

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 5125B-20**

A BY-LAW TO AMEND BY-LAW 5125-19 BEING A BY-LAW
ENTITLED PROCEDURE BY-LAW OF THE CORPORATION OF
THE TOWN OF NIAGARA-ON-THE-LAKE

WHEREAS the Municipal Act, 2001, S.O. 2001, c. 25, section 238 provides that a municipality shall establish a procedure by-law to govern meetings;

AND WHEREAS the Council of the Corporation of the Town of Niagara-on-the-Lake approved By-law 5125-19 at the January 14, 2019 Council Meeting;

AND WHEREAS Council approved report CS-20-011 which recommended Procedural By-law 5125-19 be amended to reflect the changes as outlined in the report.

NOW THEREFORE BE IT ENACTED AS A BY-LAW OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE as follows:

1. That By-law 5125-19, being the Procedure By-law of the Corporation of the Town of Niagara-on-the-Lake, be amended by removing section 1.1 and replacing it with the following:
 - 1.1. All capitalized words not defined in this section or elsewhere in this by-law shall have the meaning ascribed to them in the Act. The following terms have the following meanings: Committee of the Whole refers to the Standing Committees of each respective Town department and consist of all members of Council also known as Committee of the Whole "COTW". Committee of the Whole Planning meetings will generally include all reports from the department of Community & Development Services, all other departments are to report to Committee of the Whole General.
2. That By-law 5125-19, being the Procedure By-law of the Corporation of the Town of Niagara-on-the-Lake, be amended removing section under 3.2.1 and replacing it with the following:
 - 3.2.1 The Clerk will prepare a schedule of Meetings for Council, COTW *Planning and COTW General* in the current year for the next year, well in advance, in order that a schedule of meetings can be laid out. ~~Whenever possible, the schedule will be created~~

~~with COTW on the first Monday of the month and Council on the second Monday of the month.~~ The Meeting schedule will be determined such that a Meeting not fall on a Statutory Holiday or on the Monday of Spring Break. ~~Under special circumstances, should the Council Meeting not be held the following week, no longer than two weeks shall be left between the two Meetings.~~ The time of the Meetings will be 6:30 p.m., unless otherwise called by the Lord Mayor.

3. That By-law 5125-19, being the Procedure By-law of the Corporation of the Town of Niagara-on-the-Lake, be amended by adding the following section under 3.4 Special Meeting:

- 3.4.3 No business may be dealt with at a Special Meeting of Council other than that specified on the agenda.

4. That By-law 5125-19, being the Procedure By-law of the Corporation of the Town of Niagara-on-the-Lake be amended by removing Section 4 NOTICE OF MEETINGS, and replacing it with the following:

4. NOTICE OF MEETINGS

- 4.1 *Notice of Regular Meetings*

- 4.1.1 Notice of each regular meeting of Council, COTW or Committee meeting will be published so as to be received not later than 48 hours before the hour appointed for the meeting.

- 4.1.2 The Agenda shall be considered as adequate notice of regular meetings.

- 4.2 *Notice of Special Meetings*

- 4.2.1 Notice of special meetings called in accordance with section 3.4 of this by-law shall be sent electronically to each member so as to be received not later than 24 hours before the hour appointed for the special meeting.

- 4.3 *Notice of Emergency Meetings*

- 4.3.1 Notwithstanding any other provision of this by-law, an emergency meeting may be held, without written notice, to deal with an emergency situation, provided that an attempt has been made by the Clerk to notify the members about the meeting as soon as possible and in the most expedient manner available.

- 4.4 Lack of receipt of a notice or of the Agenda by the members or the public shall not affect the validity of the meeting or any action taken thereat.

5. That By-law 5125-19, being the Procedure By-law of the Corporation of the Town of Niagara-on-the-Lake be amended by adding the following Section 5.1.5:
 - 5.1.5 Members of Council may participate electronically in a meeting which is open to the public. Any such member shall only be counted in determining whether or not a quorum of members is present when an Emergency has been declared.

6. That By-law 5125-19, being the Procedure By-law of the Corporation of the Town of Niagara-on-the-Lake be amended by removing Section 5.2.1.and replacing it with the following:
 - 5.2.1 Prior to each Meeting, an Agenda complete with all documents referenced in the Agenda shall be prepared to be brought before Council and COTW.
 - 5.2.2 All documents referred to in the agenda shall be published no later than 5 p.m. on the Thursday immediately prior to the either the Committee of the Whole or Council Meeting, as the case may be.
 - 5.2.3 All reports, notices, motions and any other material to be included in the agenda for a regular meeting shall be delivered to the Clerk, by 9:00 a.m. on the Thursday preceding the regular meeting.
 - 5.2.4 In no event shall documents or items be added to the Agenda after publication thereof except by a two thirds majority vote of Council.
 - 5.2.5 Delegations are added to the Agenda as per the Delegation Policy of Council attached as Schedule "A", which is subject to change.
 - 5.2.6 In no event shall documents or items be added to the Agenda thereafter, with the exception of business added under section 5.8.

7. That By-law 5125-19, being the Procedure By-law of the Corporation of the Town of Niagara-on-the-Lake be amended by adding the following section 5.7.2:
 - 5.7.2 All Notices of Motion must be received by the Clerk by 12:00 p.m. on the Tuesday prior to the Meeting at which the motion is to be considered.

8. That By-law 5125-19, being the Procedure By-law of the Corporation of the Town of Niagara-on-the-Lake be amended by removing Section 5.8.3.:

~~5.8.3 At a special Meeting of Council only such business shall be dealt with as is set out in the notice calling the Meeting except with the consent of all Members present.~~

9. That the Lord Mayor and Clerk be authorized to affix their hands and the Corporate Seal; and
10. THAT this by-law shall come into force and take effect immediately upon the passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 22nd DAY OF JUNE 2020.

LORD MAYOR BETTY DISERO

TOWN CLERK PETER TODD