



REPORT TO COUNCIL

To: **Mayor and Councillors**

Subject: Council Procedure Bylaw, 2021, No. 3193

File #: 3900.00

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From: Kelly Kenney
Corporate Officer

Date: September 28, 2021

RECOMMENDATION:

THAT the report of the Corporate Officer dated September 23, 2021 entitled Council Procedure Bylaw, 2021, No. 3193 be received for information.

PURPOSE:

The purpose of this report is to provide information on proposed new Council Procedure Bylaw, 2021, No. 3193 which adds a number of new meeting provisions, in particular, the ability for council and committee meetings, and public hearings to be conducted by electronic means and for council and committee members to participate electronically at in-person meetings if necessary.

POLICY:

Excerpt from Community Charter:

“Procedure bylaws
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- (1) A council must, by bylaw, establish the general procedures to be followed by council and council committees in conducting their business.
- (2) Without limiting the matters that may be dealt with under this section, a council must, by bylaw, do the following:
 - (a) establish rules of procedure for council meetings, including the manner by which resolutions may be passed and the manner by which bylaws may be adopted in accordance with Division 3 [Bylaw Procedures] of this Part;

- (b) establish rules of procedure for meetings of council committees;
 - (c) provide for the taking of minutes of council meetings and council committee meetings, including requiring certification of those minutes;
 - (d) provide for advance public notice respecting the time, place and date of council committee meetings and establish the procedures for giving that notice;
 - (e) identify places that are to be public notice posting places for the purposes of section 94 [public notice];
 - (f) establish the procedure for designating a person under section 130 [designation of member to act in place of the mayor];
 - (g) establish the first regular council meeting date referred to in section 125 (1) [council meetings] as a day in the first 10 days of November following a general local election.
- (3) A bylaw under this section must not be amended, or repealed and substituted, unless the council first gives notice in accordance with section 94 [public notice] describing the proposed changes in general terms.”

Under the City’s current Council Procedure Bylaw, special council meetings may be conducted by electronic means to deal with urgent matters; and up to two Council members may participate electronically, with some conditions, at an in-person regular council meeting.

Electronic public hearings are prohibited.

COMMENTS/ANALYSIS:

Since a provincial declaration of a state of emergency was declared on March 18, 2020 as a result of the COVID-19 pandemic, the Province has issued various Ministerial Orders to assist local governments to continue to conduct their business while complying with public health orders. Since June 17, 2020, local governments have been operating under Ministerial Order M192, (which later became part of the *COVID Related Measures Act*), which has allowed the City to conduct council and committee meetings and public hearings electronically.

Order M192 expires on September 28, 2021 and in its place, Bill 10 *Municipal Affairs Statutes Amendments Act* will come into force which allows local governments, by bylaw, to hold electronic meetings. Accordingly, changes to Council’s Procedure Bylaw are required in order to allow Council to conduct its meetings electronically.

The current Procedure Bylaw was adopted in 2013, so in addition to incorporating provisions of Bill 10, staff have reviewed the entire bylaw to determine other potential updates.

A summary of the proposed changes is included as an attachment to this report, in addition to a marked up version of the current Council Procedure Bylaw showing the proposed changes.


BUDGET IMPLICATIONS:

Should Council give three readings to Bylaw No. 3193 at the October 4th regular council meeting, two ads will be placed in the local newspaper advising the public of the proposed changes, per legislated public notice requirements, prior to consideration of adoption of the bylaw at the October 18th regular council meeting.

ALTERNATIVES:

N/A

Respectfully Submitted,



Kelly Kenney
Corporate Officer

Attachments:

1. Summary of proposed changes to Council Procedure Bylaw
2. Mark up of current Procedure Bylaw with proposed changes

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:

I support the recommendation.



Francis Cheung, P. Eng.
Chief Administrative Officer