

Town of Riverview

COUNCIL REPORT FORM



Presented to: Mayor & Council

Department: Legislative Services

Date: November 10, 2025

Subject: Proposed changes to the Procedural By-Law 100-10-07

BACKGROUND

At the Committee of the Whole Meeting of October 27, 2025, revisions to Riverview's Procedural By-Law were presented to Council.

Councillors brought forward their comments and suggested changes that were passed by consensus. These suggested changes are outlined below. All other changes made within the draft By-Law by the Clerk were approved and finalized.

The full By-Law is attached with the changes passed by consensus shown in red; a final clean version is also included for better readability.

OVERVIEW OF APPROVED CHANGES BY COUNCIL

Committee of the Whole (Section 12)

- 12.1 now states that the Committee of the Whole meeting in July and August and December are cancelled unless required and called by Council.

Public Hearing (Section 28)

- In Section 28.2(h), the time limit for individual speakers has reverted back to the original wording allowing each per person to have 10 minutes to speak.

Voting and the Mayor's process to vacate the chair (Section 31 and 35)

Council passed the following changes to this section:

1. Clarification on what occurs if both the Deputy Mayor and former Deputy Mayor relinquish the chair. New wording was added stating:
 - (d) If the previous Deputy Mayor is absent or also prefers not to take the chair to participate in the debate, Council shall elect a presiding officer by majority vote.

2. Council has indicated support for the Mayor's right to vacate the chair in order to participate in debate. However, members expressed a preference that this occur prior to the debate in order to maintain the impartiality of the presiding officer and ensure orderly proceedings.

Additional research supports this reasoning although procedural guidelines do not explicitly state when the Mayor should vacate the chair. While vacating the chair before debate begins is ideal, it is not procedurally incorrect for the Mayor to do so after debate has commenced, this must be done sparingly and with appropriate justification.

As previously mentioned, *Robert's Rules of Order, Section 43:29* states:

"...On certain occasions, the presiding officer may believe that a crucial factor relating to such a question has been overlooked and that his obligation as a member to call attention to the point outweighs his duty to preside at that time."

In order to make things fair for both Mayor and Council in the decision making process, it is recommended that the by-law include a provision allowing the Mayor to request to vacate the chair after debate has begun, but only after all members of Council have had the opportunity to speak and that it be subject to Council's approval by majority vote in order to maintain the impartiality of the chair in facilitating fair discussion.

Council is reminded that the impartiality of the chair means they act as a neutral facilitator of discussion by maintaining order, ensuring all members have the equal opportunity to speak, ask questions, and express their views without favoritism or expressing their opinion while presiding. Vacating the chair simply releases them of that role allowing them to participate in discussion, and raise an important point that may have not have been considered.

As noted, the scenario where the Mayor would need to vacate the chair is rare but the ability for the Mayor to vacate and contribute meaningfully to critical discussions is important in their role as an elected official.

Adding the additional provision below (35.2(b) ensures that Council retains oversight of the process and that the Mayor's participation is limited to matters of significant importance, particularly those that directly affect the Mayor and Council as a whole. In such cases, Council would likely want to hear what the Mayor has to say before finalizing a difficult decision.

The full recommended changes to this section of the By-Law is as follows:

- 35.2 When wishing to participate in any debate, the Mayor shall:
 - (a) Temporarily vacate the chair for that item **before the debate begins** and request that the Deputy Mayor assume the chair as presiding officer;
 - (b) **If the Mayor or Presiding Officer in the chair wishes to vacate the chair after the debate has begun, they may do so only after all members of Council have had an opportunity to speak on the matter, and with the majority approval of Council.**

Next Steps

Changes approved by Council by consensus to the Procedural By-Law at the Committee of the Whole meeting of October 27, 2025 have been made and Council can choose to proceed with first reading.

CONSIDERATIONS

Legal: The By-Law has been reviewed to ensure adherence to all legislation

Financial: No financial considerations

Policy: New changes are in line with the Virtual Meetings Guidelines Policy 04-3500-39

Stakeholders: Council, Staff and Residents

Strategic Plan: Strategic Themes: Service Excellence and Active and Engaged Community

Interdepartmental Consultation: The proposed by-law was previously forwarded to the CAO, Director of Corporate Services and Deputy Clerk for review.

Communication Plan:

As with other By-Law amendments, this amendment will be posted on the Town's website for the required period (for a period of at least two weeks before second and third readings) and will be brought forward to Council for 2nd and 3rd reading on December 8, 2025. The By-Law will then be published on the Town's website in the By-law section.

OPTIONS

Council may:

- 1) Council may choose to accept all the changes and proceed with first reading of Procedural By-law 100-10-07 by title only; or
- 2) Instruct staff to make further changes as they see fit prior to second and third reading on December 8th.

RECOMMENDATION FROM STAFF

Staff are satisfied with the changes and recommends the attached By-law 100-10-07 – A By-Law relating to the Proceedings of the Council of the Town of Riverview proceed with first reading as per the directives from the Committee of the Whole meeting of October 27, 2025

Prepared by: Karyann Ostroski, Town Clerk