

THE CORPORATION OF THE TOWN OF FORT FRANCES

BY-LAW NO. 46~20 - B

(A By-Law to amend By-Law 46-20 to Govern the Proceedings of the Council of the Corporation of the Town of Fort Frances)

WHEREAS *the Municipal Act, 2001, c. 25 s. 5 (1)* provides that the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS *the Municipal Act, 2001, c. 25 s. 5 (3)* provides that the powers of every council are to be exercised by by-law;

AND WHEREAS Council of the Corporation of the Town of Fort Frances, pursuant to section 238 of *the Municipal Act, 2001*, adopted By-law Number 46-20 on the 9th day of November 2020, being a by-law to establish the proceedings of Council.

AND WHEREAS on July 21, 2020 the *COVID-19 Economic Recovery Act, 2020* was passed to amend the Municipal Act, 2001 such that a Municipality's procedural by-law may permit Council and/or Committee members to participate electronically in both open and closed meetings and members participating electronically may be counted in determining quorum;

AND WHEREAS Council of the Corporation of the Town of Fort Frances deems it necessary to amend By-law No. 46-20 to allow for electronic participation.

NOW THEREFORE BE IT RESOLVED, THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF FORT FRANCES ENACTS AS FOLLOWS:

1. That Section 4.13 be amended as follows:

4.13 Electronic Meetings

Electronic Participation at meetings may be conducted, pursuant to Section 238 of the Municipal Act, 2001 as amended, and in accordance with this by-law and as set out In Appendix A and B

4.13.1 Electronic Meeting Participation – When Permitted

During the following circumstances members of Council, Local Boards and other Committees may participate by electronic means to the extent and in the manner set out in this Bylaw:

- a) A declared emergency by any level of government.
- b) Restrictions or guidelines set out by the Northwestern Health Unit, the Ontario Provincial Police, Province of Ontario and the Municipal Emergency Control Group.

4.13.2 Electronic Meeting Participation – Quorum and Voting

Members participating electronically shall count towards quorum and be entitled to vote as if they were attending in person at a meeting that is open to the public or closed to the public.

4.13.3 Electronic Meeting Participation – Publishing of Link

The link to access the electronic meeting will be published on the applicable meeting Agenda.

4.13.4 Electronic Participation — Delegations / Deputations permitted to participate electronically

Delegates / Deputations may be permitted to participate electronically if circumstances do not allow a delegate or deputation to appear in person in

accordance with section 4.13.1.

THAT appendix B be amended as attached hereto and forming part of this By-Law

Enacted and passed this 28th day of February 2022

G. Lecuyer
Clerk

J. Caul
Mayor

Appendix B

Electronic Participation at Meetings

1. Where the Rules of Procedure conflict with the need to facilitate electronic participation, the Chair, in consultation with the Clerk shall have the authority to modify the Rules of Procedure to ensure members can effectively participate in the meeting.
2. Notice to members shall be provided electronically via e-mail and/or agenda publication. Notice may also be provided by telephone or personal contact in case of an emergency. Public notice shall be deemed delivered upon completion of agenda publication.
3. The meeting shall begin with a roll call to determine who is participating.
4. Should a delegation request be received during an emergency and the Clerk believes that the request can be facilitated, their presentation will be provided to the Clerk to be included on the agenda. Link instructions will be provided to the requesters by the Clerk. The remainder of the delegation rules as set out in this by-law shall apply.
5. Electronic participation of Staff may also be facilitated.
6. Members should dress (if video conference) and act as though in attendance in person. Members are responsible for ensuring there is no background noise at their location that would interfere with the meeting – we encourage the member to source a quiet location to connect from. Additionally, microphone shall be muted when member is not speaking.
7. The Chair (and Mayor) will attend on site in order to sign minutes.
8. Members must connect electronically with the Municipality no later than 15 minutes prior to the commencement of the meeting. If unable, there is no guarantee that we may be able to facilitate your connection.
9. Members attending electronically may leave a meeting early, however, it is expected that members will attend a sufficient length of time to warrant the additional effort required by the Municipality to facilitate electronic attendance.
10. Members must announce their departure prior to leaving the meeting. If electronic connection is lost during a meeting, no effort will be made by the Municipality to reconnect and the member attending electronically shall be considered to have left the meeting at the point of disconnection.
11. The Chair shall be cognizant of all members whether attending in person or electronically and may establish provisions as to order of members speaking to facilitate flow and pace of meeting.
12. Members attending electronically shall verbally announce their vote when called upon by the Chair.
13. Members attending electronically may not be able to see all other members, presentation by delegations, etc. and the Municipality is not responsible for trying to accommodate this.
14. Members are responsible for providing their own method of transmission to the Municipality. The Municipality will make a virtual meeting link and phone number available for meetings.