



EXPLANATORY MEMO
COUNCIL PROCEDURE BYLAW, 2013,
AMENDMENT NO. 2 BYLAW, 2017
No. 3034

PURPOSE:

The amendments listed below will update the Council Procedure Bylaw to comply with Section 124 (2)(g) (which stipulates the timeframe in which to hold the Inaugural Council Meeting after an election), indicate that closed meetings will be considered part of a special council meeting rather than a regular council meeting and remove redundant and contradictory clauses with respect to meeting procedures:

- Section 2 Definitions – add clarification as to definitions used throughout bylaw
- Section 5 Inaugural Meeting - Change Inaugural Council meeting from December to November in accordance with Community Charter
- Section 6 Time, Location and Adjournment of Meetings - Remove reference to closed meeting being considered part of a Regular meeting of council
- Section 11 Designation of Councillor to Act in Place of Mayor - Remove redundant clause
- Section 18 Agenda – Clarify how late items may be added to the agenda
- Section 20 Order of Business – Remove Public Hearing as item on Regular Agenda
- Section 24 Notice of Motion – Remove clauses that are contradictory to other section of bylaw with regard to how new items may be considered at a council meeting



**COUNCIL PROCEDURE BYLAW, 2013,
AMENDMENT NO. 2 BYLAW, 2017
No. 3034**

A Bylaw to amend the Council Procedure Bylaw.

1. Title

- (1) This bylaw shall be cited as the “Council Procedure Bylaw, 2013, Amendment No. 2 Bylaw, 2017, No. 3034.”

2. Amendments

Council Procedure Bylaw, 2013, No. 2904 is hereby amended as follows:

- (a) In Section 2 Definitions, by adding the following wording prior to the first definition:

“Unless otherwise defined in this bylaw, words used herein shall have the meanings defined in the Community Charter or the Local Government Act, as applicable.”

- (b) In Section 5 Inaugural Meeting, by replacing the following wording:

“20. Inaugural Meeting

An inaugural council meeting shall be held on the first Monday in December following a general election of Council, unless a quorum of Council has not yet taken office in which case the inaugural council meeting shall be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.”

with

“20. Inaugural Meeting

An inaugural council meeting shall be held on the first Monday in November following a general election of Council, unless a quorum of Council has not yet taken office in which case the inaugural council

meeting shall be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.”

- (c) In Section 6 Time, Location and Adjournment of Meetings, by replacing the following wording:

“6. Time, Location and Adjournment of Meetings

- (1) Regular council meetings shall take place within City Hall except when Council resolves to hold a meeting elsewhere.
- (2) Regular council meetings shall:
 - (a) be held on Mondays, in accordance with the schedule adopted by resolution on or before December 31 of the preceding year;
 - (b) begin:
 - (i) at 3:00 pm or later if a portion of the meeting is closed to the public pursuant to section 90 of the *Community Charter*;
 - (ii) at 7:00 pm if there is no public hearing scheduled; or
 - (iii) immediately following a public hearing if there is a public hearing scheduled at 7:00 pm on the same night.
 - (c) Regular council meetings may be cancelled by an affirmative vote of the majority of the Council members present.
 - (d) Special council meetings may be held at the time and location specified in the notice for the special council meeting.”

with

“6. Time, Location and Adjournment of Meetings

- (1) Regular council meetings shall take place within City Hall except when Council resolves to hold a meeting elsewhere.
- (2) Regular council meetings shall:
 - (a) be held on Mondays, in accordance with the schedule adopted by resolution on or before December 31 of the preceding year;

- (b) begin:
 - (i) at 7:00 pm if there is no public hearing scheduled; or
 - (ii) immediately following a public hearing if there is a public hearing scheduled at 7:00 pm on the same night.

- (3) Regular council meetings may be cancelled by an affirmative vote of the majority of the Council members present.
- (4) Special council meetings may be held at the time and location specified in the notice for the special council meeting; however, unless otherwise directed by the Chair, Special council meetings will not be held earlier than 3:00 pm if a portion of the meeting is closed to the public pursuant to section 90 of the Community Charter.

(d) In Section 11 Designation of Councillor to Act in Place of Mayor, by replacing the following wording:

“11. Designation of Councillor to Act in Place of Mayor

- (1) At the inaugural meeting, for the entire term of office, Council shall from amongst its members designate Councillors to serve on a rotating basis as Deputy Mayor in the place of the Mayor when the Mayor is absent or otherwise unable to act or when the office of Mayor is vacant.
- (2) Following the Local General Election in 2014, subsection 1 will cease to be in effect and at the inaugural meeting and annually thereafter, Council shall from amongst its members designate Councillors to serve on a two month rotating basis each year as Deputy Mayor in the place of the Mayor when the Mayor is absent or otherwise unable to act.
- (3) If both the Mayor and the Council member designated under section 11(1) or 11(2) are absent or otherwise unable to act, the Council member who is next on the rotation shall be the Deputy Mayor.
- (4) Further to sections 11(1) and 11(2), in the event the Office of the Mayor becomes vacant, the Council may designate a member as Acting Mayor and such Acting Mayor shall

continue in office until such time as another Mayor is elected or otherwise appointed.

- (5) Further to sections 11(1) and 11(2), in the event the Mayor is absent or unable to act for a minimum of six (6) months, the Council may designate a member as Acting Mayor and such Acting Mayor shall continue in office until such time as the Mayor returns, vacates the offices or the position of Acting Mayor is otherwise appointed.
- (6) Each Council member designated under section 11(1), 11(2), 11(3), 11(4) or 11(5) has the same powers and duties as the Mayor in relation to the applicable matter.”

with

“11. Designation of Councillor to Act in Place of Mayor

- (1) At the inaugural meeting and annually thereafter, Council shall from amongst its members designate Councillors to serve on a two month rotating basis each year as Deputy Mayor in the place of the Mayor when the Mayor is absent or otherwise unable to act.
- (2) If both the Mayor and the Council member designated under section 11(1) are absent or otherwise unable to act, the Council member who is next on the rotation shall be the Deputy Mayor.
- (3) Further to sections 11(1) and 11(2), in the event the Office of the Mayor becomes vacant, the Council may designate a member as Acting Mayor and such Acting Mayor shall continue in office until such time as another Mayor is elected or otherwise appointed.
- (4) Further to sections 11(1) and 11(2), in the event the Mayor is absent or unable to act for a minimum of six (6) months, the Council may designate a member as Acting Mayor and such Acting Mayor shall continue in office until such time as the Mayor returns, vacates the offices or the position of Acting Mayor is otherwise appointed.
- (5) Each Council member designated under section 11(1), 11(2), 11(3) or 11(4) has the same powers and duties as the Mayor in relation to the applicable matter.”

(e) In Section 18 Agenda, by replacing the following wording:

“18. Agenda

- (1) Prior to each Council meeting, the Corporate Officer shall prepare an agenda of all items to be considered by Council at the meeting.
- (2) All items, delegations and reports for the agenda of a meeting of Council, other than a special meeting, must be delivered to the Corporate Officer by noon on the Wednesday prior to the Council meeting. Any item not delivered complete and in an agenda-ready format by the deadline shall be held to the next meeting of Council unless:
 - (a) the item is approved as a late item by the Chief Administrative Officer prior to the distribution of the agenda to Council members; or
 - (b) by resolution of Council if the subject matter is of an urgent nature such that the item cannot be held to the next meeting of Council and information pertaining to the late item has been circulated to Council.”

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 - (a) the item is approved as a late item by the Chief Administrative Officer prior to the distribution of the agenda to Council members; or
 - (b) the item is added to the agenda by resolution of Council during Adoption of Agenda at a council

meeting if the subject matter is of an urgent nature such that the item cannot be held to the next meeting of Council and information pertaining to the late item has been circulated to Council.”

(f) In Section 20 Order of Business, by deleting the words “(a) Public Hearing” and renumbering the remaining sections.

(g) In Section 24 Notice of Motion, by replacing the following wording:

“24 Notice of Motion

- (1) Any member who during a meeting wishes to bring before Council any new matter, other than a point of order or of privilege, shall do so by way of a motion.
- (2) If any member present at the time such motion is presented, and before debate thereon, calls for notice of motion, then the motion shall be placed on the agenda of the next regular council meeting.
- (3) Any member may give notice of a motion which they intend to present to Council by giving a copy of the motion to the Corporate Officer during a meeting of Council and upon it being acknowledged by the presiding member, it shall appear in the minutes of that meeting as notice of motion and be placed on the agenda of the next regular council meeting or a subsequent meeting if additional time or information is required.”

with

“24 Notice of Motion

- “(1) Any member may give notice of a motion which they intend to present to Council by giving a copy of the motion to the Corporate Officer during a meeting of Council and upon it being acknowledged by the presiding member, it shall appear in the minutes of that meeting as notice of motion and be placed on the agenda of the next regular council meeting or a subsequent meeting if additional time or information is required.”

READ A FIRST, SECOND AND THIRD TIME this day of , 2017.

ADOPTED this day of , 2017.

MAYOR

CORPORATE OFFICER