

The Corporation of the Township of Douro-Dummer

By-Law Number 2020-18

A By-law to amend By-law No. 2018-09, being "A by-law to govern the proceedings of the Council of The Corporation of the Township of Douro-Dummer" (Procedural By-law)

Whereas section 238 of the Municipal Act, 2001 (the "Act"), as amended, provides that every municipality and local board shall pass a Procedure By-law for governing the calling, place and proceedings of meetings;

And Whereas, on January 16, 2018, Council passed Procedure By-law By-law No. 2018-09;

And Whereas on March 19, 2020 the Act was amended by the *Municipal Emergency Act, 2020*, to provide that, any period where an emergency has been declared to exist under section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, members of councils, local boards and committees who participate electronically in open and closed meetings may be counted for purposes of quorum;

And Whereas the Act, amended by the Municipal Emergency Act, 2020, provides that a municipality or local board may hold a special meeting to amend an applicable procedure by-law and 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 the meeting;

And Whereas on March 17, 2020, the Province of Ontario declared a province-wide state of emergency as part of the ongoing response to COVID-19;

And Whereas the Council of The Corporation of the Township of Douro-Dummer deems it expedient to amend Procedure By-law No. 2018-09 to allow its members of Council, local boards and committees to participate electronically in meetings during emergencies and be counted for purposes of quorum;

Now therefore be it resolved that the Council of The Corporation of the Township of Douro-Dummer enacts as follows:

1. That By-law No. 2018-09 be amended by:

a. adding the following definition to Section 1.1 – Definitions:

"Electronic Participation" includes telephone, video, audio or audio-visual conferencing, or any other interactive method whereby Members, staff and the public are able to hear the Member(s) participating by electronic means and the Member(s) participating by electronic means are able to hear other Members, staff and the public.

b. deleting subsection 2.7 Recording Devices – Not Permitted in its entirety and replacing it with a new subsection 2.7 as follows:

2.7 Recording and Livestreaming of Meetings

Meetings of Council and certain Committees may be audio/video recorded and/or broadcast through livestreaming in accordance with "Schedule B" attached hereto and forming part of this By-law.

Members of the public or media may record proceedings of meetings in accordance with "Schedule B" attached hereto and forming part of this By-law. Should the recording differ from "Schedule B", a request to do such may be considered by Council.

- c. adding the following subsection to Section 2. immediately following subsection 2.7 a follows:

2.8 Electronic Participation during an Emergency
During an emergency, Members of Councils, local boards and committees who participate electronically in open and closed meetings may be counted for purposes of quorum.

- d. adding the following subsection to Section 4 – Notice of Meetings:

4.8 Cancellation of Meeting
The Clerk, with the approval of the Head of Council, may cancel a meeting of Council when, in their opinion, there is sufficient cause to do so.

- d. adding Schedule 'A' of this By-law to By-law 2018-09 immediately following "Schedule A":

- 2. That this by-law shall come into force and effect on the date of passage.

Passed in open Council this 2nd day of April, 2020.

Mayor, J. Murray Jones

Clerk, Crystal McMillan

Schedule 'A' to By-law 2020-18

Schedule 'B' Recording and Livestreaming of Meetings

1. Regular, Special and Emergency meetings of Council and other committees held in Council Chambers at 894 South Street, Warsaw, Ontario or in another location will be audio/video recorded and broadcasted on the internet if the equipment is available.
2. Regular, Special and Emergency meetings of Council and other committees held during an emergency via telephone conference or virtual meeting will be audio/video recorded and/or broadcasted on the internet.
3. Committee Meetings of Council may or may not be audio/video recorded and broadcasted on the internet depending on the location of the meeting and equipment available.
4. Closed Session meetings shall not be recorded.
5. In accordance with the Municipal Act, 2001, as amended, minutes of meetings are to be recorded without note or comment by the Clerk or designate. The approved minutes that are authored by the Clerk or designate shall be the official record of all Council meetings.

The Township (Clerk) will not provide transcripts of the meetings.

6. The electronic file of any audio/video recording will become a corporate record and may be saved on the Township's server and/or uploaded to the Township's website as soon as practical following the meeting.
7. Files on the internet are part of the public realm and may be subject to alteration by a member(s) of the public with no municipal control over such alterations. The Township assumes no liability associated with any alterations that are made by a member(s) of the public on the internet.
8. Signage shall be posted in the Council Chambers to advise members of the public that meetings may be recorded and will be made available on the internet.

A notation will be added to applicable meeting agendas to make presenters and members of the public aware that proceedings may be recorded and may be made available on the internet.

The Presiding Officer shall make a statement at the commencement of applicable meetings that "This meeting is being audio and/or video recorded and the recording will be made available on the Township website". Access to recorded proceedings shall be in compliance with the Municipal Freedom of Information and Privacy Act.