



THE REGIONAL MUNICIPALITY OF NIAGARA
PROCEDURAL BY-LAW REVIEW COMMITTEE
AGENDA

PBLRC 1-2024

Monday, April 22, 2024

9:30 a.m.

Committee Room 4

Niagara Region Headquarters

1815 Sir Isaac Brock Way, Thorold ON

If you are interested in viewing this meeting or would like to speak to an item listed on the agenda, please contact the Office of the Regional Clerk at clerk@niagararegion.ca.

	Pages
1. <u>CALL TO ORDER</u>	
2. <u>DISCLOSURES OF PECUNIARY INTEREST</u>	
3. <u>PRESENTATIONS</u> None.	
4. <u>DELEGATIONS</u>	
4.1 <u>Barriers to Public Participation in Delegating to Council</u> Saleh Waziruddin, Resident, City of St. Catharines	3 - 22
5. <u>ITEMS FOR CONSIDERATION</u>	
5.1 <u>PBLRC-C 1-2024</u> Motion from Regional Council – Workplace Harassment and the Display of Signage	23 - 26
5.2 <u>PBLRC-C 2-2024</u> Consideration of Procedural By-law Amendment – Notice of Motion	27

6. CONSENT ITEMS FOR INFORMATION

6.1 CL-C 84-2023

28 - 29

Correspondence from S. Waziruddin, resident, City of St. Catharines, respecting Procedural By-law Amendments.

This item was requested to be circulated to the Procedural By-law Review Committee at the Regional Council meeting held on December 14, 2023.

7. OTHER BUSINESS

8. NEXT MEETING

The next meeting will be held on Monday, May 27, 2024, at 9:30 a.m. in Committee Room 4, Regional Headquarters.

9. ADJOURNMENT

If you require any accommodations for a disability in order to attend or participate in meetings or events, please contact the Accessibility Advisor at 905-980-6000 ext. 3252 (office), 289-929-8376 (cellphone) or accessibility@niagararegion.ca (email).

**Barriers to Public Participation
In Delegating to Council
Niagara Region
Procedural By-Law Review Committee**

April 22, 2024

Saleh Waziruddin

Some opportunities for improvement:



- **Public unaware until too late**
- **Deadlines too tight for effective voices**
- **“Catch 22” or “Mission Impossible” rules**
- **Uncertain when agendas will actually be published**
- **“Shooting in the dark” when submitting requests**
- **Playing roulette with Council if miss deadlines**

tl;dr/Pre-cap:

- **Many days to get the best voices**
- **Agenda publication should not be barrier**
- **Staff prep doesn't need to be a barrier**
- **Emergency delegations are truly emergencies**
- **Don't make Council vote default for missed deadlines**
- **Recommendations to move deadlines up...
much further or eliminate altogether (it's been done!)**

Historical (?) background:



**Sometimes deadline preceded agenda publication.
Impossible to meet deadlines...without time machine.**

2022 Ukraine voluntary self-sanction motion:



● **Norio, Ann-Marie**

From: ann-marie.norio@niagararegion.ca

To: salehw@yahoo.com



Tue, May 17, 2022 at 8:32 p.m.

Good evening Saleh,

Tue, May 17, 2022 at 8:51 p.m.

The Clerk's Office has received your request to delegate to Regional Council at its meeting being held on May 19, 2022, respecting the motion from Councillor Gibson regarding Voluntary Russian Sanction Request. The deadline for submitting delegation requests was Friday at 9:00 a.m.; however, you may still appear before Regional Council subject to Council passing a motion that recognizes you as a delegate. Your request to delegate has been included on the Council agenda for Council's consideration.

I appreciate that my request came after the deadline, however the deadline was impossible to meet as the agenda was not posted until after the deadline. Please see the attached screenshot.

I have run into this issue before and have been accommodated without being subjected to the condition of a vote from councillors to be permitted to speak, because the deadline was impossible to meet as the agenda was not posted until after the deadline had already passed.

I am asking to be permitted to speak without being conditional on a vote on the basis that the agenda itself was posted after the deadline had passed and I made my



● **Norio, Ann-Marie**

From: ann-marie.norio@niagararegion.ca

To: Saleh Waziruddin



Tue, May 17, 2022 at 9:17 p.m. ☆

Hi Saleh,

You are correct regarding the deadline and it is more than problematic. Council will actually be considering a by-law amendment on Thursday to change the deadline to Tuesday to give any potential delegations adequate notice to be able to submit.


I have added your delegation to the agenda and will not require a motion from Council.

Please accept my apologies.

Ann-Marie

The fix:

“Gap week”

Example Month				
Mon	Tue	Wed	Thu	Fri
				Standing Committee Addendums Release
	Standing Committee Meetings	Standing Committee Meetings		
	Council Agenda Release			Delegation Requests due by 9:00 a.m.
	Council Addendum Agenda Release In extenuating circumstance - Delegation Requests due by 4:00 p.m.		Council Meeting	Standing Committee Agenda Release

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk

Note: Gap is for only *some* committees (standing)

April 2024							May >
SUN	MON	TUES	WED	THURS	FRI	SAT	
	1 Offices Closed due to Holiday	2	3	4 Committee of the Whole	5	6	
7	8	9 Public Works Committee Public Health and	10 Corporate Services Committee Planning and	11	12	13	
14	15	16 Niagara Transit Commission Diversity Equity	17 - Today	18 Joint Board of Management Niagara Region Courts	19 Agricultural Policy and Action Committee	20	
21	22 Procedural By-law Review Committee	23 Accessibility Advisory Committee	24	25 Special Council Regional Council	26	27	
28	29 Cancelled - Waste Management Planning Steering	30					

And inevitably things happen slightly late sometimes

Agendas and Minutes

Search agendas and minutes...

Upcoming Meetings

List

Council Special
Thursday, April 25, 2024 @ 4:00 PM
Council Chamber - In Person and Electronic Meeting
[Meeting Notice.docx](#)

Past Meetings

2024 (4)

Council (3) >

Council
Thursday, March 21, 2024 @ 6:30 PM
Council Chamber - In Person and Electronic Meeting
[Revised Agenda HTML](#) | [PDF](#)

**Wednesday week before
(was added in evening)**



**Problem with tying deadlines
to fixed timelines:
life goes off-schedule**

How some may think delegations get organized



**Day 1: read the agenda
(same day or maybe next day)
Day 1 or 2: submit request**

The four classes of delegates

#1



#2



Not a
good
thing



Delegation Awards		
(credit: S. Ligetfalvy delegation)		
🥇 GOLD	John Bacher	7 delegations
🥈 SILVER	Danielle Romanuk	5 delegations
🥉 BRONZE	Adam Soos (sic) Saleh Waziruddin Steffannie Hancharyk	4 delegations

#3



THE THICK OF IT



#4

οἱ πολλοί

99.99%



How delegations *actually* get organized



οἱ πολλοί

Day 1-3: medalist reads the agenda (maybe, maybe not)

**Day 2-4: medalist contacts “the voice”
Puts call out on social media, emails**

Day 3-6: “the voice” submits request (takes 2-3 days), contacts hoi polloi

Day 4-8: Hoi polloi get message, respond over 2-3 days if interested, confident, etc. with consultation

Example (from before the fix)

[REDACTED] Committee meeting is May 10 930am but deadline to submit is 9am today but you can submit late and they'll vote on it. Would you want to speak? I just submitted mine only found out about the deadline this morning. [REDACTED]

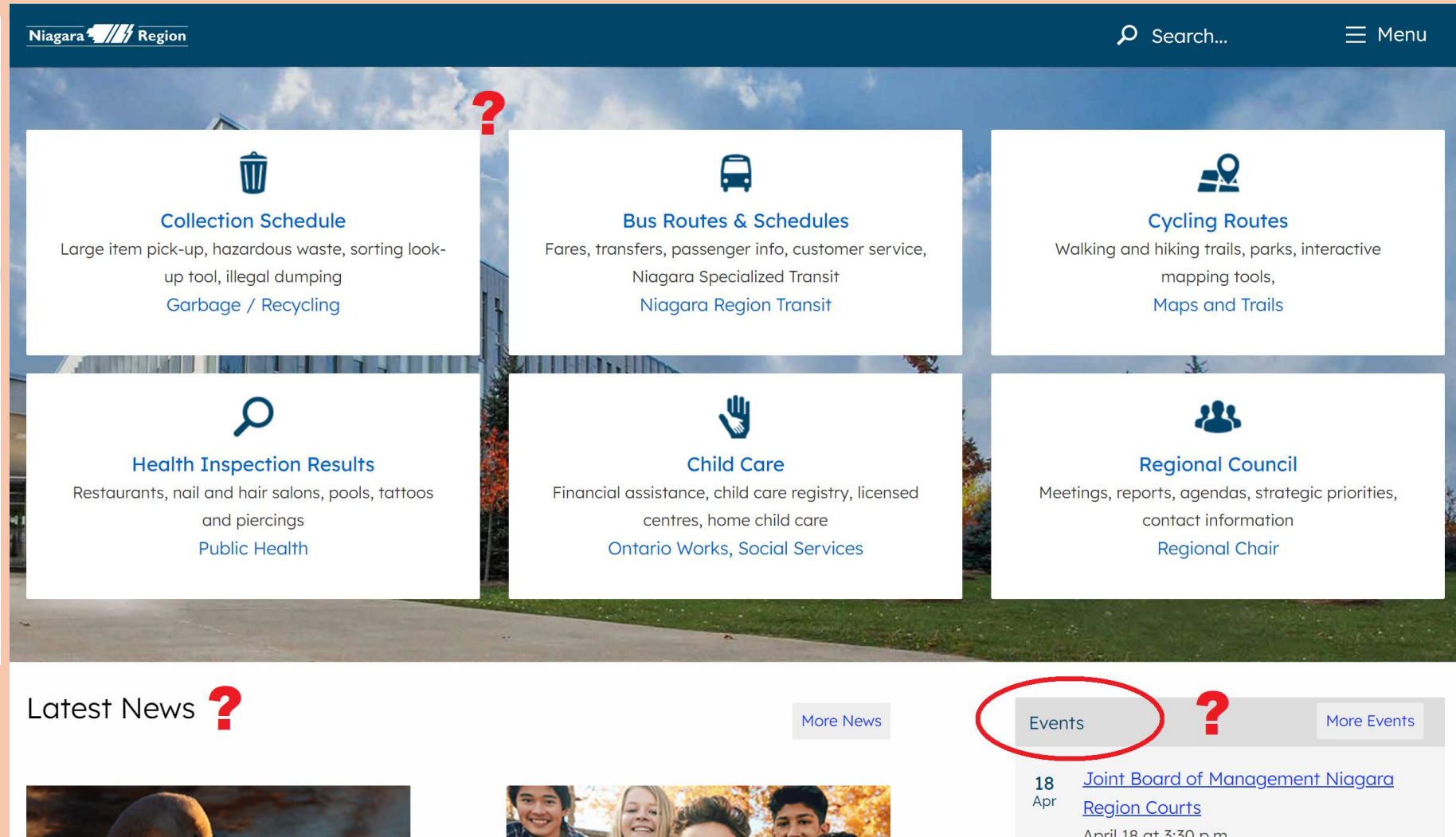
How to improve agenda publicity/access

SUBSCRIBE



Include:

- **Deadlines**
- **Submission links**



**Staff support on delegations not *always* necessary
...at least not *right away***

- In ideal world: can have staff input on everything**
- Some delegations have non-controversial requests**
- Can listen now, get staff input after: can refer/defer**
- Tight time windows for public and staff to access
Council and committees**



**Council or
Committee
Meeting**

Items not on the agenda (or are they?)



“Late” (but on time) items added to agenda

Previously presented topic	No
Presentation Details	<div>nt I</div> <p>do not see this on the agenda as of yet, but i wish to speak to the motion.</p>
Video Consent	Yes

To: Saleh Waziruddin

[Redacted]

was on the agenda, but it didn't show until this morning. So ya, when I made the delegation request on Friday I was very much shooting in the dark. Given that Council meetings are on Thursdays, and they seem to usually accept late delegations, (with some very notable exceptions), requiring delegations to submit the previous Friday feels like an unnecessary complication.

Good to hear from you, Saleh :)

Emergency situations truly are *Emergencies*

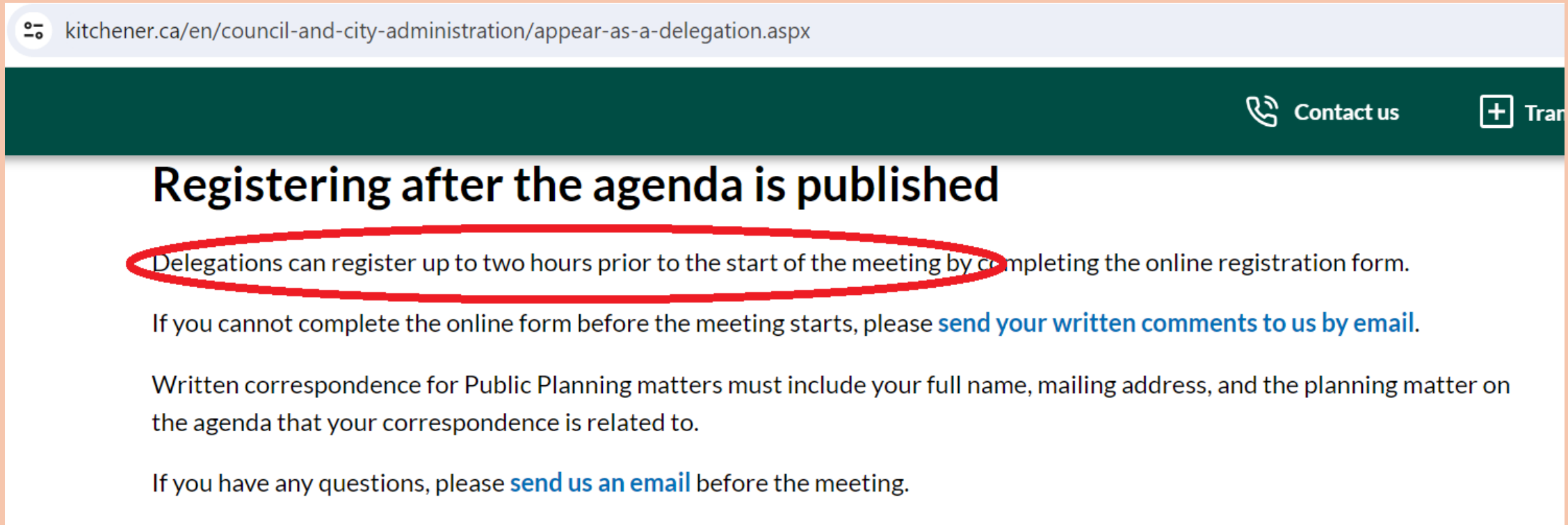


**Depending on will of Council not good default
*...and unnecessary!***



**Don't let getting on the agenda get in the way of...
getting on the agenda.**

If it works in Kitchener...



The screenshot shows a web browser window with the URL kitchener.ca/en/council-and-city-administration/appear-as-a-delegation.aspx. The page has a dark green header with a "Contact us" button and a "Transparency" icon. The main content area is white and features the heading "Registering after the agenda is published". Below this heading, a sentence is circled in red: "Delegations can register up to two hours prior to the start of the meeting by completing the online registration form." This sentence is followed by two paragraphs: "If you cannot complete the online form before the meeting starts, please [send your written comments to us by email](#)." and "Written correspondence for Public Planning matters must include your full name, mailing address, and the planning matter on the agenda that your correspondence is related to." The final paragraph states: "If you have any questions, please [send us an email](#) before the meeting."

kitchener.ca/en/council-and-city-administration/appear-as-a-delegation.aspx

Contact us

Registering after the agenda is published

Delegations can register up to two hours prior to the start of the meeting by completing the online registration form.

If you cannot complete the online form before the meeting starts, please [send your written comments to us by email](#).

Written correspondence for Public Planning matters must include your full name, mailing address, and the planning matter on the agenda that your correspondence is related to.

If you have any questions, please [send us an email](#) before the meeting.

Even better: Kitchener-Waterloo Region has *NO* deadlines, only a 2 min penalty if less than 24 hrs

Recommendations

1. Items on agenda: cut deadline to 2 hrs before meeting (better yet: *no* deadlines like Kitchener-Waterloo Region!)
2. Items not on agenda: cut deadline to 3 days after agenda published or week before meeting (whichever is later)
3. Emergency items: cut deadline to morning of meeting (staff can alert Council if need to investigate)
4. Separate being published in agenda from actually being in the agenda (no penalty if miss publication deadline)
5. Don't use Council vote as default for missed deadlines
6. Offer email subscription to agendas, promote on social media, and on Region website front page *with deadlines and submission²² links*

Memorandum

PBLRC-C 1-2024

Subject: Motion from Regional Council – Workplace Harassment and the Display of Signage

Date: April 22, 2024

To: Procedural By-law Review Committee

From: Ann-Marie Norio, Regional Clerk

At its meeting held on March 21, 2024, Regional Council passed the following motion:

WHEREAS Niagara Regional Council supported recommendations by the Association of Municipalities of Ontario (AMO) to strengthen Codes of Conduct to protect municipal staff from workplace harassment; and

WHEREAS Niagara Regional Council's own Code of Conduct speaks to how Members of Council shall conduct themselves in relation to staff; and

WHEREAS staff of Niagara Region should never be the target of abusive behaviour, whether through public or private communications, from Councillors, co-workers, or the public; and

WHEREAS, on September 21, 2023, Niagara Regional Council also passed a motion affirming equity, diversity, and inclusion and recognizing the damaging impacts of hate and intolerance directed at Members of Council.

NOW THEREFORE BE IT RESOLVED:

1. That Niagara Regional Council **REAFFIRMS** its position that neither Councillors nor staff should be targets of harassment or other abusive behaviour from Members of Council, co-workers, or the public; and
2. That staff **PROVIDE** a report for consideration by the Procedural By-law Review Committee that includes draft wording to amend the Procedural By-law to address the display of signage in Council/Committee meetings that is contrary to Council's position on and Niagara Region's policies addressing Workplace Harassment and Violence, and best practices for addressing their removal.

As a starting point for Committee, jurisdictional scans of other municipalities including the local area municipalities have been completed with respect to signage and are attached for reference. Prior to considering wording to address signage that is contrary to Council's position on and Niagara Region's policies addressing Workplace Harassment and best practices for addressing removal, Committee should consider signage overall. It is hoped the jurisdictional scan will provide Committee with information to inform its direction in that regard.

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk

Item	Niagara Region (2010)	Durham Region (2018)	City of Vaughan (2011)	Peel Region (2022)	York Region (2018)	City of Hamilton (2021)	Region of Halton (2019)
Signs in Council Chamber	Silent	Silent	Silent	Silent	Silent	Signs or placards are permitted at Council and Committee Meetings, provided: (a) they do not contain disrespectful or offensive language; (b) they do not disrupt the Meeting; (c) they do not disrupt an attendee’s ability to view the proceedings; and (d) they do not contain solid handles or hard backings.	Silent

Item	Fort Erie	Grimsby	Lincoln	Niagara Falls	NOTL	Pelham	Port Colborne	St. Catharines	Thorold	Wainfleet	Welland
Signs in Council Chamber	Silent	No signs, placards or banners of any kind are allowed in the Council Chamber except with the express permission of the Chair.	Silent	Silent	Presiding Officer may expel or exclude from any meeting any person who: bring any signs or placards into the meeting location	No person shall display signs, applaud or jeer participants in debate or engage in conversation or other behavior which may disrupt the proceedings of the Council or Committee.	Silent	Silent	Members of the public in attendance at a meeting, shall not: Bring any signs or placards into the Council Chambers;	Silent	Silent

Memorandum

PBLRC-C 2-2024

Subject: Consideration of Procedural By-law Amendment – Notice of Motion

Date: April 22, 2024

To: Procedural By-law Review Committee

From: Ann-Marie Norio, Regional Clerk

At its meeting held September 21, 2023, Regional Council approved the 2024 Legislative Schedule of Regular Meetings. The 2024 meeting schedule includes a gap week between Standing Committee and Council which allows for earlier issuance of the Council agenda (typically Tuesday the week before the meeting). This earlier agenda issuance allows the opportunity for members of the public to review the agenda in advance of the deadline to submit delegation requests which is the Friday the week before the meeting.

The Procedural By-law (Section 18.1(b)) provides that notices of motion shall be delivered to the Clerk not less than seven days prior to the date of the meeting at which the motion is to be introduced. This means that motions provided under this provision are not placed on the initial Council agenda but rather the addendum agenda. This doesn't allow the public to submit delegation requests prior to the deadline.

Staff are recommending that this section be amended to read as follows:

18.1 Except as otherwise provided in this By-law, all notices of Motion shall be:

- (a) presented at a meeting of Council, but shall not be debated until the next regular meeting of Council; or
- (b) delivered to the Clerk not less than ~~seven (7)~~ **ten (10)** days prior to the date of the Meeting at which the Motion is to be introduced.

Should Committee be supportive of this amendment, a motion would be required to initiate the necessary amendment to the Procedural By-law.

Respectfully submitted and signed by

Ann-Marie Norio, Regional Clerk

Basic, Azra

To: PF-Mailbox-01; Norio, Ann-Marie; Kramer, Gema
Subject: RE: Online Form - Enquiry from Region website

From: Niagara Region Website
Sent: Thursday, 07 December 2023 22:01:07 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Cc: webincoming
Subject: Online Form - Enquiry from Region website

Enquiry from Region website

To reply, copy the email address from below and put into 'To'. (if resident entered their email address)

name

Saleh Waziruddin

phone

[REDACTED]

email

[REDACTED]

municipality

St. Catharines

subject

Changes to procedures, for inclusion in agenda

comments

Dear Councillors, The current procedural rules already make it very difficult if not impossible to delegate effectively because by needing to submit a delegation by the Friday morning before a Regional Council meeting we don't know of key developments happening before we can submit our delegation. Key committee meetings, reports, and proposals may not happen until closer to the Regional Council meeting on the Thursday after the deadline to submit a delegation. The new rule changes from the Procedural By-law Review Committee amending Section 13.5 make delegating more difficult by moving the deadline for delegating in extenuating circumstances further back two days. If it's an extenuating circumstance we might not know until the afternoon of the meeting. There should be a normal, not extenuating, opportunity for people to request delegating to Council up to and including the afternoon of the Council and Committee meetings so that we don't have to play guessing games of what will happen in the days before the meeting to figure out what our delegation content will be. Normalizing delegation requests closer to the meetings help make delegations better

informed and prepared when requesting to speak to Council. Thank you, Saleh Waziruddin in St. Catharines

