



Date: September 23, 2024

To: Mayor and Council

Author: Angela Toole, Acting Manager of Municipal Governance & Clerk

RE: Amendments to Procedure By-law

RECOMMENDED ACTION

That Council **APPROVE** the proposed amendments to the Procedure By-law, being a By-law to govern the calling, place and proceedings of Council and Committees;

And that, the new Procedure By-law 68-2024 **BE ADOPTED** during the By-law stage of the Agenda.

BACKGROUND

In accordance with Section 238 of the *Municipal Act, 2001*, every municipality and local board shall pass a procedure by-law which governs the calling, place and proceedings of meetings. The Town's current Procedure By-law 77-2021 (the "Procedure By-law") was passed in 2021 to incorporate several legislative changes, including the addition of provisions allowing for electronic participation in meetings in response to the COVID-19 pandemic. In addition to amending a procedure by-law in response to legislative change, sometimes further amendments are necessary to capture changing trends, address challenges, and to clarify existing provisions.

DISCUSSION

Most of the amendments can be characterized as housekeeping amendments to bring the by-law into conformity with current practice. There are however a few substantive changes.

A summary of proposed amendments to the Procedure By-law follows:

- Section 1.1 - Deletion of the "Council Chambers" definition and addition of a "Unico Community Centre" definition to reflect the change in the location of Meetings;
- Section 1.1 - Addition of "Presentation" definition to distinguish between "delegations" related to a matter before Council or soon to be before Council, and "information" of significance usually presented to Council by other levels of

government and groups such as partner and external organizations (ex. Essex Regional Conservation Authority);

- Section 3.2 – A change in the Regular Meetings schedule provision which currently specifies that Regular Meetings are held on the second and fourth Mondays of each month. The revised provision now specifies that Regular Meetings are held twice a month on select Mondays (except December, July, and August).
- Section 3.4 - Clarification respecting “how” the Chair may call a Special Meeting;
- Section 3.10 & 4.3 – updated location of Council Meetings to Unico Community Centre;
- Section 5.2 - Deletion of the suggested format for agendas to provide the Clerk with discretion and flexibility for the creation and preparation of agendas;
- Section 6.4 - The addition of reasons for which the Clerk in consultation with the Mayor and CAO, may decline to grant a request to appear before Council (ex. the subject matter is outside the jurisdiction of Council or, the request is for the purposes of soliciting business);
- Section 6.7 - The addition of language clarifying that time limits for delegations shall be set at the discretion of the Chair and addition of language clarifying time allotments for delegations, presentations, and matters subject to notice (“Up to”);
- Section 6.14 - The addition of language to define how decisions of any court, tribunal, board or other body with competent jurisdiction, makes a finding or order which requires action of Council, such as making a new decision or reconsideration, will be placed on an agenda;
- Section 7.1 - Deletion of the provision allowing the Chair the ability to relax the procedural rules during a Committee of the Whole Meeting;
- Section 7.1 - The addition of language clarifying the authority of the Committee of Whole to direct Administration or refer matters to Council for consideration and approval;
- Section 7.2 – The addition of language clarifying Committee of the Whole Meetings schedule;
- Section 7.5 - The deletion of the provision respecting the Committee of the Whole making recommendations to Council regarding appointments to Committees;

- Section 7.5 - Added provision to clarify that Committee Appointment applications will be reviewed and recommended to Council during a Closed Meeting of Council;
- Previously Section 7.6 - The deletion of the provision that the Human Resources Manager should conduct reference checks as may be necessary, as this is standard practice regardless of this provision.
- Section 10.18 - The addition of language clarifying the rules of debate in respect of a Motion to Reconsider; and,
- Section 10.22 - A change in the period of time in which a question may be subject to a Motion to Reconsider (from 24 months to 12 months) and a provision allowing for a question to be subject to a Motion to Reconsider if a regular municipal election has occurred.

For Council's review, a tracked changes copy of the Procedure By-law (Appendix A) is attached to this report, in which the proposed amendments have been applied.

FINANCIAL CONSIDERATIONS

None.

ENVIRONMENTAL CONSIDERATIONS

None.

CONSULTATIONS

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