

COUNTY OF ELGIN

By-Law No. 17-42

**“BEING A BY-LAW TO APPOINT INDEPENDENT RESOLUTIONS INC. AS THE
INTEGRITY COMMISSIONER, CLOSED MEETING INVESTIGATOR AND
OMBUDSMAN FOR THE COUNTY OF ELGIN PURSUANT TO SECTIONS 8, 9, 10, 11,
223.3, 223.13 AND 239.2 OF THE MUNICIPAL ACT, 2001, S.O. 2001, C.25,
AS AMENDED”**

WHEREAS Section 223.3 of the Municipal Act, 2001, as amended, authorizes a municipal council to appoint an Integrity Commissioner who is responsible for performing in an independent manner functions related to the Code of Conduct of members of council and local boards; and,

WHEREAS Section 223.13 of the Municipal Act, 2001 as amended, authorizes a municipality to appoint an Ombudsman who reports to council and whose function is to investigate in an independent manner any decision or recommendation made, or act done or omitted in the course of the administration; and,

WHEREAS Section 239.2 of the Municipal Act, 2001 as amended, authorizes a municipality to appoint an Closed Meeting Investigator who has the function to investigate in an independent manner, a complaint made to him or her by any person, whether the municipality or a local board has complied with section 239 or a procedure by-law under subsection 238 (2) in respect of a meeting or part of a meeting that was closed to the public, and to report on the investigation; and,

WHEREAS such services shall be undertaken by an Integrity Commissioner, Closed Meeting Investigator and Ombudsman appointed by the County, pursuant to Sections 8, 9, 10, 11, 223.3, 223.13, 239.2 of the Act; and

WHEREAS the County deems it advisable to appoint Independent Resolutions Inc. as Integrity Commissioner, Closed Meeting Investigator and Ombudsman to perform these services for a three-year term commencing on January 1, 2018 with the option to renew for two additional years; and,

WHEREAS Independent Resolutions Inc. has expressed interest in providing services to the County and its constituent municipalities acting as Integrity Commissioner, Closed Meeting Investigator and Ombudsman on the terms and conditions as agreed from time to time and under written agreement in the form and of the content attached as Schedule “A” hereto;

NOW THEREFORE BE IT RESOLVED THAT the Municipal Council of the Corporation of the County of Elgin hereby enacts as follows:

1. THAT, subject to execution of the agreement attached as Schedule “A” hereto, Independent Resolutions Inc. is hereby appointed as Integrity Commissioner, Closed Meeting Investigator and Ombudsman for the County of Elgin to perform those functions set forth in Sections 223.3 through 223.6, 223.13 through 223.17, and 239.1 (1-11) of the Municipal Act, 2001 (Ontario) including but unlimited to:

a) Advice as to the application of the Code of Conduct, the Municipal Conflict of Interest Act, and any related procedures, rules, and policies governing the ethical behavior of members of council and local boards;

b) Conducting inquiries in respect of any requests alleging contravention of the Code of Conduct, the Municipal Conflict of Interest Act and/or any other procedures, rule or policy governing the ethical behavior of members of council and local boards;

c) Conducting inquiries in respect to the municipality or local boards' compliance with section 239 in respect of a meeting or part of a meeting that was closed to the public and in respect to any decision or recommendation made, or act done or omitted in the course of the administration;

d) Reporting to council for the Corporation of the County of Elgin as to activities as Integrity Commissioner, Closed Meeting Investigator and Ombudsman, including but not limited to reports as to the results of any inquiry into alleged contravention and/or an annual report of activities as Integrity Commissioner/Investigator/Ombudsman; and,

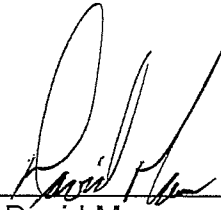
e) Educating members of council, members of local boards, the municipality and the public about the municipality's code of conduct for members of council and members of local boards and about the Municipal Conflict of Interest Act.

2. THAT this by-law shall come into force and take effect on January 1, 2018.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 14TH DAY OF DECEMBER 2017.



Julie Gonyou,
Chief Administrative Officer.



David Marr,
Warden.