

# THE CORPORATION OF TAY VALLEY TOWNSHIP

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## BY-LAW NO. 2020-007

### PROCEDURAL BY-LAW AMENDMENT ELECTRONIC PARTICIPATION DURING A DECLARED EMERGENCY

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

**AND WHEREAS**, the Council of the Corporation of Tay Valley Township enacted and passed By-Law No. 2018-042, being a by-law to govern the proceedings of the Council of the Corporation of Tay Valley Township;

**AND WHEREAS**, Council deems it expedient to amend By-Law No. 2018-042 as hereinafter set out to address changes in legislation as a result of Bill 187, *Municipal Emergency Act, 2020*;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of the Corporation of Tay Valley Township enacts as follows:

#### 1. GENERAL REGULATIONS

1.1 **THAT**, Section 1.0 DEFINITIONS be amended to add the following:

“**Declared Emergency**” – shall mean where an Emergency has been declared to exist in all or part of the Municipality under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9, as amended.

“**Electronic Participation**” – shall mean where a Member is not physically present but participates via electronic communication.

1.2 **THAT**, the following be added as a new section following Section 9.2 General and that all subsequent sections be renumbered:

#### 9.3 Electronic Participation

9.3.1 Electronic Participation shall only be permitted during a Declared Emergency.

9.3.2 A Member who is participating electronically in a meeting:  
a) shall count towards Quorum; and  
b) may participate in both open and closed Meetings.

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**1.3** THAT, the newly renumbered subsection 9.6.8 be amended to replace the wording "9.5.1 or 9.5.2" with "9.6.1 or 9.6.2".

**1.4** THAT, the newly renumber subsection 9.6.10 be amended to replace the wording "9.5.9" with "9.6.9".

**2. ULTRA VIRES**

Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

**3. BY-LAWS AMENDED**

**3.1** By-Law No. 2018-042 is hereby amended.

**3.2** All by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

**4. EFFECTIVE DATE**

ENACTED AND PASSED this 30<sup>th</sup> day of March, 2020.

  
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**Brian Campbell, Reeve**



  
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**Amanda Mabo, Clerk**