

Bill No. 135
2020

By-law No. A-50-20007

A by-law to amend By-law A-50, as amended, being “A by-law to provide for the Rules of Order and Procedure for the Council of The Corporation of the City of London” to provide for electronic participation of Members of Council at Council and Standing Committee meetings during a period of a declared emergency.

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS the Municipal Council enacted the Council Procedure By-law (By-law No. A-50) on May 31, 2016 to provide for the rules of order and procedure for the Council of The Corporation of the City of London;

AND WHEREAS on March 17, 2020 a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the *Emergency Management and Civil Protection Act* related to Novel Coronavirus (COVID-19);

AND WHEREAS on March 19, 2020 the Province of Ontario enacted the *Municipal Emergency Act, 2020* to amend the *Municipal Act, 2001*, to enact section 238 (3.3) and 238 (3.4) to permit meetings to be held electronically during an emergency declared pursuant to the *Emergency Management and Civil Protection Act*, R.S.O. 1990, Chapter E.9;

AND WHEREAS the Lieutenant Governor has issued Order in Council 520/2020, pursuant to the *Emergency Management and Civil Protection Act*, prohibiting all organized public events of over fifty people due to COVID-19;

AND WHEREAS the Council of The Corporation of the City of London considers the protection of the health and safety of the public to be a paramount concern;

AND WHEREAS The Corporation of the City of London considers it necessary to be able to hold Council and Standing Committee meetings electronically during the COVID-19 emergency;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Section 1.0 DEFINITIONS is hereby amended by adding the following new definitions:

Declared Emergency - defined

“Declared Emergency” shall mean a declaration under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*.

Electronic Meeting Participation - defined

“Electronic Meeting Participation” shall mean the participation of a Council Member remotely, via electronic means, who shall have the same rights and responsibilities as if the Member was in physical attendance.

2. Section 5.0 MEETINGS is hereby amended by adding the following new subsection:

5.11 Meetings - Declared Emergency

A Council or standing committee meeting may include electronic participation of Members, during a declared emergency. This provision includes meetings of the Council or standing committee In Closed Session. The following shall apply:

- a) The meeting Chair shall not be permitted to participate electronically at a meeting.
- b) A Member requiring to participate electronically shall be required to provide the City Clerk with a minimum of 24 hours' notice.
- c) The administration of electronic participation shall be at the discretion of the City Clerk, recognizing that technology and requirements will vary from time-to-time. This shall include the means by which Members shall vote.
- d) Individual rules of debate and conduct at meetings, as included in Sections 9 and 31 of this by-law, may be suspended as required, to facilitate electronic participation in for meetings.

3. Section 15.0 COUNCIL – IN CLOSED SESSION, is hereby amended by adding the following new subsection:

15.11 Meeting – In Closed Session – Declared Emergency

Any part of a meeting held in closed session, shall allow for electronic meeting participation by Members, during a declared emergency.

4. Section 17.0 – PUBLIC AT COUNCIL MEETINGS, is hereby amended by adding the following new subsection:

17.6 Public – Declared Emergency

The Council Chambers may be restricted from public attendance for a meeting during a declared emergency, when it has been deemed in the public interest to do so. Meetings will continue to be provided to the public using electronic means, where it is possible to do so.

5. Part 4 – STANDING COMMITTEES, is hereby amended by adding the following new subsection, to Section 26.0 – MEETINGS:

26.4 Meetings – Declared Emergency

All provisions of Section 5.11, 15.11 and 17.6 shall apply to Standing Committee Meetings during a declared emergency.

6. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on March 24, 2020.

Jesse Helmer
Deputy Mayor

Catharine Saunders
City Clerk

First Reading – March 24, 2020
Second Reading – March 24, 2020
Third Reading – March 24, 2020