

The Corporation of the City of Burlington

City of Burlington By-law XX-2020

A by-law to amend By-law 04-2020 to provide for the rules of order of Council and its Committees to allow for changes to the Special Meetings, Correspondence, Petitions, and housekeeping matters.
File:110-04-1 (CL-18-20)

Whereas section 238(2), of the *Municipal Act, S.O. 2001, c.25* requires that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceeding of meetings; and

Whereas the Corporation of the City of Burlington (the “City of Burlington”) has enacted Procedure By-law 04-2020; and

Whereas the public has the right to access information, and to contribute to the decision-making process, which includes writing to Council or committee, and by submitting a public petition to Council;

Now therefore the Council of the Corporation of the City of Burlington hereby enacts as follows:

1. Section 1.2 of By-law 04-2020 is amended by italicizing the title “*Municipal Act, S.O. 2001, c.25*”.
2. Section 14.1 c) of By-law 04-2020 is amended by deleting the word “citizen”.
3. Section 20.2 of By-law 04-2020 is amended by deleting the word “chair” and replacing it with the word “Chair”.
4. Section 22.3 of By-law 04-2020 is amended by inserting the following wording at the end of that section “not less than 24 hours before the hour appointed for holding the meeting”.
5. Section 22 By-law 04-2020 is amended by inserting the following subsection immediately after subsection 22.3, with all following subsections renumbered accordingly:

22.4 Delegation requests received in accordance with Section 41 and any correspondence received after the Addendum is posted will be listed on a

Revised Addendum, prepared, distributed and posted to the City’s website not less than 12 hours before the hour appointed for holding the meeting.

6. Section 24 of By-law 04-2020 be deleted in its entirety and replaced with the following new section 24:

24. Special Meetings

- 24.1 The Mayor may at any time, call a special meeting of Council and direct the Clerk to poll Members of Council to ensure that a quorum of Council will be present.
 - 24.2 Upon receipt of a petition of the majority of Members of Council, the Clerk shall call a special meeting for the purpose and the time mentioned in the petition.
 - 24.3 The Clerk shall call a special meeting of Council for the purpose and/or at the time directed by a resolution of Council.
 - 24.5 Notice will be provided by the Clerk in accordance with section 22 of this by-law.
 - 24.6 No business may be considered at a special meeting of Council or of a Committee other than that specified in the notice, or agenda.
7. Section 27.3 of By-law 04-2020 is amended to italicize “*Municipal Conflict of Interest Act, R.S.O.1990, c. M. 50*”.
 8. Section 31.1 of By-law 04-2020 is amended to delete the reference “(k) Correspondence” and insert “(k) Petitions” in its place.
 9. Section 41.7 of By-law 04-2020 is amended to delete the words “section 14.1” and insert the words “sections 17 (19.2), 34 (14.2) and 51(20)” in its place.
 10. Section 41.13 of By-law 04-2020 is amended to delete the reference “39.1” and insert the reference “41.1” in its place.
 11. That the following new section 42 be added to By-law 04-2020 and the remainder of the By-law renumbered accordingly.

42. Correspondence

- 42.1 Every communication, pertaining to a matter on a meeting agenda, that the Clerk is in receipt of will form part of the public record. It is the duty of the Clerk to ensure that all communications received are circulated to members of Council and made publicly available in advance of the meeting, and if necessary, during a meeting.
- 42.2 All communications must meet the following conditions:
- a) be legible;
 - b) delivered in person, or sent by mail, email or fax;
 - c) be addressed to Council, a committee, or to the Clerk;
 - d) not contain any impertinent or improper language;
 - e) be signed by at least one person and include either a mailing address or a phone number for contact purposes.
- 42.3 The Clerk shall list every communication and petition that relates to an item on the agenda and has been received no later than 12 noon on the day before the meeting. If the meeting is held on a Monday, communications must be submitted by 12 noon the Friday before the meeting.
- 42.4 Communications that pertain to a Standing Committee decision that has yet to be ratified by Council will be forwarded to the Council agenda to be listed. Communication on a matter, that is received after a Council decision has been rendered will be circulated to Members of Council, form part of the public record but will not be listed on a minute record.
- 42.5 Communications that do not pertain to a matter on the agenda must be sponsored by a Member of Council. The Member must include a Municipal Officer's Report which clearly outlines the reasons for sponsoring the communication and the remedy sought. The correspondence and the accompanying Municipal Officer's report must be received on or before the Wednesday the week the meeting agenda is published. Items received after the deadline may be circulated as part of an addendum and requires a 2/3 vote to add the item to the agenda.
- 42.6 At the discretion of the Clerk, communications may be redacted to protect personal information that has been included by the author.
12. That the following section 43 be added to By-law 04-2020 and the remainder of the By-law renumbered accordingly.

43. Petitions

- 43.1 A petition is a written request signed by more than one member of the public in support of a shared cause or concern. A petition may be presented in paper format, electronically, or make use of an online system for petitions. Council will be the only body that can receive a petition.
- 43.2 A petition may be delivered in person or sent by mail, fax or email to:
- a) the Clerk if the petition relates to a matter on the agenda; or
 - b) to a Member if the petition does not relate to a matter on the agenda.
- 43.3 A petition must contain the following:
- a) the date of when the petition commenced;
 - b) the name and civic address, telephone number or email address of the organizer who started the petition for contact purposes;
 - c) the name and civic address of each person who signed or electronically submitted their name to the petition; and
 - d) a clear statement which communicates the purpose of the petition. All petitions must be on matters within the jurisdiction of the City.
- 43.4 Petitions respecting items on the agenda must be received by the deadline as outlined in section 42.3. Petitions respecting items that are not on the agenda require a sponsor and an accompanying Municipal Officer's Report which must be received on or before the Wednesday the week the meeting agenda is published. Items received after the agenda is published require a 2/3 vote to add the item to the agenda.
- 43.5 Petitions that relate to a matter on the agenda will be dealt with during the Petitions portion of the meeting. At that time any petitions received will be read into the record by stating the purpose of the petition and indicating how many individuals have signed.
- 43.6 Unless otherwise directed by City Council by way of motion, petitions, pertaining to a matter on the agenda, will be received and filed under the motion to receive and file information items.
- 43.7 A petition not relating to an item on the agenda may be sponsored by a Member. The Member must include a Municipal Officer's report which clearly outlines the reasons for sponsoring the petition and the remedy sought. When

introducing the matter, the Member will read into the record the purpose of the petition, how many individuals have signed it and then present their motion. The Municipal Officer's report and accompanying petition must be received on or before the Wednesday of the week the meeting agenda is published. Reports received after the deadline requires a 2/3 vote to add the item to the agenda.

13. Subject to the amendments made in this By-law, in all other respects, By-law 04-2020 is hereby confirmed unchanged.
14. This By-law comes into force on the date of its passing.

Enacted and passed this 23rd day of November, 2020.

Mayor Marianne Meed Ward _____

City Clerk Kevin Arjoon _____