

THE REGIONAL MUNICIPALITY OF PEEL

BY-LAW NUMBER 55-2020

**A by-law to amend the Region of Peel Procedure  
By-law 56-2019 to allow for electronic participation  
at meetings and proxy voting.**

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c. 25, section 238 provides that a municipality shall establish a procedure by-law to govern meetings;

AND WHEREAS, the Council of The Corporation of the Regional Municipality of Peel has enacted Procedure By-law 56-2019;

AND WHEREAS, Bill 197 *The COVID-19 Economic Recovery Act, 2020* is expected to be enacted by the Province of Ontario to amend the *Municipal Act, 2001*, to repeal and replace section 238 (3.1) and 238 (3.3) to provide that a member of council, of a local board or of a committee of either of them, can participate electronically in a meeting to the extent and in the manner set out the Procedure By-law;

AND WHEREAS, *The COVID-19 Economic Recovery Act, 2020* to be enacted amends the *Municipal Act, 2001* by adding section 243 to permit a municipal Procedure By-law to provide for proxy voting;

AND WHEREAS, The Regional Municipality of Peel considers it desirable for members to be able to participate in Council meetings electronically;

AND WHEREAS, The Regional Municipality of Peel considers it desirable for a member of council to appoint another member of council as a proxy to act in their place when they are absent, subject to certain rules;

NOW THEREFORE, subject to the enactment of *The COVID-19 Economic Recovery Act, 2020* the Council of the Regional Corporation enacts as follows:

1. That Procedure By-law 56-2019 is hereby amended by adding the following to section 1.2:

1.2 DEFINITIONS

“proxyholder” means a member of Regional Council who has been appointed by another member of council as a proxy to act in their place when they are absent subject to the rules set out in section 243 of the *Municipal Act, 2001*, as amended, and in accordance with the process attached as Appendix 7 to this by-law.

2. That section 1.2.24 is amended to include that the name of a member of council for whom a proxyholder is voting shall be recorded and the vote cast on behalf of that member.

3. That section 4.5.1 is amended by adding the following:
  - a. A member of council, of a local board or of a committee of either of them, can participate electronically in a meeting that is open or closed to the public and may be counted in determining whether or not a quorum of members is present at any time during the meeting.
  - b. A proxyholder, appointed in accordance with Section 243 of the *Municipal Act, 2001*, as amended, shall be counted as one member and shall not be counted as both the appointing member and the proxyholder.
4. That section 4.5.7 is amended by striking the words “and place”.
5. That section 5.12 is amended by adding the following:
  - 5.12.4 A member who has a pecuniary interest described in section 5 (1) of the *Municipal Conflict of Interest Act* in a matter to be considered at a meeting shall not, if the interest is known to the member, appoint a proxy in respect of the matter.
  - 5.12.5 A proxyholder who is disabled from participating in a meeting under the *Municipal Conflict of Interest Act* may not participate in the meeting in the place of an appointing member.
7. That section 7 is amended by deleting the words “and in his/her seat” throughout that section; and, striking the words “occupy his or her seat” and replacing them with “remain present”.
8. That section 7.2.3 is amended by adding the following:
  - c. asking a proxyholder to indicate their vote and the vote of the member who appointed them.
9. That Schedule ‘A’ as attached hereto, titled “Appointing a Member of Council as a Proxy”, be included as Appendix 7 to Procedure By-law 56-2019.

READ THREE TIMES AND PASSED IN OPEN COUNCIL this 23rd day of July 2020.

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Regional Clerk

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Regional Chair