

Document 1 - *Procedure By-law* – Recommended Amendments

	Reason for Amendment	Action / Section	Recommended Language	Current Language
1	Ontario Ombudsman Recommendation	Section 12 - amend subsection (2) and add new subsections (3) and (4)	<p>MEETINGS OPEN TO PUBLIC</p> <p>12. (1) Subject to Section 13, the meetings of the Board shall be open to the public and no person shall be excluded except for improper conduct.</p> <p>(2) The Chair may expel or exclude from any meeting any person who has engaged in improper conduct at the meeting <u>if the Chair is satisfied that evidence exists to support expulsion or exclusion and states the reason for the expulsion or exclusion.</u></p> <p>(3) <u>For the purposes of Subsections (1) and (2), “improper conduct” means conduct that obstructs in any way the deliberations and/or proper action of Council, and</u></p>	<p>MEETINGS OPEN TO PUBLIC</p> <p>12. (1) Subject to Section 13, the meetings of the Board shall be open to the public and no person shall be excluded except for improper conduct.</p> <p>(2) The Chair may expel or exclude from any meeting any person who has engaged in improper conduct at the meeting.</p>

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			<p><u>includes but is not limited to conduct that negatively affects the observance of order and decorum among Members and the attending public, as well as examples of unreasonable behaviour/incidents set out in the Public Conduct Policy and/or Corporate Trespass to Property – Procedures.</u></p> <p>(4) <u>The exercise of authority and stated reason under Subsection (2) shall be recorded in the meeting minutes.</u></p>	
2	Changes to the <i>Ontario Municipal Act, 2001</i> Subsection 239(2)	Section 13 (1) – add clauses (h), (i), (j) and (k)	<p>CLOSED MEETINGS</p> <p>13. (1) The Board may, by motion, close a meeting or part of a meeting to Members of the public if the subject matter to be considered is,</p> <p>(a) the security of the property of the</p>	<p>CLOSED MEETINGS</p> <p>13. (1) The Board may, by motion, close a meeting or part of a meeting to Members of the public if the subject matter to be considered is,</p> <p>(a) the security of the property of the</p>

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			<p>Board;</p> <p>(b) personal matters about an identifiable individual, including staff;</p> <p>(c) a proposed or pending acquisition or disposition of land for the purposes of the Board;</p> <p>(d) labour relations or employee negotiations;</p> <p>(e) litigation or potential litigation, affecting the Board, including matters before administrative tribunals;</p> <p>(f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; or</p> <p>(g) a matter in respect of which the Board is authorized by statute to hold a closed meeting.</p> <p><u>(h) Information explicitly supplied in confidence to the municipality or</u></p>	<p>Board;</p> <p>(b) personal matters about an identifiable individual, including staff;</p> <p>(c) a proposed or pending acquisition or disposition of land for the purposes of the Board;</p> <p>(d) labour relations or employee negotiations;</p> <p>(e) litigation or potential litigation, affecting the Board, including matters before administrative tribunals;</p> <p>(f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; or</p> <p>(g) a matter in respect of which the Board is authorized by statute to hold a closed meeting.</p>

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			<p><u>local board by Canada, a province or territory or a Crown agency of any of them;</u></p> <p><u>(i) A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;</u></p> <p><u>(j) A trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or</u></p> <p><u>(k) A position, plan, procedure, criteria or instruction to be applied to</u></p>	

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			<u>any negotiations carried on or to be carried on by or on behalf of the municipality or local board.</u>	
3	Housekeeping Delete the definition of “City Manager” given there are no references to this title in the body of the By-law	Definitions	none	“General Manager” means the official responsible for a portfolio within the City;
4.	Housekeeping Add the definition of “City Clerk”	Definitions	“City Clerk” means the person appointed as City Clerk within the meaning of the <i>Municipal Act, 2001</i>	none
5	Housekeeping Replace reference to “City Clerk and Solicitor” with “City Clerk	Section 5 (2)	The Board Secretary or City Clerk shall preside for the election of the Chair but the Chair shall preside for the election of the Vice-Chair	The Board Secretary or City Clerk and Solicitor shall preside for the election of the Chair but the Chair shall preside for the election of the Vice-Chair

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6	Housekeeping Because Section 49 states that “Motions before the Board are not required to be seconded”, delete references to “seconder”	Various – Section 3(e), Section 36(g) and Section 41(3)(b)	3(e) to vote on all matters, which are moved and seconded , or which arise in the course of the meeting; 36(g) any motions, including who introduced the motion and seconders ; 41(3)(b) require that the question be seconded and permit a debate and a vote to be held on the question.	3(e) to vote on all matters, which are moved and seconded, or which arise in the course of the meeting; 36(g) any motions, including who introduced the motion and seconders; 41(3)(b) require that the question be seconded and permit a debate and a vote to be held on the question.
7	Housekeeping Amend reference to timelines for agenda delivery, to align with current practices	Section 33 (1)	DELIVERY OF AGENDA TO MEMBERS 33. (1) Subject to Section 34, not less than seven <u>business</u> days in advance of each regular meeting of the Board, the Secretary shall cause the following to be delivered to each Member:	DELIVERY OF AGENDA TO MEMBERS 33. (1) Subject to Section 34, not less than seven <u>calendar</u> days in advance of each regular meeting of the Board, the Secretary shall cause the following to be delivered to each Member: