

By-law 2020-137

A By-law of the City of Greater Sudbury to Amend By-law 2019-50 being a By-law of the City of Greater Sudbury to Establish Procedures for the City of Greater Sudbury

Whereas Council of the City of Greater Sudbury passed By-law 2019-50 which By-law governs the process for the calling, place and proceedings of meetings pursuant to section 238 of the *Municipal Act, 2001* (the "Procedure By-law");

And Whereas on March 24th, 2020 and on June 23rd, 2020, the City passed By-laws 2020-69 and 2020-107 to amend the Procedure By-law, respectively, to permit electronic participation in meetings of Council and its committees to varying degrees during and outside of declared emergencies;

And Whereas the Province of Ontario, on July 21st, 2020, passed the *COVID-19 Economic Recovery Act, 2020* which amended the provisions of the *Municipal Act, 2001* regarding electronic participation in meetings of Council, Committees and Local Boards by permitting, where provided in a municipality's Procedure By-law, members participating electronically to participate in closed meetings and to be counted in the calculation of quorum for meetings generally;

And Whereas Council of the City of Greater Sudbury wishes to further amend its Procedure By-law to permit the use of electronic participation by members for meetings of Council and Committees of Council consistent with the new provisions of the *Municipal Act, 2001* as amended by the *COVID-19 Economic Recovery Act, 2020*;

Now therefore Council of the City of Greater Sudbury hereby enacts as follows:

1. By-law 2019-50 being a By-law of the City of Greater Sudbury to Establish Procedures for the City of Greater Sudbury is hereby amended by repealing Articles 5A and 5B and by enacting the following Article 5A immediately after Article 5 and before Article 6:

"ARTICLE 5A. ELECTRONIC PARTICIPATION

5A.01 Participating Electronically

A Member may Participate Electronically in a Meeting of Council or a Committee subject to the limitations set out in this Article.

5A.02 Notification of Electronic Participation

Members wishing to Participate Electronically in a Meeting shall advise the Clerk and the Chair of Council or the respective Committee of their intention to do so at least twenty-four (24) hours prior to the Meeting.

5A.03 Quorum

Members Participating Electronically, together with the Members attending in-person, shall be counted in determining whether a quorum is present to commence or continue a Meeting.

5A.04 Chair

The Member chairing a Meeting with Electronic Participation shall be permitted to Participate Electronically.

5A.05 Closed Meetings

Electronic participation shall be permitted for Closed meetings and Members Participating Electronically shall ensure they are participating from a secure location that preserves the privacy and confidentiality of the Closed meeting discussions.

5A.06 Meeting Processes

The Chair, in consultation with the Clerk, shall rule on and determine the applicable meeting processes as may be required to be adapted for Meetings conducted with Electronic Participation which processes shall be consistent with this By-law and at all times in compliance with the requirements of the *Municipal Act, 2001*."

Effective Date

2. This By-law shall come into full force and effect upon passage.

Read and Passed in Open Council this 12th day of August, 2020



Mayor



Clerk