



TOWN OF MINTO

MEETING DATE: January 21, 2025
REPORT TO: Mayor and Council
SERVICE AREA: Clerks
SUBJECT: CL 2025-002 – Proposed Municipal Accountability Act, 2024

RECOMMENDATION:

THAT the Council of the Town of Minto hereby receives report CL 2025-002 - Proposed Municipal Accountability Act, 2024, prepared by the Clerk, for information purposes;

AND FURTHER THAT the Council of the Town of Minto officially supports the proposed Municipal Accountability Act 2024 (Bill 241).

BACKGROUND:

At the January 7th, 2024 meeting, Council considered correspondence from the Ministry of Municipal Affairs and Housing re: Introduction of Proposed Municipal Accountability Act, 2024. The following Motion was carried:

MOTION: COW 2025-001

Moved by: Councillor Elliott; Seconded by: Deputy Mayor Anderson

THAT the Council of the Town of Minto request that the Clerk bring forward a report to Council regarding the Introduction of Proposed Municipal Accountability Act, 2024

In 2021, the Province undertook consultations to strengthen municipal codes of conduct following several high-profile workplace violence investigations. Pressure to the Province came from municipal associations, municipal councils and non-partisan advocacy group, [Women of Ontario Say No](#). On the final day of the legislative session of 2024 before recessing until March 3, 2025, the Province put forward this legislation,

COMMENTS:

The Municipal Affairs and Housing Ministry provided the following information on the proposed changes on December 12, 2024, through the Ontario Newsroom titled “Ontario Supporting Stronger Local Governance”.

The proposed changes in the Municipal Accountability Act, 2024 would amend the Municipal Act, 2001, and the City of Toronto Act, 2006, to strengthen the municipal code of conduct and integrity commissioner framework in order to:

- *Allow for the creation of a standard code of conduct for all municipalities and require mandatory code of conduct training for members of council and certain local boards.*

- Create a regulation-making authority to set out the municipal integrity commissioner investigation processes, including a complaints mechanism and reporting requirements.
- Provide a role for the Integrity Commissioner of Ontario to provide advice to municipalities and training to municipal integrity commissioners and review all reports from municipal integrity commissioners recommending that a member be considered for removal and disqualification, as well as conduct inquiries.
- Establish a stronger penalty by establishing a mechanism for members of council and certain local boards to be removed and disqualified for four years for serious violations of the code of conduct.

The Municipal Accountability Act, 2024, if passed, would establish rules so that municipal integrity commissioners and the Integrity Commissioner of Ontario would only be able to consider and recommend removal and disqualification if they determine that all four criteria are met:

1. The member has contravened the code of conduct;
2. The contravention is of a serious nature;
3. The member's conduct that is the subject of the inquiry has resulted in harm to the health, safety or well-being of persons; and
4. The existing penalties are insufficient to address the contravention or ensure that the contravention is not repeated.

If passed, the legislation would also establish that the Integrity Commissioner of Ontario, when in the process of conducting an inquiry, could also consider, among other matters, whether the contravention negatively impacts public confidence in the ability of the member to discharge their duties, and, of the council or local board to fulfill its role, including by meeting its statutory obligations.

The proposed changes would also create a process to remove and disqualify members of council and local boards that would include the following steps:

1. Upon receipt of a complaint, the municipal integrity commissioner conducts an inquiry. If they find that the criteria for removal and disqualification are met, they can make a recommendation for removal and disqualification to the Integrity Commissioner of Ontario.
2. If the Integrity Commissioner of Ontario receives a recommendation from the municipal integrity commissioner, they would be required to conduct an inquiry and determine whether the criteria for removal and disqualification have been met. If so, they can provide a recommendation to municipal council that the member be removed from their seat and disqualified for four years.
3. If the Integrity Commissioner of Ontario recommends that a member be removed and disqualified, council must vote on the recommendation:
 - All members of council who are not exempt would be required to vote in favour of the Integrity Commissioner of Ontario's recommendation to remove and disqualify a member.
 - Only the member(s) who is/are the subject of the report, members with approved absences or members who have a conflict of interest under the [Municipal Conflict of Interest Act](#) would be exempt from the vote.
4. If council unanimously votes to approve the recommendation, the member is removed from their seat and is disqualified for four years.

The government intends to consult on these changes and work with the municipal sector to develop the necessary regulations to support the new framework coming into effect for the new term of councils in 2026.

If passed, the bill and forthcoming regulations would, among other things:

- Standardize both the municipal code of conduct with mandatory training for members, as well as integrity commissioner investigation processes including reporting requirements.
- Establish a role for the Integrity Commissioner (IC) of Ontario in municipal code of conduct and integrity commissioner matters, such as advising on IC appointments, training local commissioners and conducting inquiries.
- Introduce a mechanism for members of council and certain local boards to be removed and disqualified for four years for serious code violations.

If passed, this Bill would improve consistency of ethical standards and process across municipalities and strengthen accountability for members of council and certain local boards. However, the Integrity Commissioners will continue to serve largely in an advisory capacity, leaving the ultimate decision-making with local councils.

FINANCIAL CONSIDERATIONS:

N/A

STRATEGIC PLAN:

GOAL 5: RESPONSIBLE GOVERNMENT

Deliver services in an open, accountable, and transparent manner while providing an outstanding working environment for our employees and community.

PREPARED BY: Annilene McRobb, Clerk

RECOMMENDED BY: Gregg Furtney, Chief Administrative Officer (CAO)