



# The Corporation of the Town of Milton

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Report To:	Council
From:	Meaghen Reid, Director, Legislative & Legal Services/Deputy Clerk
Date:	August 24, 2020
Report No:	CORS-047-20
Subject:	Amendments to Procedure By-law to Allow for Continued Remote Meetings
Recommendation:	<b>That the necessary by-law to amend the Town's Procedure By-law, included on the August 24, 2020 Special Council meeting agenda, be approved.</b>

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## EXECUTIVE SUMMARY

- On July 21, 2020, Bill 197, COVID-19 Economic Recovery Act, 2020 received Royal Assent and further amended the Municipal Act to allow municipal councils to continue to meet remotely indefinitely after an emergency is declared.
- Amendments to the Town's Procedure By-law are being proposed to ensure that there will be continuity Council's ability to meet remotely moving forward.
- Staff recommend that meetings of Council and Committees take place remotely for the foreseeable future for consistency with advice of public health officials and with current practice of regional municipal partners as options are assessed.

## REPORT

### Background

Since March 2020, Council meetings have been held remotely (or electronically) to obtain necessary approvals during the COVID-19 pandemic. Council amended the Town's Procedural By-law on March 30, 2020, May 11, 2020 and June 22, 2020 to allow for remote meetings of Council and set out provisions for remote meetings.

On March 30, 2020, Council approved Procedure By-law amendments that included provisions for electronic participation in meetings during an emergency. At that time, remote meetings of municipal councils were permitted only during declared emergencies made by the Province of Ontario or head of council in accordance with Section 7.0.1 and 4 (1) of the Emergency Management and Civil Protection Act respectively.

On May 11, 2020, Council approved Procedure By-law amendments with respect to the electronic participation of delegations and related registration requirements.



On June 22, 2020, Council approved Procedure By-law amendments with respect to electronic meetings that do not occur during a declared emergency in accordance with the Municipal Act, in anticipation of potential future need for remote meetings. At the time, the Municipal Act required that electronic meeting participation for members be allowed at a properly convened meeting where physical quorum is present in Council Chambers and members were not permitted to participate in confidential session.

On July 21, 2020, Bill 197, COVID-19 Economic Recovery Act, 2020 received Royal Assent and Section 12 of this Act further amended the Municipal Act to allow municipal councils to continue to meet remotely indefinitely after an emergency is declared. In order to comply with this legislation, the Town's Procedure By-law needs to be updated to allow members of Council and Committees to participate remotely in meetings (in open and closed session) and to be counted towards quorum.

## Discussion

A by-law to amend to the Town's Procedure By-law has been included within the August 24, 2020 Special Council meeting agenda for consideration. The approval of these changes to the Procedural By-law ensures that there will be continuity Council's ability to meet remotely moving forward.

Summary of proposed amendments to Procedure By-law:

- Council members will be permitted to participate remotely, counted as part of quorum, and permitted to participate remotely in confidential session
- Delegations will continue to be permitted to participate remotely in meetings, including statutory public meetings.

Staff recommend that all meetings of Council and Committees take place remotely for the foreseeable future for consistency with advice of public health officials and with current practice of regional municipal partners and other municipalities in Ontario as options are assessed. Staff will continue to monitor public health recommendations, in terms of indoor gathering sizes and distancing best practices. Any plans to change the physical set-up of meetings will need to take into consideration the advice from Halton Public Health, as well recommendations from health and safety and recovery teams at the Town. Such plans will be communicated to Council and the public appropriately.

In addition to the recent legislative changes noted above, Bill 197 also introduces new rules regarding proxy voting at Council meetings. Since these changes could result in considerable governance implications, staff will undertake a review of the rules and implications of proxy voting and will report back to Council by the end of 2020.

## Financial Impact

No financial impacts as a result of this report.



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Respectfully submitted,

Troy McHarg  
Commissioner, Corporate Services / Town Clerk

For questions, please contact:      Meaghen Reid, Director,      Phone: Ext. 2132  
Legislative and Legal  
Services/Deputy Clerk  
Nina Lecic, Manager, Legislative  
and Legal Services/Deputy Clerk  
Greta Susa, Law Clerk

<b>Attachments</b>
n/a

CAO Approval  
Andrew M. Siltala  
Chief Administrative Officer