

The Corporation of the City of Kawartha Lakes

By-Law 2020-XXX

A By-law to Amend By-law 2020-035, being a By-law to Regulate Govern and Regulate the Proceedings of the Council of the City of Kawartha Lakes

Recitals

1. Section 238(2) of the Municipal Act, requires that every municipality and local board pass a procedural by-law for governing the calling, place and proceedings of meetings;
2. Subsection 238(3.1) of the Municipal Act, the applicable procedure by-law may provide 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 by-law 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
3. The Council of the City of Kawartha Lakes adopted By-law 2020-001 as amended, being a By-law to Regulate Govern and Regulate the Proceedings of the Council of the City of Kawartha Lakes.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2020-XXX.

Section 1.00: Definitions and Interpretation

1.01 Interpretation Rules:

(a) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.02 Statutes: References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

1.03 Severability: If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Amendment Details

2.01 Amendment: That a new Section 5.07 be inserted after section 5.06 in By-law 2020-001 as follows:

5.07 Electronic Participation Non-State of Emergency:

1. Electronic participation would apply to Council, Local Boards and Committees of Council.
2. Non members that would be permitted to participate electronically includes, City staff, consultants, deputations and invited presenters.

3. Members who are unable to attend Council, Local Board or Committee Meetings may participate by means of audio/visual or audio electronic communication devices under the following circumstances:
 - a. The Mayor/Chair shall be present and will not participate electronically.
 - b. Members participating electronically may be included in the debate, but shall not be counted in determining a quorum and therefore can not vote.
 - c. Participation electronically shall be limited to open meetings only.
 - d. The Clerk shall be notified 72 hours in advance.
 - e. A Member participating by Electronic Means shall inform the Chair about their intentions to leave the meeting either on a temporary or permanent basis.
 - f. A Member participating by Electronic Means will be deemed to have left the meeting when they are no longer electronically connected to the meeting.
 - g. In the case of an interruption in the communication link to the member(s) participating electronically, Council will recess to a maximum of 15 minutes until it is determined whether or not the link can be re-established. If communications are not re-established, the meeting will resume without the electronic participant(s).
4. All electronic meetings will be available on Livestreaming or other video technology.

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The City Clerk is responsible for the administration of this by-law.
- 3.02 **Effective Date:** This By-law shall come into force on May 26, 2020.

By-law read a first, second and third time, and finally passed, this 26th day of May, 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk