

BYLAW NO. 4710

A BYLAW OF THE CITY OF MEDICINE HAT to allow council meetings and council committee meetings to be conducted by electronic means.

WHEREAS section 199 of the Act has been amended as a result of Bill 21, the *Red Tape Reduction Statutes Amendment Act*, Third session, 30th Legislature, Alberta, 2022 (the "Red Tape Reduction Amendment Act").

AND WHEREAS pursuant to subsection 199(2) of Act, a municipality may by bylaw provide for council meetings and council committee meetings to be conducted by electronic means pursuant to the conditions included in subsections 3(a)-(d) of the Act;

NOW THEREFORE THE MUNICIPAL CORPORATION OF THE CITY OF MEDICINE HAT, IN COUNCIL ASSEMBLED, ENACTS AS FOLLOWS:

Bylaw Title

1. This Bylaw may be cited as the "Electronic Meetings Bylaw".

Interpretation

2. In this Bylaw:
 - (a) "**Act**" means the *Municipal Government Act*, RSA 2000, Ch M-26, as amended;
 - (b) "**Chair**" means the Member who presides at a Meeting;
 - (c) "**City Clerk**" means the City Clerk of the City of Medicine Hat and any person to whom the City Clerk's powers are delegated or any person appointed to act in the absence of the City Clerk;
 - (d) "**City Manager**" means the Chief Administrative Officer of the City of Medicine Hat, operating under the title of "City Manager", and includes any person to whom the City Manager's powers are delegated, or any person appointed to act in the absence of the City Manager;
 - (e) "**Council**" means the elected council of the City of Medicine Hat;
 - (f) "**Council Meeting**" means a meeting of Council, including hearings;
 - (g) "**Council Committee Meeting**" is as defined in section 1(f) of the Act, and means a committee, board or other body established by Council under the Act, but does not include an assessment review board established under section 454 or a subdivision and development appeal board established under section 267 of the Act;

- (h) "**Electronic Means**" means a teleconferencing system or a streamed broadcast, as determined by the City Manager, through which Meetings may be conducted;
- (i) "**Executive Assistant**" means the person who records the official minutes at a Council Committee Meeting;
- (j) "**Meeting**" or "**Meetings**" includes Council Meetings and Council Committee Meetings;
- (k) "**Member**" means a person elected to Council and or a person appointed to a Council Committee;
- (l) "**Procedure Bylaw**" means Bylaw No. 2270, the Procedure Bylaw, as amended or replaced from time to time;
- (m) "**Public Hearing**" means a public hearing pursuant to section 230 of the Act;

Meetings by Electronic Means

- 3. Meetings are permitted to be conducted through a combination of Electronic Means and in person attendance at City Hall.
- 4. Notwithstanding section 3, any Meeting may be conducted solely by Electronic Means, in the event of an emergency such as a pandemic, fire, flood, or similar type emergency.
- 5. The public may access Council Meetings by:
 - (a) attending the Council Meeting in person; or
 - (b) through Electronic Means.
- 6. Persons, delegations or special interest groups approved to present at a Council Meeting, pursuant to the Procedure Bylaw, may do so by:
 - (a) attending the Council Meeting in person; or
 - (b) through Electronic Means by registering with the City Clerk, by 4:30 pm on the Friday before the Meeting.
- 7. In the case of a Public Hearing, any member of the public wishing to make representations, may only do so by attending the Public Hearing in person at City Hall. If a person is experiencing extenuating circumstances which is causing them to be unable to attend in person, the person may apply to the City Clerk for an exemption to appear through Electronic Means. This request must be provided to the City Clerk, by 4:30 pm on the Friday before the Council Meeting.

8. Public attendance is not permitted through any means to Council Meetings that are closed to the public in accordance with section 197 of the Act.
9. The public may access Council Committee Meetings through:
 - (a) attending the Council Committee Meeting in person; or
 - (b) Electronic Means, through the City of Medicine Hat website.
10. Information in respect of a Meeting that is required to be made publicly available pursuant to the Act, will be made available before and during the Meeting, on the City of Medicine Hat's website.
11. Notice to the public of a Meeting shall be deemed sufficient, if notice (and any information required under the Act, to be provided before or during the Meeting, if applicable) is posted on the City of Medicine Hat's website, a minimum of twenty-four (24) hours before the Meeting.
12. Notice to a Member of a Meeting shall be deemed sufficient if provided to the Member through their official email, a minimum of twenty-four (24) hours before the Meeting.
13. With respect to any procedural elements for Meetings not included in this Bylaw, the Procedure Bylaw, applies.

Remote Participation for Members

14. A Member may participate remotely in Meetings through Electronic Means if the Member is unable to attend in person, or if the Meeting is being conducted entirely by Electronic Means.
15. To confirm the identity of a Member appearing through Electronic Means, the Chair of the Meeting must perform a roll call of the Members. Upon the Member's name being called, the Member is required to turn on their camera and confirm on the record that they are present.
16. Members must also comply with the following requirements when attending a Meeting through Electronic Means:
 - (a) Must notify the City Clerk and Chair at least twenty-four (24) hours in advance of the start of the Council Meeting of their intention to participate using Electronic Means;
 - (b) Must notify the Chair and Executive Assistant at least twenty-four (24) hours in advance of the start of the Council Committee Meeting of their intention to participate using Electronic Means;
 - (c) When speaking and voting, the Member's camera must be turned on, where

possible;

- (d) The Member must use the words "in favour" or "opposed" following the call for a vote; and
- (e) The Member must email or phone the City Clerk if they get disconnected from the Meeting or encounter technical difficulties which impede their ability to hear, speak, or participate in the Meeting, at which point the Meeting will be paused until the Member is able to participate fully through the Electronic Means.

This Bylaw will come into force at the beginning of the day that it is passed.

READ A FIRST TIME in open Council on _____.

READ A SECOND TIME in open Council on _____.

READ A THIRD TIME in open Council on _____.

SIGNED AND PASSED on _____.

MAYOR: Linnsie Clark

ACTING CITY CLERK: Jessica Robinson