

**CORPORATION OF THE TOWNSHIP
OF SOUTH ALGONQUIN**

By-Law No. 2022-706

**Being a By-Law to Appoint an Integrity Commissioner for the
Township of South Algonquin**

WHEREAS the Municipal Act, 2001, as amended (the “Municipal Act”) provides that the powers of a municipal corporation are to be exercised by its Council through the adoption of By-Laws; and

WHEREAS the Municipal Act authorizes the Township to establish codes of conduct for members of Council and to appoint an Integrity Commissioner who reports to Council; and

WHEREAS an Integrity Commissioner is responsible for performing in an independent manner the functions assigned by the municipality; and

WHEREAS by March 1, 2019, the Municipal Act, pursuant to Part V.1, Accountability and Transparency, will oblige all municipalities in Ontario to appoint an integrity Commissioner to perform the following functions:

1. The application of the code of conduct for members of council and the code of conduct for members of local boards.
2. The application of any procedures, rules and policies of the municipality and local boards governing the ethical behaviour of members of council and of local boards.
3. The application of sections 5, 5.1 and 5.2 of the Municipal Conflict of Interest Act to members of council and of local boards.
4. Requests from members of council and of local boards for advice respecting their obligations under the code of conduct applicable to the member.
5. Requests from members of council and of local boards for advice respecting their obligations under a procedure, rule or policy of the municipality or of the local board, as the case may be, governing the ethical behaviour of members.
6. Requests from members of council and of local boards for advice respecting their obligations under the Municipal Conflict of Interest Act.
7. The provision of educational information to members of council, members of local boards, the municipality and the public about the municipality’s codes of conduct for members of council and members of local boards and about the Municipal Conflict of Interest Act; and

WHEREAS Council deems it expedient to appoint Tony Fleming, of Cunningham, Swan, Carty, Little and Bonham LLP, as the Township of South Algonquin Integrity Commissioner to perform the functions, powers and duties recited above and as may be set out in the Municipal Act from time to time.

NOW THEREFORE the Council of the Corporation of the Township of South Algonquin enacts as follows:

8. That Tony Fleming, of Cunningham, Swan, Carty, Little and Bonham LLP, is hereby appointed as the Township of South Algonquin's Integrity Commissioner pursuant to Part V.1, Accountability and Transparency, of the Municipal Act.

9. That upon appointment Tony Fleming will have all the functions, powers and duties of an integrity commissioner as set out in Part V.1, Accountability and Transparency, of the Municipal Act, and in addition such functions, powers and duties as may be assigned by Council from time to time.

10. That the Township of South Algonquin hereby indemnifies and save harmless the Integrity Commissioner or any person acting under the instructions of the Integrity Commissioner for costs reasonably incurred in connection with the defence of a proceeding if the proceeding relates to an act done in good faith in the performance or intended performance of a function, duty or authority under Part V.1 of the Municipal Act, or a By-Law passed thereunder, or an alleged neglect or default in the performance in good faith of the function, duty or authority.

11. That all actions taken and required to be taken by the Mayor and Clerk on behalf of the Corporation of the Township of South Algonquin to complete this matter including the execution of the Agreement and any other associated documentation are hereby authorized, confirmed and ratified.

12. THIS By-Law, when passed, takes precedence over all previous by-laws/policies or resolutions with respect to the matters contained herein and shall come into force and effect on the day of its passing.

READ A FIRST AND SECOND TIME this 4th day of May 2022.

Jane A.E. Dumas, Mayor

Bryan Martin, CAO/Clerk Treasurer

READ A THIRD TIME PASSED AND ENACTED this 4th day of May 2022.

Jane A.E. Dumas, Mayor

Bryan Martin,, CAO/Clerk Treasurer