

## Electronic Participation in Meetings

Policy Number: CORP.1-11

Topic: Municipal Governance

Applies to: Newmarket Council and Committee Members

### Policy Statement and Strategic Plan Linkages

The Town of Newmarket's Council and Committees provide guidance and vision for the matters facing the community. It is essential that members be provided with the opportunity to participate in this process and accommodated when they are unable to attend in-person. Electronic participation gives members the ability to join the meeting from a different physical location, which improves Council's and Committees' inclusivity and representation.

This policy relates to Council's strategic priorities of being "Well-Equipped and Managed", and "Well-Respected". The ability for members to participate electronically enhances the decision making process, improves community involvement through committees and provides accommodation for those members who would otherwise be unable to attend meetings.

### Purpose and Applicability

This policy provides guidance to Council, staff, and Committee Members on electronic participation during meetings of Council and Committees of the Town of Newmarket, and the necessary framework to ensure consistent administrative practices.

This policy applies to Council and Committees, subject to legislative requirements and governing by-laws. The policy does not apply to internal bodies (e.g., staff committees and staff task forces) or to the public.

### Definitions

Note: All defined terms are in bold font with the first letter capitalized.

**Advisory Committee** means a Committee established to provide advice to Council and staff as mandated in its Terms of Reference;

**Audio-only communication** means a type of electronic communication which transmits audio only without picture to the participant, such as teleconferencing;

**Audiovisual communication** means a type of electronic communication which transmits both audio and video, allowing the participant to both hear and see the other participants;

**CAO** means the Chief Administrative Officer of the Town or his/her designate;

**Chair** means the presiding officer and spokesperson of a Committee;

**Clerk** means the Director of Legislative Services/Town Clerk or his/her designate;

**Electronic Participation** means the participation in a meeting of a member who is not physically present in the room but through electronic means such as Audio-only communication, Audiovisual communications, or voice-over-internet-protocol (VOIP);

**Quorum** means a majority of Members of Council or an Advisory Committee;

**Member** means a Member of a Council or an Advisory Committee;

**Town** means the Corporation of the Town of Newmarket;

## Provisions

### 1. Participation

- 1.1 In accordance with the Municipal Act, 2001, as amended from time to time:
  - 1.1.1 **Members** participating electronically do not count towards **Quorum**; and,
  - 1.1.2 **Members** participating electronically may not participate in a meeting that is closed to the public.
- 1.2 All **Members** may participate electronically using **Audio-only communication** or **Audiovisual communication** approved by the **Clerk**.
- 1.3 The **Member** presiding as **Chair** of a meeting shall not participate electronically.
- 1.4 The **Clerk**, or recording secretary, of a meeting shall not participate electronically.
- 1.5 If there are members of the public that are physically in attendance at a meeting, they must be able to hear the **Member(s)** who are participating electronically using **Audio-only communication**, or see the **Member(s)** who are participating using **Audiovisual communications**.

1.6 **Members** participating using **Audio-only communication**, shall verbally announce if they have to leave the meeting, and shall verbally announce when they are joining a meeting.

1.7 Members of the public shall not attend meetings using **Electronic Participation**.

## 2. Notice

2.1 **Members** shall provide Legislative Services with at least 48 hours' notice prior to a meeting in order to participate electronically.

2.2 **Members** will be advised prior to any meeting if any **Member(s)** will be participating electronically.

## 3. Technical Requirements

3.1 **Members** participating electronically shall be responsible for testing and ensuring the reliability of their connection using **Audio-only communication** or **Audio-visual communication** prior to the start of the meeting.

3.2 If, a **Member** loses connectivity during a meeting for more than 2 minutes, the **Member** will be deemed to have left the meeting, and:

3.2.1 On the second occurrence of losing connectivity, shall not be permitted to re-join the meeting to avoid disruption to the meeting.

3.3 **Members** shall only electronically participate in meetings that are being held in meeting rooms at 395 Mulock Drive that can accommodate the technical requirements of **Electronic Participation**.

## 4. Voting

4.1 All **Members** participating electronically must vote on matters which require voting.

4.2 Subject to Section 3.2 of this policy, **Members** participating electronically must be present for the entirety of a discussion if voting on a matter.

4.3 When the **Chair** calls for a vote on a matter, **Members** who are participating using **Audio-only communications**, shall verbally announce their vote by stating "in favour" or "opposed".

- 4.4 When the **Chair** calls for a vote on a matter, **Members** who are participating using **Audiovisual communications**, shall visually show their vote by raising their hand to show they are either “in favour” or “opposed”.

## 5. Administration and Contact

- 5.1 This Policy shall be administered by the Legislative Services Department. Procedures may be defined, and amended from time to time, by the **Clerk** to address specific implementation of this Policy.
- 5.2 All questions, or concerns with respect to this Policy should be directed to the **Clerk**.

## Cross-References

Municipal Act, 2001, as amended from time to time  
Town of Newmarket Procedure By-law 2015-50

## Contact

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## Details

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