



Remote Meeting Attendance By-Law

By-Law Number: RMA - 1	Resolution Number: 2021-39
Date Approved: March 2, 2021	Revised: March 25, 2025 Feb. 28, 2023

Objective:

To allow members of the Council to attend any meeting by remote means when the Councillor is unable to attend the meeting physically.

Scope:

This By-Law applies to all Councillors and all meetings of Council in compliance with the Town and Local Service Districts Act, Section 4.

Definitions:

- a) **Councillor** means any member of Council, including the Mayor and Deputy Mayor.
- b) **Remote** means Zoom, FaceTime, Skype, Microsoft Team, speaker phone or other virtual/electronic means of communication, approved by the Council.
- c) **Meetings** means any meeting of Council, including Committee Meetings, Privileged/Closed Meetings, Special Public Meetings and Regular Open Meetings of Council.
- d) **Written notice** means a handwritten memo, computer generated memo or notice by email.
- e) **Technical difficulties** means disruption to the remote means of communication.
- f) **Chair** means the Mayor or his/her designate presiding over the meeting.
- g) **Act** refers to the Towns and Local Service District Act.

BY-LAW:

1. Remote meeting attendance shall only occur when in-person attendance is either impossible or impractical.
2. A Councillor may attend meetings by remote means if the Councillor is prevented from physically attending a meeting because of personal illness or disability, employment commitments, a family or other emergency or the Councillor is away from the meeting place at the time that the meeting is taking place.
3. A Councillor attending a meeting by remote means shall advise the Chair and Council if they leave or return to the meeting and the meeting minutes shall note the applicable time(s).
4. A Councillor attending a meeting by remote means shall be permitted to fully participate in the meeting as they would if they were physically present at the meeting.
5. The Councillor using remote means shall be subject to the governing Rules of Procedure for meetings for the Town of Victoria.
6. Written notice that a Councillor intends to attend a meeting remotely shall be provided to the Town Clerk/Manager as soon as possible prior to the meeting and should clearly state the reason as to why the Councillor intends on attending the meeting remotely and by what electronic means the Councillor intends on using to attend the meeting remotely.
7. When a member of Council attends any portion of a meeting remotely as permitted in this By-Law they shall be considered as attending the meeting.



Remote Meeting Attendance By-Law

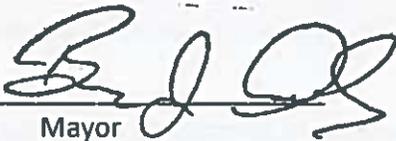
8. Notwithstanding extenuating circumstances (i.e., COVID-19 Pandemic) the Chair cannot attend a meeting of Council remotely.
9. The minutes of a meeting where there is a member of Council attending remotely shall reflect that the Councillor attended the meeting by remote means.
10. No Member of Council may attend any portion of a meeting remotely unless a quorum of the Council is physically present at the meeting.
11. There shall not be more than two (2) Councillors attending remotely per meeting. If there are more than two requests by separate Councillors to attend a meeting remotely, priority shall be given to the first two (2) requests.
12. A Councillor may ***not attend less than 50%*** of Regular meetings or Committee meetings of Council ***in person*** in one calendar year starting January 1st and ending December 31st.
13. Should technical difficulties occur during an ongoing meeting, the meeting can resume with those present provided that a quorum is met, (TLSDA Section 42). Either: two (2) attempts to re-establish a connection or ten (10) minutes of attempting to establish reconnection (whichever occurs first) shall be used to secure a connection with the remotely attending councillor/s.
- 13.b If the technical difficulty happens after a meeting has commenced and is unable to be resolved, the councillor will be deemed present at the meeting, but the minutes will reflect the time that the councillor had left the meeting.
- 13.c If no connection can be established at the beginning of a meeting and is unable to be resolved within 10 minutes from the beginning of a meeting, the Councillor will be deemed absent from the meeting.
14. In the event of extenuating circumstances (i.e., COVID-19 Pandemic), all members of Council shall be permitted to remotely attend all meetings held by the Council until such time as it is deemed safe to return to regular meetings.
15. In the event of circumstances beyond the Council's control, such as but not limited to, a Pandemic that affects the safety and general operations of the Council and the town, all meetings of Council, including committee meetings, shall be carried out in compliance with all special measurer's orders administered by the governing authority, i.e.: Federal/Provincial.

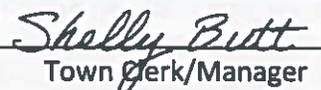
Reservations or Rights:

The Town of Victoria reserves the right to change, modify or cancel this By-Law at any time as it deems necessary.

REVISION HISTORY:

Revision:	Resolution:	Change Made:	Date:
#2	Motion 2025-66	Revised from Policy to By-Law	March 25, 2025
#1	Motion 2023-40	Item #12 - Number of times can attend a meeting remotely per year	February 28, 2023

Signature: 
Mayor

Signature: 
Town Clerk/Manager



Remote Meeting Attendance By-Law

SNL2023 CHAPTER T-6.2 - TOWNS AND LOCAL SERVICE DISTRICTS ACT, Amended:

CHAPTER T-6.2

AN ACT RESPECTING TOWNS AND LOCAL SERVICE DISTRICTS

(Assented to November 16, 2023)

Frequency of meetings

39. (1) A town council shall meet
- (a) at least once a month for the dispatch of general business; and
 - (b) at other times that the town council determines necessary.
- (2) Meetings referred to in subsection (1) shall be called by the town clerk upon the request of the mayor or upon the written request by any 2 councillors.
- (3) A schedule of the regular monthly meetings to be held under subsection (1) shall be approved annually by resolution of the town council and shall set out the date, time and place of the regular meetings.
- (4) Special meetings of a town council shall be called by the town clerk upon the request of the mayor or any 2 councillors.
- (5) Where a special meeting is called under subsection (4), the town clerk shall give notice of the special meeting to all councillors by delivering a notice to
- (a) the councillor.
 - (b) the councillor's place of residence; or
 - (c) the councillor's place of business.
- (6) A notice referred to in subsection (5) shall be delivered at least 24 hours before the time set for the meeting.

Open meetings

40. All regular and special meetings of a town council and all meetings of a town council committee shall be open to the public.

Closed meetings

41. (1) Notwithstanding section 40, a town council meeting or a town council committee meeting may be closed to the public for the duration of the discussion if it is necessary to discuss
- (a) information of which the confidentiality is protected by law;
 - (b) personal information that is protected under the *Access to Information and Protection of Privacy Act, 2015*;
 - (c) information that could cause financial loss or gain to a person or the town, or could jeopardize negotiations leading to an agreement or contract;
 - (d) the proposed or pending acquisition or disposition of land;
 - (e) information that could violate the confidentiality of information obtained from the Government of Canada or from the government of a province or territory;
 - (f) information concerning legal opinions or advice provided to the town council by its lawyer or privileged communications between lawyer and client in a matter of town business;
 - (g) litigation or potential litigation affecting the town or a municipal service delivery corporation or a matter before a board, commission or tribunal that affects the town or a municipal service delivery corporation;
 - (h) the access to or security of buildings and other structures occupied or used by the town or access to or security of systems of the town, including computer or communication systems;
 - (i) information gathered by the Royal Canadian Mounted Police and Royal Newfoundland Constabulary, in the course of investigating any illegal activity or suspected illegal activity, or the source of that information; or



Remote Meeting Attendance By-Law

- (j) labour and employment matters, including the negotiation of collective agreements.
- (2) Where a meeting is a closed meeting,
 - (a) members of the public shall not be present;
 - (b) a resolution or by-law shall not be adopted other than a resolution
 - (i) giving instructions to the lawyer for the town,
 - (ii) giving instructions to any person negotiating a contract on behalf of the town,
 - (iii) giving directions to employees on matters referred to in subsection (1),
 - (iv) adjourning the closed meeting, or
 - (v) opening the meeting to the public;
 - (c) a record shall be made containing only the following information:
 - (i) the type of matter under subsection (1) that was discussed during the meeting, and
 - (ii) the date of the meeting; and
 - (d) all decisions made during the meeting shall be documented by a resolution.
- (3) Where a decision is made by a town council at a closed meeting, the decision shall be ratified at a public meeting.

Meeting by electronic means

- 42. (1) A town council may allow a councillor to participate in a town council meeting or town council committee meeting by electronic means.
- (2) A councillor participating in a town council meeting or town council committee meeting by electronic means is considered to be in attendance at the meeting.