



CITY OF
ST. CATHARINES

Corporate Report

Report from Legal and Clerks Services, Office of the City Clerk

Date of Report: July 25, 2014

Date of Meeting: August 11, 2014

Report Number: LCS-237-2014

File: 10.12.1, 10.12.35

Subject: Waiving of the Rules – Notice of Motion

Recommendation

That Council receive this report for information purposes only.

Background

On November 18, 2013, Councillor Siscoe requested a report on the meaning and usage of a notice of motion and waiving the rules. The following is from the minutes of the meeting:

“That Council direct staff to prepare a report detailing the procedure for Notice of Motions including requirements for giving notice and when 'waiving the rules' is acceptable, researching best practices of other municipalities.”

Report

The notice of motion is advisable and appropriate for use when an issue of a substantial nature is raised that requires Council's consideration. Its purpose is to provide appropriate notice to the members so that they may think about the issue and perhaps get input or feedback before voting on the issue. This also facilitates discussion and contributes to efficient and satisfactory resolution of the matter at hand. That is why the notice period is included.

In some cases, issues are time sensitive and the notice period can be waived by voting on suspending the rules requiring a two-thirds majority, followed by a vote on the issue itself.

The best practice is to allow the notice period, particularly if the issue is one that is financial.

Staff noted that some municipalities do state that the rules cannot be waived for notices of motion if the item is of a significant financial nature.

It is the intent of staff to review the entire procedural by-law prior to the new Council's orientation. A more robust review of other City's procedural by-laws will be done and recommendations will be made at that time.

Prepared by:

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Submitted and approved by:

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