

The Corporation of the Township of Coleman

By-Law No. 20-15

Being a by-law to to amend By-law 16-35, to govern the proceedings of council, the conduct of its members and the calling of meetings for the Township of Coleman (Procedure By-law – Electronic Participation – Declared Emergencies)

Whereas Section 238(2) of the Municipal Act, 2001, S.O. 2001, c.25 provides that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings; and

Whereas the Council of the Corporation of the Township of Coleman adopted By-law 16-35 being a By-Law to to govern the proceedings of council, the conduct of its members and the calling of meetings for the Township of Coleman; and

Whereas the Ontario Government through the Ministry of Municipal Affairs and Housing released on March 19, 2020 changes to the Municipal Act, 2001 allowing municipalities flexibility to hold local meetings during emergencies to minimize the disruption to local decision making; and

Whereas the Council considered Staff Memo No. 2020-03-09 at the March 30, 2020 Special Council meeting and directed staff to prepare the necessary by-law to amend By-Law No. 16-35 for consideration at the March 30, 2020 special meeting of Council;

Now therefore the Council of The Corporation of the Township of Coleman hereby enacts the following:

1. That Schedule “A” to By-law No. 16-35, be hereby amended as follows:

- i. Article 3.1 Council Meetings, Time and Place, be amended by adding new regulations so that it reads:

3.1.8 Electronic Participation:

In accordance with S. 238 (3.3), the Municipal Act states that the procedure bylaw may provide that, during any period where an emergency has been declared to exist in all or part of the municipality under section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, a member of a council, of a local board or of a committee of either of them who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time; and a member of a council, of a local board or of a committee

of either of them can participate electronically in a meeting that is closed to the public.

3.1.8.1. Electronic participation shall be allowed at a Regular or Special Meeting of Council, provided that the Member is not able to attend in person and that an emergency has been declared to exist in all or part of the municipality under section 4 or 7.0.1 of the Emergency Management and Civil Protection Act.

3.1.8.2. All Members of Council, including the Chair may participate electronically at a meeting and shall be counted in determining whether or not a quorum of members is present.

3.1.8.3. Council Members shall be permitted to vote when participating electronically. The vote shall be noted verbally by each participating member.

3.1.8.4. Members participating electronically are permitted to participate in a closed session.

3.1.8.5. When the question is called on a motion, each Member participating electronically shall state verbally whether they are for or against the motion, rather than by a show of hands, as required by section 3.6.8 – Voting.

3.1.8.6. The Chair shall ensure that Members participating electronically are given the same opportunity to speak to each question as they would have been given if participating in person.

3.1.8.7. Any Member wishing to participate electronically in a meeting shall send notice to the Clerk, at least 4 hours prior to the start time of the meeting to provide staff an opportunity to make necessary arrangements for the technological needs of electronic participation.

3.1.8.8. The Township may use telephone conference calling, or other technology to facilitate electronic participation. The Township shall pay the cost of the conference calling or technology option.

3.1.8.9. In the event of technical failure during the meeting, Council may take a recess of not more than ten (10) minutes to allow staff to reinstate the electronic participation. If quorum is no longer achieved due to technical difficulties, the meeting shall be deemed automatically adjourned after twenty (20) minutes of the technical failure. A subsequent meeting to deal with those items not dealt with

shall be scheduled as soon as possible thereafter. Notice of the disruption shall be noted in the minutes of the meeting.

2. That the CAO of the Township of Coleman is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the By-law and schedule, after the passage of this By-law, where such modifications or corrections do not alter the intent of the By-law.
3. This by-law shall come into force and effect on the date of its passing.

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

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

Mayor – Dan Cleroux

Clerk/CAO – Logan Belanger