

## **Procedural bylaw stymieing comment: residents**

Mon Apr 14, 2008

By Jennifer Stone

CLARINGTON -- The Municipality's new procedural bylaw is denying residents the opportunity to have their voices heard, say two members of the public.

But the rules are the rules and people had an opportunity to comment before the bylaw was put in place, says Clarington Mayor Jim Abernethy.

The procedural bylaw, which the Municipality was required under provincial legislation to have in place effective Jan. 1, limits delegations to five minutes, down from 10. At the same time, the new rules stipulate delegates to council may only speak to items specifically included on the agenda. And if a delegate speaks to the General Purpose and Administration Committee on an issue, they may not return to council to deliver on the same topic.

"It's almost like it was designed on purpose to stymie public involvement in decision-making on any subject matter," said Jim Richards, who has appeared many times as a delegate to council.

Likewise, long-time council watcher and frequent delegate Linda Gasser said she's had difficulty getting permission to be included as a delegation since the new bylaw passed, given a requirement that delegates must only address items on the agenda.

Those who wish to address items not on the agenda are offered the option of appearing at the General Purpose and Administration meeting, which occurs every second Monday, during the day.

Not good enough, Ms. Gasser said.

"With most people working during the day, many citizens are effectively precluded from raising or addressing issues of pressing importance at times they could most likely attend -- that is, evening meetings which are mostly council meetings," she said.

But now isn't the time to be complaining about the bylaw, said Mayor Abernethy.

"It's a valid point they could be making; however, this is the procedural bylaw," the mayor said. The bylaw was approved by council after being advertised, he said.

"All of the changes being made, the public was made aware of through advertising," he said. "Why didn't they speak up about it then?"

Ms. Gasser did. In December, when the procedural bylaw report was on GP and A's agenda and slated for final approval a week later, she asked councillors to delay a decision on the matter to hold a separate public meeting. Councillors refused that request.

Delegates may speak to matters not on the council agenda at the discretion of the clerk, Mayor Abernethy said.

Putting the bylaw in place wasn't intended to cause problems, the mayor said.

"The intention of the changes wasn't in any way to restrict anybody," he said. "I think we were just streamlining procedures."

It could have been more restrictive, he said, pointing to some municipalities which limit the number of delegations allowed at each meeting.

"I think everybody should have the opportunity to have their say and say what they choose," Mayor Abernethy said.

But Mr. Richards contended that's not what's happening.

"When citizens take an interest in what's happening in their municipality but they are limited to such an extent, it's just awful," he said.