

MEMORANDUM

TO: Council

FROM: Shaunna Arenburg, Deputy Clerk

DATE: 2025-03-18

SUBJECT: Further Updates to Report CAO-24-001 - Procedure By-law Updates

At the Committee of the Whole – General meeting held on February 11, 2025, Council provided the following direction:

That item 7.3 - Procedure By-Law Updates, CAO-24-001 be deferred to the March 18, 2025, Committee of the Whole - General meeting to address Council Inquiries, Regional Council updates, length of Presentations and the definitions of the Deputy Lord Mayor and Jurisdiction.

Staff has reviewed the Procedure By-law and has provided the following comments:

“Council Inquiries” – Council members are encouraged to provide questions to Town staff prior to meetings in order to foster an informed discussion. “Council Inquiries” were not included as an agenda item as often questions coming forward on the floor require background information or research in order to provide a full accurate answer. If the inquiry is for a report to come back to Council, members are encouraged to submit a notice of motion requesting a report that includes as much detail as possible, including the requested content of the report and the timing for which the report is to return to Council.

“Regional Council Updates” – The Town of Niagara-on-the-Lake has extended an open invitation to the Regional Councillor to present to Council along with any Regional Staff at their request. Due to competing priorities and scheduling conflicts, the regional presentations are scheduled as requested as opposed to a set date in the calendar. Both the Regional Councillor and Regional Staff are included under the Presentations portion of the agenda and are not required to submit a delegation request. Presentations are not held to strict timing and are given lenience with the length of their presentation; while encouraged to be around ten minutes, they are not strictly timed.

“Length of Presentations” – Refers to the length of delegation presentations. Presentations from delegations are limited to ten (10) minutes and are encouraged to be concise. The length

of time may be limited by the Town Clerk, Proceeding Officer, or Chair if a large volume of individuals is expected to speak to the item or as determined by the Town Clerk to facilitate a timely meeting. Where there are more than three (3) delegations on the same subject each delegation is limited to five (5) minutes. A maximum of three non-agenda delegations are permitted at a meeting. When non-agenda delegations are requested for robust meeting agendas the Town Clerk will reach out to the delegate and if their delegation is not time sensitive request to bump them to a future meeting. If Council would like delegations to be limited to five (5) minutes to match the length of speaking time given for a Public Meeting that direction can be given via motion, and staff will make the necessary changes prior to the by-law coming forward at Council.

“Deputy Lord Mayor” – the definition has been updated to provide better clarity. The new definition is as follows: “Deputy Lord Mayor” means a Member of Council who is appointed by by-law to act in the place of the Lord Mayor when the Lord Mayor is absent from the Town or absent through illness, or otherwise, or when the office is vacant, and while so acting, such Member has and may exercise all of the rights, powers and authority of Head of Council.”

“Jurisdiction” – Section 2, subsection 2.2 of the Procedure By-law has been updated to read: “No item shall be placed on the agenda with respect to a matter which is not within the jurisdiction of Council unless the opinion of Council confirmed by majority vote determines it to be so. The Lord Mayor and/or Chair, in consultation with the Clerk, can also determine if a matter is within the jurisdiction of Council” and Section 15, subsection 15.5 states “A motion beyond the jurisdiction of Council shall not be in order except a matter that, in the opinion of the majority of Council, has to do with the welfare of citizens generally. The question of the opinion is to be decided without debate.” The Spheres of Jurisdiction are fully defined in Part II, Section 11 of the *Municipal Act, 2001*, however, for the purposes of the Procedure By-law “jurisdiction” is at the discretion of Council. If the majority of Council believes a matter to be necessary or desirable for the public, the matter would be considered within Council’s jurisdiction.

Once the draft Procedure By-law is approved, any minor administrative or grammatical errors that have been identified will be corrected ahead of the By-law being presented at Council for adoption.

Respectfully submitted,



Shaunna Arenburg
Deputy Clerk