



THE CORPORATION OF THE CITY OF BRAMPTON

By-law Number 51 - 2020

A By-law to amend Procedure By-law 160-2004 to permit Electronic Meetings during a period of Emergency

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;

AND WHEREAS The Corporation of the City of Brampton has enacted Procedure By-law 160-2004, as amended;

AND WHEREAS on March 19, 2020 the Province of Ontario enacted the *Municipal Emergency Act, 2020* to amend the *Municipal Act, 2001*, to enact 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*, R.S.O. 1990, Chapter E. 9;

AND WHEREAS the World Health Organization has declared a worldwide pandemic regarding the Novel Coronavirus 19 (COVID-19);

AND WHEREAS on March 17, 2020 a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the *Emergency Management and Civil Protection Act* related to COVID-19;

AND WHEREAS the Lieutenant Governor has issued Order-in-Council 520/2020, pursuant to the *Emergency Management and Civil Protection Act*, prohibiting all organized public events of over fifty people due to COVID-19;

AND WHEREAS The Council of the Corporation of the City of Brampton considers the protection of the health and safety of the public to be a paramount concern, and has suspended the operations of all City facilities and services, other than those deemed essential for the welfare of the citizens of Brampton during the COVID-19 emergency;

AND WHEREAS The Corporation of the City of Brampton considers it desirable to be able to hold Council meetings electronically during the COVID-19 emergency;

NOW THEREFORE the Council of The Corporation of the City of Brampton **ENACTS** as follows:

1. That Procedure By-law 160-2004, as amended, is hereby further amended by adding the following section 22:

22. Electronic Meetings during a Declared Emergency

- 22.1 Interpretation** - In this Section the following shall apply, in addition to the definitions in section 1 of this By-law:

“Emergency” means any period of time during which an emergency has been declared to exist in all or part of a municipality by the Head of Council or the Province under sections 4 or 7.0.1 of the *Emergency Management Act*;

“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 via means of the internet), and with or without in person attendance;

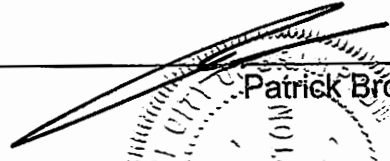
“Emergency Management Act” means the *Emergency Management and Civil Protection Act*, R.S.O. 1990, Chapter E. 9, as amended;

- 22.2 Electronic Meetings** – A regular meeting or special meeting of Council may be conducted by Electronic Meeting during an Emergency, in accordance with this Section and any Emergency Electronic Meeting Protocol as may be approved by Council.
- 22.3 Quorum and Voting for Electronic Meeting** – Members attending and present during an Electronic Meeting shall be counted for purposes of quorum at the commencement and at any point in time during the meeting, and shall be entitled to vote through a vote recorded by the Clerk as if they were attending the meeting in person.
- 22.4 Closed Session** – An Electronic Meeting may include a Closed Session, which shall be conducted in the absence of the public and in accordance with this Section.
- 22.5 Public Notice of Electronic Meeting** – A public notice of an Electronic Meeting shall include sufficient information as to provide the public with a means to electronically access the open session of such Electronic Meeting.
- 22.6 Delegations In Writing** – An Electronic Meeting shall not permit public delegations, except by way of electronic submission received in advance of the meeting, which shall be submitted to the City Clerk’s office at cityclerksoffice@brampton.ca prior to the start of the Electronic Meeting, and shall be provided to Members at the meeting.
- 22.7 Public Question Period** – An Electronic Meeting may include a public question period where practical, and where impractical questions regarding decisions made at the meeting may be submitted during the meeting via email to the Clerk at cityclerksoffice@brampton.ca .
- 22.8 Application and Conflict** – Notwithstanding the foregoing, the Procedure By-law shall continue to apply to an Electronic Meeting held pursuant to this Section, except that this Section and any Emergency Electronic Meeting Protocol approved by Council and any Provincial legislation or order shall prevail to the extent of any conflict.
2. This By-law is enacted at a special meeting held in accordance with section 238(3.4) of the *Municipal Act, 2001*, as amended, and shall hereby come into effect as of the date and time of its passing.


ENACTED and PASSED this 25th day of March, 2020.

Approved as to
form.
2020/03/30
D. Soos

Approved as to
content.
2020/03/30
C. Gravlev



Patrick Brown, Mayor



Peter Fay, City Clerk