



City of
Peterborough

To: **Members of the General Committee**

From: **John Kennedy, City Clerk**

Meeting Date: **March 30, 2020**

Subject: **Report CLSCLK20-006**
Amendments to Procedure By-law to Permit Electronic
Meetings During an Emergency

Purpose

A report to propose that the Procedure By-law be amended to allow for electronic participation of Councillors in meetings during an emergency.

Recommendation

That Council approve the recommendation outlined in Report CLSCLK20-006 dated March 30, 2020, of the City Clerk, as follows:

That the amendments to the Procedure By-law, attached as Appendix A, to Report CLSCLK20-006, be approved.

Budget and Financial Implications

There are no direct budget or financial implications as a result of the recommendation.

Background

Due to recent developments around the world regarding the COVID-19 pandemic and the subsequent declaration of an emergency at the provincial and municipal level, it is necessary to change the way Councils conduct business to help protect the health and

safety of people in the community, members of Council and staff.

While the pandemic has caused changes to daily operations across the corporation, staff have worked to ensure that legislated and essential services continue to be provided. Pursuant to Order in Council 520/2020, all organized public events of over fifty people are prohibited as at the date of this report. Public health officials recommend to self-isolate if you are displaying the symptoms of COVID-19 and practise social distancing. As a result, many municipalities in Ontario have closed their doors to the public and suspended committee and Council meetings. The City of Peterborough closed various facilities and cancelled advisory committee meetings starting on Friday, March 13 and continuing until April 3rd, 2020. On Tuesday, March 17, 2020 at 4:30 p.m. City Hall was closed to the public until March 31, 2020. It is uncertain how long the COVID-19 pandemic will require facility closures, social distancing and the limiting of human interaction.

The Ontario Legislature met on March 19, 2020 and passed Bill 187, the **Municipal Emergency Act, 2020**. Bill 187 amends the **Municipal Act** to allow municipal Councillors the discretion to participate electronically, in open and closed meetings, during emergencies declared by either the province or the municipality, under the authority of the **Emergency Management and Civil Protection Act**. In these circumstances members of Council who participate in the meeting electronically are counted toward quorum.

Transparency of Council Business During the Emergency

The changes enacted through the **Municipal Emergency Act, 2020** do not change the **Municipal Act** requirement that the meetings themselves be held at a place that is open to the public. However, in the unique circumstances of the current pandemic, it is recommended that the Procedure By-law be amended to also permit the public to participate electronically while restricting or prohibiting physical access to the meeting place. Municipalities must consider how to enable the meeting proceedings to be available to the public and how best to receive public input on agenda items before final approval, while following best practices to reduce the spread of COVID-19. Staff will continue to publish Council meeting agendas to the city web site to notify the public and media of the pending business of Council. Live streaming the meetings of Council will enable citizens to follow the proceedings of each meeting of Council. Meetings are archived on the city's web site for anyone who could not watch the meeting in real-time.

The archived file can be accessed and watched at anytime post-meeting, once the video is uploaded. Medical professionals advise that best practices to limit the spread of COVID-19 include limiting contact with people through isolation and social distancing. As the province and the city have made an emergency declaration and as city hall is closed, public delegations at Council meetings would occur by telephone or by submitting one's comments. Written deputations would be provided to Council prior to the meeting and the name of the person submitting the deputation would be identified during the meeting to be recorded in the minutes. Staff will endeavour to accommodate alternate methods of communication for delegates with disabilities upon request.

The proposed amendments to Procedure By-law 19-029, attached as Appendix A to the report, would be in effect during the time period associated with the declaration of an emergency by the province or the city. Council members may participate in the meeting remotely, using available technology and would be able to debate, vote and have their electronic participation counted toward quorum. Staff propose that delegations submit written comments to the Clerks Office for distribution to Council prior to the meeting or that delegations provide their comments via telephone during the meeting, where technologically feasible. Delegations would be required to register in writing no later than 11:00 a.m. on the day of the meeting. Oral comments from delegates would be limited to five minutes. Unregistered delegations would not be permitted. The proposed amendments to the Procedure By-law are associated with Standing Committees of Council and Council meetings. These changes do not apply to advisory committee meetings.

Amendments to the Procedure By-law can be made at a special meeting where an emergency has been declared to exist in all or part of the municipality under the **Emergency Management and Civil Protection Act**, where 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.

Summary

Bill 187 assists in making it possible for municipal Councillors to conduct business electronically, to help reduce the spread of COVID-19 and keep people safe. Non-critical meetings including advisory committee meetings, will continue to be postponed and will not be permitted to meet electronically.

Submitted by,

John Kennedy
City Clerk

Contact Name:

John Kennedy, City Clerk
Phone: 705-742-7777 Ext. 1799
Toll Free: 1-855-738-3755 Ext. 1799
Fax: 705-742-4138
E-Mail: jkennedy@peterborough.ca

David J. Potts, City Solicitor
Phone: 705-742-7777 Ext. 1603
Toll Free: 1-855-738-3755 Ext. 1603
Fax: 705- 742-3947
E-Mail: dpotts@peterborough.ca

Attachments:

Appendix A – Draft Amendments to the Procedure By-law