

**THE CORPORATION OF THE
TOWNSHIP OF EDWARDSBURGH CARDINAL**

BY-LAW NO. 2021-23

**“A BY-LAW TO AMEND BYLAW 2019-15 BEING A BYLAW TO GOVERN THE
PROCEEDINGS OF COUNCIL AND COMMITTEES OF COUNCIL”**

WHEREAS pursuant to Subsection 238(2) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, requires every municipality to pass a procedure by-law for governing the calling, place and proceedings of meetings; and

WHEREAS the Council of the Corporation of the Township of Edwardsburgh Cardinal passed Bylaw 2019-15, being a bylaw to govern the proceedings of Council and Committees of Council on April 22, 2019; and

WHEREAS the Province of Ontario enacted the *Municipal Emergency Act, 2020*, on March 19, 2020, which amended the *Municipal Act, 2001*, to provide that during emergencies, the Municipal Council may choose to amend the procedural bylaw to permit electronic participation for members of council, local boards and committees; and

WHEREAS members of council, local boards and committees may choose to participate electronically in open and closed meetings and may be counted for the purposes of quorum; and

WHEREAS the Province of Ontario enacted the Covid-19 Economic Recovery Act, 2020, on July 21, 2020, which amended the *Municipal Act, 2001*, to expand the authority for municipalities to amend their procedural bylaw to provide that electronic participation in open and closed municipal meetings may count towards quorum beyond times when an emergency declaration is in place; and

WHEREAS the Council of the Corporation of the Township of Edwardsburgh Cardinal deems it advisable to amend Bylaw 2019-15 to permit Council and Committees of Council to meet via electronic means, as needed.

NOW THEREFORE the Council of the Corporation of the Township of Edwardsburgh Cardinal enacts as follows:

1. That the Procedural Bylaw 2019-15 be amended by adding Section 1(k) under the “Definitions” heading as follows:

““Electronic Participation” means telephone, video or audio conferencing or other interactive methods whereby meeting participants are able to hear and be heard by all participants.

2. That Section 1(k) through 1(z) under the “Definitions” section be renumbered 1(l) through 1(aa).

3. That the Procedural Bylaw 2019-15 be amended by deleting the following heading within the General Provisions:

“Electronic Participation During Declared Emergencies”

4. That the Procedural Bylaw 2019-15 be amended by adding the following heading within the General Provisions:

“Electronic Participation in Meetings”

5. That the Procedural Bylaw 2019-15, Section 107, be amended by replacing this section, under the Electronic Participation in Meetings heading, as follows:

107. In-person participation shall remain the primary method of participation by members, electronic participation is available to members who deem it necessary due to:

- (a) It is not safe or possible to attend in-person due to natural extreme weather event;
- (b) Health and safety restrictions or guidelines that may be outlined by the Health Unit, Provincial/Federal government or the Township's Emergency Control Group;
- (c) Provincial government orders restricting in person meetings/public gatherings/stay at home orders;
- (d) Activation of the Emergency Control Group or a declared emergency by any level of government or health unit;
- (e) Medical absences (illness, isolation, or other health issues);
- (f) Parental leave;
- (g) Travel on official municipal business;

6. That the Procedural Bylaw 2019-15 be amended by adding Section 108, under the Electronic Participation in Meetings heading as follows:

108. As per Section 238(3.1) of the Municipal Act, 2001, members of Council, of a Local Board or of a Committee, can participate electronically in a meeting.

A member of Council, of a Local Board or of a Committee, who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any time in time.

A member of Council, of a Local Board or of a Committee can participate electronically in a meeting that is open and closed to the public. Members participating electronically in a closed session shall ensure that they are in a private room, where no other persons can overhear the deliberations and that all reasonable measures have been taken to ensure confidentiality and internet security. It is highly recommended that all members participating electronically in a closed session wear a headset.

A member of Council, of a Local Board or of a Committee participating electronically shall notify the Presiding Officer of the meeting and the Clerk, or their designate, of their intention, prior to the meeting if they wish to participate via electronic means.

A member of Council, of a Local Board or of a Committee shall verbally inform the Presiding Officer of their intention to leave the meeting. If the member is returning to the meeting, the member shall verbally notify the presiding officer at the time of their return.

A member of Council, of a Local Board or of a Committee making a motion shall not be required to be made in writing during electronic participation of the meeting. The member that has brought a motion forward during his/her electronic participation shall supply the Clerk with a copy of said motion, within 48 hours, of said meeting.

A member of Council, of a Local Board or of a Committee shall notify the Clerk, or designate, of their intention to participate electronically as soon as possible, or not later than 6 hours before the scheduled start of the meeting in order for electronic participation preparations to be made.

All members participating electronically shall vote by show of hands or by verbal consent (yea or nay).

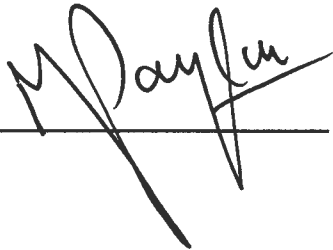
All requested recorded votes shall be recorded during electronic participation. Each member present, including the presiding officer, except a member who is disqualified from voting by any Act, shall announce his/her vote verbally (yea or nay) when called by the presiding officer or Clerk, and the Clerk, or designate, shall record each member's vote.

8. That all other provisions of Bylaw 2019-15 shall remain in force and effect.
9. That bylaw 2020-26 is hereby repealed.
9. That this bylaw, amending the Procedural Bylaw 2019-15 with respect to electronic participation in meetings, shall expire on July 31, 2021 unless extended by resolution of Municipal Council.
10. That this bylaw shall come into force and effect upon final passage.

Read a first and second time in open Council this 26 day of April, 2021.

Read a third and final time, passed, signed and sealed in open Council this 26 day of April, 2021.

Mayor



Clerk

