

Attachment 1 to Report LGS-018-24
Summary of Durham Municipalities' Procedural By-law
Regarding Delegation Questions

Question/Matter	<u>Region</u>	<u>Ajax</u>	<u>Brock</u>	<u>Oshawa</u>⁴	<u>Pickering</u>	<u>Scugog</u>	<u>Uxbridge</u>	<u>Whitby</u>
A Delegate may only address a Standing Committee/Council with respect to an item on the agenda.	With written submission, at Standing Committees only. Delegations at COW are only allowed on agenda items, and delegations at Council or only allowed on items on the agenda that were not first addressed at a Committee meeting. Can only be heard at Council provided they first appeared at Committee.	“All Delegations for items not listed on an agenda shall register ten (10) days prior to the Meeting.”	Committee first ² . Request for support, free use, in-kind, or added services should go to Council as there may be budget implications, unless there is delegated authority, or a policy, or approved budget. Delegations must be submitted in writing with any support documentation and in accordance with our agenda deadlines (one week prior). We have an agenda item on each agenda that is: Public Comments or Questions as it relates to Items on the Agenda.	Written request ⁵ With the exception of matters considered directly by Council, a Delegation will be first heard at the Committee as determined by the Clerk in relation to the subject matter of the Delegation, prior to Council.	Delegations for items not listed on an agenda shall register 10 days prior to the Meeting. Delegations requesting action be taken shall be referred to Staff for a report.	Can only be heard at Council provided they first appeared at Committee, except where the matter is on Council or urgent.	Goes to Committee, with proper notice.	Uses the suggested wording. Written notice required. Must first appear before Committee unless the matter comes direct to Council.
Not allowing delegations from persons who are not citizens of Clarington, excluding public meetings (in order to allow agents/consultants/developers).	No such exclusion	No such exclusion	No such exclusion	No such exclusion	No such exclusion	No such exclusion	No such exclusion	No such exclusion, but they note whether the delegation is a resident, non-resident, or representing a company on the agenda

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Not allowing delegations who are there for the "sole purpose of generating publicity for an event".	No such exclusion. We sometimes have delegations promoting events (usually if they are encouraged by staff and endorsed by the Region). ^{R1}	Uses this suggested wording.	If the submission clearly has a political intent, or other publicity intent, then, in discussions with the Mayor, have the authority to say "no thank you".		Uses this suggested wording.			Uses this suggested wording.
Not allowing candidates, or nominees, for a political party.	No such exclusion. But such a delegation could be found to be out of council's jurisdiction.	Similar wording ¹	No such exclusion – But could be "outside of jurisdiction" or could be addressed in the "use of Corporate resources during and election policy"		No such exclusion - But could be "outside of jurisdiction"			Uses this suggested wording.
No person shall make detrimental comments, or speak ill of, or malign the integrity of staff, the public or Council and Committee.	Chair to maintain order & decorum and, if necessary, through points of privilege which includes impugning the reputation of staff. The Region has experienced "ambushing".	"Attendees shall maintain order and not heckle or engage in conversations, display placards or props, or engage in any behavior that may be considered disruptive."	Members of the public shall be respectful of Council, staff, delegations and all attendees at the meeting by refraining from public outbursts, heckling, shouting, making comments, or behavior intended to disrupt the debate, discussion and/or general proceedings. ³	Meeting attendees will maintain mutual respect and order and not disrupt the Meeting in any manner.	See below ⁶ Also restrictions on signs, banners, emblems and flags	See below ⁷	Can't be disrespectful of any person; use improper language or unparliamentary language; disobey the rules of Procedure or decision of Chair.	Uses this suggested wording.
How long are delegations?	5 minutes	5 minutes	5 minutes	5 minutes	5 minutes	5 minutes	10 minutes	5 minutes

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NOTES:

^{R1}REGION = Restrictions on delegations:

- Delegations related to labour relations, ongoing legal proceedings, insurance claims, or solicitation of business shall not be permitted.
- Delegations with respect to complaints about Regional administrative processes shall not be permitted, including but not limited to contract awards and billing discrepancies/issues.
- We also have restrictions on delegations coming to speak repeatedly about previous decisions of council, as a means to not tie up meeting time addressing things that are already dealt with.

¹AJAX = The Clerk may decline to grant a request for delegation if the subject matter pertains to personnel matters, labour relations, ongoing legal proceedings, solicitation of business, political parties, or if it is otherwise apparent that the subject matter of the delegation is not suitable for discussion at a meeting of Council. Individuals wishing to appear as a delegation may be encouraged by a Member or a Staff person to consider resolving an issue or concern with Staff in lieu of, or prior to, submitting a request for delegation.

²BROCK = For matters which are more properly within the responsibility of staff, the Clerk shall notify the proposed delegate that the delegation shall not be listed on the agenda and shall direct the proposed delegate to the appropriate department. The delegation shall not be listed on an agenda until staff has had the opportunity to address the matter.

³BROCK = Delegations shall not:

- Speak disrespectfully of any person;
- Use improper language or unparliamentary language;
- Speak on any subject matter other than the subject for which they have given notice to address Council/Committee;
- Disobey the decision of the Chair; or
- Enter into debate with Members.

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⁴OSHAWA = Related to correspondence = Correspondence that, in the Clerk's determination, relates to staff performance, labour relations, ongoing legal proceedings or solicitation of business will not be placed on an agenda or considered by Council or a Committee and will be referred to staff. Council or the Committee to which the correspondence was addressed will be advised of the Clerk's determination. Correspondence that, in the Clerk's determination, relates to the following will not be placed on an agenda:

- Matters which are not within Council's jurisdiction;
- Matters which have been decided upon by Council, if the period for reconsideration on the matter set out in section 26.10 has not expired;
- Matters which have been referred to staff for a report, until the matter is before Council or Committee; and
- Matters which are the subject of an Education and Training Session.

⁵OSHAWA = Related to delegations = Delegation requests that relate to staff performance, ongoing legal proceedings or solicitation of business will not be placed on an agenda or considered by Council or a Committee and will be referred to staff. Council, or the Committee to which the Delegation was intended, will be advised by the Clerk. Delegation requests that, in the Clerk's determination, relate to the following matters will not be placed on an agenda (similar restrictions as correspondence).

⁶PICKERING = Regarding conduct = The Chair may impose restrictions on any Delegation and any questions to a Delegation for disorder or any other breach of this By-law and, if the Chair rules that the Delegation is concluded, the person or persons appearing shall end the Delegation. Delegations limitations are the same as Brock.

⁷SCUGOG= Same wording as Brock for matters that are staff responsibility. Regarding delegations the limitations are the same as Brock, with the following additions:

- appropriate any unused time allocated to another Delegation or Presenter.
- be placed on an agenda to discuss the same matter within six (6) months of the last appearance, unless otherwise approved by the Mayor.