

**Town of Annapolis Royal
POLICY**

TITLE: Council Videoconferencing Policy	
POLICY NO.: 2022-02	SUPERSEDES: none
EFFECTIVE DATE: April 21, 2022	APPROVED BY COUNCIL MOTION NO.: MOTION #C2022-04-20-08

Definitions

1. This policy is entitled the “Council Videoconferencing Policy”.
2. The procedural requirements in this Policy are intended to complement and supplement, and not to replace, the requirements contained in
 - (1) the *Municipal Government Act*; and
 - (2) the Meetings, Procedures and Presentations Policy.
3. In this Policy, unless the context otherwise requires,
 - (1) “Council” means the Council of the Town of Annapolis Royal;
 - (2) “Council member(s)” include(s) the Mayor; and
 - (3) “meeting” means a regular or special meeting of Council.
 - (4) “Clerk” means the Chief Administrative Officer (CAO) of the Town of Annapolis Royal
 - (5) “electronic means” shall include teleconferencing or videoconferencing
 - (a) “teleconference” means joining meetings via telecommunication devices
 - (b) “videoconference” means joining meetings via electronic devices that enable communication through sound and vision

Public Notice

4. A council meeting or council committee meeting may be conducted by

videoconference if, at least two days prior to the meeting, notice is given to the public respecting the way in which the meeting is to be conducted;

5. The notice to the public referred to in section 4 must be given by:
 - (1) publication in a newspaper circulating in the municipality;
 - (2) posting on the Town of Annapolis Royal's publicly accessible Internet site and in at least five conspicuous places in the municipality; or
 - (3) such other method permitted by regulation.
6. Notwithstanding section 5, where the Mayor determines that there is an emergency, a meeting may be conducted by videoconference without notice or with such notice as is possible in the circumstances.

All Council members attend by videoconference

7. The Clerk may require all Council members to appear at a meeting by videoconference if each Council member and the Town of Annapolis Royal have videoconferencing equipment available that will:
 - (1) enable the public to see and hear each Council member participate in the meeting by videoconference;
 - (2) enable each Council member to see and hear every other Council member participate in the meeting by videoconference.

One or more Council members attend by videoconference

8. Except as provided in section 7, Council members must attend Council meetings in person or, if approved by the Clerk pursuant to section 9, one or more Council members may appear at a meeting by videoconference.
9. Subject to the other provisions of this Policy, the Clerk shall grant permission to a Council member to participate in a meeting, or part of a meeting, by videoconference if:
 - (1) prior to the meeting, the Council member provides written notice to the Clerk indicating that the Council member wishes to attend the meeting by videoconference;
 - (2) the Council member has not participated in more than [2] meetings by videoconference in the preceding [12] months in addition to meetings

- in which all Council members participated by videoconference;
 - (3) Council has the right to grant an exception to section 9 (2) to a Council member due to illness or injury that would prevent the Council member from attending the meeting in person.
 - (4) the Council member has videoconferencing equipment available that will:
 - (a) enable the public to see and hear the Council member participate in the meeting by videoconference; and
 - (b) enable the Council member to see and hear each of the Council members who are attending the Council Meeting by videoconference or in person.
 - (5) The Town of Annapolis Royal has videoconferencing equipment available that will:
 - (a) enable the public to see and hear the Council member participate in the meeting by videoconference;
 - (b) enable the Council member to see and hear each of the Council members who are attending the Council Meeting by videoconference or in person; and
 - (c) enable every Council member who is attending the meeting by videoconference or in person to see and hear all other Council members who are attending the meeting by videoconference or in person.
10. Any Council member participating by videoconference in a meeting shall be deemed to be:
- (1) present at those parts of the meeting in which a Council member is permitted to participate by videoconference under this Policy; and
 - (2) absent for any parts of the meeting in which a Council member is not permitted to participate by videoconference under this Policy.
11. The Clerk shall not grant permission to a Council member to participate by videoconference in any of the following:
- (1) any part of a meeting during which the issue under discussion will be decided by a vote held by secret ballot;

- (2) a vote held by secret ballot.
- 12. Council members participating in a meeting by electronic means shall notify the Chair of their departure (either temporary or permanent) from the meeting before absenting themselves.

Technological problems - failure to connect or disconnection

- 13. If technological problems prevent a Council member from participating in a meeting prior to the meeting commencing, the Council member shall be marked absent from the meeting.
- 14. If a Council member becomes disconnected from the meeting due to technical problems or other reasons, the minutes shall reflect that the Council member left the meeting at the time of the disconnection.
- 15. If a meeting that is being accessed electronically is encountering interference and/or disruption by electronic participants, the Chair shall issue a first warning to cease and desist, upon a second occurrence the Chair shall advise that upon a third occurrence the site monitor will be directed to withdraw electronic access.
 - (1) If the nature of the interference/disturbance is deemed as harassment or harmful in nature, the Chair has the authority to direct immediate withdrawal of electronic access.
- 16. This Policy also applies to committees established by Council.

In camera sessions

- 17. Meetings that are held in camera
 - (1) Council members participating by electronic means will ensure that confidentiality is always maintained.
 - (2) Are not subject to Section 7 (1)

Enabling Legislation

Municipal Government Act, R.S.N.S. 1998, c.18:

- 19A (1) Where a procedural policy of the council so provides, a council meeting or council committee meeting may be conducted by electronic means if
- (a) at least two days prior to the meeting, notice is given to the public respecting the way in which the meeting is to be conducted;
 - (b) the electronic means enables the public to see and hear the meeting as it is occurring;
 - (c) the electronic means enables all the meeting participants to see and hear each other; and
 - (d) any additional requirements established by regulation have been met.
- (2) Where a procedural policy of the council so provides, a council member or council committee member may participate in a council meeting or council committee meeting through electronic means if
- (a) the electronic means enables the public to see and hear the member as the meeting is occurring;
 - (b) the electronic means enables all meeting participants to see and hear each other; and
 - (c) any additional requirements established by regulation have been met.
- (3) A council member participating in a council meeting or council committee meeting by electronic means is deemed to be present at the meeting.
- (4) The notice to the public referred to in clause (1)(a) must be given by
- (a) publication in a newspaper circulating in the municipality;
 - (b) posting on the municipality's publicly accessible Internet site and in at least five conspicuous places in the municipality; or
 - (c) such other method permitted by regulation.
- (5) Notwithstanding clause (1)(a), where the mayor or warden determines that there is an emergency, a meeting may be conducted by electronic means without notice or with such notice as is possible in the circumstances.

- (6) The Minister may make regulations
- (a) respecting council meetings and council committee meetings conducted by electronic means;
 - (b) respecting the participation of a council member or council committee member in a council meeting or council committee meeting by electronic means.

(7) The exercise by the Minister of the authority contained in subsection (6) is a regulation within the meaning of the Regulations Act.

- 23 (1) The council may make policies
- (a) respecting the date, hour and place of the meetings of the council and the notice to be given for them;
 - (b) regulating its own proceedings and preserving order at meetings of the council;

THIS IS TO CERTIFY that this policy was duly passed

by a majority vote of the whole Council at a duly called

Council meeting held on the 20th day of April 2022.

GIVEN under the hand of the CAO and under the seal of

The Town of Annapolis Royal the 21st day April of 2022.



Sandi Millett-Campbell

Chief Administrative Officer

