

THE CORPORATION OF THE TOWNSHIP OF SABLES-SPANISH RIVERS

BYLAW NUMBER 2020 - 47

Being a Bylaw to Amend the Procedural Bylaw

WHEREAS Section 238 of the Municipal Act, R.S.O., 2001, as amended provides that every municipality shall pass a procedural bylaw for governing the calling, place and proceedings of meetings;

AND WHEREAS Bylaw 2015-23 has been enacted to provide a procedural bylaw for the Township of Sables-Spanish Rivers;

AND WHEREAS the Covid-19 Economic Recovery Act, 2020, - Bill 197 has made amendments to the Municipal Act, R.S.O., 2001 to provide for optional provisions to allow for the use of electronic participation at meetings;

AND WHEREAS Council deem it desirable to amend the Procedural Bylaw;

NOW THEREFORE the Council of the Corporation of the Township of Sables-Spanish Rivers ENACTS AS FOLLOWS:

1. That Section 2 – Definitions is hereby amended by adding the following subsection:

2.6 (new) “Electronic Participation” means a council member who participates in a meeting from a remote location by such electronic means or services as determined by the Clerk, has the same rights and responsibilities as if he or she were in physical attendance, including that they shall count towards a quorum of members and shall be permitted to participate in any portion of a meeting which is closed to the public;

All numbers in this subsection shall be re-numbered sequentially, ending in 2.13.

2. That Section 6.10 of Bylaw 2015-23 as amended by Bylaw 2020-34 is hereby repealed and replaced with a new Section 6.10 below;

3. That Section 6 – Council Meetings is hereby amended by providing for the following subsections:

6.10 Council meetings shall be audio/video recorded as our available technology allows, and posted to the municipal website;

6.11 ELECTRONIC PARTICIPATION - OPTIONAL

6.11.1 Electronic meeting participation may be conducted pursuant to Section 238 of the Municipal Act in accordance with this section and the established *Protocols for Meeting Etiquette-Teleconference Call*, as shall be amended as required;

6.11.2 Any Member who is not physically present in the location where a meeting takes place is permitted to participate electronically in both open and closed session and shall have the same rights to speak and vote as if the Member were physically present;

6.11.3 All Members who participate electronically shall be counted in determining whether a quorum of members is present;

6.11.4 Any Member who will participate electronically shall, in writing, advise the Clerk no less than 24 hours in advance of the meeting to accommodate the request using an electronic means;

6.11.5 The Clerk shall be required to be physically present in the location where any meeting with electronic participation takes place;

- 6.11.6 The Chair will canvass Members participating electronically about their intention to speak to a matter on the floor and will notify each Member when it is his or her turn to speak;
- 6.11.7 Voting shall occur via the “recorded vote” process;
- 6.11.8 Member(s) participating electronically will be deemed to have left the meeting when they are no longer electronically connected to the meeting, whether intentional or accidental, and shall not rejoin;
- 6.11.9 Where any conflict of interest is declared in closed session, the Member shall disconnect from the meeting but may reconnect when the matter is finished;
- 6.11.10 If the majority of members are not physically present in the location where the meeting is taking place, delegations shall participate electronically, subject to provisions of Section 8 – Delegations/Deputations.
- 6.11.11 The Chair is authorized to adjust any provisions of this Bylaw made impossible by the features and functionality of the electronic means or service used to permit electronic participation.

6.12 ELECTRONIC PARTICIPATION – FULL MANDATORY

Full electronic participation by members may be considered, as required under the following circumstances;

- 6.12.1 When it is not safe or possible to attend an in-person meeting due to a natural weather event, as determined by the Mayor in consultation with the Clerk;
- 6.12.2 Health and safety considerations as determined by the Mayor in consultation with the Clerk;
- 6.12.3 Restrictions or guidelines set out by the Public Health Sudbury & District, the Ontario Provincial Police or the Province of Ontario, or;
- 6.12.4 The activation of the Emergency Control Group or a declared emergency by any level of government or health unit.

The Clerk shall give notice to the members and the public as soon as practical before the next Regular Meeting, but no later than by 2:00 p.m. on the day of the meeting and shall contact scheduled delegations to participate electronically. Notice shall also be posted on the municipal website.

- 4. This Bylaw hereby repeals Bylaw 2020-34 and amends Bylaw 2015-23 and shall come into effect upon third and final reading.

READ A FIRST AND SECOND TIME THIS 25 DAY OF November, 2020.

MAYOR – L. GAMBLE

CLERK – K. SLOSS

READ A THIRD AND FINAL TIME AND PASSED IN OPEN COUNCIL THIS 25 DAY

of November, 2020.

MAYOR – L. GAMBLE

CLERK – K. SLOSS