

CORPORATION OF THE TOWN OF PETAWAWA

By-law 1701/24

Being a By-law to Govern the Proceedings of Council Meetings for the Corporation of the Town of Petawawa

Whereas Section 238 of the *Municipal Act, 2001, S.O. 2001, c. 25, as amended*, provides that every municipality shall pass a procedural by-law for governing the calling, place and proceedings of meetings;

And Whereas pursuant to Section 238 of the *Municipal Act, 2001, S.O. 2001, c. 25, as amended*, states that the procedural by-law shall provide for public notice of meetings;

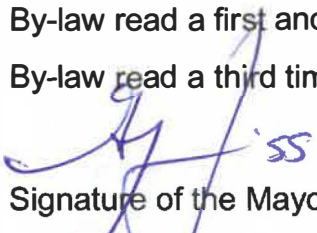
And Whereas at its Council in Committee Meeting held on November 12, 2024, Council considered Staff Report LEG-13-2024 concerning amendments to the existing procedural by-law;

Now Therefore the Council of the Corporation of the Town of Petawawa enacts as follows:

1. This By-law shall be referred to as the "Procedural By-law".
2. That By-law 550/09 is hereby repealed.
3. That By-law 463/07 is hereby repealed.
4. That By-law 667/10 is hereby repealed.
5. That this by-law shall come into force and take effect following third reading.

By-law read a first and second time this 18th day of November 2024.

By-law read a third time and passed this 18th day of November 2024.

55
Signature of the Mayor



Signature of the Clerk

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DEFINITIONS

Accountability is the principle that the municipality will be responsible to its stakeholders for decisions made and policies implemented, as well as its actions or inactions.

By-law means an enactment, in the form approved by Council, passed for the purpose of giving effect to decisions or proceedings of Council.

Chief Administrative Officer (CAO) means an individual appointed by By-law in accordance with the *Municipal Act* for the Town of Petawawa.

Clerk means an individual appointed by By-law in accordance with the *Municipal Act* as the Municipal Clerk or designate for the Town of Petawawa.

Committee means a meeting of Council to oversee the operation of all departments and to make reports and recommendations on matters arising from their department operation or on matters referred by Council.

Confirmation By-law means a by-law passed at the conclusion of Council meetings, confirming the actions of Council taken at that meeting and any previous meetings which did not have a confirmatory by-law, in respect of each resolution and other actions taken, so that every decision of Council at that meeting shall have the same force and effect as if each and every one of them had been the subject-matter of a separately enacted by-law.

Council means the Corporation of the Town of Petawawa’s elected representatives, comprised of the Mayor and Councillors.

Councillor means a Member of Council, other than the Mayor.

Delegate means any person, group of persons, firm or organization, who is neither a Member of Council or an appointed official of the Town who is speaking to Council.

Deputy Mayor means a Member of Council appointed from within to act in the absence of the Mayor in accordance with this by-law.

Emergency means any period of time during which an emergency has been declared to exist in all or part of the municipality by the Head of Council or the Province under Sections 4 or 7.0.1 of the *Emergency Management Act*.

Majority Vote means more than one half of the votes cast by Members present.

Mayor	means the elected or appointed Head of Council.
Meeting	means any regular, special, or other meeting of Council or committee where a quorum of members is present, and members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of Council or Committee accordance with Section 239 of the <i>Municipal Act</i> .
Member	means a Member of Council and includes the Presiding Officer.
Motion to Refer	means to direct a matter under discussion by Council and/or Committee to staff or another committee for further consideration or review.
Motion	means a proposal, moved by one Member and seconded by another Member to adopt, amend, or otherwise deal with a matter before Council or Committee.
Municipal Act	means the <i>Municipal Act, 2001, S.O. 2001, c. 25</i> , as amended from time to time.
Notice of Motion	means a written notice respecting a substantive matter not on the agenda, submitted to the Clerk, for inclusion on the agenda of a future Meeting.
Point of Order	means a question by a Member calling attention to a possible violation of the rules or procedures of this by-law.
Presentation	means information presented to Council or Committee in person by an individual or group on an issue which typically does not require any action to be taken by Council or Committee.
Presiding Officer	means procedure by-law may, with the consent of the Mayor, designate a Member of Council, other than the Mayor, to preside at meetings of Council.
Quorum	means a majority of the Members of Council or Committee (50% +1).
Recorded Vote	means the recording of the names and votes of every Member voting on any matter or question.
Registered Delegate	means an individual who has submitted a request for delegation to the Clerk within the prescribed timelines to address Council or Committee.
Resolution	means a formal determination made by Council on the basis of a Motion, duly placed before a regularly constituted Council or

	Committee meeting for debate and decision, and duly passed.
Significant Weather Event	means an approaching or occurring weather hazard with the potential to pose a significant danger to users of the highways within the municipality, <i>Municipal Act, O.Reg 239/02</i> .
Town	means the Corporation of the Town of Petawawa.
Transparency	is the principle that the municipality actively encourages and fosters stakeholder participation and openness in its decision-making processes. Additionally, transparency means that the municipality's decision-making process is open and clear to the public.
Treasurer	is appointed by the municipality who is responsible for handling all of the financial affairs of the municipality on behalf of and in the manner directed by Council in accordance with the Municipal Act.
Two-thirds Vote	means the affirmative vote of at least two-thirds of the Members present and eligible to vote.

GENERAL PROVISIONS

The rules and regulations contained in this by-law shall be observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business. This by-law shall only be Amended by a two-thirds vote of Members present and voting.

This by-law sets out processes that are open and transparent. All Meetings of Council shall be open subject to the provisions of the *Municipal Act*. Each member has the right to:

- one vote, subject to the declaration of pecuniary interest;
- information to help make decisions, unless otherwise prevented by law;
- an efficient meeting; and
- be treated with respect and courtesy.

In the event of conflict between the provisions of this by-law and the *Municipal Act*, or any other legislation, the provisions of the legislation shall prevail.

Where not provided for in governing legislation and this by-law, the current edition of “Roberts Rules of Order” shall be referred to for parliamentary guidance.

Administrative Authority of the Clerk

The Clerk shall be delegated authority to cause and present directly to Council for passage, an amended Procedure by-law when the Act is amended by the Province of Ontario and requires changes to the rules of procedure that cannot be debated by Council.

The Clerk shall be delegated authority to revise or correct by-laws, minutes and other records or documents relating to Council for technical, typographical or other administrative errors and omissions for the purpose of ensuring an accurate and complete record of proceedings and general housekeeping.

COUNCIL MEETINGS

Meetings of the Council shall be held within the Council Chambers located at the Municipal Office, 1111 Victoria Street, unless with adequate public notice the Council and/or Clerk select an alternate meeting location.

Meetings shall adjourn at 10:30 p.m. unless otherwise decided before that hour by a majority vote of the Members present. If Council is adjourned before the agenda is completed, Council shall establish a time and date for consideration of the balance of the agenda.

No item shall be placed on an agenda with respect to a matter which is not within the jurisdiction of Council. The Mayor in consultation with the Clerk, will determine if a matter is within the jurisdiction of Council.

Any Meeting of the Council may be postponed to a day named in a notice by the Mayor given through the Clerk and/or CAO, two (2) full days in advance or by a Council Resolution passed by the whole number of Members thereof. The postponed meeting shall be held at the same time and place provided for Regular Meetings.

Inaugural

The first Meeting of Council following a regular election shall be held no later than the second Tuesday in December at 6:30 p.m. and in accordance with the *Municipal Act*. The Meeting will be held in the Council Chambers at the Municipal Office or at such alternate location as determined by the Clerk.

At the Inaugural Meeting of Council, each Member present shall make their declaration of office and sign Council Code of Conduct, refer to Schedule "C". The Clerk may provide additional policies or procedures to the Council as appropriate. The Council shall not proceed with any regular business at this meeting.

Order of Business

The Clerk, in consultation with the Mayor and staff, shall have discretion to prepare for the use of Members, an agenda containing the following:

- Call to Order
- Declarations of Office
- Land Acknowledgement
- Moment of Silent Reflection
- Warden's Address
- Mayor's Address
- Striking Committee Appointment
- Striking Committee Report
- Appointment of Signing Officers
- Confirming By-law
- Adjournment

Regular

Regular Meetings of Council shall be held in the Council Chambers at 6:30 p.m. on the first and third Mondays of each month, unless such day falls on a legal public holiday or the day of a federal, provincial or municipal election, in which case Council shall meet at the same hour and location the next day following. During the months of June, July, and August the Council may reduce the meeting schedule to one (1) meeting per month.

Staff reports will be submitted to the CAO and Clerk by 12noon on the Wednesday immediately preceding the Council meeting.

Order of Business

The Clerk, in consultation with the Mayor and staff, shall have discretion to prepare for the use of Members, an agenda containing the following:

- Call to Order
- Land Acknowledgement
- Moment of Silent Reflection
- Approval of Agenda
- Disclosure of Pecuniary Interest
- Approval of Minutes
- Presentations
- By-laws
- Correspondence
- Minutes
- Staff Reports
- Councillor Reports
- Closed Meeting
- Confirming By-law
- Adjournment

Committee

The duty of Council in Committee is to oversee the operation of all departments and to make reports and recommendations on matters arising from their department operation or on matters referred by Council. The Head of Council shall be the Head of Council in Committee.

Department Monthly Reports will be submitted to the Clerk by 12noon on the Wednesday immediately preceding the Council in Committee meeting.

Council in Committee shall be held in the Council Chambers at 6:30 p.m. on the second and fourth Mondays of each month, unless such day falls on a legal public holiday or the day of a federal, provincial or municipal election, in which case Council shall meet at the same hour and location the next day following. During the months of June, July, and August the Council may reduce the meeting schedule to one (1) meeting per month.

Order of Business

The Clerk, in consultation with the Mayor and staff, shall have discretion to prepare for the use of Members, an agenda containing the following:

- Land Acknowledgement
- Disclosure of Pecuniary Interest
- Public Meeting
- Department Monthly Reports
- General Matters

- Closed Meeting
- Adjournment

Special Meetings of Council

Subject to the provisions of the *Municipal Act*, the Mayor may, in consultation with the Clerk and CAO, at any time, summon a Special Meeting on one (1) day written notice, specifying the purpose of such meeting. In case of an emergency, only sufficient time to notify all Members of Council to attend is required, at the place and time signified.

Upon the receipt of a petition of the majority of Council, they may, at any time, summon a Special Meeting on one (1) day written notice, specifying the purpose of such a meeting.

The Order of Business at a Special Meeting of Council is determined by the Mayor in consultation with the Clerk and CAO.

The Order of Business at a Special Meeting of Council that is requested by a majority of Council Members is determined by the Council Members in consultation with the Clerk and CAO.

Special Meetings, unless otherwise directed, shall be held in the Council Chambers.

Notice of Special Meetings shall be posted on the Town's website one (1) day prior to the meeting.

Workshops

The Mayor in consultation with the Clerk and CAO, may convene a Workshop for Members of Council for the purpose of:

- a) educating or training;
- b) for providing the Members with information and/or advice; or
- c) to solicit input from the Members.

Workshops shall start between the hours of 10:00am and 6:30pm. With the exception of procedural matters, no Motions are passed, and no decisions are made at Workshops. Deputations shall not be permitted at Workshops.

Any matters and/or discussions that require decisions will be brought forward to a future Council agenda through a Staff Report for formal decision-making.

Public Notice of Meetings

The Clerk shall give public notice of all scheduled Meetings of Council by inclusion on the Town's website and available from the Clerk's office, subject to provisions of the *Municipal Act*.

The Clerk shall give public notice of Special Council or Council in Committee Meetings by inclusion on the Town's website one (1) day prior to the meeting.

Attendance / Quorum

In the absence of the Mayor, the Deputy Mayor shall take the Chair and call the Members to order. If neither the Mayor nor Deputy Mayor are in attendance, the Clerk shall call the meeting to order and the Council shall appoint one of its members as Chairperson.

A majority of the Members of Council is necessary to form quorum, *Municipal Act (C.25,s.237)*. If quorum is not achieved within thirty (30) minutes after the time appointed for a Meeting, the Clerk will record the names of the Members present and the Meeting is adjourned.

Delegations/Presentations

A request to appear as a Delegation shall be made in writing to the Clerk no later than 12noon on the Wednesday prior to the Council meeting. Requests shall include the specific item/recommendation, the full name of the person and/or group/organization and mailing address, phone number and email address. Discretion is afforded to the Clerk where the person, group or organization and contact information is known.

Delegations not on the Agenda may be heard by leave of Council. Delegations must speak to topics within the jurisdiction of the Council and at any time must not speak longer than fifteen (15) minutes. All Delegations who are speaking to Council shall rise, identify themselves and speak from the speaker's table.

Presentations shall generally occur at Regular Council meetings, however, if more appropriately scheduled on a Council in Committee Agenda, or for Agenda management purposes, the Clerk may schedule presentations on a Council in Committee Agenda.

There shall be a maximum of two (2) presentations scheduled on any Council Agenda.

All materials are subject to review and redaction or refusal by the Clerk for reasons including, but not limited to appropriateness, vulgarity, accuracy, defamation, racism, retaliation, litigious content, etc.

Presentations to promote a business or event, or for the sole purpose of generating publicity shall not be permitted.

Presentations shall not be permitted where an established process is in place to address the purpose of the request (i.e. application or appeal process, etc.).

Open and Closed Meetings

All Meetings of Council shall be open to the public, unless the Meeting or a portion of the Meeting is moved to Closed Session in accordance with the *Municipal Act (C.25,s.239)*.

Prior to holding a Closed Meeting, Council shall pass a resolution stating the fact of the holding of the Closed Meeting and including the general nature of the matter to be considered at the Closed Meeting.

The Mayor shall report at an open Meeting following the Closed Meeting and generally summarize actions taken. Any matters discussed in a Closed Meeting requiring a decision of Council will be brought forward to an open Meeting.

No Member shall disclose or discuss, through any means including written, electronic, or verbal communication to any individual or third party, any information that has been or will be discussed at a Closed Meeting or any records or documents disclosed thereat until Council has agreed to the disclosure of such information, records or documents or if directed to do so by a court.

ROLES AND DUTIES / RULES OF ORDER

Mayor

- 1.0 The Mayor or Presiding Officer shall preserve decorum and decide matters of order, subject to an appeal by Council, *Municipal Act (C.25,s.241(1))*.
- 2.0 The Mayor or Presiding Officer may expel any person for improper conduct at a meeting, *Municipal Act (C.25,s.241(2))*.
- 3.0 When the Mayor or Presiding Officer is called on to decide matters of order or practice, they shall state the role or authority applicable to the case, without argument or comment. There is no appeal.
- 4.0 The Mayor or Presiding Officer, except where disqualified to vote by reason of personal interest or otherwise, may vote with the other Members on all questions.
- 5.0 Any question on which there is an equality of votes shall be deemed to be lost, *Municipal Act (C.25,s.241(5))*.
- 6.0 If the Mayor or Presiding Officer desires to leave the Chair for the purpose of taking part in a debate or otherwise, the Mayor shall call on the Deputy Mayor or another Council Member to Chair the item related to the specific debate or otherwise, after which the Mayor shall resume the Chair.

Members of Council

- 1.0 Council includes the Mayor.
- 2.0 Council shall carry out the role, responsibilities and duties as prescribed in the *Municipal Act (C.25,s.224)*, regulation, By-law, policy or other guiding document or code adopted by the Town.
- 3.0 All questions shall be directed to the Mayor or Presiding Officer.
- 4.0 Any questions on which there is a tie vote shall be deemed to be lost except where otherwise provided by any *Act, Municipal Act (C.25,s.245)*.
- 5.0 No vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect, *Municipal Act (C.25,s.244)*.
- 6.0 When the Mayor or Presiding Officer is presenting any question, no Council Member shall interrupt, except to raise a Point of Order.
- 7.0 No Council Member shall vote on any By-law appointing themselves to any office in the gift of the Council, or providing their remuneration for any service to the Corporation. This does not apply to allowances for attendance at meetings of the Council or its Committees.
- 8.0 A Motion to adjourn shall always be in order, unless a vote is being taken, but no second Motion to adjourn shall be made until after some intermediate proceeding.
- 9.0 When a question is under debate, no Motion shall be received unless it be:
 - a. a Motion for adjournment;
 - b. for the previous question;
 - c. to table;
 - d. to postpone to a certain time;
 - e. to refer; and
 - f. to amend.
- 10.0 A Motion to amend shall always be in order but only one amendment shall be allowable, and these shall be put from the Chair in the reverse order to that in which they have been received.
- 11.0 Every amendment shall be reduced to writing and decided upon or withdrawn before the main question is put to a vote.

- 12.0 After any question is finally put before the Mayor or Presiding Officer, no further discussion of the question is allowable. Each Member present and voting shall announce their vote upon the subject openly and individually. The decision of the Mayor or Presiding Officer as to whether it has been carried or lost shall be conclusive.
- 13.0 The Members of Council shall not leave their places on adjournment until the Mayor or Presiding Officer leaves the chair.
- 14.0 No Council Member shall speak disrespectfully of the Reigning Sovereign or persons administering the Government of Canada or persons administering the Government of Ontario, or the Members of Council for the Town.
- 15.0 No Council Member shall use offensive language against the Council, or any member thereof, or speak beside the questions in debate, or reflect upon any vote of Council, except for the purpose of moving such a vote to be rescinded.

Recorded Vote

If a Member of Council present at a meeting at the time of a vote requests immediately before or after the taking of the vote that the vote be recorded, each Member present, except a member who is disqualified from voting by any *Act*, shall announce their vote openly and the Clerk shall record each vote, *Municipal Act (C.25,s.246(1))*.

Pecuniary Interest

If a Member of Council has a Pecuniary Interest, direct or indirect, in any contract with Council, they shall, as soon as practicable, disclose their interest and shall not take part in the discussion or vote on any question with respect to such matter.

Members of the Council shall be governed by the *Municipal Conflict of Interest Act*.

Appointment of Deputy Mayor

The Deputy Mayor for the Town of Petawawa shall be offered to the candidate for Council at the Municipal Election that received the most votes. Should that member decline the position or resign from the position of Deputy Mayor or Councillor during the term, then the Member with the next highest number of votes at the Municipal Election for the position of Councillor would be offered and so on until the position is accepted. Should this process fail, the Deputy Mayor will be selected by lot draw.

By-laws

- 1.0 All By-laws shall be given three (3) readings.
- 2.0 The first reading shall give the broad outline of the By-law.

- 3.0 The second reading shall fill in the blanks with complete reading of the By-law. Any discussion to take place upon the second reading.
- 4.0 The third reading may be read “short”, numbered and passed.
- 5.0 The Clerk shall endorse upon every By-law the date of each reading thereof and when passed it shall be signed by the Mayor or Presiding Officer and the Clerk, affixed with the seal of the Corporation and numbered with a progressive number.
- 6.0 The Clerk shall maintain the By-laws of the Town in accordance with the Act and the Records Retention By-law of the Town.

Motions and Resolutions

- 1.0 All motions shall be in writing and shall contain the name of the Mover and Seconder.
- 2.0 After its introduction by the Mover, no motion shall be debatable until it has been read from the Chair.
- 3.0 When a motion is under consideration, no other motion shall be entertained except, refer to *Item 9.0 Members of Council*.

Reconsideration of Motions

A substantive resolution, by-law or any question or matter that has been previously adopted by the Council, may be reconsidered by the Council subject to the following:

- a. a notice of motion must be introduced according to the procedures for notices of motion;
- b. debate on the question must be confined to reasons for or against;
- c. such motion must be supported by a two-third majority vote of the Members of Council, present and voting, before the matter to be reconsidered can be debated; and,
- d. a vote to reconsider shall not be considered more than once in any twelve (12) month period.

Record of Meetings (i.e. Minutes)

- 1.0 The Clerk or designate records the minutes of Meetings of Council without note or comment. The minutes record:
 - a. the date, time, and location of the meeting;

- b. the name of all Members in attendance;
 - c. the name and nature of presentations and deputations; and
 - d. all resolutions, decisions and other proceedings of the meeting.
- 2.0 Minutes of each Meeting of Council are presented to a subsequent regular Meeting of Council for approval, as time permits.
- 3.0 Minutes of the previous meetings will be distributed to Council five (5) calendar days prior to the next regular meeting.
- 4.0 Minutes of other Committees of Council, as designated by Council, are submitted to Council for information following approval by the Committee.
- 5.0 The receipt of minutes from other Committees by Council does not constitute endorsement by the Municipality of any recommendations or action contained therein.

COMMITTEES OF COUNCIL

The committees of Council shall be those outlined below. Committee terms of reference are outlined in Schedule “B” to this By-law. The terms of reference of the committees outlined may be amended by a resolution of Council, with the exception of duties prescribed by statute. Special committees may be created by motion of Council to perform specific tasks.

Appointment of the Committees

At the inaugural meeting of the new Council, the Mayor shall appoint a Striking Committee composed of the Mayor, Deputy Mayor and the Councillor voted in with the highest number of votes. The Striking Committee is responsible for the review and recommended appointments of members of Council to the various Committees, Boards and Commissions, for Council’s consideration. The recommendation of the Striking Committee shall be considered by Council and approved by resolution in whole or in part. Should Council reject any of the nominees of the Striking Committee, any member of Council, by motion, may then introduce the name or names of prospective candidates.

All appointments are made at the pleasure of Council and may be withdrawn at any time. The Mayor is an ex-officio member of all committees of Council.

Committees shall conduct themselves under the same rules of order which apply to Council meetings. (e.g. Resolutions).

Where a Provincial Statute prescribes the type of appointments to be made by the Town to a given board or committee, the Statute shall be complied with. There the Town

makes appointments to boards/committees of its own creation and to outside bodies when requested to do so, such appointments shall be citizen appointments, except in circumstances where the Town has a direct financial involvement, in which instance Council shall determine whether or not it will appoint citizens and/or Council Members to such bodies.

Vacancies for citizen appointments shall be publicly advertised. To apply to serve as a volunteer on a Town board or committee, interested individuals shall be invited to apply and submit an application. Applicants should be at least 18 years of age and a resident of municipal taxpayer in the Town of Petawawa. Applicants must also be willing to provide a criminal record check. They cannot be employees of the Town of Petawawa. These appointments enable local citizens from various backgrounds to participate in local government and voluntarily give their time and expertise to help formulate the direction of certain programs.

Generally, the duration of board/committee appointments is the same as the term of Council. While appointees may serve on more than one board/committee, Council shall give first consideration to individuals who are not already appointed to another board/committee.

The following process, coordinated by the Clerk, will generally be followed in initiating recruitment, selection, and appointment of individuals to boards/committees:

Upon Council passing a resolution to establish a board/committee, the Clerk, in consultation with the relevant department and staff, will advertise committee vacancies making note of the following:

- Mandate of the committee;
- A brief statement of the role and responsibilities of committee memberships;
- Duration of term;
- Level of commitment;
- Application process; and
- Contact information.

If the board/committee has already been established and the term of the appointment is within one month of expiration, then the Clerk will advertise the vacancy.

Applicants shall be required to complete and submit to the Clerk an application form. Once the applications have been reviewed by staff, a report recommending selected appointees will be prepared for approval by Council.

The Clerk, on behalf of Council, shall send out confirmation notices to new board/committee appointees and advise of their relevant contacts. The Clerk will also send out notices to the unsuccessful applicants thanking them for their interest.

Council Committees and Appointments

The Town of Petawawa's Council appoints members to various committees and boards, each serving distinct roles and responsibilities. These committees can be broadly categorized into Standing Committees, Advisory Committees, Special Purpose Advisory Committees, and Special Purpose Committees and Boards. The Mayor serves as an ex-officio member of all committees. Below is a breakdown of these categories:

COMMITTEE CATEGORY:

Standing Committees

Permanent Committees comprised of all members of Council that have a continuing existence from one term of Council to another.

Advisory Committees

A Committee established by Council, as required by the Municipal Act, to address on-going municipal operations within the scope and responsibility of Council and will provide periodic reports to Council presenting advice and recommendations on matters under consideration that has a continuing existence from one term of Council to another.

Special Purpose Advisory Committees

A Committee established by Council for a special purpose that may be of limited duration, created by Council through the Striking By-law to inquire and report on a particular matter or concern, and which dissolves as directed by Council.

Special Purpose Committees and Boards

Committees and Boards created which are responsible for a specific area of operation or when need arises to report on a special task or project which may include joint operations with other municipalities or outside corporations

COUNCIL APPOINTMENTS:

All members of Council

One and/or two members of Council.

Ex-Officio: the Mayor shall be ex-officio of all committees and may vote on all questions before the committee but shall not be counted in the formation of a quorum.

One and/or two members of Council.

Ex-Officio: the Mayor shall be ex-officio of all committees and may vote on all questions before the committee but shall not be counted in the formation of a quorum.

One and/or two members of Council.

COMMITTEES OF COUNCIL:

- Regular meeting of Council
- Council-in-Committee

- Committee of Adjustment
- Petawawa Accessibility Advisory Committee
- Petawawa Public Library Board
- Property Standards Committee
- Upper Ottawa Ontario Provincial Police Detachment Board

- Equity, Diversity, and Inclusion Advisory Committee
- Petawawa Business Advisory Network
- Petawawa Seniors Advisory Committee

- Ottawa Valley Waste Management Board
- Pembroke & Area Airport Commission
- Festival Hall
- CNL Environmental Stewardship Committee

ACCOUNTABILITY AND TRANSPARENCY POLICY

The *Municipal Act (C.25,s.270(1)5)* requires that all municipalities adopt and maintain a policy with respect to the manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public. The following guidelines, developed in accordance with the *Municipal Act*, are followed to ensure the municipality's activities and services align with the principles outlined below.

The Council of the Town of Petawawa acknowledges that it is responsible to provide good government for its stakeholders in an accountable and transparent manner by:

- I. encouraging public access and participation to ensure that decision making is responsive to the needs of its constituents and receptive to their opinions;
- II. delivering high quality services to out citizens; and,
- III. promoting the efficient use of public resources.

Accountability, transparency and openness are standards of good government that enhance public trust. They are achieved through the municipality adopting measures ensuring, to the best of its ability, that all activities and services are undertaken utilizing a process that is open and accessible to its stakeholders. In addition, wherever possible, the municipality will engage its stakeholders throughout its decision-making process which will be open, visible and transparent to the public.

The principles of accountability and transparency shall apply equally to the political process and decision making and to the administrative management of the municipality.

Financial Matters

The municipality will be open, accountable and transparent to its stakeholders in its financial dealings as required under the *Act*. Some examples of how the municipality provides such accountability and transparency are as follows:

- I. internal/external audit;
- II. reporting/statements;
- III. long term financial planning;
- IV. asset management;
- V. purchasing/procurement;
- VI. sale of land; and,
- VII. budget process.

Internal Governance

The municipality's administrative practices ensure specific accountability on the part of its employees through the following initiatives:

- I. performance management and evaluation;
- II. hiring policy;
- III. orientation/continuing education;
- IV. accessibility and health and safety;
- V. work/life balance;
- VI. compensation/benefits; and,
- VII. responsibility for ensuring that administrative practices and procedures recognize Council's commitment to accountability and transparency.

Public Participation and Information Sharing

The municipality ensures that it is open and accountable to its stakeholders through implementing processes outlining how, when and under what rules meetings will take place. The municipality's meetings will be open to the public when and as required under the *Act* and members of the public will have an opportunity to make delegations or comments in writing on specific items at these meetings. In addition, the municipality has adopted policies which ensure that participation by the public can be meaningful and effective, through timely disclosure of information by various means, including print media, websites, etc. Some specific examples include:

- I. this procedural by-law;
- II. strategic plan;
- III. delegation rules;
- IV. records retention;
- V. planning processes; and,
- VI. public notice by-law or policy.

Corporate Vision

The Town of Petawawa has in place a Strategic Plan that outlines the Town's vision for the future.

Schedule "B" To By-Law 1701/24

The following documents provide the Terms of Reference for the various Advisory and Special Purpose Committees, detailing their respective roles, responsibilities, and mandates:

- Schedule B-1: Petawawa Accessibility Advisory Committee
- Schedule B-2: Petawawa Public Library Board
- Schedule B-3: UOVOPP Petawawa Detachment Board
- Schedule B-4: Equity, Diversity, and Inclusion Advisory Committee
- Schedule B-5: Petawawa Business Advisory Network
- Schedule B-6: Petawawa Seniors Advisory Committee



Petawawa Accessibility Advisory Committee

Terms of Reference

MANDATE

The Accessibility Advisory Committee is established through a formal motion of Council and is mandated to fulfill the minimum responsibilities as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*, and any other additional responsibilities as may be assigned by Council.

COMMITTEE MEMBERSHIP

The committee shall be composed of a minimum of four to a maximum of eight members appointed by Council:

- at least the majority of members who are people with disabilities or who represent a person or persons with disabilities
- one (1) member of Council
- one (1) member who is a citizen volunteer
- ad-hoc membership:
 - Manager of Civic Properties
 - Manager of Recreation and Tourism
 - Chief Fire Prevention Officer
 - Chief Building Official
 - Economic Development Officer

The municipality will provide the necessary facilities to convene and facilitate meetings.

COMMITTEE PROCEDURE

Length of Term: Members of the Petawawa Accessibility Advisory Committee (PAAC) are appointed to sit at the pleasure of Council.

Chair: The Chair will be elected from the committee members on an annual basis at the first meeting in the new year to preside over meetings and committee business. The Chair shall preside over the meetings of the Committee and assist the Committee in reaching consensus on fundamental policy issues of concern to the Committee.

Absences: If a committee member is absent for three consecutive meetings, they will forfeit their position on the committee unless their absence is approved by Council.

Administrative Support: The Coordinator of Legislative Services is responsible to work with the Committee Chair, to co-ordinate the agenda topics, proceedings of the Committee, including the taking of minutes, the distribution of minutes and agendas and any other support necessary to permit the effective functioning of the committee.

REMUNERATION

Committee members shall not receive remuneration. A per diem payment may be permitted, if a member is taking time off work, if authorized by Council previous to the event.

Expenses for travel, attendance at out-of-town meetings and conferences, shall be in accordance with Town policy.

CONFLICT OF INTEREST

Committee members shall not be involved in any matter in which they have a pecuniary interest.

CONSULTATION

The PAAC may consult with any public, stakeholder, existing advisory group, other municipality or Provincial or Federal Government ministries as are deemed advisable in the discharge of their responsibilities.

SUB COMMITTEES

The committee may create sub committees to explore specific issues related to the accessibility plan.

FREQUENCY OF MEETINGS

The PAAC shall meet a minimum of six times per year or more often, at the call of the Chair. Meetings will be held on the fourth (4) Thursday of the month.

REPORTING TO COUNCIL

The PAAC shall report to Council regularly and all meeting minutes must be provided to Council.



Petawawa Public Library Board

The Petawawa Public Library Board does not maintain a separate terms of reference. Instead, its governance and operational framework are fully defined by the **Public Libraries Act, R.S.O. 1990**. The Act outlines the Board's responsibilities, authority, and function, ensuring that all actions comply with provincial standards for providing comprehensive and effective public library services that reflect the Town's unique needs.



Upper Ottawa Valley Ontario Provincial Police Petawawa Detachment Board

The Petawawa Detachment Board does not maintain a separate terms of reference. Instead, its governance and operational framework are fully defined by the **Community Safety and Policing Act, 2019**, specifically **Part IV: Municipal Policing and Police Service Boards**. This section of the Act outlines the Board's responsibilities, authority, and function, ensuring that all actions comply with provincial standards for community safety and policing.



Equity, Diversity and Inclusion Advisory Committee

TERMS OF REFERENCE

Mandate

The Petawawa Equity, Diversity and Inclusion (EDI) Advisory Committee will provide advice and recommendations to Council related to equity, diversity and inclusion in the Town of Petawawa. The Petawawa EDI Advisory Committee will also advise the Town on actions that can be taken to build an inclusive community in Petawawa, which is respectful, inclusive, and safe, where everyone has an equal opportunity to take part.

Goals and Objectives

The Petawawa EDI Advisory Committee's goals and objectives are to provide advice and make recommendations to Council on:

- Developing and implementing an Equity, Diversity and Inclusion Action Plan for the Town of Petawawa, to address inclusivity and diversity barriers faced by members of the municipality;
- Anti-racism and Anti-discrimination initiatives;
- Various issues and initiatives concerning equity, diversity and inclusion in our municipality;
- Elimination of barriers within Town programs and services for the diverse populations of our municipality;
- Reviewing Town policies and procedures with an inclusionary lens;
- Developing new policies and procedures related to equity, diversity and inclusion;
- Fostering a greater understanding and awareness of equity, diversity and inclusion matters within the municipality through community partnerships;
- Facilitating opportunities to educate and celebrate the diverse social, cultural and traditional elements that make up Petawawa;
- Identifying resources and community outreach activities; and
- Engaging community groups and leaders in the activities of the Petawawa EDI Advisory Committee.

Petawawa EDI Advisory Committee Composition

Membership

- The Petawawa EDI Advisory Committee will consist of a maximum of six (6) public members and two (2) members of Council.
- Members of the public appointed to this Committee shall represent a broad range of under-served and equity seeking groups such as, but not limited to:
 - Indigenous peoples;

- Faith-based groups;
- Racialized people, people of diverse ethnic or cultural origin;
- Newcomers, new Canadians;
- LGBTQ2S+;
- Other;
- At least one (1) member of the public appointed to the Petawawa EDI Advisory Committee shall be a young person (under age 21).
- The member of Council appointed to this Committee shall act as the Chair.

Qualifications

Members of the Petawawa EDI Advisory Committee must be Town of Petawawa residents.

The following qualifications will be considered for appointing members of the public to the Petawawa EDI Advisory Committee:

- Experience working in teams, with community groups, boards or organizations;
- Knowledge, living or lived experience with equity, diversity and inclusion matters; and
- Commitment as a change-agent in equity, diversity and inclusion matters in the municipality.

Community participation is key to the success of an Equity, Diversity and Inclusion Action Plan. Additional Town staff and representatives of diverse groups will be invited to attend meetings as required to provide expertise.

Petawawa EDI Advisory Committee Appointment Process

Appointments would run concurrent with the term of Council and interested participants would make application for available representation to be reviewed and endorsed by Council. Successful applicants who are required to vacate their seat (no longer resident of Petawawa etc.), would do so by written notice and staff would then advertise the vacancy in order to solicit other interested applicants. If a member is absent from three (3) consecutive regularly scheduled meetings the Committee may declare their seat vacant and the recruitment and selection process will be initiated.

Applicants will be evaluated based on the above noted qualifications, their ability to participate fully in the Petawawa EDI Advisory Committee, and their ability to meet any ancillary obligations determined by the Committee.

Members of the Petawawa EDI Advisory Committee are volunteers and will serve without remuneration.

Roles and Responsibilities

Chair

- Presides at all Petawawa EDI Advisory Committee meetings, and exercises authority and performs duties as required.
- Provides guidance and leadership to the Committee in the completion of its mandate.
- Ensures that decorum is maintained at each meeting and that rules of procedure and conduct are observed.

Vice-Chair

- The Vice-Chair will preside over meetings and committee business in the absence of the Chair.

All Members

Committee Members are expected to:

- Attend and actively participate in all Petawawa EDI Advisory Committee meetings.
- Contribute time, knowledge, skill and expertise to fulfill the Committee mandate, goals and objectives, and responsibilities.
- Attend Town of Petawawa and other community events and initiatives where appropriate and available.
- Understand their role and expectations.
- Develop and maintain a climate where mutual respect, support, trust, courtesy, teamwork, creativity, and a sense of humour are valued.
- Maintain a high degree of professionalism and confidentiality.
- Respect the individual worth and dignity of other members and staff, and at all times work together to achieve a common vision for the municipality, utilizing the diverse knowledge, expertise and talents of all members to optimal advantage.
- Challenge ideas, not people, creating a climate where it is okay to disagree.
- Communicate using inclusive and non-discriminatory language, respecting the spirit of the Ontario Human Rights Code.
- Respect all decisions made by the Petawawa EDI Advisory Committee.
- Be cognizant of any conflict of interest or perceived conflict in terms of issues that may serve to benefit them personally and shall disclose accordingly.

Meetings

Meetings will take place as determined by the Committee in a manner that ensures the most consistent participation of the members is possible. Meetings will be held at the Town of Petawawa Municipal Office, 1111 Victoria Street, unless otherwise noted. Meetings may be held in alternative formats in accordance with the Town of Petawawa Procedural By-law. Meetings will be as frequent as necessary to address the scope of activity proposed for discussion, but will be limited to a maximum of one meeting per calendar month.

As necessary, and deemed by the Petawawa EDI Advisory Committee, ad hoc working groups may be formed to address specific actions.

Quorum

A quorum of this Committee shall constitute a majority of members. If no quorum is present fifteen (15) minutes after the time appointed for a meeting, the Chair of the meeting or the Recording Secretary may discharge the members present and may cancel or reschedule the meeting and notice for same shall be given.

Recording Secretary (non-voting position)

The Staff representative shall be the recording secretary for the Petawawa EDI Advisory Committee and shall book meetings, circulate agendas, and record and circulate minutes.

Financial Implication:

Members of the Petawawa EDI Advisory Committee are volunteers and will serve without remuneration.

The Legislative Services Department will absorb any funds associated with staffing, creating and issuing agendas, office supplies etc.



Petawawa Business Advisory Network TERMS OF REFERENCE

MANDATE

The creation of a Petawawa Business Advisory Network (PBAN) is an opportunity for representatives of the local business community to actively participate and support economic and business growth and development in Petawawa.

The key objectives of the PBAN would be:

- Foster strong communications and consultation opportunities between the Town and the business community.
- Undertake initiatives and projects that align with the Town of Petawawa Economic Action Strategy and other Town Plans.
- Foster partnerships and collaborations with other businesses and community development agencies to advance and promote economic growth within the community.
- Provide recommendations on economic development activities and initiatives.
- Identify barriers and opportunities within the community which can be resolved or leveraged in order to foster a better business environment.
- Consult on other matters as requested by staff or Council.

ROLES AND RESPONSIBILITIES OF THE PBAN MEMBERS

The Council endorsed PBAN members would individually be responsible to:

- Attend meetings;
- Prepare for the meetings by reviewing the provided materials;
- Actively participate in the discussion and activities of the group;
- Complete actionable items assumed or assigned to them in a timely and efficient manner;
- Engage with area partner resources, as pertinent;
- Actively promote community and economic development initiatives.

Each member of the PBAN will assume an active role which includes regular participation in meetings.

COMMITTEE MEMBERSHIP

In order to have a viable and effective community-represented PBAN group it would be advantageous to have designated representation from various business and industry sectors.

- One (1) member of Council;
- One (1) representative from the Industrial/Commercial Development sector;
- One (1) representative from the Manufacturing sector;
- One (1) representative from the Hospitality/Tourism sector;
- One (1) representative from a small business (Less than five employees);
- One (1) representative from a medium business (More than five but less than 50 employees);
- One (1) representative from a large business (More than 50 employees);
- One (1) representative from a home-based business/business start-up or youth business owner;
- One (1) representative from a financial or human service industry; and
- One (1) representative from the military or a military member in transition to entrepreneurship.

This represents a ten-member committee, not including staff resources. Subject to received and qualified applicants, Council may, at their discretion, accept more than the prescribed applicants in any given sector.

The Economic Development Officer for the Town of Petawawa would be the recording secretary and primary conduit of communication and recommendations between the PBAN and Council. Other Town staff who may participate in these meetings, as agenda matters dictate, may include representatives from the Community Services Department, and the Planning and Development Department.

COMMITTEE PROCEDURE

Length of Term

Appointment to the PBAN would run concurrent with the term of Council and interested participants would make application for available representation to be reviewed and endorsed by Council.

Appointments are subject to the candidates' continuance to represent a given sector. Candidates may, by written notice, advise Council of their intent to resign from the PBAN at which time the vacancy will be posted for a new sector representative.

Chair

The Chair will be elected from the PBAN members at its first meeting. The Chair will preside over meetings and PBAN business. Following the first appointment of the Chair,

the position of Chair will then be elected in January of an odd-numbered year to serve for two (2) years during the term of Council.

Absences

Absence from a scheduled meeting should be reported to the recording secretary. Three consecutive absences without cause or notification may result in the member relinquishing their appointment to the PBAN.

CONFLICT OF INTEREST

Every PBAN member shall act honestly and in good faith with a view to the best interests of the PBAN in discharging his/her duties. PBAN members must avoid any activity which compromises their judgment, causes them to show undue favouritism to any party, or causes them to receive a benefit of some kind arising from business conducted on behalf of the PBAN.

PBAN members are entitled to participate fully in matters in which they have no greater pecuniary interest than other members of the PBAN.

CONSULTATION

The PBAN may consult with any public, stakeholder, existing advisory group, other municipality or Provincial or Federal Government ministries as are deemed advisable in the discharge of their responsibilities.

MEETINGS

The meetings will be held at the call of the Chair. Quorum is achieved when 50% or more of the active members are in attendance. Meetings will occur based on a regular schedule and members are expected to be physically present for their participation to constitute qualified attendance.

In the event of an Emergency Declaration, a virtual meeting will be permitted, subject to adherence and adoption of Emergency Meeting Protocols attached as Appendix A.

REPORTING TO COUNCIL

Copies of all minutes of the PBAN meetings will be provided to Council.



Petawawa Seniors Advisory Committee

TERMS OF REFERENCE

Mandate

The Petawawa Seniors Advisory Committee will provide advice and recommendations to Council related to recreation programming opportunities for seniors in the Town of Petawawa. The Petawawa Seniors Advisory Committee will also advise the Town on actions that can better serve the diverse senior population throughout the community.

Goals and Objectives

The Petawawa Seniors Advisory Committee's goals and objectives are to provide advice and make recommendations to Council on:

- developing and implementing diverse recreation programs;
- recommending modifications to facilities and equipment to improve access for seniors;
- providing recommendations on the types of activities the senior population wish to see;
- creating an inclusive and welcoming program space to serve the needs of the senior community;
- reviewing existing and developing new policies and procedures related to delivery of programs and events;
- fostering awareness of the seniors active living centre and the programs and services provided;
- identifying opportunities for collaborations through community outreach activities; and
- engaging community groups and facilitators to increase the range of activities available for seniors in the community.

Petawawa Seniors Advisory Committee Composition

Membership

- The Petawawa Seniors Advisory Committee will consist of a maximum of five (5) public members and up to two (2) members of Council.
- Members of the public appointed to this Committee shall all be 50+ and represent a cross-section of the senior community.

- A member of Council appointed to this Committee shall act as the Chair.

Qualifications

Members of the Petawawa Seniors Advisory Committee must be Town of Petawawa residents.

The following qualifications will be considered for appointing members of the public to the Petawawa Seniors Advisory Committee:

- experience working in teams, with community groups, boards or organizations;
- knowledge of the Seniors Active Living Centre Act is considered an asset.

Community participation is key to the success of a representative Seniors Active Living Centre. Additional Town staff and representatives with program development and facilitation experience will be invited to attend meetings as required to provide expertise.

Petawawa Seniors Advisory Committee Appointment Process

Appointments would run concurrent with the term of Council and interested participants would make application for available representation to be reviewed and endorsed by Council. Successful applicants who are required to vacate their seat (no longer resident of Petawawa etc.), would do so by written notice and staff would then advertise the vacancy in order to solicit other interested applicants. If a member is absent from three (3) consecutive regularly scheduled meetings the Committee may declare their seat vacant and the recruitment and selection process will be initiated.

Applicants will be evaluated based on the above noted qualifications, their ability to participate fully in the Petawawa Seniors Advisory Committee, and their ability to meet any ancillary obligations determined by the Committee.

Members of the Petawawa Seniors Advisory Committee are volunteers and will serve without remuneration.

Roles and Responsibilities

Chair

- Presides at all Petawawa Seniors Advisory Committee meetings, and exercises authority and performs duties as required.
- Provides guidance and leadership to the Committee in the completion of its mandate.
- Ensures that decorum is maintained at each meeting and that rules of procedure and conduct are observed.

Vice-Chair

- The Vice-Chair will preside over meetings and committee business in the absence of the Chair.

All Members

Committee Members are expected to:

- Attend and actively participate in all Petawawa Seniors Advisory Committee meetings.
- Contribute time, knowledge, skill and expertise to fulfill the Committee mandate, goals and objectives, and responsibilities.
- Attend Town of Petawawa and other community events and initiatives where appropriate and available.
- Understand their role and expectations.
- Develop and maintain a climate where mutual respect, support, trust, courtesy, teamwork, creativity, and a sense of humour are valued.
- Maintain a high degree of professionalism and confidentiality.
- Respect the individual worth and dignity of other members and staff, and at all times work together to achieve a common vision for the municipality, utilizing the diverse knowledge, expertise and talents of all members to optimal advantage.
- Challenge ideas, not people, creating a climate where it is okay to disagree.
- Communicate using inclusive and non-discriminatory language, respecting the spirit of the Ontario Human Rights Code.
- Respect all decisions made by the Petawawa Seniors Advisory Committee.
- Be cognizant of any conflict of interest or perceived conflict in terms of issues that may serve to benefit them personally and shall disclose accordingly.

Meetings

Meetings will take place as determined by the Committee in a manner that ensures the most consistent participation of the members is possible. Meetings will be held at the Petawawa Civic Centre, 16 Civic Centre Road, unless otherwise noted. Meetings may be held in alternative formats in accordance with the Town of Petawawa Procedural By-law. Meetings will be as frequent as necessary to address the scope of activity proposed for discussion, but will be limited to a maximum of one meeting per calendar month.

As necessary, and deemed by the Petawawa Seniors Advisory Committee, ad hoc working groups may be formed to address specific actions.

Quorum

A quorum of this Committee shall constitute a majority of members. If no quorum is present fifteen (15) minutes after the time appointed for a meeting, the Chair of the meeting or the Recording Secretary may discharge the members present and may cancel or reschedule the meeting and notice for same shall be given.

Recording Secretary (non-voting position)

The Staff representative shall be the recording secretary for the Petawawa Seniors Advisory Committee and shall book meetings, circulate agendas, and record and circulate minutes.

Financial Implication:

Members of the Petawawa Seniors Advisory Committee are volunteers and will serve without remuneration.

The Community Services Department will absorb any funds associated with staffing, creating and issuing agendas, office supplies etc.

Schedule "C" To By-Law 1701/24

Code of Conduct for Members of Council, Local Boards and Committees of The Town Of Petawawa

Whereas the Town of Petawawa has appointed an Integrity Commissioner whose function is to investigate in an independent and confidential manner, a complaint made as to whether a member of council or a member of a local board or committee has complied with the Code of Conduct or other ethics-related policies, rules or procedures, and to report on the investigation;

And Whereas the *Municipal Act, 2001, S.O. 2001, c. 25* has been amended to provide that a municipality shall establish codes of conduct for members of council of the municipality and of its local boards;

Now Therefore the following policy document will provide guidance to members of council, local boards and committees of the Town of Petawawa regarding their respectful conduct.

PURPOSE

A code of conduct aims to ensure public trust and confidence in the Municipality's decision making and operations. The public should expect the highest standards of conduct from the members they elect to local government, as well as members serving on Boards and Committees. In turn, adherence to these standards will protect and maintain the Municipality's reputation and the integrity of its decision-making process.

PRINCIPLE

The Corporation of the Town of Petawawa is committed to achieving the highest quality of municipal administration and governance by encouraging high standards of conduct on the part of all elected officials and members of its Boards and Committees.

DEFINITIONS

"Chief Administrative Officer" or "CAO" shall mean the employee who is responsible for exercising general control or management of the administration and affairs of the Municipality and other duties as directed by Council.

"Child" includes a child born within or outside of marriage and includes an adopted child and a person to whom the Member has demonstrated a settled intention to treat as a child of his or her family.

"Confidential Information" includes information in the possession of, or received in confidence by the Municipality, that the Municipality is prohibited from disclosing, that the Municipality is required to refuse to disclose, or that the Municipality chooses not to

disclose, under the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), or other legislation or policy of the Municipality. Without limiting the generality of the foregoing, Confidential Information may consist of written, electronic or verbal information and includes all information concerning matters dealt with at closed meetings, information that is marked as "confidential" or otherwise identified as "confidential", information obtained by the Member by virtue of their position as a Member that is not in the public domain, or information that is otherwise determined to be confidential by the Chief Administrative Officer and/or Clerk or as specifically declared by Council.

“Ethically” means behaving in a manner characterized by honesty, fairness and equality in interpersonal relationships and with respect for the dignity and rights of other people.

“Family Member” includes:

- (a) A Spouse of the Member;
- (b) A Child of the Member;
- (c) A Parent of the Member;
- (d) A Sibling of the Member, whether by birth, marriage or adoption;
- (e) A Grandchild, grandparent, aunt, uncle, niece or nephew of the Member;
- (f) A Parent-in-law of the Member; and
- (g) Any person who lives with the Member on a permanent basis.

“Gift” means any cash or monetary equivalent, commission, fee, object of value, service, hospitality, personal benefit, reward, travel and accommodation, advantage or benefit of any kind or entertainment. A gift does not include remuneration as a Member.

“Harassment” includes, but is not limited to, engaging in a course of vexatious or unwanted comment or conduct that is known or ought reasonably to be known to be unwanted and includes Sexual Harassment as defined in the *Occupational Health and Safety Act*.

“Member” includes an elected member of Council including the Mayor and all members of Boards and Committees of the Municipality.

“Municipality” means the Corporation of the Town of Petawawa.

“Parent” includes those persons who demonstrated a settled intention to treat as a child the Member, whether or not the Member is their natural child.

“Spouse” means a person to whom the Member is married or with whom the Member is living in a conjugal relationship outside of marriage.

“Staff” includes anyone employed by the Municipality, including full-time, part-time, temporary, casual or seasonal Staff, contract Staff, students and volunteers (in accordance with the *Municipal Act*, Council Members are not considered employees of the Municipality).

POLICY

1.0 STATUTORY PROVISIONS REGARDING CONDUCT

In addition to the Council Code of Conduct, Members are required to comply with existing provincial and federal legislation, including but not limited to:

- (a) Municipal Act, 2001;
- (b) Municipal Conflict of Interest Act;
- (c) Municipal Elections Act, 1996;
- (d) Municipal Freedom of Information and Protection of Privacy Act.

2.0 APPLICATION

This Code of Conduct applies to all Members of Council. This Code of Conduct also applies equally to all Members of Local Boards and Committees of the Municipality, whether or not a Member of that Board or Committee is also a Member of Council. This Code of Conduct also applies to Members of Council and the public who represent the Municipality on a joint board/joint committee/commission.

3.0 CONFIDENTIALITY

3.1 Every Member must hold in strict confidence all Confidential Information acquired as a direct or indirect result of the Member’s role with the Municipality. Confidential Information shall not be disclosed except when required by law, or when authorized by Council, the CAO and Clerk.

3.2 Every Member shall keep confidential any information:

- (a) That is disclosed or discussed at a meeting of Council, Committee or Board meeting or part thereof, that was closed to the public;
- (b) That is circulated to members of Council that is marked confidential. Any documentation marked confidential shall be kept securely until no longer required in the course of business and shall at that time be destroyed by the member of Council or returned to the office of the Clerk for destruction.

3.3 The obligation to keep information confidential applies even if the Member ceases to be a Member for any reason.

4.0 GENERAL CONDUCT

4.1 Every Member has the duty and responsibility to treat members of the public, staff and each other in a respectful manner, without abuse, bullying, harassment or intimidation.

4.2 A Member shall not use indecent, abusive, or insulting words or expressions toward any other Member, any member of Staff, or any member of the public. A Member shall not speak in a manner that is discriminatory to any individual based on that person's race, ancestry, place of origin, creed, gender, sexual orientation, age, colour, marital status, or disability.

4.3 Every Member shall abide by the following principles:

- (a) Members shall at all times act ethically;
- (b) Members shall perform their functions with integrity, accountability and transparency;
- (c) Members shall comply with all applicable legislation, by-laws and Municipal policies, including this Code of Conduct;
- (d) Members acknowledge that the public has a right to open government and transparent decision-making;
- (e) Members shall at all times serve the interests of the public and the Municipality in a conscientious and diligent manner and shall approach decision-making with an open mind;
- (f) Members shall not extend preferential treatment to any individual or organization; and
- (g) Members shall not benefit from the use of information acquired or used, and that is not generally available to the public during the course of official duties.

5.0 CONDUCT AT MEETINGS

Members shall conduct themselves with decorum and professionalism at all Council, Committee, Board and other meetings in accordance with the provisions of the Procedural By-law, this Code, and other applicable law.

6.0 CONDUCT AT PUBLIC EVENTS

Members may be requested to make public presentations outside of Council, Committee, Board and other meetings or to attend public events as representatives of the Municipality. At any such event, Members shall conduct themselves with dignity and decorum, in a manner befitting of a representative of the Municipality.

7.0 CONFLICT OF INTEREST

7.1 Members must be familiar with and comply with the *Municipal Conflict of Interest Act*. It is the responsibility of each Member, not Staff, to determine whether they have a direct or indirect pecuniary interest with respect to matters arising before Council, a Board or Committee. Members shall determine whether he or she has a direct or indirect pecuniary interest and shall at all times comply with the *Act*.

7.2 For purposes of this Code, a pecuniary interest, direct or indirect, of a Family Member of the Member shall be deemed to also be the personal/pecuniary interest of the Member. All Members shall declare a conflict of interest where they or their Family Member has a pecuniary interest in a matter and shall take all of the actions prescribed in the *Municipal Conflict of Interest Act* as if the Act applied to that interest.

7.3 In addition to pecuniary interests, Members must perform their duties impartially, such that an objective, reasonable observer would conclude that the Member is exercising their duties objectively and without undue influence. Each Member shall govern their actions using the following as a guide:

- (a) In making decisions, always place the interests of the taxpayers and the Municipality first and, in particular, place those interests before their personal interests and the interests of other Members, staff, friends, business colleagues or Family Members.
- (b) Interpret the phrase "conflict of interest" broadly and with the objective of making decisions impartially and objectively.
- (c) If there is doubt about whether or not a conflict exists, seek the advice of the Integrity Commissioner or their Legal Counsel.
- (d) Do not make decisions that create an obligation to any other person who will benefit from the decision.
- (e) Do not make decisions or attempt to influence any other person for the purpose of benefitting yourself, other Members, Staff, friends,

business colleagues or Family Members, or any organization that might indirectly benefit such individuals.

- (f) Do not promise or hold out the prospect of future advantage through your influence in return for a direct or indirect personal benefit.

7.4 Direct or indirect personal benefits do not include:

- (a) A benefit that is of general application across the Municipality.
- (b) A benefit that affects a Member or their Family Members, friends or business colleagues as one of a broad class of persons.
- (c) The remuneration of Council, a Member or benefits available to Council or Members.

7.5 Members have the following obligations:

- (a) To make reasonable inquiries when there is reason to believe that a conflict of interest may exist.
- (b) To make Council or the Board or Committee aware of the potential conflict of interest and where appropriate declare the interest.
- (c) To refuse to participate in the discussion of Council, the Board or Committee and to not vote on the matter or seek to influence the vote of any other Member where a conflict of interest exists.
- (d) To refuse to be involved in any way in the matter once the conflict is identified, including without limitation participating in meetings, facilitating meetings or introductions to Staff or Members or providing advice to any person that would materially advance the matter.
- (e) If the matter which creates the conflict of interest is discussed in closed session, the Member may not attend that portion of the closed session where that matter is discussed.

8.0 COMMUNICATIONS AND MEDIA RELATIONS

8.1 Members, when communicating with the public and media, will accurately and adequately communicate the attitudes and decisions of the Council, Board or Committee, even if a Member disagrees with a majority decision, so that there is respect for and integrity in the decision-making process.

8.2 Information related to decisions and resolutions of Council, a Board or Committee, as the case may be, will normally be communicated to the

community by the Head of Council, the Board or the Committee, as the case may be, or their designate.

- 8.3** It is not the intent of this Code of Conduct to restrict the ability of a Member to express a personal opinion on matters of general interest. In such cases, the Member must make it clear that the comment is being made in their capacity as a private citizen, and not as a representative of the Municipality. In no event should a Member express a position that is disrespectful of the decision of the majority of Council, a Board or a Committee.
- 8.4** Any use of social media in any form by a Member constitutes communication with the public that is governed by this section. Members shall identify in any social media communication that the views expressed by the Member are the views of that Member personally, and do not represent the views of the Municipality.
- 8.5** If Council has taken a position in a Local Planning Appeals Tribunal, or other tribunal or court, and instructed the Municipal Solicitor to appear at a hearing in support of such position, no Member who disagrees with such position shall give evidence at such hearing or otherwise work against the will of Council expressed in its direction to the Municipal Solicitor in such matter.

9.0 INTERACTION WITH STAFF

- 9.1** The Municipality has worked diligently at creating a positive working relationship between Members and Staff. To a large degree this has been successful due to a mutual respect for each other's roles and responsibilities.
- 9.2** Members shall not:
- (a) Maliciously or falsely injure the professional or ethical reputation of Staff.
 - (b) Compel Staff to engage in partisan political activities or be subjected to threats of discrimination for refusing to engage in such activities.
 - (c) Use their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any Staff member with the intent of interfering with Staff duties.
- 9.3** Members shall recognize and respect that many members of Staff are bound by professional associations to a code of ethics and professional conduct and that they provide their reports and recommendations

objectively, in the best interests of the Municipality and within the requirements of their profession.

- 9.4** Municipal Council, acting as a body, can dictate that Staff perform such duties as are necessary for the efficient management of the affairs of the community, and/or research such matters as the Council deems necessary. Individual Council members do not have authority to direct Staff. Council as a body shall direct Staff through the CAO.
- 9.5** Board and Committee Members do not have the authority to direct Staff, with the limited exception of any Staff member assigned by Council to that Board or Committee. Ultimately, Council retains the discretion to assign, remove and direct Staff who provide assistance to any Board or Committee. Requests for Staff changes shall be directed to the CAO who shall make staffing determinations and consult with Council as necessary.
- 9.6** The role of the CAO and Department Heads is to direct the day-to-day management of the Municipality and assign duties to the Staff placed under their supervision. To encourage the efficient management of the Municipality, individual Members must be cognizant of that fact and are advised of the following:
- (a) Members will respect and adhere to the policies set by Council, and will under no circumstances take it upon themselves, individually, to circumvent established policies.
 - (b) Council as a body, and Members as individuals, will liaise with the CAO or Department Heads only. This requirement is not designed to interfere with the normal flow of information with those Administrative Staff members who have been assigned the responsibility of providing information to Members such as meeting times, copies of documents, information on standard operating procedures, etc.
 - (c) Questions or issues surrounding operational concerns or complaints should be directed to the CAO and Department Head.
 - (d) Members who still have concerns about operational issues, after addressing them with the Department Head should further raise these concerns with the CAO.
 - (e) Should information be required by individual Members, a request must be made of the CAO who will then decide which Staff member will obtain the data. In the extended absence of the CAO, or in the case of an urgent matter where the CAO is not available, inquiries should be directed through the Department Head, with a copy of the request to the CAO.

- (f) Members should respect the fact that Staff are busy and should not engage them in conversations, emails or phone calls that may take an excessive amount of time or otherwise divert Staff from their duties.

10.0 USE OF MUNICIPAL PROPERTY

- 10.1** No Member shall for personal purposes or profit, use or permit the use of any Municipal property, equipment, services, or supplies other than for purposes connected with the discharge of Municipal duties or associated community activities of which Council has been advised, unless the use is reasonable and incidental personal use of equipment such as computers, fax machines, cell phones, etc., where the Municipality incurs no additional costs relating to such use, and the use is of limited duration and frequency.
- 10.2** This section does not apply to the use of Municipal property and facilities where such use is universally known to be available to other residents upon request and on equal terms.
- 10.3** No Member shall obtain financial gain from the use of Municipally developed intellectual property, computer programs, technological innovations or other patentable items, while an elected official or thereafter. All such property remains the exclusive property of the Municipality.
- 10.4** Municipal property and resources, including facilities, purchasing provisions, equipment, supplies, Staff and services will not be used for any election campaign activities, before or after Nomination Day.
- 10.5** Members will not use the services of Staff for election-related purposes during hours in which those persons receive compensation from the Municipality. For purposes only of this provision, Staff shall include any person under contract with the Municipality or receiving remuneration from the Municipality for any service.

11.0 EXPENSES

- 11.1** Members are required to adhere to any relevant policies, procedures and guidelines with respect to any expenses included in the budget (such as, but not limited to: mileage reimbursement, and conference and seminar attendance).

11.2 Falsifying of receipts or signatures by a Member is a serious breach of this Code of Conduct and the *Criminal Code of Canada* and could lead to prosecution.

12.0 GIFTS AND HOSPITALITY AND OTHER BENEFITS

12.1 The objective of these policies is to ensure that Members make decisions based on impartial and objective assessments of each situation, free from the influence of Gifts.

12.2 Any stipend paid to a Member is intended to fully remunerate the Members for service to the Municipality.

12.3 Members are prohibited from soliciting, accepting, offering or agreeing to accept any Gifts, personally or through a Family Member or associate (business or otherwise), that is connected directly or indirectly with the performance of duties of office or could reasonably be construed as being given in anticipation of future, or recognition of past, special consideration by the Member.

12.4 Section 12.3 does not preclude Members from accepting:

- (a) Token gifts, souvenirs, mementoes or hospitality received in recognition for service on a committee, for speaking at an event or for representing the Municipality at an event.
- (b) Political contributions that are otherwise offered, accepted and reported in accordance with applicable law.
- (c) Food and beverages at meetings, banquets, receptions, ceremonies or similar events.
- (d) Food, lodging, transportation, entertainment provided by other levels of governments, by other local governments or by local government boards or commissions.
- (e) A stipend from a board or commission that the Member serves on as a result of an appointment by Council.
- (f) Reimbursement of reasonable expenses incurred in the performance of office.
- (g) Reimbursement of reasonable expenses incurred and honorariums received in the performance of activities connected with municipal associations.

- (h) Gifts of a nominal value that are received as an incident of protocol or social obligation that normally and reasonably accompany the responsibility of the office.
- (i) Services provided without compensation by persons volunteering their time for election campaign, provided the services are properly valued in accordance with the *Municipal Elections Act*.

12.5 Where it is not possible to decline unauthorized Gifts, Members shall report the matter to the CAO. The Gift shall become the property of the Municipality, and the CAO may require that the Gift be retained by the Municipality or be disposed of for charitable purposes in the CAO's sole discretion.

13.0 ADVICE AND OPINIONS

13.1 Members may request advice or opinions from the Integrity Commissioner with respect to:

- (a) The obligations of the Member under the *Municipal Conflict of Interest Act*;
- (b) The obligations of the Member under this Code of Conduct.
- (c) The obligations of the Member under a procedure, rule or policy of the Municipality governing the ethical behaviour of the Member.

13.2 Every request for advice or opinion shall be submitted in writing to the CAO and Clerk, who shall forward the request to the Integrity Commissioner for a response. Where the request is confidential, the request may be made directly to the Integrity Commissioner, who shall advise the CAO and Clerk that a request has been made, but not disclose the nature thereof.

13.3 The Integrity Commissioner shall not provide to any Member any advice or opinion with respect to the obligations of another Member.

13.4 Members shall be mindful of the cost to the Municipality to obtain the advice or opinion of the Integrity Commissioner and shall not abuse this entitlement.

13.5 The advice and opinions received by any Member are personal to the Member and are considered confidential. No opinion or advice may be shared by the Integrity Commissioner without the written permission of the Member who requested the opinion or advice. The Member may grant permission to share part of an opinion or advice, but in circumstances where the Member shares only a portion of an opinion or advice the

Integrity Commissioner may release all or a part of the opinion or advice without the consent of the Member.

- 13.6** Council may require any Member to undertake training with the Integrity Commissioner where Council determines that the Member has requested opinions and advice more frequently than is reasonable in the circumstances. The nature of the training will be to better explain the Member's obligations under this Code of Conduct and the *Municipal Conflict of Interest Act* to better enable the Member to govern his or her conduct without seeking advice unnecessarily.

14.0 ROLE OF THE INTEGRITY COMMISSIONER

- 14.1** The Integrity Commissioner shall be appointed by By-law of the Municipality.
- 14.2** The Integrity Commissioner shall operate independently of Council in accordance with all of the authority and powers granted by the *Municipal Act*.
- 14.3** The Integrity Commissioner may delegate his or her duties and powers to any person, other than a Member. The delegation shall be in writing, shall be disclosed to the CAO and/or Clerk and shall set out the precise delegation, including the duration of the delegation.
- 14.4** Any delegation shall be at the sole discretion of the Integrity Commissioner, provided that the delegate is qualified and capable of independently undertaking the work.
- 14.5** The Integrity Commissioner shall make an assessment prior to undertaking any investigation as to whether the complaint gives rise to the need for another entity to undertake an investigation. In those circumstances where the allegations disclose a potential *Criminal Code* offence or the breach of other legislation (other than the *Municipal Conflict of Interest Act*), the Integrity Commissioner shall refer the investigation to the appropriate entity and shall not conduct his or her own investigation unless the entity determines that no investigation is required.
- 14.6** The Integrity Commissioner shall prepare and submit to Council an Annual Report that shall include at a minimum:
- (a) A break-down of costs incurred for the following categories of work performed (advice/investigations/dispute resolution/training).
 - (b) A summary of the nature of requests made and the resolution of the matters, without providing any confidential information in the Report.

- (c) Any recommendations for improvements to this Code or processes or any procedure, rule or policy of the Municipality governing the ethical behaviour of the Member.

15.0 ENFORCEMENT AND SANCTIONS

15.1 Any breach of this Code of Conduct may be investigated by the Integrity Commissioner in accordance with this Code, and Council shall determine whether to impose any penalty or sanction on a Member found to have breached any provision of this Code.

15.2 Every Member has an obligation to cooperate with any investigation.

15.3 The *Municipal Act* authorizes Council to impose one or more of the penalties listed below, if so desired, on a Member that has contravened this Code of Conduct:

- (a) A reprimand; or
- (b) Suspension of the remuneration paid to the Member in respect to his or her services as a Member of Council, Local Board or Committee, as the case may be, for a period of up to 90 days.

15.4 The Integrity Commissioner may also recommend that Council impose any one or more of the following sanctions:

- (a) written and/or verbal public apology;
- (b) return of property or reimbursement of its value or of monies spent;
- (c) removal from membership of any Committee or Board;
- (d) removal as chair of a Committee or Board; and
- (e) other sanctions that are reasonably connected to the breach of this Code of Conduct and which the Integrity Commissioner believes in their sole discretion are necessary to modify the behaviour of the Member.

16.0 NO REPRISAL OR OBSTRUCTION IN THE ENFORCEMENT OF THE CODE

Every Member must respect the integrity of this Code of Conduct and inquiries and investigations conducted under it and shall co-operate in every way possible in securing compliance with its application and enforcement. Any reprisal or threat of reprisal against a complainant or any other person for providing relevant information to the Integrity Commissioner or any other person is prohibited. It is also a violation of this Code of Conduct to obstruct the Integrity Commissioner in

the carrying out of any of his or her responsibilities, including without limitation destroying relevant communications.

MONITORING/ENFORCEMENT

Complaint Protocol

Any person who has reasonable grounds to believe that a Member has breached this Code of Conduct may proceed with a complaint and request an investigation. Complaints must be submitted within ninety (90) days after the alleged violation occurred or the alleged violation came to the attention of the complainant. No complaint may be filed under any circumstances where the alleged violation occurred more than six (6) months prior to the complaint being filed.

The attached below outlines the informal and formal complaint procedure that shall be followed.

COMPLAINT PROTOCOL

PART I: Informal Complaint Procedure

Informal Complaints

- 1.0** Informal complaints may be addressed by any person who believes that the activity of a Member has breached this Code of Conduct or the *Municipal Conflict of Interest Act*, but the person does not want to initiate a formal complaint at first instance. Any person may:
- (a) Advise the Member that their behaviour or activity appears to constitute a contravention of this Code of Conduct or the *Municipal Conflict of Interest Act*;
 - (b) Encourage the Member to acknowledge and agree to cease the prohibited behaviour or activity and avoid future occurrences of the prohibited behaviour or activity;
 - (c) Where the Member agrees to cease the behaviour, consider confirming in writing with the Member that the agreement is satisfactory;
 - (d) Where the Member's response is not satisfactory, advise the Member of the dissatisfaction with the response; and
 - (e) Consider the need to pursue the matter in accordance with the formal complaint procedure outlined in Part II.
- 2.0** Individuals are encouraged to pursue the informal complaint procedure as the first means of remedying behaviour or an activity that they believe violates the Code of Conduct or the *Municipal Conflict of Interest Act*.

PART II: Formal Complaint Procedure

Formal Complaints

- 1.0** Any individual who identifies or witnesses behaviour or an activity by a Member that they believe is in contravention of this Code of Conduct or the *Municipal Conflict of Interest Act*, may file a formal complaint.
- 2.0** Any person may file a complaint with the Municipality by submitting in writing the prescribed Complaint Form to the CAO and Clerk. The form must contain an attestation from the complainant that they believe that the facts as set out in the complaint are true to the best of their knowledge and belief and that they make those statements as if they were under oath.

- 3.0** Every complaint must be accompanied by the prescribed fee in the amount of \$150.00.
- 4.0** In the event that the Integrity Commissioner determines that a complaint is frivolous, vexatious or does not disclose a breach of this Code of Conduct or the *Municipal Conflict of Interest Act*, at any point after the submission of the complaint, the complainant shall forfeit the fee. If the result of the complaint is a negotiated resolution or a finding that the Member breached this Code of Conduct or the *Municipal Conflict of Interest Act*, the fee shall be refunded in part, up to 50%, based on the recommendation of the Integrity Commissioner.
- 5.0** Every complaint shall include the following:
- (a) The complaint must set out reasonable and probable grounds for the allegation that the Member has contravened this Code of Conduct or the *Municipal Conflict of Interest Act* and the alleged sections of the Code and/or *Municipal Conflict of Interest Act* alleged to have been contravened;
 - (b) Any witnesses in support of the allegation must be identified in the complaint; and
 - (c) The Integrity Commissioner may request additional information from the complainant prior to making an assessment.
- 6.0** The complaint must be filed with the CAO and Clerk, who shall forward the matter to the Integrity Commissioner. The CAO and Clerk shall also provide notice to Council by way of confidential internal communication that a complaint has been filed, but no details of the complaint shall be provided other than the fact of a complaint and whether it is a complaint under this Code of Conduct, the *Municipal Conflict of Interest Act* or other policy.
- 7.0** If the complaint is not, on its face in its entirety, a complaint with respect to non-compliance with this Code of Conduct or the *Municipal Conflict of Interest Act*, or the complaint is covered by other legislation or complaint procedure under another policy, the Integrity Commissioner shall refer the complaint to the appropriate entity for investigation, advise the complainant in writing, suspend the investigation until after the matter has been finally disposed of, and report the suspension of the investigation to Council.

Refusal to Conduct Investigation

- 8.0** If the Integrity Commissioner is of the opinion that the referral of a matter is frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, the Integrity Commissioner shall not conduct an investigation and, where this becomes apparent in the course of an investigation, shall terminate the investigation. The Integrity Commissioner shall

communicate this position in writing to the complainant and the Member identified in the complaint.

Opportunities for Resolution

9.0 Following receipt and review of a formal complaint, or at any time during the investigation, where the Integrity Commissioner believes that an opportunity to resolve the matter may be successfully pursued, and both the complainant and the Member agree, efforts may be pursued to achieve an informal resolution at the discretion of the Integrity Commissioner.

Investigation

10.0 The Integrity Commissioner will proceed as follows, except where otherwise required by the *Public Inquiries Act*:

- (a) Provide the complaint and supporting material to the Member whose conduct is in question with a request that a written response to the allegation be provided within 10 business days.
- (b) Provide a copy of the response provided by the Member to the complainant with a request for a written response within 10 business days.
- (c) Provide a copy of the response provided by the complainant to the Member with a request for a written response within 10 business days.
- (d) The Integrity Commissioner may use his or her discretion to extend these deadlines.
- (e) If necessary, after reviewing the submitted materials, the Integrity Commissioner may speak to anyone, access and examine any other documents or electronic materials and may enter any Municipal work location relevant to the complaint for the purpose of investigation and potential resolution.
- (f) The Integrity Commissioner may make interim reports to Council where necessary and as required to address any instances of interference, obstruction, delay or retaliation encountered during the investigation.
- (g) The Integrity Commissioner shall retain all records related to the complaint and investigation.

Timing of Complaints in Relation to Municipal Elections

11.0 Complaints must be investigated and a report submitted to Council on or before Nomination Day in the year of a municipal election.

- 12.0** Investigations of complaints that are not completed as of Nomination Day in an election year shall be terminated on Nomination Day.
- 13.0** The complainant may re-commence the complaint within six (6) weeks of Voting Day by submitting a written request to the Integrity Commissioner, who shall, provided the request is received on or before six (6) weeks from Voting Day, recommence the investigation.
- 14.0** In addition, on or after Nomination Day in the year of a municipal election:
- (a) No complaint shall be filed;
 - (b) The Integrity Commissioner shall not report to the Municipality about an ongoing investigation; and
 - (c) The Municipality shall not consider whether to impose any penalty on a Member subsequent to an investigation.

Complaints Under the *Municipal Conflict of Interest Act*

- 15.0** After March 1, 2019, an elector as defined in section 1 of the *Municipal Conflict of Interest Act*, or a person demonstrably acting in the public interest, may submit a request to the Integrity Commissioner to conduct an investigation concerning an alleged contravention of section 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act* by filing with the CAO and/or Clerk a completed and signed complaint form and paying the prescribed fee of \$150.00.
- 16.0** No request may be submitted more than six (6) weeks after the complainant became aware of the alleged contravention. The complainant must include in their written request for an investigation a statutory declaration attesting to the fact that the complainant became aware of the contravention not more than six (6) weeks before making the complaint.
- 17.0** A request for an investigation in an election year may only be submitted prior to Nomination Day or after Voting Day.
- 18.0** In the event that a complainant became aware of the alleged contravention within the period of time starting six (6) weeks before Nomination Day in an election year and ending on voting day, the complainant may apply to the Integrity Commissioner within six (6) weeks after the day after Voting Day, provided that the complainant includes in their written request for an investigation a statutory declaration attesting to the fact that the complainant became aware of the contravention within that time period.
- 19.0** The Integrity Commissioner has all the powers set out in the *Municipal Act* when undertaking an investigation under this section and shall follow the investigation process established in paragraph 10.0 above.

- 20.0** Where an investigation has not been completed before Nomination Day in an election year, the Integrity Commissioner shall terminate the investigation on that day.
- 21.0** An investigation terminated pursuant to paragraph 20.0 above shall not be recommenced unless the person who made the request, or the Member whose conduct is at issue, applies in writing to the Integrity Commissioner to recommence the investigation after Voting Day.
- 22.0** The Integrity Commissioner shall complete the investigation within 120 days of receipt of the complaint, unless the investigation is terminated in accordance with paragraph 20.0 above.
- 23.0** The Integrity Commissioner may, after completing an investigation, apply to a judge in accordance with the *Municipal Conflict of Interest Act* for a determination under the Act. Prior to making an application to court, the Integrity Commissioner shall present to Council a request to make the application and allow Council to provide recommendations to the Integrity Commissioner as to whether such an application should be made. The Integrity Commissioner is not bound by the advice or recommendation of Council and shall refer the matter to a judge in his or her sole discretion.

Recommendation Report

- 24.0** The Integrity Commissioner shall report to the complainant and the Member generally no later than 90 days after the official receipt of the complaint (120 days in the case of a complaint under the *Municipal Conflict of Interest Act*). If the investigation process takes more than 90 (120) days, the Integrity Commissioner shall provide an interim report and must advise the parties of the date the report will be available.
- 25.0** After completing the investigation, the Integrity Commissioner shall prepare a report which shall make findings of fact and conclusions as to whether a breach of this Code of Conduct or the *Municipal Conflict of Interest Act* occurred, as the case may be, make recommendations to Council, and in the case of a *Municipal Conflict of Interest Act* investigation, make a determination as to whether or not the matter will be referred to the court, and include written reasons for the decision.
- 26.0** The report of the Integrity Commissioner shall be published by posting the report on the Municipal website and making a copy available to all Members of Council and the Members of the Board or Committee, as applicable.

Member Not Blameworthy

- 27.0** If the Integrity Commissioner determines that there has been no contravention of this Code of Conduct or the *Municipal Conflict of Interest Act*, or that a

contravention occurred although the Member took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgment made in good faith, the Integrity Commissioner may so state in the report and may make appropriate recommendations.

- 28.0** Where a Member has sought and followed advice from the Integrity Commissioner and is subsequently the subject of a complaint, the Integrity Commissioner may refer to the earlier advice and, provided that the facts as set out in the earlier advice are still applicable, determine in a summary manner that there has been no breach of this Code of Conduct or the *Municipal Conflict of Interest Act*.

Public Disclosure

- 29.0** The Integrity Commissioner and every person acting under his or her jurisdiction shall preserve confidentiality where appropriate and where this does not interfere with the course of any investigation, except as required by law and as required by this complaint protocol.
- 30.0** The Integrity Commissioner shall retain all records related to the complaint and investigation.
- 31.0** At the time of the Integrity Commissioner's report to Council, the identity of the person who submitted the complaint shall not be treated as confidential information if the Integrity Commissioner finds that it is necessary to disclose that person's identity.