

Type of Decision									
Meeting Date	Friday, April 3, 2009				Report Date	Wednesday, March 18, 2009			
Decision Required	x	Yes		No	Priority	X	High		Low
Direction Only		Information Only			Type of Meeting	X	Open		Closed
REPORT TITLE									
Bill 130 By-laws									

Subject: Proposal to support the adoption of an Accountability And Transparency By-Law 2009-10, a Notice By-Law-2009-06 and a Sale Of Land by-law – 2009-08 as per Bill 130 amendments to the Municipal Act in 2007 and 2008.

Recommendation: That Council adopt the following by-laws as per the Bill 130 changes to the Municipal Act.

Background/Executive Summary: Bill 130 made changes that require every Council to adopt policies in respect to a number of issues including: Accountability and Transparency, Notice, Sale and Disposition of Land, Hiring of Employees, Procurement of Goods and Services and Delegation of Powers. Some of these have been completed in 2008. Others were not, due to my absence. Since my return I have reviewed work completed, researched how other municipalities have composed their by-laws and have created simplified by-laws to meet our needs. Council is required under the *Municipal Act* to have these by-laws. It is all in the vein of openness and transparency of municipal government and administration. Although some of these by-laws include aspects that might seem more than we require, it is prudent to adopt them prior to any of the situations arising. For example, we have not had any known instances of harassment or discrimination however; we do need to have a policy and procedure to deal with these types of issues should they occur. Creating the policy after the fact is useless. Being proactive is preferable to being reactive.

Also, simple issues like dress code and confidentiality may seem to be no-brainers however; what is acceptable to some may not be to others. These policies simply set out basics to provide a framework for employees to know how to act themselves and how to deal with situations that may occur in the workplace.

Financial Considerations/Budget Impact: No budget impact.

Options: Each municipality is required to adopt basic policy as per section 270 of the *Municipal Act*. We are not required to be as specific as I have been in some of these policies, however; having the documents in place will provide important direction to staff.

Others Consulted: Fred Dean, Municipal Solicitor, City of Ottawa, AMCTO, Town of Ingersoll, Town of Gravenhurst, City of Owen Sound. The Municipal Law Departments Association of Ontario created a sample policy to be considered for enactment under the *Municipal Act, 2001*.

(I completed a review of by-laws from a number of municipalities – many of which were very similar having been created at the same time for the same reasons with the same experts providing examples and support.)

Approved and Recommended by the Clerk

Melinda Reith,
Municipal Clerk

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