

Authority: Item 24
Audit, Finance and Administration
Committee Report 13-011
(Governance 13-002)
CM: December 11, 2013

Bill No. 319

CITY OF HAMILTON

BY-LAW NO. 13-319

**BEING A BY-LAW TO AMEND PROCEDURAL BY-LAW NO. 10-053,
GOVERNING THE PROCEEDINGS OF COUNCIL
AND COMMITTEES OF COUNCIL**

WHEREAS the Council of the City of Hamilton enacted Procedural By-law 10-053 being a By-law to Govern the Proceedings of Council and Committees of Council, on March 10, 2010, pursuant to Section 238, of the Municipal Act, 2001;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 24 of Report 13-011 of the Audit, Finance and Administration Committee at its meeting held on the 9th day of December, 2013 recommended that Procedural By-law 10-053 be amended as hereinafter provided;

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

1. That Section 1 to Procedural By-law 10-053, entitled Definitions, be amended as follows, by:

Adding the word “/table” after “defer”.

Deleting the word “defer” and replacing it with “refer” in the definition of “refer” section.

Deleting the following: “table” means to introduce an item for discussion at a meeting.”

2. That Sections 3.1 and 3.2 to Procedural By-law 10-053, entitled Council Meetings, be amended as follows, by:

Amending “7:00 p.m.” to “5:00 p.m.”

3. That Section 3.6 to Procedural By-law 10-053, entitled Quorum, be amended as follows, by:

Amending sub-section (3) to read as follows:

- (3) If the Mayor does not attend within 15 minutes of the time a quorum is to be present for a meeting of the Council, the Deputy Mayor shall call the Members of Council to order and he/she will preside until the arrival of the Mayor.

Adding sub-section (5) to read as follows:

- (5) If Quorum cannot be maintained during a meeting, the Clerk will advise the Chair that quorum is lost and the decision to continue the meeting will rest with the Chair. During the absence of quorum, no decisions may be approved.

4. That Section 3.10 to Procedural By-law 10-053, entitled Rules of Debate, be amended as follows, by:

Amending sub-section (7)(d) by adding the word “/table”

5. That Section 3.11 to Procedural By-law 10-053, entitled Voting Procedures, be amended as follows, by:

Amending sub-section (12) to read as follows:

(12) **Motion to Withdraw**

After a motion is moved and seconded it shall be deemed to be in possession of Council, but may, by the majority vote of Council, be withdrawn at any time before decision or amendment.

Adding sub-section (14), to reads as follows:

(14) **Motion to Defer/Table**

A motion to defer/table a question:

- (a) shall be duly moved and seconded
- (b) is debatable
- (c) when discussion of the item is to resume, requires a motion to lift from the table

Renumbering the remaining sections 15 to 21.

- (19)(e)Amending by deleting the words “(to introduce an item for discussion at a meeting)” following the words “defer/table”.

(20)(c) Deleting and renumbering the remaining sections.

6. That Section 3.13 to Procedural By-law 10-053, entitled Editorial and Other Changes, be amended by:

Amending sub-section (1) as follows:

(1) Adding the words "or resolutions to".

7. That Section 4 to Procedural By-law 10-053, entitled General Issues Committee, be amended as follows, by:

Deleting the words "General Issues Committee" and replacing them with the words "Committee of the Whole" throughout the section.

8. That Section 5.3 to Procedural By-law 10-053, entitled Standing Committee Membership, be amended as follows, by:

Amending sub-section (4) to read as follows:

(4) Each Member of Council shall sit on a minimum of 2 Standing Committees, in addition to the Board of Health and General Issues Committee.

9. That Section 5.5 to Procedural By-law 10-053, entitled Regular Meeting Times of Standing Committees, be amended as follows, by:

(1)(a)(i) Changing to the first and third Wednesday.

(1)(a)(ii) Changing to the third Monday at 1:30 p.m.

(1)(a)(v) Changing to the first and third Monday, and adding next to third Monday "if required".

(1)(a)(vi) Changing to the first and third Monday, and adding next to third Monday "if required".

10. That Section 5.11 to Procedural By-law 10-053, entitled Delegations, be amended as follows, by:

(1)(b) Deleting 4:30 p.m. and replacing it with 12:00 noon, and by adding the following sentence:

"If the Standing Committee is meeting on a Monday, the deadline will be 12:00 noon on the Friday."

11. That Section 5.12 to Procedural By-law 10-053, entitled Public Hearings, be amended as follows, by:

(1) Deleting the words "or when considered desirable by staff".

12. That Appendix "A" to Procedural By-law 10-053, entitled General Issues Committee, be amended as follows, by:

Deleting the words "Hamilton Utilities Corporation"; "- One Year Trial Period"; and, "To meet as Shareholders and/or Board of Directors of a corporation when required".

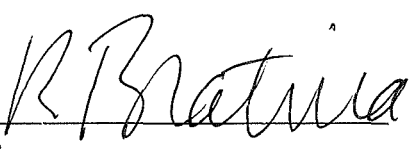
13. That Appendix "D" to Procedural By-law 10-053, entitled Planning Committee, be amended as follows, by:

Amending the Mandate section by deleting the words "Culture and Tourism".

14. In all other respects Procedural By-law 10-053 remains unchanged.

15. This By-law comes into force on the day it is passed.

PASSED this 11th day of December, 2013.



R. Bratina
Mayor



R. Caterini
City Clerk

Schedule 1

Appendix A

GENERAL ISSUES COMMITTEE

Composition: General Issues Committee shall be comprised of all 16 members of Council:

- Mayor
- Chair of General Issues Committee to be rotated amongst the Deputy Mayors
- All Members of Council

Mandate:

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

- Council Strategic Plan
- Corporate Strategic Plan
- MPMP, OMBI
- Annual Operating and Capital Budgets
- Economic Development matters
- Portfolio Management Strategy – Real Estate Acquisitions/Disposals
- Hamilton International Airport matters
- G.R.I.D.S.
- Vision 20/20
- Department Work Programs: Planning and Economic Development
- 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 the General Issues Committee 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 Business Development, the Small Business Enterprise Centre, Incentive loans/grants programs and approvals, BIA initiatives, the Hamilton Incubator of Technology and Tourism.
- 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 and/or Board of Directors of a corporation when required.
- To receive delegations from the public and conduct public hearings as required by statute and Council specific to the mandate of this committee on matters under the Standing Committee.

Appendix D

PLANNING COMMITTEE

Composition: The Planning Committee shall be comprised of a minimum of 9 Members of Council.

Mandate:

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

- Long Range Planning, Land Use Management, Development Planning and Engineering, and Downtown Planning and Implementation.
- 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.
 - all matters related to the Planning Act, the Ontario Heritage Act, the Municipal Act, 2001, the Niagara Escarpment Act and other applicable legislation regarding planning, development engineering, by-law enforcement and licensing and downtown planning issues.
 - 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 may be required.
 - applications for subdivision and condominium approval pursuant to the Planning Act and Condominium Act, as applicable.
 - 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.
 - matters relating to Parking Operations and Enforcement.
- 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 recommendations of any Sub-Committees and/or Task Forces established by Committee and Council which report directly to the Planning Committee.
- To receive delegations for the public and conduct public hearings as required by statute and Council, specific to the mandate of this committee on matters under the Standing Committee.