

CORPORATION OF THE COUNTY OF DUFFERIN

BY-LAW NUMBER 2020-44

A BY-LAW TO AMEND BY-LAW 2015-24, A BY-LAW TO GOVERN THE PROCEEDINGS OF COUNCIL AND ITS COMMITTEES. (Permit for Electronic Participation at Meetings)

WHEREAS the Municipal Act, 2001, S.O. 2001, c. 25, section 238 provides that a municipality shall establish a procedure by-law to govern meetings;

AND WHEREAS the Corporation of the County of Dufferin has enacted Procedural By-law #2015-24;

AND WHEREAS Section 238 (3.1) of the Municipal Act provides that a member of council, of a local board or of a committee of either of them, can participate electronically in a meeting which is open to the public to the extent and in the manner set out in the bylaw provided that any such member shall not be counted in determining whether or not a quorum of members is present at any point in time.;

AND WHEREAS it is necessary to amend By-Law 2015-24, being a by-law to govern the proceedings of Council and its Committees;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE COUNTY OF DUFFERIN ENACTS AS FOLLOWS:

1. That a the following be added:

4.7 Electronic Participation at a Meeting

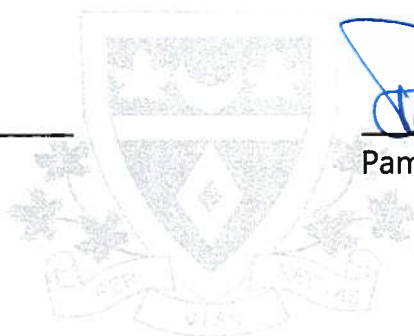
- a. Electronic Means of participating in a meeting is available only for meetings of Council or Committee that take place in the Town of Orangeville Council Chambers, 87 Broadway, Orangeville, Ontario or Sutton Room, Dufferin County Municipal office, 55 Zina Street, Orangeville, Ontario or other location as determined by Council.
- b. Requests to participate in a meeting by Electronic Means must be made to the Clerk in writing at least two (2) business days before the meeting.
- c. Council Members may participate in the same Council meeting by Electronic Means as long as there is a quorum in the room of representatives of five (5) municipalities and a majority of Members. Where more Members than quorum requests to participate in the same meeting by Electronic Means, the request will be granted to the Members that made the request in writing on a first received basis.
- d. Committee Members may participate in the same Standing Committee meeting by Electronic Means as long as there is a quorum in the room of a majority of Members. Where more Members than quorum requests to participate in the same meeting by Electronic Means, the request will be granted to the Member that made the request in writing on a first received basis.


- e. Members may not participate electronically in any meeting that is closed to the public.
 - f. A Member participating in a meeting by Electronic Means shall be considered to be present at such meeting but shall not be counted towards quorum.
 - g. The Chair must be present in person at a meeting.
2. That Appendix 1 of By-Law #2015-24 (Procedural By-law) be replaced with the attached.
 3. This by-law shall come into effect immediately upon passing.

READ a first, second and third time and finally passed this 28th day of May, 2020.



Darren White, Warden





Pam Hillock, Clerk

Appendix 1 to By-law #2015-24

Electronic Meeting Protocol

Note: The Procedural By-law shall continue to apply to an Electronic Meeting held pursuant to this Protocol, and that amendments to this Protocol may be permitted to be made by simple majority vote of Council to accommodate an effective and efficient meeting so long as any such amendments are consistent with the intent of the Procedure By-law and do not directly conflict with the Procedure By-law or are contrary to prevailing Provincial legislation or orders.

General

- The method and technology used for an Electronic Meeting in Open Session or Closed Session shall be determined by the Clerk, based on advice and resources available at the time and the prevailing circumstances and context for a meeting.
- The Warden or Acting Warden (or designate) shall lead the meeting and be present from a designated meeting location supported by the Clerk (or designate), where possible.
- The following practices will be followed for electronic participation by a Member:
 - Each Member participating in a meeting electronically shall be available at least fifteen (15) minutes before the beginning of the meeting to assist staff in confirming establishment of the electronic connection.
 - Each Member participating in a meeting electronically will mute their electronic device when not speaking and/or it will be muted by meeting support staff, depending on the technology used for the meeting.
 - The Chair will canvass Members participating electronically about their intention to speak to a matter on the floor and will notify each Member when it is their turn to speak.
 - Member(s) participating electronically will be deemed to have left the meeting when they are no longer electronically connected to the meeting.
 - In the case of a loss of connection, or any connection issue which impedes the ability of a Member(s) to participate in the meeting in real time, the meeting will continue without attempts by either staff or the Member(s) to reconnect.
- For any procedural or technology matters unforeseen and not clearly identified within these rules or the Procedural By-law, the matter shall be decided by the Warden, upon advice from the Clerk or County Staff, subject to an appeal to the Council.
- Members follow meeting leadership from the Warden as Chair.
- At the start of the meeting, the Clerk shall conduct a roll call by voice (calling out each Member in alphabetical order. After roll call, a Member participating electronically should advise verbally that they are leaving the meeting before ending their participation.
- The Chair is to announce each agenda item on the floor of the meeting and shall maintain an orderly meeting process keeping Members informed.

- A Member who participates electronically shall have the same rights and responsibilities as if they were in physical attendance, including the right to vote.

Member Speaking

- Five-minute maximum (Clerk to time and provide warning at four minutes).
- Member can use time allotment to speak, ask questions of staff and/or introduce a motion.
- Each Member is provided only two opportunities to speak (five minutes each), subject to other meeting rules.
- Each Member speaks to Council through the Chair.
- After a Member finishes speaking, the Chair may confirm verbally the list of remaining speakers and calls out name of the next Member assigned the floor.

Motions

- All motions must be germane to the agenda
- All motions to be in writing with mover/seconded identified (except procedural motions) and provided to Chair/Clerk in advance of Member speaking by email.
- Any introduced motion accepted by the Chair is to be read by the Chair and/or Clerk.

Voting

- All votes shall be a recorded vote conducted by the Clerk, as directed by the Chair, unless Council decides otherwise.
- Clerk to call each name of Member to record vote (calling out each Member in alphabetical order)
- If a Member is present in-person or electronically, and their name is called and there is no response to indicate the vote provided, the Clerk will ask one more time, and if there is no indication of a vote, and the Member is present in-person or electronically, the vote is recorded as negative, unless directed otherwise by the Chair.
- Clerk to announce results to Chair and Council

Member Conduct

- Each Member shall remain silent and attentive to the proceeding when not assigned the floor by the Chair.
- Each Member to listen for their name to be assigned the floor to speak or to vote.
- Each Member takes directions from the Chair in order to facilitate an effective, efficient and orderly meeting.