



## Staff Report

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| <b>Report To:</b> | Dan Best, Chief Administrative Officer                             |
| <b>From:</b>      | Genevieve Scharback, Corporate Services<br>Manager/Clerk           |
| <b>Date:</b>      | June 19, 2017  |
| <b>Report:</b>    | 11-2017  |
| <b>Subject:</b>   | Bill 68 – Modernizing Ontario’s Municipal Legislation<br>Act, 2017 |

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### Recommendations:

**That** South Huron Council receives the report from G. Scharback, Corporate Services Manager/Clerk re: Bill 68 – Modernizing Ontario’s Municipal Legislation Act, 2017.

### Purpose:

To provide Council with an update regarding the changes to municipal legislation included in Bill 68.

### Background and Analysis:

Bill 68 – Modernizing Ontario’s Municipal Legislation Act, 2017 received Royal Assent on May 30, 2017. The Act is the result of the review of three key elements of Ontario’s municipal legislative framework: the Municipal Act, 2001, City of Toronto Act, 2006 and the Municipal Conflict of Interest Act.

Most of the key changes for municipalities will come into force on proclamation, the date of which is unknown at this time, or on January 1, 2018, with many election related changes coming into force on April 1, 2018.

Key highlights of the Act are attached hereto for Council’s information. More information will be provided when it becomes available, when proclamation dates are known and Regulations are established by the Minister for specific sections of the Act.

**Operational Considerations:**

Staff will continue to update Council and ensure that South Huron is in compliance with legislative changes as they come into force.

**South Huron's Strategic Plan:**

Section 6.2.2 of the Municipality of South Huron 2015- 2019 Strategic Plan identifies transparent, accountable and collaborative governance as a strategic objective.

**Financial Impact:**

N/A

**Legal Impact:**

N/A

**Staffing Impact:**

N/A

**Policies/Legislation:**

Bill 68

Municipal Act

Municipal Conflict of Interest Act

Municipal Election Act

**Consultation:**

MMAH

**Related Documents:**

Respectfully submitted,



Genevieve Scharback

Corporate Services Manager/Clerk

I concur with this report.

Dan Best MPA, BA

Chief Administrative Officer

## Key Highlights of Bill 68 – Modernizing Ontario’s Municipal Legislation Act, 2017

Please note sections of the Act have yet to be proclaimed prior to many of the following amendments coming into force, many other sections come into force on January 1, 2018 or April 1, 2018. AMCTO will be providing training for municipal staff if needed and guidance documents to assist municipalities with implementing necessary changes.

### Codes of Conduct

- Now mandatory rather than optional;
- Regulations yet to be prescribed by the Minister.

### Integrity Commissioners (I.C.)

- Now mandatory rather than optional;
- Expanded authority to include Municipal Conflict of Interest Act (MCIA);
- Upon completion of MCIA inquiry I.C. may bring matter to court;
- Power to provide advice to councils and local boards about their codes of conduct and MCIA obligations;
- Broader responsibility for member and public education;
- Municipalities will need to indemnify Integrity Commissioners;
- Rules related to regular elections – inquiries not completed by nomination day shall be terminated, no inquiries allowed between nomination day and election day.

### Municipal Conflict of Interest Act

- Range of penalties expanded, judges have more latitude
- Declarations must be in writing;
- Municipalities must create a registry, available to the public, to track all registered conflicts of interest.

### Closed, Open and Electronic Meetings

- Clearer definition of a “meeting” – requires a quorum and that matters discussed “materially advances” the business or decision-making of Council;
- Expanded number of discretionary exemptions where councils can meet in closed session including:
  - Information supplied in confidence by the federal or provincial government or crown agency/corporation,
  - Certain third party information supplied in confidence,
  - Trade, financial or commercial information that belongs to the municipality and has potential monetary value,
  - Information related to negotiations being conducted by or with the municipality.

- Councillors may take part in a meeting electronically if there is an in-person quorum, open meetings only.

#### Fiscal Sustainability

- No new revenue tools;
- More investment options
- Allow tax sales to start faster, easier to complete;
- Technical changes to property taxation – more information when it becomes available.

#### Staff – Council Relations

- Formal policy required on staff-council relations, addressing the formal roles and responsibilities of public servants and members of council.

#### Administrative Monetary Penalties (AMP)

- Authority to use AMPs for broader range of offences, beyond parking.

#### Municipal Elections

- Term of office will begin on December 1 for the 2018 election (transitional rule) and will be November 15 for each election thereafter.
- Regulation will prescribe formula to identify municipalities where the requirement of 25 eligible voters to sign a nomination form is not required.
- Contribution limit changes from \$750 to \$1,200

#### Community Hubs

- Minister gains authority to impose regulations on community hubs.

#### Parental Leave

- reduce barriers for women and new parents elected to municipal governments and school boards by allowing time off for pregnancy or parental leave