



The Corporation of Norfolk County

By-Law 2020-19

Being a By-Law to amend the Procedural By-Law 2017-83 To Govern the Procedures of The Council of The Corporation of Norfolk County and All of Its Committees, the Calling of Meetings and the Conduct of Its Members for the Purposes of Allowing Electronic Participation by Council and Committee Members during a Declared Emergency

WHEREAS Section 238 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that every Council shall adopt a procedure for governing the calling, place and proceedings of meetings;

AND WHEREAS Bill 187, *The Municipal Emergency Act, 2020* amends the *Municipal Act, 2001*, S.O 2001, c.25 to permit electronic participation in meetings by Council Members in open and closed session proceedings during an emergency declared by the municipality or Province;

AND WHEREAS Norfolk County Council deems it desirable to permit Council members to participate electronically during meetings declared during an emergency.

NOW THEREFORE the Council of The Corporation of Norfolk County hereby resolves as follows:

1.1 THAT the following Definition be added to the Procedural By-Law 2017-83

“Attendance – Shall mean physical attendance at a meeting excluding the exemptions provided in this By-Law and those established in Section 238 (3.3) of the *Municipal Act 2001*, S.O. 2001 c. 25 that provide for electronic participation including inclusion as quorum for Council and its Committees Members during an officially declared emergency”

1.2 THAT the Procedural By-Law 2017-83 be amended through the deletion of section 4.6 in its entirety and replacement therein of the following:

“4.6 Council Electronic Participation

- a) Council Members may participate in meetings electronically during an emergency declared by the Province or Norfolk County;
- b) Electronic participation shall only occur during the time period of a formally convened meeting being held in a physical location as required in Section 4 of the Procedural By-Law;
- c) The Chair may introduce alternative processes to those established in section 12.2, 14.6, 14.7, 16.2 and 18.5 to better

facilitate participation by electronic attendees.


- d) All non-procedural votes held during meetings with electronic participants shall be recorded votes;
- e) Technical downages or disconnections of electronic Council attendees do not invalidate the business conducted by Council. In cases where Council becomes aware that electronic attendees are absent they may recess for a brief period to allow them to rejoin. If technical, network or other issues do not allow the member to rejoin the meeting shall continue with their absence noted in the minutes.”

1.3 THAT Section 23.8 (b) of the Procedural By-Law 2017-83 be amended through the addition of the following after the word ‘quorum’:

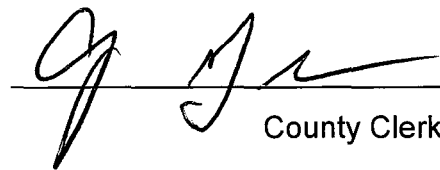
“except in circumstances as defined under Section 238 (3.3) of the Municipal Act 2001, S.O. 2001 c. 25 that provide for electronic participation including inclusion as quorum for Council and its Committees Members during an officially declared emergency”

2. The effective date of this By-Law shall be the date of passage thereof.

ENACTED AND PASSED this 7th day of April, 2020.



Mayor



County Clerk

Authority: Special Council, April 7 2020
Municipal Emergency Act, 2020, S.O. 2020, c. 4