

THE CORPORATION OF THE TOWNSHIP OF ESSA
COMMITTEE OF THE WHOLE

WEDNESDAY, APRIL 15, 2020
6:00 p.m.

AGENDA

1. OPENING OF MEETING BY THE MAYOR
2. DISCLOSURE OF PECUNIARY INTEREST
3. DELEGATIONS / PRESENTATIONS / PUBLIC MEETINGS

STAFF REPORTS

4. PLANNING AND DEVELOPMENT

- p. 1 a. **Staff Report PD015-20 submitted by the Manager of Planning and Development, re: Request for Peer Review Results – Consultants for Acoustic Engineering and Landscape Architecture Services.**

Moved by: _____ **Seconded by:** _____

Recommendation: Be it resolved that Staff Report PD015-20 be received; and That Council approve Landmark Environmental Group Ltd. and Stefan Bolliger Associates Inc. as Township Landscape Architects and Golder Associates Ltd. and Jade Acoustics Inc. as Township Acoustic Engineers, for the purpose of conducting peer review services, on an as needed basis, whereas all costs will be charged back to the land owner, developer or proponents of the application that the work pertains to.

5. PARKS AND RECREATION/ COMMUNITY SERVICES

- p. 6 a. **Staff Report PR007-20 submitted by the Manager Parks and Recreation, re: Parks and Recreation Department Revenue Loss from COVID-19.**

Moved by: _____ **Seconded by:** _____

Recommendation: Be it resolved that Staff Report PR007-20 be received; and That Council direct the Manager of Parks and Recreation to defer the Bob Geddes Parking Lot Asphalt Paving Project, due to COVID-19.

6. FIRE AND EMERGENCY SERVICES

Addendum -
Updated Chart
attached

7. PUBLIC WORKS

- p. 10 a. **Staff Report PW010-20 submitted by the Chief Administrative Officer, re: Roads Department Budget – Status Update.**

Recommendation: *Be it resolved that Staff Report PW0010-20 be received; and That Council approve deferral of the following Budget Items due to staffing shortages and COVID-19:*

- *Gravel resurface/top-up of 10th Sideroad between County Road 56 and west to the Nottawasaga River*
- *Surface treatment and pulverization 6th Line and 8th Line*
- *Pedestrian Crossing in Thornton*
- *Design Standards*
- *Thornton Water Tower expansion*
- *Sign GIS inventory;*

And

That Council approve the addition of an item Ordered by the Ministry of Environment, Conservation and Parks (MOE) – the cleanout of an assumed stormpond at a cost of approximately \$50,000.

8. FINANCE

- p. 15 a. **Staff Report TR002-20 submitted by the Manager of Finance, re: Statement of Treasurer – Remuneration 2019.**

Moved by: _____ **Seconded by:** _____

Recommendation: *Be it resolved that Staff Report TR002-20 be received; and That the Treasurer's Statement of Remuneration and Expenses of Council and Members appointed by Council for the year ending December 31, 2019 be received as circulated.*

- p. 18 b. **Staff Report TR003-20 submitted by the Deputy Treasurer, re: 2020 First Quarter Budget Variance Report.**

Moved by: _____ **Seconded by:** _____

Recommendation: *Be it resolved that Staff Report TR003-20 be received; and That the 2020 First Quarter Budget Variance Report for the period ending March 31, 2020 be received as circulated.*

9. CLERKS / BY-LAW ENFORCEMENT / IT

- p. 36 a. **Staff Report C015-20 submitted by the Clerk, re: Draft Park Use By-law.**

Moved by: _____ **Seconded by:** _____

Recommendation: *Be it resolved that Staff Report C015-20 be received; and That Council approve the attached Draft Parks Use By-law, to regulate the use and operation of municipally owned Parks, Fishing Parks and Trails in the Township of Essa; and That the Draft By-law as attached be presented to Council for its consideration at their meeting of May 6, 2020.*

- p. 50 b. **Staff Report C016-20 submitted by the Municipal Law Enforcement Officer and the Clerk, re: Enforcement of Emergency Provincial Orders – COVID-19.**

Moved by: _____ **Seconded by:** _____

Recommendation: *Be it resolved that Staff Report C016-20 be received; and That Council approve the Draft By-law as attached; and That the Draft By-law be brought forward for passage by Council in its Regular Meeting of this date.*

- p. 58 c. **Staff Report C017-20 submitted by the Clerk, re: Committee of Adjustment – Electronic Meetings.**

Moved by: _____ **Seconded by:** _____

Recommendation: *Be it resolved that Staff Report C017-20 be received; and That the Township's Procedural By-law be amended to allow for electronic participation in Committee of Adjustment Meetings.*

10. CHIEF ADMINISTRATIVE OFFICER (C.A.O.)

11. OTHER BUSINESS

12. ADJOURNMENT

Moved by: _____ **Seconded by:** _____

Recommendation: *Be it resolved that this meeting of Committee of the Whole of the Township of Essa adjourn at _____ p.m. to meet again on the 6th day of May, 2020 at 6:00 p.m.*



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PD015-20

DATE: April 15th, 2020

TO: Committee of the Whole

FROM: Aimee Powell, BURPI., MPA, MCIP, RPP
Manager of Planning & Development

SUBJECT: Request for Peer Review Results -
Consultants for Acoustic Engineering and Landscape
Architecture Services

RECOMMENDATION

That Staff Report PD015-20 be received; and

That Council consider authorizing Landmark Environmental Group Ltd. and Stefan Bolliger Associates Inc. as Township Landscape Architects and Golder Associates Ltd. and Jade Acoustics Inc. as Township Acoustic Engineers, for the purpose of conducting peer review services, on an as needed basis, whereas all costs will be charged back to the land owner, developer or proponents of the application that the work pertains to.

BACKGROUND

As the Planning and Development Department has been processing Planning Act Applications, there has been a noticeable need to have qualified professionals in the fields of Landscape Architecture and Acoustics Engineering, review, comment on, and provide approval for certain studies or plans received. Through Staff's formalization of Pre-Consultation meetings, a studies list is derived and provided to applicants to assist them in being able to provide a complete submission for their Planning Act application proposals.

Landscape Plans, Tree Preservation Plans and Arborist Reports and Noise and Vibration Studies, are items that Staff can require for a complete application submission through the Pre-Consultation process. However, through making these asks of applicants, Staff want to ensure that a qualified professional can review, provide comment and assist in the approval of the subject applications. In order to review these documents appropriately, a qualified professional is required to assist, as this review cannot be accommodated with the current staff complement.; therefore Staff deem it

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necessary to have Consultant resources that are qualified and able to review required submission materials in this regard.

On March 9th, 2020, a Request for Peer Review Submissions was posted on the Township's website in order to gather interest for both a Landscape Architect and Acoustic Engineer, to act as peer reviewer for the Township. This Request was posted on March 9th and was active until 12:00PM on March 20th, 2020.

In total, the Township received eight proposal submissions, and has conducted a review of each proposal in order to assess the preferred candidates. It is suggest that two consultants be retained for each discipline (Landscape Architecture and Acoustic Engineering), so that if a conflict of interest was to arise, Staff would have the opportunity to utilize an alternate consultant instead.

Interested consultants were tasked with providing a scope of their working capabilities and pricing in relation to their services (including hourly rates, review rates, meeting rates etc.). This information has been extracted to assist in the analysis below.

COMMENTS AND CONSIDERATIONS

Township Staff collected a total of eight submissions during the 10-business day posting period; five submissions from qualified landscape architecture firms and three submissions from qualified acoustic engineering firms. Four categories (fees, location, previous experience, and resources available) were used to guide Staff's review and analysis.

A review of fees has been determined for each firm, where rates have not been provided this was determined from the breakdown of other fees (i.e. internal meeting rates, plans review, etc.).

A review of each firms' location has been undertaken to assess the proximity to the Township Municipal Office to better understand any mileage which might be incurred, adding to project costs of the applicant and to gain an understanding of the firms' local knowledge.

It was important to assess the previous experience of each firm, and again, which assists in gaining an understanding of each firms' local knowledge and experience.

Finally, resources available refers to the number of staff available to assist in peer review. Those larger firms, with additional staff members available to assist were more desirable, as there would be additional junior and intermediate-level staff available, at lower rates, to support review. This would ensure that work was completed in a cost-effective manner.

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A table was completed in accordance with each discipline that the Township requires consulting services from (see below), to assist in Staff's review of all consultant submissions. Each firm has been given a score from 1 to 5, 1 being the lowest score, or least suitable, and 5, in the case of the Landscape Architects, and 3 in the case of the Acoustic Engineers, being the highest scored, or most suitable.

The bidders with the two highest scores are recommended to be retained as the Township consulting resources, so that should a conflict arise, Staff are able to work with a suitable qualified alternate in this regard.

Landscape Architect Submissions:

Bidder	Fees	Location	Previous Experience	Resources Available (i.e. Staff)	Total Ranked Score
CIMA+	3	1	2	2	8
IBI Group	1	1	3	1	6
Landmark Environmental Group	2	5	5	1	13
Seferian Design Group	5	2	2	2	11
Stefan Bolliger Associates	4	5	2	2	13

*the shaded rows indicate the desired consulting firms

As indicated on the table above, both Landmark Environmental Group and Stefan Bolliger Associates Inc. have scored the highest. Therefore Staff recommend these two consultants be selected to assist with Peer Reviews that are to be undertaken concerning Landscape Plans, Tree Preservation Plans and Arborist Report submissions.

Acoustics Engineer Submissions:

Bidder	Fees	Location	Previous Experience	Resources Available (i.e. Staff)	Total Ranked Score
Golder Associates	2	2	1	1	6
Jade Acoustics	3	1	2	2	8
Pinchin	1	3	2	3	9

*the shaded rows indicate the desired consulting firms

As indicated on the table above, both Golder Associates and Jade Acoustics have scored the highest. Therefore, Staff recommend these two consultants be selected to assist with Peer Reviews that are to be undertaken concerning Acoustic Engineering submissions.

In conclusion, Township Staff have identified the need for the professional review services of a Landscape Architect and Acoustics Engineer. As these services cannot be provided for internally, Township Staff are seeking external consultants to conduct peer reviews to support *Planning Act* submissions. Staff recommends Council authorize Landmark Environmental Group Ltd. and Stefan Bolliger Associates Inc. to act as Township Peer Reviewing Landscape Architects and Golder Associates Ltd. and Jade Acoustics Inc. as Township Peer Reviewing Acoustic Engineers.

FINANCIAL IMPACT

There will be no costs incurred by the Township of Essa in association with the request of this report. All invoices sent to the Township by Landmark Environmental Group Ltd, Stefan Bolliger Associates, Golder Associates Ltd., and Jade Acoustics Inc. for the purposes of conducting peer review services will be charged back to the land owner, developer or proponent of the application that work pertains to.



SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. Authorize Landmark Environmental Group Ltd. and Stefan Bolliger Associates Inc. as Township Landscape Architects and Golder Associates Ltd. and Jade Acoustics Inc. as Township Acoustic Engineers, for the purpose of conducting peer review services, on an as needed basis, whereas all costs will be charged back to the land owner, developer or proponents of the application that the work pertains to.
3. Direct Staff in another manner as Council deems appropriate.

CONCLUSION

Option #2 is recommended.

Prepared by:

Respectfully submitted by:

Reviewed by:

Liam Munnoch

Liam Munnoch, BURPI
Junior Planner

Aimee Powell

Aimee Powell BURPI, MPA, MCIP,
RPP
Manager of Planning &
Development

Colleen Healey-Dowdall

Colleen Healey-Dowdall CAO

The below table is updated to reflect that the total number of submissions received for the Landscape Architect Peer Reviewer position is seven.

Landscape Architect Submissions:					
Bidder	Fees	Location	Previous Experience	Resources Available (i.e. Staff)	Total Ranked Score
CIMA+	4	2	2	4	12
IBI Group	1	1	1	3	6
Landmark Environmental Group	4	7	7	5	23
Seferian Design Group	7	4	3	6	20
Stefan Bolliger Associates	5	7	6	5	23
JDB Associates	2	7	5	5	19
HKLA	6	3	4	7	20

*the shaded rows indicate the desired consulting firms

As indicated on the table above, both Landmark Environmental Group and Stefan Bolliger Associates Inc. remain to have scored the highest. Therefore, Staff recommend these two consultants be selected to assist with Peer Reviews that are to be undertaken concerning Landscape Plans, Tree Preservation Plans and Arborist Report submissions.

The below table has been revised to reflect the real results of Staff's review. A total of three submissions were received for the Acoustics Engineer position.

Acoustics Engineer Submissions:

Bidder	Fees	Location	Previous Experience	Resources Available (i.e. Staff)	Total Ranked Score
Golder Associates	2	2	3	3	10
Jade Acoustics	1	3	2	3	9
Pinchin	3	2	2	1	8

*the shaded rows indicate the desired consulting firms

As indicated on the table above, both Golder Associates and Jade Acoustics have scored the highest. Therefore, Staff recommend these two consultants be selected to assist with Peer Reviews that are to be undertaken concerning Acoustic Engineering submissions.



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PR007-20

DATE: April 15, 2020

TO: Committee of the Whole

FROM: Jason Coleman, Manager of Parks and Recreation

SUBJECT: **Parks and Recreation Department Revenue Loss from Covid-19**

RECOMMENDATION

That Staff Report PR007-20 be received; and
That Council consider directing the Manager of Parks and Recreation to defer the Bob Geddes parking lot, asphalt paving project, due to Covid-19.

BACKGROUND

Following the recommendation and direction from the Provincial and Federal Governments to help flatten the curve and reduce the spread of Covid-19, the Township of Essa proceeded to close all recreation centres (arenas), playgrounds and parks effective March 14, 2020. Since March 14, all trails and fishing parks have also been closed down.

COMMENTS AND CONSIDERATIONS

The impact from cancelling Township programs, ice rentals and bookings has resulted in refunds to customers which has created a revenue loss. The Manager of Parks and Recreation is continuing to monitor the affected budget and will continue to bring reports and updates to Council as the situation progresses. The Manager of Parks and Recreation has created a tentative 2020 project deferral list that can be adjusted at any time and is attached for reference.

Due to the pandemic and the revenue loss created, staff suggest deferring the Bob Geddes parking lot asphalt paving in the amount of \$49, 500.

Bob Geddes is located in Angus along Centre St and contains a baseball diamond along with access to LeClair Soccer Pitch and the Pine River Trail. It is accessed from Centre St and contains a parking lot which is currently made up of a gravel surface with a long laneway entrance.

FINANCIAL IMPACT

Ice rentals, facility hall bookings and programs from March 14, 2020 to May 3, 2020 has resulted in a revenue loss of \$45,385.18 to the Township of Essa.



SUMMARY/OPTIONS

Council may:


- 1. Take no further action.
- 2. Direct the Manager of Parks and Recreation to defer the paving of the Bob Geddes parking lot project due to Covid-19.
- 3. Direct Staff in another course of action, defer other projects as Council deems appropriate such as the Angus Arena Dehumidifiers or the Thornton Arena Washrooms Renovation.

CONCLUSION

Staff recommends Option # 2 be approved.

Respectfully submitted,

Jason Coleman
Manager of Parks and Recreation



Colleen Healey-Dowdall
Chief Administrative Officer

Attached: Refund Report Totals
Parks and Recreation Department Possible Project Deferral Items

Parks and Recreation Department Possible Budget Item cutbacks due to covid

1. Bob Geddes Parking Lot Paved - \$49,500
2. Co-op Student - \$9,900
3. Arena Dehumidifiers - \$57,400
4. Angus Community Park Perimeter Track - \$12,500
5. Mycom Compressors - \$12,000
6. Washroom Renovations Thornton - \$28,000
7. Angus Gym Wall - \$9,000

Total of \$178,000

Please keep in mind the priority of these may slightly change depending on how long this process continues. It will also depend each month what the losses are which could determine what item could be eliminated.

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Refund Totals	
Mar 14 - May 3	
Total from Thornton Room Rentals	1,950.38
Total From Angus Room Rentals	1,467.07
Total From Commuity Park Room Rentals	0
Total From building Rentals	3,417.45
Total From Thornton Ice Rentals	18,586.24
Total From Angus Ice Rentals	19,911.01
Total From Ice Rentals	38,497.25
Total From Community Park Diamond	0
Total From Baxter Diamond	0
Total From Bob Geddes Diamond	0
Total From Elmgrove Diamond	0
Total From Ivy Diamond	0
Total From Lions Park Diamond	0
Total From Thornton Diamond	0
Total From Ball Diamonds	0
Total From Brownley Meadows Soccer Pitch	0
Total From Leclair Soccer Pitch	0
Total From Thornton Soccer Pitch	0
Total From * other Field*	0
Total From Soccer Pitches	0
Total From Thornton Arena Floor	2,195
Total From Angus Arena Floor	0
Total From Arena Floor	2,195
Total from Winter Programs	0
Total from Spring Programs	1,045.10
Total From Programs	1045.1
Total loss to date	45,154.62

Numbers are subject to change as adjustments are made to accounts and payments are made/ more refunds come in. (02.04.2020)



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: PW010-20
DATE: April 15, 2020
TO: Committee of the Whole
FROM: Colleen Healey-Dowdall, Chief Administrative Officer
SUBJECT: Roads Department Budget – Status Update

RECOMMENDATION

That Staff Report PW010-20 be received; and

That Council consider deferring the following budget due to staffing shortages and COVID-19:

- Gravel resurface/top-up of 10th Sideroad between County Road 56 and west to the Nottawasaga River
- Surface treatment and pulverization 6th Line and 8th Line
- Pedestrian Crossing in Thornton
- Design Standards
- Thornton Water Tower expansion
- Sign GIS inventory; and

That Council consider to add an item Ordered by the Ministry of Environment, Conservation and Parks (MOE) – the cleanout of an assumed stormpond at a cost of approximately \$50,000.

BACKGROUND

The Township has been without a Manager of Public Works since the beginning of March, and as well, has been “down” one Roads staff member for at least 6 months. There are also, 2 full-time staff members away and on leave due to the COVID-19 pandemic. With these staff shortages, and in light of the need to maintain a physical distance from others, along with the social and political climate wherein an Emergency has been declared by all levels of government, a budgetary re-evaluation should be conducted, and projects deferred.

With respect to the State of Emergency due to the COVID-19 pandemic, Ontario Regulation 82/20, as amended, issued under the Emergency Management and Civil Protection Act (Section 7.0.2(4)), reduces the number of businesses considered as essential and permitted to operate in Ontario after midnight April 4th. Of significance is:

- a) Nothing in the Order precludes operations or delivery of services by any government so that the Township of Essa is permitted to continue to operate and provide services (Section 1(5) of Schedule 1); and
- b) Schedule 2 refers to construction projects; and construction projects related to healthcare, critical provincial infrastructure, sewage treatment and disposal, waste, potable drinking water, roads, bridges, sidewalks, trails, pedestrian crossing, light standards, line painting, road signage, environmental rehabilitation and government services, can be continued/awarded.

Council is cautioned that the Province has hired additional Occupational Health & Safety Act Inspectors to blitz construction sites, looking for compliance to construction Regulations and COVID guidelines (i.e. checking to make sure that workers are symptom-free, physical distancing, sanitization stations, better washroom facilities, and information/training and supervision are on site, etc.).

There are approximately 30 km of gravel roads and 200 km of surface treated roads in Essa (overall, there is approximately 265 km of roadways in Essa).

COMMENTS AND CONSIDERATIONS

Council should reconsider its work plan to determine the appropriateness of individual projects. Some of the planned projects are roads maintenance related and some are capital infrastructure or public works related.

To Consider:

- Staffing (again, limited staffing is available for maintenance)
- There are some projects which are in-progress
- Some projects are safety related
- Some projects are critical to the Municipality
- The need for physical distancing
- Some tenders, involving hard-topped roads, are contracted out

Projects which should be of highest priority are those that affect lives, and health and safety.

In general, some projects such as gravel road works should be reconsidered for deferral (these types of works directly impact on Township employees who would typically be the ones applying or spreading gravel, and maintaining the gravel roads).

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Matrix to Assist Council with Re-consideration of Roads Projects	
Pros of Proceeding with a Project <ul style="list-style-type: none"> Continue with engineering design and submission to agencies for approvals can be done in isolation Allows us to go to tender at any time 	Cons of Proceeding with a Project <ul style="list-style-type: none"> Added costs due to PPE and new standards, i.e. Health & Safety Standards Have to physical distance Are we in compliance with Order?
Pros of Deferral <ul style="list-style-type: none"> Saves money Not to worry about physical distance (safest for workers) 	Cons of Deferral <ul style="list-style-type: none"> Will fall behind in work program/asset management Will be a backlog in seeking approvals and contractors later Resident complaints

Proposed Reconsideration of Roads Projects

Projects Proposed to Carry Forward	Cost	Projects Proposed to be Deferred	Cost
New: MOE Order to clean a stormpond in Egbert	50,000	Gravel resurface/top-up of 10 th SR b/w CR 56 and west to the Nottawasaga River	91,200
Slurry Seal Tender (contracted out)	175,000	Surface treatment & pulverization 6 th Line and 8 th Line	144,000
5 th Line Bridge #9 EA & planned repairs (Phase 1 only)	300,000	Pedestrian Crossing in Thornton	115,000
Margaret St. Urbanization (Phase 1 at least as design started and can send to MOE for approval)	1,100,000	Design Standards	50,000
		Thornton Water Tower expansion	180,000
Elizabeth St. Bridge (immediate safety concern)	737,000	Sign GIS inventory	7,000
			\$587,200
Resurface tender 25 th SR	450,000		
Resurface tender Scotch Line	350,000		
Purchase of hot box (to replace faulty box)	45,000		
Purchase of roadside mower (will help to address phragmites)	21,000		

Line painting (safety mandated)	100,000		
Winter sand/salt	200,000		
	\$3,528,000		
Already in Progress			
Street sweeping	35,450		
Dust control purchase	28,500		
Water meter remote reading tower (will help to detect leaks)	600,000		
LED street lights (decorative)	300,000		
	\$963,950		

Further Notes:

1. Note that it is recognized that Council may wish to proceed immediately with the Thornton Pedestrian Crossing.
2. The gravel resurface of the 10th Sideroad and projects involving pulverization are recommended for deferral while the Municipality is trying to keep staff numbers low in order to physical distance.
3. The Design Standards and sign inventory really should be reviewed by the incoming Manager.
4. All decisions are at Council's discretion.

FINANCIAL IMPACT

The suggestions presented to Council could result in a savings of \$587,200 if the deferred projects do not end up proceeding in 2020 (length of deferral depending on circumstances).

SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. Defer the following items from within the Roads and Public Works budgets due to staffing shortages and COVID-19:
 - Gravel resurface/top-up of 10th Sideroad between County Road 56 and west to the Nottawasaga River
 - Surface treatment and pulverization 6th Line and 8th Line
 - Pedestrian Crossing in Thornton
 - Design Standards

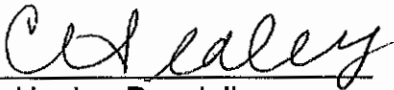
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- Thornton Water Tower expansion
 - Sign GIS inventory
3. Add an item Ordered by the Ministry of Environment, Conservation and Parks (MOE) – the cleanout of an assumed stormpond at a cost of approximately \$50,000.
 4. Direct staff as Council may wish.

CONCLUSION

Options #2 and #3 are recommended.

Respectfully submitted:



Colleen Healey-Dowdall
CAO

Attachments:



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: TR002-20
DATE: April 15, 2020
TO: Committee of the Whole
FROM: Carol Traynor, Manager of Finance
SUBJECT: Statement of Treasurer – Remuneration 2019

RECOMMENDATION

That Staff Report TR002-20 be received; and

That the Treasurer's Statement of Remuneration and Expenses of Council and Members appointed by Council for the year ending December 31, 2019 be received as circulated.

BACKGROUND

This statement details remuneration and expenses paid to Members of Council and Members appointed by Council in 2019. Council remuneration is authorized by By-Law 2013-53. Other expenses are authorized by By-Law 2017-41 and the 2019 Final Budget. This report is prepared pursuant to section 284 (1) of the Municipal Act, 2001 (S.O. 2001, c.25).

COMMENTS AND CONSIDERATIONS

Remuneration Paid to Council: (\$)

Name	Remuneration	Per Diem	Health Benefits	Car Allow. & Mileage	Conference & Other Expenses	Total
Mayor S. Macdonald	34,612.92	0.00	5,857.19	1,000.00	2,607.08	44,077.19
Deputy-Mayor M. Smith	26,965.80	300.00	45.74	1,307.98	2,419.63	31,039.15
Councillors:						
R. Henderson	21,640.92	700.00	5,852.87	1,658.88	5,260.44	35,113.11
W. Sander	21,640.92	300.00	5,852.87	1,559.70	2,845.15	32,198.64
K. White	21,640.92	300.00	5,852.87	1,498.80	3,088.37	32,380.96
K. White re: NVCA	1,500.00	1,148.42	0	162.40	0	2,810.82
Totals	128,001.48	2,748.42	23,461.54	7,187.76	16,220.67	177,619.87



Remuneration Paid to Committee of Adjustment Members: (\$)

Name	Remuneration	Total
D. Davis	875.00	875.00
S. Fisher	500.00	500.00
K. Ogilvie	500.00	500.00
J. Truax	875.00	875.00
D. Tucker	625.00	625.00
Totals	3,375.00	3,375.00

Remuneration Paid to Essa Accessibility Advisory Committee: (\$)

Name	Remuneration	Total
P. Foster	140.00	140.00
M. Dandy	70.00	70.00
J. Robertson	140.00	140.00
S. McCann	70.00	70.00
N. Willoughby	70.00	70.00
Totals	490.00	490.00

Remuneration Paid to Library Board: (\$)

Name	Remuneration	Total
A. Morrison	500.00	500.00
J. Bushey	500.00	500.00
C. Cryer	500.00	500.00
J. Hunter	500.00	500.00
S. Malick	500.00	500.00
D. McKeever	500.00	500.00
Totals	3,000.00	3,000.00

Attended the OGRA Conference:

Mayor Sandie Macdonald [\$1,514.29]
Deputy Mayor Michael Smith [\$1,492.29]
Councillor Ron Henderson [\$1,494.29]
Councillor Henry Sander [\$0.00]
Councillor Keith White – cancelled registration [\$86.50]

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Attended the AMO Conference:

Mayor Sandie Macdonald [\$0]
Deputy Mayor Michael Smith [\$0]
Councillor Ron Henderson [\$2,048.99]
Councillor Henry Sander [\$2,031.71]
Councillor Keith White [\$2,053.84]

Cellular, Telephone & Other Expenses:

Mayor Sandie Macdonald [\$1,092.79]
Deputy Mayor Michael Smith [\$927.34]
Councillor Ron Henderson [\$1,717.16]
Councillor Henry Sander [\$813.44]
Councillor Keith White [\$948.03]

Statutory deductions and employer remittances for CPP, EI, EHT and WSIB have not been included in the reported amounts.

FINANCIAL IMPACT

Council and Committee remuneration and expenses were included in the 2019 budget.

SUMMARY/OPTIONS

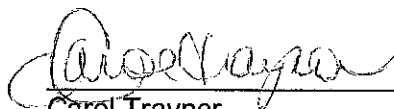
Council may:

1. Take no further action.
2. That the Treasurer's Statement of Remuneration and Expenses of Council and Members appointed by Council for the year ending December 31, 2019 be received as circulated.

CONCLUSION

Respectfully submitted:

Reviewed by:



Carol Traynor
Manager of Finance



Colleen Healey
CAO



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: TR003-20

DATE: April 15, 2020

TO: Committee of the Whole

FROM: Rob Rosilius, Deputy Treasurer

SUBJECT: 2020 First Quarter Budget Variance Report

RECOMMENDATION

That Staff Report TR003-20 be received; and

That the 2020 First Quarter Budget Variance Report for the period ending March 31, 2020 be received as circulated.

BACKGROUND

On December 18, 2019, Council approved the 2020 Operating and Capital Budgets for the Township. During the budget deliberations, Council directed staff to present a Budget Variance report on a quarterly basis. Treasury staff in consultation with Department heads have summarized activity compared to budget and identified any significant anticipated year-end variances. This report includes activities recorded as of March 31, 2020.

COMMENTS AND CONSIDERATIONS

Staff have reviewed actual revenues and expenses that have been posted to the general ledger as of March 31st and compared them to the approved 2020 Budget. Included with this report are two attachments which summarize staff findings for the period and projections for meeting budget targets.

Attachment #1 summarizes the operating budget into three major sections;

- **Employee Related Expenses** - includes salaries and hourly wages, Township benefits along with mandatory contributions.
- **Operating Expenses** – all other non-employee related expenses.
- **Revenues** - revenues relating to that department.

The Columns of the Attachment #1 include;

- **Actuals to Date** – what has been processed into the general ledger
- **Budget to Date** – 25% of the annual budget. Used to provide context of the actuals for the reporting period.
- **2020 Budget** – the approved budget amount



- **Variance Actuals to Annual Budget** – a percentage of the actual amount as of March 31st as compared to the 2020 approved budget
- **Forecasted Year End** - this column identifies if the department section is expected to be on budget, have a favourable variance (lower than budgeted for expenses, high than budgeted for revenues) or an unfavourable variance (higher than budgeted for expenses, lower than budgeted for revenues).
- **Comments** – specifics as to why a department area is not on budget.

In Attachment #2, each approved Capital Budget item is listed with its approved budgeted amount and then lists the actual costs incurred to date.

Given this is the first quarter of the year, it should be expected the majority of the reporting sections are being forecasted at year-end as being on budget. There may be individual budget line items within those sections that are projected to be favorable or unfavorable for year-end; but those variances are not expected to significantly impact the reporting section at this point in time.

For the reporting sections where the projected year-end variance is unfavourable, Staff have added brief comments for the expected results. Collectively, these sections are all negatively impacted by the COVID-19 pandemic and the efforts implemented to reduce its spread within the community. With social distancing and isolation measures aimed at flattening the transmission curve, Parks and Recreation have been forced to cancel and refund ice time rentals, other facility rentals and programming. Parks and Rec staff expect an estimated loss of \$45,000 in revenues from mid-March to beginning of May. With the uncertainty of how long the provincially mandated isolation will last, the unfavourable variance will most likely increase.

The next reporting section impacted by the pandemic are Treasury revenues, specifically bank interest and the interest earned from outstanding property taxes. Even though the revenues for the first quarter are in-line with the budget expectations at 26%, these revenues could very well come in under budget at year-end as a result of the Bank of Canada slashing the prime rate to 0.25% along with Council's adoption of Resolution CR072-2020, the waiving of penalties for outstanding property taxes billed in 2020 until June 30th. While Council also waived the late charges for outstanding water and wastewater bills, the impact revenues for water and wastewater will be minimal as both areas each have budgeted \$15,000 in late charges revenue.

Similar to the Treasury Revenues, the operating expenses for the Emergency Measures area is expected to have an unfavourable variance at year-end. The first quarter of 2020 there were no operating expenses incurred, but that will change in the second quarter. Expenses incurred to protect staff and the public from spread of COVID-19 will be charged to this area.

The two reporting sections with an unfavourable forecasted year-end balance which are not a direct result of the pandemic are the revenues for Public Works and the Operating expenses of the Roads Department. Revenues for the Public Works Department were adversely affected in the first quarter with a refund of a fill permit in the amount of \$12,197.00 and a credit of \$4,744.00 for some invoiced road work. These two items equal 15% of the budgeted Public Works revenues for 2020.



In the Roads Department, staff are expecting higher than budgeted expenditures as a result of the aging fleet. There are two pieces of equipment which are over and one at 90% of their annual repair and maintenance budget.

On the Capital Cudget, there has been little activity in the first quarter. This is not unusual as most capital projects are subject to tenders being awarded, favourable weather conditions and availability of contractors.

For the Capital projects that have been completed, all came close to being on budget. On initial review of the purchase and installation of the electronic equipment for the Council Chambers, it would appear a significant overage of the Electrical for AV Equipment at 321%. However, when combining that line item with the purchase of the TV's and monitors and comparing to the sum of the two budgeted line items, the total spending was over by \$345.00 or 5%.

FINANCIAL IMPACT

With a lot of uncertainty due to COVID-19 and its long term effects, it is difficult to forecast the financial position of the Township at year end. Hopefully at the end of the second quarter of 2020, staff will be able to better gauge the financial outlook for the Township.

The Capital budget is not isolated by the impact of the pandemic. Some projects may not commence in 2020 as work may not be able to begin as a result of isolation measures implemented by the provincial and federal governments. Some Capital projects, may also be delayed to future budgets in an attempt to offset loss in current year revenue shortfalls.

SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. Receive the 2020 First Quarter Budget Variance Report as circulated.

CONCLUSION

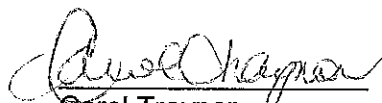
Option #2 is recommended.

Respectfully submitted:

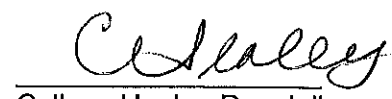
Reviewed by:

Reviewed by:

Rob Rosilius
Deputy Treasurer



Carol Traynor
Manager of Finance



Colleen Healey-Dowdall
Chief Administrative Officer

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Township of Essa
Summary of Budget Variances by Department
For the Period Ending March 31, 2020

	Actuals to Date	Budget to Date	2020 Budget	Variance Actuals to Annual Budget	Forecasted Year end	Comments
Council:						
Employee Related Expenses - Council	39,612.39	39,403.98	157,615.92	25.13%	On Budget	
Operating Expenses - Council	18,383.24	14,012.49	56,049.96	32.80%	On Budget	
Revenue - Council	0.00	0.00	0.00	0.00%	On Budget	
Total Council	57,995.63	53,416.47	213,665.88	27.14%		
CAO:						
Employee Related Expenses - CAO	51,033.80	59,236.53	236,946.12	21.54%	On Budget	
Operating Expenses - CAO	21,166.62	11,162.52	44,650.08	47.41%	On Budget	
Revenue - CAO	0.00	0.00	0.00	0.00%	On Budget	
Total CAO	72,200.42	70,399.05	281,596.20	25.64%		

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Township of Essa
 Summary of Budget Variances by Department
 For the Period Ending March 31, 2020

	Actuals to Date	Budget to Date	2020 Budget	Variance Actuals to Annual Budget	Forecasted Year end	Comments
Clerks Department						
Clerks:						
Employee Related Expenses - Clerks	55,197.22	53,716.47	214,865.88	25.69%	On Budget	
Operating Expenses - Clerks	9,134.12	46,027.53	184,110.12	4.96%	On Budget	
Revenue - Clerks	-7,551.90	-7,499.97	-29,999.88	25.17%	On Budget	
Total Clerks	56,779.44	92,244.03	368,976.12	15.39%		
By-Law:						
Employee Related Expenses - By-Law	12,038.73	25,069.26	100,277.04	12.01%	On Budget	
Operating Expenses - By-Law	404.09	2,112.54	8,450.16	4.78%	On Budget	
Revenue - By-Law	-2,775.00	-4,950.00	-19,800.00	14.02%	On Budget	
Total By-Law	9,667.82	22,231.80	88,927.20	10.87%		
Animal Control:						
Employee Related Expenses - Animal Contr	1,337.57	5,475.75	21,903.00	6.11%	On Budget	
Operating Expenses - Animal Control	2,714.58	7,117.47	28,469.88	9.53%	On Budget	
Revenue - Animal Control	-4,900.00	-4,499.97	-17,999.88	27.22%	On Budget	
Total Animal Control	-847.85	8,093.25	32,373.00	(2.62%)		
Operating Assistance:						
Employee Related Expenses - Operating As	0.00	15,149.97	60,599.88	0.00%	On Budget	
Operating Expenses - Operating Assistance	11,906.31	15,175.02	60,700.08	19.61%	On Budget	
Revenue - Operating Assistance	-6,858.36	-31,750.02	-127,000.08	5.40%	On Budget	
Total Operating Assistance	5,047.95	-1,425.03	-5,700.12	(88.56%)		

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Township of Essa
 Summary of Budget Variances by Department
 For the Period Ending March 31, 2020

	Actuals to Date	Budget to Date	2020 Budget	Variance Actuals to Annual Budget	Forecasted Year end	Comments
Treasury						
Finance Department:						
Employee Related Expenses - Finance Dep:	125,037.20	124,389.51	497,558.04	25.13%	On Budget	
Operating Expenses - Finance Department	81,142.43	222,680.67	890,722.68	9.11%	On Budget	
Revenue - Finance Department	-192,420.73	-180,375.00	-721,500.00	26.67%	unfavourable	Bank interest and Penalties and Interest on Taxes
Total Finance Department	13,758.90	166,695.18	666,780.72	2.06%		
Taxation & General Revenues:						
Operating Expenses - Taxation & General R	4,250,432.03	0.00	0.00	0.00%	On Budget	
Revenue - Taxation & General Revenues	-8,702,724.99	-3,855,825.00	-11,000,150.00	79.11%	On Budget	
Total Taxation & General Revenues	-4,452,292.96	-3,855,825.00	-11,000,150.00	40.47%		

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Township of Essa
 Summary of Budget Variances by Department
 For the Period Ending March 31, 2020

	Actuals to Date	Budget to Date	2020 Budget	Variance Actuals to Annual Budget	Forecasted Year end	Comments
Fire / Emergency Services						
Fire Department:						
Employee Related Expenses - Fire Departm	155,951.54	205,752.99	823,011.96	18.95%	On Budget	
Operating Expenses - Fire Department	40,890.67	153,573.87	614,295.48	6.66%	On Budget	
Revenue - Fire Department	-21,632.50	-29,250.00	-117,000.00	18.49%	On Budget	
Total Fire Department	175,209.71	330,076.86	1,320,307.44	13.27%		
Emergency Measures:						
Employee Related Expenses - Emergency M	3,019.28	3,503.76	14,015.04	21.54%	On Budget	
Operating Expenses - Emergency Measures	0.00	1,599.99	6,399.96	0.00%	Unfavourable	
Revenue - Emergency Measures	0.00	0.00	0.00	0.00%	On Budget	
Total Emergency Measures	3,019.28	5,103.75	20,415.00	14.79%		
Policing						
Employee Related Expenses - Policing	0.00	0.00	0.00	0.00%	On Budget	
Operating Expenses - Policing	508,185.21	743,324.22	2,973,296.88	17.09%	On Budget	
Revenue - Policing	0.00	-23,250.00	-93,000.00	0.00%	On Budget	Delay in receiving 1st Qtr POA monies
Total Policing	508,185.21	720,074.22	2,880,296.88	17.64%		

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Township of Essa
Summary of Budget Variances by Department
For the Period Ending March 31, 2020

	Actuals to Date	Budget to Date	2020 Budget	Variance Actuals to Annual Budget	Forecasted Year end	Comments
Planning and Development						
Planning:						
Employee Related Expenses - Planning	41,352.30	51,100.53	204,402.12	20.23%	On Budget	
Operating Expenses - Planning	2,129.93	94,271.01	377,084.04	0.56%	On Budget	
Revenue - Planning	-61,500.00	-92,812.47	-371,249.88	16.57%	On Budget	
Total Planning	-18,017.77	52,559.07	210,236.28	(8.57%)		
Committee of Adjustment:						
Employee Related Expenses - Committee of /	10,480.61	14,392.71	57,570.84	18.20%	On Budget	
Operating Expenses - Committee of Adjustme	37.89	2,062.50	8,250.00	0.46%	On Budget	
Revenue - Committee of Adjustment	-10,200.00	-3,750.00	-15,000.00	68.00%	On Budget	
Total Committee of Adjustment	318.50	12,705.21	50,820.84	0.63%		
Economic Development:						
Employee Related Expenses - Economic De	2,685.23	3,459.99	13,839.96	19.40%	On Budget	
Operating Expenses - Economic Developme	22.35	3,225.00	12,900.00	0.17%	On Budget	
Revenue - Economic Development	-710.00	-2,250.00	-9,000.00	7.89%	On Budget	
Total Economic Development	1,997.58	4,434.99	17,739.96	11.26%		
Building Department:						
Employee Related Expenses - Building Depa	43,070.01	75,215.25	300,861.00	14.32%	On Budget	
Operating Expenses - Building Department	3,646.70	13,912.53	55,650.12	6.55%	On Budget	
Revenue - Building Department	-84,058.72	-89,127.78	-356,511.12	23.58%	On Budget	
Total Building Department	-37,342.01	0.00	0.00	0.00%		



Township of Essa
 Summary of Budget Variances by Department
 For the Period Ending March 31, 2020

	Actuals to Date	Budget to Date	2020 Budget	Variance Actuals to Annual Budget	Forecasted Year end	Comments
Public Works						
Public Works:						
Employee Related Expenses - Public Works	20,348.33	23,821.98	95,287.92	21.35%	On Budget	
Operating Expenses - Public Works	41,135.68	122,552.79	490,211.16	8.39%	On Budget	
Revenue - Public Works	-620.00	-699.99	-2,799.96	22.14%	unfavourable	refunds for fill permits/road allowance
Total Public Works	60,864.01	145,674.78	582,699.12	10.45%		
Roads:						
Employee Related Expenses - Roads	284,514.31	303,398.52	1,213,594.08	23.44%	On Budget	
Operating Expenses - Roads	303,521.70	638,675.04	2,180,200.15	13.92%	unfavourable	Aging Fleet - unanticipated repairs
Revenue - Roads	14,732.64	-23,750.01	-95,000.04	(15.51%)	On Budget	
Total Roads	602,768.65	918,323.55	3,298,794.19	18.27%		
Water Works:						
Employee Related Expenses - Water Works	15,914.26	26,519.01	106,076.04	15.00%	On Budget	
Operating Expenses - Water Works	137,449.37	343,648.02	1,374,592.08	10.00%	On Budget	
Revenue - Water Works	-445,414.10	-396,550.02	-1,586,200.08	28.08%	On Budget	
Total Water Works	-292,050.47	-26,382.99	-105,531.96	276.74%		
Waste Water:						
Employee Related Expenses - Waste Water	10,879.77	14,911.23	59,644.92	18.24%	On Budget	
Operating Expenses - Waste Water	109,082.90	342,871.23	1,371,484.92	7.95%	On Budget	
Revenue - Waste Water	-360,576.79	-291,500.01	-1,166,000.04	30.92%	On Budget	
Total Waste Water	-240,614.12	66,282.45	265,129.80	(90.75%)		

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Township of Essa
Summary of Budget Variances by Department
For the Period Ending March 31, 2020

	Actuals to Date	Budget to Date	2020 Budget	Variance Actuals to Annual Budget	Forecasted Year end	Comments
Parks and Recreation						
Angus Arena:						
Employee Related Expenses - Angus Arena	48,539.57	53,368.20	213,472.80	22.74%	On Budget	
Operating Expenses - Angus Arena	39,888.41	68,350.05	273,400.20	14.59%	On Budget	
Revenue - Angus Arena	-96,618.62	-64,224.99	-256,899.96	37.61%	unfavourable	Cancelled Ice time for March/April
Total Angus Arena	-8,190.64	57,493.26	229,973.04	(3.56%)		
Thornton Arena:						
Employee Related Expenses - Thornton Are	49,379.02	47,729.04	190,916.16	25.86%	On Budget	
Operating Expenses - Thornton Arena	23,587.12	71,775.00	287,100.00	8.22%	On Budget	
Revenue - Thornton Arena	-119,670.74	-63,625.02	-254,500.08	47.02%	unfavourable	Cancelled Ice time for March/April
Total Thornton Arena	-46,704.60	55,879.02	223,516.08	(20.90%)		
Recreation Programming:						
Employee Related Expenses - Recreation Pr	0.00	15,149.97	60,599.88	0.00%	On Budget	
Operating Expenses - Recreation Programm	11,906.31	15,175.02	60,700.08	19.61%	On Budget	
Revenue - Recreation Programming	-6,858.36	-31,750.02	-127,000.08	5.40%	unfavourable	Cancelled programming
Total Recreation Programming	5,047.95	-1,425.03	-5,700.12	(88.56%)		
Parks:						
Employee Related Expenses - Parks	48,637.66	75,484.53	301,938.12	16.11%	On Budget	
Operating Expenses - Parks	14,825.67	85,016.31	340,065.24	4.36%	On Budget	
Revenue - Parks	-1,460.00	-875.01	-3,500.04	41.71%	unfavourable	Cancelled bookings
Total Parks	62,003.33	159,625.83	638,503.32	9.71%		



Township of Essa
Summary of Budget Variances by Department
For the Period Ending March 31, 2020

	Actuals to Date	Budget to Date	2020 Budget	Variance Actuals to Annual Budget	Forecasted Year end	Comments
<hr/>						
Library						
Employee Related Expenses - Library	133,380.11	155,228.04	620,912.16	21.48%	On Budget	
Operating Expenses - Library	16,913.65	70,572.57	282,290.28	5.99%	On Budget	
Revenue - Library	-11,640.46	-29,266.23	-117,064.92	9.94%	On Budget	
Total Library	138,653.30	196,534.38	786,137.52	17.64%		

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Township of Essa
 Capital Budget Variance by Department
 For the Period Ending March 31, 2020

	<u>Actual To Date</u>	<u>2020 Approved Budget</u>	<u>Variance Actuals to Annual Budget</u>
<u>Treasury Department</u>			
Administration Building Interior Painting	\$0	\$8,450	0.00%
LED Lights Administration Building	\$38,536	\$36,000	107.04%
Retaining Wall	\$0	\$60,000	0.00%
Asset Management Consultant/Software	\$0	\$96,000	0.00%
<u>Council</u>			
Electrical for AV Equipment	\$4,175	\$1,300	321.15%
2 TV's, 3 monitors, casting devices	\$3,220	\$5,750	56.01%
<u>Administration</u>			
IT Strategic Plan	\$0	\$20,000	0.00%

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Township of Essa
 Capital Budget Variance by Department
 For the Period Ending March 31, 2020

	<u>Actual To Date</u>	<u>2020 Approved Budget</u>	<u>Variance Actuals to Annual Budget</u>
<u>Fire Service</u>			
Resurface Station 2	\$0	\$15,000	0.00%
Diesel Exhaust Extraction System	\$0	\$45,000	0.00%
Air Compressor Station 1	\$0	\$100,000	0.00%
Training Props (Fire Marque)	\$0	\$30,000	0.00%
Mobile repeater, pagers, & Mics	\$0	\$25,000	0.00%
PPE – improved hood protection & Boots one add't set	\$0	\$48,800	0.00%
SCBA masks	\$0	\$4,500	0.00%
Hose & Nozzles	\$0	\$16,000	0.00%
Rescue Equipment – Extrication	\$0	\$6,500	0.00%
<u>Planning</u>			
Official Plan Update	\$0	\$75,000	0.00%
Health Community Committee Initiatives	\$0	\$17,000	0.00%
Community Benefit Charges Study	\$0	\$30,000	0.00%

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Township of Essa
Capital Budget Variance by Department
For the Period Ending March 31, 2020

	<u>Actual To Date</u>	<u>2020 Approved Budget</u>	<u>Variance Actuals to Annual Budget</u>
<u>Parks and Recreation</u>			
<u>Parks</u>			
Canoe/Kayak Boat Launch	\$0	\$7,200	0.00%
Trail to Boat Launch	\$0	\$8,362	0.00%
Playground – Bob Geddes	\$0	\$125,000	0.00%
ATV Side by Side	\$0	\$25,000	0.00%
Paving Bob Geddes Parking Lot	\$0	\$49,500	0.00%
Angus Community Park Perimeter Track	\$0	\$12,500	0.00%
Dump Truck with attachments (Plow & Salter)	\$0	\$73,550	0.00%
<u>Thornton Arena</u>			
Olympia	\$0	\$89,000	0.00%
Washroom Renovations Upstairs	\$0	\$28,000	0.00%
Arena Refrigeration Mycom Compressor (2)	\$0	\$12,000	0.00%
<u>Angus Arena</u>			
Gym Dividing Wall	\$0	\$9,000	0.00%
Arena Dehumidifiers	\$0	\$57,470	0.00%

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Township of Essa
 Capital Budget Variance by Department
 For the Period Ending March 31, 2020

<u>Roads/Public Works</u>	<u>Actual To Date</u>	<u>2020 Approved Budget</u>	<u>Variance Actuals to Annual Budget</u>
Margaret Street Urbanization Mill to Elm	\$0	\$1,100,000	0.00%
Road Supervisor Pickup Truck replace 2010	\$49,779	\$50,000	99.56%
Plow Truck	\$0	\$260,000	0.00%
Sidewalk Machine	\$167,041	\$165,000	101.24%
Gradall (rent to own agreement expired)	\$335,436	\$339,000	98.95%
Replace 2005 Hot Box	\$0	\$45,000	0.00%
Slurry Seal 50,000 sq. meters	\$0	\$187,000	0.00%
Surface Treatment 6 th south of County Road 21 to gravel – 1600 meters 8 th Highland to Speers Hill	\$0	\$144,000	
1700 meters 10th SR County Road S6 to gravel 35 meters			0.00%
Pedestrian Crosswalk Robert Street, Thornton at trail	\$2,434	\$115,000	2.12%
5 th Line Bridge, Bridge #9 continue EA	\$0	\$300,000	0.00%
Replace Elizabeth Street Bridge	\$0	\$737,000	
			0.00%
Engineering Design Standards update	\$0	\$50,000	0.00%
Sign Inventory	\$0	\$7,000	0.00%
Road Side Grass Mower replace 2010 mower	\$0	\$21,000	0.00%
Traffic Calming	\$0	\$60,000	0.00%
Re surface Scotch Line 1KM	\$0	\$350,000	0.00%
Re surface 25 th Side road between 9 th and 10 th	\$0	\$450,000	0.00%

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Township of Essa
Capital Budget Variance by Department
For the Period Ending March 31, 2020

	<u>Actual To Date</u>	<u>2020 Approved Budget</u>	<u>Variance Actuals to Annual Budget</u>
<u>Water (High Priority)</u>			
Contingency for unplanned repairs (Essa Water Distribution repairs)	\$0	\$20,000	0.00%
Contingency for unplanned repairs (Drinking Water System)	\$0	\$20,000	0.00%
DWQMS Audit	\$0	\$3,000	0.00%
Diesel generator repairs (Mill St, Brownley, McGeorge, Thornton)	\$0	\$20,000	0.00%
Annual TSSA inspections of diesel fuel tanks and generators (Mill St, Brownley, McGeorge)	\$0	\$6,000	0.00%
Chemical pump rebuild kits (Mill St, Brownley, McGeorge, Baxter, Thornton)	\$0	\$13,000	0.00%
Chlorine analyzer probes and membrane caps (Brownley, McGeorge, Baxter, Thornton)	\$0	\$4,000	0.00%
Diesel generator replacement and 3 rd party repairs (Baxter)	\$0	\$5,000	0.00%
Hydrant painting	\$0	\$5,000	0.00%
Fire hydrant repairs/replacements	\$0	\$35,000	0.00%
Angus Drinking Water license renewal	\$0	\$1,500	0.00%
Building Maintenance (Mill, McGeorge, Brownley, Thornton – heaters, soffits, doors)	\$0	\$10,000	0.00%
Raw and Treated Meter replacement (McGeorge, Thornton)	\$0	\$85,000	0.00%
Swabbing (5-8 km)	\$0	\$25,000	0.00%
Water tank expansion	\$0	\$180,000	0.00%
Water Meter Replacement & Tower Base Reading	\$0	\$600,000	0.00%



Township of Essa
Capital Budget Variance by Department
For the Period Ending March 31, 2020

	<u>Actual To Date</u>	<u>2020 Approved Budget</u>	<u>Variance Actuals to Annual Budget</u>
<u>Sanitary Sewer (High Priority)</u>			
SCADA Upgrade	\$0	\$65,000	0.00%
Disc Filter Installation and Sand Filter Removal	\$0	\$300,000	0.00%
Engineer Inspection of Concrete Tanks	\$0	\$50,000	0.00%
Diesel Generator Repairs, Inspections, Annual Load testing	\$0	\$5,000	0.00%
Vac truck for clarifier cleaning (3-4 times per year)	\$0	\$7,000	0.00%
General building maintenance	\$0	\$10,000	0.00%
General pump and piping replacement	\$0	\$10,000	0.00%
Biological Additive	\$0	\$5,000	0.00%
Contingency for unplanned repairs	\$0	\$30,000	0.00%
Rebuild Sludge Recirculation Pumps (Sludge Storage Tower Pumps)	\$0	\$40,000	0.00%
Blower #6 Replacement	\$0	\$50,000	0.00%
Blower #4 Replacement	\$0	\$50,000	0.00%
New Reject pumps (increase size to 7.5 from 5HP)	\$0	\$25,000	0.00%
Blower rebuilds of motors and compressors	\$0	\$20,000	0.00%
UV Ballasts	\$0	\$5,000	0.00%
Pump Station cleaning & 1 extra cleaning at pump station 1	\$0	\$28,000	0.00%
Vac truck for sewer backups and clogs	\$0	\$6,000	0.00%
Sewer flushing (approx. 5kms/yr)	\$0	\$25,000	0.00%

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Township of Essa
Capital Budget Variance by Department
For the Period Ending March 31, 2020

<u>Library</u>	<u>Actual To Date</u>	<u>2020 Approved Budget</u>	<u>Variance Actuals to Annual Budget</u>
Angus Branch Debt Repayment	\$0	\$28,350	0.00%
Furniture	\$1,253	\$5,500	22.78%
Equipment	\$0	\$2,000	0.00%
Computer Equipment	\$0	\$8,200	0.00%
Books Collection Materials	\$29,411	\$97,500	30.17%

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TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: C015-20
DATE: April 15, 2020
TO: Committee of the Whole
FROM: Lisa Lehr, Clerk
SUBJECT: Draft Park Use By-law

RECOMMENDATION

That Staff Report C015-20 be received; and

That Council approve the attached Draft Parks Use By-law, to regulate the use and operation of municipally owned Parks, Fishing Parks and Trails in the Township of Essa; and

That the Draft By-law as attached be presented to Council for its consideration at their meeting of May 6, 2020.

BACKGROUND

At its meeting of March 4, 2020, a public meeting was held in respect of amending the Zoning By-law to, among other things, prohibit the launching of boats in the Fishing Parks in the Township of Essa (specifically, Don Ross Fishing Park, Nottawasaga Fishing Park, Centennial Fishing Park, and Angus Community Park). The direction of Council from this meeting was that the Clerk's Department provide Council with a comprehensive By-law specific to regulating the use of municipal parks, fishing parks and trails by members of the public.

In respect of authority granted to municipalities, the *Municipal Act*, 2001, as amended, permits lower tier municipalities to pass By-laws in respect of the following matters:

- The health, safety and well-being of persons [ss.11(2)]; and
- Culture, parks, recreation and heritage [ss. 11(3)]

Additionally, Part XIV of the Act (s.429) grants municipalities the authority to establish a system of fines for offences under a By-law of which the municipality can pass under the Municipal Act once approved by the Attorney General.

COMMENTS AND CONSIDERATIONS

A By-law has been drafted and circulated for comments from the Chief Administrative Officer and the Manager of Parks and Recreation, of which comments have been incorporated as such in the Draft By-law. The intent of the By-law is to provide the public with a "one-stop-shop" By-law outlining regulations and prohibitions in regards to usage of these municipal properties.

The Draft Parks Use By-law (Attachment No. 1) addresses the following issues, to name a few:

- Hours open to the public

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- Barbecuing
- Open air fires
- Camping
- Use of tents
- Alcohol
- Motorized vehicles, including cars, trucks ATVs, snowmobiles
- Noise
- Boat Launching
- Smoking
- Disposal of garbage/waste in parks and water

As these properties are for the enjoyment of all users, it is believed that the attached Draft By-law clearly addresses matters in a clear, concise manner, whereby the municipality has historically received inquiries/concerns/complaints in relation to use of these properties.

FINANCIAL IMPACT

No financial impact would be realized by the passage of the Draft By-law.

Should Council proceed in implementing Set Fines in the Draft By-law, revenue would be generated as a result of fines being issued.

SUMMARY/OPTIONS



Council may:

1. Take no further action.
2. **Approve the Draft By-law as presented, and present the attached By-law to Council for passage at its meeting of May 6, 2020.**
3. Amend the Draft By-law as Council deems appropriate, and present an amended By-law to Council for passage at its meeting of May 6, 2020.

CONCLUSION

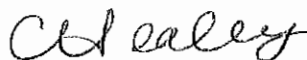
Staff recommends that Council approve Option No. 2.

Respectfully submitted:

Reviewed by:



Lisa Lehr
Clerk



Colleen Healey-Dowdall
Chief Administrative Officer

Attachments:

1 – DRAFT By-law to regulate the use and operation of municipally owned Parks, Fishing Parks and Trails in the Township of Essa.

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW 2020 – xx

A By-Law to regulate the use and operation of municipally owned Parks and Trails in the Township of Essa.

WHEREAS subsection 5(3) of the *Municipal Act 2001*, S.O. 2001, c.25, provides that municipal power shall be exercised by By-law; and

WHEREAS subsection 8(1) of said Act provides that the powers of a municipality shall be interpreted broadly to enable the municipality to govern its affairs as it deems appropriate and to enhance the municipality’s ability to respond to municipal issues; and

WHEREAS Section 9 of said Act provides municipalities with the capacity, rights, powers and privileges of a natural person for the purpose of exercising authority under this or any other Act; and

WHEREAS subsection 11(1) of said Act authorizes a municipality to provide for any service or thing that the municipality considers necessary or desirable; and

WHEREAS subsection 11(2) of the Act permits a municipality to enact By-laws relating to health, safety and well-being of persons; and

WHEREAS subsection 11(3) of the Act authorizes a municipality to pass By-laws respecting culture, parks, recreation and heritage; and

WHEREAS Section 128 of said Act provides that a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances; and

WHEREAS Council of the Corporation of the Township of Essa deems it appropriate to protect, maintain and enhance its parks, open spaces, trails and other publicly owned lands for the safety and shared enjoyment by members of the public, and to protect and enhance the natural environment of such lands; and

WHEREAS Council of the Corporation of the Township of Essa is the owner of public parks and open spaces in the Township of Essa, and deems it necessary to enact a By-law for the health, safety and well-being of the public, to regulate the use and operation of municipally owned parks and trails;

NOW THEREFORE Council of the Corporation of the Township of Essa hereby enacts as follows:

1. SHORT TITLE

This By-law shall be known as the “Parks Use By-law”.

2. DEFINITIONS

2.1 “Camping” – means the erection of a structure including, but not limited to, a hut, tent, pop-up trailer, trailer or RV, for the purpose of providing overnight shelter.

2.2 “Council” – means the elected Council of the Township of Essa.

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- 2.3 "Designated Area" – means an area defined or constructed for a specific use, which may include posted conditions.
- 2.4 "Designated Boat Launch" – means the ramp and wharf area designed for the launch, retrieval and moorage of a boat or watercraft.
- 2.5 "Emergency Vehicle" – means a police, fire, search and rescue, or ambulance vehicle.
- 2.6 "Fishing" – means fishing for, catching, or attempting to catch fish by any method.
- 2.7 "Fishing Parks" – means properties set out in Schedule "A", of which are established, dedicated and set aside or made available to the public for the purposes of fishing, and shall include any such trail adjacent to the waterway and parking lot provided in conjunction with the Fishing Park.
- 2.8 "Hiking Trail" – means any area that has been marked or posted for the purpose of hiking, snow shoeing, cross country skiing, cycling, walking or running, but is not pavement or concrete.
- 2.9 "Leash-Free Zone" – means a designated area where a person owning, or in the care and control of, a dog is permitted to allow such dog to remain unleashed.
- 2.10 "Litter" – includes, but is not limited to, garbage, domestic waste (including items such as, but not limited to, furniture, carpets, appliances, household garbage), ashes, rubbish, builder's and building contractors refuse, other industrial waste, inoperable vehicles and motor vehicle parts and accessories.
- 2.11 "Municipal Employee" – means any person employed by the Corporation of the Township of Essa.
- 2.12 "Municipal Park" or "Park" – means properties set out in Schedule "A" and any lands that is, or are hereafter established, dedicated, set apart or made available for the purposes of recreational use, including but not limited to sports fields, pavilions, picnic areas, playgrounds, open spaces, and other such recreational uses as may be established from time to time, and shall include parking lots provided in conjunction with public parks and trails.
- 2.13 "Motorized Vehicle" – means an automobile, motorcycle, power assisted bicycle, snowmobile, or any other vehicle propelled or driven otherwise than by muscular power as defined by the Ministry of Transportation.
- 2.14 "Nuisance" – means that which causes offence, annoyance, trouble or injury.
- 2.15 "Officer" – means a Municipal Law Enforcement Officer as appointed by Council of the Corporation of the Township of Essa, the Manager of Parks and Recreation, or an OPP Officer, or a Provincial Offences Officer or other duly appointed individual.
- 2.16 "Parking Area" – means an area that is physically laid out and/or improved for the purpose of parking vehicles or that is designated by an official sign for such purpose in, on, or by Municipal parkland or property owned by the Municipality.
- 2.17 "Permission" or "Permit" – means the express prior written consent of the

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Township of Essa, and in accordance with the rules and conditions set out in a permit issued by the municipality.

- 2.18 "Service Animal" – means any animal used by a person with a disability for reasons related to the disability and the owner has a valid identification card signed by the Attorney General of Canada or a certificate of training from a recognized service animal training school.
- 2.19 "Snowmobile" – means a motorized, self-propelled vehicle designed to be driven primarily on snow.
- 2.20 "Township" – means the Corporation of the Township of Essa, or the geographic Township of Essa, as the case may be.
- 2.21 "Trail" – means properties set out in "Schedule A" being a marked, established or designated path or route through wilderness.
- 2.22 "Watercraft" – means any device for the conveyance in or on water and includes, but is not limited to, boats, row boats, paddleboards, canoes, kayaks, or dinghies.

3. HOURS OF OPERATION

- 3.1 All Municipal Parks shall be deemed to be closed at 11:00 p.m. and shall remain closed until 8:00 a.m. seven days a week, or as defined in a Township issued Special Occasion Permit, or as set forth in a Parks Use Agreement.
- 3.2 All Fishing Parks shall be deemed to be closed at 11:00 p.m. and shall remain closed until 6:00 a.m. seven days a week.
- 3.3 All Trails shall be deemed to be closed from dusk until dawn seven days a week.

4. GENERAL PROHIBITIONS

In a Park, Fishing Park or Trail, it is an offence to:

- 4.1 Enter or remain in a park before or after the hours of operation, unless otherwise permitted to do so.
- 4.2 Enter or access a designated trail between dusk and dawn.
- 4.3 Engage in riotous, boisterous, violent, threatening, or illegal activity, or use profane or abusive language.
- 4.4 Engage in any activity that creates a nuisance or that interferes with the use and enjoyment of the Park by other users.
- 4.5 Engage in any activity that may cause injury or damage to any person, animal, tree or property.
- 4.6 Disobey any authorized sign.
- 4.7 Erect, place, install, or cause the erection, placing or installation of any permanent or temporary structure, tent or booth without a Permit.

- 4.8 Camp, erect or place a tent or trailer for shelter or temporary abode of any kind, except screened tents or sun shelters in which visibility of the interior is not obstructed when viewed from the exterior.
- 4.9 Operate any motor vehicle or any other form of motorized conveyances on a trail, or in any municipal park or fishing park, unless permission has been obtained from the municipality, or in a municipal park, fishing park or trail that allows such form of travel through a designation of such use;

Exceptions apply to the following:

- i. Municipal vehicles
 - ii. Special Occasion Events whereby permission has been granted by the municipality
- 4.10 Cut or remove, damage, destroy, injure, deface, tear up, burn, dig or mark any portion of municipal parks or any properties or structures erected, installed or contained on parklands.
- 4.11 Dump, deposit or leave any refuse, garbage, waste, paper, soil, sod, plants or any other type of domestic or industrial waste on or in municipal parks or trails, or properties contained therein except in receptacles that may be provided for such purpose.
- 4.12 Pollute or contribute to the pollution of water in any rivers, lakes, streams, water courses, reservoirs, storm water management ponds (SWMP), splash pads, or other receptacles for water by allowing pets to enter, or by throwing or depositing any solid or liquid matter into said waters.
- 4.13 Enter into an area that is designated by appropriate signage "No Admittance" or "No Trespassing".
- 4.14 Use any part of Township Parks, Fishing Parks, or Trails, for the purpose of washing, cleaning, polishing, servicing, maintaining or repairing any motorized vehicle.
- 4.15 Conduct or participate in organized sports or activities in areas other than those designated as a "posted area" or physically laid out and/or improved for such use.
- 4.16 Breach, while on or in Township Parks, Fishing Parks and Trails, any existing Municipal By-law(s) or Federal or Provincial Statutes.
- 4.17 Use barbecues, camp stoves, cookers, and smokers in Municipal Parks, Fishing Parks and Trails, with the exception of areas designated for that purpose, or where permission or a Special Occasion Permit has been obtained.
- 4.18 Tamper with any lighting control boxes for facilities, including but not limited to outdoor pads.
- 4.19 Distribute circulars, or to post, place or erect circulars, notices, advertising devices or any matter of any kind on properties of Municipal Parks, Fishing Parks and Trails.
- 4.20 Operate, maintain, carry on, conduct, or solicit for any trade, occupation, business,

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profession and/or services within a Park, Fishing Park and/or Trail.

- 4.21 Build or use a camp fire unless permitted by the Township of Essa.
- 4.22 Camp or lodge in any such Park, Fishing Park or Trail.
- 4.23 Carry or discharge any: firearms, firecrackers, rockets, arrows, airguns, catapults or fireworks.
- 4.24 Drive or operate any motorized vehicle in Township Parks, Fishing Parks and Trails, including cars, trucks, ATVs, 4-wheelers, side-by-sides, snowmobiles, or any other motorized vehicle with the exception of areas that are posted and designated for such purposes.
- 4.25 Possess, consume or sell liquor as defined in the Liquor License Act, unless a permit has been issued.
- 4.26 Operate or use any apparatus, mechanism or device for the amplification of human voice, music or sound within a Park, Fishing Park or Trail, unless authorized to do so by the municipality.
- 4.27 Fail to comply with an Order given by an Officer.
- 4.28 Smoke in any municipal Park, Fishing Park or Trail, or in the designated parking lots of such, in accordance with the Township of Essa's Smoking By-law 2011-62.
- 4.29 Smoke cannabis in any Park, Fishing Park or Trail, or the designated parking lots of such, in accordance with the Township of Essa's Cannabis By-law 2018-93.
- 4.30 Bury, scatter, or otherwise dispose of any cremated remains in a park.

5. DAMAGE TO PROPERTY

- 5.1 While in a Park, Fishing Park or Trail, no person shall:
 - (a) Plant, prune, remove or damage any plant, shrub, flower, flowerbed, bush, sod, grass, or any other vegetation unless otherwise authorized to do so by the municipality;
 - (b) Plant, prune, climb, remove, damage or deface any tree, tree roots, or parts of a tree;
 - (c) Climb, remove, damage, or deface any fence, bench, monument, or sign;
 - (d) Climb any building, fence, structure or equipment, unless the structure or equipment is designed for climbing;
 - (e) Damage or deface any building, structure, fence or equipment;
 - (f) Remove any soil, sand, gravel, stone, rocks, wood or any other material located in a Park, Fishing Park or Trail.

6. SPECIFIC PARK USES

- 6.1 Campfire and Barbecue

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- (a) While in a Park, Fishing Park or Trail, it is an offence to:
 - i. Light, build or stoke a fire, campfire or bonfire; or
 - ii. Use a solid fuelled portable barbecue.

6.2 Boat Launching

- (a) While in a Fishing Park, it is an offence to:
 - i. Launch a boat, canoe, kayak, or watercraft of any kind off of the shoreline, except in an area that has been designated as a boat launch area as listed in Schedule "B".
 - ii. Moor or dock a boat, canoe, kayak or watercraft of any sort anywhere in a Fishing Park except in an area designated for such use as listed in Schedule "B"

6.3 Fishing

- (a) It is an offence for any person between the ages of 18 to 65 years to engage in fishing activities in the Township of Essa without first obtaining:
 - i. A Township of Essa Fishing Access Pass, in accordance with the Township's Fishing Access Pass By-law No. 2007-48 as amended; and
 - ii. A government issued Fishing License as issued by the Ministry of Natural Resources, unless otherwise specified by the Provincial or Federal Government.

6.4 Dogs

- (a) No person shall:
 - i. Allow a dog to run at large (off leash) in any Park, Fishing Park or Trail at any time, other than in a designated Off Leash Dog Park.
 - ii. Allow a dog to be off leash in a leash-free zone at a time other than the permitted hours;
 - iii. Allow a dog to be in a leash-free zone without the owner's supervision;
 - iv. Service dogs and Police dogs are exempt from restrictions provided in i, ii, and iii above.
 - v. Allow a dog under his/her control to defecate in a Park, Fishing Park or Trail without removing and disposing of any such excrement in a designated waste receptacle; and
 - vi. Violate any provisions contained in the Township of Essa's Canine Control By-law 2006-18.

7. ADMINISTRATION

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7.1 As part of his/her responsibility to administer this By-law, the Manager of Parks and Recreation may:

- (a) Designate areas within a Park, Fishing Park or Trail from which the public is excluded;
- (b) Impose conditions upon which a designated area shall be used;
- (c) Impose conditions for the orderly use of a Park, Fishing Park and Trail;
- (d) Issue permits for specific uses of a Park, or parts of a Park;
- (e) Impose conditions as a requirement of obtaining, continuing to hold, or renewing a permit, in addition to the requirements under this By-law, and such conditions may vary depending on the type of permit; and
- (f) Revoke a permit as a result of a breach of a condition of the permit or a provision of this By-law.

8. EXEMPTIONS

8.1 This By-law shall not apply to:

- (a) Employees or agents of ambulance and police services acting in the scope of their duties to provide emergency services or enforcement activities within a Park, Fishing Park or Trail;
- (b) The vehicle and other properties of ambulance and police services used for the purpose of providing emergency services or engaging in enforcement activities within a Park, Fishing Park or Trail; and
- (c) The Township of Essa, its vehicles, and its employees or agents acting within the scope of their duties as employees or agents of the Township.

8.2 The Manager of Parks and Recreation may exempt persons from all or part of the requirements and prohibitions of this By-law from time to time if such exemption is required for the beneficial administration of a Park, Fishing Park or Trail.

9. ENFORCEMENT AND PENALTIES

9.1 This By-law shall be enforced by a Municipal Law Enforcement Officer as duly appointed by the Township of Essa, the Manager of Parks and Recreation or his/her delegate and Police Officers.

9.2 An Officer may order any person believed to be contravening or have contravened any provision of this By-law:

- (a) to immediately desist from the activity constituting or contributing to such contravention; or
- (b) to immediately remove from the property any animal or thing owned by or in the control of such person which is involved in such contravention; or
- (c) to leave the property immediately.

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- 9.3 An Officer or Parks Staff may order any person engaging in an activity that requires a permit under this By-law to provide the original copy of the permit for inspection.
- 9.4 No person shall fail to comply with an order given by an Officer in Section 9.2.
- 9.5 No person shall willfully obstruct, hinder or otherwise interfere with a Municipal Law Enforcement Officer or the Manager of Parks and Recreation or his/her delegate in the performance of their duties or the exercise of their rights, functions, powers or authority under this By-law.
- 9.6 Every person who contravenes any provision of this By-law is guilty of an offence and is liable to a fine and such other penalties as provided for in the Provincial Offences Act.

10. LIABILITY

- 10.1 Provisions contained in this By-law shall not be construed as relieving or limiting the responsibility of any person using the municipality's Parks, Fishing Parks or Trails for personal injury or property damage resulting from negligence or willful acts of such person.
- 10.2 Provisions of this Section shall not be construed as imposing on the Corporation of the Township of Essa, its officers, employees, servants, agents and contractors any responsibility or liability for the enforcement of the provisions of this By-law.

11. SEVERABILITY

In the event that any provision, or part thereof, of this By-law is found by a court of competent jurisdiction to be ultra vires, such provision, or part thereof, shall be deemed to be severed, and the remaining portion of such provision and all other provisions of this By-law shall remain in full force and effect.

12. Effective Date

This By-law shall come into force and take effect upon passing.

- 13. Schedules A and B are attached to and form part of this By-law

READ A FIRST, AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY
PASSED on this the xx day of xxxxx, 2020.

Sandie Macdonald, Mayor

Lisa Lehr, Clerk

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BY-LAW 2020-XX

SCHEDULE A

Park Name and Location

PARKS
Angus Community Park – 6 Huron St, Angus
Baxter Ball Park – 119 Murphy Rd, Baxter
Brownley Meadows Park – 60 Mike Hart Dr, Angus
Bob Geddes Park – 147 Centre St, Angus
Earl Cunningham Park – 3 Henry St, Thornton
Cunningham Park – 35 Kevin Cres, Thornton
Dellbrook Park – Access and Park at 240 Margaret St and Walkway into 26 Nottawasaga Dr, Angus
Egbert Park – 5200 10 th Sideroad, Egbert
Elmgrove Ball Park – 6580 5 th Sideroad, Elmgrove
Glen Eton/Wildflower Park – 42 McCarthy Cres, Angus
Ivy Ball Park – 5079 20 th Sideroad, Thornton
LeClair Soccer Park – 54 Roth St, Angus
Lion's Ball Park – 4 Park Rd, Angus
Maple Lane Park – 8 Michael St, Angus
Marshall Park – 6 Marshall Cres, Baxter
McGeorge Park – 107 Graham St, Angus
Peacekeepers Park – 12 Commerce Dr, Angus
Robson Park – 23 Berwick Crescent and Walkway east from Sandsprings Cres and Walkway east from Ashburton Cres, Angus
Stonemount Park – 152 Greenwood Dr, Angus
Thornton Arena Ball Park – 246 Barrie St, Thornton
Thornton Creek Park – 93 Davis Trail, Thornton
Thornton Hills Soccer Park – 4256 7 th Line off of Simcoe County Rd 27 (Boulevard and Walkway to Brykman Rd), Thornton
Utopia Soccer Park – 8378 6 th Line, Utopia

OFF LEASH DOG PARK
Glen Eton/Wildflower Park – 42 McCarthy Cres, Angus

TRAILS
Pine River Trail – Entrances at 54 Roth St and 380 Mill St, Angus
Rippon Trail – Entrances at 330 Mill St and 380 Mill St, Angus
Trans Canada Trail – Entrances at Corner of Robert St and William St, Thornton

FISHING PARKS
Angus Community Park – 6 Huron St, Angus
Centennial Park – 5892 20 th Sideroad, Utopia
Don Ross Fishing Park – 8888 Don Ross Dr, Angus
Nottawasaga Fishing Park – 378 Mill St, Angus

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**BY-LAW 2020-XX
SCHEDULE B**

DESIGNATED BOAT LAUNCHES

There are currently no designated Boat Launch Areas at this time.

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**Township of Essa By-law 2020-xx
Parks Use By-law
Part I Provincial Offences Act
Set Fine Schedule**

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating Offence	COLUMN 3 Set Fine
1.	Enter or remain in a park before or after the hours of operation, unless otherwise permitted to do so.	Section 4.1	\$150.00
2.	Indulge in riotous, violent, threatening, indecent acts or use profane (abusive) language	Section 4.3	\$150.00
3.	Create a nuisance by loitering or spy, accost frighten, annoy or harass other persons	Section 4.4	\$150.00
4.	Engage in any activity that may cause injury or damage to any person, animal. Tree or property.	Section 4.5	\$150.00
5.	Disobey any authorized sign.	Section 4.6	\$150.00
6.	Erect any tent, shelter or structure of any kind in park or recreation area without written authorization	Section 4.7	\$150.00
7.	Use a Park or Recreation Area for camping, overnight sleeping or accommodations with the exemption of section 14 (e)	Section 4.8	\$150.00
8.	Drive, ride or operate any Motor Vehicle in any park, trail, fishing park or recreation area	Section 4.9	\$150.00
9.	Damage, destroy, injure, deface, tear up, burn, dig or mark any building, structure, equipment or plant	Section 4.10	\$150.00
10.	Dump, deposit or leave any refuse, garbage, litter, tree trimmings, or any other type of waste	Section 4.11	\$150.00
11.	Pollute or contribute to the pollution of water or soil	Section 4.12	\$150.00
12.	Use roadway or parking area in park or recreation area to wash, clean, maintain or repair any vehicle	Section 4.14	\$150.00
13.	Participate or organize any sport or activity in areas other than those designated	Section 4.15	\$150.00
14.	Distribute circulars, or to post, place or erect circulars, notices, advertising devices in recreation areas	Section 4.19	\$150.00

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15.	Ignite, build or use a camp fire, barbecue, camp stove, cooker, smoker or fireworks in any recreation area	Section 4.21	\$150.00
16.	Use a Park or Recreation Area for camping, overnight sleeping or accommodations	Section 4.22	\$150.00
17.	Drive, ride or operate any Motor Vehicle in any park or recreation area other than upon a roadway	Section 4.23	\$150.00
18.	Create a nuisance with unpermitted use of amplifiers and loud speakers	Section 4.26	\$150.00
19.	Smoke, or Vape tobacco or Cannabis in recreation areas or on Municipally owned or operated property	Section 4.28 and 4.29	\$150.00
20.	Launch a boat, canoe or any other watercraft outside of designated area	Section 6.2	\$150.00

The penalty provision for the offences indicated above is Section 9 of By-law 2020-xx, a certified copy of which has been filed and Section 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33.



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: C016-20

DATE: April 15, 2020

TO: Committee of the Whole

FROM: Matt Cotter, Municipal Law Enforcement Officer
Lisa Lehr, Clerk

SUBJECT: Enforcement of Emergency Provincial Orders – COVID-19

RECOMMENDATION

That Staff Report C016-20 be received; and
That the Draft By-law as attached be brought forward for passage by Council in its Regular Meeting of this date.

BACKGROUND

The Province of Ontario declared an Emergency on March 17, 2020 under section 7.0.1 of the *Emergency Management and Civil Protection Act (EMCPA)*, as a response to the COVID-19 Pandemic. In an effort to protect Ontarians, the Province has released various Orders to prevent, reduce or mitigate serious harm to persons in relation to the COVID-19 Emergency. A few of the orders are as follows:

- Social (Physical) Distancing – 2 metre distance
- Closure of all Recreational Amenities, Parks, Green Spaces, Equipment, Sporting Fields, Off-leash Dog Parks, etc.
- Closure of Non-Essential Businesses

The County of Simcoe declared an Emergency under section 4 of EMCPA on March 18, 2020.

The Township of Essa declared an Emergency on March 30, 2020 under section 4 of EMCPA.

COMMENTS AND CONSIDERATIONS

In response to the overwhelming strain on the OPP and the Simcoe-Muskoka District Health Unit (SMDHU) in respect of enforcing the various Provincial Orders, the Solicitor General and Ministry of Municipal Affairs and Housing (MMAH) signed a Ministerial Designation on March 27, 2020 under the *Provincial Offences Act* authorizing the following personnel to enforce the EMCPA Orders and issue subsequent fines to those not complying with the Provincial Orders:

- All municipal law enforcement officers referred to in subsection 101(4) of the *Municipal Act, 2001*
- All By-law Enforcement Officers of any municipality; and
- All Officers, employees or agents of any municipality or of any local board of any municipality whose responsibilities include the enforcement of a By-law, an Act, or a Regulation under an Act.

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As such, the following municipal positions are authorized to enforce the Orders of the Province during the COVID-19 Emergency:

- Municipal Law Enforcement Officers
- Chief Building Official
- Deputy Chief Building Official
- Fire Chief
- Deputy Fire Chief
- Zoning Administrators

(The signing of this Ministerial Designation provides for a coordinated approach by each municipality, Health Unit and OPP in respect of enforcement of the Provincial Orders.)

To Note: Through the Ministerial Designation under the *Provincial Offences Act*, staff are authorized by the Province to ticket members of the public that are not complying with the Provincial Orders until such time as the State of Emergency has been terminated.

The author of this Report has prepared a By-law for Council's consideration (Attachment No. 1) (although a By-law is not necessary for enforcement purposes of Provincial Emergency Orders) in an effort to provide the public with one document outlining unacceptable behaviours during the COVID-19 Pandemic specific to Provincial Orders issued (ie: fine for non-compliance of social distancing; fine for using a closed municipal park, etc.). This By-law will also provide staff with a reference point for ease in administering/enforcing the numerous Provincial Emergency Orders issued by the Province.

The Chief Justice of the Ontario Court of Justice has ordered fines for individuals who commit offences under EMCPA. [Officers have the ability to fine under the *Provincial Offences Act* and issue Part I or Part III Offences in respect of the COVID-19 Provincial Orders]. The fines are as follows:

1. Fail to comply with an Order made during a declared emergency (including to correctly identify oneself) – Part I Fine: \$ 750.00
2. Obstruct any person exercising a power in accordance with an Order made during a declared emergency – Part I Fine: \$1,000.00
3. Obstruct any person performing a duty in accordance with an Order made during a declared emergency – Part I Fine \$1,000.00
4. Failure to comply with an emergency Order carries a fine of up to \$100,000.00 for individuals, \$500,000.00 for the director of a Corporation, and \$10,000,000.00 for Corporations.

FINANCIAL IMPACT

None at this time.



SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. **Receive the Report and the Draft By-law as attached be brought forward for passage by Council in its Regular Meeting of this date.**
3. Direct Staff as Council deems appropriate.

CONCLUSION

Staff recommends that Council receive the Staff Report for information.

Respectfully submitted by:

Reviewed by:



Lisa Lehr
Clerk



Colleen Healey-Dowdall
Chief Administrative Officer

Attachments:

1 – Draft By-law to Provide for Emergency Measures in respect of Physical Distancing at Municipal Parks and Other Public Places during the COVID-19 Pandemic in the Township of Essa.

2 – CONFIDENTIAL ATTACHMENT-COVID-19 Protocols for Enforcement of Provincial Orders Under EMCPA

9b

Attachment No. 1

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2020 - xx

A By-law to provide for Emergency Measures in respect of physical distancing at Municipal Parks and Other Public places during the COVID-19 Pandemic in the Township of Essa.

WHEREAS the World Health Organization has declared a worldwide pandemic regarding the Novel Coronavirus 19 ("COVID-19 pandemic"); and

WHEREAS on March 17, 2020 a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the *Emergency Management and Civil Protection Act*, R. S.O. 1990, c. E.9 (the *Emergency Management Act*) related to COVID19; and

WHEREAS on March 30, 2020 The Corporation of the Township of Essa declared an emergency pursuant to section 4 of the *Emergency Management Act*; and

WHEREAS on March 27, 2020 the Province of Ontario granted power to municipal law enforcement officers to enforce Orders issued by the Province under the *Emergency Management Act*; and

WHEREAS section 4 of the *Emergency Management Act* provides that the head of council of a municipality may declare that an emergency exists in the municipality or in any part thereof and may take such action and make such orders as he or she considers necessary and are not contrary to law to implement the emergency plan of the municipality and to protect property and the health, safety and welfare of the inhabitants of the emergency area; and

WHEREAS The Corporation of the Township of Essa considers it desirable to enact regulation to support the intent and purpose of the Provincial Orders made under the *Emergency Management Act* in order to protect the health and safety of the citizens of the Township of Essa, by prohibiting certain activities and regulating physical distancing during the COVID-19 Emergency; and

WHEREAS section 4 (1) of the *Emergency Management Act* provides that 4 (1) provides that the head of council of a municipality may declare that an emergency exists in the municipality or in any part thereof and may take such action and make such orders as he or she considers necessary and are not contrary to law to implement the emergency plan of the municipality and to protect property and the health, safety and welfare of the inhabitants of the emergency area; and

WHEREAS without limiting sections 9 and 10 of the *Municipal Act*, 2001, a local municipality may prohibit and regulate matters such as dangerous places, public nuisances and business hours and closures, as well as regulate and govern real and personal property used for by a business and the person carrying it on or engaged in it; and

WHEREAS section 425 of the *Municipal Act*, 2001 provides that any person who contravenes any by-law of the municipality is guilty of an offence; and

WHEREAS section 444 of the *Municipal Act, 2001* provides that a municipality may make an order requiring a person who contravened a by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity;

NOW THEREFORE BE IT RESOLVED THAT Council of the Corporation of the Township of Essa hereby orders as follows:

PART 1 – TITLE, INTERPRETATION AND SEVERABILITY

- 1. That this by-law may be referred to as the "*Essa Township COVID-19 Emergency Measures Bylaw*".

PART 2 – DEFINITIONS

- 2. For the purpose of this by-law:

"*COVID-19 Emergency*" means the period of time commencing upon the date of passing of this By-law until the declaration of emergency made by the Head of Council and Province under sections 4 and 7.0.1 of the *Emergency Management Act* in relation to the COVID-19 pandemic has been terminated.

"*Emergency Management Act*" means the *Emergency Management and Civil Protection Act, R.S.O. 1990, c. E. 9*

"*Head of Council*" means the Mayor of the Township;

"*Municipal Act, 2001*" means the *Municipal Act, 2001, S.O. 2001, c. 25*

"*Officer*" means a Municipal Law Enforcement Officer or Fire Prevention Officer, Zoning Administration Officer, Chief Building Official, Deputy Building Official, Ontario Provincial Police Officer or Public Health Inspectors;

"*Person*" or any expression referring to a person, means an individual of any age;

"*Provincial Offences Act*" means the *Provincial Offences Act, R.S.O. 1990, c.P. 33*

"*Public Property*" means any land, premises or buildings owned, managed, or maintained by the Township and, for greater certainty, shall include highways, sidewalks, streets, any portion of a road allowance, parking lots, fishing areas, recreation centers, parks and playgrounds.;

"*Township*" means the Corporation of the Township of Essa.

PART 3 – REGULATIONS

- 3. To support the regulations and prohibitions imposed by the Government of Canada, the Province of Ontario, in response to the COVID-19 pandemic, the following regulations are hereby established in accordance with powers granted to the Head of Council under the *Emergency Management Act* and in accordance with the powers granted to municipalities under the *Municipal Act, 2001*:

- a) Every Person shall maintain at least a 2.0 metre distance from every other Person when on Public Property, except Persons who reside together in the same premises.
 - b) No Person shall permit a child under the age of 16 to be less than a 2.0 metre distance from another Person when on Public Property, except Persons who reside together in the same premises.
 - c) No business operating during the COVID-19 Emergency shall permit any Person to be seated or to be standing inside or outside the business at a distance of less than 2.0 metres from every other Person, except Persons who reside together in the same premises.
4. No person shall enter or use a municipal park, greenspace, fishing park or trail, or an outdoor recreational amenity described below except for a maintenance, safety, law enforcement or other similar purpose:
- a) Baseball diamonds;
 - b) Soccer fields;
 - c) Tennis courts;
 - d) Basketball courts;
 - e) Skateboard parks;
 - f) All off-leash dog areas;
 - g) All portions of park and recreational areas containing outdoor fitness equipment;
 - h) All outdoor allotment gardens and community gardens; and
 - i) Outdoor picnic sites, benches and shelters in park and recreational areas.
 - j) Outdoor pads

PART 4 - OFFENCES

- 5. Every Person shall comply with the following to this By-law during the COVID-19 Emergency.
- 6. An offence under section 5 of this By-law may constitute a multiple offence as defined in section 429(5) of the *Municipal Act, 2001*.

PART 5 - ENFORCEMENT AND INSPECTION

- 7. The provisions of this By-law may be enforced by an Officer.
- 8. An Officer may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether any provision of this By-law is being complied with.
- 9. For the purposes of conducting an inspection pursuant to this By-law, an Officer may:
 - a) Require the production for inspection of documents or things relevant to the inspection;

- b) Inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - c) Require information from any person concerning a matter related to the inspection; and
 - d) Alone, or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
10. No Person shall prevent, hinder or obstruct, or attempt to hinder or obstruct, an Officer who is exercising a power or performing a duty under this By-law, including refusing to identify themselves when requested to do so by an Officer.

PART 6 - ORDERS

11. An Officer may order to a Person to leave any Public Property or business as a result of a contravention of this By-law.
12. An order under this section may be given verbally or in writing.
13. An order in writing shall identify:
- a) The location where the contravention occurred;
 - b) The reasonable particulars of the contravention;
 - c) The date and time by which there must be compliance with the order; and
 - d) Shall be served personally to the Person to whom it is directed, or served by Registered Mail to the Person which shall be deemed to be delivered on the fifth day after mailing.

PART 7 - PENALTIES

14. Every Person who contravenes any provision of this By-law, including failing to comply with an order made under this By-law, is guilty of an offence and is liable to a fine, and such other penalties, as provided for in the *Provincial Offences Act*, the *Emergency Management and Civil Protection Act*, and the *Municipal Act*, 2001.
15. In addition to subsection 14 above, any Person who is charged with an offence under this By-law by the laying of an information under Part III of the *Provincial Offences Act* and is found guilty of the offence is liable, pursuant to the *Municipal Act*, 2001, to the following fines:
- a) The minimum fine for an offence is \$500 and the maximum fine for an offence is \$100,000;
 - b) In the case of a continuing offence, for each day or part of a day that the offence continues, the minimum fine shall be \$500 and the maximum fine shall be \$10,000 and the total of all daily fines for the offence is not limited to \$100,000; and

- c) In the case of a multiple offence, for each offence included in the multiple offence, the minimum fine shall be \$500 and the maximum fine shall be \$10,000 and the total of all fines for each included offence is not limited to \$100,000.
16. If a Person is convicted of an offence under this By-law, in addition to any other remedy or any penalty imposed, the court in which the conviction has been entered, and any court of competent jurisdiction, may make an order prohibiting the continuation or repetition of the offence by the Person convicted.
17. Where a Person fails to pay any part of a fine for a contravention of this By-law and the fine is due and payable under section 66 of the *Provincial Offences Act*, including any extension of time to pay the fine provided under that section, the Manager of Finance or his/her designate may give the person a written notice specifying the amount of the fine payable and the final date on which it is payable, which date shall not be less than 21 days after the date of the notice.
18. If any part of a fine or a contravention of this By-law remains unpaid after the final date specified in the notice provided under subsection 17, the outstanding fine is deemed to be unpaid taxes pursuant to section 351 of the *Municipal Act, 2001*.

PART 8 - CONFLICT

19. In the event of conflict between this By-law and:
- a) An order made under subsection 7.0.2 (4) or 7.1 (2) of the *Emergency Management Act*; or
 - b) Any statute, regulation, rule, by-law, order or instrument of the Province of Ontario or the Government of Canada;

the specific provisions of this By-law that are in conflict with the above shall be of no force and effect to the extent of the conflict.

This Order shall remain in force until the termination of the COVID-19 Emergency under Section 4(1) and Section 7.0.1 of the Emergency Act.

ORDERED PURSUANT TO SECTION 4 (1) PURSUANT TO THE EMERGENCY MANAGEMENT AND CIVIL PROTECTION ACT, 1990 THIS 15th DAY OF APRIL, 2020.

Sandie Macdonald, Mayor

Lisa Lehr, Clerk



TOWNSHIP OF ESSA STAFF REPORT

STAFF REPORT NO.: C017-20
DATE: April 15, 2020
TO: Committee of the Whole
FROM: Lisa Lehr, Clerk
SUBJECT: Committee of Adjustment – Electronic Meetings

RECOMMENDATION

That Staff Report C017-20 be received; and

That the Township's Procedural By-law be amended to allow for electronic participation in Committee of Adjustment Meetings.

BACKGROUND

As a result of the Provincial Emergency declared on March 17, 2020, Bill 187 was enacted (Municipal Emergency Act, 2020) to make changes to quorum requirements set forth in the Municipal Act in respect of meetings of Council, Committees and Local Boards when an Emergency has been declared by the Province, or in part or the whole of the municipality. The amendment referenced above is discretionary and allows every municipal Council to decide on whether or not to allow for electronic participation to count towards quorum. The quorum provision remains in effect for the duration of a declared emergency, and Council has the discretion as to whether it intends to amend its Procedural By-law and if so, who is permitted to participate electronically (ie: Council only OR Committees and Local Boards, excluding Library Boards).

At its meeting of March 25, 2020, Council passed a By-law to amend its Procedural By-law 2017-77 to allow for electronic participation in Council meetings when an emergency has been declared, and that electronic participation does count towards quorum. At the time that the Procedural By-law was amended to allow for electronic participation to count towards quorum, the provision was written so as to only apply to Council and not any of its Committees or Local Boards.

COMMENTS AND CONSIDERATIONS

Since the meeting of April 1, 2020, a request has been made for the Committee of Adjustment to conduct its meetings electronically, and that the electronic participation count towards quorum.

In an effort to allow the municipality to continue its day-to-day operations and make decisions on planning applications, it is being recommended that the Procedural By-law be amended to allow for electronic participation by the Committee of Adjustment.

A draft By-law to amend the Procedural By-law has been attached, for Council's consideration in their Regular Meeting of his date.

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FINANCIAL IMPACT

None.



SUMMARY/OPTIONS

Council may:

1. Take no further action.
2. **Allow for electronic participation to count towards quorum for Committee of Adjustment meetings.**
3. Further amend the Township's Procedural By-law as Council deems appropriate.

CONCLUSION

Staff recommends that Council approve Option No. 2.

Respectfully submitted:

Reviewed by:



Lisa Lehr
Clerk



Colleen Healey-Dowdall
Chief Administrative Officer

Attachments:

1 – DRAFT By-law to amend the Township's Procedural By-law 2017-77, to allow for electronic participation in Committee of Adjustment meetings.

2 – Bill 187 "Municipal Emergency Act, 2020"

SA

THE CORPORATION OF THE TOWNSHIP OF ESSA

BY-LAW NO. 2020 – xx

A By-law to amend the Township's Procedural By-law 2017-77 to allow for Electronic Participation where a State of Emergency has been declared.

WHEREAS Council of the Township of Essa enacted and passed By-law No. 2017-77, a By-law to govern the proceedings of Council, Standing Committees, and Other Committees and Boards of Council at its meeting of December 20, 2017; and

WHEREAS section 2.8 of By-law 2017-77 contains provisions which do not allow for electronic participation by members of Council, Standing Committees, and other Committees and Board of Council in meetings; and

WHEREAS Bill 187, the *Municipal Emergency Act, 2020*, was passed by the Provincial Legislature on March 19, 2020, to allow for electronic participation to count towards quorum in meetings held by municipal Councils, Committees and Local Boards, where a State of Emergency has been declared under Sections 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*; and

WHEREAS Council of the Township of Essa deems it desirable to include such provisions to permit electronic participation to count towards quorum in Committee of Adjustment meetings, where a State of Emergency has been declared in accordance with the *Emergency Management and Civil Protection Act*;

NOW THEREFORE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESSA HEREBY ENACTS AS FOLLOWS:

1. That provision 2.8.1 be stricken and replaced with the following:

2.8.1 While every effort shall be made by members of Council and Committees to attend meetings physically in person, in the event that an emergency has been declared to exist in all or part of the Township of Essa, or in accordance with provisions contained in Sections 4 or 7.0.1 of the Emergency Management and Civil Protection Act, a member of Council or a Committee may participate fully in a meeting by electronic means (via teleconference or video conference). This applies to members of Council and Committees, and to their participation in the following types of meetings: Committee of the Whole, Committee of Adjustment, Closed Session, Regular, Special, and Emergency Meetings.

2. This By-law shall come into force and take effect on the final day of passing thereof.

READ A FIRST AND TAKEN AS READ A SECOND AND THIRD TIME AND FINALLY PASSED on this the 15th day of April, 2020.

Sandie Macdonald, Mayor

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Lisa Lehr, Clerk

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Attached 2

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

1ST SESSION, 42ND LEGISLATURE, ONTARIO
69 ELIZABETH II, 2020

Bill 187

(Chapter 4 of the Statutes of Ontario, 2020)

An Act to amend the Municipal Act, 2001 and the City of Toronto Act, 2006

The Hon. S. Clark
Minister of Municipal Affairs and Housing

1st Reading	March 19, 2020
2nd Reading	March 19, 2020
3rd Reading	March 19, 2020
Royal Assent	March 19, 2020



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9c

EXPLANATORY NOTE

This Explanatory Note was written as a reader's aid to Bill 187 and does not form part of the law. Bill 187 has been enacted as Chapter 4 of the Statutes of Ontario, 2020.

The *Municipal Act, 2001* and the *City of Toronto Act, 2006* are amended to provide that, during emergencies, should they choose to, members of councils, local boards and committees who participate electronically in open and closed meetings may be counted for purposes of quorum.

The *Municipal Act, 2001* is also amended to allow the Lieutenant Governor in Council to make regulations imposing limits and conditions on the powers of a municipality under section 129 of the Act.

62

An Act to amend the Municipal Act, 2001 and the City of Toronto Act, 2006

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Municipal Act, 2001

1 Section 238 of the *Municipal Act, 2001* is amended by adding the following subsections:

Electronic participation, emergencies

(3.3) The applicable procedure by-law may provide that, during any period where an emergency has been declared to exist in all or part of the municipality under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*,

- (a) despite subsection (3.1), a member of a council, of a local board or of a committee of either of them 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
- (b) despite subsection (3.2), a member of a council, of a local board or of a committee of either of them can participate electronically in a meeting that is closed to the public.

Same, procedure by-law

(3.4) A municipality or local board may hold a special meeting to amend an applicable procedure by-law for the purposes of subsection (3.3) during any period where an emergency has been declared to exist in all or part of the municipality under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act* and despite subsection (3.1), a member participating electronically in such a special meeting may be counted in determining whether or not a quorum of members is present at any time during the meeting.

2 Subsection 451.1 (1) of the Act is amended by striking out “sections 9, 10 and 11” and substituting “sections 9, 10, 11 and 129”.

City of Toronto Act, 2006

3 Section 189 of the *City of Toronto Act, 2006* is amended by adding the following subsections:

Electronic participation, emergencies

(4.2) The applicable procedure by-law may provide that, during any period 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*,

- (a) despite subsection (4), a member of city council, of a local board of the City or of a committee of either of them 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
- (b) despite subsection (4.1), a member of city council, of a local board of the City or of a committee of either of them can participate electronically in a meeting that is closed to the public.

Same, procedure by-law

(4.3) The city council or a local board of the City may hold a special meeting to amend an applicable procedure by-law for the purposes of subsection (4.2) during any period 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* and despite subsection (4), a member participating electronically in such a special meeting may be counted in determining whether or not a quorum of members is present at any time during the meeting.

Role of head of council

(4.4) Despite anything in this or any other Act, only the head of council may call a special meeting of city council for the purposes of subsection (4.3).

Commencement

4 This Act comes into force on the day it receives Royal Assent.

Short title

5 The short title of this Act is the *Municipal Emergency Act, 2020*.