

CITY OF HAMILTON

AMENDING MOTION

Council: February 10, 2021

MOVED BY COUNCILLOR B. CLARK.....

SECONDED BY COUNCILLOR

WHEREAS, an amendment to Section 8.4 (i) and (ii) was approved at the February 4, 2021, Audit, Finance and Administration Committee excluding the member of Council or Committee who has been ordered to vacate the place the meeting is being held, from voting; and

WHEREAS, Sections 6.2 (3); (5) and (10) of the Council Procedural By-law attached as Appendix 'C' to Audit, Finance & Administration Committee Report 21-002, states that "every Member of Council or Committee present and participating in a vote on a motion, shall vote";

THEREFORE BE IT RESOLVED:

That subsection (a) (c) of Item 4 to Audit, Finance and Administration Committee Report 21-002, be **amended** as follows:

4. Governance Review Sub-Committee Report 21-001 - January 25, 2021 (Item 9.4)

(a) 2020 Review of the City's Procedural By-law Amendments (FCS21004 / LS21001) (Item 9.1)

- (c) That the Council Procedural By-law attached as Appendix 'C' to Audit, Finance & Administration Committee Report 21-002, as **further amended**, be enacted by Council:

8.4 Should a Member of Council persist in conducting themselves in a manner contrary to the rules set forth in subsection 8.1 after having been called to order by the Mayor or the Chair of the Committee, the Mayor or the Chair may order them to vacate the place the meeting is being held:

- (i) If the Member of Council apologizes, they may, by two-thirds majority vote of the Council or Committee members (excluding the member of Council or Committee in question), be permitted to remain at the meeting; and

- (ii) Any Member of Council other than the member ordered to vacate the place the meeting is being held may appeal the Mayor's or Chair's ruling, and Council or Committee may overturn the Chair's ruling by two-thirds majority vote of the Council or Committee members (excluding the member of Council or Committee in question). An appeal is not in order once a vote under section 8.4 (i) has taken place.
- (iii) exclusions from voting provided for in subsections 8.4(i) and (ii) shall apply notwithstanding any other provisions in the By-law that require a member of Council or Committee to vote.***