



Report to County Council

From: Katherine Thompson, Manager of Administrative Services/Deputy Clerk

Date: January 28, 2025

Subject: Municipal Accountability Act Consultation Feedback

Recommendation(s):

THAT the report titled “Municipal Accountability Act” from the Manager of Administrative Services/Deputy Clerk dated January 28, 2025, be received and filed; and

THAT any additional feedback from Council be incorporated into the letter to the Minister of Municipal Affairs and Housing regarding proposed changes to the Municipal Accountability Act, 2024, and

THAT staff submit the letter by the submission deadline of February 10, 2025.

Introduction:

On December 12, 2024, the Province of Ontario introduced proposed changes to the Municipal Accountability Act, 2024 designed to strengthen the municipal code of conduct and integrity commissioner framework. The proposed changes, if passed, would:

- enable the creation of a standard municipal code of conduct and standard municipal integrity commissioner investigation processes to help ensure consistency across all Ontario municipalities;
- create a role for the Integrity Commissioner of Ontario in municipal code of conduct and integrity commissioner matters, including providing training to municipal integrity commissioners; and
- establish a mechanism to remove and disqualify members of council and certain local boards for a period of four years for the most serious code of conduct violations following a recommendation from the local integrity commissioner, a concurring report from the Integrity Commissioner of Ontario, and a unanimous vote of council.

The Hon. Paul Calandra, Minister of Municipal Affairs and Housing sent a letter to Elgin County Council soliciting feedback on the proposed changes. This feedback is due on

February 10, 2025. At its meeting held on January 14, 2025, Council directed staff to incorporate Council feedback into a single submission for review by Council at its meeting on January 28, 2025.

Background and Discussion:

Staff have incorporated feedback from Council into a draft letter to be sent to the Hon. Paul Calandra, Minister of Municipal Affairs and Housing. This letter is below for Council's consideration.

Subject: Feedback on Proposed Changes to the Municipal Accountability Act, 2024

Dear Minister Calandra,

I am writing on behalf of Elgin County Council to provide feedback on the proposed Municipal Accountability Act, 2024, introduced on December 12, 2024. We appreciate the Ministry's commitment to strengthening the municipal code of conduct and integrity commissioner framework, and we acknowledge the value of these proposed changes in promoting consistency and accountability across Ontario municipalities.

After careful consideration, Council is supportive of the first two proposed changes:

1. The creation of a standard municipal code of conduct and standard integrity commissioner investigation processes to ensure consistency across Ontario municipalities.
2. The establishment of a role for the Integrity Commissioner of Ontario to provide training and guidance to municipal integrity commissioners, supporting effective and fair investigations.

However, Council has concerns regarding the third proposed change related to the removal and disqualification of council members and certain local board members. Specifically, we believe the mechanism proposed—requiring a unanimous vote of council after a recommendation from the local integrity commissioner and a concurring report from the Integrity Commissioner of Ontario—is insufficient.

Council believes that the decision to remove a duly elected individual from office is a significant and highly controversial matter. Such a decision should not rest solely with the local council, even in the case of a unanimous vote. We feel strongly that this process would benefit from an independent, third-party judicial review following the integrity commissioner's ruling and the council's vote. This additional safeguard would help ensure that any such decision is made with the utmost fairness and impartiality, reducing the risk of political bias or undue influence.

Given the gravity of removing an elected official from office, an independent judicial review would provide an important final step in the process, helping to maintain public trust in the integrity of the system and ensuring that decisions are made transparently and with due process.

We respectfully urge the Ministry to consider amending the third proposed change to include an independent judicial review as the final step in the process. This would

provide greater confidence in the fairness and legitimacy of any decision to remove or disqualify a member of council.

Thank you for considering our feedback. We remain committed to supporting safe, respectful, and accountable municipal governance and look forward to continuing to work together to improve the framework for municipal conduct.

Sincerely,

Warden Grant Jones

Financial Implications:

None.

Alignment with Strategic Priorities:

Serving Elgin	Growing Elgin	Investing in Elgin
<input type="checkbox"/> Ensuring alignment of current programs and services with community need. <input type="checkbox"/> Exploring different ways of addressing community need. <input checked="" type="checkbox"/> Engaging with our community and other stakeholders.	<input type="checkbox"/> Planning for and facilitating commercial, industrial, residential, and agricultural growth. <input type="checkbox"/> Fostering a healthy environment. <input type="checkbox"/> Enhancing quality of place.	<input type="checkbox"/> Ensuring we have the necessary tools, resources, and infrastructure to deliver programs and services now and in the future. <input type="checkbox"/> Delivering mandated programs and services efficiently and effectively.

Local Municipal Partner Impact:

None.

Communication Requirements:

Should Council approve this letter, Staff will ensure it is submitted by February 10, 2025.

Conclusion:

Staff have incorporated Council feedback regarding proposed changes to the Municipal Accountability Act, 2024 into a single letter for submission to the Ministry of Municipal Affairs and Housing.

All of which is Respectfully Submitted

Approved for Submission

Katherine Thompson
Manager of Administrative Services/Deputy Clerk

Blaine Parkin
Chief Administrative Officer/Clerk