

**Authority:** Item 5.8(b) Council  
Report (FSC21081(a))  
CM: January 19, 2022  
Ward: City Wide

**Bill No. 017**

## **CITY OF HAMILTON**

### **BY-LAW NO. 22-017**

#### **To Amend By-law No. 21-021, A By-law to Govern the Proceedings of Council and Committees of Council**

**WHEREAS** Council enacted a Code of Conduct for Local Boards; and

**WHEREAS** to provide clarity and ease of reference, Council for the City of Hamilton has determined that it is desirable to amend By-Law 21-021; by amending sections 3.15 and 5.16, by amending section (g) of Appendix “H”, by deleting Appendix I – Hamilton Advisory Committee/Task Force Code of Conduct, and by amending section 3 of Appendix “J”;

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

1. The amendments in this By-law include any necessary indexing, grammatical, numbering and lettering changes.
2. That Section 3.15 of By-law No. 21-021, be deleted in its entirety and the following be substituted:

#### 3.15 Declarations of Interest

(1) In this Section:

(a) An “Interest” means a ‘disqualifying interest’ or a ‘non-disqualifying interest’ as such terms are defined within the Council approved Code of Conduct to which the member is bound.

(2) Where a member has declared an Interest at a meeting in accordance with a Council approved Code of Conduct to which the member is bound, the member, shall file a written statement with the Clerk.

(3) Where a member, has disclosed an Interest and filed a written statement with the Clerk, as required by subsection 3.15(2), the Clerk, shall:

(a) file the written statement by the member in the Declarations of Interest Registry;

(b) record the Interest in the minutes of the meeting;

(c) file a record of the Interest recorded in the minutes of the meeting in the

Declarations of Interest Registry; and  
(d) make the Declarations of Interest Registry available for public inspection.

3. That Section 5.16 of By-law No. 21-021, be deleted in its entirety and the following be substituted:

5.16 Declarations of Interest

(1) In this Section:

(a) An “Interest” means a ‘disqualifying interest’ or a ‘non-disqualifying interest’ as such terms are defined within the Council approved Code of Conduct to which the member is bound.

(2) Where a member has declared an Interest at a meeting in accordance with a Council approved Code of Conduct to which the member is bound, the member, shall file a written statement with the Clerk.

(3) Where a member, has disclosed an Interest and filed a written statement with the Clerk, as required by subsection 5.16(2), the Clerk, shall:

(a) file the written statement by the member in the Declarations of Interest Registry;

(b) record the Interest in the minutes of the meeting;

(c) file a record of the Interest recorded in the minutes of the meeting in the Declarations of Interest Registry; and

(d) make the Declarations of Interest Registry available for public inspection.

4. Section (g) of Appendix H “Criteria for the Creation of Advisory Committees or Task Forces” is hereby deleted in its entirety and replaced with the following:

(g) Appointees shall seek to serve the public interest in accordance with the Council approved Code of Conduct for Local Boards.

5. Appendix I “Hamilton Advisory Committee/Task Force Code of Conduct” is hereby deleted.

6. Section 3 of Appendix “J” “Hearing Procedures for Development Charge Complaints- Section 20” is hereby deleted in its entirety and replaced with the following:

### 3. Interests

(1) In this Section:

(a) An “Interest” means a ‘disqualifying interest’ or a ‘non-disqualifying interest’ as such terms are defined within the Council approved Code of Conduct to which the member is bound.

(4) Where a member has declared an Interest at a meeting in accordance with a Council approved Code of Conduct to which the member is bound, the member, shall file a written statement with the Clerk.

(5) Where a member, has disclosed an Interest and filed a written statement with the Clerk, as required by section 3(2), the Clerk, shall:

- (a) file the written statement by the member in the Declarations of Interest Registry;
- (b) record the Interest in the minutes of the meeting;
- (c) file a record of the Interest recorded in the minutes of the meeting in the Declarations of Interest Registry; and
- (d) make the Declarations of Interest Registry available for public inspection.

7. Sections 1, 2, 3, and 6 of this By-law come into force on the day it is passed.  
Sections 4 and 5 of this By-Law come into force May 1, 2023.

**PASSED** this 9th day of February, 2022.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk