

TO:	CHAIR AND MEMBERS FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE MEETING ON JANUARY 16, 2012
FROM:	CATHY SAUNDERS CITY CLERK
SUBJECT:	DISCLOSURE OF NAME AND ADDRESS AT PUBLIC PARTICIPATION MEETINGS

RECOMMENDATION

That, on the recommendation of the City Clerk, that the City Clerk **BE DIRECTED** to undertake the necessary by-law and administrative changes to not require members of the public to provide their address at meetings held by the City of London in a public forum; it being noted that unless members of the public provide their address by means of a private form obtainable from the Civic Administration, they will not receive further correspondence on the matter they have spoken to.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

None.

BACKGROUND

Municipal Council directed the Civic Administration to review the current practice with respect to the requirement for a speaker to publicly provide their name and address during an oral submission at public participation meetings. Some members of the public have expressed safety concerns with having to provide their name and address in a public forum.

Current By-laws and Policies

The following City of London By-laws and policies set out requirements with respect to the provision of names and addresses when providing submissions to City Council regarding a matter before Council for consideration.

- Council Procedure By-law A-41

Section 15.1 of the by-law states: “Every communication or petition intended for presentation to the Council or to a committee shall be legible written or printed and shall be signed by at least one person giving his/her address”.

- Council Policy Anonymous Communications Etc.

This policy indicates that anonymous communications would not be accepted, where the intended recipient is Municipal Council or a Standing Committee of Council.

Planning Act, R.S.O. 1990, c.P.13

The *Planning Act* requires any person or public body to make oral submissions or written submissions to the Council before an Official Plan is adopted, a Plan of Subdivision is approved, or a Zoning By-law is enacted, in order to appeal to the Ontario Municipal Board, the decision related to the planning matter. It is therefore imperative that a record be kept of who spoke at a public participation meeting or submitted comments in writing, for matters related to applications under the *Planning Act*.

Discussion

We have reviewed the practices of selected Ontario municipalities to determine how they address requirements under legislation and the need for transparency with respect to public comments related to matters before Municipal Council. The following chart summarizes the findings:

Municipality	Comments
Mississauga	Only the name of a member of the public who speaks at a Public Meeting of the Planning and Development Committee (Standing Committee of Council) is recorded in the minutes of the meeting, which is considered a public record.
Kingston	Practice varies. The practice is contingent on how much advance notice is given and the degree of certainty as to whether the individual is aware that their information may become public. Information on disclosure is provided on the website, as well as when the individual seeks approval to address council or a committee. In some cases, information is withheld due to doubt regarding informed consent.
Windsor	The name is disclosed on the Agenda and the matter to which they are addressing council.
Ottawa	When an individual requests to speak or submit feedback on an issue, the individual is informed that their name becomes part of the public record. Phone numbers, addresses and email addresses are not disclosed.
Brampton	If a person speaks at a public meeting their name and address is included in the public record. If the public meeting is related to a planning matter, the individual signs a form acknowledging that the information will be disclosed.

Based upon the findings from other municipalities, and taking into consideration privacy concerns expressed by members of the public, it is proposed that the City Clerk be directed to undertake the necessary by-law and administrative changes to not require members of the public to provide their address at meetings held by the City of London in a public forum. However, members of the public speaking at meetings held by the City of London will still be obliged to provide their address information, should it be required by law (such as the *Planning Act*) and/ or in those instances where the individual wishes to receive further written communication from the City of London. Where the provision of an address is in order, members of the public will be able to provide their address by means of a private form obtainable from the Civic Administration.

RECOMMENDED BY:
CATHY SAUNDERS CITY CLERK