



Province of Alberta
Order in Council

O.C. 099 /2020

MAR 26 2020

ORDER IN COUNCIL

Approved and ordered:

Lieutenant Governor
or
Administrator

The Lieutenant Governor in Council makes the Meeting Procedures
(COVID-19 Suppression) Regulation set out in the attached Appendix.

CHAIR

FILED UNDER

THE REGULATIONS ACT

as ALBERTA REGULATION 50/2020

ON MARCH 27 2020

REGISTRAR OF REGULATIONS

For Information only

Recommended by: Minister of Municipal Affairs

Authority: Municipal Government Act
(section 603)

APPENDIX
Municipal Government Act
MEETING PROCEDURES
(COVID-19 SUPPRESSION) REGULATION

Table of Contents

- 1 Definitions
- 2 Purpose
- 3 Public meetings may be held electronically
- 4 Information to be made public
- 5 Arbitration hearing
- 6 Reduced quorum

Definitions

1 In this Regulation,

- (a) “arbitrator” means a person who is chosen as an arbitrator under section 708.35 of the Act;
- (b) “board” means an assessment review board, the Municipal Government Board, a subdivision and development appeal board or a growth management board and includes any panel of the board;
- (c) “Chief Medical Officer” means the Chief Medical Officer of Health as may be appointed under the *Public Health Act*;
- (d) “commission” means a regional services commission or a municipal planning commission;
- (e) “council” means a council of a municipal authority or a committee of the council;
- (f) “COVID-19” means COVID-19 as described or determined by the World Health Organization;
- (g) “information” includes a report, financial statement, bylaw, order, decision, record or other document;
- (h) “meeting” includes a hearing;
- (i) “quarantine” includes any self isolation and self quarantine as a result of COVID-19 or recommendations of the Chief Medical Officer or the World Health Organization relating to COVID-19.

Purpose

2 The purpose of this Regulation is to provide for meetings under the Act to be held in a manner that avoids exposing persons to COVID-19.

Public meetings may be held electronically

3(1) Where the Act requires a council, board or commission to hold a meeting in public, that requirement is deemed to have been complied with by holding the meeting by electronic means, including, without limitation, a teleconference or a live, publicly streamed broadcast, if

- (a) members of the public are able to hear the meeting as it occurs,
- (b) any members of the public who would be entitled to make submissions at the meeting if the meeting were being held in person are able, before and during the meeting, to make submissions by email or any other method that the council, board or commission considers appropriate, and
- (c) the following persons attend the meeting by electronic means:
 - (i) in the case of a meeting of a council, the chief administrative officer or a designated officer;
 - (ii) in the case of a meeting of a commission, growth management board or subdivision and development appeal board, the chair or vice-chair;
 - (iii) in the case of a meeting of an assessment review board or the Municipal Government Board, the presiding officer.

(2) Where a meeting is intended to be held by electronic means under this section and the Act requires that notice of the meeting be given to the public, the notice must state the electronic means by which the meeting is to be held and give the information necessary for the public to access the meeting.

(3) Where a meeting of a council is held by electronic means in compliance with subsections (1) and (2),

- (a) electronic access to the meeting may be restricted or suspended in order to close all or part of the meeting to the public under section 197 of the Act, and, for the purposes of section 197(5) of the Act, any members of the public whose access to the meeting is restricted or suspended are considered to be present outside the meeting room during the restriction or suspension,
 - (b) the meeting is deemed to be conducted in public for the purposes of section 198 of the Act,
 - (c) section 199(1)(b) and (c) of the Act do not apply in respect of the meeting,
 - (d) the council is deemed to have met its obligations under section 230(4) of the Act,
 - (e) the reference in section 230(5) of the Act to representations made at the public hearing is to be interpreted as a reference to the submissions received by the council in accordance with subsection (1)(b), and
 - (f) the term “address” in section 606(6)(b) of the Act and the expression “place where it will be held” in section 606(6)(d) of the Act are to be interpreted as meaning a website address, telephone number or other information identifying where the meeting can be accessed electronically.
- (4)** Where a meeting of a regional services commission or a growth management board is held by electronic means in compliance with subsections (1) and (2), electronic access to the meeting may be restricted or suspended in order to close all or part of the meeting to the public
- (a) under section 602.08 of the Act, in the case of a meeting of a regional services commission, or
 - (b) under section 708.041 of the Act, in the case of a meeting of a growth management board.
- (5)** For the purposes of
- (a) section 602.08(5) of the Act, in the case of a meeting of a regional services commission, or

- (b) section 708.041(6) of the Act, in the case of a meeting of a growth management board,

any members of the public whose access to the meeting is restricted or suspended as described in subsection (4)(a) or (b), whichever is applicable, are considered to be present outside the meeting room during the restriction or suspension.

Information to be made public

4 Where a provision of the Act requires a council, board or commission to make information available to the public or for public inspection, the provision is deemed to have been complied with

- (a) by making the information available electronically on the website of the council, board or commission or on any other website where the council, board or commission considers the information is likely to be easily found by the public, or
- (b) if requested to do so by a person, by sending the information to the person by email, mail or facsimile.

Arbitration hearing

5(1) An arbitration hearing under Division 2 of Part 17.2 of the Act may be held by electronic means, including, without limitation, a live, publicly streamed broadcast, if members of the public are able to hear the meeting as it occurs.

(2) An arbitration hearing held in compliance with subsection (1) is deemed to be open to the public for the purposes of section 708.36(5) of the Act.

Reduced quorum

6 Where under the Act a certain number of members of a council, board or commission is required to constitute quorum and the council, board or commission is unable to achieve quorum because one or more of its members are in quarantine, quorum is constituted by the number of members not in quarantine, if that number is 2 or more.