



Corporation of the Municipality of Calvin

Council Resolution

Date: July 30, 2024

By-Law 2024-48

Resolution Number: 2024-269

Moved By: Councillor Latimer

Seconded By: Councillor Manson

WHEREAS in March 2020, the Municipal Emergency Act, 2020 was enacted. This statute amended the Municipal Act, 2001 to provide municipalities with the ability to conduct meetings of council and local boards (and their committees) entirely electronically for the duration of the provincial and local emergency,

AND WHEREAS as a result of the Emergency Act and as part of Bill 197 one of the changes was to allow proxy voting and so the Act was updated under, *Municipal Act, 2001* (s. 243.1) to give municipalities the authority to permit proxy voting for members of a council. Proxy voting would proceed in accordance with a process to be established by the Clerk and be subject to certain statutory rules.

AND WHEREAS as outlined in the Municipal Act Section 243., in accordance with the process by the Clerk, a member of Council may appoint another member of council as a proxy to act in their place when they are absent subject to the rules as attached per By-Law 2024-48

NOW THEREFORE BE IT RESOLVED THAT: Council of the Corporation of the Municipality of Calvin hereby approves and that **By-Law 2024-48** as attached and is hereby imposed and ratified.

1. That the Deputy Mayor and CAO are designated as the Signing Officers and are authorized to execute on behalf of the Corporation of the Municipality of Calvin.
2. This By-Law shall be enacted and in effect upon the signing thereof.

Results: Carried

Recorded Vote:

<u>Member of Council</u>	<u>In Favour</u>	<u>Opposed</u>
Grant	<input type="checkbox"/>	<input type="checkbox"/>
Latimer	<input type="checkbox"/>	<input type="checkbox"/>
Manson	<input type="checkbox"/>	<input type="checkbox"/>
Moreton	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Gould (Absent)	<input type="checkbox"/>	<input type="checkbox"/>

**THE CORPORATION OF THE MUNICIPALITY OF CALVIN
BY -LAW NO. 2024-48**

APPOINTING A MEMBER OF COUNCIL AS A PROXY

Proxy Vote A member of council may appoint another member of council as a proxy to act in their place when they are absent subject to the following rules: (Municipal Act, s.243) a)

Rules re Proxy Votes, The following rules apply with respect to the appointment of another member of council to act as a proxy:

- a) a member shall not appoint a proxy unless the proxyholder is a member of the same council as the appointing member.
- b) A member shall not act as a proxy for more than one member of council at any one time.
- c) The member appointing the proxy shall notify the Clerk of the appointment in accordance with the process established by the clerk.
- d) For the purpose of determining whether or not a quorum of members is present at any point in time, a proxyholder shall be counted as one member and shall not be counted as both the appointing member and the proxyholder.
- e) A proxy shall be revoked if the appointing member or the proxyholder requests that the proxy be revoked and complies with the proxy revocation process established by the Clerk.
- f) Where a recorded vote is to be taken, the Clerk shall record the name of each proxyholder, the name of the member of council for whom the proxyholder is voting and the vote cast on behalf of that member.
- g) A member who appoints a proxy for a meeting shall be considered absent from the meeting for the purposes of determining whether the office of the member is vacant under section 259(1) (c) of the Municipal Act.

Pecuniary Interest, A member who has a pecuniary interest described in subsection 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. 15.3-45

Appendix II, If after appointing a proxy, a member discovers that they have a pecuniary interest described in subsection 5 (1) of the Municipal Conflict of Interest Act in a matter to be considered at a meeting that is to be attended by the proxyholder, the member shall, as soon as possible,

- a) notify the proxyholder of the interest in the matter and indicate that the proxy will be revoked in respect of the matter; and
- b) request that the Clerk revoke the proxy with respect to the matter in accordance with the proxy revocation process established by the Clerk.

For greater certainty, if, after appointing a proxy, a member discovers that they have a pecuniary interest described in subsection 5 (1) of the Municipal Conflict of Interest Act in a matter that was

considered at a meeting attended by the proxyholder, the appointing member shall comply with subsection 5 (3) of the Municipal Conflict of Interest Act with respect to the interest at the next meeting attended by the appointing member after they discover the interest.

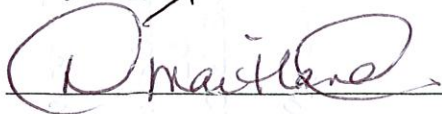
For greater certainty, nothing in this section authorizes a proxyholder who is disabled from participating in a meeting under the Municipal Conflict of Interest Act from participating in the meeting in the place of an appointing member.

Process for Appoint a Member of Council as a Proxy

1. A Member shall simultaneously notify (in writing) the Clerk, proxyholder and Chair of their absence as soon as possible before the scheduled Council meeting.
2. The Clerk shall notify (in writing) all members of the designation of the proxy member for the Council meeting.
3. If the Councillor who was to be absent, and after notification has been provided in writing wishes to revoke the proxy, notice (in writing) of the revocation shall be given, prior to the commencement of the meeting, to the Clerk, proxyholder and Chair.

Date: July 30, 2024


DEPUTY MAYOR


CAO