

## Summary of the Proposed Revisions

### SECTION 1 - DEFINITIONS

- *Added the following definitions, in order to define the terms when they appear in the by-law:*
  - **“Carried”** for the purposes of voting, means more than half the total of members of Council or Committee present and not prohibited by statute from voting, voted in favour.
  - **“Defeated”** for the purposes of voting, means more than half the total of members of Council or Committee present and not prohibited by statute from voting, voted in opposition.
  - **“Lost”** for the purposes of voting, means more than half the total of members of Council or Committee present and not prohibited by statute from voting, voted in opposition.
  - **“Writing/Written”** means ensuring a process whereby Councillors are able to request information in an alternate format, such as large print or in Braille.
- *Deleted the following definitions:*
  - ~~**“Approve”** means to support or endorse the action, report or document.~~
  - ~~**“Consent Items”** means those items on an agenda of a Standing Committee; Sub-Committee or Advisory Committee that may be approved by Committee without debate.~~
- *Amended the following definitions:*
  - **“Closed Meeting”** means a meeting, or part of a meeting, which is closed to the public as permitted by **Section 239** of the Act, also referred to as an “in-camera meeting”.
  - **“Meeting”** means any scheduled, special or other meeting of a Council, local board or of a committee of either of them, **that is IN-PERSON / VIRTUAL / HYBRID** where, a quorum of members is present, and members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, local board or committee.

- **“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 that may be included in the published agenda or in the addendum~~ a written notice received by the Clerk’s Office advising Council that the Motion described therein, respecting a matter not already on an agenda, will be brought forward by a Member of Council at a future meeting of Council.
- **“Point of Order”** means ~~a request to the Chair to raise a question a question raised by a member~~ with respect to any departure from the Procedural By-law. After leave is granted, the Member shall state the point of **privilege order** to the Chair and the Chair will immediately decide on the point.~~or in the practised conduct of Council or Committee business.~~
- **“Point of Privilege”** means a request to the Chair to raise a question of privilege, when the Member believes that his, his or their rights, privileges or integrity, or those of the Members collectively have been prejudicially affected. After leave is granted, the Member shall state the point of privilege to the Chair and the Chair will immediately decide on the point. ~~after that affects the credibility, reputation, and dignity of a Member individually or that Council or Committee collectively hold, that ensure Council’s or a Committee’s ability to function freely; a need for assistance, to be excused for illness or a personal emergency.~~
- **“Quorum”** means the ~~number of members equal to a majority of Council or Committee’s membership. required to be present at a meeting to validate the transactions of its business.~~
- *Amended and added the following definitions, in order to address Strong Mayor Powers:*
  - **“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 **save and except for the Strong Mayor Powers**; and
      - (ii) subject to paragraph (i), those rights, powers **save and except the Strong Mayor Powers** and authority of the Mayor that:
        - 1. 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,

2. the Mayor refuses to act;

- **“Mayoral Veto”** means those veto powers included in the Strong Mayor Powers and described in section 284.11 of the Act.
- **“Prescribed Committee”** is a Committee established under the Act that consists solely of members of Council for the purposes of Section 284.8 of the Act.
- **“Strong Mayor Powers”** means those powers, duties and responsibilities set out in Part VI.1 of the Act, titled “Special Powers and Duties of the Head of Council”, and any regulation made thereunder, applying solely to the person who has been elected as Mayor (head of council) under the provisions of the *Municipal Elections Act, 1996*.

### **THROUGHOUT THE PROCEDURAL BY-LAW**

- *References to numbers have been changed to reflect the following:*
  - 2 (two)
  - 5 (five)
  - 8 (eight)
  - 15 (fifteen)
  - 30 (thirty)
  - 31 (thirty-one)
  - One-third (1/3)
  - Two-thirds (2/3's)
  - 12:00 p.m. (Noon)

- ~~Changed for a ‘specified period of time’, to a ‘maximum of one (1) hour’ and that this rule cannot be suspended:~~

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

- (6) Notwithstanding subsection 3.2(4), Council may extend the meeting for a ~~maximum of one (1) hour~~, with at least two-thirds (2/3's) of the Members of Council present and voting in the affirmative ~~with the inability to suspend the rules to extend the meeting further.~~

- *To separate out ‘VIRTUAL’ participation at meetings:*

### **3.3 Location of Meetings**

- (1) IN-PERSON / ~~VIRTUAL~~/ HYBRID Meetings of Council shall be held in the Council Chambers at City Hall in the City of Hamilton or at such other place within the City of Hamilton as Council may from time to time determine.

- (2) VIRTUAL only participation meetings will be held using electronic methods and not in a specific physical location.

- *Added in order to address Strong Mayor Powers:*

### 3.4 Special Meetings of Council

- (7) Notwithstanding subsection 3.4(4), other business introduced under section 13.1(1) shall be considered at a special meeting pursuant to the Strong Mayor Powers does not require a Motion or vote of Council.

- *Providing for the instances where the Mayor will be late arriving to the meeting and has or hasn't made arrangements for another member of Council to assume the chair in their absence:*

### 3.7 Quorum

- (3) If the Mayor does not attend within 15 (fifteen) minutes of the time appointed for a Council meeting; and hasn't made arrangements for another member of Council to chair the meeting in their absence 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.
- (4) If the Mayor, in their absence has made arrangements for the Deputy Mayor or another member of Council to chair the meeting, the Deputy Mayor or the applicable member of Council shall take the chair and call the meeting to order and will preside until the arrival of the Mayor.
- *Amending the amount time Council waits for quorum before adjourning, as 30 minutes was considered an excessive amount of time to wait:*
  - (5) If a quorum is not achieved within 15 (fifteen) minutes after the time appointed for a meeting of Council, the Clerk shall record the names of the Members of Council present and the meeting shall stand adjourned until the date of the next scheduled Council meeting or other meeting called in accordance with the provisions of this By-law.
- *Changing the process for circulating Council/Committee correspondence items through a Council's Weekly Correspondence Listing - Section 3.10, Communication Items is being deleted in it's entirety:*

### 3.10 Communication Items

- ~~(1) Communication Items shall be addressed to the Mayor and Members of Council or the City Clerk and shall be presented to Council for consideration.~~
- ~~(2) Communication Items shall be forwarded to the Office of the City Clerk no later than 12 Noon on the Wednesday of the week prior to the City Council meeting for inclusion in the printed Council Agenda.~~

- ~~(3) — Communication Items not received for inclusion in the Agenda package, shall be introduced under Changes to the Council Agenda, provided that they are received in the Office of the City Clerk no later than 12 Noon on the business day prior to the Council meeting.~~
- ~~(4) — Communication Items shall not be anonymous or contain any defamatory, obscene, offensive, indecent, improper, rude or vulgar language.~~
- ~~(5) — Communication Items shall not contain the personal information without their express consent, with the exception of the author's name. Any personal information found in the communication will be redacted pursuant to the obligations of *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), this Procedural By-law and other relevant legislation or procedure.~~
- ~~(6) — Debate on Council communications shall be limited to the recommended disposition, or limited to reason for or against the referral of the matter to an appropriate Standing Committee.~~
- ~~(7) — Resolutions from other municipalities requesting support will be included on the Council Agenda to be received, unless otherwise directed by a Member of Council.~~
- ~~(8) — Receipt of resolutions from other municipalities by City Council shall not be construed as endorsement by the City of any recommendations or actions contained therein.~~
- ~~(9) — 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.~~
- ~~(10) — Communications which are in substance an allegation of a violation of the Code of Conduct or the *Municipal Conflict of Interest Act* by a member of Council or any member of a local board will not be placed on a Council agenda but will be returned to the author who will be advised of the informal and formal mechanisms for bringing such allegations to the attention of the Integrity Commissioner.~~
- ~~(11) — Notwithstanding subsections 3.10(9) and 3.10(10) Council may add any communication item to a Council Agenda.~~

- *Section 3.11 will be renumbered to 3.10, with Section 3.10(1) being amended as follows:*

### **3.10 Order of Business**

- (1) The Order of Business for scheduled IN-PERSON / VIRTUAL / HYBRID meetings of Council, unless amended by Council in the course of the meeting, shall be as follows:

- (a) **Call to Order**
- (b) Approval of Agenda
- (c) Declarations of Interest
- (d) Ceremonial Activities
- (e) Approval of Minutes of Previous Meeting
- (f) ~~Communications~~ **Items for Information (if required)**
- (g) Committee ~~Reports~~ **Recommendations**
- (h) ~~Motions~~ **Items for Consideration (if required)**
- (i) Notices of Motion
- (j) Statement by Members (non-debatable)
- ~~(k) Council Communication Updates~~
- (l) Private and Confidential
- (m) By-laws ~~and Confirming By-law~~
- (n) Adjournment

- *Section 3.11 (4) is being amended, as “No Bill or By-law may be defeated on the floor of Council without reconsideration of the original motion which gave rise to the consideration of the Bill or By-law.” implies that members of Council must vote in a particular way, as the municipality does not have the authority to pass By-law to tell Councillors how to vote:*

### **3.11 Bills and By-laws**

- (3) Every Bill shall be introduced upon motion by a Member of Council, and any number of Bills may be introduced together in one motion, but Council may at the request of a Member of Council, deal separately with any Bill. If Council deals separately with a Bill:

~~(a) all amendments or debate on the content of the Bill shall be held in committee of the whole;~~

~~(a) Council will move into committee of the whole for discussion on any Bill following a successful verbal motion to go into committee of the whole;~~

~~(b) all amendments made in committee of the whole shall be reported~~

by the Mayor to Council, which shall receive the same forthwith, and after the report has been received, a vote on the motion to pass the Bill shall be taken;

- (4) A Bill or By-law that is defeated on the floor of Council may be subject to the reconsideration of the original motion which gave rise to the consideration of the Bill or By-law.
- (5) When a Bill or By-law has been defeated on the floor of Council, any member who voted on the prevailing side may introduce a motion to reconsider at a subsequent meeting, as per subsection 6.3(9).

- Amended for clarity:

### 3.12 Editorial and Other Changes

- (1) The Clerk may make changes to By-laws or ~~resolutions~~ Council decisions to:

- Section 3.17 has been deleted in it's entirety:

### ~~3.17 Council Communication Updates~~

- ~~(1) All staff Communication Update documents sent to Council and posted on the website will be published by the Clerk on the Council agenda for receipt into the public record.~~
- ~~(2) A member may refer any of the items listed within the Council Communication Updates to a Standing Committee by contacting the Clerk and any item so referred shall be placed on the next available agenda of the respective Standing Committee.~~

- Amended to reflect 'Minutes' rather than Report and the process Board of Health will follow in considering the items within the minutes:

### 3.14 Board of Health Meetings

- (3) **Council may by resolution, move into the Board of Health for the** consideration of the Public Health Sub-Committee Minutes. A member of the Board of Health may:
  - (a) request that a matter contained within the Public Health Sub-Committee Minutes be voted on separately by the Board of Health;
  - (b) amend a matter contained within the Public Health Sub-Committee Minutes;
  - (c) in the event, an amendment is considered to be contrary to the main motion within the Public Health Sub-Committee

Minutes, Board of Health will follow the following process:

- (i) The main motion within the Public Health Sub-Committee Minutes shall be voted upon;
- (ii) If the vote result is deemed to be Carried, the matter is considered closed; and
- (iii) if the vote result is deemed to be lost, the amendment considered to be contrary to the main motion within the Public Health Sub-Committee Minutes, may be introduced if duly moved and seconded.

**(c) Move that the Board of Health rise to report to Council.**

(4) During the consideration of the Public Health Sub-Committee Minutes a member of the Board of Health may:

- (a) request that a matter contained within the Public Health Sub-Committee Minutes be voted on separately by the Board of Health;
- (b) amend a matter contained within the Public Health Sub-Committee Minutes;
- (c) in the event, an amendment is considered to be contrary to the main motion within the Public Health Sub-Committee Minutes, Board of Health will follow the following process:
  - (i) The main motion within the Public Health SubCommittee Minutes shall be voted upon;
  - (ii) if the vote result is deemed to be Carried, the matter is considered closed; and
  - (iii) if the vote result is deemed to be lost, the amendment considered to be contrary to the main motion within the Public Health Sub-Committee Minutes, may be introduced if duly moved and seconded.

- *Section 4 has been amended as follows to provide for a Committee of the Whole meeting to be called to deal with specific City Wide items, such as the City's annual budgets:*

4.1 A Committee of the Whole meeting may be called by the Mayor, as required, to deal with specific City Wide items, such as the City's annual budgets.

- *Sections 4.3 and 4.4 have been deleted, as follows, please refer to Section 5.8(7) for the new process to be followed:*

~~4.3 During the consideration of Standing Committee Reports and Selection Committee Reports a member may:~~

- ~~(a) request that a matter contained within the Committee Report be voted on separately at Council;~~



- ~~(b) amend a matter contained within the Committee Report;~~
- ~~(i) in the event, an amendment is considered to be contrary to the main motion within the Committee Report, Council will follow the following process:~~
  - ~~1. The main motion within the Committee Report shall be voted upon;~~
    - ~~(a) if the vote result is deemed to be Carried, the matter is considered closed; and~~
    - ~~(b) if the vote result is deemed to be lost, the amendment considered to be contrary to the main motion within the Committee Report, may be introduced if duly moved and seconded.~~

~~4.4 During the consideration of Reports a member may lift an item from the Information Section with the approval of a majority of the members present, for the matter:~~

- ~~(a) to be voted upon by Council; or~~
- ~~(b) to be debated and/or amended by Council.~~

~~4.5 An information item that is lifted from a Report and amended, will be given an item number and added to the appropriate section of the Standing Committee Report, Selection Committee Report, or the Report of Committee who reports directly to Council.~~

- *Added the references to the Strong Mayor Powers as per Section 284.8 of the Municipal Act and amended for consistency purposes, the appointment of a Chair of the General Issues Committee for a calendar year assigning the Deputy Mayor as Vice Chair of the General Issues Committee:*

## **5.2 Appointment of Committee Chairs and Vice Chairs**

- ~~(1) Pursuant to the Strong Mayor Powers, the Mayor shall appoint the Chair and Vice-Chair(s) of the Committee of the Whole save and except where the Mayor has delegated such authority to Council.~~
- ~~(2) Subject to subsection 5.2(1), Each Standing Committee shall recommend to where the Mayor has delegated the authority to Council, shall appointment a Chair, Vice Chair and, where applicable, 2<sup>nd</sup> Vice Chair for each relevant Committee for the required term:~~
  - ~~(a) The term of the Chair, Vice Chair and 2<sup>nd</sup> Vice Chair shall be for a calendar year, or part of a calendar year in an election year.~~
  - ~~(b) No Member of Council may serve as Chair, Vice Chair or 2<sup>nd</sup> Vice Chair of the same Standing Committee for more than one year in a Council term.~~
- ~~(3) Despite subsections 5.2(2)(a) and (b):~~
  - ~~(a) the Mayor may stand as the Chair of the General Issues Committee for the term of Council with the Vice Chair being rotated amongst the Deputy Mayors; or~~

(b) the Chair of the General Issues Committee may be appointed for a calendar year, or part of a calendar year in an election year with the Vice Chair being rotated amongst the Deputy Mayors.

~~(4) The Vice Chair of the General Issues Committee shall be rotated amongst the Deputy Mayors when the Mayor is Chair of the General Issues Committee or the Deputy Mayor from the previous month shall be the Vice Chair of the General Issues Committee when the Chair of the General Issues Committee is rotated amongst the Deputy Mayors.~~

(4) The Chair or Vice Chair of a Sub-Committee, Advisory Committee or Task Force established by Council may serve for more than one year in a Council term.

(5) Each Sub-Committee, Advisory Committee and Task Force consisting of members of Council and citizens shall appoint their respective Chair and Vice-Chair as the first matter of business at the beginning of each term. The Chair or Vice Chair of a Sub-Committee, Advisory Committee or Task Force established by Council may serve for more than one year in a Council term.

(6) Pursuant to the Strong Mayor Powers, the Mayor shall appoint the Chair and Vice-Chair(s) of the Committee of the Whole save and except where the Mayor has delegated such authority to Council.

- *Amending the minimum number of Standing Committees each member of Council shall sit on*

### 5.3 Standing Committee Membership

(6) Each Member of Council shall sit on a minimum of ~~3-2~~ Standing Committees, in addition to the General Issues Committee.

- *Providing for the instances where the Chair will be late arriving to the meeting and has made arrangements for another member of Council to assume the chair in their absence:*

### 5.4 Quorum

(4) If the Chair does not attend within 15 (fifteen) minutes of the time appointed for a Committee meeting; and hasn't made arrangements for another Committee member to Chair the meeting in their absence, and a quorum of Committee is present, the Vice Chair shall take the chair and call the meeting to order and will preside until the arrival of the Chair.

(5) If the Chair, in their absence has made arrangements for another member of the Committee to chair the meeting, the applicable member of the Committee shall take the chair and call the meeting to order and

will preside until the arrival of the Chair.

- *Amending the amount time a Committee waits for quorum before adjourning, as 30 minutes was considered an excessive amount of time to wait:*
  - (6) If a quorum is not achieved within **15 (fifteen)** minutes after the time appointed for an IN- PERSON / VIRTUAL / HYBRID meeting of Committee, the Clerk shall record the names of the Members of Council present and the meeting shall stand adjourned until the date of the next scheduled Committee meeting or another meeting may be called in accordance with the provisions of this By-law, except as provided for in 5.4(6) and 5.4(7).
  - (8) If quorum is not achieved within **15 (fifteen)** minutes after the time appointed for an IN- PERSON / VIRTUAL / HYBRID meeting of Committee, the Chair may decide to proceed informally to hear scheduled presentations. Ratification of any decisions will be postponed to a future meeting.
  - (9) If quorum is not achieved within **15 (fifteen)** minutes after the time appointed for an IN- PERSON / VIRTUAL / HYBRID meeting of a Committee, the Chair may allow the Committee to discuss items of interest. Ratification of any decisions will be postponed to a future meeting.
- *Adding a section, that addresses instances when a Planning Committee follows a public or civic holiday on a Monday:*

## **5.6 Standing Committee Meeting Times**

- (1) Unless otherwise decided by Council, scheduled meetings of the Standing Committees will be as follows:
    - (c) **In the event a Planning Committee meeting date, follows a public or civic holiday on a Monday, the Planning Committee shall meet on the Friday of that week;**
- ~~• Changed for a 'specified period of time', to a 'maximum of one (1) hour' and that this rule cannot be suspended:~~
- (6) Notwithstanding subsection 5.6(4), Committee may extend the meeting for a **maximum of one (1) hour**, with at least two-thirds of the Members of Committee present and voting in the affirmative **with the inability to suspend the rules to extend the meeting further.**
- *Changing the documents Council considers to the Committee minutes which includes a process for considering a matter separately at Council:*

#### 5.4 Committee Recommendations to Council Reports

- (1) Each Standing Committee, the Selection Committee, and other Committees that report directly to Council shall make recommendations to Council through the consideration of their Minutes.
- (2) The Public Health Sub-Committee shall make recommendations to the Board of Health;
- (3) A minimum of 2 (two) days shall pass before the Report Minutes of a Standing Committee, the Selection Committee, or other Committee that reports directly to Council is presented to Council to provide adequate opportunity for review. Every effort will be made for Standing Committee and/or Selection Committee Reports Minutes to be released at an earlier date.
- (4) A minimum of 2 (two) days shall pass before the Report Minutes of the Public Health Sub-Committee is presented to the Board of Health to provide adequate opportunity for review. Every effort will be made for the Public Health Sub-Committee Reports Minutes to be released at an earlier date.
- (5) Despite subsection 5.8(2), this rule may be suspended by the affirmative vote of two-thirds (2/3's) of the Members of Council present and voting.
- (6) Despite subsection 5.8(4), this rule may be suspended by the affirmative vote of two-thirds (2/3's) of the Members of the Board of Health present and voting.
- (7) During the consideration of Minutes a member of Council may:
  - a) request that a matter contained within the Committee Minutes be voted on separately at Council;
  - b) amend a matter contained within the Committee Minutes;
  - c) in the event, an amendment is considered to be contrary to the main motion within the Committee Report, Council will follow use the following process:
    - (i) The main motion within the Committee Report shall be voted upon;
    - (ii) if the vote result is deemed to be Carried, the matter is considered closed; and
    - (iii) if the vote result is deemed to be lost, the amendment considered to be contrary to the main motion within the Committee Report, may be introduced if duly moved and seconded.

- *Limiting members of Council to speaking a maximum of once at Council meetings and a maximum of 2 times at Standing Committee meetings:*

## 5.9 Rules of Procedure

- (1) No member of Council shall speak more than once on any matter at a Council meeting without passing of a motion to do so.
- (2) A member of a Standing Committee who has spoken to a matter for the first time, will be permitted to speak a second time, after every member of the Standing Committee has had an opportunity to Speak.
- (3) A member of Council who is not a member of a standing committee, may speak during a committee meeting with the leave of the Chair, has spoken to a matter for the first time, will be permitted to speak a second time, after every member of the Standing Committee, followed by every member of Council who is not a member of the Standing Committee, has spoken, and then only to provide information or seek clarification from the Chair, other Members of Council or staff.
- (6) ***Staff presentations will be included on an agenda to precede the related item (under Items for Discussion) and will be limited to a maximum of 10 minutes.***

- *Section 5.11(1) was amended as follows:*

## 5.11 Order of Business

- (1) The general Order of Business for the IN-PERSON / VIRTUAL / HYBRID scheduled meetings of Committees, unless amended by the Committee in the course of the meeting, shall be as follows:
  - (a) Call to Order
  - (b) Ceremonial Activities
  - (c) Approval of Agenda
  - (d) Declarations of Interest
  - (e) Approval of Minutes of Previous Meeting
  - ~~(f) Communications~~
  - ~~(g) Delegation Requests~~
  - (f) Delegations
  - ~~(g) Staff Presentations~~
  - (g) ~~Consent~~ Items for Information
  - (h) Public Hearings (If required)
  - (i) ~~Discussion~~ Items for Consideration

- (j) Motions
- (k) Notice of Motions
- ~~(l) General Information/Other Business~~
- (l) Private and Confidential
- (m) Adjournment

- *Section 5.12 has been amended to clearly outline the provisions for Delegations and subsection 5.12(18), has been added to address the instances when a delegation refers to an individual by their proper name while delegating:*

## 5.12 Delegations

- (1) Any person, group of persons, or organization, who wishes to appear as a delegation to address a Committee may appear in-person or virtually.
- (2) Any person, group of persons, or organization wishing to address a Committee with respect to a matter already on a Committee Agenda, shall submit a written request to the Clerk, using the 'Request to Speak to a Committee of Council' form (available on the City's website) no later than 12 p.m. (noon) on the day prior to meeting. If the Committee is meeting on a Monday, the deadline will be 12 p.m. (noon) on the Friday preceding the meeting.
- (3) Any person, group of persons, or organization wishing to address a Committee with respect to a matter not already on a Committee Agenda, shall submit a written request to the Clerk, using the 'Request to Speak to a Committee of Council' form (available on the City's website) at least 14 (fourteen) days before the date and time of the regular Committee meeting.
- (4) Delegations shall be limited to an oral presentation of not more than 5 (five) minutes speaking time.
- (5) Notwithstanding subsection 5.12(4), an extension of speaking time may be granted upon request with the approval of a majority of the members of the Committee present.
- (6) Any delegate(s) wishing to submit presentation materials (slides, supporting documentation, speaking notes, delegation outlines) or who wish to appear before Committee through a pre-recorded video, shall submit the materials and/or pre-recorded video no later than 12 p.m. (noon) 2 (two) business days before the meeting. If the Committee is meeting on a Monday, the deadline will be 12 p.m. (noon) on the Thursday preceding the meeting.
- (7) Delegates are encouraged to provide a written brief of their presentation to the Clerk, at least 5 (five) days in advance, which will be provided to the members of the Committee and become part of the public record.

- (8) A request to **delegate** shall include the **name(s) of all delegates, reasons(s) for the delegation, and the contact information (name, address, email and/or phone number) for any person, group of persons, or corporation/organization** which they represent.
  - (9) The Clerk shall consider all requests and direct delegations to the appropriate Committee, as appropriate.
  - (10) Delegations will not be permitted at more than one Committee on the same topic, except as required by by-law.
  - (11) **Delegates** who have previously appeared before a Committee on a subject matter, **and request to speak to a Committee a second time on the same subject matter**, shall be limited to providing only new information **as part of** their subsequent appearance.
  - (12) Delegations are to refrain from referring to an individual(s) by their proper name(s) when delegating before Committee.
  - (15) Requests to delegate that are outside the jurisdiction of the municipality will not be placed on a Committee Agenda.
  - (16) Delegate shall not:
    - (i) speak disrespectfully of any person and maintain order and decorum in accordance with this by-law;
    - (ii) speak on any subject other than the subject for which he/she/they has received approval from the Clerk to address with Committee.
    - (iii) violate the rules of procedure or a decision of the presiding officer.
- *Changing the process for circulating Council/Committee correspondence items through a Council's Weekly Correspondence Listing - Section 5.14 – Correspondence Items has been amended to reflect the amendments below:*

#### **5.14 Correspondence Items**

- (1) **Correspondence** items shall be addressed to the Chair and Members of Committee or the City Clerk and shall be **published for Members of Council and the public weekly on the City's website, as Council's Weekly Correspondence Listing.**
- (2) **Correspondence** items shall be forwarded to the Office of the City Clerk no later than 12:00 p.m. (Noon), **each Friday to allow for publishing that same week in Council's Weekly Correspondence Listing.**
- (3) When the date described in subsection 5.14(2) is a public or civic holiday, the **correspondence** item shall be forwarded to the Office of the City Clerk no later than 12:00 p.m. (Noon) on the last business day prior to the date as set out in subsection 5.14(2), for inclusion in **Council's**

Weekly Correspondence Listing.

- (4) If a Member of Council would like a correspondence item listed in the Council's Weekly Correspondence Listing placed on a Committee agenda, the Member must advise the Clerk's Office no later than 12:00 p.m. (Noon) on the day prior to the meeting.
  - (a) If a member of Public Health Sub-Committee would like a relevant item of correspondence listed in the Council's Weekly Correspondence Listing placed on a Public Health Sub-Committee agenda, the member must advise the Clerk's Office no later than 12:00 p.m. (noon) on the day prior to the meeting.
- (5) Correspondence items that are anonymous or contain any defamatory, obscene, offensive, indecent, improper, rude or vulgar language shall not be included in Council's Weekly Correspondence Listing, and will not be retained as part of the official record.
- (6) Correspondence items shall not contain personal information without their express consent, with the exception of the author's name. Any personal information found in the correspondence will be redacted pursuant to the obligations of *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), this Procedural By-law and other relevant legislation or procedure.
- (7) Correspondence items shall only contain the author's name. Any other names of individuals found in the correspondence will be redacted pursuant to the obligations of *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), this Procedural By-law and other relevant legislation or procedure, unless the individual has given their express consent to the Clerk in writing.
- (8) Correspondence items that are relevant to a matter that appears on the Standing Committee Agenda, will be added to the relevant agenda.
- (9) Correspondence items that are relevant to a matter that appears on a Standing Committee Agenda, received after the prescribed deadline as set out in subsection 5.14(4) will be included on the Council Agenda as an item(s) for information, to be received during the consideration of the Standing Committee Report.
- (10) Correspondence items listed on a Council's Weekly Correspondence Listing that are placed on a Committee agenda by a Member of Council, will be listed under 'Correspondence', with the disposition, as 'Be received for information'.
- (11) Committee Members may move an amendment during the Committee meeting, to amend the disposition of the item, to endorse it, and/or to



circulate notice of the distribution to external parties.

- (12) Debate on correspondence shall be limited to the recommended disposition, or limited to reason for or against the referral of the matter to an appropriate Committee.
- (13) **Correspondence** 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 Standing Committee Agenda and will be forwarded forthwith by the City Clerk to the relevant City Department or body for consideration and appropriate action.
- (14) **Correspondence** which are in substance an allegation of a violation of the Code of Conduct or the *Municipal Conflict of Interest Act* by a member of Council or any member of a local board will not be placed on a Committee agenda but will be returned to the author who will be advised of the informal and formal mechanisms for bringing such allegations to the attention of the Integrity Commissioner.

~~(15) A Standing Committee member may read out an email or a letter for the Committee respecting a matter on the agenda and ask that the correspondence item become part of the official record with the approval of a majority of the members present.~~

~~(16) Notwithstanding subsections 5.14(9) and 5.14(10) a Standing Committee member may add any communication item to a Standing Committee Agenda.~~

- Amending 'voted in the majority' with 'on the prevailing side':

#### 5.15 Reconsideration of a Matter Decided Within a Standing Committee Meeting

- (1) At any Standing Committee Meeting, after a matter has been decided by the Standing Committee, including both successful or failed motions, a Member of the Standing Committee who voted **on the prevailing side**, may present a Motion to reconsider the matter prior to the adjournment of the meeting. The Chair may ask the Member of the Standing Committee to confirm that they voted **on the prevailing side of** the issue in question.
- Adding a section that addresses what the prevailing side is, in the event of a tie:
    - (i) In the event of a tie, the prevailing side, is the defeated side.
  - As per the amendment to the number of times a member may speak at a Council meeting, the ability to obtain an extension to the 5 (five) minute time limit is being deleted:

## 6.1 Rules of Debate

~~(7) Notwithstanding subsection 6.1(6), an extension of a specific allotment of time to the 5 (five) minute speaking restriction may be granted with the approval of a majority of the members of the Council or Committee present.~~

- Adding a section that states what type of vote is considered the default vote:

## 6.2 Voting Procedures

(2) All votes other than those that require one-third (1/3) of members of Council or two-thirds of members of Council or two-thirds majority, are majority votes.

- Excluding the need for electronic votes for procedural and consent items:

- (4) **INP** When an electronic voting system is available at an IN-PERSON meeting every Member of Council or Committee present and participating in a vote on a motion, shall vote electronically excluding those motions referred to in (i) and (ii) below which shall be by show of hands:
- (i) procedural (majority vote: refer, defer, withdraw, recess, call the question and adjourn);
  - (ii) Receiving delegation submissions and presentations;**
  - (iii) Adopting minutes;**
  - (iv) **Approving or amending the agenda;** and
  - (v) **Consent Items for Information, considered in a block.**

- ELE** When an electronic voting system is available at a VIRTUAL / HYBRID meeting every Member of Council or Committee present and participating in a vote on a motion, shall vote electronically excluding those motions referred to in (i) and (ii) below which shall be by show of hands:
- (i) procedural (majority vote: refer, defer, withdraw, recess, call the question and adjourn); and
  - (ii) Receiving delegation submissions and presentations;**
  - (iii) Adopting minutes;**
  - (iv) **Approving or amending the agenda;** and
  - (v) **Consent Items for Information, considered in a block.**

**Any member of Council or Committee may request the chair conduct an electronic vote for the above mentioned exclusions.**

- Subsection 6.3(5) has been amended, as follows:

**(5) Motion to Defer**

(a) A motion to defer a question:

~~(a) is debatable; and~~

~~(b) shall include the date when the question is to be considered.~~

(i) may include instructions respecting the terms upon which the question is to be deferred;

(b) A motion to defer a question is not debatable except where instructions are included, in which case, only the instructions shall be debatable.

(c) A motion to defer a question may be amended in accordance with subsection 6.3(4).

(d) When a motion to defer a question to Council is defeated by a Standing Committee, the Chair of the Standing Committee shall call the question on the matter.

(e) A member who has spoken to the motion under debate shall not be permitted to move a motion to defer a question.

- *Subsection 6.3(6) has been amended as follows:*

**(6) Motion to Refer**

~~(f) A motion to refer a question is only in order after all first time speakers have been heard.~~

- *Subsection 6.3(7) has been amended as follows:*

**(7) Motion to Adjourn**

(e) When the balance of business on a Council or Committee agenda has been dealt with. In this case, the Mayor or Chair shall have the authority to adjourn the meeting without the necessity of a motion.

- *Amending 'voted in the majority' with 'on the prevailing side':*

**6.3 Motion Procedures**

**(9) Motion to Reconsider a Matter Decided by Council**

(a) At any Council Meeting, after a matter has been decided by Council, including both successful or failed motions, a Member of Council who voted **with the prevailing side**, may present a Notice of

Motion to reconsider the matter. The Chair may ask the Member of Council to confirm that they voted with the **prevailing side** of the issue in question. Such Notice of Motion shall be referred to the next scheduled meeting of Council and shall be included on the agenda under "Motions".

- *Added a section that addresses what the prevailing side is, in the event of a tie:*
  - (i) **In the event of a tie, the prevailing side, is the defeated side;**
- *Added a section that addresses when a member is absent from a vote and their inability to bring forward a Notice of Motion to reconsider an item:*
  - (ii) **Members of Council absent from the vote are not permitted to bring forward a Notice of Motion to reconsider a matter.**
- *Added 'majority' for clarification purposes:*
  - (c) A motion to reconsider a decided matter shall require the approval of at least two-thirds **majority** of Council present.
- *Added 'majority' for clarification purposes and the exception to the rule respecting the extension of a meeting:*

## (12) **Motion to Suspend the Rules of Procedure**

The rules governing the procedure of the Council or Committee at Council or Committee meetings may be suspended and shall require the approval of at least two-thirds **majority** of members present **with the exception of subsection 5.6(6) and any rule which is required to be followed by law.**

- *Added 'consisting of members of Council and citizens' in order to distinguish them as non-Prescribed Committees, that do not fall under the Strong Mayors Powers:*
- 7.1** Council may from time to time, as needed, establish Advisory Committees or Task Forces **consisting of members of Council and citizens** in response to specific matters requiring immediate or long term attention.
- 7.3** When an Advisory Committee or Task Force **consisting of members of Council and citizens** has completed its mandate, the Standing Committee to which the Advisory Committee or Task Force reports shall dissolve it by motion.
- *Subsection 9.1 has been amended to reflect the Section of the Municipal Act that applies:*
- 9.1** Except as provided in this **Section 239 of the Act**, all Committee and Council meetings shall be open to the public.

- *The title of Section 11 and the Index, has been amended to reflect Live Recordings of Meeting, as follows:*

## **SECTION 11 – ~~IN-PERSON / VIRTUAL / HYBRID~~ LIVE RECORDINGS OF MEETINGS**

- *Added wording for clarification purposes:*

**12.7** The Clerk shall assume the role of the Mayor or Chair as the chair of Council or a Committee, when a ruling of the Mayor or Chair is challenged by a Member of Council or Committee. The Clerk shall take a vote of the challenge for Members of Council or Committee in favour or opposed to the ruling **on the question “Should the ruling of the Chair be upheld?”**. The ruling **is upheld** when there is a two-thirds majority vote in favour of the **question**.

- *Added the following section, in order to include provisions respecting Strong Mayor Powers:*

### **SECTION 13 – STRONG MAYOR POWERS**

#### **13.1 Addition of Business**

- (1) The Mayor may introduce any matter for consideration by Council, and require Council to discuss and vote on any such matter, pursuant to the Strong Mayor Powers:
  - (i) any such matter introduced by the Mayor under the Adoption of the Agenda pursuant to the Strong Mayor Powers does not require a Motion or vote of Council.
  - (ii) the Clerk is authorized to include the addition of business pursuant to the Strong Mayor Powers in the Agenda and minutes.
  - (iii) any such matter introduced by the Mayor under the Adoption of the Agenda pursuant to the Strong Mayor Powers shall be considered under the respective agenda heading unless the Mayor directs otherwise.

#### **13.2 By-law(s) Introduction**

- (1) The Mayor may introduce a by-law for consideration by Council, and require Council to vote on any such by-law, pursuant to the Strong Mayor Powers:
  - (i) any by-law(s) introduced by the Mayor pursuant to the Strong Mayor Powers under the Adoption of the Agenda pursuant to the Strong Mayor Powers does not require a Motion or vote of Council.
  - (ii) the Clerk is authorized to include any by-law(s) introduced by the Mayor pursuant to the Strong Mayor Powers in the Agenda and minutes.
  - (iii) a By-law introduced by the Mayor pursuant to the Strong Mayor Powers to advance a provincial priority shall, in accordance with Subsection 284.11.1(4) of the Act, shall be passed if more than

one-third (1/3) of the Members of Council (6 Members) vote in favour.

### 13.3 By-law(s) Approval and Veto

- (1) In accordance with Strong Mayor Powers, and subject to the timelines set out in Part VI.1 of the Act and the associated regulations, the Mayor shall communicate to the Clerk:
    - (i) Written approval of By-laws enacted by Council; or
    - (ii) Written notice of any By-laws that the Mayor intends to Veto pursuant to Strong Mayor Powers, and a written veto document as prescribed by the Act.
  - (2) Upon receipt of written notice from the Mayor as set out in paragraph (1), and in accordance with the timelines prescribed in the Act (Regulations), the Clerk shall advise Council and the public by:
    - (i) Posting notice of the Mayor's approval of the By-laws on the City's website; or
    - (ii) Posting notice of Mayoral Veto of a By-law or By-laws on the City's website and advising all Members by e-mail, including providing a copy of the veto document.
  - (3) In accordance with Strong Mayor Powers, and subject to the timelines set out in Part VI.1 of the Act and the associated regulations, Council may override a Mayoral Veto with two-thirds (2/3) of the Members of Council (12 Members) vote to override the veto.
    - (i) The Mayoral Veto override shall be introduced by Motion:
      - (a) Without prior notice at any regular Council meeting under Adoption of Agenda; or
      - (b) At a Special meeting called for this purpose in accordance with subsection 3.4 (Special Meetings of Council).
- *Renumbered the existing Section 13 – General to Section 14 – General*
  - *Added "Biodiversity Action Plan" under Mandate, General section, as per Item 10 of the Planning Committee Report 24-009, approved by Council on June 26, 2024:*

## Appendix A – GENERAL ISSUES COMMITTEE

### General:

- **Biodiversity Action Plan**
- *Added 'save and except for Strong Mayor Powers' to address Strong Mayor Power legislation:*

**Appendix F - ROLES OF COUNCIL, MAYOR AND COMMITTEE CHAIR**

**ROLE OF THE MAYOR**

(including the Deputy Mayor, **save and except for the Strong Mayor Powers**, while fulfilling the duties of Mayor)