

Motion – April 28, 2020 Regular Meeting of Council

Background:

A Declaration of Emergency was made by Mayor Gary McNamara on March 22, 2020, pursuant to the authority granted under subsection 4(1) of the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9 due to the COVID-19 pandemic, following the Declaration of COVID-19 being a pandemic by the World Health Organization.

On March 19, 2020, the Province of Ontario Legislature passed the Municipal Emergency Act, 2020 which amended the Municipal Act, 2001 S.O. 2001 c.25 to provide that, during emergencies declared locally, or provincially, under the Emergency Management and Civil Protection Act, should they choose to, members of councils, local boards and committees who participate electronically in open and closed meetings may be counted for purposes of quorum.

Municipalities wishing to use this new authority must amend their procedure by-law to allow for electronic meetings.

Tecumseh Council at their March 24, 2020, Regular Meeting passed By-law No. 2020-29 being a by-law to amend By-law No. 2020-13 that governs the proceedings of the meetings of Council and Committees to allow Council Members to participate and conduct their meetings electronically during a Declared Emergency.

The amendments to the Municipal Act 2001 also permits local board and committee members who participate electronically in open and closed meetings to be counted for purposes of quorum provided the procedure by-law also permits them to do so.

In order for the Town's decision-making Boards (i.e. BIA Board of Management and Police Services Board) and Committees (i.e. Committee of Adjustment) to meet electronically, and members to participate electronically and be counted for the purposes of quorum, a further amendment to the Town's Procedural By-law No. 2020-13 is required.

Resolution:

Moved by: Councillor Brian Houston

Seconded by:

Whereas a Declaration of Emergency was made by Mayor Gary McNamara on March 22, 2020, pursuant to the authority granted under subsection 4(1) of the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9 due to the World Health Organization declared COVID-19 pandemic;

And Whereas the Municipal Emergency Act, 2020 amended the Municipal Act, 2001 to allow for, during emergencies declared locally, or provincially, under the Emergency Management and Civil Protection Act, members of councils, local boards and committees who participate electronically in open and closed meetings to be counted for purposes of quorum;

And Whereas By-law No. 2020-13 that governs the proceedings of the meetings of Council and Committees/Boards was amended on March 24, 2020, by By-law No.2020-29 to allow Council Members to participate and conduct their meetings electronically during a Declared Emergency;

And Whereas in order for the Town's decision-making Boards and Committees to meet electronically, and for members to participate electronically in meetings and be counted for the purposes of quorum, a further amendment to the Town's Procedural By-law No. 2020-13, as amended by By-law 2020-29, is required

Now Therefore Be It Hereby Resolved That the Director Corporate Services & Clerk be directed to prepare a further amending by-law to By-law No. 2020-13, as amended, to also allow for Boards and Committees to meet electronically and for the members to participate electronically in meetings and be counted for the purposes of quorum, during a Declared Emergency;

And that this amending by-law be provided for Council's consideration at their next regular meeting scheduled for Tuesday, May 12, 2020.