

Memorandum

Date: March 26, 2024

To: Members of Council

From: Kevin Klingenberg, Municipal Clerk, Corporate Services

Subject: Proposed Housekeeping Procedure By-Law Amendments

Background and Purpose

The proposed Procedure By-Law Review Workplan was presented to General Committee on March 5, 2024 outlining a four stage process as outlined in [Staff Report 2024-0167](#). The first stage of the workplan was to present a Procedural By-law amendment to reflect current practices for Council consideration at the March 26, 2024 Council meeting. The purpose of the memo is to outline the housekeeping amendments proposed through By-Law 2024-17 as presented for Council approval as item 15.4 of the March 26, 2024 Council agenda for consideration.

Proposed Updates

A review of the current [Procedural By-Law BL-2015-108](#) was completed and the following six updates were identified for Council consideration:

1. Updating the Short Title from Town of Caledon Procedural By-law to the Town of Caledon Procedure By-Law.

Rationale: This minor update aligns with the commonly referred short name used throughout the *Municipal Act, 2001, as amended*, specifically the name of the by-law all Ontario municipalities are required to pass in accordance with [Municipal Act Section 238](#).

2. Updating requirements to enter closed session under the Procedural By-law to align with the *Municipal Act, 2001, as amended*.

Rationale: The Procedural By-law currently repeats the reasons for entering closed session as they are referenced in an outdated version of the *Municipal Act*. The presented amendment no longer itemizes each reason as referenced in the legislation, rather merely referencing that a meeting or part of a meeting may be closed to the public if the subject matter being considered is in accordance with the provisions of the *Municipal Act, 2001, as amended*. This approach aligns with municipal best practices, ensures that future spot amendments will not be repeatedly needed should legislation change, and shortens the length of the Procedure By-Law.

3. Updating that every Council and Committee meeting commences with a land acknowledgment.

Rationale: This update aligns with current practices at Council and Committee meetings. A definition for land acknowledgment will be considered to be added to the Procedural By-law at the April 9, 2024 General Committee when Parts 1 (Definitions) and 2 (Principles and Application) are scheduled to be reviewed in the section-by-section review of Stage 2 of the work plan.

4. Aligning consent items procedures in the Procedural By-Law with current practices.

Rationale: The current Consent Items portion of the By-Law states that consent items are listed. The proposed amendment modifies this section to reflect the current practices of listing all agenda items requiring approval on the agenda under their respective heading and approving them prior to proceeding with the items of business requiring debate. Further language is updated to reflect that Consent Items are not listed and to define how the current process works, and include exemptions where the consent item process would not function properly and not eligible for approval on consent. Further refinement of consent items are scheduled to be considered in the stage 2 section-by-section review of Part 8 in November 2024, including but not limited to, making items that were delegated on ineligible for approval on consent as discussed by members at the March 6, 2024 General Committee meeting.

5. Amending how minutes are presented to Council for confirmation to align with recent changes in practice.

Rationale: The exception of minutes resulting from a Confidential Session of each Council and Committee meeting being presented to Council at the next meeting for confirmation has been removed to align with the recent change in practice.

6. Revising receipt of motion requirements to reflect current practices.

Rationale: The current Procedural By-Law states that motions shall be signed by the mover and seconder. This signature requirement is no longer needed, impractical in largely paperless meetings or virtual formats, and recommended for removal.