



Memorandum

Corporate By-law Number BL 67/2020

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

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

DATE: 06/03/2020

SUBJECT: BL 67/2020 - A By-law to amend 128-2012 - Procedural By-law of Council and its Committees

MEETING DATE: City Council - 06/15/2020 (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 Deputations and to permit Electronic Participation for Statutory Public Meetings.

Authorization: Report R 56/2020 (Planning Services) - Committee of the Whole - May 25, 2020; Resolution - Committee of the Whole - June 15, 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 Deputations and to permit Electronic Participation for Statutory Public Meetings.

Schedules and Attachments:

Amended/Repealed By-law Number(s):



THE CORPORATION OF THE CITY OF THUNDER BAY
BY-LAW NUMBER BL 67/2020

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 Deputations and to permit Electronic Participation for Statutory Public Meetings.

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 for virtual Deputations at Committee of the Whole and to allow for the holding of statutory public meetings and hearings under the Planning Act to be held by electronic participation, in accordance with the procedure described in Report R 56/2020, during the COVID-19 Emergency Order.

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

1. THAT **Article 3.01 Electronic Meetings** of By-law Number 128-2012, as amended, be amended by deleting:

(h) **Deputations in Writing** – An Electronic Meeting shall not permit public deputations, except by way of written submission received electronically in advance of the meeting, which shall be submitted to the City Clerk’s Office at cityclerk@thunderbay.ca or via the website www.thunderbay.ca (Request to Speak to Council form) in accordance with the timeframe established in section 5.08(b)(2), and shall be provided to Members at the Meeting,

and replacing it with:

(h) **Deputations in Writing/Virtual** – An Electronic Meeting shall permit virtual deputations in addition to written submissions. Requests shall be submitted to the Office of the City Clerk by email cityclerk@thunderbay.ca or via the website www.thunderbay.ca (**Request to Speak to Council form**) in accordance with the timeframe established in section 5.08(b)(2).

2. AND THAT the following subsection under **Article 3.01 Electronic Meetings** be added and will be renumbered to continue in ascending order.

(h.1) **Virtual Deputations** – An Electronic Meeting shall permit public deputations which includes Virtual Deputations at Committee of the Whole, in writing, teleconference or videoconference.

3. AND THAT **Section 5.11 Public Meetings** be amended by adding the following subsections;

(d) Statutory Public Meetings and Hearings under the *Planning Act* will be held by electronic participation during a State of Emergency, which may include virtual public participation. Those options are in writing, teleconference or via videoconference.

(e) Persons wishing to speak at Public Meetings and Hearings held by electronic participation will be allowed a maximum of ten (10) minutes per participant.

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

Enacted and passed this 15th day of June, 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