



Subject: Procedural By-law Update

To: Council

From: Development and Legislative Services Department

Report Number: 2022-57

Meeting Date: March 8, 2022

Recommendation:

That Development and Legislative Services Department Report 2022-57 be received;

That the Draft Procedural By-law attached as Appendix A of Development and Legislative Services Department Report 2022-57 be approved; and

That a by-law be brought forward for the Mayor and City Clerk to sign.

Purpose:

The purpose of this report is to update the Procedural By-law to reflect changes to the procedures of City Council, maintain compliance with the *Municipal Act*, and promote good governance.

Background:

The City's Procedural By-law is required under the *Municipal Act*, S.O. 2001 c.25, as amended and governs the proceedings of Council as well as Standing and Advisory Committee meetings. The Procedural By-law provides the rules of order and conduct and promotes accountability and transparency in decision-making. The Procedural By-law should be reviewed regularly and updated as meeting structure and process evolves. The last review of Council procedures was conducted in 2015.

Discussion:

The Procedural By-law update was undertaken by identifying the changing requirements of the City of Port Colborne through observing meetings and reviewing

suggestions that staff have received regarding the meeting process. Also, a review was undertaken of other municipalities with geographical proximity and/or similar population size. The result of the review was a better understanding of how other municipalities were addressing common concerns and helped provide recommendations to add clarity to the City's By-law.

The Procedural By-law has been updated to reflect changes in legislation since 2015, previous amendments made to the by-law, and natural changes in the operations of Council meetings. The updated Procedural By-law provides clarity to the meeting process and gives the Chair the tools needed to run an efficient meeting.

Many minor amendments were made as housekeeping updates in order to create a more concise and easy to read document. In addition to the housekeeping updates, several larger amendments were added to the by-law. Below is a list identifying those changes and the section of the By-law where they can be referenced:

- Changed the ability to waive the rules of procedures from majority to two-thirds vote on all items in the by-law except for changing the order of the agenda and extending the time of a delegation/presentation (Section 2.3)
- Changed the rules of procedures referenced from Bourinot's Rules of Order to Robert's Rules of Order (Section 2.5)
- Updated Council/Committee structure to reflect the removal of the Committee of the Whole from regular Council meeting nights (Section 8)
- Included clarification on citizen committees (Section 9)
- Updated Council schedule to reflect the move to Tuesday meetings (Section 10.2)
- Removed the second Council meeting in August and December as well as the second meeting in September and October in an election year (Section 10.3-10.4)
- Moved the inaugural meeting closer to the new commencement date of the term of Council which is November 15 (Section 12.1)
- Include the addition of Statutory Public Meetings as separate meetings of Council (Section 14)
- Updated reasons to move into closed session in accordance with the *Municipal Act* (Section 15.2)
- Updated electronic meetings to reflect approved amendment (Section 16)
- Limited Council meetings to end by 12 a.m. (Section 20.3)
- Updated agenda order to reflect current order used including the land acknowledgement (Section 23.1)
- Updated consent agenda to include ability to quickly comment on an item without the removal from the consent agenda (Section 25.2)
- Clarified delegation process including deadlines and delegation requests for items not listed on the agenda (Section 32)

- Limited questions of members to delegations and staff to two questions at a time (Section 36.1-36.2)
 - Clarified appropriate questions and speaking by members (Section 36.3)
 - Changed the 10-minute speaking limit by each member to two separate 5 minute speaking times (Section 36.11)
 - Updated Chair provision to include ability to quickly comment and not step down as Chair (Section 36.12)
 - Changed the Chair's authority to be overturned on a ruling with a two-thirds vote (Schedule A Section 2.6 and 8.3)
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Internal Consultations:

Changes to the Procedural By-law have been brought forward as a result of changing behaviour and formal amendments by Council, during meetings. The Procedural By-law is a document which Council members should take ownership of. A review of the By-law will occur once each term of Council and members should continue to provide feedback regarding the document so that it will continue to accurately reflect the operations of the members of Council.

Financial Implications:

There are no financial implications.

Public Engagement:

Once approved, the Procedural By-law will be available on the City's website and will be circulated to Council and staff as necessary.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Governance: Communications, Engagement, and Decision-Making
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Conclusion:

The updated Procedural By-law reflects the evolving requirements of Council meetings and adds clarity to the meeting process. The document should be used as a tool to

organize and run effective meetings and should be updated as needed to reflect any changes desired by Council.

Appendices:

- a. Draft City of Port Colborne Procedural By-law

Respectfully submitted,

Amber LaPointe

Director of Development and Legislative Services/City Clerk

905-835-2901 x106

amber.lapointe@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.