

**By-law Number 27-2020**  
**of The Regional Municipality of Durham**

Being a by-law to Amend By-law 44-2018 to adopt a quorum, govern the proceedings of council and its committees, the conduct of its members, and the calling of meetings.

Whereas the Municipal Act in Section 238 (3.1) allows for electronic participation in a meeting which is open to the public provided that any such member shall not be counted in determining whether a quorum of members is present at any point in time;

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

That the existing Section 8.5 (a) be amended to include Advisory Committees.

That the existing Section 8.5 (f) be amended by adding the words, “unless otherwise determined by the Chair”, to the end of the sentence.

Existing Part f) with amendment:

- (f) All votes during a meeting where some or all members are participating electronically shall be recorded votes, unless otherwise determined by the Chair.

That the following shall be added as a new Section 8.5 to By-law 44-2018 and the rest shall be renumbered accordingly:

**8.5 Electronic Participation at Meetings**

- (a) Electronic participation may be allowed for a member of Council, of a local board or of a committee of either of them in accordance with Section 238 (3.1) of the Municipal Act; for greater clarity this includes Advisory Committees, Standing Committees, Committee of the Whole, Regional Council and local board meetings. Members participating electronically shall not be counted in determining whether a quorum of members is present and shall not be able to participate in a meeting that is closed to the public.
- (b) Where the Rules of Procedure conflict with the need to facilitate electronic participation, the Chair, in consultation with the Regional Clerk, shall have the authority to modify the Rules of Procedure to ensure Members can effectively participate in the meeting.
- (c) The Regional Clerk, in consultation with the Chair, shall establish practices and procedures for electronic participation.
- (d) To ensure that a quorum can be achieved, Members must notify the Clerk prior to the meeting of their intent to participate electronically.
- (e) The meeting shall begin with a roll call to determine which members are participating electronically. Members will be required to audibly indicate their presence, or they will be noted as absent.
- (f) All votes during a meeting where some or all members are participating electronically shall be recorded votes, unless otherwise determined by the Chair.

- (g) Should a member of the public request to provide their delegation through electronic participation and the Clerk believes that electronic participation by the public can be facilitated, they will be requested to provide their comments in writing to the Clerk prior to the meeting and the comments will be distributed to members of Council. The remainder of the regular rules for delegations as set out in this by-law shall apply.
- (h) The Regional Clerk may provide for the electronic participation of Staff, including electronic participation of the Clerk.

This By-law Read and Passed on the 24<sup>th</sup> day of June, 2020.

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J. Henry, Regional Chair and CEO

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R. Walton, Regional Clerk