



By-law 2020-43 to Amend
Procedural By-law 2016-12

*The Corporation of the Township of
McGarry*

Important Disclaimer: this by-law complies with the relevant provisions of the *Municipal Act, 2001*, SO 2001, c 25 (the "*Act*") and the *COVID-19 Economic Recovery Act, 2020*. If you have any questions or concerns about this by-law or how to implement it, please contact Wishart Law Firm LLP. Wishart Law Firm LLP is not responsible for the results of any edit to this by-law other than as expressly authorized or directed by Wishart Law Firm LLP.

© 2020, Wishart Law Firm LLP

All rights reserved. No part of this work may be reproduced or copied in any form or by any means (graphic, electronic or mechanical, including photocopying, recording, taping or information and retrieval systems) without the written permission of Wishart Law Firm LLP.

A licence is, however, given by Wishart Law Firm LLP to any Municipality that has purchased a copy of this work to print, copy, save, or post on its official website for its own use only and such Municipality may not repurpose or resell the work in any way.

THE CORPORATION OF THE TOWNSHIP OF MCGARRY

By-law No. 2020-43

Being a By-law to amend Procedural By-law 2016-12 with respect to Electronic Participation in Council Meetings.

WHEREAS Council, pursuant to section 238 of the *Municipal Act, 2001*, has adopted By-law 2016-12 to establish the procedures governing the Meetings of Council and Committees, the conduct of its Members and the calling of Meetings;

AND WHEREAS this by-law is intended to, and may be interpreted to apply to, Council, Committee and Local Board meetings as the case may be;

AND WHEREAS on July 21, 2020, the *COVID-19 Economic Recovery Act, 2020* was passed to amend the *Municipal Act, 2001* such that a Municipality's procedure by-law may permit Councillors to participate electronically in both open and closed meetings and for those Councillors to be counted in determining quorum when participating electronically;

Version 1.00 (July 27, 2020)

Copyright © Wishart Law Firm LLP. All rights reserved. No part of this document may be reproduced, distributed, or transmitted in any form or by any means, including photocopying, recording, or other electronic or mechanical methods, without the prior written permission of Wishart Law Firm LLP, except by the Township for its internal purposes or by members of the public for the purposes of understanding their rights and certain non-commercial uses permitted under the *Copyright Act*.

NOW THEREFORE the Council of the Corporation of the Township of McGarry hereby enacts as follows:

1. By-Law 2020-21 is repealed;
2. By-Law 2016-12 is amended as follows:
Section 5(e) Electronic Participation is hereby added;
5(e) **Schedules A and B** relating to Electronic Participation in Council Meetings, form part of this By-Law.
3. This by-law shall be deemed to have come into effect on July 21, 2020.
4. This by-law shall come into force upon final passing.

TAKEN AS READ A FIRST TIME THIS 8th DAY OF September 2020.
READ A SECOND TIME THIS 8th DAY OF September 2020.
READ A THIRD TIME AND FINALLY PASSED THIS 8th DAY OF September 2020.



Mayor, Matt Reimer



Clerk-Treasurer, Karine Pelletier

Schedule A

Electronic Participation in Council Meetings

1. Pursuant to Section 238 (3.3) of the *Municipal Act, 2001* (as may be amended from time to time), Members of Council, Committees or Local Boards may participate in meetings electronically;
2. When a Member is participating electronically, they may be counted in determining whether or not a quorum of Members is present at any time during the meeting;
3. Members participating electronically may participate in meetings that are closed to the public;
4. The Head of Council or delegate may chair a meeting electronically;
5. The Clerk may clerk the meeting electronically;
6. Meetings may proceed even though any or all Members and/or the Clerk are participating electronically.

Schedule B
Electronic Public Meetings

1. Pursuant to Section 236(1) of the *Municipal Act, 2001* (as may be amended from time to time), Council may hold its meetings at any convenient location within or outside the municipality. Therefore, Council may hold meetings that are only open to the public by live-streaming those meetings on an appropriate internet based platform that is generally available to members of the public ("Electronic Meetings"). Should internet services not exist, Electronic Meetings may be held by telephone conference or other available electronic means;
2. In deciding to hold an Electronic Meeting, Council shall consider, among other factors, whether health and safety issues dictate that members of the public should not gather together in Council chambers including, but not limited to, cases of epidemic or pandemic. When Council makes this decision, the reasons for the decision not to permit physical attendance of the public shall be recorded in the minutes. Council shall have regard to recommendations and advice from the applicable authority including but not limited to the Provincial Government or Public Health officials;
3. If Council decides to hold an Electronic Meeting, the web link, phone number or other electronic connection data to access the meetings will be published on the Municipality's website and in the meeting agenda. Should circumstances exist that the Municipality's website is not available, notice shall be provided in a manner that will provide access to the largest number of ratepayers possible in the circumstances.
4. If Council holds an Electronic Meeting, the meeting will be recorded and the recording of the open session of the meeting will be posted on the Municipality's website as soon as practical.