



Municipality of North Grenville

To: **Council**

Meeting Date: March 25, 2025

Subject: Procedure By-law - Second Reading - CAO-2025-008.docx

Report No: CAO-2025-008

Prepared by: Mary Remmig, Deputy Clerk

Recommendation(s)

THAT Council conduct the second reading of Procedure By-law 16-25

Executive Summary

Purpose

- To prepare Council for the adoption of a new Procedure By-law; and,
- To facilitate the second reading of the By-law.

Key Findings

- The new draft Procedure By-law was presented to Council January 15, 2025;
- Council conducted a first reading of the new draft By-law on February 12, 2025;
- On March 3, 2025, Council received a presentation from the Closed Meeting Investigator recommending Council update their Procedure By-law at their earliest opportunity. This recommendation was adopted by Council resolution; and,
- Council provided feedback during the first reading of the By-law and minor amendments have been made to address this feedback as part of the second reading.

Financial Implications

- There are no direct financial implications of this report or the related By-law

Background/Analysis

The Clerk's office has revised By-law 16-25 in accordance with Council's direction during the first reading of the By-law on February 12, 2025. The revisions are being brought forward to Council with the intent of conducting a second reading of the By-law.

The following revisions have been made since the first reading of the By-law:

- Section 1.0 - A definition has been added for "Deputy Mayor" to clarify that this position on Council is determined by way of majority vote of Council following members being elected. Minor revisions have been made to the By-law to reflect the addition of this definition;
- Section 1.0 – Errors were discovered in the definition of "Member". The definition has been updated to ensure clarity;
- Subsection 4.14.1 – At the request of Council, the wait time for quorum for a scheduled meeting has been increased to one-half hour (30 minutes) after the scheduled meeting start time;
- Subsection 4.14.2 – At the request of Council, the duration of the meeting has been increased from 3.5 hours to 4 hours to reflect current practices of Council;
- Subsection 7.2 – A new subsection has been added to reflect a reduced agenda for Committees of Council; and,
- Subsection 10.8.1 – At the request of Council, this subsection has been updated to provide discretion to the Clerk for accepting a request to delegate to Council following the deadline for submissions under certain circumstances.

During the first reading of the By-law, Council also referenced procedure for the filling of Council vacancies. Specifically, vacancies which occur shortly following an election. To address these questions, staff advise that Section 9 of the By-law outlines the circumstances in which a position is considered vacant as well as how the vacancy can be filled by Council. Options for filling a position on Council in accordance with the Procedure By-law include:

- Appointing a person who has consented to accept the office if appointed;
- Holding a by-election to fill the vacancy in accordance with the Municipal Elections Act, 1996, S.O. 1996, c. 32, Sched., as amended; or,
- Appointing the non-elected candidate who, during the last municipal election, obtained the second most votes after the candidate whose seat is declared vacant, to fill the vacancy.

Any of these options are available to Council in accordance with the applicable Sections of the Municipal Act and Municipal Elections Act. The option to "appoint the non-elected candidate who, during the last municipal election, obtained the second most votes..." is not explicitly permitted under the Municipal Act but is a viable option for Council to consider in the event of a vacancy. The Provincial authority for this option is provided under Subsection 263(1)(a) of the Municipal Act which gives Council the authority to appoint a person who has consented to accept the office. This includes a non-elected member who received the second most votes after those who were elected.

Relevance to Strategic Priorities

Strategic Pillar	Pillar #2 - A Strong, Connected, and Vibrant Community
Goal	Goal #2.1 - Strengthen Community Engagement
Key Action	Action #2.1.1 - Foster engagement and partnerships among community organizations and leverage benefits of partner organizations, including on organizing events, arts and culture, and improving face-to-face and digital town halls etc.

Options and Discussion

1. Approve the recommendation (Recommended)
2. Do not approve the recommendation (Not Recommended)

The in-effect Procedure By-law is out of date and does not reflect Council's current practices. The By-law must be kept up to date to ensure legislative compliance and commitment to transparency. On March 3, 2025 Council accepted the recommendations of the Closed Meeting Investigator to update its Procedure By-law at its earliest opportunity. This recommendation was accepted based on findings of the report.

Financial Impact

This item has been identified in the current budget: Yes No **N/A**

This item is within the budgeted amount: Yes No **N/A**

Staffing implications, as they relate to implementing Council's decision on this matter, are limited to the existing staff complement and applicable administrative policies as approved by Council.

Internal/External Consultation

Extensive research of other municipal procedures was undertaken to prepare this draft By-law. The Municipal Solicitor was also consulted and provided feedback to ensure legislative compliance. Council was consulted on the draft by-law on January 15, 2025 and was given the opportunity to provide feedback in writing to the Clerk's before bringing the By-law forward to conduct the first reading of the By-law.

Communications

Council's second reading of the By-law may facilitate additional minor amendments to the By-law. The third and final reading is scheduled for April 8, 2025. All remaining comments on the By-law should be captured as part of the second reading.

Attachments

- Staff Report CAO-2025-002 – New Procedure By-law First Draft (Dated January 15, 2025)
- Staff Report CAO-2025-005 – Procedure By-law – First Reading (dated February 12, 2025)
- By-Law 16-25 – Tracked Changes