

Corporation of the Township of Pelee
By-Law 2020 - 09

Being a By-law to Amend By-law 2019 – 12 which provides for the Rules of Order and Procedure for Council and Committees and allow For Electronic Meetings During Any Period Where an Emergency Has Been Declared;

WHEREAS the current COVID-19 pandemic has required the immediate implementation of significant measures to slow the spread of the virus which causes COVID-19;

AND WHEREAS those measures include social distancing and avoiding large gatherings of individuals;

AND WHEREAS the Township's Procedural By-law 2019 – 12 does not provide for electronic participation by members of Council in meetings of Council, Committee of the Whole, or certain Committees, and thus requires that their meetings be held in-person;

AND WHEREAS Township Council desires that such meetings may be carried out via electronic means during the pandemic period, wherever possible, public access will be available through open publication of the agendas for those meetings and materials in support of the business to be considered at the open portions of those meetings;

AND WHEREAS section 238(3.4) of Township Council may hold a special meeting to amend By-law 2019 – 12 to provide for the expanded use of electronic meetings for Township Council, Committee of the Whole, and its other Committees, 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;

AND WHEREAS by Order-in-Council 518/2020, the Lieutenant Governor by and with the advice and concurrence of the Executive Council of Ontario, declared an emergency pursuant to section 7.0.1 of the Emergency Management and Civil Protection Act in the whole of the Province of Ontario, which Order-in-Council has been filed as Ontario Regulation 50/20; NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF PEELE HEREBY ENACTS AS FOLLOWS:

1. That By-law 2019 - 12 (the "Procedural By-law") is amended by adding the text in attached Schedule immediately following Section 8.
2. That the Clerk is authorized to prepare and distribute a consolidated version of the Procedural By-law reflecting this amendment.
3. This By-law shall come into full force and effect immediately.

ENACTED AND PASSED this 14th day of April, 2020.

Original Signed By:

Raymond Durocher
Mayor

Original Signed By:

Janice Hensel
Chief Administrative Officer and Clerk

Schedule "A"

8A. Procedures Applicable in Declared Emergencies

Definitions	8A.1	<p>In this section 8A:</p> <p>a) "Electronic Means" means a method of participation in a meeting as described in section 8A.4; and</p> <p>b) "Emergency Period" means any period where an emergency has been declared to exist within all or any part of the Township of Pelee under section 4 or 7.0.1 of the Emergency Management and Civil Protection Act;</p>
Application and Paramourncy	8A.2	<p>The following provisions of this section 8A apply only during an Emergency Period, and in the event of any inconsistency between them and any other provision in this By-law, the provisions of this section 8A shall prevail.</p>
Full Participation by Electronic Means During Emergency Period	8A.3	<p>During any Emergency Period:</p> <p>a) any member of Council may participate in any meeting of Council or Committee of the Whole through Electronic Means, including any meeting or part thereof that is closed to the public;</p> <p>b) any member of a Committee may participate in any meeting of that Committee through Electronic Means, including any meeting or part thereof that is closed to the public; and</p> <p>c) any individual participating in such a meeting through Electronic Means shall be counted in determining whether or not a quorum is present at that meeting.</p>
Clerk authorized to establish Electronic Means for participation	8A.4	<p>The Clerk shall be authorized, in consultation with the Chair to determine the appropriate technology to provide for Electronic Means of participation in each Meeting, provided that it allows for the following to occur simultaneously:</p> <p>a) each participant may hear any person authorized to speak,</p> <p>b) each participant entitled to speak may indicate to the Chair that they desire to speak, and</p> <p>c) provides for public access as set out in section 8A.5, if necessary,</p>

		and it may, at the discretion of the Clerk, include the ability for videoconferencing between participants.
Open Meetings	8A.5	At the discretion of the Clerk, Meetings where Electronic Means are provided may not be physically opened for the public to attend. If the meeting is not physically opened to the public, the Clerk shall ensure that members of the public have a reasonable opportunity to hear all proceedings of the Meeting through Electronic Means, except for those parts of the Meeting that are closed to the public.
Voting	8A.6	The Chair may, with the consent of the Meeting, enact such rules as may be necessary to provide for the conduct of voting in a meeting held in whole or part through Electronic Means, including the adoption of motions on unanimous consent, which rules shall supersede the rules on voting set out in section 23 of this By-law.