

By-law 2020-69

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 the 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*;

Whereas the *Municipal Act, 2001* as amended, provides in section 238(3.4) that a municipality may hold a special meeting to amend an applicable procedure by-law for the purposes of subsection (3.3) during a period where an emergency has been declared to exist in all or part of the municipality under section 4 or 7.01 of the *Emergency Management and Civil Protection Act* and despite subsection (3.1), a member participating electronically in such a special meeting may be counted in determining whether or not a quorum of members is present at any time during that meeting;

And Whereas such a declaration of emergency has been made which affects all of the Province;

And Whereas Members of Council for the City are meeting electronically 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 for the purposes of 238(3.3);

Now therefore the 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 adding the following definition in Article 1:

“ “Electronic Participation” or “Participating Electronically” means attendance at a Meeting by way of means which may include, without limitation, the use of telephone conference, videoconference or a combination of any such means without physical attendance.”

Add Article 5A – Electronic Participation During an Emergency

2. 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 further amended by enacting the following Article 5A immediately after Article 5 and before Article 6:

"ARTICLE 5A. ELECTRONIC PARTICIPATION DURING AN EMERGENCY

5A.01 Participating Electronically

A Member may Participate Electronically in a Meeting of Council or a Committee where an emergency has been declared to exist in all or part of the City of Greater Sudbury under section 4 or 7.01 of the *Emergency Management and Civil Protection Act*.

5A.02 Notification of Electronic Participation

Members wishing to Participate Electronically in a Meeting shall advise the Clerk of their intention to do at least 24 hours prior to the Meeting unless the circumstances of the emergency do not permit such notice in which case Members shall do so at the earliest opportunity.

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 of Council or a Committee.

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 only do so if they can ensure they are participating from a 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 consisted with this By-law and at all times in compliance with the requirements of the *Municipal Act, 2001*."

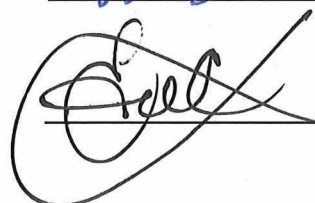
Effective

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

Read and Passed in Open Council this 24th day of March, 2020



Mayor



Clerk