

THE CORPORATION OF THE TOWN OF LASALLE

BY-LAW NO. 8419

A By-law to amend By-law 6647 Procedural By-law
to govern the proceedings of Council for Electronic
Meetings of Council

Whereas the *Municipal Act, 2001* c.25 section 238(2) implements that Council shall adopt a Procedure By-law for the proceedings of meetings, By-law 6647 a By-law to govern the proceedings of Council Meetings, the conduct of its members, and the calling of its Meetings, was passed by The Corporation of the Town of LaSalle ("Corporation") on March 14, 2006;

And whereas the Corporation's business must proceed during times of Emergency and Council members may not be able to attend Council Meetings in person during these times;

And whereas section 238 (3.3) and (3.4) of the *Municipal Act, 2001* enacted by the *Municipal Emergency Act, 2020*, provides that the procedural By-law permits meetings to be held electronically during an emergency declared to exist in all or part of the municipality pursuant to section 4 or 7.0.1 the *Emergency Management and Civil Protection Act*;

And whereas the Corporation has deemed it expedient to allow for electronic participation of members in Regular, Closed, and Special Council meetings during times of Emergency to minimize the disruption to local decision making;

Now therefore the Council of the Corporation of the Town of LaSalle hereby enacts as follows:

1. That By-law 6647 a By-law to govern the proceedings of Council meetings, the conduct of its members, and the calling of its meetings is hereby amended by the following sections:

That section 1 – Definitions, be amended as follows:

"Emergency" refers to any period of time in which an emergency has been declared to exist in all or part of a municipality under the *Emergency Management Act*;

"Electronic Meeting" is a meeting held in full or in part through electronic means, with or without in person attendance;

"Electronic Attendance" means attending a meeting by use of internet, telephone, or other means that:

- a. Allows participants to hear, speak and see each other; and,
- b. Enables the public to view and hear Council Member votes and statements during electronic attendance, if the meeting is open to the public

2. That By-law 6647 is further amended by adding section 13, and the following shall apply:

13. Electronic Attendance by Council Members at Meetings

13.1 Electronic attendance by Council Members shall be permitted:

- a) For meetings during a declared Emergency under section 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 Member or public's health may be at risk;

- b) A Regular or Special meeting of Council may be conducted by Electronic Meeting in accordance with this Section; and,
- c) Members participating electronically are permitted to participate in Closed Meetings, in accordance with this section and any applicable Policy approved by Council, in absence of the public.

13.2 Quorum and Voting during Electronic Meeting

- a) The Chair and all Members of Council may participate in Electronic Meetings;
- b) 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;
- c) Every Member present during the Electronic Meeting shall vote when a question is put forth through a motion by a show of hands to indicate whether they are in "favour" or "opposed";
- d) The Procedural By-law shall continue to apply to Electronic Meetings. The Clerk will record the name of the Member and the reason that they are prohibited from voting. A Disclosure of Pecuniary Interest and the General Nature Thereof form shall be submitted to the Clerk via email before or directly after the Electronic Meeting of Council; and,
- e) No Member shall speak to a question or motion until the Member has been recognized by the Head of Council or Chair. A Member shall signal their desire to speak by a verbal request or by raising their hand when the Chair or Head of Council has opened the floor for discussion on an item. The Chair shall ensure that Members are given the same opportunity to speak, as they would be participating in person.

13.3 Interruption of Electronic Attendance

- a) 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; and,
- b) 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. A subsequent meeting shall be scheduled to deal with remaining items as soon as reasonably possible.

13.4 Public Notice of Electronic Meeting

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.

13.5 Delegations

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.

13.6 Conflict

Notwithstanding the foregoing, the Procedural By-law shall continue to apply to Electronic Meetings held, except any Emergency Electronic Meeting Policies approved by Council and any Provincial legislation or order shall prevail to the extent of any conflict.

3. That in all other aspects By-law 6647 shall remain in full force and effect.
4. That this By-Law shall come into force and take effect upon on the date of the third and final reading thereof.

Read a first and second time and finally passed this 14th day of April, 2020

1st Reading – April 14, 2020

Mayor

2nd Reading – April 14, 2020

3rd Reading – April 14, 2020

Clerk