

Authority: Item X, Audit Finance &
Administration Committee Report
FCS20061
XX: July xx, 2020
Ward: City Wide
Bill No. xx

CITY OF HAMILTON

BY-LAW NO. xx

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, to permit members of Citizen Advisory Committees to participate ELECTRONICALLY at the Advisory Committee for Immigrants and Refugees, Committee Against Racism, Hamilton Aboriginal Advisory Committee, Hamilton Status of Women Committee, Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee, Mundialization Committee, Food Advisory Committee, Hamilton Veterans Committee, Housing and Homelessness Advisory Committee, Seniors Advisory Committee, Arts Advisory Committee, Hamilton Cycling Committee, Keep Hamilton Clean and Green Committee, Agriculture and Rural Affairs Advisory Committee, Hamilton Future Fund, Business Improvement Area Advisory Committee, Cleanliness & Security in the Downtown Core, Advisory Committee for Persons with Disabilities and Waste Management Advisory Committee meetings during an emergency when attending in-person is not possible.

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

1. That By-law No. 18-270, be amended:
 - (i) By adding Sections 9.2 (4), as follows:

9.2 Electronic Participation During an Emergency

- (4) Electronic participation, in accordance with the *Municipal Act, 2001* and/or any other applicable legislation, is permitted by Citizen Committee members at the Advisory Committee for Immigrants and Refugees, Committee Against Racism, Hamilton Aboriginal Advisory Committee, Hamilton Status of

Women Committee, Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee, Mundialization Committee, Food Advisory Committee, Hamilton Veterans Committee, Housing and Homelessness Advisory Committee, Seniors Advisory Committee, Arts Advisory Committee, Hamilton Cycling Committee, Keep Hamilton Clean and Green Committee, Agriculture and Rural Affairs Advisory Committee, Hamilton Future Fund, Business Improvement Area Advisory Committee, Cleanliness & Security in the Downtown Core, Advisory Committee for Persons with Disabilities and Waste Management Advisory Committee meetings during an emergency when attending in-person is not possible. (Refer to Appendix 'L' for UPDATED SECTIONS OF BY-LAW 18-270, AS AMENDED as they would apply to Electronic participation by Citizen Advisory Committee Members at ELECTRONIC Citizen Advisory 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 L, Conducting An Electronic Meeting – Citizen Advisory Committees for the Advisory Committee For Immigrants And Refugees, Committee Against Racism, Hamilton Aboriginal Advisory Committee, Hamilton Status Of Women Committee, Lesbian, Gay, Bisexual, Transgender And Queer Advisory Committee, Mundialization Committee, Food Advisory Committee, Hamilton Veterans Committee, Housing And Homelessness Advisory Committee, Seniors Advisory Committee, Arts Advisory Committee, Hamilton Cycling Committee, Keep Hamilton Clean And Green Committee, Agriculture And Rural Affairs Advisory Committee, Hamilton Future Fund, Business Improvement Area Advisory Committee, Cleanliness & Security In The Downtown Core, Advisory Committee For Persons With Disabilities And Waste Management Advisory Committee, attached hereto.

PASSED this 17th day of July, 2020

F. Eisenberger
Mayor

A. Holland
City Clerk

Appendix L

CONDUCTING AN ELECTRONIC MEETING – Citizen Advisory Committees

ADVISORY COMMITTEE FOR IMMIGRANTS AND REFUGEES, COMMITTEE AGAINST RACISM, HAMILTON ABORIGINAL ADVISORY COMMITTEE, HAMILTON STATUS OF WOMEN COMMITTEE, LESBIAN, GAY, BISEXUAL, TRANSGENDER AND QUEER ADVISORY COMMITTEE, MUNDIALIZATION COMMITTEE, FOOD ADVISORY COMMITTEE, HAMILTON VETERANS COMMITTEE, HOUSING AND HOMELESSNESS ADVISORY COMMITTEE, SENIORS ADVISORY COMMITTEE, ARTS ADVISORY COMMITTEE, HAMILTON CYCLING COMMITTEE, KEEP HAMILTON CLEAN AND GREEN COMMITTEE, AGRICULTURE AND RURAL AFFAIRS ADVISORY COMMITTEE, HAMILTON FUTURE FUND, BUSINESS IMPROVEMENT AREA ADVISORY COMMITTEE, CLEANLINESS & SECURITY IN THE DOWNTOWN CORE, ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES AND WASTE MANAGEMENT ADVISORY COMMITTEE

The following UPDATED SECTIONS OF BY-LAW 18-270, AS AMENDED applies to Electronic participation by ***Citizen Advisory Committee Members*** at ELECTRONIC Citizen Advisory Committee meetings during an emergency when attending in-person is not possible with respect to the ***Advisory Committee for Immigrants and Refugees, Committee Against Racism, Hamilton Aboriginal Advisory Committee, Hamilton Status of Women Committee, Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee, Mundialization Committee, Food Advisory Committee, Hamilton Veterans Committee, Housing and Homelessness Advisory Committee, Seniors Advisory Committee, Arts Advisory Committee, Hamilton Cycling Committee, Keep Hamilton Clean and Green Committee, Agriculture and Rural Affairs Advisory Committee, Hamilton Future Fund, Business Improvement Area Advisory Committee, Cleanliness & Security in the Downtown Core, Advisory Committee for Persons with Disabilities and Waste Management Advisory Committee*** 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 met or maintained during an ELECTRONIC meeting, for whatever reason, the Clerk/Staff Liaison will advise the Chair that quorum has not been reached or has been lost and the meeting will be recessed for up to 15 minutes, or until quorum is reached. If quorum cannot be reached within 15 minutes, the meeting will be considered adjourned. The Committee will meet at the next regularly scheduled meeting date.
- (6) If Quorum cannot be obtained, the Committee Secretary shall record the names of the Committee members present in the minutes of the meeting.

5.10 Order of Business

- (iii) The general Order of Business for the ELECTRONIC meetings of Citizen Advisory Committees, unless changed by the Committee in the course of the meeting and shall be as follows:
 - (a) Changes to the Agenda
 - (b) Declarations of Interest
 - (c) Approval of Minutes of Previous Meeting
 - (d) Communications
 - (e) Delegations
 - (f) Consent Items
 - (g) Presentations
 - (h) Discussion Items
 - (i) Notices of Motion
 - (j) Motions
 - (k) Other Business
 - (l) Adjournment

5.11 WRITTEN Delegations

- (1) Persons who wish to delegate to ELECTRONIC Citizen Advisory Committee shall submit their delegation in WRITING to the Clerk/Staff Liaison, the Clerk/Staff Liaison will list the delegation on the Committee's upcoming agenda. Such WRITTEN delegations must be received by the Clerk/Staff Liaison no later than 12:00 noon the business day before the meeting. If the Committee is meeting on a Monday, the deadline will be 12:00 noon on the Friday.

- 10.1** The Clerk/Staff Liaison shall MAKE the agendas of ELECTRONIC Citizen Advisory Committee meetings available to members of the committee 3 days prior to the scheduled meetings ON THE CITY'S WEBSITE.

- 10.2** The Clerk/Staff Liaison shall make the agendas of ELECTRONIC Citizen Advisory Committee meetings, available to the media and general public, simultaneously with the distribution set out in subsection 10.1.