

Report No.: 2020-04-04
Report Page: Page 1 of 2
Meeting Date: April 30, 2020
File No.:



To: Chair and Members
Lambton Area Water Supply System Joint Board of Management

From: Clinton Harper
General Manager

Subject: Proposed Amendment to the Procedural By-Law to Allow for Electronic Meeting during a Declaration of Emergency

Recommendation

It is recommended that the LAWSS Joint Board of Management implement By-Law 3-2020 and amend By-Law 2-2020 to permit Electronic Meetings during a period of an Emergency”

Background:

On January 1, 2018 the Province of Ontario amended the *Municipal Act, 2001 (Bill 68)* to allow municipal councils, committees and boards to adopt electronic meeting provisions in their procedural by-law. The Bill 68 Amendment specifically stated that individual participating by electronic means does not count as quorum.

The impact of COVID-19 caused the Province of Ontario to declare an emergency on March 17, 2020 pursuant to s. 7.0.1 of the Emergency Management and Civil Protection Act. In an effort to ensure decision making at the local level was not affected by existing quorum requirements during the emergency situations, the Province of Ontario adopted the Municipal Emergency Act, 2020.

The Municipal Emergency Act, 2020 temporarily rescinds the quorum requirement of Bill 68 and allows members of council, committees and certain local Boards who participate in open and closed meetings electronically to be counted for purposes of quorum during emergencies declared by the Province or declared locally. The Act also permits a municipal council, committee or local board to hold a special meeting during an emergency for the purposes of amending the procedure by-law to allow for electronic participation. During this special meeting, members participating electronically may be counted for the purposes of quorum.

Comments:

The LAWSS Procedural By-Law (the By-Law) governs the Board’s meeting procedures and processes. A review of the By-Law was completed in February 2020; just ahead of

Report No.: 2020-04-04
Report Page: Page 2 of 2
Meeting Date: April 30, 2020
File No.:



the current state of emergency declared by the Province of Ontario. The By-Law does not currently permit electronic meetings.

If the Board wished to conduct electronic meetings, it must first amend its Procedural By-Law 2-2020 to allow for electronic meetings.

The proposed amendment to the LAWSS Procedural By-Law to allow for electronic meetings as permitted by the Municipal Emergency Act, 2020 is attached.

Consultation:

This report was prepared in consultation with the Clerk's office at the Township of Warwick and the City of Sarnia.

Financial Implications:

None.

This report was prepared by Clinton Harper, General Manager

Attachment(s): By-Law Number 3-2020 "A By-Law to Amend By-Law No. 2-2020 to permit Electronic Meetings during a period of an Emergency"