

THE CORPORATION OF THE CITY OF NORTH BAY

By-Law 2020-64

**Being a By-Law to Amend
City of North Bay Procedural By-Law 2019-80**

WHEREAS section 238 of the *Municipal Act, 2001*, as amended, provides that every municipality shall pass a Procedure By-Law for governing the calling, place and proceeding of meetings;

AND WHEREAS The Corporation of the City of North Bay has enacted Procedural By-Law 2019-80, as amended;

AND WHEREAS on July 21, 2020, the Province of Ontario enacted Bill 197, *COVID-19 Economic Recovery Act, 2020*, an Act to amend various statutes in response to COVID-19 and to enact, amend and repeal various statutes;

AND WHEREAS upon the enactment of the *COVID-19 Economic Recovery Act, 2020*, subsections 238(3.1), (3.2), (3.3), and (3.4) of the *Municipal Act, 2001*, as amended, were repealed;

AND WHEREAS Council passed Resolution 2020-219 on the 21st day of July, 2020, to amend the City of North Bay's Procedural By-Law 2019-80, as amended, to allow Members of Council and Members of Local Boards or Committees to participate electronically in meetings until December 31, 2020 and suspend the Notice Provision as set out in section 33 of the City of North Bay's Procedural By-Law 2019-80, as amended.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. That City of North Bay By-Law 2020-33, being a By-Law to Amend City of North Bay Procedural By-Law 2019-80 is hereby revoked.
2. That The Corporation of the City of North Bay's Procedural By-Law 2019-80 be amended by adding Section 6.3 "Electronic Attendance of Members" as follows:

"6.3 Electronic Attendance of Members

6.3.1 In this section:

- (a) "Electronic Means" includes any device, software or technology that, in the opinion of the City Clerk, reasonably enables a person to hear and participate in the Meeting.
- (b) "Electronic Participation" means participation at a Meeting at which all Members participate by Electronic Means.

6.3.2 Members participating electronically in a Meeting, whether it be open or closed to the public, shall be counted for the purposes of quorum at the Meeting and may vote as if they were attending the Meeting in person.

6.3.3 The Mayor may direct the City Clerk to restrict or prohibit physical attendance of members of the public to the place of the Meeting subject to the following:

- (a) The City Clerk may employ Electronic Means to reasonably facilitate the participation of members of the public at the Meeting.

- (b) The Public Notice of the Meeting will include such information as the City Clerk determines will reasonably inform the members of the public respecting the use of Electronic Means.
- (c) A Meeting held via Electronic Participation shall permit Presentations by members of the public. All Presentations will be heard in accordance with section 38, of the City of North Bay's Procedural By-Law 2019-80, with the following exception:
 - (i) Members of the public will not have the ability to present a visual presentation (i.e. Power Point) electronically at the Meeting. Members of the public making a presentation, that includes a visual presentation, must submit the visual presentation to the City Clerk no later than 10:00 a.m. on the Monday prior to the scheduled meeting. The City Clerk will circulate the presentation materials to all Members prior to the Meeting.

6.3.5 The following may be adjusted at the discretion of the Chair based on the features and functionality of Electronic Means or service being used to permit electronic participation:

- (a) the provisions included in section 25 of Procedural By-Law 2019-80 requiring voting to be by show of hands;
- (b) the provisions of section 29 of Procedural By-Law 2019-80 setting out the process for a Recorded Vote; and
- (c) any other provisions of this By-Law or By-Law 2019-80 made impossible due to the features and functionality of the Electronic Means or service being used to permit electronic participation by a Member.

6.3.6. Section 6.3 prevails to the extent of any inconsistency between this section and any other section of Procedural By-Law 2019-80.

- 3. This By-Law is enacted at a special meeting held in accordance with sections 238(3.4) and (3.5) of the *Municipal Act*, 2001, as amended.
- 4. This By-Law shall be in force and effect upon passing until December 31, 2020.

Read a First Time in Open Council this 11th day of August, 2020.

Read a Second Time in Open Council this 11th day of August, 2020.

Read a Third Time in Open Council and Enacted and Passed this 11th day of August, 2020.

Deputy Mayor Tanya Vrebosch

City Clerk Karen McIsaac