

Corporation of the County of Grey

By-Law 5081-20

A By-law to Amend By-law 5003-18 Being the Procedural By-law to Allow For Electronic Meetings During Any Period Where an Emergency Has Been Declared

WHEREAS the current COVID-19 pandemic has required the immediate implementation of significant measures to slow the spread of the virus which causes COVID-19;

AND WHEREAS those measures include social distancing and avoiding large gatherings of individuals;

AND WHEREAS the County's Procedural By-law 5003-18 does not provide for electronic participation by members of Council in meetings of Council, Committee of the Whole, or certain Committees, and thus requires that their meetings be held in-person;

AND WHEREAS County Council desires that such meetings may be carried out via electronic means during the pandemic period, while still maintaining public access through its usual practices of making a live video stream of open Council and Committee of the Whole proceedings available, and through the open publication of the agendas for those meetings and materials in support of the business to be considered at the open portions of those meetings;

AND WHEREAS section 238(3.4) of the *Municipal Act, 2001*, as enacted by the *Municipal Emergency Act, 2020*, provides that County Council may hold a special meeting to amend By-law 5003-18 to provide for the expanded use of electronic meetings for County Council, Committee of the Whole, and its other Committees, 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*;

AND WHEREAS by Order-in-Council 518/2020, the Lieutenant Governor by and with the advice and concurrence of the Executive Council of Ontario, declared an emergency pursuant to section 7.0.1 of the *Emergency Management and Civil Protection Act* in the whole of the Province of Ontario, which Order-in-Council has been filed as Ontario Regulation 50/20;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF
THE CORPORATION OF THE COUNTY OF GREY HEREBY ENACTS AS FOLLOWS:

1. That By-law 5003-18 (the "Procedural By-law") is amended by adding the text in attached Schedule immediately prior to Section 30.
2. That the Clerk is authorized to prepare and distribute a consolidated version of the Procedural By-law reflecting this amendment.
3. This By-law shall come into full force and effect immediately.

ENACTED AND PASSED this 31st day of March, 2020.

WARDEN: Paul McQueen

CLERK: Heather Morrison

29A. Procedures Applicable in Declared Emergencies

Definitions	29A.1	<p>In this section 29A:</p> <ul style="list-style-type: none"> a) “Electronic Means” means a method of participation in a meeting as described in section 29A.4; and b) “Emergency Period” means any period where an emergency has been declared to exist within all or any part of the County of Grey under section 4 or 7.0.1 of the <i>Emergency Management and Civil Protection Act</i>;
Application and Paramountcy	29A.2	<p>The following provisions of this section 29A apply only during an Emergency Period, and in the event of any inconsistency between them and any other provision in this By-law, the provisions of this section 29A shall prevail.</p>
Full Participation by Electronic Means During Emergency Period	29A.3	<p>During any Emergency Period:</p> <ul style="list-style-type: none"> a) any member of Council may participate in any meeting of Council or Committee of the Whole through Electronic Means, including any meeting or part thereof that is closed to the public; b) any member of a Committee may participate in any meeting of that Committee through Electronic Means, including any meeting or part thereof that is closed to the public; and c) any individual participating in such a meeting through Electronic Means shall be counted in determining whether or not a quorum is present at that meeting.
Clerk authorized to establish Electronic Means for participation	29A.4	<p>The Clerk shall be authorized, in consultation with the Chair to determine the appropriate technology to provide for Electronic Means of participation in each Meeting, provided that it allows for the following to occur simultaneously:</p> <ul style="list-style-type: none"> a) each participant may hear any person authorized to speak, b) each participant entitled to speak may indicate to the Chair that they desire to speak, and c) provides for public access as set out in section 29A.5, if necessary, <p>and it may, at the discretion of the Clerk, include the ability for videoconferencing between participants.</p>

Schedule to By-law 5081-20 to Amend By-law 5003-18

Open Meetings	29A.5	At the discretion of the Clerk, Meetings where Electronic Means are provided may not be physically opened for the public to attend. If the meeting is not physically opened to the public, the Clerk shall ensure that members of the public have a reasonable opportunity to hear all proceedings of the Meeting through Electronic Means, except for those parts of the Meeting that are closed to the public.
Voting	29A.6	The Chair may, with the consent of the Meeting, enact such rules as may be necessary to provide for the conduct of voting in a meeting held in whole or part through Electronic Means, including the adoption of motions on unanimous consent, which rules shall supersede the rules on voting set out in section 23 of this By-law.