

The Corporation of the Town of Tecumseh

By-Law Number 2020 - 52

A By-law to Amend By-law No. 2020-13 being a by-law to governing the proceedings of the meetings of Council and Committees

Whereas By-law No. 2020-13 was passed on February 11, 2020 pursuant to the *Municipal Act, 2001* for governing the calling, place and proceedings of meetings;

And whereas The Corporation of the Town of Tecumseh's business must continue to proceed during times of Emergency;

And whereas Council members may not be able to attend Council meetings in person during times of Emergency;

And whereas section 238(3.1) of the *Municipal Act, 2001* states that a procedure by-law may provide that a member of council, can participate electronically in a meeting which is open to the public to the extent and in the manner set out in the by-law;

And whereas section 238(3.3) of the *Municipal Act, 2001* states that a procedure by-law may provide that, 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*, a member of a council who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time; and a member of a council, can participate electronically in a meeting that is closed to the public

And whereas the Council of The Corporation of the Town of Tecumseh considers it necessary and desirable to allow for the electronic participation of members in open and closed Council meetings during times of Emergency;

And whereas circumstances during times of Emergency may result in times where members of Council may not be able to attend Council meetings and business must continue;

Now Therefore the Council of The Corporation of The Town of Tecumseh enacts as follows:

1. **That** By-law No. 2020-13 is amended by inserting the attached Schedule "A" which shall form Schedule "A" to By-law No. 2020-13 and shall form part of By-law No. 2020-13 and shall have the same effect as if it comprised part of the body of the by-law.
2. **That** By-law No. 2020-40 is hereby repealed and any other by-law inconsistent with this by-law.
3. **That** this By-law shall come into force and effect upon passage.

Read a first, second, third time and finally passed this 28th day of July, 2020.

Gary McNamara, Mayor

Laura Moy, Clerk

Schedule A

By-law No. 2020-52 – Amending By-law 2020-13

Definitions

“Electronic Attendance” means attendance at a meeting by use of telephone, computer, or other digital means that:

- i. enables all of the meeting’s participants to see, hear and speak with each other, and
- ii. enables the public to see and hear the statements and votes of the Council Members in electronic attendance during the part of the meeting that is open to the public;

“Emergency” means an emergency existing in the Town and declared in accordance with the *Emergency Management and Civil Protection Act*;

Electronic Attendance by Council Members at Meetings

Electronic Attendance by Council, Committee and Local Board Members at meetings shall only be permitted:

1. For meetings during an Emergency and where the Member’s health or the health of others will be threatened by the attendance of the Member at a meeting.
2. Electronic Attendance by Members will be permitted in a meeting closed to the public, as permitted by Section 239 of the Municipal Act, 2001.
3. If a Member intends to attend the meeting by Electronic Attendance, the Member shall provide the Clerk of notice of the Member’s intention 6 or more hours prior to the time at which the meeting is scheduled to commence.
4. Members attending the meeting through means of Electronic Attendance shall be included in the calculation of quorum.
5. In the event of an interruption in the communications’ link to a Member in Electronic Attendance, the Chair may:
 - a. decide to take a short recess until it is determined whether or not the link can be re-established, or
 - b. continue the meeting and treat the interruption in the same manner as if a member who is physically present leaves the meeting room.
6. No Member shall speak to a question or motion until the Member has been recognized by the Mayor or Chair. A Member shall signal his/her/their desire to speak by verbally request when the Chair has opened the floor for discussion.”

7. Every Member present at a meeting when a question is put, shall vote, unless prohibited by statute. If prohibited, the Clerk shall record the name of the Member and the reason that he or she is prohibited from voting. A Member attending the meeting through means of Electronic Attendance shall vote by audibly stating “in favour” or “opposed.”

Electronic Attendance by the Public at Meetings

Electronic participation at a meeting will be permitted by the public, in accordance with the following:

1. Persons desiring to verbally present information, shall:
 - a) give notice to the Clerk by 12:00 pm (noon) on the day the agenda of the meeting at which they wish to appear is published; or
 - b) after the agenda is published, by giving notice to the Clerk by 12:00 pm (noon) on the day of the meeting at which they wish to appear.
2. Notice shall be given to the Clerk by Persons desiring to verbally present information by:
 - a) submitting an online Delegation Request Form found on the Town’s website; or
 - b) by email; or
 - c) by phone.
3. Persons desiring to present written information, shall:
 - a) give their written comments to the Clerk by 12:00 pm (noon) on the day the agenda of the meeting at which they wish to appear is published; or
 - b) after the agenda is published, by giving their written comments to the Clerk by 12:00 pm (noon) on the day of the meeting at which they wish to appear.
4. Written comments shall be given to the Clerk by:
 - a) direct delivery to the Tecumseh Town Hall at 917 Lesperance Road, Tecumseh; or
 - b) by email.
5. The Mayor or Chair may further limit or reduce the 10-minute speaking time of Persons, or extend the speaking time limit, as set out in the Procedural By-law at his/her discretion during the meeting.
6. Participation shall otherwise be in accordance with Section 14 E of the Procedure By-law and the Live Streaming Policy.