

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO AMEND BY-LAW 120-2010,
THE PROCEDURAL BY-LAW

WHEREAS subsection 238(2) of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended, provides that every municipality shall pass a procedure by-law for governing the calling, place and proceedings of meetings; and

WHEREAS Regional Council deems it desirable to amend various sections of By-law 120-2010, The Procedural By-law.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the following definition be added to Section 1.1 of By-law 120-2010:

“Jurisdiction” means the scope of authority granted to the Region, encompassing powers, duties and responsibilities, as outlined in the Municipal Act, 2001, or specifically granted under any other Federal or Provincial Act. This includes but is not limited to by-laws, public services, infrastructure and regulatory matters, within the geographic boundaries of the municipality.

2. That the following wording be added to Section 19 of By-law 120-2010:

Motions Outside Niagara Region’s Jurisdiction

- (a) All motions outside Regional Council’s core jurisdiction must have a mover and seconder identified prior to being placed on an agenda; and
- (b) Members wishing to move a motion outside Niagara Region’s jurisdiction should consult with the Chief Administrative Officer and Regional Clerk prior to requesting the motion be placed on the agenda.

3. That the following wording be added to Section 5.1 of Appendix A of By-law No. 120-2010 (Code of Conduct for Members of Council and Local Boards):

In carrying out their duties, Members shall:

Refrain from conversing or fraternizing with members of the public or delegates in the gallery while Council or Committee is in session. This includes leaving the Council Chamber to engage with members of the public or standing in the gallery while Council or Committee is in session.

4. That the following wording be added to Section 9 of By-law No. 120-2010:

Members of the public, including delegates, are not permitted to have signs, props, placards or flags of any kind at meetings of Regional Council or its Committees.

Members of the public may not applaud, heckle, make audible demonstrations of support or opposition, engage in conversation or display any other behaviour which may be considered to be disruptive, inconsiderate, disrespectful or intimidating to others.

5. That the following wording be added to Section 11 of By-law No. 120-2010:

Any correspondence submitted by a member of the public regarding the conduct of a Councillor(s) shall not be placed on a Council or Committee agenda and the member of the public shall be directed to address the concern(s) through the established Code of Conduct complaint process.

All communications and correspondence must:

- (a) be delivered to the Clerk in person, or by mail, email or fax;
- (b) be addressed to Council, a Committee, or to the Clerk
- (c) be legible;
- (d) include the name and the mailing address or telephone number of the author;
- (e) be in a reproducible format; and
- (f) not be defamatory or contain inappropriate content or offensive language.

Correspondence may form part of an agenda and will be considered a public document.

Anonymous communications will not be forwarded to the Council Members or Regional staff and will not be retained by the Clerk.

6. That the following wording be added to section 13.4 of By-law No. 120-2010:

Examples of a detailed brief can include presentation materials, a detailed written submission or speaking notes. Requests that do not include a detailed brief or fail to demonstrate sufficient relevance to an agenda item will be denied by the Clerk.

7. That this by-law shall come into force and effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: < >