

The Corporation of the Town of
New Tecumseth

By-law

Number 2020-025

"Amendment #3 To Procedure By-law 2016-020 By-law"

A by-law to amend By-law 2016-020 being the Procedure By-law
to govern the proceedings of Council

Whereas pursuant to Section 238 (2) of the Municipal Act, 2001, as amended every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

And Whereas Council adopted By-law 2016-020 being the Procedure By-law to govern the proceedings of Council;

And Whereas the Municipal Emergency Act, 2020 was enacted, by the Province of Ontario, on March 19, 2020, to provide municipalities the option of holding electronic meetings when an emergency is declared under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act;

And Whereas the Council of the Town of New Tecumseth deems it appropriate to amend By-law 2016-020 in order to allow for electronic participation in meetings where an emergency has been declared;

Now Therefore the Council of The Corporation of the Town of New Tecumseth enacts as follows:

1. That Section 2.1 (f) be amended as follows:

2.1 (f) Members must be in attendance in person at the Meeting in order to be considered present and to be able to participate in the Meeting as Members are not able to attend and/or participate in any Meeting via telephone, Skype, and/or any other communication or electronic method unless an emergency has been declared to exist in all or part of the Town under section 4 or 7.0.1 of the Emergency Management and Civil Protection Act which would allow members to attend the meeting electronically in accordance with Section 2.1.1 of this by-law.

2. That Section 2.1.1 Electronic Participation During Declared Emergencies be added as follows:

2.1.1 Electronic Participation During Declared Emergencies

- a) Electronic participation shall be allowed at a Regular, Special or other Meeting of Council or Committee provided that the Member is not reasonably able to attend in person due to an emergency that has been declared to exist in all or part of the Town under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act ("Declared Emergency").
- b) Quorum is satisfied in the same manner as if any Member was participating in person.
- c) Council Members shall be permitted to vote when participating electronically. The vote shall be noted verbally by each participating Member or in a manner as indicated by the Chair.
- d) Members are permitted to participate electronically in Closed Meetings during a Declared Emergency. The Mayor and CAO will determine whether a Closed Meeting with electronic participation is appropriate depending on the nature of the topic proposed to be discussed.

- e) The Chair shall ensure that Members participating electronically are given the same opportunity to speak to each question as per section 11 (d) of this by-law.
- f) Any Member wishing to participate electronically in a Meeting shall advise the Clerk at least 24 hours in advance of the Meeting.
- g) The Town may use any means of audio/video technology to facilitate electronic participation and integration into the Town's live streaming systems.
- h) In the event of any type of connection/service disruption, the Chair may recess the Meeting to allow for attempts to reconnect. After ten (10) minutes of a connection/service disruption, the Meeting shall resume and no more efforts shall be taken to reconnect.
- i) Deputations shall not generally be permitted to participate electronically. Deputations may provide written submissions to the Clerk by noon on the day of the Meeting which will be forwarded to Council prior to the Meeting. The Mayor and CAO, may allow for an electronic deputation if appropriate given the nature of the deputation.
- j) All other sections of this Procedure By-law shall remain in effect and shall be observed to the extent reasonably practicable during a Meeting with electronic participants;

3. That Section 8.2 be amended as follows:

8.2 A majority of the Members are required to be present in person to constitute a quorum (fifty (50) percent plus one (1)). Participation of Members by telephone, Skype, video or other telecommunication or electronic method and/or means is prohibited unless an emergency has been declared to exist in all or part of the Town under section 4 or 7.0.1 of the Emergency Management and Civil Protection Act which would allow Members to attend the Meeting electronically in accordance with Section 2.1.1 of this by-law.

4. That Section 9.2 (a.1) be added as follows:

Deputations During Declared Emergencies;
See Section 2.1.1 (i)

5. That Section 9.2 (b.1) be added as follows:

Deputations During Declared Emergencies;
See Section 2.1.1 (i)

6. That Section 9.3 (a.1) be added as follows

Deputations During Declared Emergencies;
See Section 2.1.1 (i)

7. That Section 12.1 (n) be amended as follows:

12.1 (n) Members must be in attendance in person at a Meeting in order to vote unless an emergency has been declared to exist in all or part of the Town under section 4 or 7.0.1 of the Emergency Management and Civil Protection Act which would allow Members to attend the Meeting electronically in accordance with Section 2.1.1 of this by-law.

8. That the proceedings of Council shall be governed by the provisions and regulations contained in Schedule "A" attached hereto and forming part of this by-law.

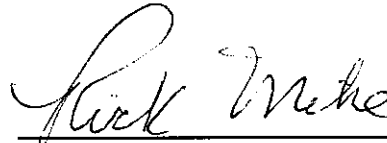
9. That this by-law shall amend By-law 2016-020.

10. That in all other respects By-law 2016-020 shall remain in force and effect.

11. This by-law shall be cited as the "Amendment #3 to Procedure By-law 2016-020 By-law".

12. This by-law shall come into force and take effect on the date of passing.

Read a first, second and third time and finally passed this 30th day of March, 2020.



Mayor



Deputy

Clerk