

Modernizing Ontario's Municipal Legislation Act, 2017 Effective March 1, 2019

MUNICIPALITY OF

South Huron



Key Themes of Bill 68

1. Accountability and Transparency
2. Municipal Financial Sustainability
3. Responsible and Flexible Municipal Government

A phased in approach brought certain amendments into force on January 1, 2018 and March 1, 2019, respectively.

Policies

Municipalities must establish policies by March 1, 2019 re:

1. The relationship between members of council and the officers and employees of the municipality
2. Pregnancy leaves and parental leaves for council members
3. The manner in which the municipality will protect and enhance the tree canopy and natural vegetation in the municipality

Accountability and Transparency

Code of Conduct – Mandatory rather than Optional

- Require municipalities to establish codes of conduct for members of council and local boards.

Integrity Commissioner – Mandatory rather than Optional

- Require that municipalities provide access to an Integrity Commissioner who will have the following responsibilities to members of council and members of local boards of the municipality:
 - The application of the local codes of conduct
 - rules governing the ethical behavior of the members; and
 - key sections of the Municipal Conflict of Interest Act (MCIA)

Accountability and Transparency Overview

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Code of Conduct

Adopted by By-Law and supported by Legislation

- Statement of ethical behaviour standards for Members of Council and Committee members to uphold the public trust, the integrity of governance and municipality's reputation
- Administered by Integrity Commissioner
- A committee of council is subject to similar legislative requirements as council under the Act, such as open meetings.

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Conflict of Interest - Penalties

Members must identify and disclose any actual or potential conflicts of interest related to a matter being considered by the local board and cannot participate in making decisions about that matter. Penalties may include any or all of the following:

- Reprimand the member or former member;
- Suspend the member's remuneration for a period up to 90 days;
- Declare the member's seat vacant;
- Disqualify the member or former member during a period of not more than seven years; and/or
- Require the member or former member to make restitution.

MFIPPA – Municipal Freedom of Information and Protection of Privacy Act

- Information held by the municipality should be easily accessible to internal and external stakeholders.
- Important part of a democracy and reflects a more open and transparent government.
- Municipality is responsible for collection, use and disclosure of all records within its custody and control
- IPC – Information & Privacy Commissioner investigates complaints and may review privacy policies and procedures.

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Terms of Reference

The Terms of Reference for a Committee means a guiding document that defines the purpose and structures and may include:

- Guiding Principles and Mandate
- Responsibilities
- Reporting
- Composition and Term
- Operating Procedures
- Roles