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The Corporation of the Municipality of Clarington  
By-law 2023-XXX

Being a by-law to amend the Procedural By-law 2023-033.

Whereas, arising out of Report LGS-018-24, Council approved Resolution #GG-XXX-24, to amend the Procedural By-law regarding delegations and the Strong Mayors Act;

Now therefore be it enacted that By-law 2023-033, Clarington's Procedural By-law, be amended as follows:

1. Add the following to Section 1 – "Definitions and Interpretation":

"Candidate" shall have the same meaning as in the Canada Elections Act, S.C. 2000, the Election Act, R.S.O. 1990, or the Municipal Elections Act, 1996, as applicable, and shall be deemed to include a person or an agent for a registered person seeking to influence another person to vote for or against any candidate, question, or by-law submitted to the electors.

"Group" means more than one person speaking on the same topic registered as a single delegation.

"Political Party" means a political party registered with Elections Ontario or Elections Canada if it succeeds in endorsing one, or more confirmed candidates, in a general election or a by-election after it has become eligible for registration.

2. Add the following new subsection to the beginning of the delegation section and the subsequent sections be renumbered:

7.5.1 All requests for delegations shall be accompanied by a written summary, to be included in the Agenda, outlining their subject, their name and address, their reason for delegating, their desired action requested of Council, and any supporting documentation. Delegations will not be allowed if the Municipal Clerk, in consultation with the CAO, deems that the written summary is not sufficient to convey the topic and position of the delegation.

3. Replace the following words from subsection 7.5.11:

“if written notice to the Clerk is received, including the subject of their address and their desired action requested by Council, by the Agenda Update Deadline for the meeting.”

With the following words:

“if written notice to the Clerk is received, by the Agenda Update Deadline for the meeting.”

4. Delete the following words from subsection 7.6.2:

“unless a majority of the Members present vote in favour to hear the delegation.”

5. Add the following new subsections, and the subsequent sections be renumbered accordingly:

7.5.2(f) Speak to matters which have been referred to Staff for a report which is not yet on a published agenda or matters which are within the responsibility of Staff. For these inquires, 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.

- 7.14.2 Communications which relate to a matter which has been referred to Staff for a report which is not yet on a published agenda or matters which are within the responsibility of Staff, shall not be placed on an agenda or the ECCIP and will be forwarded to the appropriate staff member for response to the author.
6. Add the following new subsections, and renumber subsection 2.6.1 accordingly:
- 2.6.1 (j) Solely for the purpose of generating publicity for an event.
  - 2.6.1 (k) Involves an active by-law investigation or prosecution.
  - 2.6.1 (l) Involves other administrative, or operational matters, including but not limited to: contract awards and billing discrepancies/issues.
7. Replace subsection 2.6.1(i) with the following:
- 2.6.1 (i) Involves candidates, political parties, or nominees for a political party.
8. Replace subsection 7.9.1(a) with the following:
- 7.9.1(a) speak disrespectfully of any person, or make detrimental comments, or speak ill of, or malign the integrity of staff, the public or Council and Committee.
9. Add the following to subsection 7.9.1:
- 7.9.1 (h) display placards or props.
10. Replace subsection 9.14.1(c) with the following:
- 9.14.1(c) Speak out and shall refrain from public outbursts, heckling, shouting, making comments, or behaviour intended to disrupt the debate, discussion and/or general proceedings;
11. Replace subsection 9.14.1(e) with the following:
- 9.14.1(e) Behave in a disorderly manner or be disrespectful of Council, Staff, delegations, or any member of the audience.
12. Replace subsection 9.14.1(f) with the following:
- 9.14.1 (f) Engage in conversations or make any other noise, or sound, that proves disruptive to the conduct of the meeting;
  - 9.14.1 (g) Display placards or props.

13. Replace subsections 7.5.13 and 7.5.14 with the following:

7.5.13 Each Delegation in respect of a particular matter shall be limited to seven minutes in addition to the time taken by Council to ask questions of the delegate and to receive answers to such questions.

7.5.14 Should there be more than one individual who registers to speak as a group on the same matter, the group shall be allotted up to ten minutes to delegate.

7.5.15 A single extension, of up to three minutes, may be provided to a delegation by passing a motion with a simple majority vote. All other extensions require the suspension of the rules of procedure.

14. Replace subsection 7.10.3 with the following:

7.10.3 Members of the Public speaking at a Public Meeting shall be limited to five minutes, in addition to the time taken by Council to ask questions of the person and to receive answers to such questions.

15. Add the following subsection:

7.4.6 The time limit for Staff and Consultant presentations at Public Meetings shall be 20 minutes.

16. Add the following wording to the end of subsection 2.1.1, under the Applicability section:

“unless specifically overridden by sections of the Municipal Act (i.e. Strong Mayor powers).”

17. Delete the following words in subsection 2.4.1(a):

“The majority of Members have the right to decide.”

And replaced with the following words:

“The majority of Members have the right to decide unless specifically noted elsewhere in this Procedural By-law, or by Statute.”

18. Delete the following words from subsection 5.1.1(b):

“Each Member shall Chair the GG Committee meetings in accordance with the following schedule:”

And replaced with the following words:

“Unless the Strong Mayors Powers are invoked where the Mayor may appoint the Chair and Vice-Chair of Committees wholly consisting of Members of Council, each Member shall Chair the GG Committee meetings in accordance with the following schedule:”

19. Add the following words to the end of subsection 3.2.1, under the “Appointment of Deputy Mayor” section:

“except the Strong Mayors powers as defined in Part VI.1 of the Municipal Act.”
20. Add the following sections:
  - 7.16.1.1 Notwithstanding subsection 7.16.1, Members of Council are permitted to add an agenda item to the “Items for Separate Discussion” section of the Council agenda (not a Standing Committee) to override a Strong Mayors’ Mayoral veto by providing notice to the Clerk prior to the meeting, in accordance with the Council override provisions of the Strong Mayor powers within Part VI.1 of the Municipal Act.
  - 7.16.1.2 Despite any provision in this Procedural By-law and subject to any prescribed requirements, if the Mayor is of the opinion that a particular matter could potentially advance a prescribed provincial priority, the Mayor may require the Council to consider the matter at either a Standing Committee or Council meeting, without notice, in accordance with the Strong Mayor powers within Part VI.1 of the Municipal Act.

7.20.1.1 Despite any provision in this Procedural By-law and subject to any prescribed requirements, if the Mayor is of the opinion that a by-law could potentially advance a prescribed provincial priority, the Mayor may propose the by-law to the Council and require the Council to consider and vote on the proposed by-law at either a Standing Committee or a Council meeting, without notice, other than notice prescribed in Statutes, in accordance with the Strong Mayor powers within Part VI.1 of the Municipal Act.

21. Renumber subsection 9.12.4 to 9.12.4(a) and add the following subsections:

9.12.4(b) Notwithstanding subsection 9.12.4(a), if the Mayor is invoking Strong Mayor powers within Part VI.1 of the Municipal Act for Council to consider and vote on a particular by-law, the Mayor shall be the mover and no seconder shall be required.

9.12.4(c) Notwithstanding subsection 9.12.4(a), if the Mayor is invoking Strong Mayor powers within Part VI.1 of the Municipal Act for Council to consider a matter, the matter may be dealt with as the Committee or Council sees fit through the normal course of a mover, seconder, and voting on a motion.

3.3.3 Notwithstanding any requirement for the Mayor to leave the Chair to introduce a motion, this does not apply when the Mayor is introducing a motion under the Strong Mayor powers within Part VI.1 of the Municipal Act.

22. This by-law shall take effect on the date of passing.

Passed in Open Council this XX day of MMMM, 2024.

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Adrian Foster, Mayor

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June Gallagher, Municipal Clerk