

## THE CORPORATION OF THE TOWN OF FORT FRANCES

### BY-LAW NO. 46~20 - C

(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 9<sup>th</sup> 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 Meetings: Council may, as provided for in The Municipal Act, 2001, establish a Meeting to be held electronically, in full or in part, via electronic means (including telephone, video conferencing, or via means of the internet) and with or without in-person attendance. All articles of this by-law relating to conduct of meeting, agendas, voting, debate etc. apply to an electronic meeting in the same form as a meeting held in person outside from the items detailed below.

- (a) **Electronic Meetings** – Any regular or special Meeting of Council, including a meeting of Committee of the Whole, Regular Council, Council (Public Meeting), Executive Committee, Advisory Committee, Ad Hoc Committee, Standing Committee may be conducted by Electronic Meeting, in accordance with this Article. The expectation is that every reasonable effort will be made by Council to physically be in attendance. Council Members participating electronically to the Committee of the Whole and the Regular Council meeting shall be limited to not more than three consecutive electronic meetings in a row. The limitation (not more than three meetings) identified in section a does not apply in the following circumstances:
  1. A declared emergency by any level of government and or
  2. Restrictions or guidelines set out by the Northwestern Health Unit, the Ontario Provincial Policy, Province of Ontario and the Municipal Emergency Control Group
- (b) **Such meetings may be Closed Session** – An Electronic Meeting may include a Closed Meeting, which shall be conducted in the absence of the public and in accordance with exceptions outlined in The Municipal Act, 2001.

(c) **Quorum**– Members attending and present during an Electronic Meeting shall be counted for purposes of quorum at the commencement of the meeting and at any point in time during the Meeting.

(d) **Voting** – Members shall be entitled to vote through a vote recorded by the Clerk or designate as if they were attending the Meeting in person, during an Electronic Meeting. All voting, during an Electronic Meeting, shall take place by each Member audibly stating “yea” or “nay” in response to the Clerk calling their name in order.

(e) **Interruption in Communication** – If there is an interruption in the communications link to any Member who is participating electronically in a Meeting, the Clerk may:

(1) decide on a short recess until it is determined whether or not the link can be re (1) established with no more than two (2) attempts; or

(2) continue the Electronic Meeting and treat the interruption in the same manner as if the Member who is physically present leaves the room.

(3) where communication to all members participating electronically and the connection to the public is interrupted and unable to be resolved, the meeting shall be adjourned and rescheduled.

(g) **Public Notice of Electronic Meeting** – A public notice of an Electronic Meeting shall include sufficient information as to provide the public with a means to electronically access the open session meeting of such Electronic Meeting, in addition to any other applicable detailed notice requirements as required by policy or legislation.

(h) **Deputations**– Meetings shall permit public deputations electronically by way of written submission received (Appendix E), which shall be submitted to the Clerk’s Office in accordance with the timeframe established in section 13.1, and shall be provided to Members at the Meeting.

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

THAT By-Law 46-20 B is hereby repealed.

Enacted and passed this 9th day of May 2022

\_\_\_\_\_  
J. Caul, Mayor

\_\_\_\_\_  
G. Lecuyer, Clerk



## REQUEST FOR DELEGATION / DEPUTATION BEFORE COUNCIL OF THE TOWN OF FORT FRANCES

### ALL DELEGATIONS / DEPUTATIONS ARE REQUIRED TO PROVIDE A WRITTEN SUBMISSION PRIOR TO THE AGENDA DEADLINE

All written or electronic submissions and background information for consideration by Council must be submitted to the Clerk's Office by 12 noon on the Thursday preceding the meeting. Electronic submissions should be submitted in Microsoft Power point, Microsoft word or PDF format. As per the Procedural By-law, there is a maximum of three (3) deputations allowed per meeting and delegates are given ten (10) minutes to make their presentation.

Preferred Meeting Date: \_\_\_\_\_

In person or ☐

Electronic Participation (virtual) ☐

I am requesting a delegation / deputation to speak:

a) ☐ On my own behalf; or

b) ☐ On behalf of a group / organization / association (if b) please state name of group below)

Will you be providing an electronic formatted presentation? ☐ Yes ☐ No

**Name of Speaker (s)** – A delegation / deputation wishing to appear before Council shall be limited to a total speaking time of ten (10) minutes (regardless of the number of speakers listed). Please state name of speaker(s) below.

\_\_\_\_\_  
\_\_\_\_\_

### Subject of Presentation

Please describe below the subject matter of the requested delegation / deputation in sufficient detail to provide the Town of Fort Frances a means to determine its content and define how the matter aligns with Council's mandate / strategic priorities. All material needs to be provided to the Clerk by 12 noon on the Thursday prior to the meeting.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(use a separate sheet of paper if not enough space allowed here)

### Reason why this delegation / deputation is important to Council and to the municipality:

\_\_\_\_\_  
\_\_\_\_\_

Date of Request: \_\_\_\_\_ Signature of Speaker: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone / Fax Numbers: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Scheduling will be at the discretion of the Clerk and will be confirmed prior to the meeting deadline. There are no guarantees that by requesting a certain date(s) your delegation / deputation will be accepted, as prior commitments may make it necessary to schedule an alternate date suggested by the Clerk.

Individuals who submit letters and other information to Council should be aware that any personal information contained within their communications may become part of the public record and made available through the Council Agenda process.

Personal information on this form is collected under the legal authority of the Municipal Act, S.O., 2001, Chapter 25, as amended. The information is collected and maintained for the purpose of creating a record that is available to the general public pursuant to Section 27 of the Municipal Freedom & Protection of Privacy Act. Questions about this collection should be directed to the Clerk's Office.

Clerk's Office Contact: [glecuyer@fortfrances.ca](mailto:glecuyer@fortfrances.ca) or 807-274-5323 ext: 1215

## **Appendix A**

### **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. 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 to provide for signatures following the meeting as needed.
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.
15. All members participating in closed session shall wear headsets to ensure the privacy of the session.

## **APPENDIX B**

### **What to expect when you make your virtual deputation to The Town of Fort Frances Council**

Please note you are attending a business meeting of Town of Fort Frances Council and procedural rules are used to guide conduct.

Council will not consider a Motion regarding a Deputation the same evening as it is presented unless it is associated with another item on the Agenda.

Deputations are usually heard at the beginning of each Committee of the Whole meeting.

Please read and note the following:

1. Committee of the Whole meetings are scheduled to begin at 5:30 pm.
2. The Office of the Municipal Clerk will send you a meeting link via email the Friday preceding the Monday meeting (or Tuesday if there is a statutory holiday).
3. Please login to the meeting link at least 5 minutes before the scheduled start time. You may be held in the virtual lobby until the Clerk admits you, just before the meeting starts.
4. Deputants must remain on mute with their cameras off until the Chair calls on them to speak.
5. When you hear your name called, unmute and turn your camera on.
6. You will have 10 minutes to make your deputation.
7. Start your deputation by introducing yourself and your fellow Deputants with your full names.
8. Remember that Council already has the information you have submitted. You can refer to the document without reading the document word for word.
9. Explain why you are making the deputation and what action you are requesting from Council.
10. If you are using PowerPoint, the PowerPoint presentation you will be provided presenters rights for this purpose.
11. After making your deputation, mute your microphone, but keep your camera on. Be prepared to unmute if Council members ask you any questions.
12. When addressing Council or answering a question, regardless of who asked the question, you should always address your comments to the Committee Chair. This helps to maintain order at the meeting. (e.g. 'Through the Chair...')
13. No Deputant shall speak disrespectfully of any person, use offensive words or unparliamentary language, or speak on any subject other than the subject for which they have received approval to address Council.
14. Following questions, the Chair will advise when your deputation is over. Please turn off your camera and remain on mute. If you do not turn your camera off or mute you will be removed from the meeting because your deputation is complete.

**For those attending a virtual meeting we require that you read and note the following:**

- No behaviour is permitted that interrupts the conduct of a meeting.
- No one may use disrespectful language, gestures or offensive words.
- Taking photos and/or making recordings of any kind are not allowed unless with the permission of the Municipal Clerk.
- Signs and t-shirts with specific slogans or offensive language are not permitted.
- Deputants and guests are not permitted to share their screen.
- Deputants and guests must not participate in the meeting chat.

If a Deputant or guest attempts to display language, behaviour or video that is not in keeping with the decorum of the meeting, or acts contrary to any of the above-noted rules, or in contravention of the Ontario Human Rights Code, the person will be asked by the Chair to cease and come to order. If the person does not come to order, the person shall be removed from the virtual meeting.

Public Record:

All communication that the Clerk receives from members of the public about a matter on a Committee of the Whole Agenda shall be part of the public record.

Town of Fort Frances reserves the right to record all proceedings of Council such recordings maybe available via the Council Portal.