

Request for Decision United Townships of Head, Clara & Maria Council

Type of Decision									
Meeting Date	Friday, April 25, 2014				Report Date	Tuesday, April-01-14			
Decision Required	X	Yes		No	Priority	X	High		Low
Direction	X	Information Only			Type of Meeting	X	Open		Closed

Report #25/04/14/1201 – Amend Council Procedure By-law

Subject:

Simple amendment to the Procedure By-law.

RECOMMENDATION:

That the following resolution be adopted by Council ensuring compliance with legislation.

WHEREAS section 238 of the *Municipal Act* requires that a municipality shall have a Procedure By-law;

AND WHEREAS by having within that by-law a mechanism to suspend the rules of the by-law defeats the purpose of the legislation and results in the Council being non-compliant;

THEREFORE BE IT RESOLVED THAT by-law 2008-10 be amended by striking section 2.2 fulfilling this requirement.

BACKGROUND/EXECUTIVE SUMMARY:

During the governance training with Fred Dean back in February, Fred recommended that any Procedure By-laws with “suspension” clauses have them amended to remove them. The reasoning is that the Municipal Act requires that a municipality have a Procedure By-Law to govern the calling place and procedures of Council meetings. If the rules are suspended, the Procedure By-law is no longer in place and the municipality would then be without one contrary to section 238 of the Municipal Act.

Policy Impact:

Amends policy to ensure compliance with the letter and intent of the legislation.

Others Consulted:

Fred Dean via seminar.

Approved and Recommended by the Clerk

Melinda Reith,
Municipal Clerk