



Administrative Report

Office of the Director, Legislative and Community Services/Clerk

To: Warden McNamara and Members of Essex County Council

From: Mary Birch
Director, Legislative and Community Services/Clerk

Date: Wednesday, October 19, 2022

Subject: Procedural By-law Amendments

Report #: 2022-1019-LCS-R25-MB

Purpose

To seek approval of County Council to amend the Procedure By-law which provides rules governing the order and proceedings of the Council of the Corporation of the County of Essex.

Background

The last substantial review of the County of Essex Procedure By-law was undertaken in November 2018, prior to the commencement of the current term of Council, which incorporated a number of new requirements created by amendments to the Municipal Act, by Bill 68 (Modernizing Ontario's Municipal Legislation Act, 2016).

Since that time, there have been two amendments made to the existing Procedure By-law (41-2018). Those amendments included:

- By-law 2020-16 – allowing for electronic participation in meetings during a declared emergency
- By-law 2022-13 – allowing for electronic participation in meetings (not during a declared emergency).

The proposed revisions to the Procedure By-law consolidate these two amending By-laws into one Procedure By-law for ease of reference.

Discussion

In addition to these two amendments, there have been two resolutions of Council which require incorporation into the Procedure By-law.

On March 6, 2021 Marc Bondy requested that Council review and consider a change to the start time of County Council meetings.

On March 17, 2021 a report was presented to Council, outlining the results of a survey conducted among members of Council regarding a change to the time of meetings. [2021-0317-CSS-R03-MB Council Question Regarding County Council Meeting Time](#)

Council agreed to change the start time of regular meetings of County Council from 7:00 p.m. to 6:00 p.m. commencing with the next term of Council.

Additionally, at the October 6, 2021 meeting, County Council resolved to add a Land Acknowledgement Statement to the Council Agenda Order of Procedure. An amendment to the Procedure By-law is required to codify that addition to the regular County Council Agenda.

Upon review of the current Procedure By-law, a number of additional 'housekeeping amendments' have been noted as well.

- Website address change – www.countyofessex.ca;
- Section 10.4 – some reordering of Agenda Order of Procedure to align with electronic Agenda template;
- Amendments to language in various sections to address the possibility of electronic meetings and electronic voting by Council members;
- Section 16.0 – Payment of Accounts – updated to reflect current Procurement Policy procedures for payment of accounts and approval levels
- Section 18.0 – Conference Policies for Councillors – updated language to reflect current Travel, Meetings & Conferences – Council, Committees, Agencies and Boards Policy (2022-003)

It is the intention of Administration to have a complete review of the County of Essex Procedure By-law conducted early in the next term of Council. A thorough review of the sections related to Parliamentary Procedure, Meeting Proceedings and Rules of Conduct of Debate will be undertaken at that time.

Financial Implications

There are no financial implications for the proposed changes to the current Procedure By-law.

Consultations

No consultation

Recommendation

That Essex County Council approve By-law 2022-31 being a by-law to provide rules governing the order and proceedings for the Council of the Corporation of the County of Essex and repealing By-law 41-2018 and all other by-laws inconsistent with By-law 2022-31.

Approvals

Respectfully Submitted,

Mary Birch

Mary Birch, Director, Legislative and Community Services/Clerk

Concurred With,

Mike Galloway

Mike Galloway, MBA, CMO, Chief Administrative Officer

Appendix Number	Title
Appendix A	Draft County of Essex By-law 2022-31 (Procedure By-law)