

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO AMEND BY-LAW 120-2010, THE PROCEDURAL BY-LAW

WHEREAS subsection 238(2) of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended, provides that every municipality shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

WHEREAS subsection 238(3.1) of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended, provides that the applicable procedural by-law may provide that a member of council can participate electronically in a meeting which is open to the public to the extent and in the manner set out in the by-law provided that such member shall not count towards quorum; and

WHEREAS Regional Council deems it advisable to amend By-Law 120-2010, The Procedural By-Law to allow for electronic participation in meetings during the COVID-19 (Novel Coronavirus) Pandemic;

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the following provisions be added to By-law 120-2010:

Definition of Electronic Participation: A Council member who participates in a Standing Committee or Council meeting remotely via electronic means (e.g. audio), will have the same rights and responsibilities as if he or she were in physical attendance, including the right to vote, with the exception that they shall not count toward a quorum of members and shall not be permitted to participate in any portion of a meeting which is closed to the public, unless otherwise proclaimed by the Province of Ontario, in accordance with the provisions of the *Municipal Act, 2001* as amended.

Electronic Participation shall only be permitted during the COVID-19 (Novel Coronavirus) Pandemic, as defined by the World Health Organization (WHO).

Electronic Participation shall only be permitted for Standing Committee meetings and any special, emergency or regular Council meeting.

The Regional Chair and/or Committee Chair shall not be permitted to participate electronically at any meeting.

The member of Council who wishes to participate in a meeting electronically shall provide the Clerk a minimum of 24 hours notice in advance.

2. That this by-law shall come into force and effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: <date> by a vote of 2/3 of the members present