership Team at least 5 days prior to the scheduled meetings ON THE CITY'S WEBSITE.

10.2 The Clerk shall make the agendas of ELECTRONIC Council and Committee meetings, available to the media and general public, simultaneously with the distribution set out in subsection 10.1.