

THE CORPORATION OF THE TOWN OF CALEDON

BY-LAW NO. 2022-016

A by-law to amend By-law 2015-108, as amended,
being a by-law to provide for the rules of order of
Council and its Committees, as amended

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c. 25, section 238 provides that a municipality shall establish a procedure by-law to govern meetings;

WHEREAS The Corporation of the Town of Caledon has enacted Procedural By-law 2015-108, as amended;

WHEREAS on July 21, 2020, through Bill 127, the Provincial Government made further amendments to the *Municipal Act, 2001*, to permanently allow quorum for electronic meetings outside of a declared emergency;

WHEREAS on March 21, 2022 the Town of Caledon passed a motion to lift the declared emergency regarding the COVID-19 Pandemic that was issued under the Town's Emergency Management Program and Emergency Plan By-law 2014-076, pursuant to the Emergency Management and Civil Protection Act;

WHEREAS Council deems its expedient to amend its governing structure to offer both in person and electronic participation for Council and Committee meetings;

NOW THEREFORE the Council of The Corporation of the Town of Caledon ENACTS AS FOLLOWS:

1. Procedural By-law 2015-108, as amended, is hereby further amended by:

(1) Removing the following definitions from Part 1: Definitions:

"Electronic Meeting" means a meeting called and held in full or in part via electronic means (including, but not limited to, audio teleconference, video teleconference, or another means as determined by the *Clerk* means of the internet), and with or without in person attendance.

"Regular Council Meeting (COVID-19 Pandemic)" means a meeting called and held in full or in part as an *electronic meeting* to allow for Council to continue considering recommendations from staff, and correspondence from stakeholders in the absence of the Committee of the Whole meetings.

"Special Council Meeting (COVID-19 Pandemic)" means a meeting called and held in full or in part as an *electronic meeting* to allow for Council to receive emerging updates from stakeholders and first-responders managing the pandemic.

(2) Deleting and replacing the definition of *"Meeting"* with the following:

"Meeting" means any regular, special or other meeting of Council or Committee held in person and/or electronic means, or another means as determined by the *Clerk*.

(3) Removing the following from Part 3: Council and Committee Structure:

3.1 3. "Special Council Meeting (COVID-19 Pandemic)"

4. "Regular Council Meeting (COVID-19 Pandemic)"

(4) Deleting and replacing Section 5.1.3 with the following:

5.1.3 Attendance at a meeting by members of the public shall be either in person or by electronic means, unless as a result of an emergency declared by the Premier, Cabinet, or the Municipal Head of Council under the *Emergency Management and Civil Protection Act*, whereby in person attendance may be restricted to protect the health and safety of all individuals.

- (5) Deleting and replacing Section 5.2.1 with the following:
 - 5.2.1 The inaugural meeting of *Council* shall be scheduled as determined by the *Clerk* following a regular municipal election.
- (6) Amending Section 5.3 Council and Committee Meetings by adding the following provisions following 5.3.4, and all provisions be renumbered accordingly:
 - 5.3.5 The electronic format or platform used for a *Meeting* shall be determined by the *Clerk* taking into consideration the prevailing circumstances and context for a meeting.
 - 5.3.6 The *Presiding Officer* shall lead the *meeting* and be present from a designated meeting location supported by the *Clerk* (or designate), where possible.
- (7) Amending Section 5.6 Call to Order/Quorum by adding the following provision following 5.6.2, and all provisions be renumbered accordingly:
 - 5.6.3 If a *Member* participating through electronic means experiences connection issues and cannot participate electronically, they shall be deemed to have left the *meeting*.
- (8) Deleting Section 5.9 Electronic Participation, 5.10 Special Council Meeting (COVID-19 Pandemic) and Section 5.11 Regular Council Meeting (COVID-19 Pandemic) in their entirety.
- (9) Amending Section 6.2 Speaking/Debate by adding the following provision as 6.2.1, and all provisions be renumbered accordingly:
 - 6.2.1 The Chair or Clerk shall manage the Speaker's List based on the Chair's discretion to ensure all Members are able to participate in debate in keeping with this section.
- (10) Deleting and replacing the following Sections within 6.2 Speaking/Debate with the following:
 - 6.2.1 Any member desiring to speak to any motion shall signify their intent by either using the request to speak button if participating remotely, or the speaker's button if participating in-person.
 - 6.2.2 Members shall refrain from speaking until the Presiding Officer has recognized the member to speak, the member shall direct their questions or comments to the Presiding Officer and speak only to the matter under consideration.
 - 6.2.3 The *Presiding Officer* shall work with the *Clerk* to maintain the speakers list based on the *Presiding Officers* discretion to ensure all members are able to participate in debate.
- (11) Amending Section 6.5 Public Conduct at Council and Committee Meetings
 - 6.5.6 Add the following words after '*Presiding Officer*':
 - a. 'or by the *Clerk*.'
- (12) Deleting and replacing the following Sections within section 8.9 Delegations with the following:
 - 8.9.1 Any person desiring to be heard shall submit a request to the *Clerk*. The request shall state the nature of the business to be discussed concerning an item listed on the agenda. Persons addressing *Committee* or *Council* shall confine their remarks to the stated business.
 - 8.9.2 A person wishing to address Committee or Council may speak in person or through electronic means, with the leave of Committee or Council for up to ten (10) minutes and successive extensions of ten (10) minutes may be granted.

- (14) Deleting Sections 12.1, 12.5 and 12.8 Recorded Votes in their entirety.
- (15) Amending Part 12: Voting by adding the following Sections:
 - 12.1 All votes shall be a recorded and the Clerk shall call out the name of each Member to record their vote.
 - 12.2 Every member present at a meeting shall vote on every motion, unless prohibited by legislation. If a Member is present in-person or remotely, and their name is called and no response is given to indicate the vote, the Clerk shall ask one more time, and if no indication of vote, and the Member is present in-person or remotely, the vote shall be deemed to be a negative vote.
 - 12.3 The Clerk shall announce the results and record the votes in the minutes.
- (16) Deleting Appendix C Emergency Electronic Meeting Protocol in its entirety.

Enacted by the Town of Caledon Council this 29th day of March, 2022.

Allan Thompson, Mayor

Laura Hall, Town Clerk