

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 120-2020**

**A By-law to amend By-law 7-2011 (Procedure By-law) which governs the proceedings of Council and Committees of Council.**

**WHEREAS** Section 238(2) of the *Municipal Act, 2001, as amended*, requires every municipality and local board to pass a procedure by-law for governing the calling, place and proceedings of meetings;

**AND WHEREAS** it is necessary to make certain amendments to By-law 7-2011 (Procedure By-law) to implement the provisions of *Bill 197, the COVID-19 Economic Recovery Act, 2020*;

**AND WHEREAS** The Corporation of the City of Vaughan considers it desirable to be able to hold Committee, Council, Statutory, Ad Hoc and Sub-committee meetings electronically;

**NOW THEREFORE** the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. That City of Vaughan By-law Number 7-2011, as amended, is hereby further amended as follows:
  - a) That the following definition be added to Section **1.5 INTERPRETATION AND DEFINITIONS:**  
  
“**SPEAKER** – An oral submission made by and at the request of a member of the public which may be supported by written material relating to an item on the agenda for a meeting to which this By-law applies.”;
  - b) That the definition of “Deputation” be deleted from Section **1.5 INTERPRETATION AND DEFINITIONS;**
  - c) That the following be added to Section **4.0 GENERAL – COUNCIL AND COMMITTEE MEETINGS:**  
  
“**4.7 ELECTRONIC MEETINGS**  
  
(1) Electronic Meetings shall be permitted for all Committee of the Whole, Council, statutory, ad hoc or sub-committee meetings,

including open and closed sessions.

- (2) Notwithstanding subsection 4.7(1), the Chair of a Committee of the Whole or Council meeting shall not be permitted to participate electronically at a meeting, except for statutory, ad hoc and sub-committee meetings where the Chair shall be permitted to participate electronically.
- (4) If the Chair for a Committee of the Whole or Council meeting is unable to physically attend the meeting, the Mayor or his/her substitute as determined in accordance with Section 3.2 (1) of the Procedure By-law shall act as Chair.
- (5) **Interruptions in Communication** – If there is an interruption in the communications link to any Member who is participating electronically in an Electronic Meeting, the Chair may:
  - i. decide on a short recess until it is determined whether or not the link can be re-established with no more than two (2) attempts; or
  - ii. continue the Electronic Meeting and treat the interruption in the same manner as if the Member who is physically present leaves the room.
- (6) A Member who wishes to participate in an Electronic Meeting through Electronic Participation shall provide the City Clerk, Secretary or City Clerk's staff a minimum of 24 hours' notice, or, in consultation with the City Clerk, Secretary or City Clerk's Staff as much time that is practically required to ensure appropriate preparations for an Electronic Meeting. Council Members shall connect to an Electronic Meeting through a corporate computing device.
- (7) Council Members attending an Electronic Meeting that is closed to the public, through Electronic Participation, shall declare at the start of the closed meeting that they will maintain the confidentiality of the closed meeting, that they are alone in their

location, and that any discussions that take place cannot be overheard.

(8) **Roll Call**

- (a) Immediately after calling the Electronic Meeting to order, the Chair shall direct the Clerk, Secretary or City Clerk's staff to conduct a roll call to identify the Members participating in a Meeting and confirm that a quorum is present.
- (b) A Member who is not present during the roll call, and who subsequently joins the Meeting via Electronic Participation shall advise the Chair and Clerk, Secretary or City Clerk's staff of his or her attendance at the Meeting.
- (c) A Member who is participating electronically in a Meeting who, for any reason or duration will no longer be electronically participating prior to adjournment, shall advise the Chair and Clerk, Secretary or City Clerk's Staff of his or her absence from the Meeting."

- d) That Section **2.2 DEPUTATIONS AND PRESENTATIONS** be deleted and replaced with the following:

**"2.2 SPEAKERS AND PRESENTATIONS**

- (1) The public may address a Committee as a Speaker, with the exception of Committee of the Whole (Closed Session), on any item listed on the agenda without any prior notice.
- (2) The following provisions apply to presentations on an item not listed on a Standing Committee agenda:
  - a. A detailed written request shall be submitted to the City Clerk's Office by 12:00 noon on the Tuesday, of the third week prior to the meeting.
  - b. Presentations shall deal with municipal issues that are within the Committee's jurisdiction.
  - c. The City Clerk shall review the presentation request and

if it meets the provisions of this by-law, shall place it on the next appropriate Standing Committee agenda, provided that no presentations to Committee of the Whole (Closed Session) shall be permitted.

- d. For matters which are more properly within the responsibility of City staff, the City Clerk shall notify the proposed Presenter that the presentation shall not be listed on an agenda, and shall direct the proposed Presenter to the appropriate City department; the Presenter shall not be listed on an agenda for a presentation until staff have had the opportunity to address the matter.
  - e. For matters which are more properly addressed by a specific Standing Committee, the presentation shall be listed on the appropriate agenda of the next Standing Committee meeting.
  - f. A Presenter may be listed to appear for a presentation regarding only one subject matter per meeting.
  - g. Where a person cannot be listed to provide a presentation at a given meeting, the City Clerk may schedule the Presenter to appear at the next meeting.
  - h. If a presentation is with respect to a recently considered matter, it shall not be heard within the next four of the Committee's regular meetings after the meeting at which it was originally considered, unless a reconsideration motion is passed.
  - i. Presenters wishing to provide any written material for consideration must provide it to the City Clerk's Office no later than 12:00 noon on the Friday prior to the meeting.
- (3) Speakers and Presenters, other than presentations with respect to a statutory hearing, shall be given five (5) minutes to speak.

- (4) A Speaker and presentation on behalf of an organization, corporation, association, or group, shall be made by a single representative.
- (5) No further speakers are permitted in respect of a presentation placed on an agenda in accordance with this section.
- (6) The approximate time for the hearing of presentations shall be set out on the Committee's agenda.
- (7) Presentations expected to have a duration of longer than 10 (ten) minutes may be made to the appropriate Committee, if so directed by the City Clerk, in consultation with the City Manager."

- e) That Section **2.3 DEPUTATIONS AT COUNCIL** be deleted and replaced with the following:

**"2.3 SPEAKERS AND PRESENTATIONS AT COUNCIL**

Speakers and presentations are not permitted at Council except with respect to a matter that requires a statutory hearing."

- f) That Section **3.4(1) CITY MANAGER'S RESPONSIBILITIES** be deleted and replaced with the following:

"(1) Approving the items and presentations to be placed on agendas and supplementary agendas except for Ad Hoc Committees;"

- g) That Section **6.7 DEPUTATIONS** be deleted and replaced with the following:

**"6.7 SPEAKERS AND PRESENTATIONS**

Speakers and presentations are not permitted at Council except with respect to a matter that is identified as requiring a statutory hearing."

- h) That Section **7.6(10) ELECTRONIC MEETINGS DURING A DECLARED EMERGENCY** be deleted and replaced with the following:

"(10) Notwithstanding Section 2.2 (1) SPEAKERS AND PRESENTATIONS, the public shall only address a Committee when and where it is practical at an Electronic Meeting."

- i) That Section **7.6(11) ELECTRONIC MEETINGS DURING A DECLARED EMERGENCY** be deleted and replaced with the following:

“(11) Notwithstanding Section 2.2 (2) SPEAKERS AND

PRESENTATIONS, presentations on an item not listed on a Standing Committee agenda shall be permitted at an Electronic Meeting, subject to approval by the City Clerk.”

- j) That Section **7.6(12) ELECTRONIC MEETINGS DURING A DECLARED EMERGENCY** be deleted and replaced with the following:

“(12) Notwithstanding Section 2.4 CEREMONIAL PRESENTATIONS,

ceremonial presentations shall be permitted at an Electronic Meeting, subject to approval by the City Clerk.”

- k) That all instances of the term “Committee of the Whole (Public Hearing)” be deleted and be replaced with “Committee of the Whole (Public Meeting)”;

- l) That the following be added to Section 2.1(9) **Communications / Written Submissions (Agenda Item)**:

“h. Notwithstanding Sections 2.1(9)(c) and (d), the deadlines for receiving Communications may be suspended at the discretion of the City Clerk.”

- m) That the following be added to Section **2.0 PUBLIC PARTICIPATION**:

**“2.2 ELECTRONIC MEETINGS**

The Clerk may establish and amend any procedure or process deemed necessary to allow public participation at electronic meetings, including but not limited to, any time limit by which a Speakers and Presenters will be required to register.”

Enacted by City of Vaughan Council this 29<sup>th</sup> day of September, 2020.

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Hon. Maurizio Bevilacqua, Mayor

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Todd Coles, City Clerk