

THE CORPORATION OF THE

TOWN OF PELHAM

BY-LAW # 4231 (2020)

Being a by-law to amend By-law No. 4107(2019), as Amended by By-Law 4217 (2020) being a by-law to govern the proceedings of the Town of Pelham Council, its Committees, the conduct of its members and the calling of meetings, to provide for Electronic Meetings During a Declared Emergency for the Conduct of Committee of Adjustment Meetings.

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 Town of Pelham has enacted Procedure By-law #4107(2019) as Amended by By-Law 4217 (2020);

AND WHEREAS on March 19, 2020 the Province of Ontario enacted the *Municipal Emergency Act, 2002* 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*;

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 Council of The Corporation of the Town of Pelham considers the protection of the health and safety of the public to be a paramount concern, and has suspended the operations of all Town facilities and closed municipal buildings to the walk-in public;

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 five people due to COVID-19;

AND WHEREAS The Corporation of the Town of Pelham now considers it desirable to be able to hold Committee of Adjustment meetings electronically during the COVID-19 emergency;

NOW THEREFORE the Council of The Corporation of the Town of Pelham **ENACTS** as follows:

1. THAT Procedure By-law #4107(2019) be, and is hereby further amended by adding the following:

13.2 Electronic Meetings During a Declared Emergency

10) During an Electronic Meeting should connection be lost with any Member of Council or the Committee of Adjustment, the Clerk shall make any and all reasonable attempts to reconnect with the said Member for 15 minutes. If connection cannot be re-established, for any reason, attempts to reconnect with the said individual shall cease.

11) During an Electronic Meeting should connection be lost with any delegate or member of the public, the Clerk shall make any and all reasonable attempts to reconnect with the said delegate or member of the public for 5 minutes. If connection cannot be re-established, for any reason, attempts to reconnect with the said individual shall cease.

12) If quorum is lost and the Clerk is unable to reconnect to Members to re-establish quorum within the prescribed 15 minutes the Chair, or Clerk, shall call the meeting in recess. The Chair and Clerk shall work together to recall the meeting at a future date; and

13) The Committee of Adjustment may hold Electronic Meetings during a Declared Emergency when feasible to do so, with the assistance of the Secretary–Treasurer and/or Assistant Secretary-Treasurer; and

14) Public Notice of Participation protocols shall be included on all individual Notices of Hearing and through publication on the municipal website, and wherever feasible through a local newspaper advertisement.

2. THAT This by-law shall come into force and effect on May 4, 2020.

ENACTED AND PASSED THIS

4rd DAY OF MAY, 2020

MAYOR MARVIN JUNKIN

TOWN CLERK NANCY J. BOZZATO