



Memorandum

Corporate By-law Number BL 55/2020

TO: Office of the City Clerk **FILE:**

FROM: Linda Crago
City Manager's Office - Office of the City Clerk

DATE: 05/08/2020

SUBJECT: BL 55/2020 - A By-law to amend 128-2012 - Procedural By-law of Council and its Committees

MEETING DATE: City Council - 05/25/2020 (mm/dd/yyyy)

By-law Description: A By-law to amend By-law 128-2012 - Procedural By-law of Council and its Committees, to permit Electronic Meetings during a period of Emergency with respect to certain Advisory Committees of Council.

Authorization: Resolution – Committee of the Whole – May 25, 2020

By-law Explanation: The purpose of this By-law is to amend By-law 128-2012 - Procedural By-law of Council and its Committees, to permit Electronic Meetings during a period of Emergency with respect to certain Advisory Committees of Council.

Schedules and Attachments:

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 55/2020

A By-law to amend By-law 128-2012 - Procedural By-law of Council and its Committees, to permit Electronic Meetings during a period of Emergency with respect to certain Advisory Committees of Council.

Recitals

1. The *Municipal Act, 2001*, section 238 provides that a municipality shall establish a procedure by-law to govern meetings;
2. The Corporation of the City of Thunder Bay (the “City”) has enacted a by-law to govern the proceedings of meetings of City Council and its Committees, being By-law Number 128-2012;
3. On March 19, 2020, the Province of Ontario amended the *Municipal Act, 2001*, enacting 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*;
4. As such on March 23, 2020 the Council of The Corporation of the City of Thunder Bay enacted By-law BL 36/2020 to permit meetings of Council to be held electronically.
5. City Council considers the protection of the health and safety of the public to be a paramount concern and certain City facilities and services has been suspended, other than those deemed essential for the welfare of the citizens of Thunder Bay during the COVID-19 emergency;
6. City Council has deemed it necessary to amend By-law Number 128-2012 to allow the holding of electronic meetings of certain Advisory Committees of Council during the COVID-19 emergency by resolution of Committee of the Whole on May 25, 2020.

ACCORDINGLY, THE COUNCIL OF THE CORPORATION OF THE CITY OF THUNDER BAY ENACTS AS FOLLOWS:

1. THAT By-law Number 128-2012 is hereby amended by adding the following subsections under Article 3.01 Electronic Meetings and the Articles following Article 3.01 will be renumbered to continue in ascending order.

Article 3.01 Electronic Meetings

(a.1) In addition to any Meeting of Council, any committee, as that term is defined in section 238 of the *Municipal Act 2001*, S.O. 2001, c. 25, may conduct meetings by Electronic Meeting during an Emergency in accordance with this Article, subject to any applicable Provincial statute or regulations that may otherwise prohibit electronic meetings.

(a.2) Notwithstanding anything to the contrary in their terms of reference, any Committee which does not meet the definition of committee found in s. 238 of the *Municipal Act 2001*, S.O. 2001, c. 25 may conduct meetings by way of Electronic Meetings during an Emergency in accordance with this Article, subject to any applicable Provincial statute or regulations that may otherwise prohibit electronic meetings.

2. This By-law shall come into force and take effect on the date it is passed.

Enacted and passed this 25th day of May, A.D. 2020 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

Bill Mauro
Mayor

Krista Power
City Clerk