

Attachment 1

Notice of Motion Process Policy

SUBJECT: NOTICE OF MOTION PROCESS POLICY		
DEPARTMENT: Mayor and Council	DOC #: 2206731	VERSION: 1

PURPOSE:

This provides a process for members of Council to follow to place a notice of motion on the agenda for presentation to Council. A Notice of Motion is the tool that Council members can use to bring topics forward for consideration at an upcoming Council meeting.

PROCESS:

- 1.0 If a Member of Council brings forward a Notice of Motion, the following policy must apply.
- 2.0 This policy must apply to any Notice of Motion, whether the Notice of Motion submitted for an open meeting or a closed meeting of Council.

Part 1 - Structure and Content of Notice of Motion

- 3.0 The Member of Council must provide the following details in the Notice of Motion:
 - 3.1 The topic or subject matter;
 - 3.2 Whether topic is to be considered in open or closed meeting. In the case of a closed meeting, the applicable subsection of section 90 of the Community Charter must be included;
 - 3.3 Whether the topic adheres to any City's/Council's strategic plans in effect at that time;
 - 3.4 Any recitals (the "Whereas" clauses); and
 - 3.5 The desired outcome within the resolution clause, being stated succinctly and in simple action oriented terms.
- 4.0 If recitals (the "Whereas" clauses) are included, the Member of Council must adhere to the following criteria:
 - 4.1 There shall be no more than 3 recitals in total in a Notice of Motion;
 - 4.2 The content of the recitals shall indicate the following:
 - 4.2.1 What is the issue or situation to be addressed;
 - 4.2.2 What is causing the issue or situation to be a concern; and
 - 4.2.3 How the resolution is the best way to resolve the concerns arising from the issue or situation.
- 5.0 If the Member of Council wishes to provide any additional background information pertaining to the Notice of Motion, the Member of Council may include that background information in a summary that is limited to 2 pages:
 - 5.1 Which does not form part of the Notice of Motion; and
 - 5.2 Which will be included with the Notice of Motion in the agenda package.

- 6.0 A Notice of Motion must:
 - 6.1 Be limited to one topic;
 - 6.2 Contain a motion that can be debated by Council;
 - 6.3 Avoid the use of ambiguous terms;
 - 6.4 Conform to the City's Code of Conduct;
 - 6.5 Contain factual background information;
 - 6.6 Not include comments pertaining to City personnel; and
 - 6.7 Not include comments pertaining to an identifiable individual, unless recommending them for an award, or a position on a committee, or a similar type of recognition.
- 7.0 The Notice of Motion must not include any discussion or content pertaining to a closed meeting unless:
 - 7.1 The Notice of Motion is to be considered in a closed meeting; or
 - 7.2 Council has authorized release of that discussion or content by a motion passed at a closed meeting.
- 8.0 The Member of Council may seek assistance from Legislative Services staff at any time in developing the Notice of Motion.

Part 2 - Submission of the Notice of Motion

- 9.0 The Member of Council must submit the Notice of Motion to the City Clerk, with a copy to the Mayor and the Chief Administrative Officer, 8 business days prior to the Council Meeting¹.
- 10.0 A seconder is not required for a Notice of Motion.
- 11.0 If a Member of Council seconds a Notice of Motion, both Members of Council listed on the Notice of Motion are deemed to have jointly submitted the Notice of Motion for the purpose of any limits on the number of Notices of Motion.
- 12.0 A meeting means an evening Council meeting and a closed meeting but does not include committee of the whole, workshop, an open meeting only to go into closed, or a special meeting.
- 13.0 Each Member of Council is limited to 1 Notice of Motion per meeting.
- 14.0 There will be a maximum of 7 Notices of Motion per meeting.²

¹ If there is a statutory holiday, that day does not count in the total number of business days.

² This is the equivalent of 1 Notice of Motion per Member of Council per meeting, unless a Notice of Motion has 2 Members of Council submitting the same Notice of Motion.

- 15.0 If two or more Members of Council each submit a Notice of Motion on the same or similar topic, staff will work with the Members of Council involved to combine the Notices of Motions, where possible.
 - 15.1 If the Notices of Motions can be combined into one Notice of Motion, then both of the Members of Council will jointly submitting the Notice of Motion and the limitation as to the number of Notices of Motions which can be submitted will still apply.
 - 15.2 If it is not possible to combine the Notices of Motions, then all of the Notice of Motions on the same or similar topic will be placed on the Agenda in the order of date and time when they were received by the City Clerk.

Part 3 - Handling of the Notice of Motion Prior to Inclusion on the Agenda

- 16.0 The City Clerk must review the Notice of Motion with consideration of the following:
 - 16.1 Compliance with the City's Code of Conduct;
 - 16.2 Conformity to the law;
 - 16.3 Accuracy of the legislative references;
 - 16.4 In light of any applicable existing bylaws and policies; and
 - 16.5 In light of prior Council dealings with the subject matter.
- 17.0 During the review of the Notice of Motion, the City Clerk must consult with:
 - 17.1 The Mayor;
 - 17.2 The Chief Administrative Officer; and
 - 17.3 The Manager of Legal Services.
- 18.0 The City Clerk may consult with any other persons during the review of the Notice of Motion.
- 19.0 If there are any concerns arising from the review, the City Clerk or individual names in section 16.0:
 - 19.1 May adjust the wording of the Notice of Motion to ensure compliance with the City's Code of Conduct, the law, bylaws, or policies; and
 - 19.2 Must discuss the concerns with the Member of Council prior to placing the Notice of Motion on the agenda.
- 20.0 After the review of the Notice of Motion and upon the resolution of the concerns, if any, with the Member of Council, the City Clerk must place the Notice of Motion on the agenda for:
 - 20.1 the upcoming meeting, provided that the concerns have been addressed in time prior to the distribution of Council package to Council for that meeting; or
 - 20.2 the subsequent upcoming meeting, if the concerns have not been addressed in time prior to the distribution of the Council package.

Part 4 - Handling of the Notice of Motion at a Council Meeting

- 21.0 At the applicable point in the meeting when the Notice of Motion appears before Council for the first time, the Mayor will invite the Member of Council who submitted the Notice of Motion to read out the motion contained in the Notice of Motion.
- 22.0 At the meeting when the Notice of Motion appears before Council for the first time, the Members of Council must not discuss nor vote on the Notice of Motion.
- 23.0 At the subsequent meeting when the Notice of Motion appears before Council, the Notice of Motion will be considered under "Motions from Members of Council."
- 24.0 At the subsequent meeting when the Notice of Motion appears before Council, the Mayor will invite the Member of Council who submitted the Notice of Motion to move the motion and seek a seconder for the motion.

RELATED

Procedure Bylaw 6910, 2004

APPROVAL HISTORY

APPROVED BY:	DATE:
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