THE CITY OF WINNIPEG

BY-LAW NO. 8153/2002

A By-law of The City of Winnipeg to amend the Procedure By-law

NOW THEREFORE THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

1. The Procedure By-law No. 5400/90 is amended by this by-law.

2. The preamble and "*NOW THEREFORE*" are repealed.

3. The definitions "***Act***" and "***By-law***" are repealed.

4. The following definition is added in alphabetical order:

   Charter *means The City of Winnipeg Charter.*

5. The definition "**City**" is amended by striking out the words "*constituted by the Act*".

6. Section 3 is amended by striking out "*Act*" and substituting "*Charter*".

7. Section 5 is amended by striking out "*Act*" and substituting "*Charter*".

8. Section 7.1 is amended by striking out *"{CWA Section 14(2)}".*

9. Section 8.1 is amended by striking out *"(CWA Section 27(4)}".*

10. Section 8.1 is amended by striking out:

    "*Note: Section 16 of The City of Winnipeg Act provides that the presiding officer may expel and exclude from a meeting of Council a person, including a member of council, whose behaviour is disorderly."*

11. Section 8.3 is amended by striking out *"{CWA Section 27(5) and 27(7)}*".

12. Section 8.10 is amended by striking out "*{CWA Section 27(6)}".*

13. Clause 9.4(a) is amended by striking out "*Standing Committee"* and substituting *"Committee of Council".*

14. Clause 9.4(c) is amended by striking out:

    "Items not included in Consent Agendas will be identified on City Council agendas by the "redlining" (shading) of the explanation at the beginning of the clause, and clauses shall be in their original order in the Committee report."

15. Section 14.8 is amended by striking out *",as provided for in The City of Winnipeg Act"*.

16. Section 14.10 is amended by striking out "*for inclusion in the minutes*".

17. Section 34 is amended by striking out "*Act*" and substituting "*Charter*".

18. Section 38.1 is amended by striking out "*Act*" wherever it appears and substituting "*Charter*".

19. Section 38.2 is amended by striking out "the Act or to" and "under the Act".

20. Section 50.2 is amended by striking out *"{CWA Section 18(3)}".*

21. Sections 53.1, 53.2, 53.3 and 53.4 are repealed and the following is substituted:

Three Readings of By-laws
53.1 Except as otherwise provided in the Charter, each by-law must have three separate readings, each reading must be put to a vote before it becomes effective, and a by-law may be amended at any of the readings.

Readings at one Meeting
53.2 Not more than two readings of any by-law may be given at any one meeting of council unless, by a vote of 2/3 of all members of council, this requirement is suspended in respect of the by-law.

Text of Proposed By-law before First Reading
53.3 Each member of council present at a meeting of council at which first reading of a proposed by-law is to occur must be given, or have had, the opportunity to review the full text of the by-law before it receives first reading.

Text available before Third Reading
53.4 Each member of council present at a meeting of council at which third reading of a proposed by-law is to occur must be given, or have had, the opportunity to review the full text of the by-law and any amendments to it passed before it receives third reading.

22. Section 53.9 is amended by striking out *"Act" and substituting "Charter".*

23. Section 53.13 is repealed.

24. Section 54.2 is amended by striking out everything that appears after "*over the subject matter*".

25. Section 54.4 is amended by striking out *"{CWA Section 21}".*

26. Section 54.9 is amended by striking out "*the Act, nor of any other Act,".*

27. Sections 54.11 and 54.12 are renumbered as 54.12 and 54.13.

28. Section 54.10 is repealed and the following is substituted:

Hearings

54.10 Any hearing body, including a committee of council, that is required under the Charter or a by-law to hold or conduct a hearing, may

(a) establish reasonable time limits for presentations, questions or objections;

(b) decline to hear presentations, questions or objections where the hearing body is satisfied that the matter has been adequately addressed at the hearing;

(c) determine which of several presentations that are the same or similar the body will hear;

(d) expel individuals from a hearing for improper or disruptive conduct;

(e) adjourn a hearing but, unless the date, time and place of the continuation of the hearing is announced at the time of the adjournment, the hearing body must give notice of that information as though the continuation were a new hearing.

54.11 Where notice of a hearing has been given and the hearing body lacks quorum, the members of the hearing body in attendance may, at that time, reschedule the hearing to a new date, time and place, provided that information is announced to those members of the public in attendance, and reasonable notice of the rescheduled hearing is given to the other members of the hearing body.

29. Section 54.9 is amended by striking out "*the Act, nor of any other Act,".*

30. Section 56.1 is amended by striking out "*Standing Committees and Executive Policy Committee*" and substituting "*Committees of Council and any other committees appointed by Council*".

31. Section 56.2 is repealed and the following is substituted:

56.2.1 No member of a Community Committee shall be in or remain in the room in which an appeal from a decision of that Community Committee on an application for approval of a variance, conditional use, or license is being held by a Committee of Council.

32. Section 56.3 is amended by striking out *"{CWA sections 638(1) and 647(2)}*".

33. Section 57 is amended by striking out "*Act*" and substituting "*Charter*" and by striking out *"{CWA Section 18(1)}*".

34. Section 58 is amended by striking out *"{CWA Section 18(2)}*".

35. Section 59 is repealed and the following is substituted:

Minutes
59.1 Minutes of all committee meetings shall be accurately prepared by the Clerk, or a person designated by the Clerk, and at each meeting, the minutes of the preceding meeting shall be submitted for approval or amendment. Each minute shall be designated with a progressive number or reference.

Proceedings of Hearing Bodies
59.2 A record of the proceedings of a hearing body which is required under the Charter to hold a hearing must be accurately recorded by the Clerk.

36. Section 60 is repealed.

37. This by-law comes into force on January 1, 2003.

DONE AND PASSED, in Council assembled, this day of , 2002.

_____
Mayor

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City Clerk

Certified as to form:

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City Solicitor/Manager of
Legal Services