



Revised Electronic Special Council

Agenda

Meeting No. 5
March 27, 2020, 9:30 AM
Live streamed

Note: Members of Council will be participating in the meeting remotely.

Due to COVID-19, our facilities are closed to the public.
Access is not permitted to the Markham Civic Centre and Council Chamber.

Members of the public will be permitted to submit written deputations up to 2 hours before the meeting starts by email to clerkspublic@markham.ca

Council meetings are video and audio streamed on the City's website at:

<https://pub-markham.escribemeetings.com/>



Revised Electronic Special Council Agenda

Revised Items are Italicized.

Meeting No. 5
March 27, 2020, 9:30 AM
Live streamed

Alternate formats for this document are available upon request.
Council meetings are live video and audio streamed on the City's website.

Note: As per Section 7.1(h) of the Council Procedural By-Law, Council will take a ten minute recess after two hours have passed since the last break.

Pages

1. CALL TO ORDER

INDIGENOUS LAND ACKNOWLEDGEMENT

We begin today by acknowledging that we walk upon the traditional territories of Indigenous Peoples and we recognize their history, spirituality, culture, and stewardship of the land. We are grateful to all Indigenous groups for their commitment to protect the land and its resources and we are committed to reconciliation, partnership and enhanced understanding.

I, Mayor Frank Scarpitti, hereby call all Members of Council to a Special Meeting of Council to be held on March 27, 2020 at 9:30 AM by Electronic Meeting for the purpose of considering the following matters:

2. DISCLOSURE OF PECUNIARY INTEREST

3. WRITTEN DEPUTATIONS

4. AMENDMENTS TO THE CITY OF MARKHAM'S COUNCIL PROCEDURAL BY-LAW TO PERMIT ELECTRONIC MEETING PARTICIPATION DURING A STATE OF EMERGENCY (2.1)

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1. That the report entitled "Amendments to the City of Markham's Council Procedural By-law to Permit Electronic Meeting Participation during a State of Emergency", be received; and,
2. That the proposed amendments to the City of Markham's Council Procedural By-law 2017-5 to permit electronic meeting participation during a state of

emergency as outlined in Appendix ‘A’ of this report be approved; and further,

3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

5. COVID-19 PANDEMIC - FINANCIAL UPDATE (7.0)

45

1. That the report and presentation titled “COVID-19 - Financial Update” be received; and,
2. That the City Treasurer be directed to monitor the economic climate and report back to Council as required with further information related to COVID-19, including any decisions by other levels of government and related financial implications for the Corporation, residents and business owners in the City of Markham; and,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

6. BY-LAWS - THREE READINGS

6.1 *BY-LAW 2020-26 A BY-LAW TO AMEND PROCEDURAL BY-LAW 2017-5 TO PERMIT ELECTRONIC MEETING PARTICIPATION DURING A STATE OF EMERGENCY*

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6.2 *BY-LAW 2020-27 A BY-LAW TO AMEND BY-LAW NO. 2019-113 A BY-LAW TO PROVIDE FOR AN INTERIM TAX LEVY IN 2020*

75

7. CONFIDENTIAL

8. CONFIRMATORY BY-LAW

8.1 BY-LAW 2020-25 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE ELECTRONIC SPECIAL COUNCIL MEETING OF MARCH 27, 2020

No Attachment

9. ADJOURNMENT



Report to: Council

Meeting Date: March 27, 2020

SUBJECT: Amendments to the City of Markham's Council Procedural By-law to Permit Electronic Meeting Participation during a State of Emergency

PREPARED BY: Kimberley Kitteringham, City Clerk, ext. 4729
 Martha Pettit, Deputy City Clerk, ext. 8220
 Scott Chapman, Election & Committee Coordinator, ext. 2097

RECOMMENDATION:

1. That the report entitled "Amendments to the City of Markham's Council Procedural By-law to Permit Electronic Meeting Participation during a State of Emergency", be received; and,
2. That the proposed amendments to the City of Markham's Council Procedural By-law 2017-5 to permit electronic meeting participation during a state of emergency as outlined in Appendix 'A' of this report be approved; and further,
3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this report is to seek Council's approval for amendments to the City of Markham's Council Procedural By-law 2017-5 to permit electronic meeting participation during a state of emergency declared under the *Emergency Management and Civil Protection Act* ("EMCPA").

BACKGROUND:

Under Section 238 (2) of the *Municipal Act, 2001*, every municipality in Ontario is required to adopt a procedural by-law to govern the calling, place, and proceedings of its council and local board meetings. In the City of Markham, meetings of Council, local boards, and committees are governed by the City's Council Procedural By-law 2017-5.

On March 11, 2020, Premier Doug Ford declared a province-wide emergency under the *Emergency Management and Civil Protection Act* ("EMCPA") in response to the declaration of the 2019 Novel Coronavirus (COVID-19) as a global pandemic by the World Health Organization. The state of emergency has mandated the closure of all recreation facilities, public libraries, childcare centres, and bars and restaurants providing public accommodations in all municipalities across Ontario. In an effort to contain the spread of the virus, governments and public health authorities at the international, federal, provincial, and regional levels are recommending that individuals practice physical distancing and that public and professional gatherings be limited until further notice.

As a follow-up, the Legislative Assembly of Ontario passed the *Municipal Emergency Act, 2020* (or Bill 187) on March 19, 2020. Bill 187 amends the *Municipal Act, 2001* (and the *City of Toronto Act, 2006*) to permit members of a municipal council, local board, or committee to participate electronically in open and closed session meetings and be counted

towards quorum where such meetings are held during a declared state of emergency under the *EMCPA*, provided that the municipality's procedural by-law so allows.

Municipalities wishing to exercise these new emergency protocols under the *Municipal Act, 2001* are required to amend their procedural by-laws accordingly. At present, the City of Markham's Council Procedural By-law does not permit electronic meeting participation by Members of Council, local boards, or committees, and requires an amendment in order to address these changes in provincial legislation.

OPTIONS/ DISCUSSION:

Bill 187 provides that where a municipality's procedural by-law so allows, Members of Council are permitted to participate electronically in open and closed meetings and count towards quorum during a period where an emergency has been declared to exist in all or part of the municipality by the Head of Council under Section 4 *EMCPA* or by the Lieutenant Governor in Council or Premier under Section 7.0.1 of the *EMCPA*. This would permit Members of Council to convene legally-constituted sessions and perform necessary emergency management decision-making from separate physical locations.

In the context of the current state of emergency surrounding COVID-19, electronic meeting participation will provide Council with the flexibility to quickly respond to the emergency and ensure the continuity of municipal operations while allowing Members to observe the physical distancing and self-isolation measures recommended by government and public health authorities. This will allow for the provision of essential municipal services and business continuity in a manner that protects the health and safety of the public, Members of Council, and municipal staff.

It is important to note that the provisions of Bill 187 only apply to meetings held during an ongoing state of emergency, declared to exist in all or part of the municipality under Section 4 or Section 7.0.1 of the *EMCPA*. Once the emergency has ended, the standard meeting rules of the *Municipal Act, 2001* will apply. This means that Council may, through amendment to the City's Procedural By-law, permit electronic participation for Council, local board, and committee meetings, but a quorum of the elected or appointed Members will need to be physically present in order for a meeting to proceed. The purpose of this rule is to ensure that meetings that may materially advance the business of the municipality remain open and accessible to the public.

The Association of Municipalities Ontario (AMO) has released a series of guidelines regarding the use of meetings conducted through electronic communications (see Appendix 'D'). The amendments proposed by staff to the City's Council Procedural By-law are consistent with these guidelines.

Proposed Amendments to the City's Council Procedural By-law

In accordance with the principles of transparency and accountability underpinning the open meeting principles of the *Municipal Act, 2001*, staff are proposing amendments to the City's Council Procedural By-law that will permit electronic meeting participation during a state of emergency subject to the following conditions:

- **Items of Discussion**

The emergency electronic participation provisions will be utilized only to deal with business that is necessary to ensure the continued administration of the City and/or the provision of essential municipal services.

- **Council, Standing Committee, Local Board and Advisory Committee Meetings**

Electronic participation will primarily be reserved for Council and Standing Committee meetings. However, additional City Committees and Local Boards may be permitted to meet electronically during a state of emergency at the discretion of the City Clerk and based on need.

- **Open and Closed Session Meetings**

Meeting participants will be permitted to participate electronically in meetings that are open and closed to the public. For closed session meetings, it is the expectation that Members will physically sequester themselves in secure rooms for the duration of the meeting. As always, Members will be subject to the confidentiality provisions of the *Council Code of Conduct* and/or the *Municipal Act* (as applicable) are required to keep information discussed during closed session meetings confidential.

- **Chair and Clerk**

Where feasible, the Chair and Clerk of the meeting will be physically present at the location determined by the City Clerk to ensure order and effective control over a meeting in which Members are participating electronically.

- **Equal Participation**

All Members will be able to participate equally whether they are attending a meeting in-person or remotely. This means that all Members will have an equal right to be recognized during discussion, to ask questions, and to vote on all matters requiring direction. It must also be evident to members of the public who are observing the meeting that all Members can properly hear and participate in the meeting discussion.

- **Public Participation**

Meetings held in accordance with these emergency protocols will comply with existing open meeting principles of the *Municipal Act, 2001*. This includes providing members of the public with reasonable notice of meetings as well as a means to participate in the meetings.

Considerations

The decision to include provisions for electronic meeting participation in the City's Council Procedural By-law requires consideration of a number of factors, including potential costs and requirements associated with required technical infrastructure and security for closed session meetings. As such, staff are recommending that the amendments of Bill 187 be incorporated into the City's Procedural By-law on a limited basis as outlined above. Technology used to support electronic communications will be phased in gradually as required to ensure reliability, ease of use, and effective participation by Members of Council and members of the public. This gradual approach to the use of technology for remote meetings is consistent with the guidelines recommended by AMO.

As previously directed at the March 9, 2020 Development Services Committee meeting, staff will report back on options and considerations for a more general application of electronic participation for Council, local board, and committee meetings during emergency and non-emergency situations using lessons learned from this trial period once the current public health pandemic has stabilized.

FINANCIAL CONSIDERATIONS

Immediate costs associated with implementing the technology required for limited electronic meeting participation fall within existing approved budget allocations.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This report recommends changes to the City's Council Procedural By-law to ensure that Council and Standing Committees of Council continue to operate efficiently in a state of public emergency in a manner that supports the City's Strategic Plan "Building Markham's Future Together."

BUSINESS UNITS CONSULTED AND AFFECTED:

The recommendations reflected in this report were developed in consultation with staff in the City's Legal and Information Technology Services Departments.

RECOMMENDED BY:

Kimberley Kitteringham
City Clerk / Director of Legislative Services
& Corporate Communications

Trinela Cane
Commissioner of Corporate Services

ATTACHMENTS:

- Appendix 'A' – Proposed Amendments to Council Procedural By-law 2017-5
- Appendix 'B' – Council Procedural By-law (By-law 2017-5)
- Appendix 'C' – *Municipal Emergency Act, 2020* (Bill 187)
- Appendix 'D' – Meetings Guidance for Heads of Council: COVID-19 (Association of Municipalities Ontario)



By-law 2020-xx

A By-law to amend Procedural By-law 2017-5 to permit electronic meeting participation during a state of emergency

WHEREAS Section 238(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, requires every municipality and local board to pass a procedural by-law governing the calling, place, and proceedings of meetings; and,

WHEREAS the Council of the City of Markham has enacted Procedural By-law 2017-5 to govern the calling, place, and proceedings of meetings of Council, local boards, and committees of the City of Markham; and,

WHEREAS Section 238(3.3) of the *Municipal Act, 2001*, S.O. 2001, c.25, allows for a municipality’s procedural by-law to permit a member of council, a local board, or a committee to participate electronically in a meeting which is open or closed to the public and be counted in towards quorum during an emergency 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 Council of the City of Markham considers it necessary to establish procedures to facilitate transparent and accountable decision-making required for the continuity of municipal operations and the provision of essential municipal services during a declared state of emergency;

NOW THEREFORE the Council of the Corporation of the City of Markham enacts as follows:

1. That By-law 2017-5 is hereby amended such that:

1.1 The following definition be added to Section 2:

“**State of Emergency**” means a situation in which an emergency has been declared to exist in all or part of the City of Markham by the **Mayor** under Section 4 of the *Emergency Management and Civil Protection Act* or by the Lieutenant Governor in Council or the Premier of the Province of Ontario under Section 7.0.1 of the *Emergency Management and Civil Protection Act*.

1.2 The following Section 4.6 be inserted and all subsequent sections of the by-law be re-numbered accordingly:

4.6 Electronic Meeting Participation

During a **State of Emergency**, **Members** may participate in a **Meeting** that is open or closed to the public by means of electronic communications and such members shall be counted towards quorum subject to the following conditions:

(a) Matters of discussion at the **Meeting** shall be those necessary for the continued administration of the City and/or the provision of essential municipal services.

- (b) The **Meeting** shall be one of **Council** or **Standing Committee**; or, City Advisory Committees and Local Boards as identified by the **Clerk**.
- (c) Where feasible, the **Chair** and **Clerk** of the **Meeting** shall be physically present at the location determined by the **Clerk**.
- (d) The **Meeting** shall be conducted in accordance with the administrative procedures established by the **Clerk** for facilitating electronic participation.

Read a first, second, and third time and passed on -----.

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Kimberley Kitteringham	Frank Scarpitti
City Clerk	Mayor



By-law 2017-5

A by-law to govern the proceedings
of Council and Committees of Council

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Whereas subsection 238 (2) of the Municipal Act, 2001 requires every Council and local board to adopt a Procedure by-law for governing the calling, place and proceedings of Meetings; and,

Whereas subsection 11 (2) of the Municipal Act, 2001 provides that upper and lower tier municipalities may pass by-laws respecting accountability and transparency of the municipality and its operations and of its local boards and their operations; and,

Whereas, it is the Council of The Corporation of the City of Markham's desire to follow a process of municipal governance that reflects an open, transparent government; and,

Whereas the Council of The Corporation of the City of Markham, in the interest of good governance, recognizes a Procedural By-law as a hallmark of accountability and transparency; and,

Now, therefore, the Council of the Corporation of the City of Markham enacts as follows:

1. APPLICATION

1.1 Rules and Regulations

- (a) The rules and regulations contained in this By-law shall be the **Rules of Procedure** for the order and dispatch of business in **Council** and **Committees**.
- (b) Unless the By-law provides to the contrary, the rules or regulations expressed for the conduct of **Council Meetings** apply, with necessary changes, to **Committees**.
- (c) The **Rules of Procedure** may be suspended by a two-thirds vote of the **Members of Council** or **Committee** present at the **Meeting**.

1.2 Interpretation

- (a) In the event of a conflict in the interpretation of any rules or regulations of this Procedural By-law or for determining a proper course of action for matters that may arise that are not specifically contemplated by this Procedural By-law, the most recent edition of **Robert's Rules of Order, Newly Revised** shall be referred to for clarification.
- (b) A word in this By-law expressed in the singular has a corresponding meaning when used in the plural. Words implying a single gender shall be read to be inclusive of all genders.
- (c) Any future amendment(s) to the Municipal Act or other legislation as noted in this by-law that may alter the sections and sub-sections of the legislation referenced will not affect the validity of the by-law or any part thereof.

2. DEFINITIONS

In this By-law:

“**Agenda**” means the order of proceedings for a **Meeting**, which sets out the business to be considered at the **Meeting** and includes the **Revised Agenda**;

“**Announcement**” means a public statement made by a Member of Council related to an event of interest to the general public or an offer of congratulations or condolence, or a matter of similar nature, and shall not be debatable;

“**Chair**” means the person presiding at a **Meeting**;

“**City**” means The Corporation of the **City** of Markham;

“**Clerk**” means the **City Clerk** or his/her designate;

“**Committee**” means any **Standing Committee** of **Council** or an advisory or special **Committee** established by **Council** from time to time;

“**Confidential Meeting**” means a **Meeting**, or part of a **Meeting**, that is not open to the public pursuant to the **Municipal Act**. “In Camera” and “Closed” **Meeting** have the same meaning;

“**Council**” means the **Council** of the **City**;

“**Deputant**” means an individual intending to physically appear at a **Meeting** and address **Council** or **Committee** on a matter listed on an **Agenda**;

“**Deputy Mayor**” means the Regional Councillor who received the highest number of votes for Regional Councillor in the last election;

“**Frivolous**” means a submission or comment that is without merit or substance or is trivial;

“**Mayor**” means the Head of **Council** as defined by the **Municipal Act** and includes the **Deputy Mayor**, when acting in absence of the Mayor;

“**Member**” means any individual elected to **Council** or a person appointed by **Council** to a **Committee**;

“**Meeting**” means any regular, special or other **Meeting** of **Council** or a **Committee** and includes a **Workshop**;

“**Motion**” means a proposal by a **Member** for the consideration of **Council** or **Committee**;

“**Municipal Act**” means the **Municipal Act, 2001**, S.O. 2001, c.25, as amended from time to time;

“New/Other Business” would generally apply to an item that is to be added to the **Agenda** due to an urgent statutory time requirement, or an emergency, or time sensitivity;

“Newspaper” means a printed publication, intended for general circulation in the municipality, published regularly at intervals of not longer than one week, consisting in large part of news or current events of general interest and sold or provided free of charge to the public and to regular subscribers. It includes, but is not limited to, the Markham Economist and Sun and the Thornhill Liberal;

“Pecuniary Interest” would apply to a **Member** who believes they may have a conflict relating to a financial benefit pursuant to the applicable conflict of interest legislation;

“Pending Motion” means that a **Motion** has been stated by the **Chair** to be dealt with by **Council** or **Committee** in due course;

“Postpone” means a **Motion** to postpone a decision or debate on a matter until later in the same **Meeting** or to a future **Meeting** of **Council** or **Committee**, either on a fixed date or to be determined;

“Recorded Vote” means a vote, at a **Council Meeting**, for which the **Clerk** records all **Members** present and how they voted;

“Refer” means a **Motion** to send a matter to a **Committee**, agency, **City** staff or another person for more information, recommendation or other action;

“Resolution”, also called a main **Motion**, means a substantive proposal placed before **Council** for discussion and decision;

“Revised Agenda” means an **Agenda** that is prepared with additional order(s) of business for a **Meeting**;

“Robert’s Rules of Order” means the most current edition of **Robert’s Rules of Order, Newly Revised**;

“Rules of Procedure” means the rules and regulations contained in this Procedural By-law that govern the proceedings of **Council** and its **Committees**;

“Standing Committee” means a **Committee** established by **Council** and consisting solely of all **Members** of **Council**;

“Treasurer” means the **City Treasurer** or his/her designate;

“Vexatious” means a submission or comment that is without merit and pursued in a manner that is malicious or intended to embarrass or harass the recipient or others;

“Vice-Chair” means the **Member** appointed to act from time to time in place of the appointed **Chair**; and,

“Workshop” means a **Meeting** of **Council** or **Committee**, intended for all **Members** of **Council**, for the purpose of: (1) receiving a briefing on municipal business; (2) debating emerging priorities and issues, including strategic planning; or (3) training.

3. COMMITTEES

3.1 Standing Committees

The **Standing Committees** of **Council** shall be as follows:

- (a) General **Committee**
- (b) Development Services **Committee**

3.2 Appointment of Standing Committee Chairs

At or after the Inaugural **Meeting** of **Council**:

- (a) The **Chairs** of the **Standing Committees** of **Council** shall be established by vote as follows:
 - i. There shall be a **Chair** and **Vice-Chair** appointed for the following sub-section on the **Agenda** being considered by the General **Committee**:
 - Finance and Administrative, the Chair of which shall be the Chair of the General Committee;
 - Community Services;
 - Environment and Sustainability; and,
 - Land, Building and Parks Construction.
 - ii. There shall be a **Chair** and **Vice-Chair** appointed for the following sub-section on the **Agenda** being considered by the Development Services **Committee**:
 - Development Services, the Chair of which shall be the Chair of the Development Services Committee;
 - Culture and Economic Development; and,
 - Transportation and Engineering Capital Projects.
- (b) For General **Committee** and Development Services **Committee**, in the absence of the **Chair** and **Vice-Chair** of the **Standing Committee**, the **Chair** of the subsequent listed sub-section shall assume the role of **Chair** for the meeting.

3.3 Appointment of Special Committees

- (a) Any Special **Committees** must be established by **Council** by vote. They shall report to **Council** or **Standing Committee** on any matter **Referred** to them by **Council** or **Standing Committee** as directed by **Council**.

- (b) Appointments of **Members** and other representatives of the **City** to other **Committees** and boards and organizations shall be approved by vote of **Council**.
- (c) The **Mayor** and **Deputy Mayor** are ex-officio **Members** of all **Committees**.
- (d) Any **Committee** may establish a sub-committee and appoint **Members** to the sub-committee.

3.4 Duties of Standing Committees

The duties of the **Standing Committees** shall be as follows:

- (a) The General Committee shall be responsible for those duties listed in the Terms of Reference attached as Schedule "B".
- (b) The Development Services Committee shall be responsible for those duties listed in the Terms of Reference attached as Schedule "C".

4. MEETINGS

4.1 Inaugural Meeting

The first **Meeting** of a newly elected **Council** after a regular municipal election is the Inaugural meeting at which **Council** Members will be sworn in. It shall be held on the date as prescribed in the Municipal Act, or such other date as determined by the **Clerk**.

4.2 Regular Council and Standing Committees Meetings

- (a) Regular **Meetings** of **Council** shall be held in accordance with the schedule/calendar adopted by **Council**, except when otherwise directed by a **Resolution of Council**.
- (b) Regular **Meetings** of General Committee shall be held in accordance with the schedule/calendar adopted by **Council**, except when otherwise directed by a **Resolution of Council**.
- (c) Regular **Meetings** of Development Services Committee shall be held in accordance with the schedule/calendar adopted by **Council**, except when otherwise directed by a **Resolution of Council**.

4.3 Special Council Meetings

4.3.1 Special Meetings may be called in one of three ways:

- (a) The **Mayor** may, at any time, call a special **Meeting** of **Council** on 48 hours written notice to the **Members and the media**; or,
- (b) Upon receipt of a written petition from a majority of the **Members**, the **Clerk** shall summon a special **Meeting** on 48 hours written notice to all **Members** and the media; or,

- (c) In urgent and extraordinary circumstances, with the consent of two-thirds of all the **Members**, a **Meeting** of the **Council** may be called by the **Mayor** or **Deputy Mayor** without notice in order to consider and deal with such matters.

4.3.2 The only business to be dealt with at a special **Meeting** is that which is listed in the notice of the **Meeting**. Special **Meetings** may be open or closed as provided in the **Municipal Act**.

4.4 Form of Meeting Notices

The form of **Meeting** notices shall be as outlined in Schedule "A" attached to this By-law.

4.5 Location of Meetings

All **Meetings** of **Council** shall be held in the **Council** Chamber or at any other place in the municipality, as authorized by the **Mayor**.

4.6 Calling a Meeting to Order and Quorum

A majority of the **Members** of **Council** is necessary to form a quorum. As soon as there is a quorum after the time appointed for commencement of a **Meeting**, the **Mayor** or **Chair** will call the **Meeting** to order. If a quorum is not present 30 minutes after the time appointed for commencement of a **Meeting**, the **Clerk** shall record the names of the **Members** present and the **Meeting** shall not commence or proceed.

4.7 Late Arrival

If a **Member** arrives late for a **Meeting**, any prior debate shall not be reviewed without two-thirds consent of all **Members** present.

4.8 Chair of Council

The Mayor is the Chair of Council. In the absence of the **Mayor** at **Council**, the **Deputy Mayor** shall take the **Chair**. In the absence of both of them, the **Members** present shall elect a **Chair** for the **Meeting**.

4.9 Preparation of the Agenda

- (a) Prior to each regular **Meeting**, the **Clerk** shall prepare an **Agenda** of all the business to be brought before such **Meeting**. The **Council Agenda** shall be distributed to **Members** and posted on the City's website at least 48 hours before the **Meeting**.
- (b) If required, the **Clerk** shall prepare a **Revised Agenda** of all the business to be brought before a **Meeting**, at a minimum of one hour prior to each regular **Meeting**.

4.10 Revised Agenda

Requests for items to be added to a **Revised Agenda** shall meet at least one of the following conditions:

- (a) Government/agency deadlines;
- (b) Legal implications;
- (c) Contractual implications;
- (d) Financial implications; or,
- (e) **Council** or **Standing Committee** direction.

4.11 Order of Business

- (a) Council Meetings

The **Clerk** shall prepare the **Agenda** for the use of the **Members** at the regular **Meetings** of **Council**, as follows:

Disclosure of **Pecuniary Interest**
 Approval of Previous Minutes
 Presentations
 Deputations
 Communications
 Proclamations
 Reports
 Motions
 Notice of Motion to Reconsider
 New/Other Business
 Announcements
 By-laws
 Confidential Items
 Confirmatory By-law
 Adjournment

- (b) Standing Committee Meetings

The **Clerk** shall prepare the **Agenda** for the use of the **Members** at the regular Standing Committee **Meetings**, as follows:

Disclosure of **Pecuniary Interest**
 Approval of Previous Minutes
 Presentations
 Deputations
 Communications
 Petitions
 Reports
 Motions
 Notices of Motion
 New/Other Business
 Announcements

Confidential Items
Adjournment

4.12 Record of the Proceedings

The **Clerk** shall be the secretary of all **Meetings**. It shall be the duty of the **Clerk** to record the proceedings of **Council** in the form of minutes that shall contain the following:

- (a) The beginning and ending time of **Meetings**.
- (b) The names of **Members** present.
- (c) The time **Members** arrive and leave the **Meeting**.
- (d) Any declaration of **Pecuniary Interest**.
- (e) A record of the decision of each item for consideration.
- (f) Recommendations to **Council** on each item.
- (g) The names of **Deputants** appearing before **Committee**.

4.13 Minutes

- (a) Minutes of a previous **Meeting** shall be approved at the next regular **Meeting**.
- (b) After the minutes have been adopted by **Council**, they shall be signed by the **Mayor**, or the **Chair** if not the **Mayor**, and the **Clerk**.
- (c) The minutes of an open **Meeting** of **Council** or **Committee** are public and shall be made available on the **City's** website.
- (d) The minutes of all advisory and special **Committees**, once approved, shall be placed on the appropriate **Standing Committee Agenda** for information only. **Motions** from advisory and special **Committees** requiring **Council** endorsement shall be placed on the appropriate **Standing Committee Agenda** for consideration.
- (e) The **Clerk** is authorized to make minor technical or clerical corrections to the minutes after they have been adopted by **Council**, with appropriate notation included in the minutes identifying the correction, so long as the intent and integrity of the information and/or **Resolution** is not changed.

4.14 Recording Equipment

- (a) **Council** and **Standing Committee Meetings** shall be recorded, wherever possible, through audio and video streaming on the **City's** website. Audio recordings of the meetings are available from the **Clerk's** Department for a nominal fee. Any failure of the audio or video streaming equipment for a **Meeting**, or any portion thereof, does not invalidate the outcome of the **Meeting**.

- (b) The use of audio and video recording equipment in the **Meeting** room by the public or the media will be permitted provided that it is not disruptive to the **Meeting**. Permission for recording and the location of recording equipment will be at the discretion of the **Chair**.

4.15 Deputations

- (a) To speak on the same matter, persons shall only appear before **Council** or **Committee** as a **Deputant**, but not both.
- (b) Any person desiring to be heard by **Council** or a **Committee** shall register as a **Deputant** by completing and submitting the prescribed form to the **Clerk**. The prescribed form must be completed by the individual requesting to be a **Deputant**. **Deputants** who register prior to the publication of the **Agenda** will be listed under the Deputations section of the **Agenda**.
- (c) **Deputants** who cannot appear before **Council** or **Committee** may submit their written comments, by the prescribed deadline, for inclusion under the Communications section of the **Agenda**.
- (d) Only persons registered as a **Deputant**, in accordance with 4.15 (b), may speak to a matter listed on an **Agenda**.
- (e) A Deputation on behalf of an organization, corporation, association, or group shall be made by one person.
- (f) **Deputants** shall be permitted to speak for a maximum of five minutes, whether they are representing themselves personally, or an organization, corporation, association, or group. A **Deputant** shall confine their remarks to the item on the **Agenda**.
- (g) **Deputants** will not be permitted to:
 - i. Make a request for financial assistance from the **City** during a **Meeting**, unless it is an item listed on an **Agenda** and prescribed by legislation or pursuant to or in accordance with a **City**-approved program, policy or procedure. Any such **Deputants** shall be directed to submit a request in writing to the **Treasurer** and the request will be administered within the context of existing policies and procedures; or,
 - ii. Promote products or services for the purpose of soliciting business. Any such **Deputants** shall be directed to submit a request through the **City's** existing procurement procedures.
- (h) Neither a **Deputant** nor a **Member** shall read another individual's written submission/comments.
- (i) **Deputants** shall not make statements or comments that are, in the opinion of the **Chair**, **Frivolous** or **Vexatious** in nature.

- (j) A **Deputant** wishing to appear on a matter not listed on the **Agenda** shall require the consent of two-thirds of the **Members** present.
- (k) The priority in which **Deputants** shall be heard by **Committee** shall be as follows:
 - i. **Deputants** listed on the **Agenda**;
 - ii. **Deputants** who, subsequent to the preparation of the **Agenda** and prior to the commencement of a **Meeting**, apply to the **Clerk** to be heard on a matter listed on the **Agenda**;
 - iii. **Deputants** who appear at a **Meeting** and who are not identified until such time as Deputations are called for by the **Chair**; and,
 - iv. **Deputants** wishing to appear on a matter not listed on the **Agenda**.
- (l) Unless there is a staff presentation, all **Deputants** appearing before **Committee** shall be heard at the beginning of the **Meeting** or just prior to the beginning of the specific item, and shall be permitted to speak only once on an item. Once deliberations on a specific item have commenced, no further submissions or presentations relative to the item shall be made by the **Deputant** or by any person other than a **Member** or staff.
- (m) **Deputants** shall respond to questions from **Members** only through the **Chair**.
- (n) After a **Deputant** has completed their submission, **Members** shall each have the opportunity to ask questions of the **Deputant** for clarification purposes only, and without debate. When all **Members** who have indicated a desire to ask questions have been given the opportunity to do so, the **Deputant** shall take their seat in the public seating area before any debate between the **Members** on the subject of the deputation begins. A **Deputant** shall not engage in debate with **Committee**.
- (o) The **Chair** may curtail any deputation, any questions of a **Deputant** or debate during a deputation, for disorder, lack of decorum or for any other breach of this By-law and, should the **Chair** rule that the deputation is concluded, the **Deputant** shall take their seat in the public seating area immediately.

4.16 New/Other Business

- (a) New/Other Business may be considered at **Council** or **Standing Committee**, however New/Other Business should generally be presented at **Standing Committee**.
- (b) Items **Referred** from a **Standing Committee** may be listed under the **New/Other Business** section of an **Agenda**.
- (c) New/Other Business presented at Council should be urgent due to
 - i. a statutory time requirement, or
 - ii. an emergency, or
 - iii. time sensitivity.

- (d) Matters that are non-urgent in nature may be raised at Standing Committee but shall be referred to staff which shall require a **Motion of Standing Committee**.

4.17 Announcements

A **Member** shall be permitted to make **Announcements** at a **Council** or **Standing Committee**. **Announcements** shall not be debatable and the duration of the **Member's Announcements** shall not exceed one minute.

4.18 By-laws

- (a) All by-laws shall be given first, second and third readings in a single **Motion**.
- (b) If a **Member** wishes to debate the contents of a by-law, the subject by-law shall be removed from the **Motion** and dealt with separately.
- (c) Every by-law which is passed by **Council** shall be signed by the **Mayor** or the **Chair** of the **Meeting** and the **Clerk** at which the by-law was passed, and sealed with the seal of the **City**, and shall be retained by the **Clerk**.
- (d) If a majority vote is not achieved for a by-law on a report item previously approved in the **Meeting**, the by-law shall be presented at a subsequent regular **Meeting**.
- (e) The **Clerk** is authorized to make the following changes to by-laws after enactment by **Council**:
 - i. Correct spelling, punctuation or grammatical errors, or errors that are of a clerical, typographical or similar nature.
 - ii. Alter the style or presentation of text or graphics to improve electronic or print presentation or to comply with legislated accessibility requirements.
 - iii. Correct errors in the numbering of provisions or other portions of a by-law and make any changes in cross-reference that are required as a result.

4.19 Signing Authority

The **Mayor** and in his/her absence, the **Deputy Mayor**, and the **Clerk** are authorized to sign and seal all agreements and other municipal documents that have been approved by **Council**.

5. MOTIONS

5.1 Motions in General

- (a) Motions may be considered at **Council** or **Standing Committee**. **Motions** should generally be presented at **Standing Committee**. **Motions** presented at Council should be urgent due to a statutory time requirement, or an emergency, or time sensitivity.

- (b) Every **Motion** shall be read aloud, or displayed using the **Meeting** room's projection system, and when moved and seconded, shall be open for debate. The **Chair** may not move or second any **Motion**, but must vote on a **Motion**.
- (c) When a **Motion** to **Postpone** or Close Debate and Vote Immediately is moved, the **Chair** will not state or process the **Motion** until the speakers list is exhausted.

5.2 Motions Containing Two or More Clauses (i.e. Separating the Motion)

When the **Motion** under consideration contains two or more independent clauses or concepts, upon the request of any **Member**, each matter shall be voted on separately.

5.3 Adoption in a Single Motion (i.e. Consent Agenda)

One or more report items on a **Standing Committee** or **Council Agenda** may be adopted in a single **Motion**. At a **Meeting**, any **Member** may request that an item which is part of a Single **Motion** be debated and voted on separately.

5.4 Notice of Motion

- (a) A **Notice of Motion** shall be:
 - i. In writing signed by the mover and, at the discretion of the mover, signed by a seconder; and,
 - ii. Delivered to the **Clerk** prior to the start of the meeting;
 - iii. Amended or withdrawn only with the consent of the mover; and,
 - iv. Read aloud by the mover at the **Meeting** and shall be included in the minutes of the **Meeting**.
- (b) A **Notice of Motion** is permitted at **Standing Committee** only. A **Notice of Motion** is only permitted at **Council** if the notice is to reconsider a matter and is formally called a Notice of Motion to Reconsider.
- (c) The **Notice of Motion** shall be printed in full on the **Agenda** for the next **Meeting** and may be considered at that time.
- (d) When a **Notice of Motion** has been on the **Agenda** for two successive **Meetings**, and not debated, **Standing Committee** may request that the matter be removed from further **Agendas**.

5.5 Voting on Motions

- (a) Each **Member** present and voting shall announce or indicate his/her vote upon a **Motion** openly and individually and no vote shall be taken by ballot, or any other method of secret voting.
- (b) In the event a **Member** present abstains from voting, he/she will be deemed to have voted in the negative unless section 5.5 (c) applies.

- (c) When a **Member** abstains from voting due to a disclosure of **Pecuniary Interest**, his/her abstention shall be deemed to be neither an affirmative nor a negative vote.

5.6 Recorded Vote

- (a) A **Recorded Vote** shall not be taken at **Committee Meetings**, with the only exception being that **Recorded Votes** will be permitted at Development Services Committee **Meetings** when consideration is being given to "Items of Delegated Authority."
- (b) When a **Member** requests a **Recorded Vote** at **Council**, all **Members** present at the **Meeting** shall vote when called by the **Clerk** unless he/she has disclosed a **Pecuniary Interest**.
- (c) The name of each **Member** who voted, and the manner in which he/she voted, shall be noted in the minutes. If a **Member** at a **Meeting of Council**, where a **Motion** is put to a vote and a **Recorded Vote** taken, does not vote, he/she shall be deemed to have voted in the negative unless the **Member's** reason for abstaining is due to a disclosure of **Pecuniary Interest** in which case his/her abstention shall be deemed to be neither a negative nor an affirmative vote. The **Clerk** shall announce the results.

5.7 Tie Votes

When a majority vote is required to adopt a **Motion** and a tie results, the **Motion** is lost.

5.8 Reconsideration of a Matter

- (a) Reconsideration of a decision made by **Council** can only be made by **Council** and not by a **Committee**.
- (b) Decisions which contractually bind the **City** shall not be reconsidered.
- (c) A matter may not be reconsidered until four regular **Meetings** have passed since the matter was originally considered.
- (d) A Notice of **Motion** to Reconsider may only be made by a **Member** who voted with the prevailing side.
- (e) A Motion to **Reconsider** may not be introduced without a Notice of Motion, unless the Council, without debate, dispenses with the requirement for a Notice of Motion on a two-thirds vote.
- .
- (f) A Notice of **Motion** to Reconsider is debatable, which debate will be restricted to the rationale for reconsidering the matter, and no debate of the main question shall be allowed until the **Motion** for reconsideration is carried.
- (g) Once the reconsideration **Motion** has carried, it is reopened in its entirety unless the reconsideration **Motion** specifies otherwise.

- (h) If the matter is reopened, all previous decisions of the **Council** remain in force unless and until the **Council** decides otherwise.
- (i) No Notice of **Motion** to Reconsider may, itself, be the subject of a **Motion** to reconsider.

5.9 Procedure Concerning Specific Motions

(a) Amendments

The purpose of an Amendment **Motion** is to modify a Main **Motion**. It cannot be used to directly contradict or negate the effect of the Main **Motion**.

A **Motion** to amend:

- i. Cannot be made by interrupting another **Member**.
- ii. Requires a seconder.
- iii. Shall be debatable if the **Motion** being amended is debatable.
- iv. Can be amended [by a secondary amendment], but that [secondary] amendment cannot be amended.
- v. Shall require a majority vote to adopt.
- vi. Shall be relevant to the **Motion** being amended.
- vii. Can be applied to a **Motion** at one time, but that amendment may be amended [by a secondary amendment].

(b) Refer a Motion or Subject to a Committee or Staff

The purpose of this **Motion** is to send a pending main **Motion** or matter to a **Committee**, agency or staff or another person for further information, review or investigation.

A **Motion** to refer:

- i. Cannot be made by interrupting another **Member**.
- ii. Requires a seconder.
- iii. Shall be debatable as to the rationale of **Referring**, but cannot go into the merits of the **Motion** or subject being **Referred**.
- iv. Can be amended as to the **Committee** or group to whom it is being referred, as to the time the **Committee** or staff reports back, and as to directions given to the **Committee** or staff.

- v. Requires a majority vote to adopt the **Motion**.
- vi. When a **Committee** reports, the matter can be re-referred back to the **Committee** or to another **Committee**.
- vii. This **Motion** may be delayed by the **Chair** in order to permit **Members** on the speaking list to speak.

(c) Postpone a Motion to a Future Time (i.e. Defer)

The purpose of this **Motion** is to **Postpone** debate on the pending business to another time in the **Meeting** or to the next **Meeting**

A **Motion** to **Postpone**:

- i. Cannot be made by interrupting another **Member**.
- ii. Requires a seconder.
- iii. Shall be debatable, but only to the merits of **Postponing**, and cannot go into the merits of the **Motion** or subject being **Postponed**.
- iv. Can be amended as to the date or time when the matter will come before **Council** again.
- v. Requires a majority vote to adopt the **Motion**.
- vi. This **Motion** may be delayed by the **Chair** in order to permit **Members** on the speaking list to speak.

(d) Postpone a Motion Temporarily to Deal with an Urgent Matter

The purpose of this **Motion** is to set aside temporarily the current business to take up a more urgent matter. The **Motion** shall be disallowed by the Chair, if the **Member** moving the **Motion** to postpone temporarily until later in the **Meeting**, cannot explain to the Chair's satisfaction that there is an urgent matter requiring the current business to be set aside.

Postpone Temporarily:

- i. Cannot be made by interrupting another **Member**.
- ii. Requires a seconder
- iii. Is not debatable.
- iv. Is not amendable.
- v. Requires a majority vote to adopt the **Motion**.

- vi. Once adopted, the postponed **Motion** can be dealt with at the current **Meeting** or at the next **Meeting**. If not dealt with by the end of the next **Meeting** it will require the regular process to get back on an **Agenda**.

(e) Limit Debate

The purpose of this **Motion** is to change the length or numbers of times a **Member** can speak by limiting the speeches. It can also set a specific time when debate will be closed.

A **Motion** to limit debate:

- i. Cannot be made by interrupting another **Member**.
- ii. Requires a seconder.
- iii. Is not debatable.
- iv. Can be amended to change the limitations or extensions of debate.
- v. Requires a 2/3 vote to adopt the **Motion**.
- vi. This **Motion** cannot be used in **Committee**.

(f) Close Debate and Vote Immediately (i.e. Call the Question)

The purpose of this **Motion** is to close debate and to take the vote immediately.

A **Motion** to Close Debate and Vote Immediately:

- i. Cannot be made by interrupting another **Member**.
- ii. Requires a seconder.
- iii. Is not debatable.
- iv. Is not amendable.
- v. Requires a 2/3 vote to close debate.
- vi. Can be applied to the **Pending Motion** only or to a series of **Pending Motions**, which must be specified.
- vii. May not be moved by a **Member** as part of their speech when that **Member** speaks to the subject of a **Pending Motion**.
- viii. Shall be delayed by the Chair in order to permit **Members** on the speaking list to speak.

(g) Recess

The purpose of this **Motion** is to take a short break that permits **Members** to be called back to the **Meeting** quickly. It can also be used to recess a **Meeting** overnight to meet the next day at a specific time.

A **Motion** to recess:

- i. Cannot be made by interrupting another **Member**.
- ii. Requires a seconder.
- iii. Is debatable as to the length or timing of the recess.
- iv. Is amendable as to the length or timing of the recess.
- v. Requires a majority vote to adopt.

(h) Adjourn

The purpose of this **Motion** is to conclude the **Meeting**. It can be moved to adjourn the **Meeting** immediately. It can also be moved to set a future time when the **Meeting** will adjourn (“...moved that the time of adjournment be set for 10:30 p.m.)

A **Motion** to adjourn:

- i. Cannot be made by interrupting another **Member**.
- ii. Requires a seconder.
- iii. Is not debatable unless there is another matter being debated.
- iv. Is not amendable, except when moved to set a future time for adjourning
- v. Requires a majority vote to adopt.

(i) Motion to Withdraw a Motion

The purpose of this **Motion** is to permit a **Member** who moved a **Pending Motion** to request that it be withdrawn.

A **Motion** to withdraw a **Motion**:

- i. May interrupt another **Member** who has the floor; “I request permission to withdraw my **Motion**.”
- ii. Requires a seconder.

- iii. Is not debatable as the **Chair** will seek permission from the **Members** by saying, "Unless there is an objection the **Motion** shall be withdrawn, (pause), there being no objection the **Motion** is withdrawn."
- iv. Is not amendable.
- v. No vote is required as the **Chair** sought permission to withdraw using general consent. However, if any one **Member** objects to the **Motion** being withdrawn, any other **Member** may move a formal **Motion** to withdraw ("moved that the **Motion** be withdrawn"), no seconder is required, it is not debatable, it is not amendable, and requires a majority vote to withdraw the **Motion**.
- vi. If a **Member** wishes to withdraw their **Motion** before it is stated by the **Chair** and before it is put on the floor, permission is not required and none of the above processes apply and the **Member** may state, "I withdraw my **Motion**", and it is withdrawn.

6. CONFIDENTIAL MEETINGS (i.e. In-Camera Meetings)

6.1 **Council** may, by **Resolution**, close a **Meeting** or part of a **Meeting** to the public in accordance with section 239 of the **Municipal Act**, if the subject matter being considered is:

- (a) The security of the property of the **City** or local board;
- (b) Personal matters about an identifiable individual, including **City** or local board employees;
- (c) A proposed or pending acquisition or disposition of land by the **City** or local board;
- (d) Labour relations or employee negotiations;
- (e) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (f) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (g) A matter in respect of which a **Council**, Board, **Committee** or other body may hold a closed meeting under another Act;
- (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the

competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

- (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board;
- (l) For the purpose of educating or training the **Members**. During such **Meetings**, no **Member** may discuss or materially advance the business or decision-making of **Council**, **Committee** or a Local Board.

6.2 **Council** shall, by **Resolution**, close a **Meeting** or part of a **Meeting** to the public in accordance with section 239 of the **Municipal Act**, if the subject matter being considered is:

- (a) A request under the Municipal Freedom of Information and Protection of Privacy Act, if the **Council**, board, commission or other body is the head of an institution for the purposes of that Act; or,
- (b) An ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, and as referred to in subsection 223.13 (1) of the **Municipal Act**, or the investigator referred to in subsection 239.2 (1) of the **Municipal Act**.

6.3 A **Motion** to close a **Meeting** or part of a **Meeting** to the public shall state the:

- (a) Intention to close the **Meeting** to the public; and,
- (b) General nature of the matter to be considered at the **Confidential Meeting** and the grounds for closing the **Meeting** as set out in the **Municipal Act**.

6.4 Where a **Meeting** or part of a **Meeting** is closed to the public, all persons not specifically invited to remain by **Council** shall leave the **Meeting** room.

6.5 If **Council** requires a person(s) to remain during a **Meeting**, or part of a **Meeting**, that is closed to the public who are not **Members** or City staff, it must adopt a **Resolution** to that effect.

6.6 Only votes relating to procedural matters or direction to staff may be taken during a **Confidential Meeting**, unless otherwise authorized by legislation.

6.7 Upon completion of the **Confidential Meeting**:

- (a) The **Members** shall immediately reconvene in open session;
- (b) The **Mayor or Chair** shall report any outcomes on the **Confidential Meeting** as necessary; and,

- (c) If applicable, the **Members** shall vote during the open session on any **Resolutions** originating from the **Confidential Meeting**.

7. DUTIES AND CONDUCT

7.1 Duties of the Chair

It shall be the duty of the **Chair** to:

- (a) Put to a vote all **Pending Motions** and to announce the result of the vote.
- (b) Decline to put to a vote **Motions** which contravene this By-law.
- (c) Restrain the **Members**, in accordance with the By-law, when engaged in debate.
- (d) Enforce on all occasions, the observance of order and decorum among the **Members**, staff and the public.
- (e) Request any **Member** persisting in a breach of decorum or of any of the **Rules of Procedure** to cease and apologize, and if necessary order the **Member** to vacate the **Meeting** room.
- (f) Decide all questions on **Points of Order** or **Points of Privilege** at **Meetings**, subject to an appeal (i.e. a "Challenge to the Chair") by any **Member** on any questions of order in respect to business before the **Council**.
- (g) Execute all by-laws and **Resolutions** passed at the **Meeting**, when necessary.
- (h) Ensure that Members take a break by announcing a minimum ten minute recess after two hours have passed since the last break.
- (i) Declare a **Meeting** adjourned after 12:00 midnight unless two-thirds of the **Members** present consent to extend the length of the **Meeting**.

7.2 Conduct of Members at Meetings

Members shall act in a respectful and courteous manner that allows **Council** to effectively address all matters before it. **Members** are expected to show respect for **Deputants** and fellow **Members** and Staff by being courteous and not distracting from the business of the **Council** during presentations and when other **Members** have the floor.

No **Member** shall:

- (a) Use indecent, offensive or insulting language or speak disrespectfully of any individual.
- (b) Speak on any subject other than the subject being debated.

- (c) Criticize any decision of **Council** except for the purpose of moving that a Motion be reconsidered.
- (d) Fail to comply with the **Rules of Procedure** or disobey a decision of the **Chair** on questions of order or on the interpretation of the **Rules of Procedure**, unless the **Member** appeals an interpretation of the rules.

Where a **Member** persists in any such disobedience after having been called to order by the **Chair**:

- i. The **Chair** shall put a question to **Council** for a vote. Amendments, adjournments or debates shall not be allowed upon such question. The question to be voted on is, "That the **Member** be required to leave the **Meeting** room." The question requires a majority vote for adoption.
 - ii. If the question carries, the **Chair** will order the **Member** to leave the **Meeting** room for the remainder of the **Meeting** and the **Member** shall comply.
 - iii. If the **Member** advises the **Clerk** that the **Member** wishes to apologize to **Council**, the **Clerk** will inform the **Chair**, who will permit the **Member** to do so, and with **Council**'s consent, the **Member** may return to his/her seat.
- (e) Disclose any of the content of a **Meeting** that was closed to the public or provide confidential documents or materials to unauthorized individuals.
 - (f) Read aloud, any texts, emails, or other communications, that have not been received by the **Clerk** and are not part of the official meeting records without the majority consent of **Members** present at a **Meeting**.

Members shall ensure that their communication devices are set to silent mode during a **Meeting**. If **Members** must answer a phone call to respond to a matter, they shall leave the meeting room.

7.3 Speaking Order and Limit

- (a) The **Chair** shall determine and administer the speaking order;
- (b) Each **Member** may only speak for a maximum of 5 minutes at a time during debate, however, he/she may speak as often as he/she wishes. This time restriction does not apply to **Members** when they are asking questions and seeking clarification from **Deputants** and staff.
- (c) If requested, the mover or seconder of a **Motion**, has the right to be the last **Member** to speak on a **Motion**; and,
- (d) When a **Member** is speaking to a **Motion**, he/she shall confine his/her remarks to the **Motion**.

7.4 Point of Order

- (a) A **Member** may interrupt at any time the person who has the floor to raise a point of order when such **Member** feels that there has been a deviation or departure from the **Rules of Procedure**.
- (b) Upon hearing such point, the ruling of the **Chair** shall be final unless the **Member** and a seconder appeals the ruling to **Council** or **Committee**, which shall then decide upon the question without debate. The question to be decided is "Shall the ruling of the **Chair** be upheld?" In order to overturn the decision of the **Chair**, a majority vote of **Council** or **Committee** is required.

7.5 Point of Privilege

- (a) A **Member** may interrupt at any time the person who has the floor to raise a point of privilege when such **Member** feels that his/her integrity or the integrity of the **Council** or **Committee** has been impugned by any individual.
- (b) Upon hearing such point, the ruling of the **Chair** shall be final unless the **Member** and a seconder appeals the ruling to **Council** or **Committee**, which shall then decide upon the question without debate. The question to be decided is "Shall the ruling of the **Chair** be upheld?" In order to overturn the decision of the **Chair**, a majority vote of **Council** or **Committee** is required.
- (c) Where the **Chair** rules that a breach of **Privilege** has taken place, and that ruling is upheld, if necessary, by a vote of **Council** or **Committee**, the **Chair** shall demand that the offending **Member** or **Deputant** apologize, and absent of such apology, shall request such **Member** or **Deputant** to leave the **Meeting** room for the duration of the **Meeting**.

7.6 Public Decorum at Meetings

The public is welcome to attend all **Council** and **Committee Meetings** held in open session. Members of the public attending **Meetings** shall conduct themselves in a courteous and respectful manner and in accordance with this By-law.

- (a) **Members** of the public who attend a **Meeting** will maintain order and shall not:
 - i. Address **Council** without the permission of the **Chair**.
 - ii. Interrupt any speech or action of the **Members** or any person addressing **Council**.
 - iii. Display signs or placards, heckle, clap or jeer at the comments of a **Member**, a **Deputant** or staff, or engage in conversation or other behaviour which may disrupt the proceedings of the **Meeting**.
 - iv. Use indecent, offensive or insulting language or speak disrespectfully to or about any individual.

- (b) All cell phones and electronic devices shall be turned off and/or set to silent mode during a **Meeting**.
 - (c) The **Chair** may request security personnel or staff to expel or exclude from any **Meeting** any person who fails to comply with these **Rules of Procedure**.
 - (d) No person, except **Members** and Staff of the **City**, shall be allowed to approach the area where **Members** are seated during the **Meeting** without the permission of the **Chair**.
 - (e) Individuals who wish to submit materials for **Council's** consideration must do so through the **Clerk**.
- 8) That By-law No. 2001-1, and all subsequent by-laws amending this By-law be repealed and replaced with By-law Number 2017-5.

Read a first, second, and third time and passed on February 13, 2017.

"Kimberley Kitteringham"

"Frank Scarpitti"

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

SCHEDULE "A" TO BY-LAW 2017-5 FORM OF MEETING NOTICES

(a) Notice

1. Notice shall be given of **Meetings**.

(b) Time and Form of Notice

1. The form of the notice shall include the following information, as applicable:
 - A description of the purpose of the **Meeting**.
 - The date, time and location of the **Meeting**.
 - Where the purpose of the **Meeting** is related to specific lands within the **City**, a key map showing the affected lands.
 - The name, address, phone number and email address of the person who will receive written comments on the issue which is the subject of the **Meeting** and the deadline for receiving such comments.
2. Where notice is prescribed by a specific Act or Legislation, the municipality shall give notice in accordance with the Act or Legislation.
3. Where notice is not prescribed, notice shall be published as follows:
 - (a) On the **City** of Markham website; or
 - (b) Using the **City's** social media accounts; or
 - (c) On the **Agenda**; or
 - (d) In the local **Newspaper** for matters of **City**-wide nature; or
 - (e) All of the above.
4. Nothing in this By-law shall prevent the **Clerk** from using more extensive methods of notice.
5. Nothing in this By-law shall prevent the **Clerk** from using longer timeframes for providing notice.

(c) Emergency Issue Notice

1. If a matter arises, which, in the opinion of staff in consultation with the Chief Administrative Officer, is considered to be of an urgent nature, and which would affect the health or well-being of the residents of the **City**, or if so advised by a Provincial or Federal Ministry, the notice requirements of this By-law shall be waived and the **Clerk** and Chief Administrative Officer shall make their best efforts to provide as much notice as is reasonable under the circumstances.

**SCHEDULE "B" TO BY-LAW 2017-5
TERMS OF REFERENCE
FOR GENERAL COMMITTEE**

Composition

- (a) The General **Committee** shall be composed of all **Members of Council**.

Mandate

(a) **General**

The mandate of the General **Committee** of the **City** shall be:

- To report and make recommendations to **Council** on matters relating to **City**-owned land and buildings, administrative matters relating to **City** policies, by-laws and licences and such other similar matters as **Referred** to it by **Council or the Clerk**; and
- To report and make recommendations to **Council** on matters relating to community service policies, including roads, environmental management, fire and other protective services and such other similar matters as **Referred** to it by **Council or the Clerk**.

(b) **Specific Duties**

Notwithstanding the generality of the foregoing, the specific duties of the General **Committee** of the **City** shall include the following, to:

1. Report and make recommendations to **Council** on matters of policy involving general policies and procedures and administrative by-laws;
2. Monitor the **City's** revenue and expenditures on an ongoing basis as each financial year progresses;
3. Report and make recommendations to **Council** on matters of policy pertaining to financial management;
4. Report and make recommendations to **Council** on matters of policy relating to the collection of taxes;
5. Report and make recommendations to **Council** on matters of policy respecting human resources, including health and safety, employee or union/management relations and the various employee groups;
6. Report and make recommendations to **Council** on matters of policy related to licensing;
7. Report and make recommendations to **Council** on matters of policy as they relate to **City** acquisitions and dispositions of property, parks, including construction, property maintenance, pedestrian walkways, snow removal and grass cutting on **City**-owned property;

8. Report and make recommendations to **Council** on matters of policy involving purchasing and tendering, records management and the management and release of information;
9. Report and make recommendations to **Council** on matters of policy involving communications issues;
10. Report and make recommendations to **Council** on matters relating to the **City's** Accountability Officers.
11. Report and make recommendations to **Council** on policy matters relating to recreation, parks, cultural affairs, multi-cultural matters, community organizations;
12. Report and make recommendations on special events/occasions;
13. Liaise, as may be necessary, with various community groups regarding specific problems or specific areas of interest or concern.
14. Report and make recommendations to **Council** on safety/emergency and accessibility matters;
15. Liaise with York Regional Police for the purpose of reducing crime;
16. Report and make recommendations to **Council** on matters of policy regarding waste management, including garbage collection and disposal;
17. Report and make recommendations to **Council** on matters of policy regarding existing water and sewer infrastructure;
18. Report and make recommendations to **Council** on matters of policy and programs regarding environmental management, including pesticide issues, sustainability and conservation;
19. Report and make recommendations to **Council** on protection and enhancement of the quality of the natural environment, including the maintenance and operation of municipal parks and public and private green space;
20. Report and make recommendations to **Council** on matters relating to the **Committees of Council**;
21. Report and make recommendations to **Council** on matters of policy regarding existing roads, sidewalks and bicycle paths;
22. Report and make recommendations to **Council** on legal issues;
23. Report and make recommendations to **Council** on matters of policy regarding current roads operations, including winter maintenance; and
24. Consider such similar matters as may be **Referred** by **Council** or the Chief Administrative Officer or the **Clerk** from time to time.

The General **Committee** shall have the ability to second people from the community for the purpose of establishing advisory **Committees** and task forces for specific issues or events, as necessary, which would provide meaningful assistance but which shall advisory **Committees** and task forces dissolve upon completion of the task.

SCHEDULE "C" TO BY-LAW 2017-5 TERMS OF REFERENCE FOR DEVELOPMENT SERVICES COMMITTEE

Legislative Authority

- (a) The Development Services **Committee** of the **City** shall be constituted and appointed pursuant to the relevant provisions of the **Municipal Act**.

Composition

- (a) The Development Services **Committee** shall be composed of all **Members** of **Council**.

Mandate

(a) **General**

The general mandate of the Development Services **Committee** shall be:

- To report and make recommendations to **Council** on matters within the purview of the municipality under the **Municipal Act**, Planning Act, Condominium Act, Rental Housing Protection Act, Environmental Assessment Act, Ontario Heritage Act, and related legislation, and such other similar matters of a planning nature as are **Referred** to it by **Council**;
- To report and make recommendations to **Council** on matters relating to economic and culture strategy, and administrative matters relating to **City** policies, marketing and such other similar matters as **Referred** to it by **Council**; and,
- To report and make recommendations to **Council** on matters relating to transit planning, transportation, environmental assessment, and other similar matters as **Referred** to it by **Council**.

(b) **Specific Duties**

Notwithstanding the generality of the foregoing, the specific duties of the Development Services **Committee** shall include the following, to:

1. Report and make recommendations to **Council** on the Markham Official Plan and Zoning By-Laws and amendments thereto, pursuant to the Planning Act, and to conduct such related public **Meetings** as may be required pursuant to the Planning Act;
2. Exercise the approval authority delegated to the **Committee** by **Council** pursuant to the Site Plan Control provisions of the Planning Act and the Sign By-law provisions of the **Municipal Act**, with such limitations, provisions and exemptions as **Council** may from time to time determine;
3. Report and make recommendations to **Council** on applications for subdivision and condominium approval pursuant to the Planning Act and Condominium Act, as applicable;
4. Report and make recommendations to **Council** on policy issues relating to economic development;

5. Report and make recommendations to **Council** on such matters as community planning, urban design guidelines, environmental policy, heritage policy and related housing policy and programs in accordance with the directions contained in the Official Plan;
6. Report and make recommendations to **Council** on all matters of a planning policy and program nature as are **Referred** to it by **Council** including the conducting of such public **Meetings** as may be required with respect to such matters, policies and programs;
7. Advise **Council** on those matters of a planning and development nature which, in the opinion of the **Committee**, warrant **Council's** particular consideration and direction;
8. Report and make recommendations to **Council** with respect to planning and policy matters and defined planning areas including secondary plans, neighbourhood plans, park plans, land use concept plans, heritage district plans, and land use issue studies and to conduct related public information programs;
9. Report and make recommendations to **Council** on matters of policy respecting engineering standards and transportation and servicing infrastructure to support new development and re-development;
10. Report and make recommendations to **Council** on parks and public open space policy and standards, and parks infrastructure to support new development and re-development;
11. Report and make recommendations to **Council** on Urban Design Awards for the **City**;
12. Report and make recommendations to **Council** regarding matters arising from the work of the **Committee** of Adjustment in considering applications for consent and minor variance under the Planning Act, including **City** participation at any Ontario Municipal Board Hearings to consider the appeal of **Committee** of Adjustment decisions;
13. Report and make recommendations to **Council** on matters of policy regarding building inspection, including building and foundation permits;
14. Periodically review and update the **City's** Economic Development Strategy that positions Markham as the best place to work and locate high-tech and other leading business in North America;
15. Report and recommend to **Council** an annual marketing plan, marketing activities, and a budget that would enable the Economic Development Strategy to be achieved;
16. Report and recommend to **Council** policy initiatives that will support and enhance the economic well-being and competitiveness of Markham. The Development Services **Committee** will act as a forum for informed opinion and strategic advice

in support of policy initiatives that can help to strengthen the **City's** economic well-being, and the prosperity of the community;

17. Monitor and evaluate the success and effectiveness of the **City's** economic development program. On a regular basis (at least annually), the Development Services **Committee** will formally report to **Council** on the success and effectiveness of the **City's** economic development program;
18. Report and make recommendations to **Council** on improvements to transportation infrastructure and on the effective and efficient movement of people and goods;
19. Report and make recommendations to **Council** on matters of policy regarding existing roads, sidewalks and bicycle paths; and
20. Consider such other similar matters as may be **Referred** by **Council** or the Chief Administrative Officer from time to time.

The Development Services **Committee** shall have the ability to second people from the community for the purpose of establishing Advisory **Committees** and task forces for specific issues or events, as necessary, which would provide meaningful assistance but which shall advisory **Committees** and task forces dissolve upon completion of the task.

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

1ST SESSION, 42ND LEGISLATURE, ONTARIO
69 ELIZABETH II, 2020

Bill 187

(Chapter 4 of the Statutes of Ontario, 2020)

An Act to amend the Municipal Act, 2001 and the City of Toronto Act, 2006

The Hon. S. Clark

Minister of Municipal Affairs and Housing

1st Reading	March 19, 2020
2nd Reading	March 19, 2020
3rd Reading	March 19, 2020
Royal Assent	March 19, 2020



EXPLANATORY NOTE

This Explanatory Note was written as a reader's aid to Bill 187 and does not form part of the law. Bill 187 has been enacted as Chapter 4 of the Statutes of Ontario, 2020.

The *Municipal Act, 2001* and the *City of Toronto Act, 2006* are amended to provide that, during emergencies, should they choose to, members of councils, local boards and committees who participate electronically in open and closed meetings may be counted for purposes of quorum.

The *Municipal Act, 2001* is also amended to allow the Lieutenant Governor in Council to make regulations imposing limits and conditions on the powers of a municipality under section 129 of the Act.

Bill 187

2020

An Act to amend the Municipal Act, 2001 and the City of Toronto Act, 2006

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Municipal Act, 2001

1 Section 238 of the *Municipal Act, 2001* is amended by adding the following subsections:

Electronic participation, emergencies

(3.3) The applicable procedure by-law may provide that, during any period where an emergency has been declared to exist in all or part of the municipality under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*,

- (a) despite subsection (3.1), a member of a council, of a local board or of a committee of either of them who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time; and
- (b) despite subsection (3.2), a member of a council, of a local board or of a committee of either of them can participate electronically in a meeting that is closed to the public.

Same, procedure by-law

(3.4) A municipality or local board may hold a special meeting to amend an applicable procedure by-law for the purposes of subsection (3.3) during any period where an emergency has been declared to exist in all or part of the municipality under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act* and despite subsection (3.1), a member participating electronically in such a special meeting may be counted in determining whether or not a quorum of members is present at any time during the meeting.

2 Subsection 451.1 (1) of the Act is amended by striking out “sections 9, 10 and 11” and substituting “sections 9, 10, 11 and 129”.

City of Toronto Act, 2006

3 Section 189 of the *City of Toronto Act, 2006* is amended by adding the following subsections:

Electronic participation, emergencies

(4.2) The applicable procedure by-law may provide that, during any period where an emergency has been declared to exist in all or part of the City under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*,

- (a) despite subsection (4), a member of city council, of a local board of the City or of a committee of either of them who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time; and
- (b) despite subsection (4.1), a member of city council, of a local board of the City or of a committee of either of them can participate electronically in a meeting that is closed to the public.

Same, procedure by-law

(4.3) The city council or a local board of the City may hold a special meeting to amend an applicable procedure by-law for the purposes of subsection (4.2) during any period where an emergency has been declared to exist in all or part of the City under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act* and despite subsection (4), a member participating electronically in such a special meeting may be counted in determining whether or not a quorum of members is present at any time during the meeting.

Role of head of council

(4.4) Despite anything in this or any other Act, only the head of council may call a special meeting of city council for the purposes of subsection (4.3).

Commencement

4 This Act comes into force on the day it receives Royal Assent.

Short title

5 The short title of this Act is the *Municipal Emergency Act, 2020*.

Meetings Guidance for Heads of Council **COVID-19**

Your Role as Leader

Life has become more complex.

As the Head of Council you are required to lead. You are expected to provide leadership to Council and your community every day. This is even more true in times of crisis. Members of Council and those in your community are looking to you for thoughtful and effective leadership in this time of crisis. You lead by example; you lead by decisive action to protect your residents; you lead by getting people working together.

Brief Summary of the Legislation

This week the Province has enacted Bill 187, *Municipal Emergency Act, 2020*. This legislation makes changes to the quorum requirements in the Municipal Act. It authorizes every municipal council to amend its Procedure By-law after an emergency has been declared under the authority of the *Emergency Management and Civil Protection Act*. The changes permitted will allow members to electronically attend council, committee and local board meetings and be counted in quorum.

This quorum provision will remain in effect for the duration of the declared emergency. Council has the discretion as to whether it intends to amend its Procedure By-law. Once amended, members may attend meetings electronically and be counted in quorum as your amended by-law permits. This applies to both open and closed meetings.

Your role as Chair of the meeting will change in some significant ways. Meetings will feel very

different. Keep in mind that these changes will apply to council, its committees and some local boards.

What is an “emergency”?

The definition is in the *Emergency Management and Civil Protection Act*. It reads,

“emergency” means a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise;”

What other rules change?

Bill 187 impacts the quorum requirements. Rules in the *Municipal Act* and the Procedure By-law continue. The expectation is the council will continue to be transparent in its decision-making.

Technological and Location Challenges with Electronic Participation

There is wide variation in technological capacity in Council Chambers, or other public locations where a meeting may be held.

Please note, the *Municipal Emergency Act, 2020* does not change the location of your meetings nor the ability of the public to attend. It primarily provides for local discretion to deal with quorum provisions for the duration of the declared Emergency.

The Procedure By-law still governs the location of the meeting, and the *Municipal Act 2001* the ability of the public to attend and observe. You can change the location by amending your procedure by-law, but the Act still prevails with respect to public attendance and notice of all meetings, open or closed.

Some Council Chambers, or other locations, will have the capacity for audio and video conferencing already. On the other hand, some may be limited to a single speakerphone. Most municipalities will be somewhere in between.

Practically, the meeting will at least have the Chair and the Clerk present in the Council Chambers.

All members of Council need to be able to participate equally, and the public in attendance (practicing appropriate distancing in accordance with local Board of Health guidelines) needs to be able to observe all that Council members can hear and see at the meeting. This Act does not change transparency requirements.

Any technology should be tested prior to a meeting and simplicity of operations for members is essential. The best advice is to start simple and as time passes, add sophistication if you can be sure the technology is reliable.

While audio recordings of meetings may not be a current practice, consider creating them and making them available on the municipal webpage in the spirit of transparency.

Your First Meeting with an Electronically Achieved Quorum

This meeting will require all of the formality provided by your procedure by-law if it is to be effective.

Members need to be recognized by the chair, speak within time limits and Council should not be debating or discussing matters without a motion duly moved and seconded before them. Your Clerk will be able to provide you with the relevant sections of your by-law.

Staff recommendations, crafted in the form of motions, should be presented for every issue that Council needs to consider and circulated in advance.

The Chair and the Clerk should rehearse as to how it is going to work. In a crisis, leaders need to be prepared and seen to be prepared.

Prepared for AMO by
Nigel Bellchamber and Fred Dean
March 21, 2020

*We would appreciate your feedback as to what worked and didn't work in your first meeting(s) under the new rules so that we can reference them in future materials that we might send out. Email us at **covid19@amo.on.ca**.*



Report to: Special Council Meeting

Meeting Date: March 27, 2020

SUBJECT: COVID-19 – Financial Update
PREPARED BY: Mark Visser, Senior Manager, Financial Strategy & Investments
 Shane Manson, Senior Manager, Revenue & Property Tax
 Sandra Skelcher, Senior Manager, Financial Planning & Reporting

RECOMMENDATION:

- 1) That the report titled “COVID-19 - Financial Update” be received; and,
- 2) That the City Treasurer be directed to monitor the economic climate and report back to Council as required with further information related to COVID-19, including any decisions by other levels of government and related financial implications for the Corporation, residents and business owners in the City of Markham; and
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this report is to provide information on the following:

1. Primary Operating Budget
2. Waterworks Operating Budget
3. Cash Flow Considerations
4. Property Tax
5. Stormwater Fee
6. Financial Assistance Options for Residents and Businesses
7. Next Steps

Executive Summary

The current COVID-19 pandemic is causing financial hardship for many residents and businesses owners. On Friday March 27th, staff will present options for Council’s consideration to assist property owners during this difficult time.

- i. Waive late payment charges (*penalty & interest*)
- ii. Defer tax instalment dates (*final tax bill*)
- iii. Defer the collection of the 2020 stormwater fees
- iv. Defer 2020 Water Rate Increase (*City of Markham*)

i. Waiving Late Payment Charges

Staff are investigating options of waiving Penalty and Interest for a period of time. Legislation requires that penalty and interest be applied in the same manner and at the same time for all properties. If penalty and interest were to be waived, it would have to be waived on all tax arrears and would result in lost revenue to the municipality.

Residents and businesses will be encouraged to continue making payments if possible to ensure local government services can be sustained.

ii. Deferring Tax Instalment Dates

Staff are investigating the option of deferring tax bill instalments to assist residents and business owners during this time.

The final tax bill instalments are as follows:

- Residential Properties July 5th and August 5th
- Non-Residential: October 5th and November 5th

iii. Deferral of 2020 Stormwater Fees

Staff are investigating the option of deferring the inclusion of the 2020 stormwater which is applied to the final tax bill for each property in the City of Markham:

- Residential Fee: \$50 per residential property
- Non-Residential Stormwater Fee: \$28 per \$100K of Current Value Assessment (CVA)

iv. Deferral of 2020 Water Rate Increase

Staff are investigating the option of deferring the 2020 water rate increase for all residents and business owners. This rate increase of 7.8% was scheduled to take effect April 1st, 2020.

BACKGROUND:

The impact of the COVID-19 pandemic is being felt across the country with widespread closure of businesses, a state of emergency declared by the Province of Ontario. The Federal Government has already provided information on economic and financial support for Canadians and Businesses including:

- The extension of the income tax filing due date for individuals and deferral of payments of qualifying income tax amounts owing;
- A temporary wage subsidy program over the next three months for qualifying small businesses faced with revenue losses and to prevent employee layoffs;
- Enhancements to the Goods and Services Tax credit and the Canada Child Benefit; and
- An Emergency Care Benefit for employees that not to qualify for Employment Insurance benefits

More details and information on Federal Assistance Programs available at:

<https://www.canada.ca/en/departement-finance/news/2020/03/canadas-covid-19-economic-response-plan-support-for-canadians-and-businesses.html>)

Provincial Government

On March 25, 2020, the provincial government announced that it is deferring the next two (2) quarterly property tax remittances payments by 90 days. The remittance which would have been due on June 30th is now September 30th and the remittance which would have been due September 30th is now December 30th. This will provide municipalities with the flexibility to, in turn, provide property tax deferrals of over \$1.8 billion to Ontario residents and businesses.

The government also announced that the property tax reassessment that was scheduled to be conducted in 2020 for the 2021 tax year will be postponed. This will provide stability for Ontario's property taxpayers and municipalities, and will enable municipal governments to focus their attention on critical public health initiatives and other efforts to manage the local response to the COVID-19 outbreak.

More details and information on the March 25th available at:

<https://budget.ontario.ca/2020/marchupdate/pdf/2020-marchupdate.pdf>

In addition, the Provincial Government had previously announced legislation to protect workers forced to stay home due to the COVID-19 pandemic.

City of Markham

The impact of COVID-19 pandemic demonstrates the critical role played by the City in leadership, communication and community awareness, containment and remediation efforts to flatten the curve on the COVID-19 virus. Among other internal health and safety control measures taken by the City, the decision was made to close all recreation, library and culture venues effective March 13 to April 5, 2020. All other City facilities were closed to the public on March 18, 2020. Extension of the closures will be announced by the City the week of March 30th.

DISCUSSION:

The COVID-19 pandemic has created significant financial hardship for Markham residents, local businesses and financial pressures for the City. The 2020 Interim Tax Bills were issued prior to the COVID-19 outbreak and Staff are in the midst of reviewing various options which will provide financial relief to residents and business owners during this time of uncertainty.

1. Primary Operating Budget

Each year, Council members and City Staff, engage in a rigorous review of business plans and financial requirements for the following year. The final needs are determined and are presented in the form of a balanced budget.

In December 2019, Council approved all City budgets for 2020. The approval included a balanced, primary operating budget of \$240.96M. The following table provides a high level summary of the major budget components.

2020 Operating Budget		
\$Millions		
Revenue	\$ 240.96	A
Expenses		
Personnel	141.65	
Non-personnel	99.31	
Total Expenses	\$ 240.96	B
Surplus / (Deficit)	\$ -	C = A - B

The City's main source of revenue (approximately 69%) is received from property taxation. The second highest revenue source is from user fees and rentals (13%), which includes such services as recreation, culture and library programs, camps, fitness memberships and facility room rentals. Interest earned from investments provides an additional 10% of the City's revenue stream. The revenue sources are summarized as follows:

2020 Operating Budget		
\$Millions		
Revenue	\$ 240.96	A
Expenses		
Personnel	141.65	
Non-personnel	99.31	
Total Expenses	\$ 240.96	B
Surplus / (Deficit)	\$ -	C = A - B

\$Millions	
Property Taxation	\$ 165.47
User Fees, Service Charges & Rentals	\$ 31.52
Investment Income	\$ 24.69
Other	\$ 19.28
Total Revenues	\$ 240.96

The majority of revenues are used to pay for daily operating costs. Approximately 59% of revenues are required for personnel costs, for employees providing City services to residents and business owners.

The remaining 41% of revenues are used toward non-personnel expenses, including contributions to the Life Cycle Replacement and Capital Reserve. The major, daily operational costs include winter maintenance activities (vehicle services, salt, sand), recycling and waste collection and disposal, facility maintenance, maintenance of roads, parks and other outdoor public spaces and utility costs for street lights, traffic signals and facilities.

As noted above, the City contributes a portion of annual revenues to the Life Cycle Replacement and Capital Reserve. The Reserve funds are used, through the capital budget program, for the refurbishment and replacement of City assets. Each year, a life cycle reserve study is completed, to ensure there are sufficient funds available in the Reserve to maintain City assets, in good working order, for the following 25 years.

As the budget is balanced (revenue inflows = expense outflows), it is expected that all revenues will be used or committed by year-end. If there are funds remaining, the surplus is transferred to reserves in the following order:

- Corporate Rate Stabilization Reserve to top-up to 15% of the local tax levy
- Replenish funds used from the Environmental Land Acquisition Reserve
- Remaining to the Life Cycle Replacement and Capital Reserve.

If the year should end in a deficit position, the amount required to balance the operating results to 'net zero', is drawn from the Corporate Rate Stabilization Reserve. The current Reserve balance is \$22.53M.

In 2020, due to the loss of substantial non tax revenue that was used to balance the budget, the City is projecting a structural deficit in the range of \$3M - \$4M per month. Staff will provide monthly updates on the proposed deficit throughout 2020.

2. Waterworks Operating Budget

Markham owns, operates and maintains, in good working order, the water and wastewater system. The water supply and wastewater treatment are purchased from the Region of York (Region). The Region, in turn, purchases water from the City of Toronto and the Region of Peel.

Water billing charged to the consumer is based on a rate per cubic meter (m³) of water consumed. Residents are billed on a bi-monthly basis while industrial, commercial and institutional (ICI) customers are billed monthly. The Waterworks operating and capital programs are funded by the revenue received from the water/wastewater rate charged to consumers (water billing revenues). Approximately 70% of the revenues are used to pay the Region for the water supply. The remaining 30% is used to fund the City's day-to-day operations and the contribution to the Waterworks Stabilization and Capital Reserve. The funds in the Reserve are used for repair and replacement of water and wastewater infrastructure assets. A reserve study is carried out annually to ensure there are sufficient funds available in the Reserve to maintain the water and wastewater system, in good working order, for the following 25 years.

Council approved the 2020 water rate of \$4.818/m³, a 7.8% increase over the 2019 rate of \$4.468/m³. The increase was approved for implementation starting April 1, 2020. The Region has approved a 9% wholesale rate increase effective April 1st, 2020.

3. Cash Flow Considerations

Markham's greatest source of cash flow is from property taxes. The City has already collected approximately 79% of the 2020 interim property taxes billed on Feb 5th and Mar 5th. The remaining amounts for the 2020 interim tax bill (excluding arrears) are scheduled to be received through pre-authorized tax payments in the months of April, May, and June.

The City's largest cash outflow during the remainder of the first half of 2020 is the property tax remittance payments to the Province at the end of March and June and to the Region of York at the end of April and June.

4. Property Tax

The City of Markham issues two property tax bills per year; an interim tax bill and a final property tax bill.

- Interim tax bills are issued in January of each year and are for the first half of the year's property tax obligation. These property taxes equal 50% of prior year taxes. Due dates are common for both residential and non-residential (*Commercial, Industrial and Multi-Residential*) properties in February 5th and March 5th.
- Final tax bills are issued in June each year for residential properties and have instalment dates due on July 6th and August 5th. Non-residential properties (*Commercial, Industrial and Multi-Residential*) are billed in August each year and have instalment due dates on October 5th and November 5th. The final taxes represent the balance of the property tax obligation for the current year.

The City has approximately 116,000 tax accounts; 105,500 residential accounts and 10,500 non-residential accounts (*commercial, industrial and multi-residential*). The City of Markham provides several convenient payment options for these owners to complete their property tax payments including;

- Online or in-line through their bank or financial institution
- Through mortgage companies
- Pre-Authorized Tax Payment Plan (PTP):
 - 4, 6 or 11 instalments payment plan
- At the Civic Centre
 - In-Person; or
 - Drop-box located at the Thornhill Entrance; or
 - By Mail

The table below provides the distribution of taxpayer payment preference;

Payment Method Type	% of Taxes
Financial Institutions (Online / In-person)	53.10%
PTP payment withdrawal from bank accounts	29.10%
Mortgage companies	12.00%
By cheque mailed in	3.30%
At Civic Centre Cashiers	2.50%
Total	100.00%

Property taxes are the primary source of revenue to fund the delivery of municipal services. There is a cost to the City when the property tax payment is not made when it is due, that results in the application of the following two (2) separate late payment charges.

Penalty:

A penalty of 1.00% is added to the tax account the day after an instalment payment is due.

- Example: A tax instalment of \$1,000 is due February 5th. A penalty of \$10 is applied to the tax account on February 6th if payment is not received by end of business day on February 5th.

Interest:

An interest charge of 1.25% on any taxes not paid in a previous month. Interest is not calculated on interest or penalty previously charged.

- Example: As of March 31st total outstanding taxes are \$3,000 (exclusive of any previous penalties or interest). An interest charge of \$37.50 will be added to the property tax account on April 1st.

2020 Interim Tax Bill

For 2020, the City has billed approximately \$367.7 million of taxes for the interim billing period (January – June). The interim property taxes are due over the following installment months:

Property Class	Feb	Mar	Apr	May	June	Total
Residential	\$112.7M	\$112.3M	\$17.3M	\$13.2M	\$13.2M	\$268.7M
Non-Residential	\$46.3M	\$46.5M	\$6.2M			\$99.0M
Total	\$159.0M	\$158.8M	\$23.5M	\$13.2M	\$13.2M	\$367.7M

As noted in the table above, the total 2020 interim tax billing was \$367.7M. To date, the City has collected \$288.9M or 91% of the \$317.8M which was due for the February 5th and March 5th instalments, leaving the balance of \$28.8M not paid and deemed in arrears.

There is currently 13.5% or \$49.9M (\$367.7M – \$317.8M) of the total \$367.7 interim billing remaining (excluding arrears) to be paid. This \$49.9M will be collected during the months of April, May and June for properties which are enrolled in the City's Preauthorized Tax Payment Plan (PTP).

To date, the City has received payment for 79% or \$288.9M of the total 2020 Interim Tax Bill (\$367.7M), with an additional \$49.9M or 13.5% expected to be received in the next 3 months.

The City of Markham collects property taxes on behalf of three levying bodies; meaning the City of Markham, the Region of York and the Province of Ontario (Education). Each level of Government is responsible for establishing its own budget and tax rates.

The amounts due to the Region and School Boards must be paid according to the pre-determined schedule, regardless of when the actual property taxes are collected by the City. Accordingly, the City up-fronts payments to the Region and School Boards when taxpayers do not remit taxes by the due dates. To mitigate the impact to the City, late payment charges (*penalty and interest*) associated are kept with the City.

The table below illustrates the payment schedule and remittance amounts for the Province and Region. Payment of interest would be applicable, if the City of Markham is late with any remittance payment.

Body	Jan	Feb	Mar	Apr	May	June
Region of York				\$84.1M		\$81.9M
School Boards			\$61.5M			\$61.4M
Total			\$61.5M	\$84.1M		\$143.3M

On March 25, 2020, the provincial government announced that it is deferring the two (2) quarterly property tax remittances payments by 90 days. The remittance payments which would have been due on June 30th is now September 30th and the remittance which would have been due September 30th is now December 30th.

Flood Control Program - Stormwater Fees

The Council approved 30 year Flood Control Program is a City-wide initiative to improve storm drainage capacity and limit surface and property flooding risks in the urban areas. The flood control improvements are funded through the Stormwater Fee which is charged to all property owners; both residential and non-residential. The fee revenue combined with revenue from the Canada Gas Tax, fund both current and future stormwater infrastructure improvement projects city-wide.

The total stormwater revenue generated from these fees in 2019 was \$8.8M (\$4.8M Residential and \$4.0M Non-Residential).

The 2020 stormwater fee associated to the property type is applied to the final tax bill for each property in the City of Markham:

- Residential Fee: \$50 per residential property
- Non-Residential Stormwater Fee: \$28 per \$100K of Current Value Assessment (CVA)
 - Example: Commercial Plaza with a CVA of \$2,000,000
 - $\$2,000,000 \times (\$28 / \$100,000) = \560

5. Financial Assistance Options for Residents and Businesses

As indicated earlier in the report, the current COVID-19 pandemic is causing financial hardship for many residents and businesses owners. On Friday March 27th, staff will present options for Council's consideration to assist property owners during this difficult time.

- i. Waive late payment charges (*penalty & interest*)
- ii. Defer tax instalment dates (*final tax bill*)
- iii. Defer the collection of the 2020 stormwater fees
- iv. Defer 2020 Water Rate Increase (*City of Markham*)

To put the first two financial assistance options into context, the table below provides a summary of the recent announcements made in other municipalities with respect to property tax assistance measures being implemented for their residents and business owners during this difficult time.

Municipal Scan	Interim Property Tax Assistance
Toronto	<u>60-day deferral</u> on instalment and preauthorized plans. Late payment fees deferred 60 days
Mississauga	<u>90-day deferral</u> - on instalment and preauthorized plans. Late payment fees remain in place
Richmond Hill	<u>Deferral + P & I Waived</u> - P & I Waived for 2 months (April - May 31) . May 1st instalment deferred to June 1st
Brampton	<u>Deferral + P & I Waived</u> - Instalments due March 18 and April 22, deferred to August 19. Preauthorized withdrawals proceed. Late payment fees waived to August 19
Vaughan	<u>P & I Waived</u> for 3 month period (March - May 31) . Interim taxes to be paid by May 31.
Newmarket	<u>P & I Waived</u> for 2 month period (April - May 31) . Interim taxes to be paid by May 31.
Other Locals in the Region	Generally moving their April tax due dates to June, preauthorized withdrawals deferral upon request, and late payment fees waived 60 days to end of May

v. Waiving Late Payment Charges

Staff are investigating options of waiving Penalty and Interest for a period of time. Legislation requires that penalty and interest be applied in the same manner and at the same time for all properties. If penalty and interest were to be waived, it would have to be waived on all tax arrears and would result in lost revenue to the municipality.

Residents and businesses will be encouraged to continue making payments if possible to ensure local government services can be sustained.

vi. Deferring Tax Instalment Dates

Staff are investigating the option of deferring tax bill instalments to assist residents and business owners during this time.

The final tax bill instalments are as follows:

- Residential Properties July 5th and August 5th
- Non-Residential: October 5th and November 5th

vii. Deferral of 2020 Stormwater Fees

Staff are investigating the option of deferring the inclusion of the 2020 stormwater which is applied to the final tax bill for each property in the City of Markham:

- Residential Fee: \$50 per residential property
- Non-Residential Stormwater Fee: \$28 per \$100K of Current Value Assessment (CVA)

viii. Deferral of 2020 Water Rate Increase

Staff are investigating the option of deferring the 2020 water rate increase for all residents and business owners. This rate increase of 7.8% was scheduled to take effect April 1st, 2020.

FINANCIAL CONSIDERATIONS:

The current COVID-19 pandemic is causing financial hardship for many residents and businesses owners. On Friday March 27th, Staff will present options for Council's consideration which could assist residents and business owners during this time of financial uncertainty.

RECOMMENDED

Joel Lustig
Treasurer

Trinela Cane
Commissioner, Corporate Services

ATTACHMENTS:



COVID-19 Pandemic – Financial Impact

Special Council Meeting
March 27, 2020



Agenda

1. Primary Operating Budget
2. Cash Flow Considerations
3. Financial Assistance Options for Residents and Businesses
 - a) Property Taxes
 - b) Stormwater Fee
 - c) Water Rate
4. Recommendations & Next Steps



1. Primary Operating Budget – 2020 Budget

(\$ Millions)

2020 Approved Budget	\$	
Revenues	240.96	A
Expenses		
Personnel	141.65	
Non-Personnel	<u>99.31</u>	
Total Expenses	240.96	B
Surplus / (Deficit)	0	C=A-B



1. Primary Operating Budget – Impact of COVID-19

(\$ Millions)

Forecast	\$/month	
Unfavourable revenues from City venues: Recreation Culture (Arts Centres, Museum, Theatre) Library	(2.6)	
Unfavourable revenues in other departments: Legislative Services, Parks, Finance	<u>(1.4)</u>	
Total unfavourable revenues	(4.0)	A
Favourable expenditures: Utilities, fuel, existing vacancies, corporate contingency	<u>0.0 – 1.0</u>	B
Forecasted net deficit per month	(3.0) – (4.0)	C=A+B

The 2020 forecasted shortfall will be funded from the Corporate Rate Stabilization Reserve which is to help balance or fund emergency budget needs and has a current balance of \$22.53M



2. Cash Flow Considerations

- Markham's greatest source of inflows and outflows is from property taxes:

\$758M	- taxes to be collected
<u>(\$593M)</u>	- remittance to Region of York and the Province
\$165M	- retained by the City to fund its tax funded municipal operations

- The City also has other sources of revenues, such as Recreation revenues, Development Charges and Stormwater Fees, that would normally help fund cash outlays - these revenues will be significantly impacted resulting in additional cash flow impacts on top of any potential tax relief considerations



2. Cash Flow Considerations

- The Provincial economic statement identified the deferral of the June and September remittances by 90 days
- Current cash flow situation until end of June:

\$340M	- Cash in bank
(\$62M)	- remittance to Province (March 31) – June 30 payment moved to Sept 30
(\$166M)	- remittance to York Region (April 30, June 30)
\$50M	- PTP (April, May, June)
<u>(\$85M)</u>	- City ops. - \$25M/month (\$14M personnel; \$4M non-personnel; \$7M capital)
\$77M	- June ending cash balance
- The City should be able to maintain positive cash balances through to the end of September, at a minimum
- Sept. 30 – approx. \$150M of tax remittances due to Region and Province



3a. Financial Assistance – Property Taxes

- The City of Markham issues two property tax bills per year: an interim tax bill and a final property tax bill.
 - Interim tax bills are issued in January of each year and are for the first half of the year's property tax obligation. Due dates for residential and non-residential properties are Feb 5th & Mar 5th
 - Final tax bills for residential properties are due on Jul 6th & Aug 5th. For non-residential properties they are due on Oct 5th & Nov 5th.
 - The final taxes represent the balance of the property tax obligation for the current year



3a. Financial Assistance – Property Taxes

Summary of Municipal Property Tax Assistance

Municipal Scan	Interim Property Tax Assistance
Toronto	<u>60-day deferral</u> on instalment and preauthorized plans. Late payment fees deferred 60 days
Mississauga	<u>90-day deferral</u> - on instalment and preauthorized plans. Late payment fees remain in place
Richmond Hill	<u>Deferral + P & I Waived</u> - P & I Waived for 2 months (April - May 31) . May 1st instalment deferred to June 1st
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Vaughan	<u>P & I Waived</u> for 3 month period (March - May 31) . Interim taxes to be paid by May 31.
Newmarket	<u>P & I Waived</u> for 2 month period (April - May 31) . Interim taxes to be paid by May 31.
Other Locals in the Region	Generally moving their April tax due dates to June, preauthorized withdrawals deferral upon request, and late payment fees waived 60 days to end of May
Markham	<u>P & I Waived</u> for 5 month period (April 1 to August 31, 2020) . Recommended Option



3a. Financial Assistance – Property Taxes

1) Deferring Tax Instalment Dates

- Deferral of the final tax instalments to a later point in the year. The final tax bill instalments are currently as follows:
 - i. Residential Properties: July 6th and August 5th
 - ii. Non-Residential: October 5th and November 5th

2) Waiving Late Payment (Penalty & Interest) Charges

- Legislation requires that penalty and interest be applied in the same manner and at the same time for all properties. If penalty and interest were to be waived, it would have to be waived on all tax arrears and would result in permanent lost penalty and interest revenue to the municipality.
- Residents and businesses will be encouraged to continue making payments if possible to ensure local government services can be sustained



3a. Financial Assistance – Property Taxes

- 1) Defer July 6th and August 5th residential tax instalments to September 8th and October 5th
 - Non-residential taxes are due in October – provides time to monitor the situation and report back at a later date
 - Two months is a reasonable time that can be considered in order for the City to be able to make September 30th payments of \$150M to the Region and Province
 - Would result in approximately \$400,000-\$500,000 of lost investment income
 - City may be required to borrow or sell some investments to maintain positive cash balances
 - Opportunity to lengthen the deferral period if Province and/or Region defer tax remittance dates further



3a. Financial Assistance – Property Taxes

- 2) Waive late payment (penalty & interest) charges until August 31st
 - Those that can pay are encouraged to keep making scheduled tax payments
 - Those that can't pay would not be penalized between April 1 and August 31 (5 months)
 - Would apply to all accounts, both Residential & Non-Residential, including any accounts in arrears
 - Lost penalty and interest revenue for a 5 month period would be approximately \$2.0M - \$2.4M



3a. Financial Assistance – Property Taxes

Comparison	Advantages	Disadvantages
2 month deferral of July and August residential instalments	<ul style="list-style-type: none">• Less expensive option	<ul style="list-style-type: none">• More difficult to administer due to system changes• Could result in cashflow issue by late September– may result in borrowing and/or selling investments• Would not provide immediate assistance to those in need
Waiving late payments (P&I) charges for 5 months	<ul style="list-style-type: none">• Easier to administer• Better for cashflows• Provides relief to those currently in arrears	<ul style="list-style-type: none">• More expensive option



3a. Financial Assistance – Property Taxes

Recommendation

- That the 2020 Interim Tax Levy By-law 2019-113 be amended such that penalties and interest on unpaid taxes are not imposed on and for the period of April 1st, 2020 to August 31st, 2020



3a. Financial Assistance – Property Taxes

Pre-Authorized Tax Payments (PTP)

- 29% of tax accounts pay through pre-authorized tax payments
- Of the residents on PTP (33,600 accounts), 77% pay through an 11 month instalment plan (February to December)
- Any taxpayer can opt out of PTP after the April 1st instalment. The account will then be placed on the regular payment instalment due dates.



3b. Financial Assistance – Stormwater Fee

- The 2020 stormwater fee associated to the property type is applied to the final tax bill for each property in the City of Markham:
 - Residential Stormwater Fee: \$50 per residential property
 - Non-Residential Stormwater Fee: \$28 per \$100K of Current Value Assessment (CVA)
 - Example: Commercial Plaza with a CVA of \$2,000,000
 - $\$2,000,000 \times (\$28 / \$100,000) = \560
 - A deferral will result in an additional year being added to the program term
- Recommendation: That the City defer charging the stormwater fees in the calendar year 2020



3c. Financial Assistance – Water Rate

- Staff directed Alectra to postpone the April 1st, 2020 rate. The impact is as follows:
 - This will result in an estimated average monthly revenue loss \$890k
 - However, should the Region forego their 9% wholesale rate increase to the City, that loss will be reduced by an average monthly expenditure saving of \$791k
 - This will result in an average net monthly loss of \$99k to the City
- Recommendation: That the City defers the April 1st, 2020 water rate increase



4. Recommendations & Next Steps

1. That the presentation entitled COVID-19 Pandemic Financial Impact be received; and,
2. That the 2020 Interim Tax Levy By-law 2019-113 be amended such that penalties and interest on unpaid taxes are not imposed on and for the period of April 1st, 2020 to August 31st, 2020;
3. That the City defer charging the stormwater fees in the calendar year 2020; and,
4. That the City continues to defer the April 1st, 2020 water rate increase; and,
5. That the City Treasurer be directed to monitor the economic climate and report back to Council monthly with further information related to COVID-19, including any decisions by other levels of government and related financial implications for the Corporation, residents and business owners in the City of Markham; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.



By-law 2020-xx

A By-law to amend Procedural By-law 2017-5 to permit electronic meeting participation during a state of emergency

WHEREAS Section 238(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, requires every municipality and local board to pass a procedural by-law governing the calling, place, and proceedings of meetings; and,

WHEREAS the Council of the City of Markham has enacted Procedural By-law 2017-5 to govern the calling, place, and proceedings of meetings of Council, local boards, and committees of the City of Markham; and,

WHEREAS Section 238(3.3) of the *Municipal Act, 2001*, S.O. 2001, c.25, allows for a municipality's procedural by-law to permit a member of council, a local board, or a committee to participate electronically in a meeting which is open or closed to the public and be counted in towards quorum during an emergency 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 Council of the City of Markham considers it necessary to establish procedures to facilitate transparent and accountable decision-making required for the continuity of municipal operations and the provision of essential municipal services during a declared state of emergency;

NOW THEREFORE the Council of the Corporation of the City of Markham enacts as follows:

1. That By-law 2017-5 is hereby amended such that:

1.1 The following definition be added to Section 2:

“State of Emergency” means a situation in which an emergency has been declared to exist in all or part of the City of Markham by the **Mayor** under Section 4 of the *Emergency Management and Civil Protection Act* or by the Lieutenant Governor in Council or the Premier of the Province of Ontario under Section 7.0.1 of the *Emergency Management and Civil Protection Act*.

1.2 The following Section 4.6 be inserted and all subsequent sections of the by-law be re-numbered accordingly:

4.6 Electronic Meeting Participation

During a **State of Emergency**, **Members** may participate in a **Meeting** that is open or closed to the public by means of electronic communications and such members shall be counted towards quorum subject to the following conditions:

(a) Matters of discussion at the **Meeting** shall be those necessary for the continued administration of the City and/or the provision of essential municipal services.

- (b) The **Meeting** shall be one of **Council** or **Standing Committee**; or, City Advisory Committees and Local Boards as identified by the **Clerk**.
- (c) Where feasible, the **Chair** and **Clerk** of the **Meeting** shall be physically present at the location determined by the **Clerk**.
- (d) The **Meeting** shall be conducted in accordance with the administrative procedures established by the **Clerk** for facilitating electronic participation.

Read a first, second, and third time and passed on -----.

<hr/> Kimberley Kitteringham City Clerk	<hr/> Frank Scarpitti Mayor
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By-law 2020-xx

BEING A BY-LAW TO AMEND BY-LAW NO. 2019-113 A BY-LAW TO PROVIDE FOR AN INTERIM TAX LEVY IN 2020

WHEREAS on Tuesday, March 17, 2020, the Premier of Ontario declared a Provincial Emergency in accordance with the Provisions of the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9;

AND WHEREAS the Council of The Corporation of the City of Markham wishes to amend Interim Tax Levy By-law 2019-113;

NOW THEREFORE enact it that By-law 2019-113, an Interim Tax Levy, be amended as follows:

- 1. THAT** the following new section be added:

Section 8

NOTWITHSTANDING section 4, the penalties and interest on unpaid taxes not be imposed beginning April 1, 2020 until August 31, 2020.

Read a first, second, and third time and passed on March 27, 2020.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor