

Authority: Item 13, Corporate Administration
Committee
Report 04-009, (Governance Review
Sub-Committee)
CM: May 26, 2004

Item 7, Corporate Administration
Committee
Report 04-010, (CM04014)
CM: June 16, 2004

Bill No. 158

CITY OF HAMILTON

BY-LAW NO. 04-158

TO AMEND BY-LAW NO. 03-301 GOVERNING THE PROCEEDINGS OF COUNCIL AND COMMITTEES OF COUNCIL

WHEREAS the Council of the City of Hamilton enacted by-law 03-301 being a By-law to Govern the Proceedings of Council and Committees of Council, on October 29, 2003, pursuant to section 238, of the Ontario Municipal Act, 2001, c. 24;

AND WHEREAS the Council of the City of Hamilton, at its meeting held February 11, 2004, enacted By-law 04-029, to adopt various housekeeping amendments to Procedural By-law 03-301, in order to provide for efficient conduct of the proceedings of the Council and its Committees:

AND WHEREAS the Council of the City of Hamilton, in adopting item 13 of Report 04-009 of the Corporate Administration Committee, at its meeting held on the 26th day of May, 2004, recommended that Procedural By-law 03-301 be amended as hereinafter provided;

AND WHEREAS the Council of the City of Hamilton, in adopting item 7 of Report 04-010 of the Corporate Administration Committee, at its meeting held on the 16th day of June, 2004, recommended that Procedural By-law 03-301 be amended as hereinafter provided;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the Protocol for Public Hearings, attached hereto as Appendix "A" is added as Appendix "J" to the City of Hamilton Procedural By-law 03-301.
2. Section 5.4 (1) of the said By-law is amended by deleting the word 'four (4)' and adding the words 'a half of the membership plus one (1)' to now read as follows:
 - 5.4 (1) Quorum of all Standing Committees shall be a half of the membership plus one (1).
3. That Appendix "H" , entitled 'Code of Conduct for Members of Council', of the Procedural By-law, be amended by adding a subsection entitled 'Registration of Financial Disclosure Statements' to read as follows:

REGISTRATION OF FINANCIAL DISCLOSURE STATEMENTS

Members of Council are encouraged to file a Financial Disclosure Statement, on a prescribed form available from the City Clerk, which sets out the following assets, liabilities, and sources of income of the Member:

- a) Real Estate holdings in the municipality; and
- b) Mortgages directly held in the municipality; and
- c) Shares in private corporations; and
- d) Significant interests in public corporations;
- e) Names of every person, corporation or subsidiary, partnership, or organization from which remuneration of over \$1,000. per annum is obtained; and
- f) Names of creditor(s) where debt exceeds \$10,000.

Where a Financial Disclosure Statement has been filed, Members of Council are encouraged to file a revised Financial Disclosure Statement listing any disposal or further acquisitions within ninety (90) days of the acquisition or disposal to ensure that the information is current.

In filing the Financial Disclosure Statement, the Member of Council does so with full consent to the disclosure of his/her personal information for the purpose of creating a record that is available to the general public.

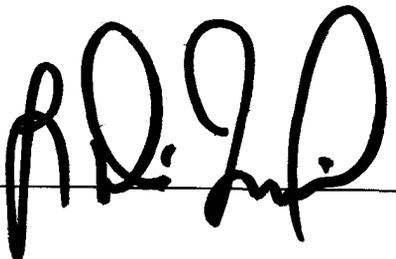
Financial Disclosure Statements filed with the City Clerk's Office will be made available to the public during normal business hours.

4. That Appendix "H" be amended under the subsection entitled 'Confidentiality'³ by deleting the word 'inclusive' from the fifth paragraph and adding the word 'exclusive' to now read as follows:

"The list is provided for example and is not exclusive."

PASSED and ENACTED this 30th day of June, 2004.

MAYOR

A large, stylized handwritten signature in black ink, written over a horizontal line.

CLERK

A signature area consisting of a horizontal line with a large, thick, blacked-out scribble above it, obscuring the original signature.

Appendix "J"

PUBLIC HEARINGS

General

Public Hearings shall be held at Standing Committee meetings, as required by statute or by Council, or when considered desirable by staff.

Appropriate advertising shall be undertaken as required by statute, or according to City policy, to advise interested persons.

Procedure

Delegations shall be in accordance with section 5.10 (7), (8) and (9) of this By-law.

Public Hearings shall commence with an introduction of the subject matter, by Council or by staff. Delegations shall sign in, on a sheet provided by staff, with their names, address and phone number.

Written information

Delegations may provide additional written material regarding the subject matter, for the public record. Where a delegation wishes copies of the information to be provided to all members of Committee, either 1 copy of the material shall be provided to the Clerk at least 2 weeks ahead of the meeting date, for inclusion in the agenda at least or 25 copies shall be provided to the Clerk for distribution at the meeting.