



SUBJECT: Amendment to Procedure By-law 59-2024

TO: Committee of the Whole

FROM: Legislative Services

Report Number: CL-26-24

Wards Affected: N/A

Date to Committee: December 2, 2024

Date to Council: December 10, 2024

Recommendation:

Enact a by-law to amend Procedure By-law No. 59-2024, substantially attached as Appendix A to legislative services department report CL-26-24.

PURPOSE:

Vision to Focus Alignment:

- Providing the best services and experiences

Executive Summary:

This report is to recommend an amendment to the procedure by-law clarifying the deadline for delegation requests.

Background and Discussion:

On September 17, 2024 Council passed By-law No. 59-2024, the Procedure By-law. The By-law took effect on October 1, 2024.

On October 15, 2024 Council approved the 2025 meeting calendar. In the approved meeting calendar, three regular Council meetings are scheduled to be held the day after a holiday:

- Tues. February 18, which is scheduled on the same week as Family Day (February 17)

- Tues. May 20, which is scheduled on the same week as Victoria Day (May 19)
- Tues. October 14, which is scheduled on the same week as Thanksgiving (October 13)

Currently, subsection 46.1 of the procedure by-law requires requests to delegate to be submitted prior to noon one day before the meeting:

Requests to delegate at a committee meeting and Council must be submitted to the Clerks department prior to noon the day before a meeting. If the meeting is held on a Monday, delegations must register by 12:00pm (noon) the Friday before the meeting.

Given that the By-law does not expressly distinguish between calendar days and business days, submissions submitted one calendar before a meeting are compliant with the requirements of this section. Accordingly, when a meeting falls on a Tuesday following a holiday Monday, staff have maintained a practice of checking for delegations and issue addendums on holidays where required to comply with the By-law.

To address this issue, staff propose the following Procedure By-law amendment to change the deadline for delegation submission in the By-law to one business day ahead of a meeting:

Requests to delegate at a committee meeting and Council must be submitted to the Clerks department prior to 12 p.m. one business day before a meeting to which the delegation relates.

The regular Council agenda is typically released on the Friday before the meeting. When Council is held on a week where there is a holiday Monday, staff will publish the agenda on the Thursday before the meeting to ensure that delegates have time to review the agenda material and submit their delegation requests by the deadline.

Delegations submitted after the deadline will be provided to the Chair, and may be allowed to speak upon a vote of Committee or Council as per subsection 46.5 of the by-law:

The Clerk will provide the Chair with all requests to delegate submitted after the deadlines stated in section 46.1, for Council consideration. A majority vote is required to permit the delegate to speak.

Strategy/process/risk

This change will ensure that the delegation deadline is clear, and that delegations are received by noon the business day before the meeting for processing and publishing.

Options Considered

Staff considered keeping the Procedure By-law as written and maintaining the status quo; however, that will continue to require staff to work on holidays to ensure delegations are added to the agenda.

Financial Matters:

If the Procedure By-law remains the same and staff continue to accept delegation requests on holidays, staffing costs such as overtime may apply.

Climate Implications:

Not applicable.

Engagement Matters:

In accordance with the Public Notice Policy a notice providing details of the proposed changes to the Procedure By-law were issued by the Office of the City Clerk and posted to the City's website on November 19, ten days in advance of the December Committee of the Whole meeting.

Conclusion:

It is recommended that Council adopt the proposed by-law amendment to ensure clarity for delegates and for the staff responsible for administering the procedure-by-law.

Respectfully submitted,

Samantha Yew

City Clerk

Ext. 7490

Appendices:

- A. Proposed amendment to by-law 59-2024

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Commissioner Legal and Legislative Services/City Solicitor.