

Corporation of the County of Grey

By-Law 5094-20

A By-law to Amend By-law 5003-18 Being the Procedural By-law to Allow For Electronic Participation in Meetings

WHEREAS Section 238 (3.4) of the *Municipal Act* under the *Municipal Emergency Act*, 2020 provided for the continuation of Council meetings to ensure effective and efficient meetings during COVID-19 pandemic through electronic participation during a declared emergency;

AND WHEREAS Bill 197, *Economic Recovery Act* amended the *Municipal Act* to permit Councils in Ontario the option of including electronic participation in its Procedural By-law as a normal practice outside of a declared emergency;

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 outside of a declared emergency;

AND WHEREAS County Council desires the ability to allow for electronic participation at all levels of Council and Committees;

AND WHEREAS Grey County Council adopted the recommendation of the Committee of the Whole minutes dated September 10, 2020 requesting amendments to the County's Procedural By-law be brought forward to permit electronic participation during all Council, Committee of the Whole and Committee meetings.

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 inserting the text noted in the attached Schedule "A" and deleting and replacing the text noted in the attached Schedule "B".
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 24th day of September, 2020.

WARDEN: Paul McQueen

CLERK: Heather Morrison

Schedule "A" 5094-20

New Text to be Inserted

Definitions	1.2	q.1) "Electronic Means" means a method of participation in a meeting as described in section 6A.2.
	6A.	Electronic Participation
Participation by Electronic Means	6A.1	<p>During a Meeting:</p> <ul style="list-style-type: none">a) Members may participate through Electronic Means, including any meeting or part thereof that is closed to the public;b) a Member participating in a Meeting by Electronic Means shall be considered to be present and counted toward quorum and provided with all rights and considerations as any Member participating in person; andc) when all Members are participating by Electronic Means, the Meeting is deemed to be held at the Grey County Administration Building.
Clerk authorized to establish Electronic Means for participation	6A.2	<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, andc) provides for public access as set out in section 6A.6, if necessary, <p>and it may, at the discretion of the Clerk, include the ability for videoconferencing between participants. The Clerk shall, for the purposes of this section, be considered a participant in the meeting.</p>
Notice to Clerk	6A.3	Requests by Members to participate in a meeting by Electronic Means should be made to the Clerk at least 72 hours prior to the meeting.

<p>Practice of Electronic Participation</p>	<p>6A.4</p>	<p>The following practices will be followed when a Member participates in a meeting by Electronic Means:</p> <ul style="list-style-type: none"> a) Any Member participating in a Meeting by Electronic Means shall be available at least fifteen (15) minutes before the meeting to assist staff in establishing the electronic connection; and b) Any Member participating by Electronic Means will mute the electronic device when not speaking; and c) The Chair will canvass Members participating by Electronic Means about their intention to speak to a matter on the floor and will notify each Member when it is his or her turn to speak; and d) After putting a motion to a vote, any Member participating by Electronic Means will be required to identify how he or she wishes to vote; and e) A Member participating by Electronic Means shall inform the Chair of their intentions to leave the meeting either on a temporary or permanent basis; and f) In the case of a loss of connection, or any other connection issue which impedes the ability of a Member to participate in a Meeting in real time, the Member shall be solely responsible to attempt to reconnect to the Meeting.
<p>Voting</p>	<p>6A.5</p>	<p>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 once adopted shall supersede the rules on voting set out in section 23 of this By-law.</p>
<p>Conduct of Participants Using Electronic Means</p>	<p>6A.6</p>	<p>No person shall disrupt any Electronic Means used for participation by any person at a Meeting, nor use any Electronic Means to disrupt a Meeting or harass any person participating in a Meeting, and the Chair may expel or exclude from that Meeting any person who does so.</p>
<p>Expulsion</p>	<p>6A.7</p>	<p>Where the Chair has the authority to expel or exclude a person from a Meeting, and that person is participating by Electronic Means, the Chair may direct that the person's ability to participate through Electronic Means be partially or wholly restricted so that the person may not speak to the</p>

Repealed by default by By-law 5134-22

		Meeting and, if videoconferencing is provided for that Meeting, not be visible to the Meeting.
--	--	--

Schedule "B" 5094-20

Text to be Deleted and Replaced

Definitions	1.2	dd) "Present" means physically in attendance at the Meeting or present through Electronic Means;
Protocols for Beginning Session	6.1	At the hour appointed, when a Quorum is Present, the Clerk will call Council to Order and all Members, staff, and the public attending the Meeting in person will remain standing while the Warden assumes the Chair.
Open Meetings	6.2	All regular and Special Meetings of Council will be open to the public unless the subject matter to be considered relates to those items outlined in Section 9. Notwithstanding the above, at the discretion of the Clerk, Meetings may not be physically opened for the public to attend in person. 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.
Speaking	16.4	It is the discretion of the Warden for Members participating in a Meeting in person to stand or remain seated when addressing the Warden.
Delegations and Members of the Public	18.1	Any person desiring to present information orally or through Electronic Means, on matters of fact or to make a request of Council will give notice and disclose the subject matter to the Clerk not less than 10 days preceding the Council and/or Committee Meeting at which such person desires to be heard.
Addressing the Warden	18.6	All Delegates will address the Warden from the podium or through Electronic Means and will state their name and whom they represent.
Method of Voting	23.4	A Member will vote by raising a hand or otherwise indicating the Member's vote, except where a recorded vote is requested. Where a Member is participating in the Meeting through Electronic Means, the Clerk is authorized to ascertain that Member's vote through such means as the

		Clerk considers most appropriate to the Electronic Means used by the Member.
Actions During Vote	23.5	<p>When the Warden calls for the vote on a question, until the result of the vote is declared by the Warden:</p> <ul style="list-style-type: none"> a) each Member participating in the Meeting in person will occupy his seat and will remain in place; b) each Member participating in the Meeting by Electronic Means will make themselves immediately available through those Electronic Means and remain available through them; and c) no Member will make any other motion or speak to the question or to any other Member or make any noise or disturbance.
Electronic Participation at Committee Meetings	27.3	<i>[rescinded]</i>
Committee Procedures	27.12	<p>The rules governing the procedure of Council and the conduct of Members at Council will be observed as far as they are applicable, and, subject to the specific rules for Committees set out in this section including:</p> <ul style="list-style-type: none"> a) the number of times of speaking on any question will not be limited; b) the requirement to stand to address the Chair is waived; c) a Majority vote will be required to decide any matter before the Committee; and d) recorded votes at Committees will not be weighted and Members will be called to vote by name in alphabetic order.
Procedures Applicable in Declared Emergencies	29A (all sections)	<i>[rescinded]</i>