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|  <p>COBOURG</p> | <p>THE CORPORATION OF THE TOWN OF COBOURG</p> <p>BY-LAW NUMBER <u>073-2021</u></p> |
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A BY-LAW TO AMEND BY-LAW NO. 009-2019, BEING A BY-LAW TO ESTABLISH THE RULES OF ORDER AND PROCEDURES FOR MUNICIPAL COUNCIL AND COMMITTEE MEETINGS OF THE CORPORATION OF THE TOWN OF COBOURG.

WHEREAS WHEREAS parliamentary procedures are rooted in principles designed to ensure the fair and efficient disposition of business before a deliberative body;

AND WHEREAS Section 238(2) of the *Municipal Act, 2001*, provides that every Municipality shall pass a procedural by-law to govern the calling, place and proceedings of meetings;

AND WHEREAS Council and its Committees shall also follow the regulations as set out within the Municipal Conflict of Interest Act, and the parliamentary authority of Robert’s Rules of Order;

AND WHEREAS the Council of the Corporation of the Town of Cobourg deems it expedient to provide for updates to the way in which its meetings are conducted and governed;

AND WHEREAS Section 238 of the *Municipal Act, 2001*, states as follows:

Electronic participation

(3.1) The applicable procedure by-law may provide that a member of council, of a local board or of a committee of either of them, can participate electronically in a meeting to the extent and in the manner set out in the by-law. 2020, c. 18, Sched. 12, s. 1 (1).

Same

(3.3) The applicable procedure by-law may provide that,

(a) a member of a council, of a local board or of a committee of either of them who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time; and

(b) a member of a council, of a local board or of a committee of either of them can participate electronically in a meeting that is open or closed to the public. 2020, c. 18, Sched. 12, s. 1 (3)

AND WHEREAS Council amended Procedural By-law No.009-2020 on March 23, 2020 to permit electronic participation in meetings by its members during a declared state of emergency;

NOW THEREFORE the Council of the Corporation of the Town of Cobourg enacts as follows:

- 1. THAT** Procedural By-law No.009-2019 Section 5.1.1 be amended as a subsection within the Procedural By-law with the following wording regarding Electronic Participation at Meetings pursuant to Section 238 of the *Municipal Act, 2001*:

5.20 Electronic Participation – During Routine Period

- 5.20.1 “Electronic Participation”** shall mean that a Member may participate the Council or Committee meeting, remoting by electronic means. The electronic means must enable the Member to hear and to be heard by the other meeting participants. Acceptable formats may include teleconference, videoconference or webinar, or other interactive communications.
- 5.20.2 “Present”** shall means that a Member may attend a meeting either in person or by electronic participation.
- 5.20.2** Any Member shall be permitted to participate in a meeting via electronic participation.
- 5.20.3** Notice to participate electronically shall managed through the Municipal Clerk and notice provided to the Mayor and/or Presiding Officer.
- 5.20.4** A Member who participates in a meeting through electronic means is deemed to be present at the meeting, and in accordance with the *Municipal Act, 2001, as amended*, shall be counted in determining whether or not a quorum of members is present at any point in time.
- 5.20.5** The Member shall have the same rights and responsibilities as if they were in physical attendance, including the right to vote, unless otherwise prohibited by law or in other subsections of this by-law.
- 5.20.6** The protocol for participating electronically during routine periods shall be set out by the Municipal Clerk and may be amended from time to time.

- 2. THAT** By-law No.049-2020 be repealed.
- 3. THAT** this By-law shall take effect upon the date of final passing.

By-law read and passed in Open Council this 30th day of August, 2021.

MAYOR

MUNICIPAL CLERK