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Date September 22, 2021 **Report No.** 2021-502

To Chair and Members
Committee of the Whole – Operations and Administration

From Heidi de Vries
General Manager, People, Legislated Services and Planning

1.0 Type of Report

Consent Item ☐

Item For Consideration ☒

2.0 Topic **Appointments Policy and Chapter 26 – Boards and Committees Duties – Functions Update [Financial Impact – None]**

3.0 Recommendation

- A. THAT Report 2021-502, Appointments Policy and Chapter 26 – Boards and Committees Duties – Functions Update BE RECEIVED; and
- B. THAT By-law 70-2010 BE AMENDED by repealing and replacing Corporate-028 - Appointment of Citizen Members to City of Brantford Boards, Advisory Committees, Task Forces and other Committees to which Council makes Appointments as attached as Appendix A to Report 2021-502 and that the necessary By-law BE PRESENTED to City Council for adoption; and
- C. THAT Chapter 26 – Boards and Committees Duties – Functions of the City of Brantford Municipal Code BE AMENDED as outlined and attached as Appendix B to Report 2021-502 and that the necessary By-law BE PRESENTED to City Council for adoption.

4.0 Executive Summary

This report seeks approval from City Council to implement changes to the Appointment's Policy to streamline the appointments process and to ensure that the Policy provides a balance of qualified candidates that reflects the City of Brantford's diverse culture. The report further seeks approval of necessary changes to Chapter 26 of the City of Brantford Municipal Code which governs Advisory Committees and Boards. Upon review of the Appointments Policy it was deemed necessary to review Chapter 26 of the Municipal Code. Amendments to the code are recommended to remove redundancies, align with the appointments policy and streamline processes of the City of Brantford Advisory Committees.

5.0 Purpose and Overview

The purpose of this report is to provide an overview of the recommended changes to Corporate 028 – Appointment of Citizen Members to City of Brantford Boards, Advisory Committees, Task Forces and other Committees to which Council makes Appointments and to seek Council approval of the changes. The amendments will streamline the appointments process, make improvements and find efficiencies. The review of the Appointments Policy subsequently resulted in necessary review and proposed amendments to the City of Brantford Municipal Code – Chapter 26 – Boards and Advisory Committee Duties – Functions which have also been included in this report.

6.0 Background

The Appointments Policy was enacted by By-law in 2007 and governs the appointments process for membership on City of Brantford Boards, Committees and Task Forces. It has undergone several reviews and amendments since being enacted and staff in Clerk's Services have conducted a review in order to present efficiencies and updated process steps aimed to align with current practices.

Chapter 26 of the City of Brantford Municipal Code governs duties and functions of advisory committees and local boards for the City of Brantford. Each schedule outlines the composition, mandate, purpose and staff support of the varying advisory committees of the City. Through the review of the Appointments Policy subsequent changes to Chapter 26 of the City of Brantford Municipal code were recognized in order to remove redundancies, overlap and contradiction. Further recognized were practices no longer considered efficient in relation to meeting practices.

7.0 Corporate Policy Context

This report is consistent with Corporate-037 Community Involvement Policy which recognizes the value of community participation in the democratic process, incorporating a diverse pool of people, voices, ideas and information to lay the groundwork for quality outcomes and democratic legitimacy.

8.0 Input From Other Sources

Clerk's Services worked in consultation with Human Resources staff to update the Appointments Policy including required training of members appointed to City of Brantford Committees and Task Forces.

Legal and Real Estate Services were consulted regarding the removal of the Oath of Office from Chapter 26 of the City of Brantford Municipal Code and definitions governing Boards of the City of Brantford.

9.0 Analysis

9.1 Appointments Policy

9.1.1 General Information

The Appointments Policy is the governing document that allows Council to appoint members of the community to sit on City Committees and Task Forces. The policy provides a framework aimed at ensuring the most suitable candidates are selected and appointed as members to our Boards, Committees and Task Forces. The Clerk's Services Department worked in conjunction with the Human Resources department to ensure the policy is inclusive and barrier-free for all applicants.

The City acknowledges the work and importance of volunteers in our community who are an integral part in operating successful Committees and Task Forces. The intent of the policy revisions are to simplify and streamline the recruitment, selection and appointments process to attract as many diverse applicants as possible. Staff are recommending changes to the Appointments Policy which vary between minor alterations to comprehensive process changes.

9.1.2 Information Session and Vacancy Advertising

Currently under the Appointments Policy, Staff are to hold an information session for citizens interested in vacant positions. The information sessions

would be held in a singular location with a staff representative for each committee available to respond to interested applicants. In recent years, the information sessions have drawn minimal participation from members of the public and the majority of interested individuals reach out directly for more information. Due to the extensive workload and staff resources these information sessions require, staff are recommending removal of the information session process. Instead the Committee Support person in conjunction with lead staff from support areas for each Committee or Task Force will be requested to respond to inquiries from potential applicants as necessary.

Advertising of citizen vacancies is also recommended to be updated to reflect the current practice. Advertisements are shared on the City Website, through social media and promotion to targeted community organizations as well as announcements made at a live streamed or broadcast meeting. Advertisements in this manner are cost effective and target a large audience. The policy was updated to meet current advertising practices and also provide for opportunity for varying advertisement efforts as necessary in the recruitment process.

9.1.3 Nominating Procedure and Voting

The procedure for nominating a candidate at an Appointments Committee meeting is recommended to change to no longer require a seconder to nominate a citizen for appointment. Once all nominees have been moved the vote shall be called where members of the Appointments Committee can vote to fill the positions. The Members can vote up to the maximum number of vacant positions to fill (first past the post), which is to be reflected in the updated Policy. The Committee will finalize the positions with a secondary motion naming the selected nominees with the highest number of votes filling the vacancies and requires a majority to carry the secondary motion. This allows for the recommended names to be finalized and submitted to Council for ratification. The Policy language is recommended to be updated to further clarify the steps within the process.

Appointments from specific organizations or agencies (liaison representatives) will be completed through letters of request to these organizations who will then be required to submit a consideration letter on behalf of the organization recommending the appointment of a member. The Appointments Committee will then choose to appoint this member or not. Previously, organizations were required to submit more names than vacant positions. Staff recommend removing this requirement in the policy, although ideal, this provision cannot always be met by external organizations. The Appointments Committee

maintains the right to request a new name if they choose not to appoint the person provided by the organization.

9.1.4 Nominating Sub-Committee – Convened only when Directed by the Appointments Committee

Previously, appointments of members of Council to Nominating Sub-Committees were completed at the annual Appointments Committee meeting once per year. The Nominating sub-committees were to be called to shortlist and interview applicants for a variety of committees including but not limited to the Committee of Adjustment, Energy Board and Property Standards Committee. Many of the nominating sub-committees have not been utilized, foregoing their need to interview applicants and instead utilizing the Appointments process. Staff are recommending that all applications go to the Appointments Committee and a motion to strike a nominating sub-committee occur if the Appointments Committee deems necessary. The Nominating Sub-Committee will convene accordingly and be disbanded following interviews and a recommendation back to the Appointments Committee. Following this process will eliminate the need for multiple Nominating Sub-Committees and puts the onus on the Appointments Committee to decide the requirements of shortlisting and interviews.

9.1.5 Mandatory Training Requirements

After consultation and discussion with the Human Resources Department it was identified that all successful applicants appointed to our City Boards, Committees and Task Forces are required to complete mandatory online training. Staff are recommending that the policy be updated requiring the training to be completed every four years as established by the Human Resources Department. As some of the City training is mandated under the *Occupational Health and Safety Act*, appointed Liaison Representatives may provide proof of completion of identified courses by way of a letter from their employer to the Human Resources Department to be exempt from completing the training again. The policy has been updated to include a process to manage appointees who have not completed the required training. All advertisements for vacancies will outline that mandatory online training is to be completed upon appointment to a Committee or Task Force of Council. This ensures that the City is meeting all training obligations under varying legislation and policies.

9.1.6 General Housekeeping Updates

The Appointments Policy included a clause pertaining to the City of Brantford Page Program. It is recommended that this be removed as the Council Page Program is targeted at high school students interested in Municipal Government and not members of the public applying to committees of Council.

Crossover between the appointments policy and Chapter 26 which included the consequence of members missing three consecutive meetings has been updated. Not only will an Advisory Committee (under Chapter 26) be permitted to declare a seat vacant but the Appointments Committee via the Appointments Policy will also have the ability to declare a seat vacant upon being notified of excessive absences impacting business. This allows the Appointments Committee to maintain power to ensure all Committees, Boards and Task Forces are able to function effectively with their membership.

Clarification on the appointment term of those replacing members who have left in the middle of their term has been included in the Policy to ensure that all members of a committee are not expiring at the same time.

9.2 Municipal Code Chapter 26 – Boards, Advisory Committees Duties Functions - Update

Review of the Appointments Policy led to a necessary review of Chapter 26 of the City of Brantford Municipal Code. This Chapter outlines the duties and functions of Advisory Committees for the City of Brantford. Changes are being recommended to align the chapter with current practice, remove redundancies and reflect the updates to the Appointments Policy.

Per Council direction to streamline and reduce the number of reports coming through the monthly committee cycle, staff are recommending two changes to Chapter 26 to increase efficiencies.

9.2.1 Chair – Consecutive Years

Currently Committees are unable to continue to appoint a Chair for more than two consecutive years. If the Committee would like to reappoint their Chair for a third year, a report must come forward to Committee of the Whole. Staff are proposing that by way of a unanimous vote, a committee can choose to elect a chair for more than the two year maximum currently set out in Chapter 26. If the vote is not unanimous, a report will still come forward but this practice will allow for the committees to take ownership of their chair position while reducing the need for reports to come to Committee of the Whole.

9.2.2 Annual Reports

Consistent with achieving efficiencies staff are further recommending the removal of the annual report process and annual Chair and Mayor meeting. Neither of these provisions are current practice and are counteractive to achieving meeting efficiencies. Advisory Committees provide recommendation reports to Committee of the Whole throughout the year as necessary. Requiring a further annual report adds an additional item for review that duplicates previous work. Members of Council are further apprised of the work of Committees and Task Forces through their minutes as they are received by Committee when available. Staff recommend removal of this along with the removal of the annual chair and Mayor meeting as Council may refer or direct resolutions at any time to committees as the goals and objectives change for the city.

9.2.3 General Housekeeping Updates

The proposed changes to Chapter 26 include removal of annual confidential attendance reports to the City Clerk. The attendance of members are recorded in all minutes forwarded to Committee of the Whole and Chapter 26 and the Appointments Policy contain provisions to declare a seat vacant due to membership absences. The attendance records require extensive staff time to compile annually. There are no staff resources available to compile attendance across all committees and task forces. Any attendance concerns can be discussed between the committee clerk and the City Clerk for consideration if necessary.

Chapter 26 has also been updated to remove other redundancies such as the declaration of office and to clean up staff supports to realign with the appropriate commissions and budgets per the revised corporate structure.

The revised appointments policy is attached as Appendix A to this report and the amended Chapter 26 of the City of Brantford Municipal Code is attached as Appendix B.

10.0 Financial Implications

There are no financial implications associated with this report.

11.0 Conclusion

Adopting the revised Appointments Policy will provide procedural clarity and ensure the process is fair and transparent. The revisions to the Policy will streamline the application process while adopting an inclusive process and ensuring all volunteers receive the necessary training to complete their obligations as a volunteer on a City Board, Committee or Task Force. The subsequent changes to Chapter 26 of the City of Brantford Municipal Code reinforce meeting efficiencies for Council and bring the Chapter up to current practices while acknowledging the value of the Committee and ensuring Council maintains valuable connections with their Advisory Committees.

Heidi de Vries

General Manager, People, Legislated Services and Planning

Prepared By:

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Attachments (if applicable)

Appendix A – Corporate - 028 Appointments Policy

Appendix B – Chapter 26 of the City of Brantford Municipal Code

In adopting this report, is a by-law or agreement required? If so, it should be referenced in the recommendation section.

By-law required ☒ yes ☐ no

Agreement(s) or other documents to be signed by Mayor and/or City Clerk ☐ yes ☒ no

Is the necessary by-law or agreement being sent concurrently to Council? ☒ yes ☐ no



POLICY MANUAL

POLICY NUMBER: CORPORATE-028

SUBJECT: APPOINTMENT OF CITIZEN MEMBERS TO CITY OF BRANTFORD BOARDS, ADVISORY COMMITTEES TASK FORCES AND OTHER COMMITTEES TO WHICH COUNCIL MAKES APPOINTMENTS

**POLICY STATEMENT:
(Purpose/Objective)**

Policy Statement

The City of Brantford wishes to ensure that its Boards, Advisory Committees, Task Forces and other Committees, to which it makes appointments, reflect Brantford's diverse community. The desired goal of this policy is to, as much as possible, achieve a balance of qualified applicants and to ensure that all members of the community, especially women and those traditionally under represented, have equal access to, and are equitably represented on all of Brantford's Boards, Committees and ~~Council itself~~ Task Forces.

This policy outlines a fair and equitable process for the recruitment, selection and appointment of citizen members to all City Boards, Advisory Committees, Task Forces and to all external bodies, to which Council is asked to approve or ratify citizen member appointments.

It is noted that where there are conflicting provisions with provincial legislation, the requirements of the provincial legislation will prevail.

RELATED POLICY PROCEDURES/GUIDELINES:

1.0 Definitions

For Boards, Advisory Committees and Sub-Committees created under Chapter 26 of the City of Brantford Municipal Code, the following definitions apply:

“Board” means a body that governs, manages or operates.

“Advisory Committee” means a body established to provide advice to Council as outlined in its approved mandate. Advisory Committees are not responsible for the direct management of staff, expenditures and budgets.

“Sub-Committee” means a body created by a Board or Advisory Committee that reports directly to the Board or Advisory Committee to assist it in fulfilling its mandate.

“For other Boards deemed to be a “board” or “local board” as prescribed by provincial legislation, the definition of “Board” for the purposes of this Policy would be as defined by the governing legislation, but shall not include the Brantford Energy Corporation Board of Directors, the Brantford Power Inc. Board of Directors and the Brantford Hydro Inc. Board of Directors, or any successor thereof.”

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“Task Force” means an ad hoc body established for a specific purpose with a definite end date.”

2.0 Qualification of Members

- 2.1 That where membership qualifications on City Boards, Advisory Committees, Task Forces and Other Committees to which Council makes Appointments are not prescribed by provincial legislation, preference will be given to the appointment of persons who are the owner or tenant of land or the spouse of said owner or tenant of land in the City of Brantford;
- 2.2 That where age requirements are not prescribed by provincial legislation, all citizen members shall be at least 18 years of age, with the exception of the appointment of youth representatives where the By-law or Council resolution establishing the Board, Advisory Committee, Task Force or Sub-Committee includes youth representatives to provide the City with input on issues affecting youth in our community;

~~2.3 That the Council Page Program continue to serve as a youth mentoring program by providing youth with opportunities to attend meetings of City Council to learn more about the workings of municipal government and to serve as a training ground for those wishing to consider applying for membership on City Boards and Advisory Committees in the future;~~

~~2.4 Notwithstanding the above, upon notification of excess absences creating difficulties for the board, advisory committee or task force in carrying out its business, the Appointments Committee may by resolution deem a position vacant and appoint a replacement member.~~

3.0 Recruitment Process

3.1 ~~THAT all~~ requests of the City to appoint Members of Council or citizen members to various external Committees, including such Committees as the Brant Elder Abuse Committee, the Brantford ~~Brant Regional~~ Chamber of Commerce, the Brant Waterways Foundation and the Children's Aid Society of Brant, must be made in writing to the City Clerk ~~by August 15th in a municipal election year,~~ indicating the benefits of membership and that such requests be considered by the ~~in-coming Council~~ Appointments Committee;

3.2 ~~That~~ The recruitment of citizen members to City Boards, Advisory Committees, Task Forces and Other Committees to which Council makes appointments commence in September annually with Council appointment dates targeted for November. It is noted that these dates may vary in the year of a Municipal Election;

3.3 ~~That e~~ Citizen member vacancies on City Boards, Advisory Committees, Task Forces and Other Committees to which Council makes appointments shall be advertised in-on the Civic News Section of the Brantford Expositor and in the Brantford Penny Saver ~~City's website, Social Media and other sources as recommended by City Staff;~~

~~3.4 That the City's website be expanded to include information regarding the composition, terms of reference, meeting information, membership requirements, terms of office and desired skill sets of members of all City Boards, Advisory Committees, Task Forces and Other Committees to which Council makes appointments;~~

~~3.5 That notice of citizen member vacancies on all City Boards, Advisory Committees, Task Forces and Other Committees to which Council makes appointments be posted on the City of Brantford's website, circulated for posting at various City facilities (i.e. Recreation Centres and Libraries) and included in utility bill mailouts, if possible;~~

3.4 When vacancies occur before the expiration of the appointed term:

3.4.1 where possible, a co-ordinated approach will be taken to fill all vacancies

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- that occur within the same year;
- 3.4.2 vacancies will not be filled unless there are at least four regular meetings of the Board, Advisory Committee or Other Committee to which Council makes appointments remaining in the unexpired term;
- 3.4.3 notwithstanding Section ~~3.7.23.5.2~~, vacancies will be filled if the Board, Advisory Committee, Task Forces or Other Committee to which Council makes appointments is experiencing difficulty in establishing quorum for meetings as a result of any vacancies;
- 3.4.4 ~~the Appointments Committee shall review the previous applications received for that Board, Advisory Committee, Task Force or Other Committee to which Council makes appointments, and if applicants are still available and deemed to be suitable, the Committee shall recommend to City Council, the appointment of a replacement member for the remainder of the unexpired term;~~
- 3.4.5 ~~if no previous applications exist for that Board, Advisory Committee, Task Forces or Other Committee to which Council makes appointments, the City Clerk shall advertise the vacancy in accordance with the provisions of this policy.~~
- ~~3.5~~ That, when When citizen member vacancies on City Boards, Advisory Committees, Task Forces or Other Committees to which Council makes appointments are advertised, staff in ~~the City Clerk's Department~~ Clerk's Services shall prepare a statement that can be read aloud at a ~~Public Forum Committee or~~ Committee of the Whole meeting (whichever meeting is closest to the first date that notice was advertised), so that the vacancies can be promoted at a televised meeting;
- ~~3.53.6~~ Notwithstanding Section 3.5, a statement advertising vacancies can occur outside the annual statement through a request from a member of Council or at the discretion of the City Clerk;
- ~~3.63.7~~ That a A standard application form, attached hereto and marked as Schedule ~~4-A~~ be ~~completed~~ used by all citizens applying for membership on City Boards, Advisory Committees, Task Forces and Other Committees to which Council makes appointments;
- ~~3.73.8~~ That t The application form identified in 3.97 above, shall be provided on the City's website and be made available in alternate formats (ie. large print) for persons with disabilities;
- ~~3.83.9~~ That Applications from citizens, with the exception of liaison representatives, applying for membership shall be limited to three Boards, Advisory Committees, Task Forces and Other Committees to which Council makes appointments at any given time;
- ~~3.93.10~~ That w Where terms of office are not prescribed by provincial legislation, ~~that~~ citizen members' terms of office be for a four year term appointed on a staggered basis with one half of the citizen members' terms

expiring every two years.

~~3.10.1 That a~~ Notwithstanding Section 3.120, the term of office for the citizen member appointee to the Brantford Police Services Board continue to be for the term of the Council appointing the member.

~~3.9.43.10.2~~ Notwithstanding 3.10 above, applicants replacing a vacated seat shall be appointed for the remaining portion of the initial term so as not to impact the staggered appointment process;

~~3.10.3.11~~ That Information Sessions for citizens interested in serving on City Boards, Advisory Committees, Task Forces and Other Committees to which Council makes appointments be co-ordinated by the City Clerk's Department as follows:

~~3.10.43.11.1~~ That attendance at the Information Sessions be voluntary;

~~3.10.23.11.2~~ That two Information Sessions for each round of citizen vacancies be held at City Hall, one held during the day and one held during the evening on days not falling within the same week;

~~3.10.33.11.3~~ That reasonable disability related accommodations be made for those requesting such accommodation of the City Clerk's Department in advance of the Session;

~~3.10.43.11.4~~ That representatives of each Board, Advisory Committee, Task Forces or Other Committees to which Council makes appointments, to which citizen vacancies apply, be required to:

- ~~attend the Information Sessions to make a brief presentation on the role, composition, qualifications, meeting dates and times and any other information that would be of interest to potential applicants respecting that Board, Advisory Committee, Task Force or Other Committee to which Council makes appointments;~~

3.11 Vacancy postings and application forms shall state that mandatory training (See section 6 of this policy) is required to be completed within 30 days of the appointment, if the applicant is successful in the application process.

3.12 ~~That C~~ompleted application forms must be returned to the ~~City Clerk's~~Clerk's Services Department no later than 4:30 p.m. on the advertised deadline date. No applications will be accepted after the deadline.

3.13 That applicants to the Brantford Police Services Board be required to submit a current Police Clearance Certificate with their application for

membership.

4.0 Selection Process

- 4.1 That staff in the ~~City Clerk's~~Clerk's Services Department review the applications received to ensure that the age requirements as identified in 2.2 and the application deadline as identified in 3.1~~43~~ have been met;
- 4.2 ~~That those a~~Applicants not meeting the age requirements as identified in 2.2 and the application deadline as identified in 3.1~~43~~ shall be deemed ineligible to apply at that time and will be so advised in writing, by the ~~City Clerk's~~Clerk's Services Department;
- 4.3 ~~That a~~ meeting of the Appointments Committee (comprising all Members of City Council) shall be called to review the qualified applications received;
- 4.3.1 ~~That notwithstanding Section 4.3, Council may by resolution appoint a Nominating Sub-Committee to review the qualified applications received, to shortlist applicants (if desired), to interview applicants (if desired) and to make a recommendation to the Appointments Committee. Notwithstanding Section 4.3 above, a Nominating Sub-Committee may be appointed by resolution of the Appointments Committee to review the qualified applications, to shortlist and interview applicants and to make a recommendation to the Appointments Committee. Upon making a recommendation to the Appointments Committee, the Nominating Sub-Committee shall be automatically disbanded.~~
- 4.4 ~~That I~~the meeting of the Appointments Committee as identified in 4.3 or the Nominating Sub-Committee as identified in 4.3.1 be held in-camera in accordance Section 239(2)(b) of the Municipal Act as it relates to personal matters about an identifiable individual including municipal or local board employees and be attended only by members of the Appointments Committee or the Nominating Sub-Committee, as the case may be, and applicable staff;
- 4.5 ~~That should~~Should insufficient applications be received to fill the number of vacancies on a specific Board, Advisory Committee, Task Forces or Other Committee to which Council makes appointments, the vacancy shall be re-advertised;
- ~~4.6 That should an incumbent apply for reappointment, that the Board, Advisory Committee, Task Forces or Other Committee to which Council makes appointments to which he or she is a member, be requested to provide the City Clerk's Department with attendance records for the~~

~~incumbent's last term of office, to form part of the incumbent's application which is submitted to the Appointments Committee or the Nominating Sub-Committee, as the case may be, for consideration;~~

- 4.67 That the Appointments Committee and the Nominating Sub-Committee (if established), when considering applications for appointment, be provided with ~~a list of desired skill sets prepared by the Board, Advisory Committee or Other Committee to which Council makes appointments~~ a copy of their Schedule from Chapter 26/ resolution which includes the mandate to assist in the decision-making process.

4.8 Procedure For Nominating Candidate:

~~4.4.8.1 That a~~At an Appointments Committee or Nominating Sub-Committee (if established), a mover ~~and a seconder~~shall be required to nominate a candidate for a vacant position.

~~2.4.8.2 Nominated candidates receiving the highest number of votes from the Committee will be recommended to City Council for appointment.~~Once all nominees have been moved, the Chair shall call the vote. Each member of the Appointments Committee (or sub-committee) is entitled to vote for as many nominees as there are vacant seats.

~~4.8.3 Nominated candidates receiving the highest number of votes from the Committee will be recommended to fill the vacant positions by way of a resolution which requires a mover, seconder and carry by majority vote.~~

~~4.8.4 Unfilled positions will remain vacant and shall be re-advertised for a future Appointments Committee meeting.~~

5.0 Appointment Process

- 5.1 ~~That the~~The Appointments Committee shall submit a report to City Council with a list of names and corresponding terms of office for those citizen members being recommended for appointment to various City Boards, Advisory Committees, Task Forces or Other Committees to which Council makes appointments in keeping with this policy;

- 5.2 ~~That where~~Where terms of office are not prescribed by provincial legislation, that the terms of office of citizen appointees expire November 30 in the year determined by City Council, or until their successors are appointed;

- 5.3 ~~That no~~No citizen members, with the exception of those appointed as liaison representatives, shall be appointed to serve on more than ~~three~~ City Boards, Advisory Committees, Task Forces or Other

Committees to which Council makes appointments at the same time;

5.4 That where membership on a Board, Advisory Committee, Task Forces or Other Committee to which Council makes appointments includes representation from specific organizations or agencies or within a prescribed area (i.e. Business Improvement Area Board of Management) and membership is not open to all citizens for appointment, the recruitment of these representatives will be completed through letters of request to these organizations who will be required to submit a list of nominees greater than the number of positions to be filled, along with completed Application Forms for each, to the Appointments Committee for consideration a consideration letter on behalf of the organization recommending the appointment of a member;

5.4.5.4.1 Notwithstanding the above, the Appointments Committee is not required to appoint the recommended member.

~~5.4.1 Notwithstanding 5.4 above, the County of Brant and the Six Nations Elected Council are not required to submit a list of nominees greater than the number of positions to be filled, but rather simply be required to submit the names of those being nominated as County or Six Nations representatives on City Boards, Advisory Committees or Other Committees to which Council makes appointments to the Appointments Committee for consideration.~~

5.5 ~~That if~~ Following City Council approval of citizen member appointments, the City Clerk's Clerk's Services Department be directed to:

- send letters to all successful applicants confirming their appointment;
- send letters to all unsuccessful applicants advising that they have not been selected but thanking them for their application;
- notify the Board, Advisory Committee, Task Forces or Other Committee to which Council makes appointments of the appointment(s) made and provide contact information for the new citizen member(s).

6.0 ~~6.0~~ Mandatory Training

6.1 Every successful candidate shall be required to complete mandatory online training once every four years as set out by the Human Resources Department;

6.2 Notwithstanding 6.1 above, Liaison Representatives appointed through section 5.3 shall have their required training confirmed by their employer.

6.3 The mandatory training must be completed within one month of receipt of the acceptance letter by the Clerk's Services Department. If

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the mandatory training is not completed within the allotted timeframe, a letter will be sent to the member requesting the completion of the training with an additional two weeks extension. If after the two additional weeks, the training is still not complete, the Staff Member of the corresponding Committee shall be requested to contact the applicant and request completion of the training within one week. Members will be permitted to attend meetings during the training period.

6.4 Notwithstanding Section 6.3 above, a request may be submitted to the City Clerk for an extension to complete the training;

6.5 If the applicant fails to comply with the mandatory training as set out in 6.3, a report shall be written by the Committee Support to the Appointments Committee requesting removal of the committee member from any and all City Committees of which they are a member.

Date of Enactment: December 17, 2007	Related By-law Number/Staff Report Number: 170-2007 70-2010 (consolidation) 88-2012; 37-2013; 98-2019; 22-2020
Review and Amendment Dates: September 2008 March 2009 (Review) June 2010 (consolidation) September 24, 2012 April 22, 2013 (Section 2.4) June 11, 2019 (Special City Council, Brantford Energy Board) February 25, 2020 (City Council)	Department Responsible for Review: City Clerks <u>Clerks Services</u>
Date of Next Review: 2020	Applicable Legislation/Legislative Authority:

BOARD - COMMITTEE

Chapter 26

**BOARDS - ADVISORY COMMITTEES DUTIES
- FUNCTIONS**

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Schedule '14' - The Parks, Recreation and Waterfront Advisory
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Schedule '15' - Repealed: By -law 59-2014, 26 May , 2014

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Article 1
INTERPRETATION

26.1.1 Board - defined
"board" means a body that governs, manages or operates.

26.1.2 Advisory Committee - defined
"advisory committee" means a body established to provide advice to Council
as outlined in its approved mandate. Advisory committees are not responsible

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for the direct management of staff, expenditures and budgets.

26.1.3 Sub-committee - defined

"sub-committee" means a body created by a board or advisory committee that reports directly to the board or advisory committee to assist it in fulfilling its mandate.

26.1.4 Member - defined

"member" means a member of a board, advisory committee, or sub-committee.

26.1.5 Members of Council - defined

"members of Council" include the Mayor, unless the context requires a different interpretation.

**Article 2
GENERAL PROVISIONS**

26.2.1 Intent - to provide a common framework

This Chapter is intended to provide a common framework for the organization of the boards and advisory committees described in the Schedules. Provisions which are specific to particular boards and advisory committees shall be contained within the Schedules pertaining to each such board or advisory committee.

26.2.2 Terms - provisions - Schedules to govern

In the event that the terms and provisions contained in a Schedule are inconsistent with the main body of this Chapter, the terms and provisions of the Schedule shall govern to the extent of any inconsistency with respect to the board or advisory committee described in the Schedules.

26.2.3 Schedules - to form part of Chapter

The Schedules are an integral part of this Chapter.

**26.2.4 Applicable to boards- advisory committees-
listed**

This Chapter only applies to the boards and advisory committees which are described in the Schedules, and does not apply to any other bodies.

26.2.5 Creation - amendment - dissolution

Boards and advisory committees may be created, altered or dissolved by adding, amending or deleting Schedules to this Chapter.

26.2.6 Amendment - format

For the purpose of achieving and maintaining consistency within this Chapter and its Schedules, Schedules and amendments to Schedules to this Chapter shall be drafted using the prescribed format and shall be approved by the Clerk ~~and Solicitor~~ before presentation to Council.

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26.2.7 Conflict of interest - applicable to all members

All members of boards and advisory committees shall comply with the same rules that are applicable to members of Council pursuant to the Municipal Conflict of Interest Act. By-law 178-2007, 17 December, 2007

26.2.8 Powers and authority - set out

Unless and to the extent otherwise specified in this Chapter or in the provisions of the applicable Schedules, all boards and advisory committees shall have the following powers and authority:

- (a) the ability to create sub-committees from among their members;
- (b) the ability to receive delegations from the public;
- (c) the ability to schedule their own meetings;
- (d) the ability to obtain assistance from professional staff in other City departments, where such assistance is necessary and is obtained through the administrative department identified pursuant to Section 26.2.187 (f); and,
- (e) the ability to establish procedures for the conduct of meetings if not in conflict with any requirements of this Chapter or Chapter 15 of the City of Brantford Municipal Code. By-law 178-2007, 17 December, 2007; By-law 109-2011, 12 September, 2011.

26.2.9 Sub-committees - creating - conditions

Boards and advisory committees may only create sub-committees which include members drawn otherwise than from among their members if:

- (a) The board or advisory committee has prepared a report to Council in which it has identified, justified and explained the need for outside members; and
- (b) Council has approved the inclusion of outside members in the sub-committee.

26.2.10 Sub-committees - membership - requirement

It shall be the general policy of the City that all sub-committees approved pursuant to Sections 26.2.8 and 26.2.9 shall, despite the inclusion of outside members, include at least one (and preferably more than one) member of the board or advisory committee which created the sub-committee, although Council may authorize a deviation from this policy if it concludes that it is necessary and advisable to do so in particular circumstances.

26.2.11 Meetings - scheduling - administrative support

In exercising their power and authority to schedule their own meetings, all boards and advisory committees shall have regard to staff resources and availability and shall only schedule meetings when any required administrative support is reasonably capable of being provided to such meetings.

~~26.2.12 Attendance - reports - confidential - to Clerk~~

~~All boards and advisory committees shall monitor the attendance of their members and shall provide a report to the Appointments~~

~~Committee on a confidential basis showing the attendance records for the members of the board or advisory committee during the preceding term. The said report shall be provided to the Clerk in sufficient time to allow him/her to bring it to the attention of the Appointments Committee during its consideration of appointments to boards and advisory committees. The report may include recommendations of the board or advisory committee in respect of the attendance of any member. By-law 178-2007, 17 December, 2007.~~

26.2.43-12 Citizen - member - vacancy - appointment

A board or advisory committee may by resolution declare a citizen member position vacant and request that the vacancy be filled by the Appointments Committee if:

- (a) a citizen member misses three consecutive meetings without notifying the board or advisory committee; or
- (b) the citizen member's absence is excessive and is creating difficulties for the board or advisory committee in the carrying out of its business,

by providing the citizen member with the board or advisory committee's written decision, a copy of which shall also be provided to ~~Council and~~ the City Clerk, within seven days of the decision. By-law 37-2013, 22 April, 2013.

26.2.143 Chair - Vice-Chair - member of Council - prohibited

No member of Council shall serve as Chair or Vice-Chair of any board or advisory committee.

26.2.154 Chair - Vice-Chair - elected - annually – limitation

Boards and advisory committees shall elect a Chair and Vice-Chair annually, with the election of Chairs limited to two consecutive one-year terms.

Notwithstanding the above, the Committee may by way of a unanimous vote of present members at the time of election, allow a Chair to serve more than two consecutive one year terms.

26.2.165 Obedience to law - compliance with Council directions

All boards and advisory committees shall obey and comply with the requirements of any applicable laws, including municipal by-laws. Boards and advisory committees shall also obey and comply with the provisions of any direction which may be given by Council in the form of resolutions.

26.2.17-6 Addition of schedules - amendment

This Chapter may be amended from time to time by adding Schedules thereto.

26.2.187 Schedules - information requirements

The Schedules to this Chapter shall each include the following

BOARDS - ADVISORY COMMITTEES DUTIES - FUNCTIONS

components, as a minimum:

- (a) the name of the board or advisory committee;
- (b) a concise statement of the purpose of the board or advisory committee;
- (c) the mandate of the board or advisory committee;
- (d) the composition of the board or advisory committee, including the lengths of terms of its members;
- (e) the reporting structure through which the board or advisory committee will report to Council whenever such reporting is required or permitted pursuant to this Chapter or otherwise; and
- (f) identification of the ~~administrative~~ department of the City which shall provide ~~administrative staff and/or~~ budgetary support to the board or advisory committee.

~~(f)-(g)~~ Identification of the department to provide Administrative Support to the Committee.

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26.2.198 Schedules - other matters included

In addition to the required components, the schedules may include any other matter in relation to the board or advisory committee, or its activities, powers and authority, including provisions related to the repeal of previous by-laws and resolutions in respect of the board or advisory committee.

26.2.2019 Transitional matters - moved toward completion

It is recognized that some transitional matters contained within the Schedules, such as adjustments to the composition of the boards or the creation of a staggered appointment system, may require time to become fully operational. Staff shall bring such transitional matters to the attention of Council when appointments are made, and shall move towards the complete rollout of any such provisions as soon as practicable. By-law 178-2007, 17 December, 2007.

Article 3 MEMBERSHIP

26.3.1 Appointment - councillor terms

Where the terms are not prescribed by provincial legislation, the terms of Council appointments to boards and advisory committees will be at the discretion of Council. Generally, Council appointments will be made on an annual basis; however, Council may make appointments for a different term. The length of the term of the Council appointments will be identified in the respective Schedules. By-law 120-2010, 6 December, 2010.

26.3.2 Number of councillors - per board - committee

Council appointments to boards and advisory committees will generally comprise one councillor, but Council may from time to time appoint more councillors through the Appointments Committee process. The number of councillors appointed will be identified in the respective Schedules. By-law 120-2010, 6 December, 2010; By-law 116-2013, 18

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November, 2013.

26.3.3 Committees and Boards - voting privileges - councillors - quorum

Members of Council appointed to advisory committees and boards shall have voting privileges and their membership shall affect quorum, ~~as outlined in this Chapter~~. By-law 178-2007, 17 December, 2007. By-law 96-2008, 7 July, 2008.

~~**26.3.4 Boards - voting privileges - councillors - quorum**
Members of Council appointed to serve on boards shall have voting privileges and their membership shall affect quorum as outlined in this Chapter. By-law 178-2007, 17 December, 2007.~~

26.3.5 Councillor - no consent to serve

If no councillor consents to serve on any board or advisory committee, any position reserved for a councillor on the board or advisory committee will remain unfilled for the one-year term. In such circumstances, the size of the board or advisory committee shall be reduced accordingly for purposes of the determination of quorum. By-law 178-2007, 17 December, 2007. By-law 96-2008, 7 July, 2008.

26.3.6 Mayor- ex-officio member - each board - committee

In addition to the membership as defined in the applicable schedule, the Mayor shall be an ex-officio member of each board and advisory committee. By-law 178-2007, 17 December, 2007.

26.3.7 Appointed members - voting rights

All members appointed by Council to a board or advisory committee shall have full voting rights on the board or advisory committee, ~~and only members so appointed shall have voting rights on the board or advisory committee~~. By-law 178-2007, 17 December, 2007. By-law 96-2008, 7 July, 2008.

26.3.8 Terms - at the pleasure of Council

Even though members of boards and advisory committees may have been appointed for a specific term, all members of boards and advisory committees shall serve at the pleasure of Council and their appointment may be terminated at any time.

26.3.9 Appointment - terminations – recommendations

Appointments and termination of appointments to boards and advisory committees shall generally be made by Council upon the advice of the Appointments Committee of Council, however Council may consider such appointments and terminations without the advice of its Appointments Committee if it so chooses.

26.3.10 Appointment - not vested right

No member of any board or advisory committee shall have any vested right to appointment or reappointment to any board or advisory committee, but
BOARDS - ADVISORY COMMITTEES DUTIES - FUNCTIONS

members are nevertheless eligible for and may seek any number of reappointments in accordance with the City's appointments policy.

26.3.11 Liaison - non-member unless appointed

Any person who serves as a liaison to any board or advisory committee shall not be a member of the board or advisory committee unless he/she is appointed by Council as a member of the board or advisory committee.

**Article 4
QUORUM**

26.4.1 Majority - required

A majority of the voting members of any of the boards and advisory committees described in the Schedules shall form a quorum for the transaction of business.

26.4.2 Mayor - ex-officio position - how calculated

In calculating the number of members on any board or advisory committee required to reach a quorum, the ex-officio position of the Mayor shall not be counted as a member of the board or advisory committee. Despite the foregoing, if the Mayor is present at any board meeting or advisory committee, his/her presence shall nevertheless be counted in determining whether the required quorum has been achieved.

26.4.3 Quasi-judicial role - members to hear entire matter

If any board is fulfilling a quasi-judicial role, the board shall ensure that each member of the board which commences hearing any matter shall hear the entire matter without additions, substitutions or other changes to the composition of the panel. By-law 178-2007, 17 December, 2007.

**Article 5
ROLES AND RESPONSIBILITIES**

26.5.1 Members - set out

Members of boards and advisory committees shall have the general roles and responsibilities as set out in Sections 26.5.2 through 26.5.6 inclusive.

26.5.2 Councillors who serve on -board- advisory committee

The role of a member of Council who serves on a board or advisory committee is to:

- (a) act as an informal liaison between the board or advisory committee and Council;
- (b) communicate Council's perspective, goals and expectations where appropriate;

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- (c) when necessary and appropriate, explain the rationale behind the board or advisory committee's input into reports when brought forward to committee and Council. By-law 96-2008, 7 July, 2008.

26.5.3 Mayor - role of

The role of the Mayor, who serves as an ex officio member of all boards and advisory committees, is to:

- (a) act as a liaison between the board or advisory committee and Council;
- (b) communicate Council's perspective, goals and expectations where appropriate;
- (c) when necessary and appropriate, explain the rationale behind the board or advisory committee's input into reports when brought forward to committee and Council;
- (d) provide the unique and valuable perspective of the Mayor as Head of Council, the Chief Executive Officer of the Municipality, and as the only member of Council elected at large. By-law 178-2007, 17 December, 2007.

26.5.4 Members appointed by Council - public

The role of members appointed by Council from the public is to:

- (a) provide needed skill/knowledge areas;
- (b) provide desired representation of interests in the community;
- (c) actively participate in the discussion and decision-making process.

26.5.5 Members appointed by Council - interest groups

The role of members appointed by Council to represent specific interests is to:

- (a) provide desired representation for the interest group at meetings;
- (b) bring forward information and/or recommendations from the interest group to assist the board or advisory committee in the completion of its mandate;
- (c) share information from the board or advisory committee with the interest group represented;
- (d) actively participate in the discussion and decision-making process.

26.5.6 Chair - role of

The role of the Chair is to:

- (a) work with staff in the development of the meeting agenda;
- (b) facilitate and Chair meetings in accordance with rules of procedure;
- (c) ensure active participation by all members;
- (d) maintain decorum and ensure fairness and accountability;
- ~~(e) attend the annual meeting of all Chairs and Vice-Chairs with the Mayor, City Manager and staff liaisons to determine the municipality's priorities and the board or advisory committee's~~

BOARDS - ADVISORY COMMITTEES DUTIES - FUNCTIONS

~~role in achieving those goals in keeping with the City's Strategic Plan;~~

~~(f)(e)~~ be the official spokesperson for the board or advisory committee.

26.5.7 Non-members

Persons, other than the Mayor and Members of Council, attached to boards and advisory committees in a capacity other than that of voting member shall have the general roles and responsibilities as set out in Sections 26.5.8 through 26.5.9 inclusive.

26.5.8 Non-member attached as a liaison

The role of the non-members attached to a board or advisory committee as a liaison is to:

- (a) attend meetings as an observer and to answer questions and give input only if requested by the Chair;
- (b) liaise with the board or advisory committee by sharing minutes and information from the body for which they are acting as liaison;
- (c) share minutes and information from the board or advisory committee with the body for which they are acting as liaison.

26.5.9 Staff - role of

The role of staff is to:

- (a) provide clerical, administrative and/or technical support to the board or advisory committee as required including the preparation and distribution of minutes and agendas;
- (b) communicate the corporate strategic plan, committee related policies and information items, departmental goals and objectives as required;
- (c) provide guidance regarding timelines, work plan initiatives;
- (d) incorporate the board or advisory committee's comments into staff reports;
- (e) seek the board or advisory committee's input on all reports being presented to Council on matters within the board or advisory committee's mandate and incorporate its comments as input from other sources in staff reports presented;
- (f) communicate with the board or advisory committee on the outcome of all reports and/or issues presented to Council on issues within the board or advisory committee's mandate;

~~(g) assist the board or advisory committee in the completion of the annual report.~~

Article 6

~~ANNUAL MEETING AND ORIENTATION SESSION AND TRAINING~~

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~~26.6.1 Annual meeting - Mayor - manager - staff~~

~~In each calendar year, an annual meeting of all Chairs and Vice Chairs~~

BOARDS - ADVISORY COMMITTEES DUTIES - FUNCTIONS

~~of boards and advisory committees will be held with the Mayor, the City Manager and a staff liaison for each board and advisory committee to outline the municipality's priorities and their role in achieving those goals in keeping with the City's Strategic Plan.~~

26.6.12 Orientation ~~session~~

The staff identified pursuant to Section 26.2.18Z (f) as the administrative support for each board or advisory committee shall, with the assistance of the ~~Clerk's~~ Clerk's Services Department, provide an orientation session ~~for new members as necessary at the first meeting of the board or advisory committee~~ following ~~the~~ the appointments ~~process of members~~ to provide:

- (a) an overview of this Chapter to govern the duties, functions and processes of boards and advisory committees created by the municipality and the Schedule relating to that specific board or advisory committee;
- (b) dates, times and location of meetings;
- (c) ongoing issues and priorities;
- (d) Code of Conduct and conflict of interest requirements; and
- (e) any other information that is deemed beneficial to members.

26.6.2 Training

~~Each member shall complete Corporate training per the guidelines set out in the Appointments Policy (Corporate-028), as amended from time to time.~~

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26.6.3 ~~Annual report - to Council - required~~

~~Every board and advisory committee shall provide an annual written report to Council on or before April 1st in which it provides a brief summary of its work during the preceding calendar year.~~

26.6.4 ~~Annual report - information requirement~~

~~The annual report shall include:~~

- (a) ~~references, where applicable, to the goals in the City's Strategic Plan and how the work of the board or advisory committee has assisted in the achievement of such goals; and~~
- (b) ~~identification of any suggested amendments required to its terms of reference.~~

26.6.35 ~~Additional Reports- provided- as required by Council~~

~~Every board or advisory committee shall provide such additional reports as Council may require from time to time.~~

26.6.6 ~~Declaration of office sworn by each member~~

~~Before assuming their position on any board or advisory committee, all members who are not members of Council shall swear a statutory declaration in the following form:~~

BOARDS - ADVISORY COMMITTEES DUTIES - FUNCTIONS

~~I (insert name of declarant) do solemnly promise and declare that I will truly, faithfully and impartially, to the best of my knowledge and ability, execute my duties as a member of (insert name of board or advisory committee) to which I have been appointed in this City, that I have not received and will not receive any payment, or promise thereof, as a result of my appointment, that I will disclose any pecuniary interest, direct or indirect in accordance with the Municipal Conflict of Interest Act, and that I will abide by all applicable Federal, Provincial and Municipal laws, including the City's Code of Conduct By-law while fulfilling my duties. I further promise not to reveal any confidential information which may come into my hands as a result of my duties, except in such manner as will comply with all of the rules and requirements of the City.~~

~~Declared before me
A commissioner &c.~~

Article 7 RECORDS - REPORTING

26.7.1 Records - minutes - approved - each meeting

Every board or advisory committee shall keep minutes of its meetings. Every meeting of each such board or advisory committee shall include the approval of the minutes of the previous meeting as an agenda item, and the approved minutes shall thereafter be forwarded to Council in a timely manner.

26.7.2 Recommendations - prepared ~~-each meeting~~

In addition to the requirement of providing approved minutes to Council in a timely manner:

- (a) ~~a summary of the recommendations made at each meeting of the board or advisory committee shall be prepared forthwith following each meeting in the form prescribed for same from time to time by the Clerk, and forwarded to Council; and report of recommendations shall be prepared, as necessary, and forwarded to Council by way of the outlined reporting structure identified in the below schedules;~~
- (b) the circulation of board or advisory committee minutes to other bodies that may have an interest in issues discussed is encouraged. The foregoing shall not apply to in-camera or other confidential matters.

26.7.3 ~~Issues referred to staff - report to Chair of committee~~

~~When issues are referred by Council to a board or advisory committee, they shall be referred to staff. Staff will seek input from the board or advisory committee, which will be noted in the staff report. A copy of this report will be provided to the Chair. By law 178-2007, 17 December 2007.~~

26.7.4 ~~Committee of the Whole - annual meeting~~

BOARDS - ADVISORY COMMITTEES DUTIES - FUNCTIONS

~~In addition to the requirement for an annual written report, an annual meeting of the Committee of the Whole - Operations and Administration will be held at which the Chair or designate of each board or advisory committee has the option of attending to highlight in person, the activities and accomplishments of the board or advisory committee for the past year and intended direction or projects for the upcoming year. By-law 129-2009, 14 December, 2009.~~

26.7.53 Communication - follow up - on decisions made

To keep the board or advisory committee informed, the staff identified pursuant to Section 26.2.187 (f) as the ~~administrative~~ support for each board or advisory committee shall follow up with the board or advisory committee on all decisions made by committee and Council on matters in which the board or advisory committee was involved and/or provided comment or advice.

26.7.6 Confidential matters - non-disclosure

No member of any board or advisory committee shall disclose any confidential matter except to staff of the municipality or to Council.

Article 8 MEETINGS

26.8.1 Meetings - open to the public

Despite the fact that the advisory committees and boards governed by this Chapter may not have a legal requirement to conduct their meetings in public pursuant to the *Municipal Act, 2001*, c. 25, each advisory committee or board governed by this Chapter shall conduct its meetings in public unless it is considering one of the matters set forth in subsection 239 (2) of the *Municipal Act, 2001*, c. 25.

26.8.2 Closed meetings - conditions

If the advisory committee or board is not required by law (other than this Chapter) to hold its meetings in public and it is considering one of the matters set forth in subsection 239 (2) of the *Municipal Act, 2001*, c. 25, it shall hold the portion of the meeting concerning such matter in the absence of the public.

26.8.3 All meetings - open - exceptions

If the advisory committee or board is required by law (other than this Chapter) to hold its meetings in public, it shall only proceed in the absence of the public if it is considering one of the matters set forth in subsection 239 (2) of the *Municipal Act, 2001*, c. 25, and has complied with the requirements of subsection 239 (4) of the *Municipal Act, 2001*, c.25, and the requirements of any other applicable law. By-law 178-2007, 17 December, 2007.

26.8.4 Public notice of meetings

Notice of regular and special meetings of boards and advisory committees shall be provided to the public in accordance with ~~Section~~

BOARDS - ADVISORY COMMITTEES DUTIES - FUNCTIONS

~~45.15.5 of~~ Chapter 15 of the City of Brantford Municipal Code. By-law 109-2011, 12 September, 2011.

Article 9
REPEAL - ENACTMENT

26.9.1 By-law - previous

By-law 141-2006, as amended, is repealed in its entirety.

26.9.2 Effective date

This Chapter shall come into effect immediately upon passage. By-law 178-2007, 17 December, 2007.

SCHEDULE 1 – The Property Standards Committee

Schedule '1' - The Property Standards Committee

1. Name of Board or Advisory Committee

The Property Standards Committee

2. Concise Statement of the Purpose of the Board or Advisory Committee

The purpose of the Property Standards Committee is to act as an appeal Board for property standards orders issued pursuant to the provisions of the Building Code Act.

3. Mandate of Board or Advisory Committee

The Property Standards Committee shall fulfill the functions of a Property Standards Committee as set forth in the Building Code Act.

4. Composition of Board or Advisory Committee

Five members appointed by Council from the public. (Section 4 effective March 1, 2011.)

5. Lengths of Terms of Members of Board or Advisory Committee

Four years, with appointments to be staggered so that approximately half of the positions terminate and are eligible for new appointments on a biennial basis.

6. Reporting structure through which the Board or Advisory Committee will report to Council

The Property Standards Committee shall report through the Committee of the Whole - Community Development. By-law 65-2016, 26 April, 2016.

7. ~~Administrative~~ Department of the City which shall provide ~~administrative and/or budgetary~~ support to the Board or Advisory Committee

(a) Administrative Support and Minutes

Administrative support shall be provided by staff from the Clerk's Services Department.

(b) ~~Staff and~~ Budgetary Support

Staff support shall be provided from the Building and By-law department and The budget for the Property Standards Committee shall be submitted along with and determined as part of the budget deliberations for the Building Department.

BOARDS - ADVISORY COMMITTEES DUTIES - FUNCTIONS

8. Special Provisions

None. By-law 178-2007, 17 December, 2007; Schedule '1'; By-law 66-2010, 7 June, 2010; By-law 128-2011, 24 October, 2011; By-law 65-2016, 26 April, 2016.

Schedule '2' - The Control of Vicious Dogs Committee

1. Name of Board or Advisory Committee

The Control of Vicious Dogs Committee

2. Concise Statement of the Purpose of the Board or Advisory Committee

The purpose of the Control of Vicious Dogs Committee is to hear and decide appeals from orders to muzzle ~~and leash~~ dogs. Although referred to as a committee, the Control of Vicious Dogs Committee is a Board.

3. Mandate of Board or Advisory Committee

The Control of Vicious Dogs Committee shall fulfill the mandate defined in the City's Animal Control By-law. References in the said by-law to the Control of Vicious Dogs Committee shall be read as references to the Control of Vicious Dogs Board.

4. Composition of Board or Advisory Committee

Five members appointed by Council from the public. (Section 4 effective March 1, 2011.)

5. Lengths of Terms of Members of Board or Advisory Committee

Four years, with appointments to be staggered so that approximately half of the positions terminate and are eligible for new appointments on a biennial basis.

6. Reporting structure through which the Board or Advisory Committee will report to Council

The Control of Vicious Dogs Board shall report through the Committee of the Whole - Operations and Administration.

7. Administrative Department of the City which shall provide administrative and/or budgetary support to the Board or Advisory Committee

(a) Administrative Support and Minutes

Administrative Support shall be provided by staff from within the Clerk's Services Department.

(b) Staff and Budgetary Support

Staff support shall be provided from the Building & By-law Department and the budget for the Control of Vicious Dogs Committee shall be submitted along with and determined as part of the budget deliberations for the Clerk's Services Department.

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8. Special Provisions

None. By-law 178-2007, 17 December, 2007; Schedule '2'; By-law 66-2010, 7 June, 2010.

Schedule '3' – The Brant, Brantford and Six Nations Impaired and Distracted Driving Advisory Committee

1. Name of Board or Advisory Committee

The Brant, Brantford and Six Nations Impaired and Distracted Driving Advisory Committee

2. Concise Statement of the Purpose of the Board or Advisory Committee

The purpose of the Brant, Brantford and Six Nations Impaired and Distracted Driving Advisory Committee is to recommend measures to Council that will reduce the incidence of impaired and distracted driving.

3. Mandate of Board or Advisory Committee

The mandate of the Brant, Brantford and Six Nations Impaired and Distracted Driving Advisory Committee is to consider the issues of impaired and distracted driving and to liaise with other organizations which have a common goal for the purpose of developing and recommending initiatives to Council that will:

- (a) help to foster a social attitude that regard impaired & distracted driving as unacceptable conduct;
- (b) reduce the incidence of impaired and distracted driving;
- (c) respond to the social and legal consequences of impaired and distracted driving;
- (d) support the initiative of local police and other agencies to reduce impaired and distracted driving;
- (e) enhance public awareness of the dangers of impaired and distracted driving;
- (f) provide referral to victims of impaired and distractive driving in order to have support as they navigate the justice system; and
- (g) lobby all levels of government to develop policies which support the mandate of this committee

4. Composition of Board or Advisory Committee

Total of 18 members, consisting of one member of City Council, plus 17 other members, all appointed by Council to represent the following interest groups:

- (a) one member each from City of Brantford Council, County of Brant Council and Six Nations Elected Council;
- (b) one member of Brantford Police Service;
- (c) one member of the Ontario Provincial Police;
- (d) one member of the Six Nations Police;
- (e) a nominee of the LCBO;

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- (f) two citizens who have been a victim of an accident caused by impaired or distracted driving;
- (g) two members appointed from the public;
- (h) a member of Arrive Alive;
- (i) one student representative;
- (j) an additional nominee of the County of Brant;
- (k) an additional nominee of the Six Nations Elected Council;
- (l) a member of Victim Services;
- (m) a nominee of the Brant County Health Unit; and
- (n) a representative of the telecommunications industry.

5. Lengths of Terms of Members of Board or Advisory Committee

Four years, with appointments to be staggered so that approximately half of the positions terminate and are eligible for new appointments on a biennial basis. Despite the foregoing, the members of Councils shall have a one year term.

6. Reporting structure through which the Board of Advisory Committee will report to Council

The Brant, Brantford and Six Nations Impaired and Distracted Driving Advisory Committee shall report to Council through the Committee of the Whole – Operations and Administration

7. ~~Administrative~~ Department of the City of which shall provide administrative and or budgetary support to the Board and Advisory Committee

- (a) Administrative Support and Minutes

Administrative Support shall be provided by staff from within the ~~City~~ Clerk's Services Department of the City.

- (b) Budgetary Support

The budget for the Brant, Brantford and Six Nations Impaired and Distracted Driving Advisory Committee shall be submitted along with and determined as part of the budget deliberations for the ~~City~~ Clerk's Services Department.

8. Special Provisions

The resolution of Council dated April 9, 1984 in respect of Brant, Brantford and Six Nations Impaired & Distracted Driving Committee is hereby repealed. By-law 178-2007, 17 December 2007; Schedule "3". By-law 96-2008, 7 July, 2008; Schedule "3"; By-law 77-2012, 27 August, 2012; By-law 125-2012, 17 December, 2012; By-law 116-2013, 18 November, 2013; and, By-law 72-2015, 22 June 2015.

Schedule '4' - The Brantford Airport Board

1. Name of Board or Advisory Committee

The Brantford Airport Board

2. Concise Statement of the Purpose of the Board or Advisory Committee

The purpose of the Brantford Airport Board is to give advice and recommendations to Council in respect of the operation of the Brantford Municipal Airport.

3. Mandate of Board or Advisory Committee

3.1. The mandate of the Brantford Airport Board is to give advice and guidance to the Council of the City and the Property Management Department of the City with respect to:

- (a) the strategic direction of the airport;
- (b) practices and procedures at the airport;
- (c) the Business Plan for the airport; and
- (d) such other matters as may be referred to the Brantford Airport Board from time to time by Council or the Property Management Department.

3.2. In addition to its mandate to give advice and recommendations to Council, the Brantford Airport Board shall have the authority to make decisions and to generally take action, including giving instructions to municipal staff, to the extent that the same are:

- (a) required in order to implement the Airport Business Plan which has been approved by Council; and
- (b) specifically authorized as a power of the Board within the Airport Business Plan.

4. Composition of Board or Advisory Committee

Total of 14 members, consisting of one member of Council, plus 13 other members, all appointed by Council to represent the following interest groups:

- (a) one member of Council;
- (b) five (5) members appointed from the public, selected from persons in various segments of the community such as industry, commerce, and labour; By-law 94-2021, 27 April, 2021
- (c) one nominee of the County of Brant, and
- (d) one nominee of the Brantford-Brant Chamber of Commerce.

5. Lengths of Terms of Members of Board or Advisory Committee

Four years, with appointments to be staggered so that approximately
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half of the positions terminate and are eligible for new appointments on a biennial basis. Despite the foregoing, the member of Council shall have a one year term.

6. Reporting structure through which the Board or Advisory Committee will report to Council

The Brantford Airport Board shall report to Council through the Committee of the Whole - Operations and Administration.

7. ~~Administrative Department of the City~~ which shall provide administrative and/or budgetary support to the Board or Advisory Committee

(a) Administrative Support and Minutes

Administrative Support shall be provided by Staff from within the ~~Property Management Department~~ Facilities Management and Security Department.

(b) ~~Staff and~~ Budgetary Support

The budget for The Brantford Airport Board shall be submitted along with and determined as part of the budget deliberations for the ~~Property Management Department~~ Facilities Management and Security Department.

8. Special Provisions

8.1. The Powers of the Brantford Airport Board shall not include the following:

- (a) the Power to do anything which can only be done by a municipal Council or which cannot legally be delegated to the Board, such as performing a legislative Act. Since fees and charges are enacted through Council by-law, the enactment of fees and charges must be performed by Council;
- (b) the power to disregard any applicable laws, including City by-laws (including this Chapter), or City policies and procedures (such as the Purchasing Policy or policies regarding financial accountability);
- (c) unless specifically authorized by Council each specific instance, the power to make expenditures not authorized by the budget approved by Council;
- (d) unless specifically authorized by Council in each specific instance, the power to engage outside consultants or other professionals to perform legal, purchasing, insurance, risk management, financial, or accounting functions for the Brantford Municipal Airport. The Approved Business Plan may authorize the Board to engage consultants for other purposes;
- (e) The power to borrow money, to buy or sell real property, or (unless specifically authorized by Council in each specific instance) the power to dispose of any personal property or goods outside the normal course of business; and
- (f) Generally, the power to do anything beyond the jurisdiction of the

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municipality,

and in the event that the existing Board has in the past implemented any policy or procedure which would be contrary to anything above, such policy or procedure is hereby abolished.

8.2. Chapter 27 of the City of Brantford Municipal Code is repealed in its entirety. By-law 178-2007, 17 December, 2007; Schedule '4'; By-law 34-2011, 4 April, 2011; By-law 116-2013, 18 November, 2013;

Schedule '5' - The Brantford Accessibility Advisory Committee

1. Name of Board or Advisory Committee

The Brantford Accessibility Advisory Committee

2. Concise Statement of the Purpose of the Board or Advisory Committee

The purpose of the Brantford Accessibility Advisory Committee is to act as the advisory body on matters related to the *Accessibility for Ontarians with Disabilities Act, 2005* and universal accessibility within Brantford.

3. Mandate of Board or Advisory Committee

The Brantford Accessibility Advisory Committee (BAAC) shall assist Council in improving opportunities for persons of all abilities, including persons with disabilities, by promoting the implementation of the Accessibility for Ontarians with Disabilities Act, 2005 (AODA). Implementation of the AODA shall encompass all related accessibility standards, including customer service, transportation, information and communication, employment and built environment. In relation, the BAAC is to advise Council about the preparation, implementation and effectiveness of the City's Accessibility Plan. The BAAC will further assist in the attainment of a universally accessible Brantford through the recommendation and input in the review of municipal policies, programs and services and the identification, removal and prevention of barriers faced by persons with disabilities. The BAAC will administer the City of Brantford Accessibility Awards Program as approved by Council, with authority to select Award recipients to be recognized at a meeting of Council.

4. Composition of Board or Advisory Committee

Total of 11 to 16 members, all appointed by Council to represent the following interest groups:

- (a) a citizen who has a disability;
- (b) a nominee of the Lansdowne Children's Centre;
- (c) a nominee of the CNIB or the Canadian Council of the Blind;
- (d) a nominee of the Canadian Hearing Society;
- (e) a citizen who is a senior citizen;
- (f) not less than one and not greater than six members appointed from the public;
- (g) a nominee of W. Ross MacDonald School;
- (h) a nominee of Participation House;
- (i) one member of Council;
- (j) a nominee of the Grand River Council on Aging; and
- (k) a nominee of the Adult Recreation Therapy Centre. By-law 153-

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2018, 3 December, 2018.

5. Lengths of Terms of Members of Board or Advisory Committee

Four years, with appointments to be staggered so that approximately half of the positions terminate and are eligible for new appointments on a biennial basis. Despite the foregoing, the member of Council shall have a two year term. By-law 153-2018, 3 December, 2018.

6. Reporting structure through which the Board or Advisory Committee will report to Council

The Brantford Accessibility Advisory Committee shall report to Council through the Committee of the Whole - Operations and Administration.

7. ~~Administrative~~ Department of the City which shall provide administrative and/or budgetary support to the Board or Advisory Committee

(a) Administrative Support and Minutes

Administrative Support shall be provided by staff from within the ~~City~~ Clerk's Services Department.

(b) ~~Staff and~~ Budgetary Support

Staff shall be provided by the Human Resources Department and the Budget for the Brantford Accessibility Advisory Committee shall be submitted along with and determined as part of the budget deliberations for the Human Resources Department.

8. Special Provisions

None. By-law 96-2008, 7 July, 2008; Schedule '5'. By-law 168-2008, 8 December, 2008; Schedule '5'; By-law 19-2010, 16 February, 2010; By-law 125-2012, 17 December, 2012; By-law 131-2013, 16 December, 2013; By-law 73-2018, 29 May, 2018; By-law 153-2018, 3 December, 2018.

Schedule '6' - The Brantford Cultural Advisory Committee

1. Name of Board or Advisory Committee

The Brantford Cultural Advisory Committee

2. Concise Statement of the Purpose of the Board or Advisory Committee

The purpose of the Brantford Cultural Advisory Committee is to give advice and recommendations to Council in respect of arts and culture in the Brantford community.

3. Mandate of Board or Advisory Committee

The mandate of the Brantford Cultural Advisory Committee shall be to give advice and recommendations to Council to advance the following goals:

- (a) the maximization of accessibility of arts, culture and history;
- (b) the growth of arts, culture and history as vital components of the City's quality of life;
- (c) the development of a cooperative approach to further arts, culture and history in Brantford which will meet the needs of its many users; and
- (d) the successful marketing of Brantford as a community with viable and desirable cultural attractions.

4. Composition of Board or Advisory Committee

Total of eleven members, consisting of two members of Council, plus nine other members, all appointed by Council to represent the following interest groups:

- (a) two members of Council;
- (b) six members appointed from the public;
- (c) one nominee of the Brant Museums and Galleries Association;
- (d) one nominee of the Tourism Advisory Committee; and
- (e) one nominee of the Brant Performing Arts group. By-law 153-2018, 3 December, 2018.

5. Lengths of Terms of Members of Board or Advisory Committee

Four years, with appointments to be staggered so that approximately half of the positions terminate and are eligible for new appointments on a biennial basis. Despite the foregoing, the members of Council shall have a one year term. By-law 153-2018, 3 December, 2018.

6. Reporting structure through which the Board or Advisory

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Committee will report to Council

The Brantford Cultural Advisory Committee shall report to Council through the Committee of the Whole - Community Development. By-law 65-2016, 26 April, 2016.

7. ~~Administrative~~ Department of the City which shall provide administrative and/or budgetary support to the Board or Advisory Committee
 - (a) Administrative Support and Minutes
Administrative Support shall be provided by Staff from within the Economic Development and Tourism Services Department.
 - (b) Staff and Budgetary Support
Staff support shall be provided for by the Economic Development and Tourism Services Department. The Budget for the Brantford Cultural Advisory Committee shall be submitted along with and determined as part of the budget deliberations for the Economic Development and Tourism Department.

8. Special Provisions

None. By-law 96-2008, 7 July, 2008; Schedule '6'; By-law 120-2010, 6 December, 2010; By-law 128-2011, 24 October, 2011; By-law 133-2011 14 November, 2011; By-law 42-2012, 23 April, 2012; By-law 125-2012, 17 December, 2012; By-law 116-2013, 18 November, 2013; By-law 65-2016, 26 April, 2016; By-law 153-2018, 3 December, 2018.

Schedule '7' - The Brantford Heritage Committee

1. Name of Board or Advisory Committee

The Brantford Heritage Committee

2. Concise Statement of the Purpose of the Board or Advisory Committee

The purpose of the Brantford Heritage Committee is to act as a municipal heritage committee as permitted by the *Ontario Heritage Act*. The Brantford Heritage Committee is an Advisory Committee.

3. Mandate of the Board or Advisory Committee

The mandate of the Brantford Heritage Committee is to advise Council on all matters relating to the administration of the *Ontario Heritage Act* within the City of Brantford including:

- (a) Promoting heritage conservation within the community through research, programs and activities;
- (b) Educating the community to encourage the preservation of heritage assets and creating a positive environment for heritage conservation;
- (c) Advising Council on the protection, conservation, regulation, and enhancement of all aspects of heritage throughout the community, through the recommendation of appropriate design guidelines and municipal policies, and by identifying properties for designation;
- (d) Establishing and maintaining a Register of Properties of Heritage Interest, approved by Council, to encourage the protection of the heritage attributes of these properties;
- (e) Reviewing and providing relevant heritage comments on major alteration applications for designated heritage properties, demolition applications that yield or have the potential to yield, cultural heritage significance, and other municipal policies and projects as requested;
- (f) Providing recommendations to Council annually to select an honouree for the Prominence Point program and providing research and recommendations to the Wall of Recognition Task Force to honour the contributions of previous Council members; and
- (g) Reviewing and evaluating designated property financial incentive programs. By-law 148-2016, 20 December, 2016.

4. Composition of Board or Advisory Committee

Total of 16 members, consisting of two member of Council, plus fourteen other members, all appointed by Council, to represent the following interest groups:

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- (a) two members of Council;
- (b) one nominee of the Brant Historical Society ;
- (c) one nominee of the Brant Museums and Galleries Association;
- (d) one nominee of the Business Improvement Area Board of Management;
- (e) one nominee of the Architectural Conservancy of Ontario (ACO);
- (f) one nominee of the Canadian Heritage Industrial Centre (CIHC); and
- (g) nine members appointed from the public. By-law 153-2018, 3 December, 2018.

5. Lengths of Terms or Members of Board or Advisory Committee

Four years, with new appointments to be staggered so that approximately half of the positions terminate and are eligible for new appointments on a biennial basis. Despite the foregoing, the members of Council shall have a one year term. By-law 153-2018, 3 December, 2018.

6. Reporting structure through which the Board or Advisory Committee will report to Council

The Brantford Heritage Committee shall report to Council through the Committee of the Whole - Community Development. By-law 65-2016, 26 April, 2016.

7. ~~Administrative~~ Department of the City which shall provide administrative and/or budgetary support to the Board or Advisory Committee

- (a) Administrative Support and Minutes
Administrative Support shall be provided by staff within the Planning-Clerk's Services Department.
- (b) ~~Staff and~~ Budgetary Support
Staff support shall be provided for by the Planning Department.
The Budget for the Brantford Heritage Committee shall be submitted along with and determined as part of the budget deliberations for the Planning Department.

8. Special Provisions

None. By-law 96-2008, 7 July, 2008; Schedule '7'; By-law 13-2011, 14 February, 2011; By-law 128-2011, 24 October, 2011; By-law 133-2011, 14 November, 2011; By-law 125-2012, 17 December, 2012; By-law 116-2013, 18 November, 2013; By-law 65-2016, 26 April, 2016; By-law 148-2016, 20 December, 2016. By-law 153-2018, 3 December, 2018

Below, for ease of reference, is sections 4 and 5 Schedule A of By-law 148-2016.

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Schedule A of By-law 148-2016

Minor Alterations	Major Alterations
Repairs/Replacement: Eavestroughs Downspouts Broken windows Existing fences Driveways/walkways Existing exterior features Re-roofing in similar or same material Re-cladding in similar or same material Continuing maintenance	Replacement: Cladding material Roofing material Soffit material Windows and window openings Door and door openings Repointing brick
Painting (unless previously unpainted): Doors Cladding Dormers	Installation: Signage Dormers Shutters Sky lights Solar panels Awnings
Landscaping: Gardening Removal or planting of minor vegetation (small shrubs, bushes, trees)	Removal: Porches Verandahs Architectural details defined in Reasons for Designation
Construction: Patios/decks located at the rear of the property and not visible from the street	Construction: New additions Garages Fences Barns Sheds Porches Verandahs Steps Other outbuildings/structures that require a Building Permit, or as recommended by Staff
Installation: Satellite dishes Antennas Utility boxes A/C units	

Schedule '8' - The Brownfields Community Advisory Committee

1. Name of Board or Advisory Committee

The Brownfields Community Advisory Committee

2. Concise Statement of the Purpose of the Board or Advisory Committee

To provide nontechnical advice and recommendations to Council in relation to Brownfields issues

3. Mandate of Board or Advisory Committee

The mandate of the Brownfields Community Advisory Committee is to meet on an as-needed basis to review policies and major initiatives under consideration by the City in relation to Brownfields issues, and to provide advice and recommendations to Council from the perspective of the community at large. The mandate includes the role of making recommendations to Council pursuant to the Brownfields Financial Tax Incentive Programme and the prevention of future brownfields. By-law 102-2016, 28 June, 2016.

4. Composition of Board or Advisory Committee

Total of ten members, consisting of one member of Council, plus nine other members, all appointed by Council to represent the following interest groups:

- (a) one member of Council
- (b) eight members appointed from the public; and
- (c) one elected Council member from the Six Nations Band Council nominated by the Six Nations Band Council. By-law 153-2018, 3 December, 2018. By-law 27-2019, 26 February, 2019.

5. Lengths of Terms of Members of Board or Advisory Committee

Four years, with appointments to be staggered so that approximately half of the positions terminate and are eligible for new appointments on a biennial basis. Despite the foregoing, the member of Council shall have a one year term.

6. Reporting structure through which the Board or Advisory Committee will report to Council

The Brownfields Community Advisory Committee shall report to Council through the Committee of the Whole - Community Development. By-law 65-2016, 26 April, 2016.

BOARDS - ADVISORY COMMITTEES DUTIES - FUNCTIONS

7. ~~Administrative~~—Department of the City which shall provide administrative and/or budgetary support to the Board or Advisory Committee

(a) Administrative Support and Minutes

Administrative Support shall be provided by Staff from within the Planning Department.

(b) ~~Staff and~~ Budgetary Support

~~Staff support shall be provided for by the Planning Department.~~

The budget for the Brownfields Community Advisory Committee shall be submitted along with and determined as part of the budget deliberations for the Planning Department.

8. Special Provisions

A Six Nations Band Council staff liaison will be invited to attend meetings as a resource person. This position shall be deemed to be a non-member attached as a liaison as outlined in Section 26.5.8 of this Chapter. By-law 96-2008, 7 July, 2008; Schedule '8'. By-law 168-2008, 8 December, 2008; By-law 128-2011, 24 October, 2011; By-law 125-2012, 17 December, 2012; By-law 116-2013, 18 November, 2013; By-law 129-2014, 1 December, 2014; By-law 102-2016, 28 June, 2016; 65-2016, 26 April, 2016; By-law 186-2017, 19 December, 2017; By-law 27-2019, 26 February, 2019.

Schedule '9' - Downtown Incentive Programs Advisory Committee

Repealed: By-law 127-2019, 27 August, 2019

Schedule '10' - The Economic Development Advisory Committee

1. Name of Board or Advisory Committee

The Economic Development Advisory Committee

2. Concise Statement of the Purpose of the Board or Advisory Committee

The purpose of the Economic Development Advisory Committee is to give advice and recommendations to Council in respect of the development and expansion of the City's economy.

The Economic Development Advisory Committee shall serve as the City's Planning Advisory Committee as required under Section 8 of the *Planning Act*, R.S.O. 1990, Chapter P.13 on an interim basis until November 30, 2017, or until directed otherwise by City Council.

3. Mandate of Board or Advisory Committee

The Mandate of the Economic Development Advisory Committee is comprised of two Parts, outlined below as "Part 1" and "Part 2".

"Part 1" is to give advice and guidance to the Council of the City and the Economic Development Department with respect to:

- (a) policies and procedures that should be enacted for the purpose of fostering and advancing economic and business opportunities, and the promotion of the City; and
- (b) actions that might be taken to attract post-secondary institutions to Brantford; and
- (c) measures that the City might take to retain and encourage the development of these post-secondary institutions which have already located within the City of Brantford; and
- (d) work with the Post-Secondary institutions in the area of skills training initiatives; and
- (e) such other matters as may be referred to the Economic Development Advisory Committee from time to time by Council or the Economic Development Department of the City;.

"Part 2" is to give advice and guidance on land use planning matters to the Council of the City with respect to:

- (a) The development of a new Official Plan and Zoning By-law including any related comprehensive reviews of said documents as well as any City initiated technical amendments to the Official Plan and Zoning By-law. By-law 159-2020; 22 September, 2020

4. Composition of Board or Advisory Committee

BOARDS - ADVISORY COMMITTEES DUTIES - FUNCTIONS

Total of 14 members, consisting of one members of Council plus 13 other members, all appointed by Council to represent the following interest groups:

- (a) one member of Council;
- (b) 11 members appointed from the public, selected from persons in various segments of the community such as industry, commerce and labour;
- (c) one nominee of the County of Brant; and
- (d) one nominee of the Brantford-Brant Chamber of Commerce.

5. Lengths of Terms of Members of Board or Advisory Committee

Four years, with appointments to be staggered so that approximately half of the positions terminate and are eligible for new appointments on a biennial basis. Despite the foregoing, the member of Council shall have a one year term.

6. Reporting structure through which the Board or Advisory Committee will report to Council

For the purposes of "Part 1" of its Mandate, the Economic Development Advisory Committee shall report to Council through the Committee of the Whole - Community Development. By-law 65-2016, 26 April, 2016.

For the purposes of "Part 2" of its Mandate, the Economic Development Advisory Committee, when performing the duties of the City's Planning Advisory Committee, shall report to Council through staff of the Community Development Commission who shall ensure that its advice and comments are included, without amendment, in applicable staff reports submitted through the Committee of the Whole – Community Development.

7. ~~Administrative~~ Department of the City which shall provide administrative and/or budgetary support to the Board or Advisory Committee

(a) Administrative Support

Administrative support for the Economic and Development Advisory Committee shall be provided by staff from within the Economic Development and Tourism Services Department. Administrative support for the Planning Advisory Committee shall be provided by staff from ~~the City Clerk's~~ the Clerk's Services Department. By-law 159-2020; 22 September, 2020

(b) ~~Staff and~~ Budgetary Support

Staff support for the Economic Development Advisory Committee shall be provided by the Economic Development and Tourism Services Department.

Staff support for the Planning Advisory Committee shall be provided by the Planning Department.

The budget for the Economic Development ~~Department-Advisory Committee~~ shall be submitted along with and determined as part of the budget deliberations for the Economic Development and Tourism Department.

8. Special Provisions

For the purposes of "Part 2" of its Mandate, Sections 26.2.8 (a) (b), 26.2.9 and 26.2.10 of Chapter 26 of the City of Brantford Municipal Code (pertaining to the ability to create sub-committees and the ability to receive delegations) shall not apply to that portion of the meeting. Any person wishing to appear as a delegation to speak to the matter, should be directed to the statutory public meeting which will occur at the Committee of the Whole – Community Development meeting.

When performing "Part 2" of its Mandate, all advice provided to Council by the Planning Advisory Committee shall be submitted in writing in the form of a memorandum which reflects the discussion at the meeting and where members of the Committee have formally voted on the content of the memorandum as a body. The memorandum containing the advice is to be provided to the Director of Planning (or designate) following the meeting who will ensure that it is included in the staff report to be presented to the Committee of the Whole. By-law 159-2020; 22 September, 2020

Chapter 43 of the City of Brantford Municipal Code is repealed in its entirety. By-law 96-2008, 7 July, 2008; Schedule '10'; By-law 120-2010, 6 December, 2010; By-law 34-2011, 4 April, 2011; By-law 128-2011, 24 October, 2011; By-law 125-2012, 17 December, 2012; By-law 116-2013, 18 November, 2013; By-law 65-2016, 26 April, 2016. By-law 86-2019, May 28, 2019; By-law 159-2020; 22 September, 2020

Schedule '11'- The Environmental and Sustainability Policy Advisory Committee

1. Name of Board or Advisory Committee

The Environmental and Sustainability Policy Advisory Committee

2. Concise Statement of the Purpose of the Board or Advisory Committee

The purpose of the Environmental and Sustainability Policy Advisory Committee is to advise Council and make recommendations with respect to environmental municipal sustainability matters.

3. Mandate of Board or Advisory Committee

The mandate of the Environmental and Sustainability Policy Advisory Committee is to:

- (a) advise Council on environmental and municipal sustainability issues;
- (b) assist municipal staff with any environmental and/or municipal sustainability related initiatives as directed by Council or requested by staff;
- (c) conduct research and assist in the completion of such other research and inquiries as are necessary for the development and maintenance of a comprehensive integrated community sustainability plan, including but not limited to detailed strategies, goals, action plans, priorities and other pertinent matters;
- (d) administer the City of Brantford Green Environmental Recognition Awards Program (GreenER) (the "Award") as approved by Council, with authority to select Award recipients to be recognized at a meeting of Council;
- (e) promote and undertake educational, outreach and other activities related to the environment and municipal sustainability.

4. Composition of Board or Advisory Committee

Total of eleven members, consisting of one member of Council, plus ten other members, all appointed by Council to represent the following interest groups:

- (a) one member of Council;
- (b) one member chosen from among the nominees of Wilfrid Laurier University, Conestoga College, Six Nations Polytechnic and any other Post-Secondary Education establishments within the municipality;

- (c) one nominee of the elected Council of the Six Nations of the Grand River;
- (d) eight members chosen from the public, selected from among persons who have qualifications and relevant experience, including but not limited to:
 - i. Awareness and interest in environmental and municipal sustainability;
 - ii. Knowledge, skill, or experience in the development of:
 - a. Environmental or integrated community sustainability plans
 - b. Detailed strategies
 - c. Action plans, or
 - d. Environmental and sustainability priorities in a municipal setting
 - iii. Availability to attend Committee and Sub-Committee meetings.

5. Lengths of Terms of Members of Board or Advisory Committee

Four years, with appointments to be staggered so that approximately half of the positions terminate and are eligible for new appointments on a biennial basis. Despite the foregoing, the member of Council shall have a one year term.

6. Reporting structure through which the Board or Advisory Committee will report to Council

The Environmental Policy and Sustainability Advisory Committee shall report to Council through the Committee of the Whole - Operations and Administration.

- 7. ~~Administrative~~ Department of the City which shall provide administrative support to the Board or Advisory Committee
 - (a) Administrative Support and Minutes
Administrative Support shall be provided by staff from within the Clerk's Services Department.
 - (b) Staff Liaison
Climate Change Officer - ~~Chief Administrative Officer's Office~~Public Works Commission

8. Budgetary Support

The Budget for the Environmental Policy Advisory Committee shall be submitted along with and determined as part of the budget deliberations for the Public Works Commission's Budget. By-law 65-2016, 26 April, 2016

9. Special Provisions

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Representatives from the Ministry of Natural Resources, Ministry of the Environment and the Grand River Conservation Authority will be invited to attend meetings and offer technical support only. These representatives shall be deemed to be non-members attached as liaisons as outlined in Section 26.5.8 of this Chapter.

By-law 96-2008, 7 July, 2008; By-law 10-2018, 30 January, 2018. By-law 136-2019, 27 August 2019.

Schedule '12' - The Golf Board

Repealed: By-law 44-2014, 22 April, 2014

**Schedule '13' - The Multi-Use Trail and Bikeway
Advisory Committee**

Repealed: By-law 100-2015, 31 August 2015

**Schedule '14' - The Parks, Recreation and
Waterfront Advisory Committee**

Repealed: By-law 100-2015, 31 August 2015

Schedule ‘15’ - The Sanderson Centre Board

Repealed: By-law 59-2014, 26 May, 2014

Schedule '16' - The Tourism Advisory Committee

1. Name of Board or Advisory Committee

The Tourism Advisory Committee

2. Concise Statement of the Purpose of the Board or Advisory Committee

The purpose of the Tourism Advisory Committee is to give advice and recommendations to Council which will help enhance the growth and development of the tourism industry in Brantford.

3. Mandate of Board or Advisory Committee

The mandate of the Tourism Advisory Committee is to provide advice and recommendations to Council with respect to the following matters:

- (a) policies and practices relating to the promotion of tourism in Brantford;
- (b) plans for marketing the municipality as a tourism destination; and
- (c) such other matters as may be referred to the Tourism Advisory Committee from time to time by Council or staff of the Economic Development and Tourism Department.

4. Composition of Board or Advisory Committee

Total of 13 members, consisting of one member of Council, plus 12 other members, all appointed by Council to represent the following interest groups:

- (a) One member of Council;
- (b) One nominee of the County of Brant;
- (c) One nominee of the Six Nations Elected Council;
- (d) One nominee of the Chamber of Commerce Brantford-Brant; and
- (e) Eight members appointed from the public; and
- (f) One nominee that represents Sports Tourism" By-law 100-2015, 31 August, 2015

5. Lengths of Terms of Members of Board or Advisory Committee

Four years, with appointments to be staggered so that approximately half of the positions terminate and are eligible for new appointments on a biennial basis. Despite the foregoing, the member of Council shall have a one year term.

6. Reporting structure through which the Board or Advisory

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Committee will report to Council

The Tourism Advisory Committee shall report to Council through the Committee of the Whole - Community Development. By-law 65-2016, 26 April, 2016.

7. ~~Administrative~~ Department of the City which shall provide administrative and/or budgetary support to the Board or Advisory Committee

(a) Administrative Support and Minutes

Administrative Support shall be provided ~~by tourism~~ by Economic Development and Tourism Services staff.

(b) ~~Staff and~~ Budgetary Support

Staff support shall be from the Economic Development and Tourism Services Department. The budget for the Tourism Advisory Committee shall be submitted along with and determined as part of the budget deliberations for the Economic Development and Tourism Services Department.

8. Special Provisions

By-law 8092 is repealed in its entirety. By-law 96-2008, 7 July, 2008; Schedule '16'; By-law 120-2010, 6 December, 2010 By-law 128-2011, 24 October, 2011; By-law 51-2012, 22 May, 2012; By-law 125-2012, 17 December, 2012; By-law 116-2013, 18 November, 2013; 100-2015, 31 August, 2015; 65-2016, 26 April, 2016.

Schedule ‘17’ - The Town and Gown Advisory Committee

Repealed: By-law 5-2018, 30 January, 2018

Schedule ‘18’ - The Transit Liaison Advisory Committee

Repealed: By-Law 73-2015, 22 June, 2015

Schedule '19'- The Committee of Adjustment

1. Name of Board or Advisory Committee

The Committee of Adjustment

2. Concise Statement of the Purpose of the Board or Advisory Committee

The purpose of the Committee of Adjustment is to assume the role of the Committee of Adjustment pursuant to the Planning Act. Despite the fact that the Committee of Adjustment is named a committee, it is a Board.

3. Mandate of Board or Advisory Committee

The mandate of the Committee of Adjustment is to perform the following functions, subject to the provisions and requirements of the Planning Act:

- (a) grant minor variances from the provisions of all by-laws of the City of Brantford which implement the Official Plan; and
- (b) grant consents (or such other equivalent powers) which may from time to time be conferred on the City pursuant to the Planning Act, or otherwise.

4. Composition of Board or Advisory Committee

Total of seven members, all appointed from the public.

5. Lengths of Terms of Members of Board or Advisory Committee

As set forth in the Planning Act.

6. Reporting structure through which the Board or Advisory Committee will report to Council

The Committee of Adjustment shall report to Council through the Committee of the Whole - Community Development. By-law 65-2016, 26 April, 2016.

7. ~~Administrative~~ Department of the City which shall provide administrative and/or budgetary support to the Board or Advisory Committee

- (a) Administrative Support and Minutes
Administrative Support shall be provided by staff from within the ~~Planning - Clerk's Services~~ Department.
- (b) ~~Staff and~~ Budgetary Support
~~Staff support shall be provided by the Planning Department.~~

The budget for the Committee of Adjustment shall be submitted
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along with and determined as part of the budget deliberations for the Planning Department.

8. Special Provisions

None. By-law 178-2007, 17 December, 2007; Schedule ‘19’; By-law 128-2011, 24 October, 2011; By-law 65-2016, 26 April, 2016.

Schedule '20' - The Post-Secondary Education Advisory Committee

Repealed: By-law 86-2019, 28 May, 2019

~~1. Administrative Department of the City which shall provide administrative and/or budgetary support to the Board or Advisory Committee~~

~~(a) Administrative Support and Minutes~~

~~Administrative Support shall be provided by staff from within the Community Development Commission of the City. By-law 65-2016, 26 April, 2016~~

~~(b) Budgetary Support~~

~~The budget for the Post-Secondary Education Advisory Committee shall be submitted along with and determined as part of the budget deliberations for the Community Development Commission of the City. By-law 65-2016, 26 April, 2016~~

2. Special Provisions

~~2.1. The Mayor, as an ex-officio member of this Advisory Committee or the municipal councillor may serve as the Chair and/or Vice Chair of this Committee.~~

~~2.2. Members of Council appointed to this Advisory Committee shall be deemed to be a member of the Advisory Committee, shall have voting privileges and his/her or their membership shall affect quorum. By-law 178-2007, 17 December, 2007; Schedule '20'; By-law 159-2008, 17 November, 2008; By-law 128-2011, 24 October, 2011; By-law 125-2012, 17 December, 2012; By-law 116-2013, 18 January, 2013; By-law 129-2014, 1 December, 2014; By-law 65-2016, 26 April, 2016; By-law 186-2017, 19 December, 2017; By-law 153-2018, 3 December, 2018~~

Schedule '21' – Municipal Elections Compliance Audit Committee

1. Name of Board or Advisory Committee:

Municipal Elections Compliance Audit Committee (the "Committee").

2. Concise Statement of the Purpose of the Board or Advisory Committee:

The purpose of the Municipal Elections Compliance Audit Committee is prescribed by subsections 88.33 to 88.37 of the *Municipal Elections Act, 1996*, S.O.1996, c.32, Sched (the "Act").

3. Mandate of Board or Advisory Committee:

Pursuant to the requirements of subsections 88.33 to 88.37 (inclusive) of the Act, the powers and functions of the Committee include:

- (a) to consider the Clerk's reports on campaign financial contribution contraventions as required under section 88 of the Act and decide whether legal proceedings should be commenced;
- (b) to consider all applications for a compliance audit received by the Clerk under section 88 of the Act and decide whether all such applications should be granted or rejected;
- (c) if the application is granted by the Committee pursuant to the above, to appoint an auditor;
- (d) to consider the auditor's report and decide whether legal proceedings should be commenced;

4. Composition of Board or Advisory Committee

The Committee shall be comprised of five members appointed by Council in accordance with the administrative practices and procedures established by the Clerk under subsection 88.37(6) of the Act.

In accordance with subsection 88.37(2) of the Act, the Committee shall not include:

- (a) employees or officers of the municipality or local board;
- (b) members of the council or local board;
- (c) any persons who are candidates in the election for which the committee is established; or
- (d) any persons who are registered third parties in the municipality in the election for which the committee is established.

5. Lengths of Terms of Members of Board or Advisory Committee

The length of term for members of the Committee shall be as set out in subsection 88.37(5) of the Act, which provides that the term of office of the Committee is the same as the term of office of the council or local

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board that takes office following the next regular election, and the term of office of the members of the Committee is the same as the term of the committee to which they have been appointed.

6. Reporting structure through which the Board or Advisory Committee will report to Council

The Committee is a quasi-judicial body and does not report to Council.

7. ~~Administrative~~ Department of the City which shall provide administrative and/or budgetary support to the Board or Advisory Committee

(a) Administrative Support and Minutes

Administrative Support for the orientation meeting and any meetings related to an application submitted to review a candidate, third party advertiser or contributor financials within the City's jurisdiction shall be provided by staff from within the Clerk's Services Department of the City.

(b) Budgetary Support

All costs associated with the Committee shall be the responsibility of the Clerk's Services Department and funds will be drawn from the Election Reserve Account as required, pursuant to subsection 88.37(7) of the Act, which requires that Council shall pay all costs in relation to the Committee's operation and activities.

(c) Administrative Practices and Processes

Pursuant to subsection 88.37(6) of the Act, the Clerk of the municipality shall establish administrative practices and procedures for the Committee and shall carry out any other duties required under the Act to implement the Committee's decisions.

8. Special Provisions

The following Articles of Chapter 26 of the City of Brantford Municipal Code do not apply to the Committee:

26.2.8 (a) – as the Committee does not have the ability to create sub-committees.

26.3.2 – as members of Council shall not be appointed to the Committee in accordance with subsection 88.37(2)(b) of the *Municipal Elections Act, 1996*, c. 32.

26.3.6 – as the Mayor shall not be an ex-officio member of the Committee.

26.3.9 – as appointments are not required to be received by the Appointments Committee of Council

26.6.3 – as the Committee is not required to provide an annual report to Council.

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26.6.5 – as Council cannot require the Committee to provide reports to Council.

Article 26.2.15 of the City of Brantford Municipal Code would apply with the following modification:

The Committee shall elect a Chair and Vice-Chair at its first meeting.

The term of the Chair and Vice-Chair shall be for the entire term of the Committee unless the Committee approves otherwise.

By-law 97-2018, 26 June, 2018, Schedule '21'

**Schedule '22' - The Community Safety and Crime Prevention
Advisory Committee**

Repealed: By-Law 73-2015, 22 June, 2015

Schedule '23' - The Cultural and Built Heritage Grant Programme Advisory Committee

1. Name of Board or Advisory Committee

The Cultural and Built Heritage Grant Programme Advisory Committee

2. Concise Statement of the Purpose of the Board or Advisory Committee

The purpose of the Cultural and Built Heritage Grant Programme Advisory Committee is to analyze and make recommendations with respect to the Cultural and Built Heritage programme grants made to not-for-profit cultural organizations.

3. Mandate of Board or Advisory Committee

The mandate of the Cultural and Built Heritage Grant Programme Advisory Committee is to review all of the application materials, and then to utilize the program eligibility criteria and rating criteria to propose the grant allocations to eligible not-for-profit organizations. The Committee shall ultimately make a recommendation with respect to the proposed grant to the Committee of the Whole - Community Development.

4. Composition of Board or Advisory Committee

Total of six members, consisting of two members of Council, plus four other members, all appointed by Council to represent the following interest groups:

- (a) two members of Council;
- (b) a nominee of the Brantford Cultural Advisory Committee;
- (c) a nominee of the Brantford Heritage Committee;
- (d) a nominee of the Tourism Advisory Committee;
- (e) one citizen member, chosen because of their knowledge of local arts, culture or heritage who is not employed by or sitting on the board of directors of an applicant organization.

5. Lengths of Terms of Members of Board or Advisory Committee

Four years, with appointments to be staggered so that approximately half of the positions terminate and are eligible for new appointments on a biennial basis. Despite the foregoing, the members of Council shall have a one year term.

6. Reporting structure through which the Board or Advisory Committee will report to Council

The Cultural and Built Heritage Grant Programme Advisory Committee shall report to Council through the Committee of the Whole - Community Development.

7. ~~Administrative~~ Department of the City which shall provide administrative and/or budgetary support to the Board or Advisory Committee

- (a) Administrative Support and Minutes

Administrative Support shall be provided by Staff from within the

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Economic Development and Tourism Services Department.

(b) Budgetary Support

Staff support shall be provided for by the Economic Development and Tourism Services Department. The Budget for the Cultural and Built Heritage Grant Programme is established by the Casino Funds Policy as 5% of casino funds revenue annually, and will be administered through the Economic Development and Tourism Services Department.

8. Special Provisions

The Committee may request additional information from any applicant and may contact the applicant's financial references for oral verification of major indebtedness and/or creditworthiness.

By -law 123-2016, 27 September, 2016

Schedule '24' – The Vision Zero Road Safety Committee

1. Name of Board or Advisory Committee

The Vision Zero Road Safety Committee

2. Concise Statement of the Purpose of the Board or Advisory Committee

The purpose of the Vision Zero Road Safety Committee is to make recommendations to Council to achieve the following goal established by City Council at its July 24, 2018 meeting:

THAT a goal of ZERO fatalities or serious injuries on roadways and the Vision Zero for Road Safety BE ADOPTED for the City of Brantford with an aim to make Brantford streets safer through improved education, enforcement, engineering, evaluation and engagement.

3. Mandate of Board or Advisory Committee

The mandate of the Vision Zero Road Safety Committee is to make recommendations to Council on matters that would assist the City in achieving the Council-approved Vision Zero Road Safety Goal, including, but not limited to the following:

- (a) development of a Vision Zero Road Safety Implementation Strategy;
- (b) implementation of a Council-approved Vision Zero Road Safety Strategy;
- (c) matters affecting road safety on City streets; and
- (d) such other matters as may be referred to the Vision Zero Road Safety Committee from time to time by Council, by staff from the Public Works Commission of the City or by Brantford Police Services.

4. Composition of Board or Advisory Committee

Total of five members, consisting of one member of Council from each Ward, all appointed by Council.

5. Lengths of Terms of Members of Board or Advisory Committee

One year term.

6. Reporting structure through which the Board or Advisory Committee will report to Council

The Vision Zero Road Safety Committee shall report to Council

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through the Committee of the Whole – Operations and Administration.

7. ~~Administrative~~ Department of the City which shall provide administrative and/or budgetary support to the Board or Advisory Committee

(a) Administrative Support and Minutes

Administrative Support shall be provided by ~~Clerk's the Clerk's Services Department~~ staff. ~~Technical support shall be provided by staff in the Public Works Commission and Brantford Police Services.~~

(b) ~~Staff and~~ Budgetary Support

~~Technical support shall be provided by staff in the Public Works Commission and Brantford Police Services.~~

Any budget for the Vision Zero Road Safety Advisory Committee shall be submitted along with and determined as part of the budget deliberations for the Public Works Commission's Budget.

8. Special Provisions

- 8.1. The Mayor is an ex-officio member of all Boards and Advisory Committees.
- 8.2. The Mayor or the Ward Councillors appointed may serve as the Chair and/or Vice-Chair of this Advisory Committee.
- 8.3. Ward Councillors appointed to this Advisory Committee shall be deemed to be a member of the Advisory Committee, shall have voting privileges and his/her or their membership shall affect quorum.
- 8.4. The Ward Councillor not appointed to the Advisory Committee shall serve as an alternate to the Ward Councillor who was so appointed, and may fully participate in meetings of the Advisory Committee during the absence of the appointed Ward Councillor.

Schedule '25' - The Community Safety and Well-being Advisory Committee

Repealed: By-law 140-2021, 22 June 2021



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Date September 22, 2021 **Report No.** 2021-629

To Chair and Members
Meeting Process Review Task Force

From Heidi de Vries
General Manager, People, Legislated Services and Planning

1.0 Type of Report

Consent Item ☐

Item For Consideration ☒

2.0 Topic **Procedural By-Law Update [Financial Impact: None]**

3.0 Recommendation

- A. THAT report 2021-629 titled “Procedural By-Law Update” BE RECEIVED;
and
- B. THAT the necessary by-law to amend Chapter 15 of the City of Brantford Municipal Code regarding Procedure (the “Chapter”) as identified in “Appendix A” BE PRESENTED to City Council for adoption.
- C. THAT having achieved its mandate that the Meeting Process Review Task Force BE DISBANDED.

4.0 Executive Summary

This report proposes amendments to the City’s Procedural By-law. The proposed changes are two-fold. Firstly, suggested changes are a result of an independent review of the procedural by-law from a registered parliamentarian. The parliamentian’s suggested changes are based on Roberts Rules of Order and best practices. Secondly, staff have proposed changes based off direction

provided by the endorsed KPMG Service Review Opportunities report and the mandate of the Meeting Process Review Task Force. Staff's proposed changes aim to streamline processes, identify efficiencies and analyze "process waste" through the methodology of Lean Six Sigma.

Significant amendments are listed and described in full detail within the report. These amendments are numbered 1 to 13 (6 to 13 staff driven). If members of the Task Force wish to make changes to the proposed changes they can do so by identifying the amendment number. The additional less substantive changes are reflected in the attached appendix in tracked changes. Members may reference the Section number within the appendix when introducing proposed changes.

5.0 Purpose and Overview

The purpose of this report is to provide the Meeting Process Review Task Force with suggested amendments to the City's procedural by-law. These changes stem from an independent review from a Registered Parliamentarian and from the Clerk's Services Department. The proposed amendments from the Clerks area are based off of the KPMG Service Review Report as well as the Task Force's mandate of finding meeting efficiencies. Additionally, the report provides house-keeping changes.

6.0 Background

On July 28th, 2020, City Council received a virtual training session regarding Parliamentary procedure conducted by Mr. James Lochrie, a certified Parliamentarian. The virtual training session included the review of meeting and procedural processes and the role of the Chair. As part of our service agreement with Mr. Lochrie, a separate review of the City's procedural by-law was conducted. This report provides an overview of the proposed changes from Mr. Lochrie.

Staff have also proposed procedural by-law changes that align with the mandate of the Meeting Process Review Task Force and KPMG Service Review opportunities. These proposed changes recommend efficiencies to current processes that aim to streamline meetings by introducing incremental changes.

7.0 Corporate Policy Context

The report is consistent with the opportunities identified in the KPMG Service Review Report. The report addresses Opportunity #28 which is the review of the procedural by-law to lean out Council meetings. Lean Six Sigma was used as a

tool to find efficiencies within the procedural by-law which is consistent with Opportunity #4 - the implementation of a Lean Management System. The report addresses the recent reorganizations (Opportunity #8) that proposes changes that seek to realign the Committee of the Whole structure with the newly created Commissions.

Further, the report is consistent with the mandate of the Meeting Process Review Task Force which is “to recommend changes meant to improve or enhance the efficiency and/or effectiveness of meetings of City Council and its Committees”.

8.0 Input From Other Sources

Staff have received input from a registered parliamentarian. Members of the City’s Senior Leadership Team were consulted. The Manager of Corporate Initiatives was also consulted with regards to the application of Lean Six Sigma principals and tools.

9.0 Analysis

9.1 Parliamentarian and Staff Recommendations

In his procedural by-law review, Mr. Lochrie provided several housekeeping suggestions as well as changes to various procedural processes that are in line with the principles of Roberts Rules of Order. Below is a summary of the most significant proposed changes. The housekeeping changes can be found in the tracked changes version of the by-law in “Appendix A” (tracked changes for this section are in blue). The main housekeeping changes were related to including gender neutral pronouns as well as removing unnecessary jargon. The more substantive changes are identified in blue below.

Parliamentarian Suggested Amendments:

Amendment #1 – Providing clarification on the Motion to Call the Question

15.1.16 Motion to Call the Question – defined

“Motion to Call the Question” means a motion to end debate and to put the matter to an immediate vote. [It is applicable to the immediately pending debatable motion, or a series of pending motions, starting with the immediately pending motion.](#)

Amendment #2 - Providing clarification on the role of the Chair in debate

15.5.4 Chair – temporary

If the Chair desires to leave the chair for the purpose of taking part in the debate or otherwise, [the Chair](#) shall call on the Acting Mayor or Vice-Chair, as the case may be, or in their absence, another member of Council to [chair the meeting](#). [To maintain neutrality, the Chair shall not resume the position of Chair until the agenda item is disposed of. This section does not apply to instances whereby the Chair is exercising their power under Section 15.8.5.](#)

Amendment #3 - Providing clarification on duties of the chair

15.7.2 Chair – duties

The duties of the Chair at a Meeting shall include, but are not limited to, the following:

[g\) ruling on any point of order, point of privilege and any other matter that requires a ruling of the chair appeals by any member;](#)

[h\) On an appeal of any ruling of the chair, submitting the appeal to the decision of the assembly, “Shall the decision of the chair be sustained”.](#)

Note - Clause “G” was changed to reflect that the Chair rules on points of order/privilege. Clause “H” was included to clarify process for appeals of the chair.

Amendment # 4 - Providing clarification on Points of Order for the Chair

15.7.7 Point of Order - Chair - to decide

A member, [without comment](#), may raise a Point of Order to the Chair. After recognition by the Chair, [the member may explain the rule that has been broken. The Chair shall then rule on the point of order as “being well taken” or “not well taken”, stating, by explanation, the applicable rule\(s\) in question.](#)

Amendment # 5 - Providing clarification on Appeal Process for Points of Order

15.7.8 Point of Order - appeal - decision

In the event that a member disagrees with the decision of the Chair on a Point of Order, the member, [upon receiving a seconder](#), shall have the ability to appeal that decision, and such appeal [is not debatable and](#) shall be decided by majority vote of the members. The appeal shall be made immediately following the decision before any further debate or business has occurred. A majority or tie vote sustains the decision of the Chair on the principle that the Chair’s decision stands until reversed by a

majority.

Amendment #6 – Providing clarification on Point of Privilege

15.7.15 Point of Privilege - immediate consideration - required

Whenever any matter of privilege arises, it shall be immediately acknowledged by the Chair and stated by the member. [If a question of privilege has been determined, the Chair should immediately take action to resolve the situation.](#)

9.2 Clerk's Suggested Changes

The Clerk's Services Department underwent a thorough review of the procedural by-law through the lens of "improving or enhancing the efficiency/effectiveness of meetings" as per the Meeting Process Review Task Force's mandate.

Municipal staff also applied the principals of Lean Six Sigma and used the process tool of the "8 Wastes of Lean" towards identifying opportunities to remove process "waste". Waste in this context is any action or step in a process that does not add value to the end user. The "8 Wastes of Lean" include: Defects, Overproduction, Waiting, Non-Utilized Talent, Transportation, Inventory, Motion, and Extra-Processing (D.O.W.N.T.I.M.E). An analysis of the "8 Wastes" as it applies to the proposed amendments (where applicable) are provided below.

Additionally general housekeeping changes are being proposed and are displayed in Appendix "A" in red.

Amendment # 6

Add a category on the order of business for the Council Agenda labelled "Urgent Reports".

The procedural by-law allows reports to be presented directly to City Council without consideration at the committee level on the condition that the CAO and/or Mayor deem the item "urgent". Reports that are deemed "urgent" are currently included in the "resolutions" section of the Council agenda. The addition of an "Urgent Report" category seeks to remove urgent reports from the resolutions section of the agenda in order to differentiate resolutions from urgent reports.

The proposed incremental change results in an improved process of getting items to the correct location. This type of improvement addresses "motion" waste which is unnecessary movement of resources.

Amendment # 7

Add an additional clause in the Presentations portion permitting Local Boards, with approval from CAO, to come forward as a presentation upon a written request in advance to Clerk (30 days).

City Council has seen an increasing amount of correspondence coming from its Local Boards such as the Brantford Public Library and the Public Health Unit for example. The current process is to attach correspondence from these bodies to the Clerk's report on communication. In certain circumstances correspondence from these bodies are a response from a Council request. However, staff from these outside bodies are not able to present their correspondence to Council seeing that delegations are not permitted for items on the Clerks report on communication.

The addition of this provision will allow the local board representatives who are the subject matter experts the ability to effectively communicate and respond to council inquiries as opposed to municipal staff. This amendment will remove the process waste of "non-utilized talent" which is the waste due to the underutilization of people's talents, skills and knowledge.

Amendment # 8

Remove the "Questions" category from the Social Services Committee and Finance Committee agendas

Members of Social Services and Finance Committee are given an opportunity to ask questions during the "question" portion of their meetings. Staff are recommending removing this category as it undermines current established processes, limits transparency and creates conflicting workload priorities for staff.

Staff are of the opinion that the "question" category can by-pass the notice of motion process and can informally advance the business of the committee without proper notice to the public. This can be displayed in staff often receiving informal direction to provide the committee with a future report or memo on a certain item. This type of informal direction is not passed by resolution or included on the committees report to Council. Informal direction given during the question category leads to staff having conflicting workload priorities i.e. Committee direction vs. Council direction. Informal direction given during the question category can be reflected as the process waste of overproduction which is the waste from making more product than demand. In this case the

demand would be direction from Council and the product would be staff resources.

Further, the lack of structure around the “question” category can become complicated as a question is not formally considered a “motion” and would not be subject to the speaking time provision in the by-law. There are also no parameters on the type of questions that can be asked. Historically, only questions about the committee’s mandate were permitted. However the procedural by-law does not provide any definition or structure regarding the process for the question category which in turn can lead to questions that are outside the scope of the mandate of either Finance or Social Services.

Amendment # 9

Add automatic disbandment clause for inactive task forces

If a task force has not met within 12 months of being established or has not met within 12 months of having a meeting; a recommendation to disband the task force will be brought forward to the appointments committee, upon consultation from the Chair. Task forces that serve as an ad-hoc body would not apply.

Through the lens of lean six sigma this amendment aims to address the waste of “waiting” and “inventory”. Waiting is attributed to idle time created when material, information, people or equipment is not ready. In this setting “waiting” results in people’s skill, abilities, and knowledge not being effectively or appropriately used. Having inactive task forces also contributes to an “inventory” issue whereby having a large inventory of inactive task forces is counterproductive.

When City Council creates a task force, certain functions of the task force fall under staff such as: administrative support, report writing, research and meeting support. The creation of a task force creates additional functions to the workload of staff and as a result staff must readjust other projects/portfolio accordingly. Through the waste of “waiting” and “inventory”, resources that could be used elsewhere are being put on hold and underutilized.

Amendment # 10

Remove questions from the Presentations portion of the agenda (only for presentations that have a linked staff report)

Currently, each presentation is allotted 10 minutes plus an opportunity for questions from members of Council (if time permits). On average, questions from members of Council are limited during the presentation portion as most

presentations usually have around 2-4 minutes remaining for questions. The rationale for removing the question provision in presentations is two-fold.

First, staff have received feedback from members of Council that the question portion provides an advantage for a member to obtain an additional speaking opportunity. Due to the short time frame, the member of Council who is selected to ask the first question is usually the only person able to speak.

Second, when applying lean six sigma principles to this process it is evident that this falls under two waste categories. The first waste category is “overproduction” where the allotment for questions are being overproduced i.e questions during presentation & questions during debate. The second waste is “extra processing”. Extra processing occurs where unnecessary activities occur in the process which are not required by the user and do not add value. The purpose of the presentation portion of the agenda is to provide a high-level overview of a staff report. Additionally the presentation portion does not allow any motions to be made resulting in no business being able to go forward. Questions during the presentation portion, according to lean six sigma principals, adds an unnecessary step. If the purpose of a question is to get further information in order to be able to make a well informed decision then the presentation portion of the agenda is not suited as there is no opportunity for business to advance. Questions would then be better suited when the item is on the floor for debate as an actual decision can be made.

Amendment # 11

Notice of Motion deadline for members of Council

A deadline is suggested for for members regarding the submission of Notices of Motions to be included on the agenda. The proposed deadline, generally, is the Thursday at 9:00 a.m. before the scheduled meeting. Some Task Force or Advisory Committees have revised deadlines based on their meeting operation. This addition is to ensure corporate consistency across the board seeing that the same deadline applies to staff for reports. The implementation of the deadline will enhance staff’s ability to provide support and resources towards assisting members of Council with their notices of motion. If a notice of motion does not meet the deadline for inclusion on the agenda, the notice will be included at the next scheduled meeting within the same meeting cycle where possible.

Currently notices of motions can be submitted at any time. Staff are struggling to provide necessary feedback and input in notices of motion when they are submitted the day of the meeting and potentially dealt with on the same night

(motion to waive the rules). Notices are also often not sent out to the appropriate staff person and are often reviewed in a “siloe” approach leading to “motion waste” i.e the notice being reviewed in piecemeal by different departments at different times. Without proper consultation and lead time staff are not able to provide department specific input (“non-utilized talent” waste) which can lead to a notice of motion having incorrect information (“defect” waste). Without proper due diligence from staff there is a higher likelihood for Council to debate an incorrect item which may lead to additional resources being used (i.e. having to call a Special City Council meeting; “motion” waste and “over-production” waste).

Section 15.11.5 of the procedural by-law encourages members of Council to consult with staff when drafting a notice of motion. The implementation of the deadline will allow the proper consultation with staff thus mitigating the current waste associated within the process. Additionally staff are implementing an internal Notice of Motion submission process that will work in concert with the NOM deadline. The internal submission process will provide real time updates and tracking capabilities of various NOMs that are in the queue. The success of the internal submission process however, hinges on the implementation of the NOM deadline.

Amendment # 12

Committee of the Whole Structure

The proposed changes to the procedural by-law aim to realign the Committee of the Whole structure to reflect the City’s newly established commissions. The current department reporting structure to the COW meetings have various divisions split on COW OA and COW CD nights. The changes ensure that divisions have one set COW meeting that they report to.

The two new committees of the whole will be split up to Committee of the Whole - Operations and Committee of the Whole – Planning and Administration. The COW-Operations will have Public Works and Community Services & Social Development and the COW- Planning and Administration will have People Legislated Services and Planning and the CAO’s office.

On average, the Public Works Division and the People Legislated Services and Planning Division account for roughly 80% of reports. Seeing that these two commissions provide a high volume of reports they have been designated separate COW nights. The CAO’s Office and Community Services & Social Development (CSSD) departments on average account for the remaining 20%. Due to this reason, staff are proposing that the CAO’s Office and CSSD are able to report to either COW-Planning and Administration or COW-Operations.

Enabling fluidity between these two commissions will help manage large agendas and potentially long meetings resulting in a more balanced and efficient COW structure.

Amendment #13

Clarify Closed Meeting overview parameters.

Council, as part of its Closed Meeting process, provides an opportunity for the lead staff on a matter to provide overviews on the Items before them. Further, some Closed Meeting matters do not have a motion/vote associated with them as Staff are bringing updates on matters to Council's attention. These overviews are not classified as Presentations and are currently not referenced within the Procedure By-Law. Solidifying the overview process will formalize the practice and outline the parameters for the overviews. Overviews from municipal staff shall be permitted and the Chair shall have discretion in allowing questions from municipal councillors with regards to the overview.

10.0 Financial Implications

There are no financial implications associated with this report. The proposed amendments aim to streamline processes and meetings which may result in decreased staff overtime from Council/Committee meetings and an increase to productivity from process improvements.

11.0 Conclusion

It is clear that the proposed by-law changes aim to streamline meeting processes. The use of Lean Six Sigma and the analysis of "process waste" has highlighted the various opportunities for efficiencies and the need for improvements to current processes.

By applying Lean Six Sigma principals coupled with the KPMG Service Review Opportunities and the mandate of the task force, staff have been able to provide changes that will reduce:

1. Unnecessary movement of resources
2. Underutilization of people's talents, skills and knowledge
3. Underutilization of resources that are being put on hold
4. Defects
5. Duplication or overproduction of a product
6. Unnecessary non-value added processes
7. Confusion regarding current rules vs. current practices

In conclusion, staff are confident that the proposed changes strikes a balanced approach of providing meeting efficiencies while ensuring parliamentary best practices.

Heidi de Vries
General Manager, People, Legislated Services and Planning

Prepared By: Chris Gauthier, Deputy Clerk, Manager of Clerk's Services

Attachments ("Procedural By-law Appendix A")

In adopting this report, is a by-law or agreement required? If so, it should be referenced in the recommendation section.

By-law required	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
Agreement(s) or other documents to be signed by Mayor and/or City Clerk	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
Is the necessary by-law or agreement being sent concurrently to Council?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no

COUNCIL

Chapter 15 PROCEDURE

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**Article 1
INTERPRETATION****15.1.1 Acting Mayor - defined**

“Acting Mayor” means the member of Council appointed by by-law to act in the place and stead of the head of Council in accordance with section 242 of the *Municipal Act, 2001*, as amended.

15.1.2 Board or Advisory Committee - defined

“Board or Advisory Committee” means a board or advisory committee created under Chapter 26 of the City of Brantford Municipal Code.

15.1.3 Chair – defined

“Chair” means the person who presides over a Meeting.

15.1.4 Committee of the Whole – defined

“Committee of the Whole” means a committee comprised of all members of the Council, which reports directly to Council.

15.1.5 Construction - general

This Chapter shall be liberally construed to secure a just and thorough discussion of municipal issues, in the most expeditious and least expensive manner reasonably possible.

15.1.6 Council - defined

“Council” means the municipal Council of The Corporation of the City of Brantford and shall not include when Council meets as Shareholder of the Brantford Energy Corporation. By-law 98-2019, 11 June, 2019.

15.1.7 Declared Emergency – defined

“Declared Emergency” means an emergency which has been declared pursuant to sections 4 or 7.0.1 of the Emergency Management and Civil Protection Act, as amended or changed as needed. By-law 75-2020, 26 May, 2020

15.1.8 Discriminating - defined

Repealed: By-law 26-2019, 26 February, 2019.

15.1.9 Emergency – defined

“Emergency” shall have the same definition of “emergency” as prescribed by the *Emergency Management and Civil Protection Act*, as amended.

15.1.10 Germane – defined

“Germane” means closely or significantly related or relevant to a subject under consideration.

15.1.11 Harassing - defined

Repealed: By-law 26-2019, 26 February, 2019.

15.1.12 Hearing - defined

“Hearing” means a hearing in any proceeding held under any statute.

15.1.13 Impugned – defined

“Impugned” means challenged or called into question.

15.1.14 Leering– defined

Repealed: By-law 26-2019, 26 February, 2019.

15.1.15 Local Board Defined

“Local board” shall have the same definition of “local board” as prescribed by the *Municipal Act, 2001, as amended*

15.1.16 Meeting – defined

“Meeting” means any regular, special or other meeting of the Council, of a local board or of a committee of either of them.

15.1.17 Motion to Call the Question – defined

“Motion to Call the Question” means a motion to end debate and to put the matter to an immediate vote. It is applicable to the immediately pending debatable motion, or a series of pending motions, starting with the immediately pending motion.

15.1.18 Municipal Staff – defined

“Municipal Staff” means direct employees of The Corporation of the City of Brantford whether full-time, part-time, contract (including employees of staffing agencies) or casual (including students) but does not include volunteers, employees of local boards, subsidiaries of the City, bodies that have independent corporate existence or independent contractors and their employees.

15.1.19 Point of Order – defined

“Point of Order” means a statement made by a member during a Meeting, drawing to the attention of the Chair a breach of the rules of procedure.

15.1.20 Point of Privilege – defined

“Point of Privilege” means the raising of a question when a member believes that there has been a willful disregard by another member or any other person at the Meeting, wherein the member believes that the freedom, dignity and lawful authority of a member or of Council as a whole have been Impugned.

15.1.21 Presentation – defined

“Presentation” means a delegation initiated by Council or Municipal Staff.

15.1.22 Recorded Vote – definition

Chapter 15 – Procedure

“Recorded Vote” means the recording of each name of each member present and how the member voted on a matter or question, which recording is entered in the minutes.

15.1.23 Resolution – definition

“Resolution” means a main motion initiated by an individual member, which requires prior notice of motion. No requests for donations and/or waiving of municipal fees for a special event may be made to Council by way of Resolution. By-law 184-2017, 19 December, 2017

15.1.24 Standing Committee – definition

“Standing Committee” means either the Finance Committee, Social Services Committee or Human Resources Committee. By-law 21-2020, 25 February, 2020.

15.1.25 Task Force - defined

“Task Force” means a short-term body established by Council to carry out a specified task, at the completion of which – that is, on presentation of its final report to the assembly – it automatically ceases to exist , but shall not include any Meeting of the Strategic Growth Negotiations Task Force when meeting with the Office of the Provincial Development Facilitator for the purposes of boundary discussions.

15.1.26 Urgent - defined

“Urgent” means requiring immediate action or attention.

15.1.27 Web site – defined

“Web site” means the official Web site of The Corporation of the City of Brantford.

Article 2

COUNCIL AND COMMITTEES OF COUNCIL

15.2.1 Application

Unless Council authorizes the application of alternative procedures, this Chapter shall apply to the proceedings of the municipal Council of the City of Brantford, the committees created or continued under this Chapter and, with necessary modifications, to all Boards and Advisory Committees created under Chapter 26 of the City of Brantford Municipal Code and to any Task Forces created by Council. Proceedings not specifically governed by this Chapter, and for which Council has not authorized alternative procedures, shall be interpreted in accordance with Robert’s Rules of Order. By-law 169-2019, 19 November, 2019

15.2.2 Council - statutory obligations

Council shall fulfill all of the statutory obligations of a municipal Council, including, but not limited to, the consideration of such matters as are required to be considered by a municipal Council and the conduct of such Hearings as may be required or permitted to be held by a municipal Council under any statute.

15.2.3 Advisory bodies - creation - reporting structure

Chapter 15 – Procedure

Any advisory or other body that is required to report to Council shall do so through the Committee of the Whole or a Standing Committee herein identified, unless a different reporting structure is established in this Chapter. The foregoing shall not restrict Council from creating advisory or other bodies from time to time and defining any reporting relationship it may choose for such advisory or other body.

15.2.4 Committee of the Whole - Planning and Administration - composition

The Committee of the Whole – Planning and Administration is created as a Committee of the Whole of Council consisting of the Mayor and all members of Council. By-law 64-2016, 26 April, 2016.

15.2.5 Committee of the Whole – Planning and Administration - functions

The Committee of the Whole - Planning and Administration shall generally consider, but is not limited to, all matters from the People, Legislated Services and Planning Commission and matters from the Office of the CAO . The Committee of the Whole - Planning and Administration shall hold public Meetings pursuant to the *Planning Act*, as amended, the *Development Charges Act, 1997*, as amended, and subsection 173(3) of the *Municipal Act, 2001*, as amended, regarding a restructuring proposal, and shall report to Council in connection therewith. By-law 64-2016, 26 April, 2016.

15.2.6 Committee of the Whole - Planning and Administration - Chair

The Clerk shall maintain a list (the “List”) of Members of Council interested in chairing meetings of the Committee of the Whole – Community Development on a monthly rotational basis, where Members of Council may add or remove themselves from the List at any time by notifying the Clerk in writing.

The Statutory Public Hearings portion of all Committee of the Whole – Planning and Administration meetings shall be chaired by the Mayor. In the absence of the Mayor or as a result of declaring a pecuniary interest under the Municipal Conflict of Interest Act on matters subject to the Statutory Public Hearing the Member of Council identified in the List maintained by the City Clerk shall automatically serve as Chair.

Upon completion of the Statutory Public Hearings portion of the Committee of the Whole – Planning and Administration meetings, the Member of Council so identified on the List shall Chair the remainder of the meeting.

Should the Member of Council identified on the List be unable to chair portion(s) of the meeting as a result of declaring a pecuniary interest under the Municipal Conflict of Interest Act on matter(s) considered at the meeting, or has notified the Clerk, or designate, that they are no longer available or interested in chairing all or a portion of said meeting, by default, the Mayor shall serve as chair for part or all of the meeting, as the case may be.

Chapter 15 – Procedure

In the event that the Mayor too is unable to chair through absence or as a result of declaring a pecuniary interest under the Municipal Conflict of Interest Act on matter(s) considered at the meeting, the member designated to chair for the following month and who is in attendance shall automatically serve as chair. By-law 64-2016, 26 April, 2016; By-law 168-2018, 18 December, 2018. By-law 91-2019, May 28, 2019; By-law 21-2020, 25 February, 2020

15.2.7 Committee of the Whole - Operations - composition

The Committee of the Whole - Operations is created as a Committee of the Whole of Council consisting of the Mayor and all members of Council.

15.2.8 Committee of the Whole - Operations - functions

The Committee of the Whole - Operations shall generally consider, but is not limited to, all matters from the Public Works Commission and matters from the Community Services & Social Development Commission that are not identified in Section 15.2.20. . By-law 181- 2017, 19 December, 2017.

15.2.9 Committee of the Whole - Operations - Chair

The Clerk shall maintain a list (the “List”) of Members of Council interested in chairing meetings of the Committee of the Whole – Operations on a monthly rotational basis, where Members of Council may add or remove themselves from the List at any time by notifying the Clerk in writing.

Meetings of the Committee of the Whole – Operations shall be chaired by the Member of Council so identified on the List.

Should the Member of Council identified on the List be unable to chair portion(s) of the meeting as a result of declaring a pecuniary interest under the Municipal Conflict of Interest Act on matter(s) considered at the meeting, or has notified the Clerk, or designate, that they are no longer available or interested in chairing all or a portion of said meeting, by default, the Mayor shall serve as chair for part or all of the meeting, as the case may be.

In the event that the Mayor too is unable to chair through absence or as a result of declaring a pecuniary interest under the Municipal Conflict of Interest Act on matter(s) considered at the meeting, the member designated to chair for the following month and who is in attendance shall automatically serve as chair. By-law 168-2018, 18 December, 2018. By-law 91-2019 May 28, 2019.

15.2.10 Estimates Committee - composition

The Estimates Committee is created as a Committee of the Whole of Council consisting of the Mayor and all members of Council.

15.2.11 Estimates Committee - functions

The Estimates Committee shall consider and recommend the annual budget to Council, including any Council-approved reviews of services (*i.e.*, Continuum of Service) needed to meet budget targets.

15.2.12 Estimates Committee – Chair – Vice-Chair

The Estimates Committee shall be chaired by the Chair of the Finance Committee of the previous budget year. If the Chair of the Finance Committee of the previous budget year is no longer a member of Council, the Estimates Committee shall be chaired by the Vice-Chair of the Finance Committee of the previous budget year. If both the Chair and Vice-Chair of the Finance Committee are no longer members of Council, the Estimates Committee shall be chaired by such other member as determined by the Estimates Committee.

15.2.13 Finance Committee – composition

The Finance Committee is created as a Standing Committee of Council consisting of:

- (a) the Mayor; and
- (b) five (5) members of Council, with one (1) member from each ward.

The Ward Councillor who has not been appointed to the Committee shall serve as an alternate to the Ward Councillor who was so appointed, and may fully participate in Meetings of the Committee during the absence of the appointed ward representative. Members shall be appointed annually and, at the end of each term of appointment, continuation of membership to the next year shall require agreement by the Councillor's Ward mate.

15.2.14 Finance Committee - functions

The Finance Committee shall advise Council on matters relating to the finances of the municipality, including, without limitation, the development and implementation of the City's long-term strategic financial plan, internal and external audits, budget policy, budget monitoring, tax policies and policy direction and prioritization relating to financial matters and budgets.

The Finance Committee shall report directly to the Estimates Committee on the following matters:

- additional and future budget reduction options and strategy; and
- future annual Operating and Capital Budgets

The Finance Committee shall report directly to City Council on all other matters within its mandate.

The Finance Committee shall also serve as the audit committee of the municipality, but shall not perform the tasks of the Estimates Committee. By-law 24-2017, 28 February, 2017.

15.2.15 Finance Committee – Chair and Vice-Chair

The Finance Committee shall elect annually from its membership, a member to serve as Chair and Vice-Chair. The Chair of the Finance Committee shall not sit as Chair for consecutive years.

15.2.16 Appointments Committee - composition

The Appointments Committee shall be a Committee of the Whole of Council consisting of the Mayor and all members of Council.

15.2.17 Appointments Committee - functions

The Appointments Committee shall make recommendations to Council where Council exercises a power of appointment.

15.2.18 Appointments Committee - Chair

The Clerk shall maintain a list (the “List”) of Members of Council interested in chairing meetings of the Appointments Committee on a monthly rotational basis, where Members of Council may add or remove themselves from the List at any time by notifying the Clerk in writing.

Meetings of the Appointments Committee shall be chaired by the Member of Council so identified on the List.

Should the Member of Council identified on the List be unable to chair portion(s) of the meeting as a result of declaring a pecuniary interest under the Municipal Conflict of Interest Act on matter(s) considered at the meeting, or has notified the Clerk, or designate, that they are no longer available or interested in chairing all or a portion of said meeting, by default, the Mayor shall serve as chair for part or all of the meeting, as the case may be.

In the event that the Mayor too is unable to chair through absence or as a result of declaring a pecuniary interest under the Municipal Conflict of Interest Act on matter(s) considered at the meeting, the member designated to chair for the following month and who is in attendance shall automatically serve as chair. By-law 168-2018, 18 December, 2018. By-law 91-2019 May 28, 2019.

15.2.19 Social Services Committee - composition

The Social Services Committee is created as a Standing Committee of

Council consisting of:

- (a) the Mayor;
- (b) five (5) members of Brantford Council, with one (1) member from each ward. The Ward Councillor who has not been appointed to the Committee shall serve as an alternate to the Ward Councillor who was so appointed, and may fully participate in Meetings of the Committee during the absence of the appointed ward representative. Upon arrival of the appointed Ward Councillor, however, the appointed Ward Councillor would immediately assume all voting rights from their alternate, if one is present. Members shall be appointed annually and, at the end of each term of appointment, continuation of membership to the next year shall require agreement by the Councillor's Ward mate; and
- (c) four (4) nominees of the County of Brant chosen from among the Mayor and Council of the County of Brant, for such portion of the term of County Council as it may choose.

15.2.20 Social Services Committee - functions

The Social Services Committee shall offer advice and recommendations directly to Council in respect of the following:

- (a) matters affecting Ontario Works Brant, including Child Care Services; and
- (b) matters affecting social housing.

By-law 181-2017, 19 December, 2017; By-law 187-2017, 19 December, 2017.

15.2.21 Social Services Committee - Chair

The Social Services Committee shall elect annually from its membership a member of Brantford City Council to serve as Chair. The Chair of the Social Services Committee shall not sit as Chair for consecutive years. By-law 187-2017, 19 December, 2017.

15.2.22 Human Resources Committee – Composition

The Human Resources Committee is created as a Standing Committee of Council consisting of:

- (a) the Mayor; and
- (b) five (5) members of Council, with one (1) member from each ward.

The Ward Councillor who has not been appointed to the Committee shall serve as an alternate to the Ward Councillor who was so appointed, and may fully participate in meetings of the Committee during the absence of the appointed ward representative. Members shall be appointed annually, and at

the end of each term of appointment, continuation of membership to the next year shall require agreement by the Councillor's Ward mate.

By-law 21-2020, 25 February, 2020

15.2.23 Human Resources Committee – Functions

The Human Resources Committee shall:

1. Monitor the implementation of and advocate on behalf of the Human Resources master Plan; and
2. Consider reports from staff regarding the reorganization and restructuring of the City's administration, which shall be the overarching position of the City when filling vacancies in the future; and
3. Consider reports from staff regarding the filling of all new positions (Note: the Executive Leadership Team (ELT), led by the Chief Administrative Officer, shall resume the responsibility of reviewing and approving the replacement of vacant positions only after ELT has considered the potential efficiencies that may be realized through reorganization or restructuring as a result of the vacancy. Where no reorganization or restructuring options are being recommended, ELT may proceed in the filling of the vacancy. Where reorganization and restructuring are being recommended, a report to the Human Resources Committee would be required in keeping with Item 2 above.); and
4. Review and recommend any amendments to the Chief Administrative Officer Appointment By-law, when required; and
5. Consider other matters regarding human resources as identified by the Chief Administrative Officer; and
6. Consider reports for all new positions deemed necessary by the CAO and which do not increase the total labour budget.

The Human Resources Committee shall report directly to City Council on all matters within its mandate. By-law 21-2020, 25 February, 2020

15.2.24 Human Resources Committee – Chair and Vice-Chair

The Human Resources Committee shall elect annually from its membership, a member to serve as Chair and Vice-Chair. The Chair of the Human Resources Committee shall not sit as Chair for consecutive years.

By-law 21-2020, 25 February, 2020

15.2.25 Task Forces – Creation

Members of Council or Staff considering the creation of a new Task Force shall consult with the City Clerk's Department prior to the presentation of a Notice of Motion, Resolution or Staff Report to determine if there are existing Advisory Committees or Task Forces in place with related mandates that could be assigned additional tasks by Council, rather than creating a new Task Force.

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In the event that a new Task Force is required, all Resolutions or Reports from Staff recommending the creation of a Task Force shall be required to complete a template, developed by the City Clerk's Department, including, at a minimum, the following components:

- Name of Task Force
- Mandate of Task Force
- Composition of Task Force
- Term of Task Force
- Reporting Structure of Task Force
- Departments of the City to provide administrative and/or clerking support to Task Force

By-law 21-2020, 25 February, 2020

15.2.26 Task Forces – First Meeting

Every Task Force, at its first meeting shall:

- (a) Establish a meeting schedule, to give Members, staff and the public as much advance notice as possible. Meetings at the Call of the Chair should be avoided; however that would not preclude a Special Meeting being called by the Chair to address an Urgent Item;
- (b) Identify specific tasks and report back dates in order to complete its mandate within the term identified by Council, a copy of which shall be appended to each Task Force agenda and updated to reflect status of identified tasks.

All existing Task Forces shall be required to comply with provisions (a) and (b) above. By-law 21-2020, 25 February, 2020

15.2.27 Task Force – Automatic Disbandment

A recommendation to disband a task force shall be forwarded to the Appointments Committee if:

- a) A Task Force has not met within 12 months of being established; or
- b) A Task force has not met within 12 months of having a meeting

Section 15.2.27 does not apply to Task Forces that serve as an ad-hoc body.

15.2.28 Statutory Public Meetings

All Statutory Public Hearings shall be chaired by the Mayor. In the absence of the Mayor, or as a result of declaring a pecuniary interest under the Municipal Conflict of Interest Act on matters subject to the Statutory Public Hearing, the Member of Council identified in the List maintained by the City Clerk shall automatically serve as Chair.

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15.3.1 Inaugural - date

The inaugural Meeting of Council will be held within the timelines as set out in the Municipal Elections Act

15.3.2 Schedule of regular Meetings - preparation

The Clerk shall prepare a schedule of regular Meetings of Council, the Finance Committee, the Social Services Committee, the Human Resources Committee, the Committee of the Whole - Planning and Administration, and the Committee of the Whole - Operations. The Clerk, or designate, shall attend and take minutes at all such Meetings. By-law 64-2016, 26 April, 2016.

The Treasurer shall prepare a schedule of regular Meetings of the Estimates Committee. The Clerk, or designate, shall attend and take minutes at all such Meetings.

The Clerk shall schedule Meetings of the Appointments Committee as needed.

Meetings will be scheduled on weekdays, with the exception of any Special Committee of the Whole retreats held for the purpose of strategic planning, and such Meetings may be scheduled on a Saturday.

15.3.3 Special meeting - Council - Committees of the Whole

A special meeting of Council or a Committee of the Whole of Council will be convened:

- (a) at the call of the Mayor; or
- (b) upon receipt by the Clerk of a petition of the majority of the members of Council.

Special meetings of Council for consideration of Private and Confidential Reports shall be presented at one Special City Council Meeting per month, the schedule of which is to be determined in consultation with the Mayor.

Notwithstanding the above, urgent reports may be considered at a Special Council Meeting convened under clauses (a) or (b) above. By-law 21-2020, 25 February, 2020

15.3.4 Petition received - special meeting summoned

Upon the filing of the petition referenced in Section 15.3.3(b), the Clerk will summon a special meeting for the purpose(s) and at the time stated in the petition. If the petition makes no reference to the place where the meeting is to be held, the location shall be in the Council Chambers.

15.3.5 Petition filed - removal of name - prohibited

Once received by the Clerk, no member may remove their name from a petition filed under Section 15.3.4.

15.3.6 Special meeting - notice

Notice and purpose of all special meetings will be given to all members by delivery to the residence or place of business of the members, or by electronic means (*e.g.*, e-mail) as practical within the circumstances, not less than twenty-four (24) hours in advance of the time fixed for the

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meeting, with the exception of Emergency Meetings where notice will be given to all members by electronic means only and the timeframe of twenty-four (24) hours in advance of the time fixed for the Meeting shall not apply.

15.3.7 Special meeting - matters limited

No matter will be considered or decided other than those set forth in the notice calling the special meeting. The foregoing is a rule of procedure and deviations therefrom may be authorized in accordance with Section 15.8.9.

15.3.8 Special meeting - other committees

The provisions of this Article shall apply with necessary modifications to the calling of special meetings for other committees that are subject to this Chapter, but the role of the Mayor in Section 15.3.3 shall be exercised by the Chair of the committee in such circumstances.

15.3.9 Special meeting – for the purposes of adopting the budget

- a) A special meeting of Council shall be required for the purpose of adopting the annual budget as recommended by the Estimates Committee when either of the following applies:
 - i. where proposed annual Operating Budget increases exceed 1.5% or the existing rate of inflation (whichever is higher); or
 - ii. where cumulative Operating Budget increases within the current term of Council exceed 4% or the cumulative rate of inflation during that period.
- b) Notice of the required special meeting of Council as identified in section 15.3.9 a) above, shall include reference that delegations regarding the recommended budget will be received by Council at said special meeting. By-law 205-2019, 18 December, 2019.

15.3.10 Meeting location - Council and Committees

All regular and special Meetings of Council, Committee of the Whole – Planning and Administration, Committee of the Whole – Operations and the Estimates Committee shall be held in the Council Chambers at the City Hall in Brantford, Ontario, except in the following circumstances: By-law 64-2016, 26 April, 2016.

- (a) the Meeting is to be held in the absence of the public pursuant to subsection 239(2) of the *Municipal Act, 2001*, as amended;
- (b) the Council Chambers are unavailable;
- (c) the Meeting is for a special Committee of the Whole retreat for the purposes of strategic planning; or
- (d) the Meeting is of the Councils of two (2) or more municipalities for the consideration of matters of common interest, where said Meeting may be held in a location pursuant to subsection 236(2) of the *Municipal Act, 2001*, as amended.
- (e) Where the meeting is held electronically as per section 15.4.1

- (f) Despite any other provisions of this by-law, during a Declared Emergency:
- i. Meetings may be conducted by any means, whether in person or electronic, provided they meet conditions required within the Municipal Act, 2001, as amended or other applicable law;
 - ii. Regular and special Meetings of Council and its' Committees, may be held outside of the City of Brantford Council Chambers or City Hall in order to provide space for health or safety protocols required of the Emergency insofar as the location chosen is fully accessible to persons with disabilities. By-law 75-2020, 26 May, 2020

All regular and special Meetings of the Finance Committee and Social Services Committee shall be held at the City Hall in Brantford, Ontario, unless another location is approved by City Council.

All Meetings shall be held in locations that are fully accessible to persons with disabilities.

Meetings of Boards and Advisory Committees and Task Forces are not required to be held at City Hall, but shall be held in locations that are fully accessible to persons with disabilities.

15.3.11 Cancellation of a scheduled Meeting

Members, where possible, shall notify the Chair and the Clerk, or designate, at least two (2) business days in advance of the Meeting if they cannot attend. Reasons for the absence shall be noted in the minutes as per Council Attendance Policy- 003– Annual Council/Committee Attendance Report for Members of Council

Only the Mayor or Chair, as the case may be, may initiate the cancellation of any scheduled Meeting of Council or any Committee of Council by advising the Clerk, or designate, who shall provide members with the reason(s) for the cancellation

Despite the above, during an emergency the Mayor, Chair, or City Clerk may cancel any scheduled meetings as necessary. By-law 75-2020, 26 May, 2020

15.3.12 Council - manner through which matters will be taken

All matters proceeding to Council for consideration must first be considered by a Committee of the Whole or Standing Committee pursuant to this Chapter

The following matters may proceed directly to Council for consideration without the necessity of first having been considered by any Committee of the Whole or Standing Committee:

- (a) matters which, in the opinion of the Chief Administrative Officer

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and/or Mayor, are Urgent. For all items deemed Urgent pursuant to this clause, the reason(s) for the urgency shall be included within the written report to Council.;

- (b) routine minor real estate items and the stopping up of roads; and
- (c) Confidential Information regarding Minutes of Settlement for Assessment Appeals to be presented as a Private and Confidential Report directly to Special City Council for consideration; and
- (d) such others matters as Council may specifically approve from time to time. By-law 21-2020, 25 February, 2020

Article 4

OPEN MEETINGS

15.4.1 Meetings - open to public

Except as otherwise permitted or required by the Municipal Act, 2001, as amended, all Meetings shall be open to the public. Open and Closed Meetings may be conducted by any means, whether in person or electronic, provided they meet conditions, including impacts to quorum calculations, required within The Municipal Act, 2001, as amended or other applicable law. By-law 75-2020, 26 May, 2020

15.4.2 Meetings - when closed

A Meeting or part of a Meeting may be closed to the public if the subject matter being considered is:

- (a) the security of the property of the municipality or local board;
- (b) personal matters about an identifiable individual, including municipal or local board employees;
- (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- (d) labour relations or employee negotiations;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
- (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and

- has monetary value or potential monetary value; or
- (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

15.4.3 Meetings - required to be closed

A Meeting or part of a Meeting shall be closed to the public if the subject matter being considered is:

- (a) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
- (b) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13(1) or the investigator referred to in subsection 239.2(1) of the *Municipal Act, 2001*, as amended.

15.4.4 Educational or training sessions

A Meeting of Council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:

1. The Meeting is held for the purpose of educating or training the members;
2. At the Meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council, local board or committee.

15.4.5 Closed Meetings - resolution required

Before holding a Meeting or part of a Meeting that is to be closed to the public, the municipality or local board or committee of either of them shall state by resolution:

- (a) the fact of the holding of the closed Meeting and the general nature of the matter to be considered at the closed Meeting; or
- (b) in the case of a Meeting under Section 15.4.4, the fact of the holding of the closed Meeting, the general nature of its subject-matter and that it is closed under that Section.

15.4.6 Closed Meeting – Staff Overview

Staff overviews of Closed Session items shall be permitted and the Chair shall have discretion in allowing questions from members regarding the overview.

15.4.7 Meetings - not closed to the public during vote

Subject to Section 15.4.7, a Meeting shall not be closed to the public during the taking of a vote.

15.4.8 Meetings - not closed during vote - exception

A Meeting may be closed to the public during the taking of a vote if:

- (a) Section 15.4.2 or 15.4.3 permits or requires the Meeting to be closed to the public; and
- (b) the vote is for a procedural matter or for giving direction or instructions to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under a contract with the municipality or local board.

15.4.9 Automatic amendment

Sections 15.4.2 to 15.4.7, inclusive, are excerpted from section 239 of the *Municipal Act, 2001*, as amended, and are included here for ease of reference. Sections 15.4.2 to 15.4.7, inclusive, shall be deemed to have been automatically amended to match any amendment to the corresponding provisions of the *Municipal Act, 2001*, as amended without the necessity of the enactment of such amendments by Council.

15.4.10 Record of Meeting - requirements

A municipality or local board or a committee of either of them shall record without note or comment all resolutions, decisions and other proceedings at a Meeting of the body, whether it is closed to the public or not.

15.4.11 Investigation

A person may request that an investigation of whether a municipality or local board has complied with section 239 of the *Municipal Act, 2001*, as amended, or the provisions of this Chapter in respect of a Meeting or part of a Meeting that was closed to the public be undertaken by an investigator.

15.4.12 Investigator

The appointment, powers, duties, functions and reporting requirements of the investigator referred to in Section 15.4.10 shall be established by by-law.

15.4.13 Investigator - report and recommendations

If, after making an investigation, the investigator is of the opinion that the Meeting or part of the Meeting that was the subject-matter of the investigation appears to have been closed to the public contrary to section 239 of the *Municipal Act, 2001*, as amended, or this Chapter, the investigator shall report the opinion and the reasons for it to the municipality or local board, as the case may be, and may make such recommendations as required.

15.4.14 Resolution – Findings

Council is required to pass a resolution on how it intends to address the report findings of the Closed Meeting Investigator. By-law 185-2017, 19

December, 2017.

15.4.15 Publication of investigator's reports

The municipality or local board shall ensure that reports received under Section 15.4.12 by the municipality or local board, as the case may be, are made available to the public. By-law 185-2017, 19 December, 2017.

Article 5 ORDER OF BUSINESS

15.5.1 Council

For regular Meetings of Council, Members of Council are encouraged to enter the Council Chambers together, approximately two (2) minutes before the start of the Meeting.

Insofar as the same is practicable, the order of business of Council Meetings shall be as follows:

- (a) National Anthem
- (b) Invocation (to include a generic statement to replace congratulatory/condolatory resolutions)
- (c) Roll call
- (d) Declarations of Conflict of Interest
- (e) Separation of Items in Committee Reports for Discussion Purposes
- (f) Statutory Public Meetings
- (g) Recognition of Achievements (at Meetings of Council only in accordance with Corporate-007 Policy – Recognition Awards by Mayor and Members of Council)
- (h) Proclamations (all Proclamations shall be moved and seconded in one (1) motion and are not debatable. No delegations will be permitted on Proclamations)
- (i) Delegations (strict one-hour limit)/Presentations (limit of two (2) Presentations at each Meeting)
- (j) Clerk's Report on Communications
- (k) Minutes
- (l) Committee Reports
- (m) Urgent Reports
- (n) Resolutions

- (o) Notices of Motion (shall be in writing)
- (p) By-laws
- (q) Adjournment

During a declared emergency, the order of business may be limited or changed as needed.

By-law 21-2020, 25 February, 2020; By-law 75-2020, 26 May, 2020

15.5.1.1 Committees

Insofar as the same is practicable, the order of business of Committee Meetings shall be as follows:

- (a) Invocation (to include a generic statement to replace congratulatory/condolatory resolutions)
- (b) Roll call
- (c) Declarations of Conflict of Interest
- (d) Separation of Items for Consideration and Consent Items for Discussion Purposes or in the case of the Finance Committee; Separation of Budget Reports, Items for Consideration and Consent Items for Discussion Purposes
- (e) Statutory Public Hearings/Public Meetings
- (f) Delegations (strict one-hour limit for all Committees of the Whole and Standing Committees, with the exception of the Estimates Committee where there shall be a strict two-hour limit) /Presentations (limit of two (2) Presentations at each Meeting with the exception of Committee of the Whole – Planning and Administration where no presentations are permitted where two or more Statutory Public Hearings appear on the agenda)
- (g) Budget Reports (for Finance Committee Meetings only)
- (h) Items for Consideration
- (i) Consent Items
- (j) Resolutions
- (k) Notices of Motion (shall be in writing)
- (l) Adjournment

By-law 24-2017, 28 February, 2017; By-law 21-2020, 25 February, 2020

15.5.2 Chair - call to order

As soon after the hour fixed for the Meeting as there shall be a quorum present, the Chair, shall take the chair and call the members to order. A majority of the members shall constitute a quorum.

15.5.3 Chair - absent - selection

In the absence of the Mayor for Meetings of Council, the Acting Mayor for the month shall serve as Chair. In the absence of the Acting Mayor for the month, the member of Council designated as Acting Mayor for the next month and who is in attendance shall serve as Chair.

In the absence of the Chair for Meetings of Standing Committees, Boards and Advisory Committees and Task Forces, the Vice-Chair shall serve as Chair. In the absence of the Vice-Chair, the members may elect another member to serve as Chair.

15.5.4 Chair - temporary

If the Chair desires to leave the chair for the purpose of taking part in the debate or otherwise, the Chair shall call on the Acting Mayor or Vice-Chair, as the case may be, or in their absence, another member of Council to chair the meeting. To maintain neutrality, the Chair shall not resume the position of Chair until the agenda item is disposed of. This section does not apply to instances whereby the Chair is exercising their power under Section 15.8.5.

15.5.5 Quorum - lack of –adjournment

If there be no quorum present within fifteen (15) minutes after the time appointed for the Meeting, the Clerk shall call the roll and take down the names of the members then present and the Meeting shall stand adjourned until the next Meeting. At the call of the Chair, the fifteen (15) minutes may be extended for an additional fifteen (15) minutes.

15.5.6 Consent items - summarized

In preparing the agenda for Committee of the Whole and Standing Committee Meetings, the Clerk shall summarize routine matters as “consent items”. Full back-up material will continue to be attached for review by members of Council. By-law 21-2020, 25 February, 2020

15.5.7 Separation of Items

All items not separated for discussion purposes under 15.5.1(f) and 15.5.1.1(d) shall be moved and seconded in one motion and voted on before proceeding to the next Item on the agenda.

All Items separated for discussion purposes shall be moved and seconded in one motion and voted on individually.

All Items relating to matters where a person or persons have filed a written request to appear as a delegation in accordance with the provisions of Section 15.6.2 of the Chapter shall automatically be separated for discussion purposes.

All Items deferred directly to City Council by a Committee of the Whole or Standing Committee due to time constraints shall continue to be listed on the

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Committee Report to Council however will not be automatically separated for discussion purposes. A Member must identify the Item for separation at City Council if they so wish. By-law 21-2020, 25 February, 2020

15.5.8 Council Agenda - preparation - delivery to Council Not less than forty-eight (48) hours in advance of the time fixed for each regular Council Meeting, the Clerk will cause an agenda, with supporting material, prepared in accordance with this Chapter, to be prepared and delivered to the residence or place of business of the members, or by electronic means (e-mail) as practical within the circumstances.

15.5.9 Committee of the Whole, Standing Committee, Board or Advisory Committee and Task Force agendas - preparation - delivery to Council

Not less than forty-eight (48) hours in advance of the time fixed for each regular Meeting of the Committee of the Whole, Standing Committee, Board or Advisory Committee and Task Force, the Clerk will cause an agenda, with supporting material, prepared in accordance with this Chapter, to be prepared and delivered to the residence or place of business of the members, or by electronic means (e-mail) as practical within the circumstances.

Article 6

FORMAL PUBLIC INPUT AND PARTICIPATION

15.6.1 Public input and participation - encouraged

Public input and participation in the processes of Council Meetings and the Meetings of its committees through the means set forth in this Chapter are both welcome and encouraged.

15.6.2 Public input and participation - formal means, including delegations

Public input and participation in the processes of Council Meetings and Meetings of its committees shall occur through any one or more of the following means:

- (a) by written communication to Council, or any committee thereof, through delivery of such written communication to the Clerk, and such delivery may occur by personal service, by post, electronically or any other effective means;
- (b) by attendance before the Committee of the Whole- Planning and Administration in accordance with the provisions of the *Planning Act*, as amended; the *Development Charges Act, 1997*, as amended; subsection 173(3) of the *Municipal Act, 2001*, as amended; and, Article 12 of this Chapter; By-law 64-2016, 26 April, 2016.
- (c) by attendance before any Board or Advisory Committee, in

accordance with the procedural requirements established by any such Board or Advisory Committee;

- (d) by appearance before Council, Committee of the Whole - Planning and Administration, Committee of the Whole - Operations, Appointments Committee, or Finance Committee as a delegation, where a strict one- hour time limit is provided for delegations, provided that no such delegation shall be permitted unless: By-law 64-2016, 26 April, 2016; By-law 21-2020, 25 February 2020
 - (i) the subject matter of the delegation directly relates to a matter that already appears on the agenda of the Council or committee Meeting at which appearance is sought, there is a possibility that there will be a decision on that matter at the Meeting, and the person or persons seeking to appear have:
 - 1. Provided to the Clerk, no later than 9:00 a.m. on the day of the Meeting, a written request to appear as a delegation, noting the action they wish the City to take with respect to the agenda item.
- (e) by appearance before the Social Services Committee, Brant and Brantford Local Housing Corporation Board of Directors and Brantford Municipal Non-Profit Housing Corporation Board of Directors as a delegation, where a strict one-hour time limit is provided for delegations, provided that no such delegation shall be permitted unless:
 - (i) the subject matter of the delegation directly relates to a matter that already appears on the agenda of the committee or Board meeting at which appearance is sought, there is a possibility that there will be a decision on that matter at the Meeting, and the person or persons seeking to appear have:
 - 1. Provided to the Clerk, no later than 9:00 a.m. on the day prior to the Meeting, a written request to appear as a delegation, noting the action they wish the City to take with respect to the agenda item. By-law 21-2020, 25 February, 2020
- (f) by appearance before the Estimates Committee as a delegation, where a strict two-hourtime limit (at the call of the Chair) is provided for delegations, provided that no such delegation shall

be permitted unless the agenda provides for delegations to be heard respecting the budget process, and the person or persons seeking to appear have:

1. Provided to the Clerk, no later than 9:00 a.m. on the day of the Meeting, a written request to appear as a delegation, noting the action they wish the City to take with respect to the budget item(s).
- (g) delegations may only appear before the City at a Council, Committee of the Whole – Planning and Administration, Committee of the Whole – Operations, Appointments Committee, Estimates Committee, Social Services Committee or Finance Committee Meeting once on the same agenda item. Only one (1) delegation from the same group/organization/business may appear on the same agenda item, regardless of the members comprising said delegation. No person who appears as an individual may appear on the same agenda item on behalf of a group/business/organization and no person appearing on behalf of a group/business/organization may subsequently appear as an individual on the same agenda item. Agenda items deferred, referred, amended or tabled are deemed to be the same agenda item for the purpose of this Section.
By-law 21-2020, 25 February, 2020
- (h) no individual or group/organization/business shall be listed as separate delegations at the same Meeting. Such delegation may address a number of items appearing on the agenda, but will be considered to be one (1) delegation and will be allotted one (1) block of speaking time only.
- (i) no delegations shall be permitted respecting items listed on the Clerk's Report on Communications or Proclamations at Meetings of Council.
- (j) no delegations shall be permitted to address the following matters:
1. Labour relations or employee negotiations;
 2. Litigation that is either expected to proceed, that is currently proceeding, or that has already been decided by a trier of fact;
 3. Tenders, RFPs or other procurement matters;
 4. Any other matter that is properly the subject of the open Meeting exceptions in the *Municipal Act, 2001*, as amended.
- (k) Delegations may make PowerPoint presentations at Meetings,

provided that an electronic copy of the presentation is provided to the Clerk, no later than 9:00 a.m. on the day of the Meeting.

- (l) Delegations shall not speak for more than ten (10) minutes without the approval of Council or Committee, as the case may be. Members have the opportunity to ask questions only of the delegation, and such questions shall be included in the prescribed time allotment for delegations.
- (m) Council or Committee, as the case may be, may in their discretion, refuse to hear any delegation.
- (n) During a Declared Emergency subsections 15.6.2 (b) – (l) may be modified as necessary and delegations may be restricted to only written submissions or other means (virtual) that maintain health and safety protocols required of the Emergency. By-law 75-2020, 26 May, 2020

15.6.3 Presentations

- (a) Presentations initiated by Council or Municipal Staff where the subject matter of the Presentation directly related to a matter that already appears on the agenda shall be listed on the agenda as a Presentation. Each Presentation is limited to ten (10) minutes,
- (b) No more than two (2) Presentations shall be permitted at each Meeting.
- (c) Notwithstanding subsection (b) above, no presentations shall be permitted, other than those related to Statutory Public Hearings/Public Meetings at meetings of Committee of the Whole – Planning and Administration, where two or more Statutory Public Hearings/Public Meetings appear on the agenda.
- (d) The Clerk, or designate, shall list Presentations under the Delegation/Presentation Section on the agenda.
- (e) The Mayor or Chair, as the case may be, shall have the authority to include Presentations to Council or committee agendas where the subject matter of the Presentation does not

directly relate to a matter that already appears on the agenda, but where the subject matter falls within the purview of Council or the committee, as the case may be.

(f) The CAO, shall have the authority to include Presentations from City of Brantford Local Boards to Council or committee agendas, where the subject matter of the Presentation does not directly relate to a matter that already appears on the agenda. Request for such presentations must be submitted to the Office of the City Clerk in writing 30 days before the desired meeting date.

By-law 21-2020, 25 February, 2020

15.6.4 Other means - not restricted

Except as expressly regulated in this Chapter, there is no other limitation on the means, including informal means, through which members of the public may interact with their elected representatives or Municipal Staff.

15.6.5 Speaking rights - non-voting members - City – County Councils at Meetings

- (a) Members of Brantford Council who are not voting members of a City of Brantford Standing Committee, a Board or Advisory Committee as identified in Chapter 26 of The City of Brantford Municipal Code or a Task Force created by City Council, shall be permitted to speak to issues on the agendas of these respective Committees, Boards, Advisory Committees or Task Forces without first having to register as a delegation and shall be recognized by the Chair after all voting members have had an opportunity to speak for a first time; and
- (b) Members of Brant County Council who are not voting members of a City of Brantford Standing Committee, a Board or Advisory Committee as identified in Chapter 26 of The City of Brantford Municipal Code or a Task Force created by City Council, whose composition includes one (1) or more Members of Brant County Council, shall be permitted to speak to issues on the agendas of these respective Standing Committees, Boards, Advisory Committees or Task Forces without first having to register as a delegation and shall be recognized by the Chair after all voting members have had an opportunity to speak for a first time.

Article 7**CONDUCT OF MEETING****15.7.1 Application**

This Article applies to Meetings of Council and also applies with necessary modifications to any Meetings of any Committee of Council to which this Chapter applies.

15.7.2 Chair – duties

The duties of the Chair at a Meeting shall include, but are not limited to, the following:

- a) calling the Meeting to order;
- b) announcing the business before Council or committee, as the case may be;
- c) receiving and submitting to a vote, in the proper manner, all motions that do not contravene the rules of procedure and announcing the results;
- d) maintaining a speaker's list and recognizing speakers in the order in which they have requested to speak;
- e) directing all parties to speak through the Chair;
- f) advising on matters of procedure by way of ensuring an orderly and effective Meeting;
- g) ruling on any point of order, point of privilege and any other matter that requires a ruling of the chair ~~appeals by any member~~;
- h) On an appeal of any ruling of the chair, submitting the appeal to the decision of the assembly, "Shall the decision of the chair be sustained".
- i) maintaining order and preserving decorum at the Meeting; and
- j) adjourning or recessing the Meeting if necessary because of grave disorder or emergency.

15.7.3 Chair - order - decorum - to preserve

The Chair shall preserve order and decorum (which shall include restraining breaches of the Code of Conduct for Members of Council set forth in Article 14 but not in the capacity of Integrity Commissioner) and shall decide all questions of order, subject to an appeal to the Council or committee as the case may be, by any member.

15.7.4 Decorum - rules

The following are the rules of decorum at Meetings:

- (a) members shall not leave their seat or make any noise or disturbance while a vote is being taken and until the result of the vote is announced;
- (b) When a member is speaking, no other member shall pass between the Chair and the member or interrupt the member except to raise a Point of Order or a Point of Privilege;
- (c) Members shall address the Mayor using the title of "Mayor" or "Your Worship" and Councillors using the title of "Councillor" or "Chair" where applicable;

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- (d) Members shall speak only to the subject matter under debate;
- (e) Members shall turn off all handheld electronic devices or set them to a non-audible signal and shall not engage in private conversation during a Meeting or use electronic equipment that interrupts the proceedings of the Meeting;
- (f) Members shall not disobey the rules of procedure or a decision of the Chair on questions of order;
- (g) Members shall not consume food during Council, Committees of the Whole or Standing Committee Meetings;
- (h) No person, except a Member or an authorized Municipal Staff person shall be allowed on the meeting floor (within the Council horseshoe) during the Meeting without the permission of the Mayor or Chair, as the case may be;
- (i) No person except a Member or an authorized Municipal Staff person shall, before or during a Meeting, place on the desks of members or otherwise distribute any material whatsoever. All such material shall be given to the Chair or Clerk, or designate, for distribution if appropriate.

15.7.5 Indication of wish to speak - to Chair - by members

Every member, prior to speaking to any question or motion, shall indicate their wish to speak and receive recognition from the Chair.

15.7.6 Speaking - order

When two (2) or more members indicate a wish to speak, the Chair shall name the member who first gave such indication.

15.7.7 Point of Order - Chair - to decide

A member, without comment, may raise a Point of Order to the Chair. After recognition by the Chair, the member may explain the rule that has been broken. The Chair shall then rule on the point of order as “being well taken” or “not well taken”, stating, by explanation, the applicable rule(s) in question.

15.7.8 Point of Order - appeal - decision

In the event that a member disagrees with the decision of the Chair on a Point of Order, the member, upon receiving a seconder, shall have the ability to appeal that decision, and such appeal is not debatable and shall be decided by majority vote of the members. The appeal shall be made immediately following the decision before any further debate or business has occurred. A majority or tie vote sustains the decision of the Chair on the principle that the Chair’s decision stands until reversed by a majority.

15.7.9 Power to expel - improper conduct

The Chair may expel any person (other than a member) for improper conduct at a Meeting.

15.7.10 Member - remarks - confined

The member when speaking must confine remarks to the question in debate

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and shall not resist the rules of the Council or disobey the decision of the Chair, or of the Council, on questions of order and practice or upon interpretation of the rules of the Council, and, in the event any member shall resist or disobey, the member may be ordered by the Chair to be unseated for the remainder of Meeting, but, in the event of an apology being made by the offender, the member may, by vote of the Council, be permitted forthwith to be reseated.

15.7.11 Decorum - rules - to be obeyed

Persons addressing Council or its Committees or observing a Meeting of Council or its Committees shall conduct themselves with decorum and shall obey the rules of the Chair in the conduct of the Meeting. Without limiting the generality of the foregoing, the required level of decorum shall include the following rules:

- (a) all persons present in the meeting room shall use polite and respectful language, and shall refrain from the use of any language or the making of any gesture that is disrespectful or offensive;
- (b) all persons invited to address the Council or Committee shall speak only on the subject in debate and shall not speak on any other subject;
- (c) no person shall display any sign, banner or placard in the meeting room, other than:
 - (i) materials that, in the opinion of the Chair, are legitimate audio-visual aids necessary in connection with any presentation to be made to Council or its Committees; or
 - (i) decorative, commemorative, or other materials erected by or on behalf of Council by authorized agents or employees of the City;
- (d) no person shall applaud participants in debate or engage in conversation or behavior that may disrupt the proceedings of the Meeting;
- (e) no person shall bring into the meeting room any food or drinks, other than drinks for members or for those speaking at the Meeting;
- (f) no person shall bring into the meeting room any cellular telephone, pager or other electronic devices that emit a sound unless such devices are turned off or silenced; and
- (g) no person shall bring into the meeting room any camera or other recording device unless the Meeting is open to the public and the set up and operation of said device in no way interferes with or disrupts the proceedings of the Meeting.

Any person who is not a member of Council who contravenes any provision of this section may be expelled from the Meeting by the Chair.

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15.7.12 Quorum - calculation

Quorum for the transaction of business at any Meeting of Council or any Committee of Council to which this Chapter applies shall be the majority of members thereof.

15.7.13 Quorum - Finance Committee - calculation

Notwithstanding Section 15.7.12, quorum for the transaction of business at the Finance Committee shall be three (3) members of the Finance Committee.

15.7.14 Point of Privilege - members

- (a) A member may raise a Point of Privilege to direct Council or the Committee's attention to a matter that:
 - (i) affects the members collectively;
 - (ii) reflects on the individual member;
 - (iii) affects the member's rights to sit on Council;
 - (iv) affects freedom of speech at the Meeting; or
 - (v) suggests contempt of Council as a whole.
- (b) A member may raise a Point of Privilege for the purpose of correcting any statement made about them or attributed to them.
- (c) No member may rise on a Point of Privilege to:
 - (i) correct reports to their speeches; or
 - (ii) comment on allegedly inaccurate statements in the news media.

It is noted that a misinterpretation that affects one (1) Councillor is not the same as one affecting all of Council.

15.7.15 Point of Privilege - immediate consideration - required

Whenever any matter of privilege arises, it shall be immediately acknowledged by the Chair and stated by the member. If a question of privilege has been determined, the Chair shall immediately take action to resolve the situation.

15.7.16 Point of Privilege – Municipal Staff

In addition to the circumstances under which a member may raise a Point of Privilege, Municipal Staff members shall be given recognition by the Chair on a Point of Privilege for the purpose of correcting any statement made about them or attributed to them if they consider it necessary to make such correction.

Article 8 RULES OF DEBATE

15.8.1 Application

This Article applies to all Meetings.

15.8.2 Question - read - interruption - prohibited

Any member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a member while

15.8.3 Speaking – limited

- (a) At Council Meetings, where the Meetings are open to the public, no member shall speak more than once on the same question without leave of the Council.

Notwithstanding (a) above, at Council Meetings, where meetings are open to the public, members may speak twice on the same question without leave of the Council on the following matters only:

- (i) matters identified in Section 15.3.11 of this Chapter that may proceed directly to Council for consideration without the necessity of first having been considered by any Committee of the Whole or Standing Committee; or
 - (ii) a Resolution not previously considered by a Committee of the Whole or Standing Committee where two-thirds of the members present authorize the presentation of the Resolution; or
 - (iii) an original motion that is proposed for reconsideration as identified in Section 15.8.16 of this Chapter if a motion to reconsider is decided in the affirmative.
- (b) At Council Meetings, where the Meetings are closed to the public, no member shall speak more than twice on the same question without leave of the Council.
- (c) At Committee of the Whole and Standing Committee Meetings, excluding the Estimates Committee, no member shall speak more than twice on the same question without leave of the Committee.
- (d) At Estimates Committee Meetings, there is no limit on the number of times that a member can speak on the same question.
- (e) At Council Meetings, no member shall be permitted to speak to Recognition of Achievements and Proclamations.

By-law 59-2018, 24 April, 2018; By-law 21-2020, 25 February, 2020

15.8.4 Speaking - wrap – speaking list – when permitted

A member who moved the original motion may “wrap” by speaking last in respect of the motion.

15.8.5 Speaking - time limited

No Member, without leave of the Committee shall speak to the same motion for longer than four (4) minutes. The Chair shall be entitled to speak in respect of any matter. The four-minute speaking time applies to all separately debatable motions made in respect of any matter.

Notwithstanding the above, at Meetings of City Council and Special City Council, no member, without leave of Council, shall speak to the same motion for longer than five (5) minutes. The five-minute speaking time applies to all separately debatable motions made in respect of any matter.

At meetings of the Estimates Committee, no member, without leave of the Committee, shall speak to the same motion for longer than three (3) minutes. The three-minute speaking time applies to all separately debatable motions made in respect of any matter. By-law 21-2020, 25 February, 2020

15.8.6 Speaking – Questions of Staff

Municipal Staff may invite consultants retained by the City to join them in responding to questions from members during debate on an Item and/or invite members of a Board, Advisory Committee or Task Force to respond to questions during debate of their Board, Advisory Committee or Task Force reports to Committee. By-law 21-2020, 25 February, 2020

15.8.7 Motion - moved -seconded

All motions shall be seconded before debate or vote.

15.8.8 Motion - read - possession of Council withdrawn - friendly amendment

After a motion is moved and seconded, it shall be deemed to be in possession of the Council or committee, as the case may be, but shall, with the permission of the mover and seconder, be withdrawn at any time before decision or amendment.

Before a decision is made on a motion, it may be restated in such manner as may be suggested by any other member.

The changes to the restated motion must be:

- (a) Germane to the intention of the original motion;
- (b) minor in nature; and
- (c) accepted by both the mover and the seconder in order to be accepted as a “friendly amendment”. The revised wording shall then become the main motion.

15.8.9 Waiving the rules of order - voting

Unless this Chapter provides otherwise, the method of procedure shall be determined by majority vote of Council or committee, as the case may be, and if there is a tie during such a vote, the Chair of the Meeting may break the tie and rule on the question of procedure. Where a method of procedure is prescribed by this Chapter and where Council or committee may authorize such deviation therefrom if two-thirds of the members then present vote in favour of such deviation.

15.8.10 Motion - rules of debate

No motion shall be received when a question is under debate unless to refer it, to amend it, to defer it or to move that the vote be now taken.

15.8.11 Motion – refer

A motion to refer is in order at any time, but shall be moved as a stand-alone motion and not as part of another speaking opportunity.

When a motion to refer is duly moved and seconded, the Chair may ask the mover and seconder to hold the motion to refer until such time as all members have had an opportunity to speak in respect of the question.

If the mover and seconder agree to hold the motion to refer, the Chair will entertain the motion after all members have had an opportunity to speak in respect of the question, provided that it shall not be necessary for all members to have actually availed themselves of such opportunity. Where any member has spoken more than once in respect of the question, every member shall be deemed to have had an opportunity to speak in respect of the question.

If the mover and seconder do not agree to hold the motion to refer, the motion shall be put immediately and is debatable to its merits only and cannot go into the main question except as necessary for debate of the immediately pending question. A motion to refer the question shall include:

- (a) the name of the body or official to whom the question is to be referred; and
- (b) any instructions respecting the terms upon which the question is to be referred.

15.8.12 Motion - defer

A motion to defer is in order at any time, but shall be moved as a stand-alone motion and not part of another speaking opportunity.

When a motion to defer is duly moved and seconded, the Chair may ask the mover and seconder to hold the motion to defer until such time as all members have had an opportunity to speak in respect of the question.

If the mover and seconder agree to hold the motion to defer, the Chair will entertain the motion after all members have had an opportunity to speak in respect of the question, provided that it shall not be necessary for all members to have actually availed themselves of such opportunity. Where any member has spoken more than once in respect of the question, every member shall be deemed to have had an opportunity to speak in respect of the question.

If the mover and seconder do not agree to hold the motion to defer, the motion shall be put immediately and is debatable as to time and place only.

Motions deferred will come back to the appropriate Committee of the Whole or Standing Committee Meeting, unless Council specifically directs otherwise.

15.8.13 Motion - to call the question

If a member moves that the vote be now taken (which motion may be referred to as a motion to “call the question”) and the motion is seconded, the motion to call the question shall be considered without debate. If the Motion to Call the Question is carried, the motion and amendments under discussion shall be immediately submitted to the Council without further discussion.

A Motion to Call the Question may not be made at a Meeting of a Committee of Council unless all members have had an opportunity to speak in respect of the question, provided that it shall not be necessary for all members to have actually availed themselves of such opportunity. Where any member has spoken more than once in respect of the question, every member shall be deemed to have had an opportunity to speak in respect of the question.

Before proceeding to second time speakers, where permitted, the Chair shall ask if there are any other first time speakers.

15.8.14 Amendments - voting

Amendments shall be put in the reverse order to that in which they are moved. Only one (1) amendment shall be allowed to an amendment, and, if further amendments to amendments are desired, these amendments must be treated as further amendments to the main question.

15.8.15 Amendments to Municipal Staff recommendations

15.8.16 Before any vote is taken in respect of amendments to by-laws, resolutions or other matters that came before Council or Committee through a staff report in which such by-law, resolution or other matter was recommended by Municipal Staff, the Chair may request input and advice in respect of the proposed amendment from Municipal Staff present at the Meeting.

Motion to reconsider

After any motion, except one of indefinite postponement has been decided, a member who voted in the majority on a motion may move or give notice for a reconsideration of the matter. The seconder of the motion to reconsider must also be someone who voted in the majority on the motion to be

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reconsidered. Where previous notice has not been provided, a motion to reconsider will be carried by a two-thirds majority of the members present and voting.

Where notice has previously been provided at a Meeting of Council or by way of notice in the Agenda Package of a Regular or Special Meeting of Council, a motion to reconsider will be carried by a majority of the members present and voting.

Where a previous motion has passed and a Recorded Vote has not been requested by a member, all members shall be deemed to be voting in favour of the motion unless they have advised the Chair that they wish to be recorded as opposed. A member who is absent at the time a vote is taken on a motion, which subsequently becomes the subject of a motion for reconsideration, shall be deemed for the purpose of reconsideration to have voted with the majority.

In the event that a motion is lost through a tie vote, those members who voted against the motion shall be deemed to be the majority for purposes of this Section.

15.8.17 Motion to reconsider - discussion

No discussion of the main motion that is proposed for reconsideration shall be allowed until the motion to reconsider is carried.

If a motion to reconsider is decided in the affirmative, such reconsideration of the original motion shall become the next order of business, unless the motion calls for a future definite date, and debate on the motion to be reconsidered may proceed as though it had never previously been voted on.

15.8.18 Motion to reconsider - frequency

No motion shall be reconsidered more than twice during a period of twelve (12) months following the date on which the motion was originally decided.

15.8.19 Question - put - speaking - prohibited

After a question is finally put by the Chair, no member shall speak to the question, nor shall any other motion be made until after the result of the vote has been declared.

15.8.20 Improper motion - Chair to rule

Whenever the Chair is of the opinion that a motion is contrary to the rules and privileges of the Council, the Chair shall apprise the members thereof immediately before putting the question and shall cite the rule of authority applicable to the case without argument or comment. The Chair may dismiss such motion, subject to appeal.

VOTING**15.9.1 Application**

This Article applies to all Meetings of Council and also applies with necessary modifications to any Meetings of any Committee of Council to which this Chapter applies.

15.9.2 Voting - Chair - exception

The Chair shall vote with the other members on all questions except as provided in Sections 15.9.3 to 15.9.5, inclusive. Any question on which there is an equality of votes shall be deemed to be decided in the negative.

15.9.3 Voting - all members - exception

Every member present shall be required to vote on every question put before Council or Committee, as the case may be, unless such member is not legally entitled to vote on the question and/or unless such member is excused by Council from voting on the said question.

15.9.4 Voting - refusal

Any member who refuses to vote on any question shall be deemed to be voting in the negative on the question

15.9.5 Recorded Vote - names - entered in minutes

In cases when a Recorded Vote is required on any question, either by law or upon the request by a member, the names of those who vote for and against the question shall be entered in the minutes. The Clerk, or designate, shall also enter in the minutes the names of those members not in the meeting room at the time of the vote.

15.9.6 Recorded Vote - how taken

In taking Recorded Votes, the Clerk, or designate, shall ask all members in favour of the motion to raise their hands collectively and to keep their hands raised until their name is called by the Clerk, or designate. The Clerk, or designate, shall repeat the same process for those members opposed to the motion. The Clerk, or designate, shall then announce the results of the vote. Each member voting for the question shall say “Yes” and each member voting against the question shall say “No.”

Where electronic voting equipment is available and used, the results of which will be displayed publicly at the end of the vote, and the results shall be announced by the Clerk, or designate.

Where the meeting is broadcasted on television, the internet or through any other electronic means, the Clerk, or designate, shall also read aloud the names of all Members and how they voted, regardless of whether the vote has been taken electronically or by raised hands. By-law 48-2019, 26

March, 2019.

Where members are participating via teleconference format, the Clerk shall call each name of the member to solicit their vote. Members participating in-person shall have their votes recorded first, followed by teleconference attendees. By-law 75-2020, 26 May, 2020

15.9.7 Vote – distinct clauses

When the question under consideration contains distinct or independent clauses, upon the request of any member, the vote upon each clause shall be taken separately.

15.9.8 Voting - Corporate Contingency Reserve Fund

Any approval to use the Corporate Contingency Reserve Fund shall require a two-thirds vote of the members present and voting at Committee and Council.

15.9.9 Voting on multiple items in summary manner - Chair or Clerk to read titles of all items subject to the vote - prior to vote being called

Where a motion has been made to approve multiple items in summary manner, the Chair or Clerk shall read the titles of all items subject to the vote, prior to the vote being called. By-law 26-2018, 27 February, 2018.

Article 10 ADJOURNMENT

15.10.1 Application

This Article applies to all Meetings of Council and also applies with necessary modifications to all committees created or continued under this Chapter, to all Boards and Advisory Committees created under Chapter 26 of the City of Brantford Municipal Code and to all Task Forces created by Council.

15.10.2 Members - to remain seated - until chair vacated

At Regular Meetings of Council only, members of the Council shall rise and remain standing until the Chair has vacated the Council Chambers following adjournment.

15.10.3 Extended hours - motion required

Meetings of Council and its Committees shall not remain in session after 10:00 p.m. unless a motion to extend the hour is presented and approved by Council or the Committee.

A motion to extend the hour at Committee of the Whole and Standing Committee Meetings would result in the extension of the meeting to conclude consideration of the Item under discussion at the time of the motion. Members may, while moving the motion, identify any time sensitive items to be considered prior to adjournment. All unfinished business unless otherwise moved would automatically be deferred to City Council.

A motion to extend the hour at Council meetings will be considered in one-hour increments and is non-debatable. By-law 21-2020, 25 February, 2020

15.10.4 Motion - adjourned - exception

A motion to adjourn is non-debatable and is in order, except:

- (a) when a member is in possession of the floor; or
- (b) when the “Yes” and “No” votes have been called for; or
- (c) when the members are voting; or
- (d) when it has been decided that the previous question shall be put forthwith; and
- (e) when a motion to reconsider is decided in the affirmative and is the next order of business as provided for in Section 15.8.16.

Article 11

BY-LAWS AND RESOLUTIONS - PROCEDURE

15.11.1 Confirming By-law

A By-law to confirm the proceedings and decisions of the Council of The Corporation of the City of Brantford shall be presented at the end of each open session Meeting of City Council.

15.11.2 Readings - three - exceptions

Every by-law shall receive three readings before it is finally passed. Each such reading may occur on a single day unless one-third or more of the members of Council present should require that the readings should occur over two (2) days. In the event that one-third or more of the members of Council present so require, such by-laws as the members may have specified shall not be read three (3) times on such date. No by-law shall be amended until it shall have been read twice.

15.11.3 Consideration - signed - sealed

- (a) No by-law shall be presented to Council for adoption unless the subject matter thereof has first been considered by Council or a Committee thereof.

Notwithstanding the above, a By-law may be presented directly

to Council without first having been considered by Council or a Committee if a Corporate Policy adopted by By-law, permits this action. By-law 21-2020, 25 February, 2020

- (b) Every by-law of the municipality shall be signed by the Clerk and by the head of Council or presiding officer at the Meeting at which the by-law was passed.
- (c) The head of Council shall sign every agreement where Council has authorized and directed its execution as soon as necessary to give effect to the document, but not later than seven (7) days upon receiving said agreement from the Clerk.
- (d) Every by-law and agreement referenced under this Section shall be under the seal of the corporation and filed by the Clerk.
- (e) The Clerk shall notify all members of Council forthwith of any breach of the above.

15.11.4 Ward announcements – during signing of by-laws

15.11.5 During the length of time that it takes for the by-laws to be signed at the end of a Council Meeting, members may take the opportunity to make ward announcementsResolutions without prior notice of motion

No Resolution shall be presented at any Meeting without prior notice of motion given not less than twenty-four (24) hours in advance of the Resolution being considered unless two-thirds of the members present authorize the presentation of the Resolution. In the event the presentation of the Resolution is so authorized, the Chair of the Meeting shall request input and advice in respect of the proposed Resolution from Municipal Staff present at the Meeting before any vote is taken in respect of the Resolution.

All notices of motion shall be in writing and submitted to the Clerk's department to be included in the agenda no later than 9:00 a.m. on the Thursday before the scheduled meeting. Notices of motions submitted after the deadline will be added to the agenda for the next scheduled meeting within the current meeting cycle

Members are encouraged to consult with Municipal Staff in the preparation of notices of motion.

15.11.6 Resolutions – timing following notices of motion

All Resolutions resulting from prior notice of motion shall be presented for consideration no later than the end of the next Committee meeting cycle following the Meeting at which the notice of the motion was provided. The notice of motion will be deemed to have expired if the resolution is not presented within the specified time.

Article 12

STATUTORY PUBLIC HEARINGS

15.12.1 Public Hearings - requirements

This Article shall apply when Public Hearings are held by Council or its Committees.

15.12.2 Agenda - consideration - prior to public Hearing

Prior to the commencement of any Public Hearing, there shall be consideration of any requests from applicants or their agents for deletions from the agenda of the Meeting, including, where applicable, the rescheduling of such deleted matters to a future Meeting.

15.12.3 Introduction - application - suggested wording

At the start of the Public Hearing portion of the Meeting, the Chair shall read an opening statement, the suggested wording for which is as follows:

“There are ____ Public Hearings/Public Meetings to be held. The Public Meetings are held in accordance with the provisions of the Planning Act (or any other applicable Act). The purpose of the meetings are to discuss the applications and to hear from the public either in support or against the applications. At the end of each of the public meetings, the Committee will pass a recommendation which is generally considered for a final decision at the next meeting of Council.

The name of anyone who speaks in regard to any item tonight will appear within the meeting minutes. Anyone wishing notice of any further proceedings regarding the application should also provide their name and address to the Clerk’s office.

The Applicant will speak first, followed by Municipal Staff and then the Public. The Applicant will then have an opportunity to provide clarification to any questions or issues raised during the meeting.”

The Chair shall introduce each individual application prior to commencing the individual Hearing.

15.12.4 Delegations - called for - order of presentation

The Chair shall call for delegations in the following order: proponent/applicant (to present their application and to describe their proposal in detail); Municipal Staff (how staff addressed the issues that came about through the circulation of the application rather than on the specific details of the application); public; and proponent clarification. Council may waive the requirement for a presentation from Municipal Staff where appropriate. Council or its Committees may ask questions of the delegations following each presentation and may seek further clarification from Municipal Staff following the presentations of all delegations.

Information on rules for Delegations at Public Hearings shall be posted on the notice board outside of the Council Chambers by the Clerk.

15.12.5 Discussion - application - recommendation

After all delegations for a specific Hearing have been heard, the Public Hearing shall be considered complete. A motion in regards to the application is put on the floor for debate. There shall be discussion, in accordance with the rules of debate (including speaking limits) and a decision made (*e.g.*, approve, conditional approval, rejection or deferral) before proceeding to the next specific Hearing.

15.12.6 Deferment - further consideration

If, during discussion of an item, it is suggested that a special Meeting be held or further information be submitted by Municipal Staff, the proponent or the public, the matter may be deferred for further consideration before making a decision. Where a Hearing is at the Committee of the Whole, a deferral in order to acquire new information or to provide a clarification of information may occur directly to Council.

15.12.7 Report - to Council - deferment - notification

In the event that any matter is deferred, notice of the date on which the Public Hearing is to resume or requested information is scheduled to be provided to Council or Committee shall be given in accordance with the requirements of any law that may apply thereto.

15.12.8 Additional information - referral - back

If, when a Committee Report is dealt with by Council, new information is presented, Council may, but is not required to, refer the matter back to Committee prior to making a decision.

15.12.9 Delegations - commencement - time for

Where the Hearing is at a Meeting of the Committee of the Whole, delegations will be heard commencing at 6:00 p.m., but may from time to time be changed, but in no case shall it commence earlier than the appointed time provided in the notice.

Article 13

REAL ESTATE REGISTER AND SALES OF REAL ESTATE
Repealed: By-law 179-2017, 19 December, 2017.

Article 14

CODE OF CONDUCT FOR MEMBERS OF COUNCIL
Repealed: By-law 26-2019, 26 February, 2019

Article 15
NOTICE

15.15.1 Purpose

This Article is enacted for the purpose of defining general provisions for the giving of notice. The requirements of this Article shall be observed where the municipality is required to give notice to the public or to any other person of any municipal action pursuant to the requirements of any applicable legislation, regulation, or by-law (including this Chapter), but shall not apply to require the giving of any notice in circumstances where there is no requirement in any applicable legislation or regulation that notice be given in respect of any municipal action.

15.15.2 Interpretation - municipal action

For the purposes of this Article, “municipal action” includes any administrative or legislative action of The Corporation of the City of Brantford.

15.15.3 Notice - proposed municipal action - general public

Where any applicable legislation or regulation requires that notice be given to the general public of any proposed municipal action, such notice shall be given as set out in Sections 15.15.4 through 15.15.8, inclusive.

15.15.4 Notice required - means of giving notice specified

Notice shall be given in the manner specified in the applicable legislation or regulation, or within any other City by-law that specifically sets forth the manner in which notice shall be given to the public either for the specific municipal action or generally for municipal actions of that type.

15.15.5 Notice required - means of giving notice not specified

If there is no manner specified in the applicable legislation or regulation, or within any other City by-law that specifically sets forth the manner in which notice shall be given to the public either for the specific municipal action or generally for municipal actions of that type, notice shall be given to the public by way of any one (1) or more of the means set out in Section

15.15.6 and 15.15.7. For Meetings of the Council of the City of Brantford, the Committees created or continued under this Chapter, Boards and Advisory Committees created under Chapter 26 of the City of Brantford Municipal Code and Task Forces created by City Council, notice shall be given to the public not less than forty-eight (48) hours in advance of each regular Meeting and not less than twenty-four (24) hours in advance of each special Meeting by posting on the City’s Web site.

15.15.6 Publication in the local newspaper

Notice may be given by publication of at least one (1) notice in the local newspaper at least one (1) week before:

- (a) the Council Meeting at which the proposed municipal action will be considered; or
- (b) the date on which it is proposed that the municipal action will occur.

15.15.7 Posting on the City’s Web site

Notice may be given by posting a notice on the City’s Web site at least one (1) week before:

- (a) the Council Meeting at which the proposed municipal action will be considered; or
- (b) the date on which it is proposed that the municipal action will occur.

15.15.8 Notice - where notice given directly to affected persons

Where any applicable legislation or regulation requires that notice be given

to particular individuals or other persons of any proposed municipal action, such notice shall be given as set out in Sections 15.15.9 through 15.15.13, inclusive.

15.15.9 Notice required - means of giving notice specified

Notice shall be given in the manner specified in the applicable legislation or regulation, or within any other City by-law that specifically sets forth the manner in which notice shall be given to the public either for the specific municipal action or generally for municipal actions of that type, or as set out in Section 15.15.10.

15.15.10 Notice required - means of giving notice not specified

If there is no other manner specified in the applicable legislation or regulation, or within any other City by-law that specifically sets forth the manner in which notice will be given to such particular individuals or other persons either for the specific municipal action or generally for municipal actions of that type, notice shall be given to the particular individuals or other persons by way of any one (1) or more of the means set out in Sections 15.15.11 and 15.15.12.

15.15.11 Prepaid ordinary mail

Notice may be given by mailing a notice by prepaid ordinary mail at least fourteen (14) days before:

- (a) the Council Meeting at which the proposed municipal action will be considered; or
- (b) the date on which it is proposed that the municipal action will occur.

15.15.12 Posting on lands

Notice may be given by posting a notice on the lands owned or occupied by the individual or other person entitled to receive notice by affixing it to the door of any building on the lands or by otherwise posting it in a conspicuous manner on the lands, at least one (1) week before:

- (a) the Council Meeting at which the proposed municipal action will be considered; or
- (b) the date on which it is proposed that the municipal action will occur.

15.15.13 Notice - completed municipal action - general public

Where any applicable legislation or regulation requires that notice be given to the general public of the completion of any municipal action, such notice shall be given as set out in Sections 15.15.14 and 15.15.15.

15.15.14 Notice required - means of giving notice specified

Notice shall be given in the manner specified in the applicable legislation or regulation, or within any other City by-law that specifically sets forth the

manner in which notice shall be given to the public either for the specific municipal action or generally for municipal actions of that type.

15.15.15 Notice required - means of giving notice not specified If there is no manner specified in the applicable legislation or regulation, or within any other City by-law that specifically sets forth the manner in which such notice shall be given to the public either for the specific municipal action or generally for municipal actions of that type, notice shall be given to the public through any one (1) or more of the means set out in Sections 15.15.16 through 15.15.17, inclusive.

15.15.16 Publication in the local newspaper

Notice may be given by publication of at least one (1) notice in the local newspaper not later than thirty (30) days following the date on which the municipal action occurred.

15.15.17 Posting on the City's Web site

Notice may be given by posting a notice on the City's Web site not later than thirty (30) days following the date on which the municipal action occurred.

15.15.18 Notice - completed action - given to affected persons

Where any applicable legislation or regulation requires that notice be given to particular individuals or other persons of the completion of any municipal action, such notice shall be given as set out in Sections 15.15.19 and 15.15.20.

15.15.19 Notice required - means of giving notice specified

Notice shall be given in the manner specified in the applicable legislation or regulation, or within any other City by-law that specifically sets forth the manner in which notice shall be given to the public either for the specific municipal action or generally for municipal actions of that type.

15.15.20 Notice required - means of giving notice not specified

If there is no manner specified in the applicable legislation or regulation, or within any other City by-law that specifically sets forth the manner in which such notice shall be given to the public either for the specific municipal action or generally for municipal actions of that type, notice shall be given to the individuals or other persons by pre- paid ordinary mail not later than thirty (30) days following the date on which the municipal action occurred.

15.15.21 Notice - proposed - completed municipal action - form

Notice of proposed municipal action or the completion of any municipal action given pursuant to this Article need not be in any particular form, but shall at least include the following information:

- (a) the title or brief description of the proposed or completed municipal action; and

- (b) the date on which it is proposed the municipal action will occur or the date on which the municipal action occurred, as the case may be.

Any such notices may deal with specific municipal actions, or may be multiple notices in respect of multiple municipal actions, and may be contained within a single document or as parts of other documents, reports or notices.

15.15.22 Matters for which notice shall be required

The following table defines certain matters for which notice shall be given, even though the requirements to give notice in respect of the varieties of municipal action may have been eliminated or repealed. The following table is in addition to and not in substitution for any other requirements that may exist pursuant to any City policy or other applicable law. If the means through which notice shall be provided is marked “unspecified” in the following table, the provisions of this Article that refer to “means not specified” shall apply to define the methods through which notice shall be given in respect of the municipal action.

Variety of municipal action	Notice of proposed municipal action to be given			Notice of completion of municipal action to be given		
	Notice to general public	Notice to affected individuals and other persons	Means through which notice shall be provided	Notice to general public	Notice to affected individuals and other persons	Means through which notice shall be provided
Road closings	Yes	Yes	Unspecified	No	No	Not applicable

**Article 16
DELEGATION**

Repealed: By-law 35-2020, 24 March, 2020.

**Article 17
ACCOUNTABILITY**

15.17.1 Purpose

The *Municipal Act, 2001*, as amended, requires that a municipality shall adopt and maintain a policy with respect to the manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public. The purpose of this policy is to

provide guidance for the delivery of the municipality's activities and services in accordance with the principles as outlined herein. This Article has been developed in accordance with the *Municipal Act, 2001*, as amended, to comply with paragraph 5 of subsection 270(1) and other applicable sections of that Act.

15.17.2 Definitions

In this Article,

- (a) “accountability” – the principle that the municipality will be responsible to its stakeholders for decisions made and policies implemented, as well as its actions or inactions.
- (b) “transparency” – the principle that the municipality actively encourages and fosters stakeholder participation and openness in its decision-making processes. Additionally, transparency means that the municipality's decision-making process is open and clear to the public.

15.17.3 Policy statement

The Council of the municipality acknowledges that it is responsible for providing good government for its stakeholders in an accountable and transparent manner by encouraging public access and participation to ensure that decision making is responsive to the needs of its constituents and receptive to their opinions, delivering high quality services to its citizens, and promoting the efficient use of public resources. Accountability, transparency and openness are standards of good government that enhance public trust. They are achieved by way of the municipality adopting measures ensuring, to the best of its ability, that all activities and services are undertaken utilizing a process that is open and accessible to its stakeholders. In addition, wherever possible, the municipality will engage its stakeholders throughout its decision-making process, which will be open, visible and transparent to the public.

15.17.4 Policy requirements

The principles of accountability and transparency shall apply equally to the political process and decision making, and to the administrative management of the municipality.

15.17.5 Financial matters

The municipality will be open, accountable and transparent to its stakeholders in its financial dealings as required under the *Municipal Act, 2001*, as amended. Some examples of how the municipality provides such accountability and transparency are as follows:

1. external audit
2. reporting/statements

3. strategic financial plan
4. asset management
5. purchasing/procurement
6. sale of land
7. budget process

15.17.6 Internal governance

The municipality's administrative practices ensure specific accountability on the part of its employees by way of the following initiatives:

1. code of conduct for staff
2. performance management and evaluation
3. hiring policy
4. orientation/continuing education
5. health and safety
6. work/life balance
7. compensation/benefits

15.17.7 Public participation and information sharing

The municipality ensures that it is open and accountable to its stakeholders by way of implementing processes outlining how, when and under what rules Meetings will take place. The municipality's Meetings will be open to the public when and as required under the *Municipal Act, 2001*, as amended, and members of the public will have an opportunity to make delegations or comments in writing on specific items at these Meetings. In addition, the municipality has adopted policies that ensure participation by the public can be meaningful and effective, by way of timely disclosure of information by various means including print media, Web sites, etc. Some specific examples include:

1. procedure by-law
2. code of conduct for Members of Council
3. strategic plan
4. delegation rules
5. records retention
6. planning processes

SCHEDULE A

Schedule “A” – Procedure – sale of municipal land

Repealed: By-law 179-2017, 19 December, 2017.

By-law 118-2014, 29 September, 2014; By-law 136-2015, 16 November, 2015; By-law 64-2016, 26 April, 2016; By-law 24-2017, 28 February, 2017; By-law 179-2017, 19 December, 2017; By-law 181-2017, 19 December, 2017; By-law 184-2017, 19 December, 2017; By-law 185-2017, 19 December, 2017; By-law 187-2017, 19 December, 2017; By-law 26-2018, 27 February, 2018; By-law 45-2018, 27 March 2018; By-law 59-2018, 24 April, 2018; By-law 168-2018, 18 December, 2018; By-law 205-2019, 18 December, 2019.



MEETING PROCESS REVIEW TASK FORCE MINUTES

March 3, 2020

3:00 p.m.

Charlie Ward Room, Brantford City Hall

Councillor McCreary in the Chair

1. ROLL CALL

Present: Councillor Sless
Councillor McCreary
Councillor Weaver

Absent: Councillor Carpenter, Mayor Davis

Staff Present: B. Hutchings, I. Hans, P. Moore, K. Jolie, R. Nechelput, L. Hives, T. Daniels, E. Vokes

2. DECLARATIONS OF CONFLICTS OF INTEREST

None.

3. PRESENTATIONS/ DELEGATIONS (list, if any, available at meeting)

4. ITEMS FOR CONSIDERATION

4.1 Proposed Amendments to Purchasing Policy (Corporate Policy – 012) and Execution of Routine Documents Policy (Corporate Policy 010) [Financial Impact – None], 2020-64

Moved by Councillor Weaver
Seconded by Councillor Sless

- A. THAT Report 2020-64 entitled “Proposed Amendments to Purchasing Policy (Corporate Policy – 012) and Execution of Routine Documents Policy (Corporate Policy 010) ” be RECEIVED; and
 - B. THAT the necessary by-laws to:
 - i. repeal by-law 91-2018, being a by-law for the Purchasing Policy,
 - ii. enact a revised Purchasing Policy as outlined in Schedule “A” of Report 2020-64,
 - iii. amend Appendix “A” of By-law 70-2010, being a By-law to Adopt various City of Brantford Policies and to create a Corporate Policy Manual, by repealing Corporate Policy – 010 – Execution of Routine Documents and replacing with a new Corporate Policy – 010 – Delegation of Authority as attached to Report 2020-64 and marked as Schedule “C”,
 - iv. enact a revised Delegation of Authority by-law,
 - v. repeal By-laws 62-2012, 73-2012, 126-2013, 61-2014, 66-2016 and 78-2018 that relate to the Execution of Routine Documents By-law and Corporate Policy – 010; and
 - vi. amend Chapter 15 of the City of Brantford Municipal Code (Procedure By-law) by repealing Article 16 – Delegation, which will now form part of the new Corporate Policy – 010 – Delegation of Authority
- BE PRESENTED to Council for adoption; and
- C. THAT upon adoption of the By-law referenced in Clause B above, the Clerk BE DIRECTED to update the Corporate Policy Manual to reflect these changes.

Kim Jolie explained to Committee the reasons as to why staff is bringing forward amendments to the Purchasing Policy and Execution of Routine documents concurrently. Kim advised it is best that the documents be combined into one

streamlined document as a revised Delegation of Authority By-law so the documents correspond to one another.

K. Jolie advised Committee that all departments were consulted in the creation of the document as well as all applicable legislation considered. She advised that the new document identifies delegates and sub-delegates to avoid any delays due to unexpected absences, vacancies or to assist in managing work-loads, etc. Authority can be delegated by a written instrument as well as the CAO would have the authority to select a Delegation.

Robin Nechelput explained to Committee that the new document would allow Purchasing to negotiate contracts for up to a 5 year term as well as more aggressive pricing.

CARRIED UNANIMOUSLY

Moved by Councillor Sless

Seconded by Councillor Weaver

THAT the following minutes BE APPROVED:

5. CONSENT ITEMS

5.1 Meeting Process Review Task Force Minutes – January 14, 2020

5.2 Meeting Process Review Task Force Minutes – December 2, 2020

CARRIED UNANIMOUSLY

6. RESOLUTIONS

There were no Resolutions.

7. NOTICES OF MOTION

There were no Notices of Motion.

9. ADJOURNMENT

The meeting adjourned at 3:43 p.m.