



## REPORT

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**TO:** Mayor Lawlor and Members of Council

**FROM:** Valerie Petryniak, Town Clerk & Director of Legislative Services

**DATE:** March 7, 2023

**REPORT NO.:** ADMIN-2023-003

**SUBJECT:** Update and Amendments to Procedure By-law 2021-0020

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### RECOMMENDATION:

THAT Report No. ADMIN-2023-003 dated March 7, 2023 regarding update and amendments to Procedure By-law 2021-0020 be received;

AND FURTHER THAT Council approve the new Procedure By-law (Appendix B) which will take effect at the May 8th Council meeting.

### KEY POINTS:

The following are key points for consideration with respect to this report:

- The Town's Procedure By-law is a living document which is reviewed and amended from time to time to streamline best practices.
- These amendments include housekeeping amendments, removal of all references to Standing Committees and readjusting the agenda items for Council meetings to better reflect when report approvals will take place.

### BACKGROUND AND DISCUSSION:

The *Municipal Act, 2001, SO 2001, c 25* states that every municipality shall pass a procedure by-law for governing the calling, place and proceedings of meetings and to provide for public notice of meetings. Changes to the *Act* require municipalities to amend the Procedure By-law from time to time, and as a best practice the by-law should be reviewed every couple of years to make adjustments and streamline the agenda and meeting process. Council approved Procedure By-law 2021-0020 and with

the amendments suggested in this report, staff are requesting to repeal that by-law in its entirety and replace it with a new updated one. (Appendix B)

To align with the 2023 Council Calendar, any reference to Standing Committees have been removed from the Procedure By-law. Should there be a desire to reinvestigate the need for standing committees in the future, staff will perform a comprehensive review and bring new structure ideas to Council at that time. The attached Appendix A shows the current Procedure By-law 2021-0020 with markups indicating the sections that have been changed.

Many of the sections showing strike through text are the removal of standing committee references however there are a few amendments which have been noted and explained further below.

### Section 1 - Definitions

Clarification of existing definitions have been added to Section 1 and are as follows:

Removed the words “in alphabetical order by last name” to the definition of Acting Mayor to read:

“**Acting Mayor**” means the Councillor who is appointed to serve one month each, to act in place and stead of the Mayor as required.

Added the words “information only” to the definition of Consent Items to read:

“**Consent Item**” means information only reports and memorandums that are presented for approval without debate and with no delegation or presentation. Consent items are grouped together on an agenda and can be approved through one motion.

Added the words “working group” and removed the words “sub-committee” from the definition of Committee to read:

“**Committee**” for the purpose of the By-Law means any Advisory or other Committee, working group, or similar entity appointed by Council.

Added a new term called Immediate Action Item with the definition to read as follows:

“**Immediate Action Item**” means a staff report or other matter that is time sensitive and requires immediate disposition at the meeting it is presented at.

Immediate Action Items will be listed in Section 9.2, Consideration of reports and will be identified with an **IA** in parenthesis beside the report name. These items will have a separate resolution prepared to approve the same night as the meeting it is presented at.

Added the definition for Final Disposition to read:

“**Final Disposition**” means Council’s final decision on a matter.

Added a new definition for the word “motion” to read:

**“Motion”** means a proposal, moved by a member and seconded by another to resolve and effect a decision for consideration by Council.

Amended the definition of “Notice of Motion” to clarify the meaning. It read:

“Notice of Motion” means a motion which is introduced at a Council meeting for consideration at the next regular meeting of Council, thereby affording all Members with notice that the subject matter is to be addressed.

To read:

**“Notice of Motion”** means an advanced notice of a matter to be introduced at the next regular Council meeting, thereby affording all members with notice that the subject matter is to be addressed for Council to take a position on.

Added a new definition for the word “resolution” to read:

**“Resolution”** means the decision of Council on any motion or committee recommendation.

Added a new definition for “Request for Reports” to read:

**“Request for Reports”** means a motion introducing an item of business at a regular Council meeting for a staff report to be considered on a future Council agenda.

#### Section 5.2 – Electronic Participation - Members

A bullet point was added to this section to clarify electronic participation by Members in Closed Session.

- Members participating in the closed session will be reminded that they are to be in a room by themselves and that no one else is to be privy to the closed meeting. Members participating from a remote location should wear a headset during closed sessions. Members must ensure the confidentiality of the meeting and that the deliberations are private.

#### Section 5.15 – Petitions/Communications/Motions

This section was re-titled in order of relevance to read:

Motions/Communications/Petitions

#### Section 9 – Order of Business

While the Order of Business stayed generally the same, staff have reworded some of the section titles for easier explanation and rearranged a few for better flow throughout the meeting.

Addition of a new section called “Request for Reports” which is further explained in this report.

The entire Council agenda layout currently found in the Procedure By-law 2021-0020 has been removed and replaced with:

1. **Call to Order – 1:00 p.m.**
2. **Move Into Closed Session**
  - 2.1 **Disclosure of pecuniary/conflict of interest**
3. **Open Meeting – 3:00 p.m.**
  - 3.1 **O Canada**
  - 3.2 **Land Acknowledgement**
  - 3.3 **Disclosures of Pecuniary/Conflict of Interest**
4. **Other Business (Announcements, Emergency Matters)**
5. **Resolution to Adopt General Committee Items from the previous Council Meeting.**
6. **Confirmation of Minutes of previous Council Meetings**
7. **Public Presentation/Delegation (item not listed on the current agenda)**
8. **Consent Items**
9. **General Committee**
  - 9.1 **Presentations/Delegations**
  - 9.2 **Consideration of Reports**
  - 9.3 **Adjourn back into Council**
10. **Resolution to Adopt Immediate Action Items from General Committee**
11. **Resolution to Adopt Closed Session Items**
12. **Motions/Communications/ Petitions**
13. **Notice of Motion**
14. **Request for Reports**
15. **Receive and File General Information Package**
16. **Consideration of By-laws**
17. **Adjournment**

#### Section 9.7 – Final Disposition

This section has been added to the by-law to identify when specific items will receive Final disposition by Council.

- 9.7.a Consent Items will receive Final Disposition at the meeting they are listed on the agenda, with the exception of Consent Items which have been moved to be dealt with under Section 9.2, Consideration of Reports.
- 9.7.b Consideration of Reports – Items found in this section will receive Final Disposition at the next regular scheduled Council meeting, with the exception of any items marked for Immediate Action.
- 9.7.c Immediate Action Items will receive Final Disposition at the meeting they are listed on the agenda.

## Section 10 – Motions

This section has been re-worked in its entirety to distinguish between the various motions introduced at a Council meeting.

Procedural or common motions are those which are used during meetings to advance the agenda. Examples of these are motions to:

- Convene into Closed Session
- Receipt of Minutes from the Previous Council meetings
- Approval of Reports
- Adjournment

Motions for Consideration are those motions which Council members wish to bring forward under the Motion/Communications/Petitions section of the agenda, which are proposals to resolve and effect a decision for consideration by Council.

A Notice of Motion is used to give advanced notice that a motion will be brought to the next Council meeting. A Notice of Motion may be introduced orally at a Council meeting, or it can be listed on the agenda. Delegations will not be allowed to speak for a Notice of Motion.

Request for Reports is a new addition to the by-law which gives Council members the ability to bring a request for information by way of report from a staff person. Request for Reports motions are written in the same manner as a regular Motion for Consideration and may be introduced verbally at Council meeting or it can be listed on an agenda. Delegations will not be allowed to speak for a Request for Reports motion.

Section 12.1.c has been revised to allow presentations from other levels of government, local boards and agencies be reduced to a maximum of 10 minutes each.

Section 12.1.d has been revised to allow presentations from staff to be a maximum of 15 minutes.

Section 12.2.b has been revised to allow delegations at both the Council portion and General Committee portion of the meeting a maximum limit of five minutes to speak with a maximum PowerPoint presentation of 12 slides.

Sections 14 and 15 were removed in their entirety as they relate to Standing Committees.

The suggested changes allow for staff to further streamline Council meetings. To keep By-law at the most current version staff recommend repealing By-law No. 2021-0020 and replace it with a new Procedure By-law (Appendix B).

## **STRATEGIC PLAN ALIGNMENT:**

This report is administrative in nature and does not have an impact on the Town's Strategic Plan.

**RELATIONSHIP TO CLIMATE CHANGE:**

This report is administrative in nature and does not directly impact or address climate change and the Town's Net Zero target.

**PUBLIC ENGAGEMENT:**

Public Engagement was not needed as this report is administrative in nature.

**INTERNAL CONSULTATION:**

Staff have consulted with the CAO and Senior Management with the recommended changes.

**FINANCIAL IMPLICATIONS:**

This report is administrative in nature and does not have any financial implications.

Reviewed and approved by,  
Chris Mills, Chief Administrative Officer