



DATE: February 23, 2022  
TO: Mayor and Council  
FROM: Municipal Clerk  
SUBJECT: For your decision: Amend the Procedural By-Law relating to Electronic Participation

## Issue

For Council to consider the amendments to the Procedural By-Law relating to Electronic Participation during meetings

## Facts

- The [Procedural By-Law](#) provides for members participating virtually if an emergency is declared in accordance with the Emergency Management and Civil Protection Act. Without a declared emergency ei: prior to Covid with no emergency order in place the Procedural By-Law provides the ability to participate electronically but members cannot count toward quorum and cannot participate in closed sessions.
- On July 21, 2020 the COVID-19 Economic Recovery Act was passed to officially amend the Municipal Act to permit Council's the ability should they choose to within the procedural by-law to allow members from participating in both open and closed meetings virtually and be counted for quorum.
- Effective March 1<sup>st</sup> the provincial government announced the lifting of all restrictions with the exception of masking requirements
- The core members of the Emergency Control Group has met on Feb 23, 2022 and advised that should the province move forward with this approach the Municipality will be in a position to be required to lift the current declared municipal state of emergency
- By removing the Municipal declared emergency this would trigger pre-covid measures with respect to the procedural by-law ei: members participating electronically would no longer count toward quorum and may not participate in closed session.

## Analysis

- Recent news release by the Northwestern Health Unit relating to concerns strongly advised to continue to follow enhance measures while case numbers and hospitalizations remain high.
- Per recommendations of the Municipal Emergency Control Group without provincial orders in place the Health Unit will be our guiding principles.
- The proposed changes provide for a change in permitting electronic participation with a focus around an urgent situation as follows:
  - declared emergency by any level of government.

- Restrictions or guidelines set out by the Northwestern Health Unit, the Ontario Provincial Police, Province of Ontario and the Municipal Emergency Control Group.
- Further amendments provides for:
  - Permitting participation in a closed session
  - Deputations \ delegations being permitted in the same circumstance
  - Publishing the virtual link on agendas
- It should be noted that this is a temporary measure to address our needs in the short term but this should be a broader discussion part of the governance review.
- Council may choose to not amend the procedural by-law which will result in pre-covid procedures to be triggered where electronic participation will not count toward quorum and will not be permitted to participate in closed session when the Municipal Emergency is lifted.

## **RECOMMENDATION**

THAT approval of this report will agree with the recommendation from the Municipal Clerk to amend the Procedural By-Law to provide broader provisions relating to electronic participation
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