

REPORT OF THE DIRECTOR OF CLERKS AND PLANNING SERVICES

OBJECTIVE

To present and seek the Committee's approval for a comprehensive plan to advance the review and amendment of the Procedural Bylaw.

RECOMMENDATION

That staff begin public consultation on the Procedural By-Law comprehensive review; and

That the ad-hoc Procedural By-law Review Committee hold its first meeting in January with a chair to be selected at the inaugural meeting amongst its members.

BACKGROUND

Every municipality is legislated under the *Municipal Act, 2001*, to have a procedure bylaw to govern the proceedings of Council and committees and boards of the municipality. Essentially, the document guides the order and dispatch of business at a meeting. The City's current Procedure By-law was amended and approved in 2016, with amendments made over the last (8) eight years to address legislative changes and practical procedural updates. The Procedure By-law covers the proceedings of Council meetings and committee and board meetings, except for the Library Board, Police Services Board and the Committee of Adjustment. It is good practice to consistently review this guiding document for efficiencies and effectiveness. The Procedure By-law is a living document and feedback on how it works in practice is vital.

ANALYSIS

The ad hoc Procedural Bylaw Review Committee was established on January 9, 2023. However, due to unforeseen circumstances, including the removal of the Mayor, the departure of key staff members, and significant administrative changes, the Committee has not yet convened. These disruptions, including transitions in leadership and key municipal positions, have impeded our ability to initiate the review process. We are now focusing on stabilizing our team and are committed to advancing the review and implementation of the procedural bylaw as a priority.

Since it has been eight (8) years since the passing of the current Procedure By-law, a complete review and proposal of a new by-law is appropriate. This will allow the Clerks Department to re-format the by-law, properly incorporate amendments made, and to make further housekeeping changes.

PROCESS

To begin the process of updating the Procedure By-law, staff have identified two potential methods:

The first method would be done in-house with staff and committee as outlined below.

Meeting	Date	Focus Area	Tasks	Output
Public Engagement	Now to first meeting	Gather input from the public	Initial Public Input: (Before Drafting) - Public consultation via survey to collect input from residents -Online Feedback	-Help identify key issues and priorities from the community. -Ensure transparency and inclusivity Provide a foundation of public concerns that can guide the drafting of the bylaw.
1st Meeting	[Date]	Review Existing Bylaw and Gather Comments from Council; Review Public Input	- Review current bylaw - Collect comments from Council on desired change; review public input	Summary of comments and suggested changes
2nd Meeting	[Date]	Definitions, Council Meetings – Inaugural Meeting, Regular Meetings, Special Meetings, Electronic Meeting Participation, Quorum, Closed meetings, Notice, Rules of Order and Debate – Role of Chair, Appeal Ruling of the Chair, Conduct of Members, (Page 5-12)	- Discuss and revise definitions - Review Council and committee meeting rules - Review notice requirements - Define roles and responsibilities - Discuss commencement and quorum	Updated sections on Definitions, and Meeting Rules Updated sections on Notice of Meetings, Roles, and Quorum
3rd Meeting	[Date]	Public Decorum at Meetings, Order of Business, Requests for Presentations and Delegations-	Discuss Public Decorum, Order of business- Review	Updated sections on Order of Business,



Meeting	Date	Focus Area	Tasks	Output
		Public Input Session, Motions, Voting, Minutes (Pages 13-22)	rules of Presentations and Delegations, Motions, Voting and Minutes	Conduct, and Debate Updated section on Presentations, Delegations
4th Meeting	[Date]	Committees of Council – Standing Committees/COW, Jurisdiction, Composition, Appointments, Terms of office, Vacancies, Exceptions, Rules of Order and Debate in Committee Meetings – Procedures, Chair, Scheduling, Open Meeting, Quorum, Notice, Unfinished Business, Reporting, Minutes, Disbanding, Clerk’s Duties, General Provisions - Severability, Repeal, and Enactment (Pages 23-32)	Review procedures for Committees of Council, Rules of Order and Debate in Committee Meetings -Address severability and repeal clauses	Updated sections on Committees of Council, Rules of Order and Debate in Committee Meetings Finalized bylaw sections on Severability, Repeal and Enactment
5th Meeting	[Date]	Present Draft Bylaw to Committee		
Public Engagement	[Date]	Gather Input from the Public	Public Input on Draft Document: -Release draft bylaw for public review and comment -Use online forms, email or other methods to collect feedback on the draft	--Allows for refinement of the bylaw based on practical feedback -ensure the final document reflects community expectations -enhances the legitimacy and acceptance of the revised bylaw
Legal Review and Refinement	[Date]	Engage legal counsel	-Meetings to review draft -Address concerns and ensure compliance/best practices	-Revise draft incorporating any feedback from legal
Final Review and Approval	[Date]	Finalize and Approve Revised Bylaw	- Review all revised sections - Prepare final draft for Council approval	Approved Procedural Bylaw



Meeting	Date	Focus Area	Tasks	Output
			- Incorporate any final feedback	

The proposed timeline for the comprehensive review and overhaul of our current procedural bylaw is approximately 7 months, with all work conducted in-house.

Alternatively, we could engage with a consultant to prepare a new procedural bylaw for the municipality, allowing staff to present a complete document for Committee review. This approach offers several benefits: it would free up staff time, provide a comprehensive starting point, and ensure the bylaw is aligned with current legislation and best practices. Staff estimate that this method could reduce the overall timeline by about half; however, it would incur costs associated with hiring a third party. This method would still include public engagement at both the beginning of the process and on the final draft.

Staff are seeking direction as to what method to pursue.

FINANCIAL IMPACT

The financial impact of the procedural bylaw review is expected to be minimal; however, it is important to consider the implications of the chosen approach—whether to conduct the review in-house or to hire a consultant.

If the review is completed in-house, the primary costs will involve staff time. This includes hours spent by municipal staff and committee members on meetings, drafting, and revising the bylaw over an estimated period of about seven months. While this option may appear to be the less expensive choice upfront, it will significantly tie up staff resources, potentially detracting from other essential work and projects during this period.

Additionally, both options will incur legal costs related to having our legal counsel review the bylaw to ensure compliance with applicable laws and regulations. Engaging legal expertise is crucial, as relying on a document developed incrementally by staff and council may lead to unexpected complexities and additional costs. If the legal review identifies substantial changes, it could create a domino effect, necessitating further revisions that could increase overall expenses.

While the costs associated with both options are anticipated to be manageable and can likely be absorbed within the Clerk’s Operating Budget, it is essential to weigh the potential long-term implications of staff time and the risk of extensive legal revisions against the upfront cost of hiring a consultant. Ultimately, investing in a consultant may provide a more streamlined process, reduce the burden on staff, and minimize the risk of costly revisions later in the process.

LINKS TO STRATEGIC PLAN

Governance: The City will review municipal systems and develop an implementation plan to ensure that effective and efficient processes for monitoring and organizing the activities of the municipality are in place.



SUMMARY

In conclusion, the review and update of the procedural bylaw is a crucial step towards enhancing the governance and efficiency of our municipal operations. Despite the delays we are committed to advancing this process with a structured plan that includes engagement and careful drafting. We appreciate the continued support of Council and the community as we work to ensure that our procedural bylaw reflects current best practices and supports effective decision-making.

