



THE CORPORATION OF THE CITY OF BRAMPTON

# BY-LAW

Number 264 - 2017

To amend Procedure By-law 160-2004, as amended, to implement recent amendments to the *Municipal Act, 2001*, effective January 1, 2018.

WHEREAS By-law 160-2004 was passed pursuant to the *Municipal Act, 2001*, s. 238 to provide rules governing the order and proceedings of the Council and the committees of the Council of the Corporation of the City of Brampton;

AND WHEREAS pursuant to Council Resolution C384-2017, as approved by City Council at its December 13, 2017 meeting, it is deemed appropriate to amend By-law 2004, as amended;

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:

1. Section 1.1 (18) is hereby deleted and replaced with the following:

- (18) "meeting" means "any regular, special or other meeting of a council, of a local board or of a committee of them, where,
- a) A quorum of members is present; and
  - b) Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

2. Section 3.1 is hereby deleted and replaced with the following:

- 3.1 When the Office of the Mayor is vacant, or when the Mayor is unable to carry on their duties through illness or otherwise, or when the Mayor is absent from the office in the course duties, or on vacation or an approved leave, there shall be an Acting Mayor who shall have all the powers and duties of the Mayor, with respect to the role of presiding at meetings.

3. Section 2.9 (16) is hereby deleted and replaced with the following:

- (16) (a) Any request from a person for an investigation into whether a Council or Committee meeting or part of a meeting, was closed to the public contrary to the *Municipal Act, 2001*, shall be referred by the Clerk to the Investigator appointed by Council for that purpose;

- (b) Should the Investigator report a meeting, or part thereof, has been, in their opinion, closed to the public contrary to the *Municipal Act, 2001*, the Council shall pass a resolution stating how the report shall be addressed.

4. A new Section 2.16 is hereby added with the following:

2.16 Process to Appoint and Regulate an Alternate Council Member for a Regional Councillor

- (1) Council may, during its term, appoint one (1) City Councillor to serve as an Alternate Council Member ("alternate member") for the absence of a Brampton Regional Councillor at a meeting of the Regional Council for any reason, in accordance with Section 268 of the *Municipal Act, 2001*.
- (2) The provisions of Section 19 of the procedure by-law apply, with necessary modifications identified by the Clerk, to appoint an alternate member for a Regional Councillor. Only one (1) alternate member may be appointed at any one time for the term of Council. Should the seat of the alternate member become vacant, then Council may appoint another City Councillor to act as the alternate member.
- (3) The alternate member shall only be used for an absence of a Regional Councillor from a Region of Peel Council meeting.
- (4) If more than one Regional Councillor is absent, the alternate member may only substitute for one of the absent Regional Councillors.
- (5) The alternate member only applies to short-term substitutions when a Regional Councillor is absent from a Region of Peel Council meeting for any reason (planned or unforeseen). Section 267 of the *Municipal Act, 2001*, may also apply and may be considered for longer-term absences.
- (6) A Regional Councillor shall simultaneously notify (in writing) the City Clerk, Regional Clerk, alternate member and Regional Chair of the absence as soon as possible before the scheduled commencement of a Region of Peel Council meeting.
- (7) Only one designation of an alternate member replacement can occur for each Regional Council meeting.
- (8) The City Clerk shall notify (in writing) all Brampton Regional Councillors of the designation of the alternate member for the Regional Council meeting.
- (9) If the Regional Councillor, who was to be absent, and after notification has been provided in writing:
  - (a) attends the Regional Council meeting before the start of the meeting, the alternate member shall immediately withdraw from the meeting and the Regional Councillor shall assume his or her seat at the Regional Council meeting, or
  - (b) attends the Regional Council meeting after the start of the meeting, will be subject to the rules of the Region of Peel Council in regard to the formal representation status of the Regional Councillor and alternate member at that meeting.
- (10) The alternate member, while serving on Regional Council, will not receive additional remuneration from the City of Brampton,

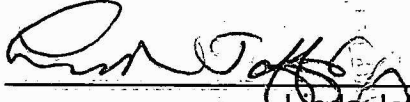
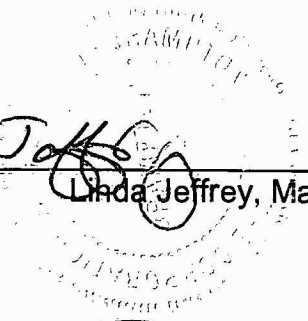

and will be subject to all the applicable Region of Peel policies and procedures at the discretion of the Regional Clerk.

5. This by-law shall come into force and effect as of the 1<sup>st</sup> day of January, 2018.

ENACTED and PASSED this 13th day of December, 2017.

Approved as to  
form.  
2017/12/13  
[N. Kotecha]

Approved as to  
content.  
2017/12/12  
[P. Fay]

  
  
\_\_\_\_\_  
Linda Jeffrey, Mayor  
  
\_\_\_\_\_  
Peter Fay, City Clerk