

Table of Proposed Changes to the Consolidated Procedure By-law 007-2019

APPENDIX A

Procedure Bylaw Section	Current By-law Wording	Proposed Change and or Wording	Rationale for Change
PART 1 – Definitions 1.1	“Acting Mayor” means a member who has been appointed by by-law, based on a monthly rotation, to act as the Mayor in his or her absence and to act as the Presiding Officer for the portion of the meeting not chaired by the Mayor.	“Acting Mayor” means a member who has been appointed by a resolution, based on a monthly rotation, to act as the Mayor in his or her absence.	Clarification of language to reflect current practice
PART 1 – Definitions 1.5	“Electronic Participation” means participation in a meeting from a remote location by such electronic means or service as determined and provided by the Clerk, and “participate electronically” has a corresponding meaning;	“Electronic Meeting Participation” shall mean remote participation in a meeting via electronic means, including video and telephone participation.	Clarification of language to reflect current practice
PART 1 – Definitions NEW		“Inaugural Meeting” means the first meeting of Council after a regular election.	New addition to align with legislation
PART 1 – Definitions NEW		“In-Person Participation” shall mean the participation in a meeting while being physically present at a meeting location.	New addition to reflect current practice
PART 1 – Definitions NEW		“Livestreaming” means the broadcast of a meeting in real-time	New addition to reflect current practice
PART 1 – Definitions	“Meeting” means any regular, special or other meeting of Council, as the context requires, where:	“Meeting” means any regular, special or other meeting of Council, as the context requires, with in-person and/or electronic participation, where:	Clarification of language to reflect current practice

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PART 1 – Definitions NEW	New clause to add	“ Pecuniary Interest ” shall mean a direct or indirect Pecuniary Interest within the meaning of the Municipal Conflict of Interest Act, R.S.O.1990, chapter M.50, as may be amended.	New addition to align with legislation
PART 1 – Definitions	“ Presiding Officer ” means the person presiding over a meeting, who may also be referred to as “Chair”.	“ Presiding Officer ” means the member of Council presiding over or acting as chair of a meeting, based on the established rotational basis, and while the Mayor or Acting Mayor is present the entire meeting. The Presiding Officer may also be referred to as “Chair.”	Clarification of language to reflect current practice
PART 1 – Definitions	“ Quorum ” is a majority of the total number of voting members currently on Council.	“ Quorum ” is a majority of the total number of voting members currently on Council whether participating in the meeting in-person or electronically.	Clarification of language to reflect current practice
PART 3 – Duties and Roles 3.1.1 c	preside over a portion of Council meetings, specifically the opening, ceremonial and consent portion of the meeting, unless unavailable, in which case the Acting Mayor shall be the Presiding Officer	preside over a portion of Council meetings not presided over by the rotational Presiding Officer. Such portions of the meeting presided over by the Mayor may include the opening, announcements, amendments to the agenda and disclosures of pecuniary interest portion of the meeting.	Clarification of language to reflect current practice
PART 3 – Duties and Roles 3.1.2	Only the elected Mayor shall wear the Chain of Office. save and except if the Mayor resigns his office and Council appoints a new Mayor from its own ranks.	Only the elected Mayor shall wear the Chain of Office.	Clarification of language to align with best practice

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PART 3 – Duties and Roles 3.1.3	When the office of the Mayor is vacant, or when the Mayor is unable to carry out the duties of that office through illness or otherwise, or when the Mayor is absent from the office in the course of duty, or on vacation or on an approved leave, there shall be an Acting Mayor who shall have all the powers and duties of the Mayor as prescribed in the Municipal Act, S.O. 2001, as amended.	When the office of the Mayor is vacant, or when the Mayor is unable to carry out the duties of that office through illness or otherwise, or when the Mayor is absent from the office in the course of duty, or on vacation or on an approved leave, there shall be an Acting Mayor who shall have all the powers and duties of the Mayor as prescribed in the Municipal Act, S.O. 2001, as amended. However, if the Mayor is not present for the meeting, the Acting Mayor shall be the Presiding Officer shall preside over or act as Chair for all portions of the meeting	Clarification of language to reflect current practice
PART 3 – Duties and Roles 3.3.1	The Mayor shall be the Presiding Officer at all Council meetings, as described in Section 3.1.1. (c), unless unavailable in which case the Acting Mayor shall be the Presiding Officer.	The Mayor shall be the Presiding Officer at all Council meetings, as described in Section 3.1.1. (c), unless unavailable, in which case the Presiding Officer shall be the Chair.	Clarification of language to reflect current practice
PART 3 – Duties and Roles 3.3.2	The Acting Mayor shall be the Presiding Officer for the portion of the meeting not chaired by the Mayor and this shall be based on a rotation of the members as per the Acting Mayor by-law.	The Presiding Officer shall be the Chair (or preside) over the portions of the meeting not chaired by the Mayor or all portions of the meeting in the absence of the Mayor. The Town Clerk shall maintain the list of rotating, monthly Presiding Officers (Chair) for Council meetings and revise this list, as necessary, when Members of Council express interest in having their names added and removed from the monthly rotation throughout the term of Council.	Clarification of language to reflect current practice
PART 4 – Participation New Section			New section to reflect current practice including electronic participation in meeting procedure

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PART 4 – Council Meetings 4.2.1	The Inaugural Meeting of Council be held at 7:00 p.m. on the first Monday following November 15, following a regular municipal election	Inaugural Meeting: means the first meeting of Council in any Council term, as defined by the Municipal Elections Act, 1996, S.O. 1996, c. 32, as amended;	Clarification of language clarification to align with legislation
PART 4 – Council Meeting 4.4 a.1	The date and times of the workshops shall be determined by Mayor and the Clerk. An agenda for each workshop shall be posted in accordance with Section 4.9.1 of this by-law. The Mayor shall act as Chair at Council workshops, unless it is determined by the Mayor that the Acting Mayor shall act as Chair.	The date and times of the workshops shall be determined by Mayor and the Clerk. An agenda for each workshop shall be posted in accordance with Section 4.9.1 of this by-law. The Mayor shall act as Chair at Council workshops, unless unavailable, rotating monthly Presiding Officer shall be Chair	Clarification of language to reflect current practice
PART 4 – Confidential Session	New clause added	Members participating electronically shall remain visible to all Members during a confidential session. To maintain the confidentiality of the session Members are required to be in a private space, when possible and utilize headsets to guarantee that the discussion remains inaudible to anyone else.	New addition to reflect best practice
Part 4 – Confidential Session	New clause added	No member shall use an electronic device to broadcast, record or otherwise publish or distribute audio, video or photographs of any session that is closed to the public.	New addition to reflect best practice
Part 4 – Electronic Participation Section		Electronic participation section paragraphs deleted as no longer applicable or moved into other areas of the bylaw.	Deletion for housekeeping purposes

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Part 6 – Council Agendas 6.5	New clause added	Notwithstanding 6.4, the Mayor may add an agenda item that requires Council to consider a particular matter that could advance a prescribed provincial priority.	New addition to align with legislation
PART 7 – Agenda Announcements / Amendments / Special 7.3		Upon request of the Mayor’s office, the Clerk shall place on the Council agenda, civic recognition/awards to be presented at the meeting.	Clarification of language to reflect current practice
PART 7 – Meeting Proceedings 7.4.4	New added	Pursuant to the Municipal Conflict of Interest Act, members who have declared a pecuniary interest regarding a matter being discussed on an agenda, and are participating electronically, shall disconnect and leave the electronic meeting and not participate in any way with respect to the matter in question. Once the matter has been dealt with by Council, the Clerk shall contact the member and invite them to rejoin the meeting.	Clarification of language to reflect current practice
PART 7 – Presentation / Delegation 7.7.2	Persons wishing to address Council shall provide a written request on the prescribed form to the Clerk no later than the day of the meeting at 10:00 a.m. The Clerk shall reject all delegation requests received after this time.	Persons wishing to address Council, by electronic means, or in person shall submit a written submission to the Clerk no later than 12:00 p.m. (noon) two days before the Meeting. If the Meeting is on a Monday, requests to delegate shall be submitted by 12:00 p.m. (noon) on the Thursday before the meeting.	Clarification of language to reflect current practice

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PART 7 – Statement by Members 7.10 a	Members are permitted only to speak once and are restricted to two (2) minutes of speaking time.	Members are permitted only to speak once, for two minutes of speaking time to discuss community events or topics of community interest, without issuing directives to staff or requesting a staff report.	Clarification of language to reflect current practice
PART 7 – Presiding Officer’s Announcements 7.11	<p>Members shall be permitted to provide the Clerk with a statement regarding upcoming events within the Town of Milton that they would like to bring to Council’s attention in advance of the meeting.</p> <p>The Presiding Officer shall read the list of upcoming events at the Council meeting, without discussion or debate, and such upcoming events shall not be reflected in the minutes of the meeting.</p>	Deleted	Deletion for housekeeping purposes, to reflect current practice