

**CORPORATION OF THE
TOWNSHIP OF SOUTH ALGONQUIN**

BY-LAW NO. 2023-767

**BEING A BY-LAW TO AUTHORIZE THE ROUTINE DISCLOSURE AND ACTIVE
DISSEMINATION POLICY**

WHEREAS under Section 253 of the *Municipal Act 2001, Chapter 25* subject to the *Municipal Freedom of Information and Protection of Privacy Act*, any person may at all reasonable times, inspect any of the records under the control of the Clerk;

AND WHEREAS under Section 254 of the *Municipal Act 2001, Chapter 25*, a municipality shall retain and preserve the records of the municipality and its local boards in a secure and accessible manner;

AND WHEREAS the Township of South Algonquin is committed to improving customer service and streamlining public access to municipal records.

AND WHEREAS the Routine Disclosure and Active Dissemination of records supports accountability and transparency, the foundation of which is providing access to municipal records, while protecting privacy in accordance with the *Municipal Act* and the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*.

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

1. THAT the Corporation of the Township of South Algonquin adopts the Routine Disclosure And Active Dissemination Policy in accordance with Schedule “A” attached hereto and forming part of this By-law.
2. THAT this By-law come into effect upon its adoption.

READ A FIRST AND SECOND TIME on October 4, 2023.

Ethel LaValley – Mayor

Bryan Martin-CAO/Clerk Treasurer

READ A THIRD TIME, PASSED AND ENACTED on October 4, 2023.

Ethel LaValley – Mayor

Bryan Martin-CAO/Clerk Treasurer

Township of South Algonquin Corporate Policy			
DEPARTMENT: Corporate Services			POLICY #: INSERT
POLICY: Routine Disclosure and Active Dissemination			
DATE: September/23	REV. DATE:	COVERAGE: All Employees	PAGE #: 1 of 17

1. Policy Statement

The Township of South Algonquin is committed to improving customer service and streamlining public access to municipal records. Routine Disclosure and Active Dissemination of records supports accountability and transparency, the foundation of which is providing access to municipal records, while protecting privacy in accordance with the *Municipal Act* and the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*.

The routine disclosure and active dissemination policy was developed to ensure that the Township of South Algonquin is proactive, efficient, open, and accountable. These principles are the focus of the Information and Privacy Commissioner of Ontario's *Access by Design*.

In the *Township of South Algonquin Strategic Plan (2016-2021)*, effectively communicating the Townships activities and interests was outlined as a key objective. Establishing the records available for routine disclosure and active dissemination will support this key objective, ensuring that both the public and staff are aware of records available for disclosure and identifying key records available on our website.

2. Purpose

- i) To identify, provide and improve access to municipal records.
- ii) To protect privacy, personal and confidential information
- iii) To improve accountability and transparency
- iv) To identify the records which may be routinely disclosed and made actively available.
- v) To provide guidelines to staff for the release of records
- vi) To establish a routine procedure under which records may be released without the submission of a formal Freedom of Information (FOI) request.

3. Scope

This policy applies to all Township of South Algonquin employees and all records in the custody and control of the Township of South Algonquin. This policy does not apply to records or information which are exempt under sections 6-15 of the *Municipal Freedom of Information and Protection of Privacy Act, 1990*.

4. Policy

4.1 Definitions

Active Dissemination	The periodic release of government records in the absence of a request.
Confidential Information	Information subject to exceptions outlined in <i>MFIPPA</i> or information which the Township of South Algonquin has deemed confidential.
FOI Coordinator	For the purposes of this policy and related procedures, the CAO/Clerk-Treasurer is designated as the FOI Coordinator. The Chief Administrative Officer may designate alternates through delegation of authority.
Freedom of Information (FOI) Request	A formal request made under Freedom of Information legislation (<i>MFIPPA</i>).
MFIPPA	<i>Municipal Freedom of Information and Protection of Privacy Act, 1990</i>
Personal Information	Recorded information about an identifiable individual (not a corporation, partnership, or sole proprietorship), including information relating to: a) race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual; b) education, medical, psychiatric, psychological, criminal or employment history, financial transactions; c) any identifying number, symbol, address, telephone number, fingerprints, or blood type; d) personal opinions or views of the individual except if they relate to another individual, and views or opinions of another individual about the individual; e) correspondence sent to the Township which is implicitly or explicitly of a private or confidential nature and replies to the correspondence; f) the individual's name if it appears with any other personal information.
Personal Information Bank (PIB)	Is a collection of personal information that is organized and capable of being retrieved using an individual's name or an identifying number assigned to the individual.

Record	All recorded information, regardless of structure or form, was created, captured, received, or maintained by the municipality and which serves as documentary evidence of daily activities. Records are valuable corporate assets of the Township of South Algonquin. Records may include, but are not limited to correspondence, email, memoranda, invoices, minutes, photographs, maps, plans, drawings, microforms, books, reports, etc.
Request, Formal	A request for access to or copies of a record which is submitted in writing detailing the requested records, is dated, and signed by the requester. This type of request should be received only after the informal request has been denied. Fees apply.
Request, Informal	A verbal request for access to or copies of a record. May also be referred to as a routine disclosure request. All requests should begin informally, and requesters should only formally submit a request as a last resort.
Responsible Department	Shall refer to the department that currently has control or custody of the record.
Routine Disclosure	The routine or automatic release of certain types of administrative and operational records in response to informal rather than formal requests under <i>MFIPPA</i> .
Third Party Information	Any person, group of persons or organizations whose interest might be affected by disclosure, other than the person, group of persons, or organization making a request for access. Where the third party is an individual, another person may in some cases, exercise his/her right.

4.2 Active Dissemination

The Township of South Algonquin committed to making key records available to the public, where possible, on the Township of South Algonquin website, through media releases, newsletters, notices, pamphlets, newspapers, and advertising or for review at the Township Municipal Offices.

Where possible, any information released shall be made available in an accessible format.

Examples of public records routinely made available on the Township of South Algonquin website

include:

- Council Agendas and Minutes
- Frequently requested By-Laws
- Bid and Tender documents
- Municipal Policies
- Blank Applications and Forms
- Media Releases and Announcements
- Public documents related to Special Studies and Projects
- Master Plans
- Park, Trail, and Road Maps

- The Township of South Algonquin Emergency Plan
- The Township of South Algonquin Organizational Chart

4.3 Routine Disclosure

Records identified for routine disclosure may be released by the responsible department upon request, subject to the governing rules listed below and exceptions in the *Municipal Freedom of Information and Protection of Privacy Act, 1990*.

4.4 Rules Governing Routine Disclosure Requests

4.4.1 Requests

- Routine disclosure requests should be made to the responsible department.
- Routine disclosure requests may be denied, or the records redacted, as per the exemptions outlined in the *Municipal Freedom of Information and Protection of Privacy Act, 1990*, or at the Clerk's Discretion.
- If a routine disclosure request is denied, the requestor may submit a formal Freedom of Information Request (FOI) to the Clerk, subject to applicable fees.
- Routine disclosure requests may be made verbally or in writing ([See the Routine Disclosure Request Form](#)).
- Staff may require the routine disclosure request be submitted in writing if the request is unclear or the scope of the request warrants it in writing ([See the Routine Disclosure Request Form](#)).
- Routine disclosure requests may be required to be formally submitted as an FOI request if the search time and preparation of records may be deemed excessive. Fees may apply.
- Records related to regular routine disclosure requests will be made available within 10 business days.
- An estimate must be given within 10 days outlining the amount of time that a routine disclosure request may take for large volumes of records, records stored off-site, archived, or in a fragile state, where response may take longer.

4.4.2 Conditions of Release

- To confirm the identity of the requestor, identification may be requested. MFIPPA, R.R.O. 1990, Reg. 823, s. 2 (3).
- Records will be routinely disclosed according to the conditions listed and, in the manner, specified in [APPENDIX A: Schedule of Records and Information for Routine Disclosure and Active Dissemination](#).

- iii) A staff member must be always present when a requestor is viewing an original record. MFIPPA, R.R.O. 1990, Reg. 823, s. 2 (1)(2).

4.4.3 Personal and Confidential Information

- iv) Personal information will not be released, except in accordance with exceptions provided in Section 14 of *MFIPPA*. Personal information may be redacted in response to a Routine Disclosure request. Requests for records containing personal information may be denied, requiring a formal Freedom of Information (FOI) request. MFIPPA, R.S.O. 1990, c. M.56, s. 14.
- v) The Township of South Algonquin is committed to the confidentiality of Third-Party information that reveals a trade secret or scientific, technical, commercial, financial or labour relations information, if the disclosure could reasonably be expected to cause harm to the interests of the Third Party. MFIPPA, R.S.O. 1990, c. M.56, s. 10. This includes copyrighted records and information.
- vi) Confidential Information, as defined in *MFIPPA*, or information determined to be confidential by the Township, will not be released.
- vii) If the personal information in the record is not that of the requestor or an agent of the requestor, the information will be redacted, unless authorized by legislation or in writing by the individual to which the information pertains.
- viii) Residents have the right to review and correct their own personal information if it is believed that there is an error or omission. MFIPPA, R.S.O. 1990, c. M.56, s. 36

4.4.4 Availability of Records

- i) Reproductions (digital or paper) of records may be provided if the request pertains to archived or permanent records considered too fragile for public viewing. The records management clerk will make this determination.
- ii) Records stored off-site or archived may not be immediately available and may require extra time to fulfill the request.
- iii) In response to a request, the Township of South Algonquin is not required to create records which do not otherwise exist.
- iv) The Township of South Algonquin is not required to restore or recreate records which have been destroyed in accordance with the records retention By-Law.

4.5 FEES

Fees may apply in accordance with the current Schedule of Fees By-Law.

4.6 Routine Disclosure Procedure

- 1) Upon receipt of a verbal or written request, consult the [Schedule of Records and Information for Routine Disclosure and Active Dissemination](#) to determine if the record can be routinely disclosed.
 - a. If the record is not listed in the Schedule of Records, consult with the FOI Coordinator or alternate to determine the appropriate response.
- 2) Consult the fee schedule for any applicable fees to provide an estimate to the requestor if required.
 - a. If fees apply, the requestor must make payment at the finance counter prior to obtaining the records.
- 3) Consult the schedule for any existing restrictions on the way the records will be disclosed and any exceptions or exemptions.

5. Responsibilities:

5.1 Department Heads:

- i) Ensure the protection of privacy and personal information collected, received, or maintained by the department.
- ii) Oversee routine disclosure and active dissemination within the department.
- iii) Regularly review the Routine Disclosure and Active Dissemination policy and notify the Clerk's Department of any changes to departmental record holdings.

5.2 FOI Coordinator / Alternate

- i) Provide guidance on release of records and Freedom of Information (FOI) requests.
- ii) Provide information and guidance on the formal FOI request process.

5.3 Employees:

- i) Assist the public with routine disclosure requests.
- ii) Protect personal, confidential, and third-party information when responding to all requests.
- iii) Follow all rules listed in section [4.4 Rules Governing Routine Disclosure Requests](#)
- iv) Review records available for routine disclosure
- v) Ensure familiarity with user fee schedule and provide estimates.
- vi) Consult supervisor if uncertain release of information.
- vii) Direct requests for records not listed in Appendix A to the FOI Coordinator / Alternate

6. Policy Review:

This policy will be periodically reviewed and updated as required. This policy must be reviewed by the stated review date and approved by the responsible department.

7. References and Related Documents:

Procedure for Processing FOI Requests
Protecting Personal Information
Township of South Algonquin Strategic Plan (2016-2021)
Access by Design – Information and Privacy Commissioner of Ontario (2010)
Accessibility for Ontarians with Disabilities Act, 2005
Assessment Act, 1990
Development Charges Act, 1997
Emergency Management and Civil Protection Act, 1990
Fire Protection and Prevention Act, 1997
Green Energy Act, 2009
Municipal Act, 2001
Municipal Elections Act, 1996
Municipal Freedom of Information and Protection of Privacy Act, 1990
Planning Act, 1990
Provincial Offences Act, 1990

8. Attachments:

APPENDIX A: Schedule of Records and Information for Routine Disclosure / Active Dissemination

APPENDIX B: Routine Disclosure Request Form

APPENDIX A : Schedule of Records and Information for Routine Disclosure / Active Dissemination

Administration Department

Records / Information	RD/AD	Conditions for Release	Access to information	Legislation Governing Access
Advertising	RD	Excludes draft copies and correspondence.	Available by request to Administration Department.	
South Algonquin Newsletter	AD	Excludes drafts and working copies.	Available on website and at Township Office.	
Media Releases / Announcements	AD	Excludes drafts and working copies.	Available on website	
Organizational Chart	AD	Excludes drafts and working copies.	Available on website.	
Strategic Plan	AD	Excludes drafts and working copies.	Available on website.	
Studies and Special Projects	AD	Excludes drafts and working copies.	Available on the website. Some materials available on Council Agenda.	

Council Services Department

Records / Information	RD/AD	Conditions for Release	Access to information	Legislation Governing Access
Accessibility Compliance Report	RD		Available by request to the Clerk's Department.	<i>Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11, s. 14 (2)</i>
Accessibility Plan	AD	Excludes correspondence, draft, and working copies.	Available on website or by request to Clerk's Department.	<i>Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11, O. Reg. 165/16, s. 3 (1)</i>

Agreements & Contracts under seal	RD/AD	Excludes draft agreements, legal opinions, correspondence, various other agreement documentation.	Agreements under seal may be provided on the Council Agenda. Signed agreements provided upon request. Fees may apply.	
Appointments to Boards & Committees	RD	Release of names and resolutions appointing individuals only. Will not release applications, correspondence, closed reports, agendas, minutes, or background information.		
By-Laws	RD/AD	Signed copy only. Excludes draft copies, confidential attachments, legal opinion, correspondence, and background information relating to By-Law.	Commonly requested By-Laws available on website. All other By-Laws available by request to the Clerks Department. Fees may apply.	<i>Municipal Act. 2001, s. 253(1); MFIPPA, s. 6(1)</i>
Committee Agendas & Minutes	RD	Excludes closed or confidential committee records.	Fees may apply.	<i>MFIPPA, R.S.O. 1990, c. M.56, s. 6; Municipal Act. 2001, s. 253(1)</i>
Council Agendas & Minutes	AD	Excludes Closed Session Agendas, Minutes and working notes.	Available on the website or by request to the Clerk's Department. Fees may apply.	<i>MFIPPA, R.S.O. 1990, c. M.56, s. 6; Municipal Act. 2001, s. 253(1)</i>
Elections – Candidate Files	RD	Records may only be viewed in the 120 days following the election period.	Available for viewing at Clerk's Department between filing and the 120 period after the election from the Clerk's Department.	<i>Municipal Elections Act, 1996, 1996, c. 32, Sched., s. 88 (6)</i>
Elections – Candidate Financial Statements	AD		Available on website or for viewing at the Clerk's Department.	<i>Municipal Elections Act, 1996, 1996, c. 32, Sched., s. 88 (5)</i>
Elections – Nomination Papers	AD	Records may only be viewed in the 120 days following the election period.	Available for viewing at Clerk's Department between filing and the 120 period after the election from the Clerk's Department.	<i>Municipal Elections Act, 1996, 1996, c. 32, Sched., s. 88 (6)</i>
Incident / Accident Reports	RD	Copy can be provided to the individual referred to in the Incident /		

		Accident Report, insurance company or legal counsel.		
Lottery Licensing	RD	Confirmation of license issuance including license number, license holder, date of event and event location.	Available upon request from the Clerk's Department.	
Noise By-Law Exemptions	AD	Notice sent to surrounding residents.		
Policies	AD	Excludes drafts and working copies.	Available on the website or by request to the Clerk's Department. Fees may apply.	
Reports to Council and Committees	AD	Excludes reports to closed session or confidential reports and working notes.	Available on website in Agenda.	<i>MFIPPA, R.S.O. 1990, c. M.56, s. 6; Municipal Act, 2001, s. 253(1).</i>
Resolutions	AD		Available in Council Minutes on website or by request to the Clerk's Department.	
Statements of Remuneration	RD	Statements of Remuneration prepared under Section 284 of the <i>Municipal Act, 2001</i> .		<i>Municipal Act, 2001, s. 253(1); MFIPPA, s. 284.</i>

Recreation Department

Records / Information	RD/AD	Conditions for Release	Access to information	Legislation Governing Access
Facility Rental Agreements	RD	Provided only to renting party.	Available upon request.	
Programming Information	AD	Excludes registrations and personal information.	Available in activity guide, on website, or by request.	

Planning and Building Department

Records / Information	RD/AD	Conditions for Release	Access to information	Legislation Governing Access
Building Permit Files	RD	Released to property owner, authorized agent, or individual with written permission from the owner.		<i>MFIPPA</i> , R.S.O. 1990, c. M.56, s. 14 (1).
Building Plans (Residential Buildings)	RD	Released to property owner, authorized agent, or individual with written permission from the owner. Copyright Act may apply to some drawings and plans.		<i>MFIPPA</i> , R.S.O. 1990, c. M.56, s. 14 (1).
Official Plan and Amendments	AD	Excludes draft copies, correspondence, legal opinions, etc.	Available on the website or by request to Planning Staff. Fees may apply.	
Planning Act related applications and supporting materials. <ul style="list-style-type: none"> - Official Plan Amendment - Zoning Applications - Subdivision Applications - Part Lot control - Consent Applications - Variance Applications 	AD	Excludes records not yet considered by Council, legal opinions, or other confidential records. Personal information will be redacted prior to the release of any information. Drawings may be subject to the exemptions listed in <i>MFIPPA</i> .	Available by request to, Planning Staff.	<i>Planning Act</i> , R.S.O. 1990, c. P.13, s. 1.0.1, s.14.2(6); <i>Municipal Act</i> . 2001, s. 253(1); <i>MFIPPA</i> , R.S.O. 1990, c. M.56

Planning Act and Committee of Adjustment Notices	AD		Available on website or by request to Planning Staff.	<i>Planning Act</i> , R.S.O. 1990, c.P.13, s. 14.2(6); <i>Municipal Act</i> . 2001, s. 253(1)
Work order and zoning compliance letters	RD	Released to lawyers and real estate agents.	Available by request to Planning Staff. Fees apply.	
Zoning By-Laws & Amendments	AD	Excludes drafts, information not considered by Council, correspondence, background information, etc.	Available on the website or by request to the Council Services department. Fees may apply.	

Finance Department

Records / Information	RD/AD	Conditions for Release	Access to information	Legislation Governing Access
Assessment Rolls	RD	Assessment roll books are made available for public viewing at Township Hall. Assessment roll information is not provided by phone or email, except to the property owner. Proof of identification will be required. No information pertaining to the roll number will be given out. Assessment rolls currently stored off-site may not be immediately available.	Current year and previous year: Available for viewing at Township Office Archived copies: Request by phone or email to finance department: 613-637-2650 Fees may apply.	<i>Assessment Act</i> , R.S.O. 1990, c. A.31, s. 39
Asset Management Plan	AD	Excludes drafts and working copies.	Available on website.	

Audited Financial Statements	AD		Available on website.	
Budget (Proposed and approved)	AD	Excludes drafts and working notes.	Available on website Township Office for viewing.	
Energy Consumption Report	AD	Excludes drafts and working copies.	Available on website.	<i>Green Energy Act, 2009, S.O. 2009, c. 12, Sched. A, O. Reg. 397/11: Energy Conservation and Demand Management Plans</i>
Energy Management Plan	AD	Excludes drafts and working copies.	Available on website.	<i>Green Energy Act, 2009, S.O. 2009, c. 12, Sched. A, O. Reg. 397/11: Energy Conservation and Demand Management Plans</i>
Remuneration	RD	Includes only final statements of remuneration prepared under section 284 of the <i>Municipal Act, 2001</i> .		<i>Municipal Act, 2001, c. 25, sec. 253(1)</i>
Tax account hard copy	RD	Available to registered owner or representative only.	Available by request from the Finance department. Fees apply.	
Tax account information	RD	Available to the registered owner or representative only.	Available by request from the Finance department. Fees may apply.	
Tax Certificate / Lawyers Letter	RD	Available to registered owner or representative only.	Available by request from the Finance department. Fees apply.	

Fire Services

Records / Information	RD/AD	Conditions for Release	Access to information	Legislation Governing Access
Incident Reports	RD	Released only to property owner, authorized agent, or with written permission from the property owner. Subject to FOI requirements and exemptions.	Available by request to Fire Chief. Fees apply.	<i>MFIPPA</i> , R.S.O. 1990, c. M.56.
Inspection Reports	RD	Released only to property owner, authorized agent, or with written permission from the property owner. Subject to FOI requirements and exemptions.	Available by request to Fire Chief. Fees apply.	<i>MFIPPA</i> , R.S.O. 1990, c. M.56.
Fire Safety/Prevention Information	AD		Available on website and social media, or by request.	
South Algonquin Fire Service Annual Report	RD		Available by request to Fire Chief.	
Recreational Fires – Quick Reference Sheet	AD		Available on website.	
Township of South Algonquin Emergency Response Plan	AD	Excludes drafts and confidential information.	Available on website.	<i>Emergency Management and Civil Protection Act</i> , R.S.O. 1990, c. E.9, s. 10.

Public Works Department

Records / Information	RD/AD	Conditions for Release	Access to information	Legislation Governing Access
Memorial Program Information Packages	AD		Available at Township Office by request.	
Road Closures and Construction Information	AD		Available on website.	

ROUTINE DISCLOSURE REQUEST FORM

Routine Disclosure Request made to:

Corporation of the Township of South Algonquin,

7 Third Avenue
Whitney, ON, K0J 2M0

Request For:	Preferred Method of Access:
<input type="checkbox"/> Access to General Records <input type="checkbox"/> Access to Own Personal Information <input type="checkbox"/> Correction of Own Personal Information <input type="checkbox"/> Other	<input type="checkbox"/> Review Original <input type="checkbox"/> Copy

Requestor Information:	
Date:	
Name:	
Organization:	
Address:	
City:	
Province:	
Telephone Number:	
Email:	
Signature:	
<p><small>*Personal information on this form is collected pursuant to the Municipal Freedom of Information and Protection of Privacy Act and will be used for the purpose of responding to your request. Questions about this collection should be directed to the Freedom of Information Coordinator at 613-637-2650 ext. 202.</small></p>	

Detailed Request Information	
Please include any description or additional information related to the request	
Request Details:	

For office use only:	
Date Received:	
Request Status:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied
Request Notes:	
Date Completed:	