



## County Council

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**Meeting Date:** December 13, 2022  
**Submitted by:** Marci Ivanic, Legislative Services Manager/Clerk  
**SUBJECT:** Rules of Procedure By-law Review

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### **BACKGROUND:**

Section 238 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (the “***Municipal Act, 2001***”) provides that every Municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings. The County’s existing procedure by-law, By-Law #5968, was passed in 2007 and has been amended numerous times since its enactment to reflect legislative changes, and most recently, to amend the Deputy Warden and Committee Appointment provisions.

In preparation for the new term of Council, staff has undertaken a comprehensive review of By-law #5968. As a result of this review, it is recommended that By-law #5968 be replaced with a new by-law, attached to this report as *Schedule “A”*, reflecting the most current legislative requirements and the evolution of County procedures over the past number of years.

### **ANALYSIS:**

The proposed procedure by-law incorporates a number of changes to reflect existing practices and provide further direction or clarification in a number of areas.

Proposed modifications include:

- (a) Role and Appointment of Deputy Warden

The new procedure by-law incorporates amendments passed at the Inaugural meeting of Council to provide procedures for electing a Deputy Warden where there is no immediate Past Warden on Council.

- (a) Updated Agenda Format

The updated agenda format reflects Council's use of the Committee of the Whole system and the discontinuance of various standing committees including the Community Services Committee and the Corporate Services Committee. Under the Committee of the Whole system, Delegations, Reports, Action Items, and Correspondence and Information items are considered by Council sitting as the Committee first, with any recommendations of the Committee arising from such business being forwarded to the next regular meeting of Council for consideration.

(b) Procedures Related to Inquiries

The Inquiries section of the Agenda provides Council with an opportunity to ask questions of staff in an open meeting of Council. The proposed by-law clarifies the procedure for making inquiries and encourages Council to provide a written copy of the inquiry to the Clerk at least 24 hours in advance of the meeting. The procedure also clarifies that any motions arising from an Inquiry would have to be introduced at the next regular meeting of Council, unless otherwise permitted by a special majority vote (two thirds) of Council.

(a) Committees of Council and Committee Appointments

The proposed by-law removes reference to various standing committees that are no longer in use and incorporates general requirements for Committees of Council, including the requirement for Council to establish Terms of Reference to set out the membership, mandates, powers and reporting practices of its Committees. The provisions related to Committee Appointments have also been updated to reflect the amendments made at the Inaugural meeting of Council. Under the previous rules, the Warden was responsible for recommending Committee and third party appointments to Council at the beginning of each term and on an as needed basis thereafter. The new by-law makes this the responsibility of the Warden and Deputy Warden.

(b) Strathmere Lodge Committee of Management

Finally, the new by-law includes provisions confirming that all of Council acts as the Committee of Management for Strathmere Lodge and that, when acting in this capacity, the Committee has all of the powers and duties set out in the *Fixing Long-Term Care Home Act, 2021*.

**FINANCIAL IMPLICATIONS:**

N/A.

**ALIGNMENT WITH STRATEGIC FOCUS:**

N/A.

**RECOMMENDATION:**

THAT the Rules of Procedure By-law Review report be received for information; and

THAT the By-law to provide Rules of Procedure for the meetings of the Council of The Corporation of the County of Middlesex and Committees of Council attached to the report be introduced at the January 17, 2022 meeting of Council.