



**CITY OF CHARLOTTETOWN  
PROCEDURAL AMENDMENT BYLAW  
BYLAW #2018-19-E**

*Carried*

**Amend the City of Charlottetown's Procedural Bylaw (#2018-19) in response to Provincial Legislative and Regulatory updates related to electronic meeting requirements (states of emergency - public health or otherwise), confirm obligations for transparency and public access, the appointment of an independent officer and correct any clerical, grammatical and/or typographical errors.**

**RESOLVED:** That the bylaw to amend the "CITY OF CHARLOTTETOWN PROCEDURAL BYLAW" be read a **first** time.

*B3*

Moved by Councillor *Kevin Ramsay* Kevin Ramsay

*9-0*

Seconded by Councillor *Bob Doiron* Bob Doiron  
Date: December 13, 2021

*(Councillor  
Tweel  
absent)*

**RESOLVED:** That the bylaw now be approved as a City Bylaw and that it be entitled the "CITY OF CHARLOTTETOWN PROCEDURAL BYLAW" and that it be read a **second** time at the next public meeting of Council.

Moved by Councillor *Kevin Ramsay* Kevin Ramsay

*9-0*

Seconded by Councillor *Bob Doiron* Bob Doiron  
Date: December 13, 2021

*(Councillor  
Tweel  
absent)*

**THEREFORE:** Be it resolved that the "CITY OF CHARLOTTETOWN PROCEDURAL BYLAW" be read a **second** time and that the said Bylaw be now approved and adopted.

Moved by Councillor *Kevin Ramsay*  Kevin Ramsay

Seconded by Councillor *Bob Doiron*  Bob Doiron  
Date: *January 10, 2022*

*B3  
9-0*

This Procedural Amendment Bylaw, #2018-19-E, was adopted by a majority of Council members present at the Council meeting held on *10<sup>th</sup>* day of *January*, 2022.

*(Councillor  
Duffy  
absent)*

*X* *Peter Kelly*  
Peter Kelly, CAO

*Philip Brown*  
Philip Brown, Mayor

City of Charlottetown, PEI  
A Bylaw to Amend the City of Charlottetown Procedural Bylaw  
Bylaw # 2018-19-E

BE IT ENACTED by the Council of the City of Charlottetown as follows:

**PART I – INTERPRETATION AND APPLICATION**

**1. Title**

- 1.1. This bylaw shall be known and cited as the “Procedural Amendment Bylaw.”

**2. Purpose**

- 2.1. The purpose of this bylaw is to amend the City of Charlottetown’s Procedural Bylaw (#2018-19) in response to Provincial Legislative and Regulatory updates related to electronic meeting requirements (states of emergency - public health or otherwise), confirm obligations for transparency and public access, the appointment of an independent officer and correct any clerical, grammatical and/or typographical errors.

**3. Authority**

- 3.1. Pursuant to Part 5, Section 134 (1) – Revision of Bylaws of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.

**4. Definitions**

- 4.1. In this bylaw, any word and term that is defined in the Municipal Government Act, Procedural Bylaw Regulations and the City of Charlottetown Procedural Bylaw has the same meaning as in that Act or bylaw.

**5. Section 5 - Definitions - of the City of Charlottetown Procedural Bylaw is hereby amended by the following:**

- 5.1. Definition added – “Place” includes, in respect of information or a notice or other document to be posted, or a meeting to be held, by electronic means, the electronic location where the information, notice or document may be found or the electronic meeting may be accessed.

**6. Section 13 – Electronic Meetings - of the City of Charlottetown Procedural Bylaw is hereby amended by the following:**

- 6.1. Wording added to Subsection 13.1 – “...Council may authorise meetings to be conducted by electronic means, **including but not limited to a teleconference, a video conference or a live publicly streamed broadcast**, in accordance with the provisions of this Bylaw.”
- 6.2. Wording added to Subsection 13.4(a) – “that the meeting will be conducted by electronic means **and the information necessary to enable the public to access the electronic meeting;**”
- 6.3. Subsection 13.5 revised to **13.4(c)**
- 6.4. New Subsection 13.5 - “**During a state of emergency declared by the Minister under the *Emergency Measures Act*, a state of local emergency declared under section 146 or a**

public health emergency, a public meeting of council or a council committee may be held by electronic means that do not comply with the requirements of clause 13.4 if:

- (a) members of the public are able to hear the meeting as it occurs; and
- (b) any members of the public who would be entitled to make submissions at the meeting if the meeting were being held in person are able, before and during the meeting, to make submissions by email or any other method that the council or committee considers appropriate.”

**7. Section 15 - Electronic Participation in Closed Meetings - of the City of Charlottetown Procedural Bylaw is hereby amended by the following:**

- 7.1. New Subsection 15.1 – “Pursuant to subsection 122(7) of the Act, electronic access to the meeting shall be restricted or suspended in order to close all or part of the meeting to the public in accordance with section 119 of the Act.”
- 7.2. Original Subsection 15.1 now Subsection 15.2

**8. Section 22 - Cancellation of any Meeting of the Council - of the City of Charlottetown Procedural Bylaw is hereby amended by the following:**

- 8.1. New Subsection 22.2 – “As per subsection 121(3) of the Act and section 4 of the Procedural Bylaw Regulations, if Council changes the date, place or time of a regular or special meeting, the CAO must give at least 24 hours notice of the change:
  - (a) to the public on the municipality’s website and by sign or poster that is posted in a place that is accessible to the general public; and
  - (b) to all members of Council by providing a copy of the notice to each Council member by telephone, e-mail or text message, as directed by each council member. “
- 8.2. New Subsection 22.3 – “As per clause 4(1)(a) of the Procedural Bylaw Regulations, the notice referred to in section 22.2 of this bylaw shall specify the type of meeting and the new date, place and time of the meeting.”

**9. Section 41 – Minutes - of the City of Charlottetown Procedural Bylaw is hereby amended by the following:**

- 9.1. Subsection 41.7 to read as follows: “Copies of the minutes will be open to inspection by any person during regular office hours and copies of the minutes will be provided to any person, on payment of the fee, if any, established by the council in a bylaw made pursuant to section 147 of the Act.”
- 9.2. New Subsection 41.8 as follows: “Proceedings, when taken in the form of minutes, shall not be recorded verbatim and shall be recorded in accordance with the best practices of the City. Verbatim minutes and/or verbatim excerpt requests of Council and/or Committee meetings shall be provided for internal legal purposes only. Request for verbatim, will be directed to the Chief Administrative Officer for approval.”



**10. Section 43 – Bylaw Procedures - of the City of Charlottetown Procedural Bylaw is hereby amended by the following:**

10.1. Subsection 43.12 to read as follows: "Council will make copies of all bylaws available for inspection by any person, in accordance with section 128 of the Act. Council will provide any person with a copy of any bylaw on payment of the fee, if any, established by the council in a bylaw made pursuant to section 147 of the Act."

**11. PART VIII retitled OTHER MATTERS and the following wording added:**

11.1. 44. Independent Officer

44.1 In accordance with section 86.2(e)(iv) of the *Municipal Government Act*, the appointment or the suspension or revocation of the appointment shall be by a vote of at least two-thirds of the members of council then holding office voting in favour of the resolution to appoint, suspend or revoke the appointment of the independent officer, as the case may be.

**Approval and Adoption**

**12. Effective Date**

12.1. This Procedural Amendment Bylaw, #2018-19-E, shall be effective on the date of approval and adoption below.

**First Reading:**

This Procedural Amendment Bylaw, #2018-19-E, was read a first time and approved by a majority of members present at the Council meeting held on the 13<sup>th</sup> day of December, 2021.


**Second Reading:**

This Procedural Amendment Bylaw, #2018-19-E, was read a second time and approved by a majority of members present at the Council meeting held on the 10<sup>th</sup> day of January, 2022.

**Approval and Adoption by Council:**

This Procedural Amendment Bylaw, #2018-19-E, was approved and adopted by a majority of Council members present at the Council meeting held on the 10<sup>th</sup> day of January, 2022.

**Witness the corporate seal of the City of Charlottetown**

  
\_\_\_\_\_  
Mayor (Sealed Signature)

  
\_\_\_\_\_  
Chief Administrative Officer (Sealed Signature)

This Procedural Amendment Bylaw, #2018-19-E adopted by the Council of the City of Charlottetown on 10<sup>th</sup> day of January, 2022 is certified to be a true copy.

  
\_\_\_\_\_  
Chief Administrative Officer

January 11, 2022  
Date