

Authority: Board of Management of the Toronto Zoo Item [insert Item no], as adopted by the Board of Management of the Toronto Zoo on [insert date]

Board of Management of the Toronto Zoo

By-law 3-2020

To amend By-law 1-2009 to extend remote electronic participation in Board meetings beyond the period of emergency

Whereas on March 19, 2020, the Municipal Emergency Act, 2020 (the "MEA") amended the City of Toronto Act, 2006 ("COTA") to provide that, 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 (the Act), a procedure by-law of a local board may provide that, despite previous prohibitions, a member 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 can participate electronically in a meeting that is closed to the public; and

Whereas COVID-19 is a disease that is readily communicable from person to person carrying a risk of serious complications potentially resulting in death, and on March 17, 2020, an emergency was declared, by means of Order in Council 518/2020 for purposes of section 7.0.1 of the Act, and on March 23, 2020 an emergency was declared by the Mayor of the City of Toronto for purposes of section 4 of the Act and section 59-5.1 of City of Toronto Municipal Code Chapter 59, Emergency Management, all due to the risk to the health of the residents of the City of Toronto and the Province of Ontario arising from the spread of COVID-19; and

Whereas at its meeting of July 24, 2020, The Board of Management of the Toronto Zoo amended By-law 1-2009 to allow for members of the Board to participate electronically in both open and closed meetings and to allow for such participation to count toward the calculation of a quorum; and

Whereas on July 21, 2020, the COVID-19 Economic Recovery Act 2020 received Royal Assent, which Act further amends COTA to allow local boards to extend the electronic meeting provisions introduced by the MEA beyond the period when a provincial or municipal emergency declaration is in effect; and

Whereas at its meeting of July 28 and 29, 2020 City Council adopted Item EX15.21, which authorized local boards to extend remote meeting rules for a period of one year following the later of the termination of the Provincial emergency or the termination of the municipal emergency; and

Whereas the Provincial emergency was terminated on July 24, 2020; and

Whereas the Board wishes to continue to allow itself to hold its meetings for a period of one year following the termination of the municipal emergency; and

Whereas The Board of Management of the Toronto Zoo continues to ensure its meetings are open to the public in accordance with section 190 of COTA through the provision of notice of the meetings to the public, the live streaming of the electronic meeting, and the provision of

access to interested persons to depute where permissible under the relevant procedures using the same tele-conferencing system as is being used to facilitate the meeting; and

Whereas section 35 of By-law 1-2009 requires that notice to amend it must have been received at a previous meeting and is approved by a two-thirds majority of the Board and

Whereas the Economic Recovery Act 2020 takes priority over the procedural requirements of Section 35 of the By-Law by allowing for procedural by-laws of local boards to be amended at a special meeting at which electronic participants are counted toward determining quorum;

The Board of Management of the Toronto Zoo enacts:

1. By-law 1-2009 of the Board of Management of the Toronto Zoo is amended by adding the following new section:

35.3 Despite any time limits set out in section 35.1, the terms and procedures in sections 35.1 and 35.2 shall continue to apply for the period ending one year from the termination of the COVID-19 emergency declaration under section 4 of the Emergency Management and Civil Protection Act.

2. This by-law will come into force on the date it is enacted and passed.

Enacted and passed on _ , 2020.

Councillor Paul Ainslie,
Chair

City Clerk, _____,
Secretary