
MEMORANDUM

CL-C 75-2020

Subject: Notice of Procedural By-law Amendment – Amendment to allow Electronic Meeting Participation

Date: July 23, 2020

To: Regional Council

From: Ann-Marie Norio, Regional Clerk

In response to the COVID-19 pandemic, the Province enacted the *Municipal Emergency Act* on March 19, 2020, which amended the provisions of the *Municipal Act* regarding electronic participation to allow members that participate electronically to count towards quorum, and participate in closed session, in circumstances when an emergency has been declared.

On March 26, 2020, the Region's Procedural By-law was amended to permit members of Council to participate in both open and closed meetings electronically and be counted towards quorum during the period of the emergency declared by the Province of Ontario pursuant to section 7.0.1 of the Emergency Management and Civil Protection Act, related to the COVID-19 Pandemic.

At its meeting held on June 25, 2020, Regional Council received Correspondence Item CL-C 34-2020 Notice of Procedural By-law Amendment – Amendment to allow Electronic Meeting Participation for Sub-Committees and Advisory. This memorandum provided notice of a procedural amendment to allow Niagara Region advisory and sub-committees to hold meetings via electronic participation during the period of the emergency declared by the Province of Ontario. The amended by-law was to be considered at the July 23, 2020 Council meeting.

On July 21, 2020, *Bill 197, COVID-19 Economic Recovery Act*, received royal assent. This bill included provisions to amend the *Municipal Act 2001*, to provide municipalities with new permissive authority related to electronic meetings. These amendments allow, under a municipality's procedural by-law, members of municipal councils to continue to participate electronically in both open and closed meetings and be counted towards quorum, even in the absence of an emergency.

The current Provincial Emergency declaration is set to expire on July 24, 2020. In order to ensure Council still has the ability to meet electronically should the Province terminate the declared emergency, a procedural by-law amendment is necessary. Based on this new legislation, staff will bring forward a procedural by-law amendment that will permit electronic participation for Council, Standing Committees as well as advisory and sub-committees, consistent with Council direction provided on June 25, 2020, in the absence of a Provincial declaration of emergency.

In accordance with the Procedural by-law (section 2.5) no amendment to the by-law may be considered unless notice of the proposed amendment has first been given at a previous regular meeting of Council.

This memorandum provides notice that the applicable Procedural By-law amendment to update the by-law accordingly, will be brought to the Special Regional Council meeting being held on July 30, 2020, for Council's consideration.

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk