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Report 2024-147

Report Title: Council Procedural By-law Updates re: Petition Requirements and Re-adoption of Multi-Year Budget

Committee Name: Corporate Support

Committee Meeting Date: November 5, 2024

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Council Meeting Date: November 20, 2024

Strategic Plan Priorities:

- ☒ Innovate for Service Excellence
- ☐ Ignite Economic Opportunity
- ☒ Foster a Thriving Community
- ☐ Propel Sustainable Growth
- ☒ Champion a Vibrant Future

Recommendation

“That the Corporate Support Committee, having considered Report 2024-147 ‘Council Procedural By-law Updates re: Petition Requirements and Re-adoption of Multi-Year Budget’, recommend that County Council approve the ‘Petitions to County Council Policy’; and

Further That the Committee recommend that County Council enact the revised Council Procedural By-law at the November 20, 2024 County Council meeting in order to update petition requirements and the multi-year budget readoption process.”

Purpose

The purpose of this report is to introduce the ‘Petitions to County Council’ policy, which modernizes the County’s process for receipt of petitions. This report also outlines required revisions to the Council Procedural By-law, in order to update petition requirements and to include reference to the County’s process for the re-adoption of the multi-year budget.

Background

A petition is a formal written request presented by members of the public to Northumberland County Council with respect to a particular issue relevant to a County program or service and within the authority of Council.

Northumberland County is committed to community engagement and supports petitions as a tool for members of the public to participate in municipal government and provide input to Council, enhancing Council’s decision-making process.

Currently, the County’s petition requirements (as outlined in Council Procedural By-law 39-2023) include:

- a) Petitions may be submitted to the Clerk and will include a minimum of two (2) persons including their respective addresses and on each page a clear statement of purpose for the petition;
- b) Only petitions relevant to County Services will be presented to Council;
- c) The County is not accountable for the accuracy or reliability of petitions that are submitted;
- d) **Petitions must contain original signatures only, written directly on the petition;**
- e) The petition must clearly disclose on each page that it will be considered a public document;
- f) All petitions that meet the above standards will be presented to Council or to a Standing Committee at the next regular meeting, or the meeting at which the subject of the petition is to be discussed; and
- g) All petitions, unless otherwise disposed of by Council, be referred to the appropriate staff member without any motion or debate unless otherwise ordered by Council.

Correspondence, including petitions, form part of the public record. For this reason, petitions are required to include a telephone number or email address for each signer to allow for confirmation, as outlined in the Council Procedural By-law. Upon receipt of a petition, the Clerk will evaluate the petition to ensure that all requirements are met.

Legislative Services staff provide guidance to members of the public in developing petitions that meet the requirements outlined in the Council Procedural By-law. When staff are assisting members of the public, a common question is whether the County accepts digital signatures. However, based on the current petition requirements outlined in the Council Procedural By-law, the County does not accept digital signatures on petitions. Another common question is whether a scanned copy of a petition containing original signatures will be accepted. However, based on current petition requirements, the original copy of the petition (containing original signatures written directly on the petition) must be delivered to the Clerk's office. Thus, a photocopy of the petition will not be accepted.

Based on increased public interest and feedback, Legislative Services committed to exploring opportunities to enhance the Procedural By-law pertaining to petition requirements to include provisions for electronic petition submissions.

Consultations

Legislative Services staff consulted with a number of internal County departments regarding the modernization of the County's petition process, including the Chief Administrative Officer, Director Corporate Services, and Director of Communications and Information Technology.

Legislative Services staff also reviewed petition requirements from other Ontario municipalities.

Legislative Authority / Risk Considerations

- The Municipal Act, 2001, S.O. 2001, c. 25
- The Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56
- Northumberland County Council Procedural By-law 39-2023

Discussion / Options

Petitions to County Council

Staff have developed a 'Petitions to County Council Policy', which outlines provisions for accepting both paper-based and electronic petitions. As outlined in the policy, for electronic petitions, an email address will be accepted in place of a signature. In addition, electronic petitions can be emailed directly to the County Clerk. Implementing a new process for accepting electronic petitions modernizes the County's processes, improving service delivery and value for residents.

It is important to note that digital signatures are not part of the electronic petition process, as this would require the use of a digital signature software, which may be a barrier to participation for some members of the public, and would be difficult to administer when petitions are being widely circulated to many different individuals. The requirements for electronic petitions that staff have outlined in the petition policy modernizes petition requirements with minimal impact to administrative operations.

The petition policy also outlines that petitions submitted via an external petition website (e.g. change.org) will not be accepted. Due to the lack of verification and security controls, third-party platforms can create issues with the integrity of the information being presented in the petition. In addition, the *Municipal Freedom of Information and Protection of Privacy Act* also restricts institutions from collecting personal information indirectly. While the act permits an individual to authorize another manner of collection, this poses a problem with respect to petitions from a third-party petition site, as these sites do not typically include specific authorizations, and do not provide the notices required under the legislation. Thus, staff do not recommend accepting petitions from third-party platforms, which is reflected in the policy.

Revisions to the Council Procedural By-law are needed in order to require that all petitions adhere to the 'Petitions to County Council' policy. A standalone petition policy is also more user-friendly for residents, as all petition requirements are clearly outlined, as opposed to members of the public having to search through the Council Procedural By-law.

Re-adoption of the Multi-Year Budget

Staff are also recommending a revision to the Council Procedural By-law to include reference to the re-adoption of the multi-year budget. On December 14, 2023, Northumberland County Council approved the first-ever three-year budget, spanning 2024 through 2026. The *Municipal Act, 2001*, requires municipalities to review and readopt subsequent years to which a multi-year budget applies. Thus, in advance of the December 18, 2024 County Council meeting, where Council will review and readopt the multi-year budget for 2025, staff recommend adding language to the Council Procedural By-law noting that the budget re-adoption procedures will be based on the Multi-Year Budget Policy as adopted by County Council and in accordance with the *Municipal Act, 2001*.

In addition, a few minor "housekeeping" updates to the Council Procedural By-law are being suggested, to address inconsistencies and to update an outdated by-law number referenced in the document.

Financial Impact

N/A

Member Municipality Impacts

N/A

Conclusion / Outcomes

Staff recommend that County Council approve the 'Petitions to County Council policy' and enact a revised Council Procedural By-law at the November 20, 2024 County Council meeting in order to incorporate updated petition requirements and language regarding the re-adoption of the multi-year budget.

Attachments

1. Report 2024-147 ATTACH 1 'Petitions to County Council Policy'
2. Report 2024-147 ATTACH 2 'Council Procedural By-law 39-2023 – Redline Version'
3. Report 2024-147 ATTACH 3 'Council Procedural By-law XX-2024 – Revisions Incorporated'