



Date: Wednesday, December 07, 2022

From: Brittany Drury, Director of Corporate Services / Clerk

Subject Procedure By-law Updates

Report LEG2022-016

Recommendation

Whereas staff have identified opportunities for efficiencies in current Council and Committee procedures;

Now Therefore, Township Procedure By-law 2019-125 be amended as described herein; and

That a by-law to amend Procedure By-law 2019-125, be presented for enactment at the December 14, 2022 meeting of Council.

Background

At their meeting on November 20, 2019, Council enacted Procedure By-law 2019-125, thereby repealing all previous and amending procedure by-laws.

Since adoption of Procedure By-law 2019-125, Council has amended the document on various occasions, including to permit electronic participation both within and beyond the COVID-19 pandemic. Additionally, and further to provincial best practices, Council has amended the Township's Procedure By-law to introduce policies relating to closed session meetings and recording of open and closed session meetings.

Council last considered updates to the Procedure By-law via report [LEG2021-14, presented at their meeting on May 5, 2021.](#)

Routine and regular updates to municipal procedure by-laws is both best practice and encouraged by the Ombudsman's Office and the Province of Ontario. In an effort to identify opportunities for meeting efficiencies, staff have reviewed the Township's Procedure By-law and propose the following amendments for Council's consideration:

Section 7 – Regular Meetings

Section 7 has been amended to remove the existing requirement for Council approval of annual meeting calendars, as this practice is a duplication of the approval process and delays the Township's ability to communicate and confirm meeting dates for the upcoming year. Currently, annual meeting calendars are approved by Council in the fall of each year. The Procedure By-law already governs that all meetings of Council and Committee of the Whole commence at 5:00 p.m. on alternating Wednesdays, whereas Committees select their respective meeting times, depending on availability of the members – therefore, defining the annual meeting calendar and rendering its approval unnecessary.

The annual calendar will still be developed by the Clerks Office, circulated to members of Council and published to the Township website.

Section 18 – Commencement of Meeting

Section 18.2 has been amended to reflect adjournment following 15 minutes of no quorum of the Council / Committee. This amendment decreases the allotted time prior to adjournment to 15 minutes over the former 30.

Section 21 – Public Hearings

Due to new timelines applicable to planning applications, introduced via Bill 109, the former maximum of 3 public hearings per meeting of Council or Committee of the Whole has been removed.

Section 22 – Delegations

The most amendments are proposed to Section 22, governing delegations to Council and Committees. Through the included amendments, delegations will be divided into two categories: Items on the Agenda and Items not on the Agenda.

In the past, Council and Committee has entertained questions and comments from the general public via "Public Question Period", in which any member of the public may address Council or Committee members on any topic, for a duration of five minutes. It is the intention of the amendments to Section 22 to marry the former Public Question Period with Delegations.

To increase efficiencies with Public Question Period, members of the public wishing to address Council are required to register with the Clerks Office prior to 3:00 p.m. on the day of the scheduled meeting. This registration period may permit staff to prepare answers to the submitted questions and allow for notice to be circulated to Council. This will improve the public's experience in the Council forum and provide Council and staff the opportunity to prepare responses to concerns and/or questions received by the public. Further, by combining Public Question Period, formerly agenda item 14, with the Delegation agenda item, the public can pose their questions and/or concerns to Council prior to consideration of the item of business on the regular agenda, under agenda item 7.

Amendments to Section 22 are summarized in Figure 1 below:

Figure 1. Summary of Amendments

Section	Current Wording	Proposed Amendment
22.5 Delegations on the same matter	N/A	A delegate may only address Council once within a six-month period on the same matter. Note: direction was provided to staff by Council to introduce wording to this effect at their meeting on October 6, 2021.
22.12 and 22.17 Registration with the Clerks Office	No registration required.	Items included on the agenda: registration required to address Council / Committee with the Clerks Office prior to 3:00 p.m. on the day of the schedule meeting. Items not included on the agenda: registration with and materials submitted to the Clerks Office by Thursday of the week preceding the meeting.
Public Question Period	Included.	Covered in the Delegation section.

22.15 and 22.20 Speaking Time	10 minutes for all Delegations. 5 minutes for Public Question Period.	5 minutes for items included on the agenda. 10 minutes for items not included on the agenda.
22.16 and 22.19 Number of Delegations on one agenda	3 Delegations per meeting. No limit to Public Question Period.	Unlimited for items included on the agenda. 3 per meeting for items not included on the agenda.
22.21 Parameters for refusal of a Delegation	Delegations are limited to topics within the jurisdiction of Council.	Expanded to include items I through V.

Where a member of the public fails to register as a Delegation with the Clerks Office, and wishes to speak to an item not included on the agenda, Section 22.22 permits the individual to be heard in the Council forum, while continuing to recognize the registration requirements of 22.12.

As mentioned above, the intent of the proposed amendments to Section 22 is to consolidate Delegations and Public Question Period. The registration process will allow staff to be prepared to address questions of the public, thereby improving the public's overall experience in the Council arena.

Section 23 – Consent Agenda

Section 23 has been amended to include consideration of all staff reports, with exception of statutory planning public meeting files, on the Consent Agenda. By including staff reports on the Consent Agenda, actions of Council are consolidated into one motion. Where a member wishes to discuss a report, comment on the report or submit questions to staff regarding the report and included recommendations, said member may remove the report from the Consent Agenda for further discussion.

Staff reports covering complex subject matter, or requiring dedicated Council discussion, will be included under Staff Reports. The decision on which reports to include separately as Staff Reports will be made by the Clerks Office in consultation with the CAO.

Section 27 – Notice of Motion

Amendments to Section 27 require all topics of discussion to be presented by a formal Notice of Motion, rather than an addition to the agenda. Currently, any member can

request an item be added to an agenda, with little context, either through the Clerks Office or at the beginning of any scheduled Council or Committee meeting, under agenda item 2, “Additions to the Agenda / Approval of the Agenda”.

Per parliamentary procedure and Roberts Rules of Order, a motion, once duly moved and seconded, opens any topic of discussion. Presenting discussions via a formulated motion communicates to staff, the public and all of Council the general intention of the discussion and maps out a proposed path of action to implement Council’s decision. Further, provision of the notice of motion and discussion improves transparency to the public, by noting Council’s intent to host the discussion, and potentially, render a decision.

Where a matter is deemed to be urgent in nature, Section 16 permits it be added to the next meeting agenda, following consultation with the Chair and CAO.

Notices of Motion and their general intention are to be provided under agenda item 16, for consideration at the subsequent Council meeting. Following provision of the notice, the member shall provide the Clerks Office with a written copy of their motion, for inclusion on the published meeting agenda. The Clerks Department is happy to assist members in drafting their motions as needed.

Section 33 – Reconsideration

Where a member wishes to reconsider a decision of Council, they must do so through Notice of Motion. Amendments to Section 33 limit the number of times a motion may be reconsidered, specifically, a motion to reconsider a decision of Council may only be considered once in the same term of Council. Generally, reconsideration of a Council decision should only occur if there is new or different information that might have influenced the original discussion and decision.

Section 37 – Committee of the Whole

Section 37 has been amended to reflect that meetings of Committee of the Whole be chaired by the Deputy Mayor.

All proposed amendments are presented for consideration, simply to achieve greater efficiencies in administering Council and Committee meetings. A consolidated version of Procedure By-law 2019-125, incorporating all amendments as included above, has been attached to this report as Appendix A.

Financial Impact

There is no financial impact to approval of this report and the recommendations contained herein.

Strategic Priorities

The recommendation as included in this report achieves the fifth strategic goal, Deliver Effective and Cost-Efficient Services, as included in the 2020-2024 Township of Georgian Bluffs Strategic Plan.

Conclusion

Routine and regular updates to municipal procedure by-laws is both best practice and encouraged by the Ombudsman's Office and the province. In an effort to identify opportunities for meeting efficiencies, staff have reviewed the Township's Procedure By-law and propose the amendments, as described in this report, for Council's consideration. Should Council support the recommendations contained herein, a by-law to formally amend Procedure By-law 2019-125 will be presented for enactment on December 14, 2022.

Appendix A: Consolidated Procedure By-law 2019-125, As Amended

Respectfully Submitted: Brittany Drury, Director of Corporate Services / Clerk

Report Approval Details

Document Title:	LEG2022-016 - Procedure By-law Updates.docx
Attachments:	- Consolidated Procedure By-law - Clean Version - Updated.docx
Final Approval Date:	Nov 24, 2022

This report and all of its attachments were approved and signed as outlined below:

Cynthia Fletcher, Chief Administrative Officer