



**LEGISLATIVE AND
COURT SERVICES
MEMORANDUM**

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TO: MAYOR A. NUTTALL AND MEMBERS OF COUNCIL

FROM: W. COOKE, CITY CLERK/DIRECTOR OF LEGISLATIVE AND COURT SERVICES

WARD: ALL

NOTED: D. MCALPINE, GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES

M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

RE: PROCEDURAL MOTION – CONTRARY AMENDMENTS

DATE: MAY 8, 2024

The purpose of this Memorandum is to provide members of Council information concerning a request made at the Council Meeting of May 1, 2024 related to when a matter is deemed contrary at a Council Meeting.

Procedural By-law 2019-100 as amended states the following:

7.12 An amendment which in effect is nothing more than a rejection of the motion is not in order.

An amendment at Council is considered a rejection of the motion, if the direction is contrary to or the opposite of the recommendation that is before Council for consideration. An example is the proposed amendment from City Council last week to approve versus deny the sign exemption request on Fairview Drive.

If an amendment that is contrary to the motion is introduced at Council for a vote, as this happens on the floor, it removes the ability for members of the public who may be in opposition or support of a new motion to speak in front of Council before a decision is made.

By referring the motion back to General Committee and having the amendment considered at Committee, if passed, the recommendation would be presented for Council's consideration, allowing members of public to provide a deputation on the new direction with respect to the matter.

Section 7.12 applies to amendments that are before Council not Committees, as Council is the final approval body.

There was an instance in the Fall of 2023 when an amendment was introduced to approve a matter although the General Committee recommendation was to deny the request. When the amendment was introduced, members of Council did not question whether the amendment was contrary and the fact that this amendment was a rejection of the motion and therefore not in order, was missed inadvertently by the Clerk, at the time of its introduction.