

Corporation of the Town of Newmarket

By-law 2021-40

A By-law to amend Procedure By-law 2020-12 to permit electronic participation in meetings.

Whereas Section 238(2) of the Municipal Act, 2001 provides that every municipality shall pass a procedure by-law for governing the calling, place, and proceedings of Meetings; and,

Whereas the Council of the Corporation of the Town of Newmarket enacted Procedure By-law 2020-12; 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 on July 23, 2020, the COVID-19 Economic Recovery Act, 2020 (Bill 197) received Royal Assent from Legislature of Ontario; and,

Whereas Section 238(3.1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended by the COVID-19 Economic Recovery Act, 2020 (Bill 197), allows for a member of council, a local board, or a committee of either of them to participate electronically in a meeting of the municipality which is open or closed to the public and be counted towards quorum, provided that the municipality's procedural by-law so allows, and that such authority is no longer limited to periods in which an emergency is declared to exist in all or part of the municipality under Section 4 or Section 7.0.1 of the Emergency Management and Civil Protection Act; and,

Whereas the province-wide emergency declared by the Premier of Ontario under Order in Council 518/2020 (Ontario Regulation 50/20) pursuant to Section 7.0.1 of the Emergency Management and Civil Protection Act in response to the COVID-19 pandemic was revoked on July 24, 2020, and it has been resolved that a province-wide emergency will not be further declared at this time; and,

Whereas the Council of the Town of Newmarket considers it necessary to continue to conduct meetings of Council, its committees, and its local boards by electronic communications to ensure the continuity of municipal operations and the provision of essential municipal services while observing the recommendations of public health authorities in relation to the COVID-19 pandemic;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That section 26 (Electronic Meeting Participation) of By-law 2020-12, as amended, be amended to delete the following words: "effective October 13, 2020 until December 31, 2021" and replace with the following words: "effective August 30, 2021."

Enacted this 30th day of August, 2021.

John Taylor, Mayor

Lisa Lyons, Town Clerk