



## **The Corporation of the Town of LaSalle**

**To:** Mayor and Members of Council

**Prepared by:** Agatha Robertson, Director of Council Services/Clerk

**Department:** Council Services

**Date of Report:** March 30, 2020

**Report Number:** CL-08-2020

**Subject:** Updates to the Procedural By-law to allow electronic meeting participation during a declared emergency

---

### **Recommendation**

That the report of the Director of Council Services/Clerk dated March 30, 2020 (CL-08-2020) regarding the amendments to the Procedure By-law to allow for electronic participation during a declared emergency BE RECEIVED; and that the amendments to Procedural By-law 6647 during the COVID-19 Pandemic BE APPROVED; and further that the corresponding by-law BE ADOPTED during the by-law stage of the Agenda.

### **Report**

Section 238(2) of the *Municipal Act, 2001* provides that every municipality shall pass a procedure by-law for governing the calling, place and proceedings of meetings. LaSalle Council, at its meeting held March 14, 2006, adopted By-law Number 6647 being a by-law to provide rules governing the proceedings of LaSalle Town Council meetings, the conduct of its members and the calling of its meetings.

In light of the ongoing COVID-19 pandemic and the rapid rate at which the situation is changing, the Province of Ontario, on Thursday March 19, 2020, passed Bill 187 in response to concerns that have arisen with regards to the ability of Council members participation in the decision-making process, as well as ensuring that meetings can be open to the public. Bill 187 now provides for members of Council to participate electronically in open and closed sessions and to be counted towards quorum when an emergency has been declared (Attached as Appendix A).

As part of the Town of LaSalle's ongoing response to COVID-19, Mayor Bondy officially declared a State of Emergency on March 22, 2020. Given that the province enacted Bill

187, the Town of LaSalle has the ability to make the following amendments to the Procedure By-law:

- Electronic meetings may take place regardless of the number of Councillors who wish to participate electronically, as there is no longer an “in person” quorum requirement;
- Closed meetings may also take place electronically.

Electronic participation can be permitted only during the COVID-19 pandemic. If Council chooses to continue with electronic participation after this pandemic, a report will be prepared for Council to consider making amendments to the Procedural By-law on an ongoing basis.

The following are the amendments to Procedural By-law 6647:

- a) That the amendments shall only apply while the Town of LaSalle remains under declaration of an emergency under s 4 or 7.0.1 of the Emergency Management and Civil Protection Act, electronic participation shall be permitted in accordance with s.238(3.3) of the Municipal Act where the Council Member or public's health may be at risk;
- b) A Regular, Special or Closed meeting of Council may be conducted by Electronic meeting participation;
- c) The Chair of the Meeting remains the Mayor or Deputy Mayor in his absence;
- d) Members attending and present during an Electronic Meeting shall be included for calculation of quorum at the meeting and shall be entitled to a vote recorded by the Clerk. The vote shall be noted by a show of hands whether a member is for or against the motion;
- e) The Procedural By-law shall continue to apply to Electronic Meetings.
- f) No Member shall speak to a question or motion until the Member has been recognized by the Chair. A Council Member shall signal their desire to speak by a verbal request or raising their hand when the Chair has opened the floor for discussion on an item;
- g) In the event of technical failure during the meeting, Council shall take a recess of not more than ten (10) minutes to allow for reinstating participation, if after the specified time participation is not reinstated, the meeting shall be continued as if the individual physically left a meeting room;
- h) If quorum is no longer achieved due to technical difficulties, the meeting shall be automatically adjourned after twenty (20) minutes of technical failure. Notice of the disruption shall be noted in the Minutes of the Meeting by the Clerk.
- i) Public notice of an Electronic Meeting shall include sufficient information to provide the public with means to access the Regular or Special meeting of Council electronically;

- j) An Electronic Meeting shall not permit public delegations except by way of electronic submissions received by the Clerk in advance of the meeting, and shall be provided to Members of the meeting.

It should be noted that these amendments, as allowed by provincial legislation, do not affect other meeting provisions such as open meeting requirements, notice provisions, and other procedural provisions. The legislation does not impact what can or cannot be discussed in closed meetings or meeting requirements in closed meetings, as outlined in s 239(2) of the *Municipal Act, 2001*.

## **Consultations**

None.

## **Financial Implications**

Not applicable.

## **Prepared By:**



Director, Council Services/Clerk

Agatha Robertson

**Link to Strategic Goals**

	Enhancing organizational excellence
	Sustain strong public services and infrastructure
Yes	Strengthen the community's engagement with the Town
	Grow and diversify the local economy
	Build on our high-quality of life

**Communications**

Yes	Not applicable
	Website
	Social Media
	News Release
	Local Newspaper
	Bids & Tenders
	Notification pursuant to the Planning Act

**Notifications**

Name	Address	Email

**Report Approval Details**

Document Title:	Procedural By-law amendments.docx
Attachments:	- Bill 187.pdf
Final Approval Date:	Apr 6, 2020

This report and all of its attachments were approved and signed as outlined below:

  
Chief Administrative Officer

Joe Milicia