

Authority: Item 7, Corporate Administration
Committee 06-003
CM: March 1, 2006

Bill No. 337

CITY OF HAMILTON

BY-LAW NO. 06-337

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, in adopting item 7 of Report 06-003 of the Corporate Administration Committee, at its meeting held on the 1st day of March, 2006, recommended that Procedural By-law 03-301 be amended as hereinafter provided;

AND WHEREAS the Council of the City of Hamilton deems it necessary to adopt various housekeeping amendments in order to provide for efficient conduct of the proceedings of the Council and its Committees;

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

1. That Appendix A – Community Services Committee, Appendix B – Corporate Administration Committee, Appendix C – Planning and Economic Development Committee, Appendix D – Public Works, Infrastructure and Environment Committee, Appendix E – Social Services Committee, Appendix E-1- Board of Health, and Appendix F – Strategic Planning & Budgets Committee, to procedural By-law 03-301, be hereby deleted.

2. That Schedule 1, attached hereto, being Appendix A – Committee of the Whole, Appendix B – Board of Health, Appendix C – Public Works Committee, Appendix D – Economic Development & Planning Committee, Appendix E – Emergency and Community Services Committee, and Appendix F – Audit and Administration Committee, be adopted as Appendix A, B, C, D, E, and F to Procedural By-law 03-301.
3. That subsection (c) of Section 3.1 entitled First Council Meeting be amended by deleting the phrase ‘to Standing Committees of Council’.
4. That subsection (4) of Section 3.10 entitled Voting Procedures be amended by adding the phrase ‘immediately before or after the question’ after the word ‘requested’.
5. That subsection (16) of Section 3.10 entitled Motion to Reconsider be amended by adding to the title the phrase ‘Valid during Term of Council’.
6. That subsection (18)(b) of Section 3.10 be amended by adding the phrase ‘except on the advisability or appropriateness of referring the question’ after the phrase ‘To refer’.
7. That Section 5.1 entitled Standing Committees be deleted and replaced with the following:
 - 5.1 The Standing Committees shall be as follows:
 - (a) Committee of the Whole
 - (b) Board of Health
 - (c) Public Works
 - (d) Economic Development and Planning
 - (e) Emergency and Community Services
 - (f) Audit and Administration
8. That subsection (4) of Section 5.2 entitled Appointment of Standing Committee Chairs and Vice Chairs be added to read as follows:
 - (4) The Mayor shall stand as Chair for the term of Council for the following Committees
 - (a) Committee of the Whole
 - (b) Board of Health
9. That subsections (1) and (2) of Section 5.3 entitled Committee Membership be deleted and replaced by the following:
 - (1) Committee of the Whole and Board of Health shall be composed of all members of Council.

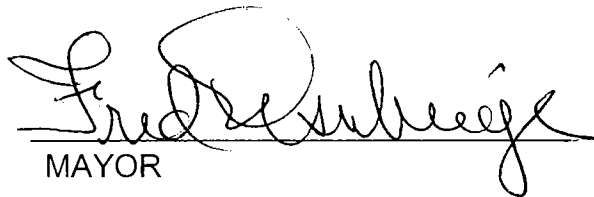
- (2) The Public Works Committee and Economic Development & Planning Committee shall be composed of a minimum of eight (8) members of Council plus the Mayor as ex-officio. The Emergency & Community Services Committee and Audit & Administration Committee shall be composed of a minimum of five (5) or seven (7) members of Council plus the Mayor as ex-officio.
10. That subsection (2) of Section 5.4 entitled Quorum be amended by deleting the phrase 'with the exception of the Strategic Planning & Budgets Committee, which the Mayor will Chair'.
11. That subsection (1) of Section 5.5 entitled Regular Meeting Times be deleted in its entirety and replaced with the following:
- (1) Unless otherwise decided by Council, regular meetings of the Standing Committees shall be as follows:
- (a) Committee of the Whole shall meet on the second Monday of every month at 9:30 a.m.;
 - (b) Board of Health shall meet on the fourth Monday of every month at 9:30 a.m.;
 - (c) Public Works Committee shall meet on the first and third Monday of every month at 9:30 a.m.;
 - (d) Economic Development and Planning Committee shall meet on the first and third Tuesday of every month at 9:30 a.m.;
 - (e) Emergency and Community Services Committee shall meet on the first and third Wednesday of every month at 1:30 p.m.;
 - (f) Audit and Administration Committee shall meet on the first and third Wednesday of every month at 9:30 a.m.;

Unless such a day(s) shall be a public or civic holiday, in which case the Council shall set an alternate date and time.

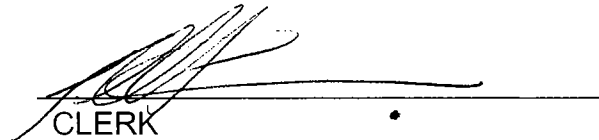
12. That Section 5.8 entitled Duties of Standing Committees be deleted in its entirety and replaced with the following:
- 5.8 The duties of the Standing Committees shall be as follows:
- (a) Committee of the Whole shall be responsible for the duties listed in Appendix A;
 - (b) Board of Health shall be responsible for the duties listed in Appendix B;
 - (c) Public Works Committee shall be responsible for the duties listed in Appendix C;
 - (d) Economic Development and Planning Committee shall be responsible for the duties outlined in Appendix D;

- (e) Emergency and Community Services Committee shall be responsible for the duties outlined in Appendix E;
 - (f) Audit and Administration Committee shall be responsible for the duties outlined in Appendix F.
13. That subsection (6) of Section 5.10 entitled Delegations be amended by deleting '12:00 noon' and replacing it with '4:30 p.m.'.
 14. In all other respects By-law 03-301 remains unchanged.
 15. This by-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 6th day of December, 2006.



MAYOR



CLERK

Schedule 1 to By-law 06-337**Appendix A****COMMITTEE OF THE WHOLE**

Composition: Committee of the Whole shall be composed of 16 members of Council:

- Mayor (as Chair)
- All members of City Council

Mandate:

General: To report and make recommendations to Council on matters relating to:

- Council Strategic Plan
- Corporate Strategic Plan
- MPMP, OMBI and Section 300
- Annual Operating and Capital Budgets
- G.R.I.D.S.
- Legal Services – litigation matters
- Human Resources – labour negotiations
- Boards and Agencies
- Hamilton Utilities Corporation
- any and all other matters which Council chooses to refer to Committee of the Whole for consideration

Specific duties shall include:

- To review and monitor the City's and Council's Strategic Plan
- To review corporate and program objectives and performance measures and make recommendations to Council
- To consider and recommend to Council on matters relating to budgets, budget monitoring, re-assessment and related tax policies
- To consider and recommend to Council on matters relating to G.R.I.D.S.
- To receive briefings on legal matters involving the City and give direction to the City Solicitor on litigation matters
- To receive information on Labour negotiations and provide direction to the Director of Labour Relations
- To consider and make recommendations to Council on matters regarding Boards and Agencies
- To meet as Shareholders of Hamilton Utilities, when required

Schedule 1 to By-law 06-337**Appendix B****BOARD OF HEALTH**

Composition: The Board of Health shall be composed of 16 members of Council:

- Mayor (as Chair)
- All members of City Council

General: To ensure the City of Hamilton meets or exceeds its obligations as a Board of Health under the Health Protection and Promotion Act, and in all matters relating to Public Health in order to promote well-being and create opportunities to enhance the quality of life in our community

Specific duties shall include:

- To consider and recommend to Council on policy matters and emerging issues related to Public Health
- To provide advice and guidance to the Public Health Department including input to Departmental Strategic Planning initiatives to ensure alignment with Council's Mission, Vision, Values and Goals, and the Social Development Strategy
- To receive delegations from the public and conduct public hearings as required by statute and Council
- To consider and recommend to Council the overall service levels in relation to the delivery of Public Health programs
- To consider and recommend to Council policies governing service delivery of the department
- To consider and monitor program implementation and performance through staff reports
- To consider the public health needs of the community and recommend advocacy by Council to address these needs.

Schedule 1 to By-law 06-337**Appendix C****PUBLIC WORKS COMMITTEE**

Composition: The Public Works Committee shall be composed of a minimum of 8 members of Council, plus the Mayor as ex-officio.

Mandate:

General: To report and make recommendations to Council on matters relating to:

- Water & Wastewater (Collection/Distribution, Treatment, and Compliance)
- Waste Management (Solid Waste Planning, Collection, and Disposal)
- Operations & Maintenance (Roads, Traffic, Forestry & Beautification, Parks & Cemeteries, and Trails)
- Transit (Operations and Transit Fleet, ATS)
- Fleet and Facilities (Central Fleet, Corporate Buildings, Energy Office)
- Capital Planning and Implementation (Strategic and Environmental Planning, Asset Management, Design and Construction, Open Space Planning)
- Major road construction projects
- Red Hill Valley Project

Specific duties shall include:

- To consider and recommend to Council, Service Programs, Service Levels for all direct and indirect services provided by the department (i.e. business plan, management plans, operating plans, and other relevant plans.)
- To consider and recommend to Council, Policies, By-laws, and procedures governing service delivery implemented by the department.
- To consider and recommend to Council, Asset Management Plans and Forecasts for all infrastructure managed by the department
- To consider and monitor program implementation and performance through staff reports and make recommendations to Council respecting program management initiatives (i.e. continuous improvement, budget performance, revenue generation and other relevant issues.)
- To consider and recommend to Council, procurement in accordance with corporate policies
- To receive delegations from the public and conduct public hearings as required by statute and Council

Schedule 1 to By-law 06-337**Appendix D****ECONOMIC DEVELOPMENT & PLANNING COMMITTEE**

Composition: The Economic Development & Planning Committee shall be composed of a minimum of 8 members of Council, plus the Mayor as ex-officio.

Mandate:

General: To report and make recommendations to Council on matters relating to:

- Business Development, the Small Business Enterprise Centre, the Hamilton Incubator of Technology and Tourism Hamilton
- Long Range Planning, land use management, development planning and engineering, real estate, and downtown renewal, Real Estate
- Parking Operations and Enforcement, School Crossing Guards
- By-law Enforcement, Municipal Licensing, Lottery Licensing, Building Code issues.

Specific duties shall include:

- To consider and recommend to Council on the administration and enforcement of the Ontario Building Code, Zoning By-laws, the Property Standards By-laws, Licensing By-law, Animal Control By-law, Sign By-law and other relevant by-laws.
- To consider and recommend to Council on all matters related to the Planning Act, the Ontario Heritage Act, the Municipal Act, the Niagara Escarpment Act and other applicable legislation regarding planning, economic development and downtown issues.
- To consider and recommend to Council on the City's Official Plan and Zoning By-laws and amendments thereto, pursuant to the Planning Act, and to conduct such related public meetings as many be required
- To consider and recommend to Council on applications for subdivision and condominium approval pursuant to the Planning and Act and Condominium Act, as applicable
- To consider and recommend to Council on matters such as community planning, urban design guidelines, heritage policy and related housing policy and programs in accordance with the directions contained in the Official Plan
- To advise and assist Council in any matters arising from the work of the Committee of Adjustment in considering applications for consent and minor variance under the Planning Act, including possible City participation at any Ontario Municipal Board Hearings to consider the appeal of Committee of Adjustment decisions
- To consider and recommend to Council on policy issues relating to economic development
- To consider and recommend to Council on all matters that rise in the administration, sale and acquisition of real property, and leases
- To consider and recommend to Council on all matters relating to Parking Operations and Enforcement.
- To receive delegations for the public and conduct public hearings as required by statute and Council.

Schedule 1 to By-law 06-337**Appendix E****EMERGENCY & COMMUNITY SERVICES COMMITTEE**

Composition: The Emergency & Community Services Committee shall be composed of a minimum of 5 or 7 members of Council, plus the Mayor as ex-officio.

Mandate:

General: To report and make recommendations to Council on matters relating to:

- Social Development and Early Childhood Services
- Strategic Services
- Benefit Eligibility
- Community Programs
- Employment and Income Support
- Housing
- Macassa Lodge and Wentworth Lodge
- Culture and Recreation
- Fire protection, fire prevention, emergency medical services, corporate emergency planning & preparedness, and corporate radio communications

Specific duties shall include:

- To consider and recommend to Council service levels for all direct and indirect services provided by the department
- To consider and recommend to Council policies governing service delivery implemented by the department
- To consider and recommend asset management plans for all community facility infrastructure
- To consider and monitor program implementation and performance through staff reports
- To consider and recommend to Council procurement in accordance with corporate policies
- To receive delegations from the public
- To provide advice and guidance to the department including input to departmental strategic planning initiatives to ensure alignment with Council's mission, vision, values and goals
- To consider and recommend to Council on the delivery of protective services including fire operations, fire prevention, emergency medical services, corporate emergency planning & preparedness, and corporate radio communications.

Schedule 1 to By-law 06-337

Appendix F

AUDIT & ADMINISTRATION COMMITTEE

Composition: The Audit & Administration Committee shall be composed of a minimum of 5 or 7 members of Council, plus the Mayor as ex-officio.

Mandate:

General: To report and make recommendations to Council on matters relating to:

- Internal/external audits
- Oversight of internal control, financial reporting
- Human Resources - programs and services
- Programs related to Financial services, Customer Service, Information Technology, Legislative Services, Records Management, Legal Services, Procurement and Risk Management
- Access & Equity

Specific duties shall include:

- To consider and make recommendations to Council on matters of policy respecting human resources, including health and safety, union/management relations, organizational planning and development and compensation administration
- To consider and make recommendations to Council on matters of policy involving communications issues
- To consider and make recommendations to Council on matters of policy and oversight involving financial management, investment, reserves, debt, procurement and risk management
- To consider and make recommendations to Council on matters of policy involving general policies and procedures and administrative by-laws
- To consider and recommend to Council all audit matters, including promoting an appropriate environment for the management of public funds and the economy, efficiency and effectiveness of operations and a high level of accountability. Ensure compliance with laws, regulations, policies and support high standard of ethical conduct
- To consider and recommend to Council on matters of policy and direction related to Access and Equity
- To act as liaison to the Access & Equity volunteer advisory committees
- To consider recommendations from the Grants Sub-Committee
- To receive delegations from the public and conduct public hearings as required by statute and Council